

They Say:

The traveling public tells us that nowhere is there a shop with a name so unusual as ours.

Well, it's OUR NAME—PRAY—and it stands "for Men—for men's wear—that is different"—and we back that assertion with the goods—unusually good merchandise, at moderate prices.

Thousands of "home folks" know that we "make good." We enjoy a splendid patronage—from patrons who come again and again—and we hope to have YOU try us—come in!—tomorrow or Saturday—and see how well prepared we are to clothe you—from suits to socks.

PRAY

FOR MEN
508-510 So. 16th.

Studebaker SIX

ECONOMICAL LIGHT WEIGHT
\$1575



Perfect in balance and alignment; running without vibration.

That is the Studebaker SIX motor—(3 1/2 x 5 inches)—a splendid example of the block casting type and the small-bore, long-stroke practice.

It has been called one of the most perfectly balanced motors in the world.

This balance is attained only through Studebaker manufacturing methods which specify the raw metals, make the castings, do the heat treating, machining and grinding—everything.

Economy and efficiency in the highest degree are the result. Smaller gasoline consumption than a "four" of same displacement; actually more usable power, because of continuous torque.

No annoying vibration; smooth running; alignment permanent because all cylinders are cast in one piece.

Care and closeness in manufacturing; balance; light weight; economy and easy riding—these are the symbols of the Studebaker SIX.

Send for the Studebaker Proof Book, describing Studebaker manufacturing methods.

F. O. S. Detroit
FOUR Touring Car...\$1050
SIX Touring Car...\$1575
SIX Landau Roadster...\$1850
SIX Sedan...\$2250

WILSON,
2429 Farnam Street,
Local Dealer
Buy It Because It's a Studebaker

THE BEE'S REAL ESTATE COLUMNS
today are worth looking over. You are doing yourself an injustice if you fail to share in the opportunities offered.

Nebraska.

AUDITOR LOSES HIS SUITS

Insurance Code Bill Upheld by the Supreme Court.

ACTS HELD CONSTITUTIONAL

Judges Find Nothing in Measure that Renders it Necessary to Change Procedure Laid Down by Insurance Board.

(From a Staff Correspondent.)
LINCOLN, Neb., May 29.—(Special Telegram.)—The insurance cases brought by State Auditor W. B. Howard were both decided by the supreme court today against the state auditor. The writ of mandamus was overruled and the quo warranto suit dismissed.

The constitutionality of the new law is upheld. Another case from Boone county which has been long in the courts, was also among the number, and one or two minor cases from Douglas county comprised the bulk of the opinions.

The cases involving the constitutionality of the new code insurance law were brought by State Auditor W. B. Howard on an application for a writ of mandamus against the insurance board created by the new law asking for the return of the department to the jurisdiction of the auditor's office. The other was in the nature of a quo warranto proceeding against L. G. Brian denying his right to act as insurance commissioner.

The controversy arose over the action of the last legislature in passing the new code insurance law which created a board of insurance consisting of the governor, attorney general and state auditor.

What Court Says.
The syllabus of the court is very comprehensive and is written by Justice Letton, as follows:

1. A comprehensive act of the legislature, such as chapter 124, laws of 1913, commonly known as the insurance code, consisting of eleven articles and 183 sections, having for its purpose the enactment of laws to cover and codify the law upon the whole subject of insurance, will not be held invalid for the reason that a portion of the provisions of one section, was not correctly copied into the enrolled bill which was signed by the governor, or on account of the inclusion in another section of an invalid minor provision, when it does not appear that the defective portion constituted the inducement to the passage of the act, and when the objectionable parts may be eliminated and still leave an enforceable law which expresses the legislative will.

2. In order to justify the courts in declaring invalid, as a delegation of legislative power, a statute conferring particular duties or authority upon administrative officers, it must clearly appear beyond a reasonable doubt that the duty or authority so conferred is a power which attaches exclusively to the legislative department, and the conferring of it is not warranted by the provisions of the constitution.

Law Not Inconsistent.
3. By the terms of the act the insurance board created thereby, is directed to prepare a form of fire insurance policy "as nearly as practicable in the form known as the New York standard." Many provisions are contained in other sections of the act denying contract provisions contained in the New York standard form and permitting others not so contained.

