

# THE FRONTIER.

## THE PROHIBITION LAW

[Introduced by Representatives Norton, Chairman; Thomas, Waite, Flansburg and Hostetler.]  
(Special Committee on Prohibitory Amendment.)

Title—An Act to regulate and prohibit the manufacture, sale, giving away, barter, carriage, possession and use of malt, spirituous, vinous, alcoholic and intoxicating liquors; providing for the enforcement thereof; fixing penalties; providing an appropriation therefor and to repeal Sections 3844 to 3894, inclusive, of the Revised Statutes for 1913; and declaring an emergency.

Be It Enacted by the People of the State of Nebraska:

Section 1. Definitions.—The words "intoxicating liquor" or "intoxicating liquors" as used in this act, shall be construed to embrace all malt, fermented vinous or spirituous liquors, wine, porter, beer, ale, or any intoxicating drink, mixture or preparation of like nature, and all malt or brewed drinks, and all mixtures or preparations, whether patented or not, which will produce intoxication, and, in addition thereto, such liquors of a different character and not hereinbefore enumerated capable of use as a beverage containing over one-half of one percentum of alcohol. Natural persons, unincorporated associations of persons, partnerships and corporations shall be deemed persons. All forms of the pronoun "he" shall be held to stand for persons as herein defined irrespective of gender.

The term "private dwelling house" shall mean a separate dwelling with a separate door for ingress and egress exclusive of outbuildings, and used exclusively as a private residence and not connected by doors or otherwise with any place of business except doctors', dentists and veterinary surgeons' offices and not connected with any factory, shop, warehouse, club, or other place or building. The term shall include a room or a suit of rooms actually used as a residence in an apartment house or block separated by walls from all other rooms in such building and without any door or other opening whereby a communication may be had with other rooms except doors entering into the main hallway.

Section 2. Prohibitions on liquors in general.—It shall be unlawful for any person to manufacture, sell, keep for sale or barter, give away, barter, exchange, transport, purchase, or to sell or barter under any pretext, any malt, spirituous, vinous and intoxicating liquors, except only certain liquors, for medicinal, mechanical, scientific or sacramental purposes by persons specially authorized in the manner and to the extent only as hereinafter provided. It shall be lawful, however, for any person to make, keep or sell sweet cider, unfermented wine, wood alcohol, and denatured alcohol, and nothing herein contained shall be construed to prevent the bona fide manufacture and sale of vinegar.

Section 3. Bootlegging.—It shall be unlawful for any person to, in any manner, knowingly carry, transport or deliver any intoxicating liquor to or for any person to be kept, stored, sold, furnished, given, traded or otherwise disposed of in violation of law.

Section 4. Delivering to minors.—Indians—idiots—drunkards—dipsomaniacs, etc.—penalty.—It shall be unlawful to give, furnish, or deliver any intoxicating liquor to be used as a beverage, to any minor, idiot, insane person, or apprentice, Indian of the whole or mixed blood, or to an habitual drunkard.

Section 5. Intoxication a misdemeanor.—If any person shall be found in a state of intoxication, he shall be deemed guilty of a misdemeanor, and any peace officer shall without a warrant take such person into custody and detain him until a complaint can be filed before a magistrate and a warrant be issued for his arrest; upon arrest if found guilty he shall for the first offense pay a fine of not less than ten nor more than fifty dollars and the costs of prosecution, or shall be imprisoned in the county jail not less than fifteen nor more than thirty days;

for a second or any subsequent offense he shall be imprisoned in the county jail not less than thirty nor more than not less than thirty nor more than sixty days; provided the judge or magistrate before whom such person was convicted may remit all or any portion of such penalty and order the prisoner discharged on his giving information, under oath, stating when, where, and of whom he purchased or received the liquor which produced or contributed to his intoxication, and give bond in the sum of not less than fifty dollars to appear and testify against the party selling, giving or furnishing the liquor which caused or contributed to his intoxication.

Section 6. Drinking in public places.—Any person who shall publicly drink any intoxicating liquors on any street car, or railroad car, or at any passenger waiting room or waiting place of any carrier of passengers, shall be guilty of a misdemeanor, punishable by a fine of ten dollars, or by imprisonment in jail not to exceed thirty days. Conductors and superintendents of waiting rooms or waiting places may exercise the powers of a police officer for the enforcement of this section.

