VOLUME XXVIII.

ight Pages)

ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, TUESDAY, NOVEMBER 22, 1921.

No. 103

# RESTRAINING ORDED ISSUED IN KRAUSE CASE The Three-Day

ATTORNEYS ASKED TO HOLD UP \$75,000 JUDGMENT.

Allege Verdict Favoring Peter J. Long Secured Through Perjury, Fraud and Connivance.

Judge W. H. Westover, in district court at Rushville, last Saturday issued a temporary restraining order en-joining Peter J. Long or his attorneys from taking any steps to collect a judgment for \$75,000 against Krause Brothers, John H. and Herman J., the first of whom has since died. This judgment was allowed by a jury in district court at Omaha on June 17, 1919, and last Friday affirmed by the su-preme court of Nebraska, which overruled a motion for a rehearing in the

This action by the court throws open one of the most interesting of the potash cases. In 1917, the Krause ibrothers purchased the homestead of Peter J. Long, in Sheridan county, containing a section of land. At the same time they purchased land from Long's father. The purchase price for the two lots of land was \$17,000, Long's share of the money being about \$8,000, which was not only a fair, but a high price for sandhill land at that time. A potash lake was on a part of the same time.

time. A potash lake was on a part of the land purchased from Long. Two years after the sale, while in Omaha, John H. Krause was served with a summons in a suit brought by Long, who asked for almost a million dollars, alleging that the lake on the land sold to the Krause's contained potash to the value of that amount. Long had deducted the purchase price of the land from \$1,000,000 and brought suit for the balance. The case was tried before an Omaha jury, and Long was given judgment for \$75,000. An appeal was taken to the supreme court, which has just affrmed the judg-ment of the district court jury and denied a rehearing.

Say Long Bragged About Sale.

that he had slipped it over on Krause and boasting of the price received by him for his land. He is alleged to have told a number of people that the Attorneys for the Krause interests told a number of people that the Krauses apparently figured on finding potash in the lake, but that he had had it tested and knew there was no pot- penitentiary, according to word receivash of commercial value in it.

potash in that region, that he had released on \$3,000 bail. never had the lake tested, that he did not know whether it contained potash first jury impaneled to try the case of value, but charged that Krause disagreed, and a second jury was imknew of it, concealed the knowledge from him when the land was sold and thereby defrauded him in the amount

claimed. County Attorney Basye, who filed the application for the injunction be- in Alliance, Welch is now a rancher fore Judge Westover Saturday, alleged tained by perjured testimony, fraud and connivance on the part of Long's Ora Phillips is himself in bad over that the judgment for \$75,000 was obattorneys. Judge Westover issued a December 5 as the date for a hearing defeat justice. The complaint recites temporary restraining order and fixed on a temporary injunction. If the temporary injunction is allowed, hearing on a permanent injunction will be held at the next term of district court,

Say Plenty of Witnesses.

Say Plenty of Witnesses.

The attorneys for the Krause in-derests say they have at least twentyfive witnesses with whom Long had conversations at the time of the sale and to whom he stated that he had had the lake tested and that it did not -contain potash in any amount that he considered of commercial value.

Those familiar with the circumstances, it is declared, have always considered the suit in the light of an outrage. They particularly object to the fact that Krause was waylaid in Omaha and the suit started there.

Attorneys for the Krause interests are County Attorney Lee Basye of Alliance and Sullivan, Wright & Thummel of Omaha. Byron G. Burbank and Thomas Lynch of Omaha represent Long. Long has not lived in Sheridan county for some months, his present address being somewhere in Montana.

### Coker's Will Filed for Probate in the

Attorneys for Charles E. Coker, who committed suicide in Alliance on Monday of last week, this week file a petition in county court praying for the appointment of William S. Coker as administrator of the estate with the

will annexed. The will as filed consists of the last sheet of the letter Coker wrote to his

(Signed) C. E. Coker." much as it contains no date and there are no witnesses to the signature. The letter was found in the house a short letter was found in the house a short rime before the body was discovered.

| A supply of the signature of the prices quoted it will pay in the country, two and a half miles west of the penitentiary, and the boys will be given an opportunity to work another such opportunity is afforded.

#### THE WEATHER

Forecast for Alliance and vicinity: Unsettled weather tonight and Wed-nesday with possibly snow. Rising temperature.

