

Nebraska

M'KELVIE TRIES IT AGAIN

Lieutenant Governor's Attorney Files Brief in Rehearing.

IN A CLASS ALL BY HIMSELF

Allegation Made that Constitution Does Not Apply to This Class of Officials—Transfer Switch at Nelson Ordered.

(From a Staff Correspondent.) LINCOLN, Neb., May 23.—(Special.)—Lieutenant Governor McKelvie still persists that the supreme court made a mistake when it decided that the lieutenant governor of Nebraska could not fill the office of governor following his term as lieutenant governor and in a brief filed today in the supreme court makes another attempt to convince the court of an error of judgment. The brief is filed by W. T. Thompson, at one time attorney general and who while attorney general gave out an interview in which he said he was satisfied that no state officer could become governor immediately following his term as such state officer.

However, Mr. Thompson looks at the thing in a different light now and says, among other things, that it was erroneous for the court to hold that the lieutenant governor, who is required to possess all the qualifications of a governor, required to perform the duties of governor in his absence and authorized to perform the duties of no other state officer, is ineligible and disqualified to be elected to the office of governor.

The main point of the brief is that in the statutes and in all affairs of state the office of governor and lieutenant governor are connected together. The latter fills the place of the former when he is away and in all things is recognized by the statutes as the governor in the absence of the regular official. In the eligibility clause the constitution says that "no person shall be eligible to the office of governor or lieutenant governor who shall have not attained the age of 30 years," and speaks of the other state officers separately. The brief contends that the lieutenant governor is in a class by himself and that the other state officers are the ones alluded to in the clause of the constitution which prohibits them from holding the office of governor immediately following their terms as state officers.

Switch at Nelson Ordered.

The State Railway commission has ordered the Rock Island and Burlington railroads to put a transfer switch at Nelson on complaint of the Deshler broom factory, Superior Commercial and Jensen & Sons, millers and grain men at Jensen.

The commission has also issued an order that all railroads publish an order that where shippers cannot avail themselves of a regularly scheduled refrigerator car, service cars may be furnished at less than carload rates, minimum charge 5.00 pounds at third-class rate, but not less than 120 per cent.

The application of the Washington & Western Telephone company at Verdigris to validate \$125 of common stock and make an issue of an additional \$500 in common stock was allowed, with the exception that the amount of the additional stock was cut down to \$500. The validated stock was issued in 1900.

The headquarters of the alumni committee which has been organized to oppose university consolidation have been opened at the Lindell hotel under the high sounding title, Headquarters University Home Campus Extension committee, which is to be in charge of ex-Congressman E. M. Pollard, who represented the interested property owners and merchants in the same cause before the legislature. The opening of the headquarters is accompanied with the opening of a publicity campaign in the form of a lengthy public statement by Mr. Pollard in which he claims to speak "as a farmer," and repeating the familiar arguments against abandoning the present buildings. He goes into considerable detail to prove that it will be cheaper to the taxpayers to maintain the two wings of the university separately, declaring that the three-fourths of a mill levy cannot take care of both in case removal carries. He also makes again the special plea for the boys and girls paying their way through the university out of labor secured in the city of Lincoln, insisting they cannot find such employment in the vicinity of the proposed new campus.

PIONEER PLATTSMOUTH FIRM BANQUETS EARLY PATRONS PLATTSMOUTH, Neb., May 23.—(Special.)—The C. E. Westcott's Sons gave a fine banquet in their store Friday evening in honor of the thirty-fifth anniversary of being engaged in the clothing business in this city. Covers were laid for about 100 persons who had traded with them during the year 1879. Attorney R. B. Windham was toastmaster and related his experience in purchasing his wedding suit on credit in 1879. Thomas Wiley, who came here in 1854, told of his father having killed a fifty deer in one winter and of some of the hardships experienced in those days. C. E. Westcott of Los Angeles, Cal., father of C. C. and E. H., was present and gave some of his experience in business in the early days and of having had his stock entirely consumed by fire. Brief congratulatory talks were given by Rev. F. M. Drulliner, Dr. T. F. Livingston, C. S. Poole, Judge J. W. Johnson, George E. Doyce, J. M. Roberts, cashier of the Plattsmouth State bank, and others.