Section 7. Soliciting orders—giving information.—It shall be unlawful for any person to enter into any contract for the delivery of, or to solicit, take, or receive any order in any manner whatsoever for any purchase or sale of any intoxicating liquor to be used as a beverage, or to give to any other person, for the purpose of aiding in the violation of any of the provisions of this act, any direction or information by which intoxicating liquors can or may be secured as a beverage.

Section 8. Advertising liquor unlawful.—It is hereby made unlawful to advertise intoxicating liquors in any public place, or within view of the public on any sign, billboard, or building, or to circulate or display posters, price lists, newspapers, periodicals, or other written or printed matter within this state, containing advertisements for any intoxicating liquors, or to circulate any price lists or order blanks for such liquor. Any sheriff, constable or other police officer is authorized and directed to remove any such advertisement from any sign, billboard, building or other public place when it comes to his notice.

Any person offending against the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty nor more than one hundred dollars for each and every violation.

Section 9. Signs, etc.—It shall be unlawful for the owner of any premises, or the agent, tenant, or the person in control thereof, after ten days from the taking effect of this act, to knowingly allow any letters, words, signs, pictures, or other matter advertising, purporting to advertise, or which has been used to advertise intoxicating liquors, to remain in or upon said premises.

Section 10. Clubs, hotels, etc.—It shall be unlawful for any club, society, or association, or combination of persons, hotel, restaurant, rooming house, boarding house, road house, boat or boat-house, or any place of public entertainment or resort, or for any of their officers, proprietors, owners, managers, members, servants or employees to keep, or to aid and abet in keeping, or to have in his or its possession, in lockers, or in any other manner, any intoxicating liquor for the purpose of barter, sale, use or gift as a beverage, or for the delivery, division, or distribution of the same in any manner whatsoever.

A "club" within the meaning of this act shall be taken to include any organization, combination of persons, or association of two or more persons who shall procure or receive for sale, trade, gift, barter or distribution among themselves or others any intoxicating liquor, except religious societies or churches having such liquors for use for sacramental purposes only. Any chartered club or association of persons incorporated under the laws of this state that shall be found guilty of a violation of any of the provisions of this act, or that maintains or keeps any such place in

violation of law as hereinbefore described, shall, in addition to the general penalties provided by this act, forfeit its charter, and such forfeiture shall be declared and enforced as now provided by law for such forfeiture.

Section 11. Possession of liquor.—Any person may purchase and keep in his possession ethyl alcohol treated as required by this act so as to be unfit for use as a beverage. It shall be unlawful for any person to have, possess or permit any intoxicating liquor to be in, upon or about any room, office, building or in any other place except in such person's private dwelling house, and except when and where and in the manner especially authorized as herein otherwise provided; and no person shall keep or possess intoxicating liquor in his private dwelling house in an amount more than is reasonably sufficient for his personal use and needs: Provided, however, the provisions of this act, or based upon complaint of any violation thereof, or in any civil action growing out of any such actions, the possession in and of itself, of any intoxicating liquor in a private dwelling house by the person against whom the violation of the act is charged, shall constitute prima facie evidence that such liquor was kept by such person with the purpose of unlawful sale, use or disposition in violation of law.

Section 12. Carriers—transporting.—It shall be unlawful for any railroad company, express company, common carrier, or any other carrier or person, or any officer, agent, servant, or employee thereof, to deliver or permit, aid, or abet in delivering, or carry for the purpose of delivery, any intoxicating liquor, to any person except pure ethyl alcohol to wholesale druggists, retail druggists, scientific institutions and hospitals and wine for sacramental purposes to wholesale druggists, church goods houses and to authorized representatives of churches and religious societies as provided in this act; or to any person other than the original consignee, or to deliver to any fictitious consignee or to a consignee under a fictitious name; or to any person who is known to the carrier to have violated any of the laws of Nebraska relating to intoxicating liquors during the preceding year.

No delivery shall be made unless and until the original consignee shall make and subscribe an affidavit in substance as follows:

State of Nebraska, ss.  
County of \_\_\_\_\_  
I, \_\_\_\_\_ being first duly sworn, on oath, depose and say that I am the original consignee of a certain parcel or package containing intoxicating liquors, which is now in the possession of the following named carrier, to-wit: \_\_\_\_\_ That said package contains the following amount and kind of liquor: \_\_\_\_\_ that I have not violated any of the provisions of the laws of Nebraska relating to intoxicating liquors within twelve months last past, and I have complied with all the requirements of the law to authorize me to receive such liquor, that my business address is \_\_\_\_\_ Nebraska, street No. \_\_\_\_\_. The liquors herein described are for \_\_\_\_\_ purposes. (Sign full name, not initials only.) Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1917.

