ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, FRIDAY, JANUARY 28, 1921

NO. 18

CITY MANAGER PLAN IS TO BE PUT IN EFFECT

COUNCIL FINALLY COMPLETES THE VOTE CANVASS

Nothing Now Stands in Way of the New System-Primary Election Will Be Called

'After playing horse since January 4, the basement of the library Thursday the city council met last evening at the city hall and completed the canvass of the vote. It has been recorded in the mothers with the work of the council that the mothers with the work of the council that the mothers with the work of the Alliance chamber of the Volstead act and other dry laws, is

short space of an hour there was considerable doing. It was apparent that an attempt had been made to "spike" the council. Before the result in their work. Light refreshments were served by the guardians. the council. Before the session opened Councilman Hacker disappeared into the sacred precincts of the Firemen's the sacred precincts of the Firemen's club, next door, with three councilmen, and these councilmen were known to be opposed to the manager plan. When they came into the council room, nothing was said, but when the votes were counted, every man present voted in favor of calling the election legal. It is believed that the council might refuse to accept the opinion of City Atttorney Metz as to the legality of the election, Mayor Rodgers having stated that he would not do so.

Mayor Rodgers started the fireworks. He attempted to make City Attorney Metz the goat, declaring that at the private session held when Mrs. Kennedy first discovered that the election notice had not been published the time called for in the ordinance pro-viding for the election, Mr. Metz suggested calling off the election because

was illegal.

to the mayor that Councilman Harris and Mrs. Kennedy had both been present at that meeting, and that if he desired to find out the facts, he could ask them. Mayor Rodgers asked no questions.

A short time afterward, Mr. Metz defied the city attorney to find the that he had used the term simply to distingush between the old council and the new, and not with any malicious intent.

"It is probably careless of me to speak that way," Mr. Metz admitted, "but permit me to say that I am not the only person connected with the city administration who is guilty of speaking loosely ,or saying one thing when board.' If you will find in the statutes any justification for that term as ap-

if the election really was illegal, it would mean lots of difficulty in disposing of bond issues. Mr. Metz reminded Mr. Moore that if the old system were followed, with a favorable vote on the manager plan recorded in vote on the manager plan recorded in

turns. It had no jurisdiction in the the three as Bayard plays at Sidney matter of legality, and it's decision Thursday and Alliance at Scottsbluff.

ing clothes on, brought up another squad is in "tip-top" shape and ready point. He declared that in certain to battle the Bluffs and Gering aggrewards in town, women had brought gations. other women to the polls and voted them, and that this was in violation JUDGE TASH TO SPEAK AT of the election laws. Mr. Metz said M. E. CHURCH SUNDAY EVE there was a statute prohibiting electioneering within 100 feet of the polls, but that there was nothing to prevent one person accompanying another. Councilman Harris said he had heard of such things, but that so far as he

The matter was finally threshed out, after considerable pro and con discus-

election had carried. Mayor Rodgers had announced, it is

reported, that the primary election will be called. This means that the war is over, unless some of the disgruntled advocates of the manager plan take it into court. It is known that some men have been scouting around securing possible grounds to contest an election, and according to Hoyle, no game is out until it is played out. The end may not have been reached yet, but the probability is that the council's decision will be accepted as final.

CAMP FIRE GIRLS ENTERTAIN MOTHERS

The five bands of campfire girls, "Lodeka, "Lewa," "Ecnialla," "Aktati" and "Kinunka," together with their guardians, entertained the mothers in side the home-made movie.

Last night's meeting was short, but by no means sweet. All the fireworks were shot off by 9:30 p. m., but in the short space of an hour there was constant with the short space of an h

