

PHONE COMPANY IS STILL WAITING FOR A FRANCHISE

CITY COUNCIL IN NO HURRY TO GRANT REQUEST

City Manager Kemmish Makes Suggestions for Provisions That Should be Included

Despite the fact that a majority of the present city council, as well as the city manager, favor granting some sort of a franchise to the Northwestern Bell Telephone company, the company is not going to have easy sailing. Probably its officials didn't expect to have the new council fall on its neck and apologize for the two years of exasperation caused by the council under the old system of city government.

At the last meeting, the city council talked over the situation, and in accordance with the suggestions made, City Manager Kemmish has prepared a draft of two sections that the council deems essential for the protection of the city. City Manager Kemmish has been for years connected with public service corporations, and he knows not only what information should be asked for, but that it can be furnished by the company without any particular inconvenience.

Mr. Kemmish's proposed sections provide that the company shall make a certified annual report to the city council, covering the total and detailed investment of the company at Alliance and necessary to serve Alliance patrons; the total revenue received from the Alliance territory, and the total detailed operating expenses in the city. The company will be required, under the provisions of this section, to furnish a report and copy of any application to the state railway commission for increase in rates. If at any time the rate making power is taken away from the commission, it is to be vested in the council.

Consult on Future Investment.

The most important provision is in regard to making additional investments in the city, the council desiring to be consulted if any investment amounting to over 10 per cent of the value of the present plant is to be made, the idea being that if this investment should be likely cause an increase in rates, the council wants to know about it. Another proposed section would fix the occupation tax at 2 per cent of the annual gross earnings of the company.

The proposed sections, in part, follow:

"Section 6.—The Northwestern Bell Telephone company shall make a certified annual report to the city council of the Alliance each year during the life of this ordinance. The purpose of this report is to bring about a mutual understanding between the Northwestern Bell Telephone company and the city of Alliance in the matter of establishing fair and equitable rates for good service furnished within the city. Should the Northwestern Bell Telephone company desire at any time during the life of this ordinance to make a revision of the rates for their service within the city of Alliance they are to first furnish the city council a report as herein mentioned together with the application to the railway commission for such increase. Should at any time during the life of this ordinance the power of fixing these rates be removed from the state or federal regulating bodies thereupon said power will automatically be invested in the city council. In fixing such rates each side shall endeavor to arrive at a fair and equitable rate so that the necessary capital for making improvements can be obtained. Should it be desirable to increase the investment at any one time within the city of Alliance more than ten per cent of the then existing investment, the Northwestern Bell Telephone company shall make a detailed report of such investment to the city council showing its effect upon the rates and confer with them as to the advisability of making such investment. This annual report must set forth accurately the facts regarding the investment and operation of said company within the city of Alliance and the territory served from this exchange setting forth in particular that part pertaining to the company within the limits of the city of Alliance.

"The foregoing operating expenses to show the amount expended or set aside for the depreciation reserve, the amount of maintenance of equipment and lines, labor and salaries paid, also the amount expended for the general company expenses outside of Alliance territory.

Occupation Tax Set.

"Section 8.—As an annual occupation tax, the Northwestern Bell Telephone company shall pay to the city treasurer of the city of Alliance two per cent of the annual gross earnings within the city of Alliance.

The telephone franchise situation in Alliance is just about where it was a year or more ago, with the exception that there are some people on the council who favor granting a reasonable franchise. All that remains now is to reach a mutual agreement as to what constitutes a reasonable franchise. Both the company and the city officials have their ideas on that.

The company's franchise expired some two years ago, and when it applied for another, it ran into a snag. It so happened that the old set of city officials had long memories. They recalled that the original franchise, passed twenty-two years before, contained a rate section. The power to make rates had, in the meantime, been taken away from the council and given to the state railway commission. The commission, not once, but several times, gave the company permission to raise rates, and although the old council objected, it was powerless. It did, however, have the right to neglect to pass a franchise, and this was the method taken to get even. For two years the company has been sending representatives to Alliance at regular intervals, seeking to soften the hearts of the councilmen, but without success. Once the former council formulated a set of suggestions, and the company finally agreed to incorporate nine out of ten of them in a franchise—but later a series of meetings and conferences, where the argument ran high, just when a final agreement was in prospect, the city manager plan was adopted and the bright dream came to an end.