Received from the above named carrier the liquors above specified, Date \_\_\_\_\_ 1917.

Original Consignee.

If the applicant for said liquors is unknown to the delivering carrier, its agent, servant or employee, or if agent, servant or employee, or if such agents, servants or employees, have reason to believe that the person applying for said liquor is not the original and bonafide consignee, then said liquor shall not be delivered to said applicant until he shall have been identified, under oath, by a reputable person known to said agent, servant, or employee making such delivery, which identification shall be endorsed on the affidavit of the applicant aforesaid. Any person making a false statement in the affidavit or identification, as above described, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than fifty, nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than sixty days. The oath aforesaid may be administered by any officer authorized to administer oaths, and for that purpose the carrier's agent, when duly designated by the carrier, if within and a resident of this state, is hereby authorized to administer oaths to persons proposing to receive such liquors.

The affidavit as above described shall be made in duplicate copy, and within ten days after the first of each month, one copy shall be filed by the carrier with the governor and one copy with the county clerk of the county in which the delivery was made. While in the possession such affidavit shall be open to public inspection.

The said county clerk shall keep for a period of three years the original affidavits thus filed in a book of record, properly indexed, in the manner in which chattel mortgages are kept, indexed and filed, said files and record, to be open to public inspection. In all cases of the sale of intoxicating liquors in which a shipment or delivery thereof is made by a common carrier or other carrier, the sale thereof shall be deemed to have been made in the county wherein the delivery thereof is made by such carrier to the consignee. A prosecution for any illegal sale of intoxicating liquor may be made in the county wherein the consignee or the consignor resides if within this state.

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## LOCAL MATTERS.

Rev. Brauer was in Atkinson Tuesday.

John Addison of Mineola, was in town over night Wednesday.

P. D. Mullen made a business trip to Ainsworth last Tuesday night.

Miller Skrdla and Eddie Tomsick were down from Atkinson last Wednesday.

Ben Haigh of Atkinson, was in the city Thursday visiting with friends.

W. J. Hammond went down to Omaha Sunday morning on professional business.

J. J. Harrington is going to Valentine this afternoon to look after some business matters.

J. A. Donohoe went up to Bassett Sunday evening to look after some professional matters.

K. A. Pound was in Norfolk Friday and Saturday of last week attending to some business matters.

Judge Dickson and Court Reporter Scott returned Wednesday afternoon from a term of court at Bassett.

Arthur Wilson was down from Emmet Wednesday and made a pleasant call at this office while in the city.

Thomas J. Coyne and William J. Biglin went down to Norfolk Tuesday afternoon to attend a dancing party in that city.

J. J. Harrington returned Monday morning from the western part of the county where he had been on professional business.

County Attorney Hugh Boyle returned Wednesday morning from Bassett where he attended a short term of the district court.

Alva Plummer returned from Crawford Monday morning where he had been for several days looking after his interests in that section.

Mrs. Anthony Murray returned last Friday afternoon from Cedar Rapids, and Omaha, where she had been visiting relatives and friends.

Mrs. Herman Osber and Mrs. Julia Duft left Wednesday morning for Milwaukee to attend the funeral of a sister who died in that city.

Andrew J. Engler of St. Francis, S. D., and Elizabeth Bouska, of Atkinson, were granted a marriage license by the county judge last Saturday.

E. H. Whelan went down to Hastings Saturday where Sunday evening he was the principal speaker at a K. C. banquet held in that city on that evening.

A delegation of students from the Atkinson High School were in the city Tuesday to witness the presentation of the O'Neill high school class play, "A College Town."

Last Friday morning, while cranking his jitney, the pesky thing kicked backward and as a result William Schroeder received a broken arm, just above the wrist.

The doctors of Antelope county have formed an organization to be known as the Antelope county Medical Association and will hold regular meetings of the association at Neligh.

W. F. Porter, former secretary of state, will speak in the Presbyterian church Sunday evening, May 13th. The subject he has selected is "The Bible." Young people are especially invited to attend.