IN BASKETBALL **GAME TONIGHT**

TWO UNDEFEATED TEAMS TAN-GLE AT HIGH SCHOOL GYM

Alliance and Scottsbluff Girls Have Tied for Western Nebraska Honors Three Years

A veritable battle royal will be staged at the high school gymnasium this evening, when the girls' basketball teams from Alliance and Scotts-Mr. Metz didn't fancy being made the goat. He arose to correct the mayor, and said that he had not said that the failure to publish the notice would make the election illegal. "What I did say," said the city attorney, "was that it might furnish grounds for future trouble." Mr. Metz suggested the mayor that Councilman Harris. bluff will fight it out. For three years pected to be a good game. for the past three years. If Scottsteams have veterans that have played bluff wins the game Friday, that will practically win the pennant for them. The locals are going to put forth their best efforts to see that that will not referred to the "commissioners" to be happen, as they feel that it is about elected, and Mayor Rodgers called him. time to break the ties between Scotts-The mayor remarked that there would bluff and Alliance and bring the banbe no election of commissioners, and ner to Alliance. Last year Scottsbluff beat Alliance on the Scottsbluff floor, word "commissioner" in the law. Mr. 14 to 10. Later in the season Alli-Metz, usually a quiet man, apparently ance beat Scottsbluff on the local floor, Metz, usually a quiet man, apparently ance beat Scottsbluff on the local floor, lost his temper, for he told the mayor 10 to 7. The scores indicate how even ly the teams are matched. The High School Midgets and Boy Scouts will start the games. That will be an evenly matched contest. The preliminary will start at 7:30, the big game

Alliance Girls Trim Gering

The Alliance girls trimmed the Gering girls by a score of 31 to 22 at I mean another. I know that for the Gering Tuesday evening. It was the are enthusiastic for the new arrange-past two years, probably half a dozen hardest game the locals have partici-ment, and there was more vim, vigor times during each council meeting, you pated in, being more of a scrap than have referred to the council as 'the a basketball game from start to finish. Superior teamwork and accurate post. throwing were the features that scored plied to the council, I'm ready to make in the game. The score at the end of a Washington's Birthday dinner-dance, amends."

the first half was 15 to 12 in Alli- at which the wives and friends of the Again all was silence in the council ance's favor. The locals went in the members will be present. The Fern chamber, but the opposition soon resecond half determined to widen the Garden has been reserved for the ocgained their breath. This time it was margin and both teams roughed it. casion, and committees for the affair Councilman Moore, who suggested that The Alliance team ran the score up

The boys' basketball team plays at the books, there might be the same Scottsbluff and Gering this week. So difficulty. Other questions of a similar far three teams are tied for the pennature came up, but were disposed of.

Councilman Harris pointed out that the council had but one task before it —that of certifying to the election re—that of certifying to the electi wouldn't stand, no matter which way it went, provided someone wanted to go to the courts.

If Sidney wins from Bayard that will asking their support and requesting them to forward to the post a statement of their views of this legisla-Mayor Rodgers, who had his fight-outcome of that game. The Alliance

County Judge Tash will speak at the Methodist church Sunday evening, tak-ing for his subject the work of the juvenile court. The judge has not only had considerable experience on could discover, the only place where it the bench with juvenile offenders, but had happened had been Second ward has gone into the theoretical side of -and there the vote went against the the problem. His address should be of interest to every parent in the city.

Mrs. H. E. Reddish will entertain a sion, and the council ordered entered number of friends Saturday afternoon upon the minutes the fact that the at a one-thirty luncheon. Monte Carlo whist will be played during the after-

OPEN HOUSE AT RUOF GARDEN THIS EVENING

CHAMBER OF COMMERCE HOST COUNCIL PASSES RESOLUTION TO ALL BOX BUTTE COUNTY

Musical Program, Community Singing, Hyers Charged With Using "Prussian activities of the 'state booze hounds' Lunch, Dancing and Cards for Entertainment

Dr. J. P .Maxfield, George Davis, H.

D. Hacker. Lunch-True Miller, Lee Moore, Dr. C. E. Slagle, J. S. Rhein, Carl Rockey, George Milburn, Mrs. J. A. Mallery, Mrs. S. W. Thompson, F. W. Miller. One of the entertainment features will be a short musical program, consisting of vocal solos by Mrs. J. S. Rhein and Miss Janet Grassman; a Rhein and Miss Janet Grassman; a violin solo; and special orchestral numbers by Harling's orchestra. Another feature will be a haif hour of community singing, which will be led by J. P. Mann of the Mann Music & Art company. The balance of the evening will be devoted to dancing and cards, and a lunch will be served consisting of hot doughnuts, right out of the pan, and hotter coffee. There will be no speeches to take the joy out of life or interfere with the dancing. life or interfere with the dancing.

A special invitation has been extend-ed to farmers and ranchers and residents of other towns in the county. It is hoped that delegations will be present from each of the latter. A number of ranchers have signified Both jammed to the doors.

HAS BEEN REJUVENATED

Alliance post No. 7, American Le-gion, after a long period of inactivity, as awakened, and a rejuvenation was dinner, held at the Alliance hotel Fern members of the post were present, singing army songs and making plans for further activity.