# Bargain Festival

The three-day ourgain festival in Alliance, which will close Wednesday evening, has proved a winner. Despite the handicap of poor weather, there have been good crowds in the city and the free shows at the Imperial Monday and this afternoon drew goodsized audiences.

The management in charge of the bargain festival had a bit of hard luck. The "Midnight Frolic Extravaganza," which was scheduled to give a free performance every atternoon during the festival, met with financial difficulties and disbanded two days betore the festival began. The wires were kept hot for the next twenty-four hours, with the result that, with the assistance of Jimmy Hughes of the Imperial, four acts of vaudeville were secured. These are far above the average and with a few reels of pictures, have furnished an agreeable substitute for the midnight frolickers, The vaudeville program is well balan-ced, and each of the acts has scored a distinct hit.

The award of free prizes will be decided by a drawing to be held between 5 and 6 p. m. Wednesday in front of the Imperial theater if the weather permits. If not, it will be held at the

# **BROOKS DRAWS** LONG TERM IN

AEROPLANE PILOT CONVICTED ON A RAPE CHARGE.

Org Phillips of Hemingford, Owner of Flying Machine, Charged With Attempt to Defeat Justice.

ed in Hemingford Saturday, Brooks At the trial, Long is alleged to have was charged with committing the asheard of sault some months ago, but had been

According to reports of the trial, the paneled and the trial held immediately. At this hearing, the jury brought

in a verdict of guilty.

Brooks' victim was the stepdaughter of Jack Welch, at one time a bartender near Newcastle. The girl's mother had a police court record in Alliance.

filed charging him with conspiracy to the girl on condition that she would

#### Famous Has Special Inducements for All Who Are Ready to Buy

The Famous Clothing Store is offer ng some special inducements to attract the buyers from Box Butte coun ty and elsewhere who come to Alliance this week to attend the three-day buying carnival-and at other times, too for that matter. Their page advertisement, which will be found on page 3 of this issue, lists a number of exceptionally low prices on a stock of

nationally known goods.

The lowness of the prices quoted on ines of acknowledged quality is explained by the fact that the Famous is a member of the United National Clothiers and Association Retailers, an organization with 1,100 members in members of this association represent County Court Here an enormous buying power, so great, in fact, that the manufacturers in According to S ers place their orders at the same time, it is plain to be seen that manufacturers can afford to offer special in-

ducements. The offering at this sale includes practically every item in the large stock. There are special prices on don, men transferred from the state overcoats, of the Hart, Schaffner & penitentiary. brother before taking his life. If it is Marx, Society Brand and Patrick of admitted as a will, it will be the short-est document of that sort ever filed in on the famous Dubbelbilt Boys' cloth-lieves that it is a much more satisfac-Box Butte county. The words are: "I ing; a complete line of shoes and a tory way to handle young offenders, would like for Bob Evans to have long list of winter specials. It will be and he is greatly impressed with the \$1,000 (one thousand dollars) of the possible for purchasers to supply all of caliber of the superintendent, A. M. their winter needs in these lines. Miller, "It's bound to be a better place The letter does not conform to the Even if the customer feels that he for them than the penitentlary, statute requirements for a will, inas- doesn't need to lay in a supply of these says. "The reformatory is situated out

# THE WILD-EYED PRESS AGENT IS BACK ON THE JOB

FIGHT BOLSHEVIKS.

ty Armed Men Patrol the Streets at Night.

Nobody knows the identity of Alliance's wild-eyes press agent, but all of us will have to doff our kellies to him. de's got old Baron Munchausen skin-ned a mile. The stuff that he putover puts him right in the class with the motion picture press agents, who are the topnotchers in the world-wile contest of shooting the male cattle. Just two more stories as good as this one, and he'll be in line for the Pickford-Fairbanks medal, which is awarded to the press agent who gets

awarded to the press agent who gets away with the biggest yarn each year. The Nebraska City Press gets the palm for being the last newspaper to spring one of these fake yarns. Others may have hinted at it, but this newspaper tells the story best. It seems that out in this pull and work with hat out in this wild and wooly city, 1 has been necessary to recruit armed guards from the citizenry to protect he town. From what? Why, from eggmen, petty thieves, bolsheviks and pootleggers. Twenty armed men page trol our streets every night drawing no pay save the satisfaction of doing

The Nebraska City newspaper has een carrying on a campaign in that ity to have a night watchman appoint ed, to be paid from the city treasury and this story may simply be proper ouncil. The Press tells the story with a wealth of lurid detail and so nicel; pictures the menace that it may be Al iance will grow alarmed over the sitnation and hire a couple more cops. As it is, this city has been extraordin-urily peaceful. There are a few lrunks, a few more bootleggers and now and then a hobo stays in the cit; ong enough to pick up a free lunch net if there are any patrols of armed men on the streets, it's probably the nembers of the bootleggers' union.