Representatives of the company have been in Alliance once or twice since the new council took hold, and the sentiment of the members has been favorable to a franchise, provided its provisions fully protect the city. The council realizes that the company should not be expected to make any great expansion in its plant here until it is assured of the legal right to do business. The situation is complicated, however, by the fact that at the same election when the city manager form of government was adopted, the people voted overwhelmingly against giving the company a franchise. This election was held when public feeling was high against the company, due to the fact that the state railway commission had just granted another temporary increase of 10 per cent in rates, and the vote showed the public opposition to a rate increase, rather than any true sentiment regarding the franchise in itself.

Results of Contests at Country Club on Sunday Afternoon

A number of contests were held at the Country club last Sunday afternoon. These were held over from the Fourth of July program, when the weather and the crowd interfered with the sports program. The swimming contests were indefinitely postponed, due to the choppy condition of the lake.

Sentiment Favors Franchise.

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Virgil Ackerman Was Seriously Burned When Gasoline Caught Fire

Virgil Ackerman was seriously burned about the body about 8:30 p. m. Saturday, when a quantity of gasoline ignited and spilled over his clothing. Mr. Ackerman had been drawing the gasoline from the leaky tank in his Ford car. He was underneath the auto a dishpan on his chest. A lighted lantern was nearby on the ground. In getting out from under the car, the lantern was turned over and some of the gas spilled on his clothing. He was able to run to the house, where the flames were extinguished, but not before he had suffered serious burns.

The fire department was called to the home to extinguish the car, which was a total loss, aside from the engine.

CAMPFIRE GIRLS TAKE EARLY MORNING HIKE

Campfire girls of the city, to the number of thirty-five accompanied by some of their guardians, took an early morning hike to Broncho lake Thursday morning. They met at 6 o'clock and walked to the lake, where swimming, and an early morning campfire lunch comprised the program.

DE MOLAY NOTICE

Special meeting of the DeMolay at the Masonic temple, Wednesday evening at 7:30 o'clock. All members are requested to be present.

Mr. and Mrs. John Beach, Mr. and Mrs. Dave Beach, Mr. Pearly Beach and Misses Mammie and Frances Collins spent Sunday in Hot Springs.

WEST NEBRASKA PEACE OFFICERS MET HERE SAT.

STATE OFFICERS EXPLAIN INTENT OF LEGISLATION

Governor S. R. McKelvie, State Sheriff Hyers and Others Speak Upon Law Enforcement

Forty law enforcement officials from seven counties of western Nebraska gathered at the district court room in Alliance at 1 p. m. Saturday for a conference called by State Sheriff Gus Hyers. Governor S. R. McKelvie and Deputy Attorney General Mason Wheeler were also in attendance at the meeting, the governor and one or two of his official family arriving on the early afternoon train. Mr. Hyers and Mr. Wheeler drove in late in the morning by automobile.

State Officers Explain Intent of Legislation

The state officers, about six weeks ago, announced a series of these conferences, which have been held at various central points in the state. The Alliance meeting is the last of the series. The object of the conferences has been to assist in developing co-operation between the county law enforcement officials and the state bureau, and especially to explain the changes in the various state laws relating to prohibition enforcement, automobile law regulation and auto theft. A prominent feature of the meeting was the explanation by Hans J. Neilsen, recently appointed head of the new state bureau of criminal identification, of the work the bureau expects to accomplish, with the aid of the various county officials.

The meeting was called to order shortly after the arrival of Governor McKelvie by State Sheriff Hyers. Mayor R. M. Hampton made a brief address of welcome to the visitors. City Manager N. A. Kemmish then took a poll of the visiting officers, county attorneys and judges and determined as to the sort of amusement and entertainment that each desired. The visitors were not overly enthusiastic about golf, although A. E. Warren of Sidney challenged anyone in the city, but the mention of the bathing beach at the Country club aroused more enthusiasm, and when supper was mentioned there wasn't a dry eye in the crowd.

Bootleggers Have a Code.