The members unanimously endorsed the idea of Post Commander J. J. of the governor and that he would Dixon to hold monthly meetings and have the entire police force removed; dinners at the Fern Garden. The next and, session will be held February 11, at which it is expected that at least seventy-five will turn out. The members ment, and there was more vim, vigor and vitality manifested than at any other time in the history of the local

Among the plans for the future is will be appointed by the post com-

provisions of the Capper bill, now before congress, which seeks to consolidate a number of bureaus to the end were sent to Congressman Kinkaid and Senators Hitchcock and Norris, tion, and whether they expected to support it.

W. E. Cutts of the Fairmont cream station in this city has added to his responsibilities by accepting an appointment as western distributor for he Air-Cooled Spark Plug company of Lincoln, a new concern which has worked up a big business considering the short time it has been in operation. Mr. Cutts will have charge of sales in twenty-seven counties in west- F. ern Nebraska, and if the sales go as well as he expects them to, will be stepping sideways as soon as the automobile season opens up in earnest. He is already making plans for his cam-

Mrs. Shueman, of Chicago, who has been visiting at the A. Isaacson home or the past few weeks, returned to her home Thursday.

CONDEMNING METHODS

Methods of Law Enforcement" -Complain to Governor

the vote. It has been recorded in the minutes of the council that the city city manager plan was voted upon at a special election and that the proposition carried. Mayor A. D. Rodgers announced at the meeting that a "certificate of election would be issued to the manager form," but just what will be done with the certificate is a question. It will probably be donated to the historical museum of the chamber of commerce, and repose in state along side the home-made movie.

It has been recorded in the minutes of the council that the city camp fire and ask their moral support. A program was given by the girls and talks by several of the mothers, each continue as long as the guests destine. There will be sufficient variety of entertainment to interest all classes of visitors, ranging from a musical program to hot doughnuts and coffee. If the affair proves to be popular, and there is little question of that, it will be made a regular feature.

The following committees have been of the Volstead act and other dry laws, is commerce at the Lowry & Henry roof garden this evening. The fun will and his deputies visited a number of commence around \$130 p. m., and will commence around \$130 p. m., and will commence around \$130 p. m., and will be western Nebraska towns last evening. The fun will and his deputies visited a number of commence around \$130 p. m., and will commence around \$130 p. m., and will be western Nebraska towns last evening. The fun will be sufficient variety of entertainment to interest all classes of visitors, ranging from a musical program to hot doughnuts and coffee. If the affair proves to be popular, and there is little question of that, it will be made a regular feature.

The following committees have been noon, passed a condemnatory resolunoon, passed a condemnatory resolution, and fired it in to the governor's

The Scottsbluff News describeds the affair in this way:

"Condemnation of the methods of State Sheriff Gus Hyers as 'Prussian method of law enforcement,' and charges that his deputies, R. N. Fulton and Carl Schmitt, struck a prisoner without provocation, were made at a special meeting of the city council Monday afternoon. They will be forwarded to Governor McKelvie.

"Coupled with the charges against Hyers was a defense of the work of Police Chief P. J. McSween of this city, the council declaring that 'he has always attended to his duties in a satisfactory manner.'

Eight Men Arrested.

"The action by the city council folowed three days of booze raiding conducted in Scottsbluff and vicinity by Hyers and the deputies, during which eight men were taken into custody on charges of illegal possession or sale of liquor, or drunkenness. That some of these prisoners were treated with brutality, is alleged in the resolutions of the city council, which specifically charges that Schmitt struck a prisoner three or four times in the face, and after the prisoner was placed in jail, forced him to remove his clothing for the amusement of the officers.

"The resolutions in full, are as follows:

Whereas: The city council at its regular meeting held on the 23d day of April, 1919, appointed P. J. Mc-Sween as chief of police of the city of Scottsbluff, and the said P. J. McSween has held said position since said date, and that he has always attended to his duties in a satisfactory manner; and "'Whereas, on the 21st day of Janu-

ary, 1920, the said Gus Hyers, state apparent at the monthly meeting and prohibition agent, visited the city of Scottsbluff and in a conversation with Garden Thursday evening. Forty F. A. McCreary, mayor of said city and enjoyed a couple hours spent at said Gus Hyers, without just cause or Sween of "being crooked"; and he, the said Hyers, also said that he was working directly under the instructions

Struck Prisoner in Face.