District Court in Madison.

MADISON, Neb., May 23.—(Special.)—District court took a recess Friday afternoon until Monday at 1 p. m. The jury in the case of Frans Dietrick against William Reeves for \$10,000 damages, after being out most of the night, returned a verdict for the defendant and the costs were taxed to the plaintiff. Motion will be made by the plaintiff for a new trial in the case of William Volk against the Iowa Security company, P. Sheridan Williams and Thomas Lackey. Judge Welch instructed the jury to return a verdict for the defendant.

News Notes of North Bend.

NORTH BEND, Neb., May 23.—(Special.)—Judge Howland of North Bend will deliver an address here for the Grand Army of the Republic post, Memorial day. Mrs. Anna Wolfe and her daughter, Miss Ethel Roddy, have returned to North Bend from Lusk, Wyo., where Miss Roddy has been teaching in the Lusk schools. They will spend this month here.

The North Bend chautauqua will convene June 8 and continue five days.

Memorial to a Pioneer Nebraska Home Builder

CHARLES F. FREDERICK BENTLEY 1843—1908 IN GRATEFUL RECOGNITION OF YEARS OF DEVOTED SERVICE IN THE CAUSE OF HOME BUILDING AND HOME OWNING A TRIBUTE BY NEBRASKA STATE LEAGUE OF LOCAL LOAN AND BUILDING ASSOCIATIONS

A tribute to the life work of Mr. Bentley, the Grand Island banker, who drafted the first building and loan association of Nebraska, the act of 1891, and was president of the State league for ten years. The tablet has just been placed on the tiled wall of the new home of the Equitable Building and Loan association in Grand Island, an association Mr. Bentley helped to organize in 1881, and of which he was an officer at the time of his death, July 15, 1908. Tablet is bronze, sixteen by thirty inches in size.

Breen Files Brief as Friend of Court in Broadwell Case

(From a Staff Correspondent.)

LINCOLN, Neb., May 23.—(Special.)—In a brief filed by Attorney John P. Breen, amicus curiae, in the supreme court in the case brought by the county of Douglas against Frank A. Broadwell and the American Bonding and Trust company covering the retention of fees by the clerk of the district court of that county for service as a member of the board of insanity commissioners in addition to the regular salary as clerk of the court, in which the court of Douglas county held that the county commissioners had no authority to compromise the matter of fees collected by the clerk of the district court as insanity commissioner and ordered the amount agreed in the compromise to be returned, Mr. Breen denies the right of the lower court to make such order and holds that as the office of insanity commissioner is wholly and separately apart from the duties prescribed by law for the clerk of the court that he is entitled to the fees retained as a member of the insanity commission.

Mr. Breen cites several cases in which one individual may be holding separate offices and yet at the same time they are so completely different in their character that they be held as entirely foreign to each other and the statute makes no provision for consolidation of fees. He calls attention to the law which requires the governor of the state also to be a member of the state insurance board, state banking board and other boards, which have nothing to do with the duties of governor.

He lays considerable stress on the law or rather the 1890 amendment to the law which says "if the fees of said clerk shall exceed \$1,000 per annum in counties having less than 25,000 inhabitants, etc.," and contends that the court should need no further argument to convince it that the law was intended to cover and limit fees of the clerk of the district court as such officer and had nothing else to do with any other office which he might be holding.

The brief, which covers nineteen pages, simply denies the right of the court to consider the office of members of the insanity commission as any part or in any way connected with the office of clerk of the district court and therefore all fees collected by the member of the court collected as the latter officer and therefore must be considered as no part of clerk of the court moneys.

ALFALFA RATION PROVES TO BE VERY PROFITABLE

(From a Staff Correspondent.)

LINCOLN, May 23.—(Special.)—Alfalfa is a profitable crop for the beef producers of eastern and southeastern Nebraska, declared Prof. R. K. Bliss of the State university farm to 500 beef producers Friday. In addition he declared that experiments at the farm showed that where farmers in the eastern and southeastern sections of the state could raise alfalfa, they had a distinct advantage over feeders in Iowa, Indiana and Illinois. In these states cold pressed cotton seed cake and oil meal are used.