City Manager Kemmish told the visitors of the co-operation in Alliance between city and county officials. He said that it was possible to arrest offenders, with such co-operation, but that arrest does not always mean conviction, and that occasionally, after men have been convicted, they find it possible to win on appeal. He gave it as his opinion that there should be a sort of standardized justice in the case of offenders against the prohibitory laws, so that evidence that would convict in one court would convict in another. "The officers spend days in planning arrests, and in waiting until they get the goods on some offender," he said, "and then some court ruling makes their work all wasted. It takes real work to get these bootleggers. They're pretty well organized these days. There are wholesalers and retailers, and a code for sales purposes. A man no longer buys booze openly. He meets the bootlegger on the street, slips him the change, and then goes to some far distant tree stump or fence post and finds his hooch."

At this juncture, Sheriff Hyers got a good laugh by proposing that Deputy Attorney General Wheeler search the delegates present for illicit hooch. Three or four men moved nearer the door, an apprehensive look on their faces, but the threat was not carried out. Sheriff Hyers then told of the adventures of the last two days for himself and Mr. Wheeler, in which they had unearthed a big still and captured a quantity of mash and several gallons of illicit booze. He read a telegram showing that the offenders had already received a stiff sentence in court.

Governor McKelvie Speaks.

Governor McKelvie was introduced by Sheriff Hyers. He said the Alliance meeting was one of the best in point of representation that had yet been held. It is a recognized fact, he said, that there must be complete co-operation between law enforcement officials of county and state if the law is to be enforced. Out of ninety-three Nebraska sheriffs, he said, there are now not more than three who do not give full co-operation. He realized, he said, that the local officials have a little more difficult task in bringing offenders to justice than do the state men.

"It makes no difference," the governor said, "what our opinion is as individuals. As law enforcing officials our duty is to enforce the law without fear or favor. If the law is not good, the quickest way to get rid of it is to enforce it. So long as it remains unenforced on the statutes there is being created a disrespect for all law."

There is an increasing disrespect for law, the governor declared. In the last two and one-half years, the number of inmates in the state penitentiary has increased threefold, until now there is not room in the state penal institution to care for those who have

WALES PLAYERS CLOSE THE 1921 CHAUTAUQUA

AT WORK SECURING GUARANTEE FOR NEXT YEAR.

This Year's Chautauqua One of the Best Ever Presented in City—Many Fine Attractions.

The 1921 chautauqua closed with the Monday night program, when the Wales chautauqua players scored a big success with their play, "Too Much Business." The program, as a whole, was one of the best that has ever been presented in the city. Unfortunately, the chautauqua did not prove to be a money maker this year, but Alliance's experience has not differed greatly from that of a number of Nebraska towns.

Local Committee Has Not Yet Tallyed up the Receipts and Ticket Sales, and is Not Prepared to Report on the Size of the Deficit.

There are over fifty guarantors, and it is not probable that each of these will be called upon to write a check for any large amount. The effort is now being made to secure next year's guarantee, with fair prospects of success.

Monday afternoon, Dr. Henry B. Burns was the sole attraction, but he proved big enough to hold the attention of the audience with his lecture, "Choirs and Disorders."

Perhaps the biggest day of the chautauqua this year was Saturday, when the United Symphony orchestra gave two concerts, filling both the afternoon and evening programs. Music lovers from the Alliance territory were out in full force and enjoyed every minute of the two entertainments. During the afternoon, the string quartet and soloists were featured, among them being Miss Frances Gettys, daughter of Mr. and Mrs. J. R. Gettys of University Place, Neb., well known to many Alliance people. Miss Gettys is a brilliant soprano, with a voice of surprising sweetness and strength, and her singing was conceded to be one of the big features of the entire chautauqua program. Miss Gettys won fame as prima donna with the Montague light opera company and has appeared in productions in many cities in both eastern and western states.

Eyedieck Cardin, director and solo violinist, and Miss Grace Callahan, bassoon player, both delighted the audience with their skill.

Judge Bale's Address.

Judge Frederick G. Bale of the Columbian juvenile court, whose address was the feature of the Friday evening program, knew his subject thoroughly and handled it well, delighting his hearers with the keenness of his perception and his wit. He spoke on "The Fourth Line of Defense," the preservation of the youth of the land, and drew upon his experiences as a juvenile court judge for many of his illustrations.