"'Whereas, later on, two of Gus Hyers' assistants, by name of Dick Fulton and Carl Smith, arrested a man who had been drinking, and after asking him where he had purchased the iquor and on his refusal to tell, the said Carl Smith without any further provocation struck the prisoner three or four times in the face. The prisoner was then conveyed to his home where Smith and one of our local men stepped out of the auto and went into the house, Dick Fulton remaining in the car caring for the prisoner, and the prisoner pulled a gun and Fulton bankrupt. struck him in the face, in which we believe Fulton was justified. Then the prisoner was taken to Gering, Nebraska, to jail, and Carl Smith ordered him to remove his clothing, this being done for the amusement of the officer;

'Resolved, that the action of the said Gus Hyers and Carl Smith be enforcement against free American citizens, believing that the governor of this commonwealth being acquainted with the facts as we are, would view the facts as we do.

It's a trifle late in the season for a league in Alliance and elsewhere, but this will undoubted wants a trial by jury on that issue.

"This will not be granted as he already has been declared insane. Most ready has been declared insane.

resolution be spread upon the minutes of this meeting, and that a copy of the same be forwarded to Hon. Samuel R. McKelvie, governor of the state of Nebraska.

"F. A. McCreary, mayor; Frank Cowen, M. J. Higgins, J. N. Stopps, F. F. Everett, O. M. Finley, A. G. Ryan, F. M. Bryan, C. N. Wright, council-

"'Attest: J. W. Bly, City Clerk.'" Says Officers Justified.

"That the only striking of prisoners by either of the state deputies, R. N. Fulton or Carl Schmitt, who have been conducting booze hunts in this county for the past five days, was done justifiably when the prisoner pulled a gun, as far as he knows, was the declara-

about that.

"My Hyers stated that he knew that any city or community did not always look with favor upon the arrival and as they are termed, but that it was their duty to investigate conditions throughout the state of Nebraska and when they discovered a violation of the law to make the arrest. In most instances, stated Mr. Hyers, the state officers worked in conjunction with the

officers had been quite diligent in the search of various places where is was suspected that moonshining might have been going on."

BIRTHS

January 26-To Mr. and Mrs. John Reinkober, a daughter. January 26-To Mr. and Mrs. Robert Ruschinsky, a son.

PRESIDENT SHARP SAYS THEY AGGREGATE \$420,515

Assets Exceed a Million and a Half-Lincoln Man Appointed Trustee For American Plant

The liabilities of the American Potare \$1,666,872.44, according to the schedule filed in federal court by W. E. Sharp, president of the company.

The secured claims amount to \$169,

280.41 and the unsecured claims to \$189,288.25, the schedule shows. The company owes \$11.832.58 in wages.

Machinery and tools constitute the biggest aset. This item is listed at \$1,416,522.83.

Samuel C. Waugh, of Lincoln, was unanimously elected trustee of the American Potash company at a meeting of the largest creditors of the defunct Antioch firm held Tuesday morning in the Lincoln federal court room. Referee Dan H. McClenahan who presided at the hearing fixed the trustee's

bond at \$25,000, says the Lincoln Star.

Cancellation by an eastern concern of a contract calling for the delivery in the air. The larger share of this F. A. McCreary, mayor of said city and P. J. McSween, chief of police, the said Gus Hyers, without just cause or examination by Referee McClenahan, one of Jesse Miller's dinners, smoking, provocation accused the said P J. Mc- as the reason for the forced closing of the plant. Mr. Sharp said the potash their co-operation, nothing has been firm had been advised by the eastern done. company that as soon as financial con-ditions improved it would be in the market for additional potash.

President Sharp testified that the original amount invested in the Antioch plant totaled approximately \$2,-300,000. He said the present assets of the company consisted of the potash plant, buildings, machinery, real estate on which the plant is located, pipe lines, lakes, leases on lakes, buildings and equipment on lakes; railroad switches, stock, storehouse and store supplies and such other property as is used in the manufacture of potash.

The American Potash company went nto the hands of a receiver several weeks ago after several creditors filed a petition in the United States district court asking that the firm be declared

ALLIANCE ATHLETIC TEAM IS PLAYING BASKETBALL

Basketball isn't to be confined wholly said Gus Hyers and Carl Smith be condemned. That we do not approve and most heartily protest against the braska. A team composed of athletes braska. A team composed of athletes braska. A team composed of athletes braska that calling as public from the Alliance high school and the use of men of that calibre as public officials; and we further protest against this Prussian method of law against this Prussian method of law are instituted as to his sanity.