Prof. Bliss declared that a corn and alfalfa ration and corn, alfalfa and a light feed of ensilage produced the best results last year. According to the tests of Prof. Bliss, the steers fed on a corn and alfalfa ration returned an average profit of \$1.41 a steer. Corn, alfalfa and a light feed of ensilage netted an average profit of \$2.79 a steer. Corn, alfalfa, a heavy feed of ensilage and cold pressed cotton seed cake as a ration showed a loss of \$2.35 a steer. A ration of corn, corn ensilage, cold pressed cotton seed cake and alfalfa, the last five weeks indicated a loss of \$3.31 a steer.

BROTHER OF MRS. M'GINNIS MURDERED IN MONTANA

(Special.)

BEATRICE, Neb., May 23.—(Special.)—Mrs. J. R. McGinnis was called to Culbertson, Mont., today by a telegram which stated that her brother, Roy Jimenez, had been shot and killed by a ranchman near Mena, Mont. Young Jimenez settled on a claim near that place some time ago, and according to reports the man who did the shooting has been trying to force him to leave the claim. Jimenez was 22 years of age and leaves a widow and one child, besides his parents, Mr. and Mrs. G. W. Jimenez, of Culbertson, three sisters and two brothers. Mrs. McGinnis was joined at Lincoln by another sister who resides at Minden, Neb.

Bigamist Pleads Guilty.

DAVID CITY, Neb., May 23.—(Special.)—Franklin J. Crowell, who was given a preliminary hearing in the county court of Butler county Monday on a charge of bigamy and was bound over to the fall term of the district court, pleaded guilty Friday and was sentenced by Judge E. B. Good to serve a term of from one to four years in the state penitentiary. Sheriff West took him to the penitentiary yesterday.

Man Killed in Motor Accident Near Eustis

(Special Telegram.)

EUSTIS, Neb., May 23.—(Special Telegram.)—Arthur White, aged 25, died last night from the effects of injuries received in a motorcycle accident. The young man was a Montana homesteader and was here visiting former friends with whom he had made his home for fifteen years. While en route from the farm at Byron Dutton to Cozad something happened to the machine, causing him to lose control of it. Eye witnesses say he was hurled twenty feet in the air. He was picked up and died a few hours later without recovering consciousness.

SHIPMENTS OF CATTLE FROM STATE POINTS ON INCREASE

(From a Staff Correspondent.)

LINCOLN, May 23.—(Special.)—According to a report made by the State Railway commission, cattle received from interstate points have increased during the four months of the operating year of 1913-14 over the previous year, while intrastate shipments have decreased for the same period at the South Omaha stock yards. On the other hand, cattle forwarded from the yards to interstate points are less than the previous year, while intrastate shipments are more. The report is made for number of cars and is as follows:

Table with 2 columns: Description, Amount. Received from interstate points: 10,729 8,960. Received from intrastate points: 13,901 21,457. Forwarded to interstate points: 4,781 5,707. Forwarded to intrastate points: 1,900 1,738. Totals: 30,311 37,862.

PHONE MEN COMBATTING GOVERNMENT OWNERSHIP

(Special.)

GRAND ISLAND, Neb., May 23.—(Special.)—A meeting of the managers of the Nebraska Telephone company in the Grand Island district was held in this city yesterday to discuss the government ownership proposition, and means to combat public sentiment in that direction. The main address to the thirty managers of the district present, the district comprising all of Nebraska west of Grand Island, was made by Commercial Superintendent L. B. Wilson of Omaha.

"A movement is now being made by certain officials at Washington," said Mr. Wilson, "to have the United States Post office department take over the telephone and telegraph systems in this country and we deem it the duty we owe our subscribers and our employes to give them all the facts and figures in our possession on the subject.

"If the people knew the real facts as to what would be expected in service and rates if the government should take over these utilities, the people would never assume the enormous national debt that

ECZEMA LIKE LIVING FIRE

On Head and Face. Itched and Burned Terribly. Would Form Scabs. Hair All Came Out. Eyes So Sore Could Hardly See. Cuticura Soap and Ointment Cured.