The youth of America, he explained, is fourth only in order of mention, but first in importance. He spoke with considerable sarcasm of a certain Woman's club with which he was acquainted. This club came out with the announcement that it was going in for social service and welfare work, but when he suggested that the members help wayward girls, his idea was indignantly spurned. The club members finally "adopted" an old man, just released from the penitentiary, with the idea of "reforming" him.

At present, Judge Bale said, there are four bills before congress, the real purpose of each being to promote militarism in this country similar to that once found in Germany. Each bill contains a clause providing that each male, upon reaching the age of sixteen, is to be automatically drafted for six months' training in camp, and for as long a time thereafter as may be necessary that may be required. The military system in Germany, he said, was supported by the Krupp gun works, in order that the demand for its goods would be kept up, and he declared that there were several organizations in the United States masquerading under patriotic names, which have a similar end in view.

If you want to find the real purpose and object of an organization, Judge Bale said, don't judge by the name, but look for the financial backers. The national security league, he said, has such backers as the Du Pont powder works, Bethlehem steel works, etc., and the real object of the league is the same as that of the Krupp gun works.

If any of the four military bills go through, according to the speaker, the United States may have fastened upon it a military system which will keep the fires of war burning on throughout the ages. Mr. Bale was strong in his condemnation of this sort of a scheme so soon after the boys who paid the supreme sacrifice in the great war had given up their lives in the belief that they were putting an end to war for all time.

Judge Bale is a strong advocate of athletic training, and pointed to the fact that the physical entrance examinations for army service proved the need of it, but he insisted that athletic training was not necessarily military training.

Ex-Governor Edward W. Hoch of

Kansas was the Sunday evening speaker, following a short concert by the New England male quartet. The quartet gave a concert Sunday afternoon, and proved to be a group of versatile entertainers.

Governor Hoch took for his subject "Patriotism" and for over an hour held the attention of his audience. His address was markedly optimistic in tone. He urged the farmers not to be discouraged by present conditions, which he said were abnormal. The present conditions are bound to improve, he said, as the farmers are the very life of the nation and the nation cannot live, let alone prosper, unless they produce. New tariff laws, federal loans, and other measures are being considered for their relief, he said, and counseled them to stick to the farm, even though the sledding may be pretty hard just now.

Owing to propaganda now being spread about the country, really backed by the profiteers, who desire to sell munitions of war and other supplies, the government is in danger of having a naval appropriation forced through this year that is five times as large as any previous year. The movement, Mr. Hoch charged, is backed by concerns that charge \$43,000,000 for a battleship that costs them only \$10,000,000 to build.

America has always been the leader in the forward movements in civilization, the governor declared. He urged that she also be the leader in the greatest movement of all time, that to put an end to war.

Tennis Enthusiasts Plan a Tournament at High School Courts

Alliance tennis enthusiasts have planned a tournament, which will open next Monday afternoon at 5:30 on the high school courts. There have been eleven entries to date, but those who desire to participate may register their names and kick in with the dollar entrance fee at Thiele's drug store at any time up to Thursday, when the players will draw for positions. Friday's Herald will announce the lineup for the initial series of games. A prize of the best racquet obtainable will be awarded the winner.

The following players have entered: Roscoe Tipple, James Fowler, Frank Dalley, Robert Becknell, A. E. Bennett, Edwin M. Burr, F. C. Prince, T. A. Cross, Jay Vance, Edward Morrow and B. G. Beckwith.

Birney Keach Will Succeed Hamilton as Scoutmaster

Birney Keach has consented to take the place of scoutmaster left vacant by the removal of K. R. Hamilton from the city. Mr. Keach has been some nine years' service in the United States navy, a part of which was as instructor in a school for naval reserve officers at Norfolk, Va. He should prove well fitted for the position.

Ellsworth and Lakeside Plan Organization to Push Potash Highway

Word received from Ellsworth and Lakeside, indicates that the boosters of these two cities are planning an organization to push through to completion the Potash highway. The two towns want a delegation of Alliance business men to come to a joint meeting of road boosters, to be held in connection with an old settlers' picnic to be held in the near future. Date for the meeting has not been set. Alliance is interested in this highway, and arrangements are being made to send a big crowd of boosters to the meeting.