#### Situation Is Desperate.

However, in order that Alliance may realize how desperate her situation is

"Armed guards, recruited from the itizenry of the towns have been orcanized at Alliance and Columbus and ther towns in Nebraska. At Alliance it night. They are volunteers, taking their pay in the satisfaction they feel n keeping their city cleared of yegg bootleggers and petty thieves They have been sworn in by the city uthorities and have instructions to hoot to kill whenever it is necessary.

"Alliance also pays night watchmen out of the public treasury instead of advertising to the world that the town so poor and so unable to protect it self and its taxpayer merchants and usiness men that nightwatchmen must be paid by business interests.

"It is becoming more and more apparent in every western town that city authorities must move faster and more sternly if their communities are to be protected from organized raids on merchandise, banks and private homes that, through ostentatious display of wealth and influence, offer a fine target

or the yeggs.
"It is an unusual period, approxinating very much the era of unlawful ecapades following the Civil War. It even resembles, in some ways, Europe during the Middle Ages when no man was safe after dark; when a prolessional murder would commit a crime for \$5 and the honor of a woman just what she could make it after a lesperate fight to save herself.

### James Glandon Is Now No. 109 at the

Sheriff J. W. Miller returned Sunday from Lincoln, where he escorted James charity organization society is sup-Giandon, who pleaded guilty to steal- ported by donations and a yearly drive ing a Ford automobile, the property of L. S. Wright of Hemingford, in that of city a few weeks ago. Glandon is envarious parts of the country. The tered in the new state reformatory for men known as Hawthorne reforma-

According to Sheriff Miller, Glandon is the first man to be brought to the cially good time to get a charity orgood-sized reductions in order to reformatory, from out in the state. Secure it. Where eleven hundred buyonly two or three weeks . It was established as a means of segregating the young offenders from the more hardened criminals at the state's penal institution, and the inmates who are there are, with the exception of Glan-

Sheriff Miller is enthusiastic in dis-

# A MEETING TO ORGANIZATION

THE INITIATIVE.

Nebraska City Press Tells How Twen- Invites Those Interested to Meet at the Next Monday Luncheon to Take Necessary Steps.

> Monday noon at the chamber of commerce headquarters above the Brennan drug store. This action was taken by the chamber of commerce members present at the Monday luncheon this week, at which time the matter was he subject of discussion.

City Manager N. A. Kemmish called attention to the need for centralization of the charity activities of the city and urged an organization with omeone in charge who would accept the responsibility of distributing aid

where it was needed. Rev. B. J. Minort, pastor of the Al-iance Baptist church, gave a number of instances of duplication of effort which had come to his knowledge. He told of one family in Alliance to which and been furnishing coal, clothing ind groceries conated by members of this congregation. He discovered after we or three weeks during which he tad been assisting them that two othor the same family, which had been accepting assistance thankfully from il three of them. In the same block was another family, in even more desitute circumstances, which had not

men given any assistance.

Mr. Minort also told of other families where aid had been given in which t developed that the head of the house was unwilling to work, even though a position that he could fill had been offered him at \$60 a month. Another aan, when offered a job at 40 cents an our to enable him to take care of his amily had grown quite vexed about it and had demanded 50 cents, saying hat he'd blow his brains out before ne would work for 40 cents an hour.

#### Need for Investigation

The need for a central charity orcanization to care for the needy and iestitute in the city was urged in or-der that someone would make proper nvestigation and in order to prevent he present duplication of effort. As t is now, every church has a charity fund and several of the city's organi- this afternoon, following a meeting twenty armed men patrol the streets zations are also doing some charity with Chappell representatives, it was work. With all of these charity work- decided to play at the other city. it often haners acurg as tre sens that some families get too much and others who are in as great need of assistance get no help. It was also rought out that some people who need assistance do not know where to apply for aid, and dislike to apply to hurches or organizations unless they know positively that aid will be forthcoming. With a regular charity or-ganization in the city, there will be no reason for any family to remain n destitute circumstances.