It's a trifle late in the season for the blooded murder," said Richmond, "but be in entirely sane and

> The next game of the athletic team will be with the Crawford Town team at the high school gymnasium in Alli-ance Tuesday evening, February 1. charge of murder and not of insan-There will be a snappy preliminary before the main event of the evening, "Greck insists that Mrs. Smith was and the game will be a humdinger, judging from past performances.

The athletic team is composed of Glen Joder, guard; Clinton Brennan, guard; Roy Tarbert, guard; Bud Darnell, center; Ray Edwards, forward; Charles Griffis, forward. Griffis and Edwards are managing the team, and

Tuesday. "The only fellow who was struck, an far as I know, was the one who pulled the gun,' said Mr. Grimm. 'He jerked out a five-shot Iver-Johnson—and he got what was coming to him.' "Asked whether the prisoner was forced to undress in jail, as charged by the council County Attorney Grimm said that he did not know anything about that. STATE AID ROAD TO HEMINGFORD

DIVISION ENGINEER MAKING AN ESTIMATE OF COST.

Box Butte County Still Has Available Over \$62,000 of Federal Money If Used This Year.

county officials, leaving the matter of prosecutions to the county attorney. "While there had been several arrests for the selling and possession of liquor Mr. Hyers stated that no stills had been discovered, up to that time at least, despite the fact that the state highway between Alliance and Hemingtonian and members of the board of county commissioners at Alliance Thursday morning, at which time it was tentatively decided to recommend the construction of a state and federal aid highway between Alliance and Hemingtonian and members of the board of county commissioners at Alliance Thursday morning, at which time it was tentatively decided to recommend the construction of a state and federal aid highway between Alliance and Hemingtonian and members of the board of county commissioners at Alliance Thursday morning, at which time it was tentatively decided to recommend the construction of a state and federal aid highway between Alliance and Hemingtonian and members of the board of county commissioners at Alliance Thursday morning, at which time it was tentatively decided to recommend the construction of a state and federal aid highway between Alliance and Hemingtonian and the construction of the constructi ingford. Mr. McLain is now engaged in the preliminary engineering work on the project, and is making up an estimate of the probable cost.

There is still available for use in Box Butte county a trifle over \$62,000 of the state and federal aid funds, provided the project is approved and work started during 1921. Under the regulations, the road must be approved by the departmental heads at Washington, but it is expected that a reply will be received from there within sixty days. In the event their action is favorable, the contract for the work will be let by the first part of July

of July. If the government appropriation is used, the road must be built according to government specifications, which are somewhat more strict than usually govern road-making, with all usually govern road-making, with all grades cut down, cement culverts and other features—a more expensive road than the county would ordinarily construct if it were left to the judgment of the local authorities. The Chadron road, which is one of the best, if not the best in Western Nebraska, is a fine example of the sort of a road that may be expected between Alliance and Hemingford. However, by availing itself of the government and state aid, the county can build the best possible sort of a roadway at much possible sort of a roadway at much lower cost than it could construct a cheaper one independently. The gov-ernment regulations require that the road be kept up, which is an added advantage from the point of view of those who use it.

The first federal aid money for roads will be exhausted or withdrawn by the close of another year, but the dditional propriations, and if a bill providing for state aid, now before the legislature, goes through, additional funds will be available for future use. The money left over from the first appropriation will be lost, however, if it is not used within the required time.

The road connecting Alliance with

and Alliance citizens appeared before the Morrill commissioners and asked The commissioners of the neighboring county are not inclined to look with favor on the project, ap-parently because of the fact that it would be necessary to vote bonds to put the road through. In addition to this, there is some rivalry between Broadwater and Bridgeport, both towns desiring the road to pass their way.

SLAYER OF MRS. SMITH WAS ADJUDGED INSANE

Phillip Greck, who shot and killed Mrs. Mary Smith December 27, after reading a book of religious aphorisms, was held in the insane ward at the county jail Wednesday as a result of the verdict of a commission consist-ing of Drs. Edward Delehanty and George A. Moleen that he is demented, says a Denver newspaper. Mrs. Mary Smith was the mother of Joe Smith of Alliance.

George Q. Rickmond, deputy city at-

murderers are glad to be found in-sane, but Greck is an exception. If tried at all, he will be tried on the

trying to separate his wife and him-self and that is why he says that he killed her. He declares he has no re-Greck probably will be removed to the hospital for the insane at Pueble

in a few days.