Hutton & Clark's Big Barn Burned Down Last Saturday Night

The barn on the Hutton & Clark ranch, four and one-half miles west of Hemingford, was destroyed by fire about 9 o'clock Saturday night. Spontaneous combustion was assigned as the cause of the blaze, which was believed to have been caused by a quantity of green alfalfa hay. A quantity of hay was burned. The barn was considered to be the best structure of the kind in the county.

CLAIM HEARD AGAINST OSCAR O'BANNON ESTATE

A hearing in the matter of the claim of Charles Nation against the estate of Oscar O'Bannon is being heard in county court this afternoon. The amount involved is \$204.00. Court opened at 1:30 and eight witnesses were scheduled to appear and give testimony. The plaintiff is represented by Attorney Eugene Burton and the estate by Mitchell & Gatz.

ANOTHER ROUTE FROM ALLIANCE TO LINCOLN HIGHWAY

SCOTTSBLUFF SECRETARY ASKS AID OF ALLIANCE

Wants Alliance Organization to Join in Boosting the Yellowstone National Cut-off

The Alliance chamber of commerce, which has been working for months to get through some road from Alliance to the Lincoln highway, has received a suggestion from Secretary J. H. Muck of the Scottsbluff chamber of commerce, which will be investigated without delay. The Scottsbluff man urges that Alliance and Scottsbluff get together and boost for the Yellowstone National cut-off, and argues that if the road as planned is pushed through and put into shape, both cities will benefit.

Alliance men have long desired good road connections with the Lincoln highway. Up to now, the best bet has been either by way of Bridgport or Broadwater, in Morrill county, but the Morrill county commissioners have not as yet been able to agree on one of the two routes. It was reported in Alliance last week that they had finally got together, but this could not be verified.

The Box Butte county commissioners have expressed themselves as willing to recommend for federal aid any road, or more than one road, to connect with roads in Morrill county, and the minute word is received here, the commissioners are ready to go. The route suggested by the Scottsbluff man may be as feasible as any, and the chamber of commerce roads committee will make full investigation and report.

Secretary Muck's letter follows:

"A few weeks ago I read an article in the Omaha Bee, which read to the effect that the Alliance chamber of commerce was establishing a road from Alliance south via Broadwater, and connecting with the Lincoln highway."

"I have a scheme that will enable you to have another highway that will connect you with the Lincoln highway, and draw you trade from the west, and that is, Alliance southwest to Scottsbluff, (this would give tourists an opportunity to see the National Monumental park) thence south over the Stage Hill road, which is the finest road in the world, to Kimball, and thence west to Cheyenne, Denver or any other western point."

"This would give any traveler a big cut-off that would be coming from the west. The road is fine to Scottsbluff, but rather rough from Scottsbluff to Alliance, and I believe that if you and I could get together on this, we could bring pressure to bear on someone that would repair this road."

"You no doubt have heard of the Yellowstone National cut-off, which leaves the Lincoln highway at Kimball, north to Scottsbluff, northwest of Scottsbluff up the Scottsbluff valley, via Guernsey and connects with the National highway at Wendover."

"These are excellent roads and saves the tourists approximately 75 miles. Now, then, you people might as well take advantage of this cut-off and also the tourist trade that comes through your town, could take advantage of this road."

"We are placing signs on the Lincoln highway and also on the National highway around Casper, why not Alliance and Scottsbluff get together on this thing, and boost each other? The people coming from the west can see much of this wonderful Scottsbluff valley and also save a goodly number of miles of driving."

"There was a man in the office this morning who drove from Omaha to Alliance, and then came to Scottsbluff; Alliance, and then came to the Yellowstone National on his way to the Yellowstone National park. He told me of the wonderful country around Alliance, of the good roads, how nicely they had them marked, etc., but complained of the bad road between Alliance and Scottsbluff."

Dr. J. P. Weyrens Talks to Members of Box Butte County Medical Society

At the regular monthly meeting of the Box Butte county medical society, which was held on Thursday evening, Dr. J. P. Weyrens gave an interesting lecture. He took up the problem of stones in the kidney and discussed his research work along that line while connected with the Mayo clinic at Rochester, Minn. He then discussed a series of cases which came under his observation along this line in Alliance the past year. The lecture was illustrated with X-ray plates and was greatly appreciated by the medical men.

BIRTHS

July 11—To Dr. and Mrs. F. J. Petersen, a son.

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