R. F. D. No. 1, Box 87, Michigan City, Ind.—"I had the eczema on my head ever since I could remember. It would itch and burn terribly sometimes. It came on my face and was like a living fire. My eczema was like pimples and if I scratched them they would bleed and form scales like finger nails. I had scars all over my face. I could not sleep because it itched so badly and I would scratch. My hair all came out in one week. My eyes got so sore that I could hardly see well. I suffered terribly and I thought there would be no cure for me. I treated and spent fifty dollars and got no help. I was discouraged. My sister came to see me and she told me to try Cuticura Soap and Ointment. I would bathe in hot water and Cuticura soap and then put the Cuticura Ointment on twice a day, morning and night, and bandage my face and head as much as I could. I used three cakes of Cuticura Soap and two boxes of Cuticura Ointment and my eczema completely cured." (Signed) Mrs. W. H. Rhoads, Oct. 23, 1913.

It costs nothing to learn how pure, sweet, effective and satisfying Cuticura Soap and Ointment are in the treatment of poor complexion, red, rough hands, itching scalp, dandruff, dry, thin and falling hair, because you need not buy them until you try them. Although sold everywhere, sample of each will be mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

SALE OF CAPES MONDAY \$25.00 values \$19.95 \$25.00 values \$14.75 THE HOUSE OF MENAGH "The Store for Gentlemen" 1613 Farnam St.

Young Men always look to us for something special in Clothing Not alone special values, but when they want a special new style, a certain fabric, color or pattern, they know this store can come closest to satisfying their particular ideas. This all comes about through our making a specialty of Young Men's Wearables. \$10 - \$15 - \$20 - \$25 OMAHA'S LARGEST STORE FOR MEN AND BOYS KING-PECK CO. "HOME OF QUALITY CLOTHES"

Drs. Mach & Mach ... THE DENTISTS... Third Floor Paxton Block Cor. 16th and Farnam Sts. Telephone Douglas 1085 Associates—Dr. Wilcox and Dr. Scouten OFFICES THIRD FLOOR PAXTON BLOCK This is the largest and best equipped Dental Office in Omaha. Seven chairs, white enamel, sanitary equipment. Employing in all 10 people. The foundation of this large practice is High Grade Dentistry at reasonable prices.

Any Bicycle in This \$10,000.00 Stock 20% Off Any Item in the West's Largest Bicycle Sundry Stock at 20% off Omaha—In fact all Nebraska—Has never before had a sale like this— Note the Makes—The "Racycle," "Crescent" "Gendron," "Mickel" and others as good. FREE! A \$2.00 Automobile Tire Pump with every Bicycle Sold—And any Bicycle, mind you, at 20% off. MICKEL'S Nebraska Cycle Co. Corner 15th and Harney Sts. - - - Omaha 334 Broadway, - - - Council Bluffs, Ia.

THE CONSTANTLY INCREASING SALES OF BEER WARRANTS THE STATEMENT THAT BEER IS THE NATIONAL BEVERAGE BEER IS MADE OF Malted Barley, Rice, or Corn, and Hops, and can Appropriately be called a LIQUID FOOD THERE IS NO FOOD PRODUCT OR BEVERAGE MADE OF PURER OR MORE WHOLESOME MATERIALS. NOR IS ANY MANUFACTURED UNDER MORE SANITARY CONDITIONS Luxus THE BEER YOU LIKE STANDS PREEMINENTLY AMONG BOTTLED BEERS Brewed and Bottled by Fred Krug Brewing Co. OMAHA, U.S.A. LUXUS MERCANTILE CO. DISTRIBUTERS Phone Doug. 1889 : : : and have a case sent home

WHY IS OMAHA? FOLLOW any of her 17 railroads 100 miles and you have the answer. It's the rich farming territory from Chicago to the Rockies and from Fargo to Kansas City with its educated farmers, high-priced farms and bumper crops that have made Omaha. These farm homes buy immense quantities of all advertised goods and they are easily susceptible to advertising. Apply this condition and fact to your business. Use this rich, easily accessible market. Reach these homes through Missouri River Valley's greatest weekly farm paper—Twentieth Century Farmer. Circulation, 108,000; display rate, 50c per agate line; classified rate, 5c a word. TWENTIETH CENTURY FARMER ASK FOR SAMPLE COPY