4. That it was the intention of the legislature that the New York form should be adopted as nearly as practicable "as nearly as practicable" should be construed to mean "as nearly as practicable" considering all other provisions contained in the insurance code which are inconsistent with the New York standard form.

5. The duty of the board in this regard is to arrange and prepare in proper form the provisions of the code. Its duties are, therefore, ministerial or administrative, and not legislative, and the delegation of the duty is not an unconstitutional delegation of legislative power.

6. That portion of the section referred to which provides that the New York form shall be used as it "may be hereafter amended" is not unconstitutional because it would be that the future action of the legislature of another state would govern and control the duties of the board, and would require legislative action.

Maximum Rates.
6. Sections 14, 18 and 19 of the act in question permitting the establishment of maximum rates of premium for surety and fidelity companies under certain circumstances, and the insurance board, are not void on account of taking property without due process of law or as being an unlawful delegation of legislative power.

7. "Authority to make rules and regulations to carry out an express legislative purpose or for the complete operation and enforcement of a law within designated limitations is not an exclusive legislative power. Such authority is administrative in its nature and its use by administrative officers is essential to the complete exercise of the powers of all the departments."

8. The court in an action brought by a public official and member of the board created by the law will not anticipate, for the purpose of declaring a law unconstitutional, that the acts of the board, to which is committed its administration, will in the future infringe upon the rights of others, or deprive persons of property without due process.

9. The state may impose such conditions and limitations as it sees fit upon foreign corporations seeking the privilege of doing business in this state.

Hospital Wins Case.
The case brought in the Douglas county district court by the Omaha General Hospital against Robert C. Strohman, a contractor to collect hospital expenses for services rendered to John T. Anderson, an employee of the contractor who was injured and taken to the plaintiff's hospital, where he died, is decided in favor of the hospital, and the judgment of the lower court, which gave the plaintiff \$15, is affirmed.

Dismissal of Suit Sustained.
The court affirms the holdings of the Douglas county district court in the case brought by Clara Music against William T. Adams and others for personal injuries alleged to have been sustained by her falling over a pile of dirt upon the walk in front of property owned by the defendants. The lower court found for the defendants and dismissed the suit and the plaintiff appealed.

Holds Woman Married.
The case of Reynolds against Reynolds brought from Boone county and which has been in the courts several years and in supreme court two or three years, involving the validity of a marriage between Charles Reynolds, a wealthy farmer of Albion, and Vivian Reynolds, who at the time of the marriage was alleged to be the common law wife of James Boyer, who testified in the lower court that while he and Vivian occupied a cell in the jail at McCook, a marriage contract was entered into between them as follows: "We agree to live together as man and wife," and had done so continuously until July 4, 1910, was decided in favor of Mr. Reynolds, the court holding that the judgment of the Boone county court should be affirmed. The syllabus reads:

The contract requisite to the creation of the marriage relation need not be expressed in any special manner or by any prescribed form of words, but may be

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Notes from Beatrice and Gage County

BEATRICE, Neb., May 29.—(Special Telegram.)—The will of Andrew Bice, who died forty years ago at Mt. Morris, Ill., was filed for probate in county court Thursday. He owned Gage county property and left everything to his widow. The petition filed Thursday states that her residence is unknown, and asks that C. N. Hinds of Odell be appointed administrator.

R. J. Jackman, a former Beatrice resident, who was killed at St. Louis Wednesday in an automobile accident, left Beatrice about two years ago. He had been a resident of Beatrice for twelve years, and while here he was left a small fortune of \$30,000, which he spent in trying to get a string of fast horses. His wife and children have been living in Ohio since their removal from Beatrice, two of his daughters being employed as school teachers.

J. H. Fuller, who located at Holmesville when the townsite was first laid out, and who had been in the mercantile business there for years, died Thursday, aged 70 years. He leaves no family except his widow.

William Coughman, also a resident of that place, passed away Thursday. He came to Holmesville in 1884 from Goshen, Ind., and was 80 years of age. He is survived by his widow and five children.</