Mr. Minort suggested also that regular charity organization would see to it that the aid rendered went where t was expected to go. He told of one occasion when he had given \$5 in cash to the head of a family. That night the man spent half of the sum to take in a wrestling match.

### A Case of Duplication

An instance of the duplication of charity work was given by Mrs. Lloyd . Thomas, secretary of the chamber of commerce. Last week fifteen chickens were donated by a farmer, who wanted them bestowed on worthy and needy families. Two pastors were asked for the names of needy famlies, and four names were found to be on both lists turned in to her by the ministers. A charity organization for Alliance

has been suggested several times, but no definite action has yet been taken. About a year ago, steps were taken State Reformatory which resulted in a request being sent to the Salvation army to establish a post here. This was done, but the post id not pay expenses. In Lincoln the for funds. In that city, the expense administration is pretty high, but in Alliance it is believed that an organization can be perfected that will city with very little overhead expense. in the radiator which might have been The present is believed to be an espeganization going in Alliance. In the past two or three weeks the need has drove the car that struck Jones left calls from strangers stranded in the that some day he will be found. Jones city. Under the present system, these cases are cared for by the few people who see them and become interested, and it often happens that aid is insufficient or comes too late.

> The annual Thanksgiving dance for members of Alliance lodge No. 961, B. P. O. Elks, will be given at the Elks home on the evening of Thursday, November 24. The dance is for members only, and is one of a series planned for the winter.

Last week in Chicago we attended

the eighth annual meeting of the National City Manager's association and one day of the National Municipal lea-Proves Success SAYS ALLIANCE ORGANIZING TO CHAMBER OF COMMERCE TAKES tended coming from various parts of the United States and Canada. Many very interesting subjects were dis cussed although the program was not carried out as planned. The out-standing feature of the entire meeting which impressed us was the vast difference between the south and east as compared to the west. They discussed formation of a charity organization things which we have settled here long ago. They are held down long ago. They are held down by old laws, customs and traditions not known in the west which greatly hamper their progress. We are glad indeed to be out where the west begins where no such handicaps confront us but the most up to date methods are employed. The east and south are loath to believe that the west is ahead of them. One person even asked me if the grass grew out here . We were proud indeed to represent Alliance which our big brother city on the east border of the state says is the livest city in Nebraska.

Wherever we went great interest was shown in the city manager movement. People everywhere now are thinking more than before and are going to demand more strict business methods in city affairs.

I enjoyed the trip but I am glad indeed to be back to our wonderful little city of Alliance.

# FOOTBALL GAME WITH CHAPPELL

BUT WILL MEET ON THE CHAP-PELL GRIDIRON.

Northwestern Nebraska Champions Had Planned to Play at Home, But Fate Against Them.

The Alliance high school football team, northwestern Nebraska cham-pions for 1921, will play the Thanks-giving game with Chappell, but the teams will not meet at Alliance. Coach F. C. Prince had the game tentatively arranged for Alliance, but

Chappell made some strong inducements to get the same, but Mr. Prince had held out, in the beilef that Alliance would turn out strong as a testi monial to its championship team. It ieveloped, however, that the Chappell team had its heart set on playing at home, and that they would give up the game rather than come to Alliance. the trip will be to the financial benefit of Alliance, but will be a huge disappointment to the Alliance fans.

It is announced that those who have already purchased tickets for the game with the understanding that it was to be played here may secure a

#### Defeated Broken Bow Friday.

The Alliance team defeated Broken Bow, 12 to 7, last Friday. The game was somewhat one-sided, Alliance winning 325 yards from scrimmage to but 91 for their opponents. The ball was in Broken Bow's territory three-fourths of the time, and during the

entire first half. In the last quarter, Alliance held Broken Bow for four downs on the one-yard line, and were nearer earning a score at this time than at any other point during the game. The tallies they did make were the result of Alliance's errors, rather than any good good playing on the part of the visit-

#### Another Clue in the Jones Mystery **Proves Valueless**

County Attorney Basye went to Morrill, Neb., last Saturday having received information from that city that there was an automobile in a handle the charity work for the whole garage there with a number of dents made in an accident similar to that in Flag Week to Be which Arthur Jones was killed in Alliance some weeks ago . The man who been very great. In addition to local his victim in a dying condition, and cases there have been a number of the authorities have not given up hope was standing at the rear of a truck loaded with iron piping, and the force of the blow drove the pipe through his body. The Morrill car was found to have

a number of depressions in the radiator that might have been made in some such manner, it was the property of a rancher near there, who was able to prove that the car had not been driven for months.

#### BIRTHS

To Mr. and Mrs. Vinton Ruebottom, Sunday, Nov. 20, a boy. To Mr. and Mrs. George D. Darling, Monday, November 21, a boy.

# City Manager's Corner PINT OF HOOCH **GETS PARTY OF FOUR IN TROUBLE**

HELD BY POLICE.

Fred Vogel and Jimmie Jacobs Arrested on Bootlegging Charge-Trials Set for Friday.

A joyride and a pleasant evening's entertainment, with a dance and a pint bottle of hooch as the chief features Attention was first called to them when they drove up to the depot some-

what noisily.

The four who were arrested were Clifford Davidson and Bert Siebdenler, both employed at the O'Banhon & Neuswanger potato cellars, and two girls, who gave the names of Tillie Allen and Hazel Persons. Davidson comes from Pringle, S. D., and Sieben-ler hails from Kimball. The joyride was taken in Siebendler's car, a Dodge touring, which was taken into custody along with the occupants.

The two girls have been known in

Alliance for some time. Hazel Persons is known as Hazel Huston Montgomery, and under that name was given a suspended fine a few weeks ago, on the Harvest Festival day, when she was arrested on complaint of a roommate that she had stolen a dress and was about to get away with it. The four were released shortly after their four were released shortly after their arrest, to appear in county court at 10 a. m. Monday, but none of the quartet showed up. Mrs. Persons, it was learned, has a position in Antioch and had gone there. The others were rounded up during the afternoon by the city and county police officers, and showed a decided willingness to tell everything that they knew. everything that they knew.

#### Tell Where Booze Bought,

County Attorney Basye held an investigation of the affair, and Harry Davidson, brother of Clifford, was also called in. Everyone of those concerned made a clean breast of it. The information given was that the party had been planned Saturday evening. Harry Davidson approached Fred Vogel at Cook's pool hall and asked as to the chances for getting "something good to drink." Vogel volunteered to see that the want was supplied and got in the car with the men and women and took them to the home of Mrs. Mary Vogel, 804 Big Horn avenue, Jacobs secured a pint of white mule, for which he charged them \$3.50. Harry Davidson had to work on the night shift, and he left the party, as did Vogel. The others attended a barn dance at the Kastner farm, five miles east of Alliance. Everything went offwithout a hitch until they returned to the city and prepared to have a lunch

shortly after 1 a. m. When Officer Stilwell searched the nutomobile, he found the pint bottle, with very little of the white mule remaining in it. The car was held and the others allowed to go home on promise to appear Monday.

Monday a search warrant was issued authorizing the officers to search the Vogel home. Fred Vogel and Jimmy Jacobs were arrested late Monday evening.

#### Second Offense for Vogel.

This is the second time Fred Vogel as been mixed up in moonshine sales. About two years ago, while he was the tenant at the Oscar O'Bannon farm, three and a half miles west of the city. a party was pulled off there one even-ing and the next day Vogel pleaded guilty to selling intoxicating liquor, and was fined \$100 and costs in police court by Judge T. D. Roberts.

Jimmy Jacobs, the other man impli-cated in the sale of booze, is in the employ of Walter Vogel, a cousin of Fred's who occupies a farm near Alli-

Vogel and Jacobs were released shortly after their arrest on bonds of \$250 each, which were furnished by Everett Cook and Mrs. Mary Vogel. Hearings for the members of the

joyriding party and two men who are charged with furnishing the moon-shine have been set for 10 a. m. Fri-

### Observed by the American Legion

The American Legion of Nebrasks will contract for several thousand booklets containing the history of the flag, which will be distributed to every school library in the state, public, private and parochial, as a feature of "Flag Week," Frank B. O'Connell, state adjutant, has announced.

The American Legion sets aside this period between Lincoln's and Washngton's birthday as "Flag Week" and urges all schools and societies to par-

The booklets, which will be printed and distributed at the expense of the Nebraska department, will contain a history of the flag, instruct in its respect and disclose the flag's etiquette. it is stated.