E. J. Grenier, one of the active and hustling farmers of the Opportunity country, was an O'Neill visitor last Tuesday and made a short call at this office, advancing his subscription to this household necessity for another year.

W. F. DeMay, district area manager for the Nebraska Telephone Co., with headquarters in O'Neill, returned from Long Pine, Stuart and Atkinson Saturday morning, where he had been looking after the interests of his company.

Mrs. J. F. O'Donnell and daughter, Miss Grace, and Mrs. John Skirving, left Sunday morning for Omaha, where they will spend a few days visiting friends. From there they will go to the old family home at Jefferson, Iowa, for a short visit.

A surprise party was given Frank Gallagher, at the home of his parents, Mr. and Mrs. J. P. Gallagher, last Friday afternoon, a party of his little friends calling and helping him celebrate his sixth birthday. All the little folks enjoyed a very pleasant time.

If, as reported in an Omaha daily, there are 15,000,000 pounds of sugar in storage there, some official should get busy and use the anti trust laws upon the holders. If this was placed upon the market sugar would not be selling at about double its regular price.

E. H. Whelan will leave Saturday morning for Albion where he is to preside as toastmaster at a K. C. banquet to be held in that city Sunday. Judging from the demands made upon him Mr. Whelan's reputation as an after dinner speaker and toastmaster is becoming quite universal.

Although Nebraska went officially dry on the first day of May it has continued to rain every day since and in fact for several days before May first. Old timers aver that never in the history of the county have we had such a cold and backward spring. Many are afraid that the cold wet weather will rot the potatoes planted the forepart of April.

According to the daily press about \$35,000 a day was spent in Omaha for liquor during the last few days of the "open season." A mathematician done some figuring and found that if it all was spent for whisky at \$4 a gallon that it would purchase about 9,000 gallons a day, which should be sufficient to relieve the thirsty Omaha population for some time to come.

A gentleman from Neligh is here this week with his moving outfit and is moving the old Mellor & Quilty barn east from its present location, to make

room for the erection of his new garage, on the west corner of his lots. Jess says that he is going to build one of the finest garages in this section of the state, which will be a splendid improvement to that part of the city.

Ed. Gallagher Jr., and W. J. Boyle have filed their applications to become members of the officers training camp at Fort Snelling, Minn. The government has established a training camp there and for the next three months will train young men for officers of the army of 500,000 that will be raised at once. It will take 10,000 officers to equip the several companies of this army of a half million men.

W. D. Decker of Page, was a caller at this office last Monday. The past winter Mr. Decker was chief clerk of the bill room in the house of representatives at Lincoln and more than made good on the job. He filled that difficult position so well that he was offered and accepted a position in the office of the secretary of state and will enter upon the discharge of his new duties the first of next week.

Harry G. Jordan returned from Lincoln and Omaha the latter part of last week where he had been purchasing seed potatoes for the farmers of this vicinity. Mr. Jordan secured 200 bushels in Lincoln and 400 bushels in Omaha and they arrived in this city last Tuesday night. The potatoes are Early Ohio and are some of the finest seed potatoes ever seen in this section. They will be sold to farmers of this vicinity for seed at just what they cost the business men of the city, \$3.75 per bushel.

L. E. Harding, one of the pioneer settlers of this county, died at a hospital in Omaha Wednesday afternoon, after an illness of several months of Bright's disease. Mr. Harding had not been feeling well for the past year and the forepart of the winter he went to Omaha for medical treatment and remained there up to the time of his death. The remains will be shipped to this city and will probably arrive tonight. Mr. Harding leaves a couple of brothers and several children to mourn his death. Obituary next week.

The closing month of old man Boze's regime in O'Neill proved to be a tame one, if the records of the police court are to be accepted as evidence of activity. Only \$25 was collected in fines and turned over to the city. This represents a \$5 fine in five cases, four of which were upon charges alleging drunkenness, the other upon a charge of speeding. One gent was fined \$100 for resisting arrest and evading an officer but he is still at large and the fine remains unpaid. Another was banished from the city for partaking too freely of the cup that cheers.

It is now Mayor E. H. Whelan, he having taken the reins of government last Tuesday morning, succeeding Frank J. Dishner who has filled the position the past two years. Mr. Dishner made a good mayor and retirees from the office with the knowledge of having done his duty as he seen it during his incumbency. Mr. Whelan possesses the necessary qualifications to make an ideal executive officer of the city and every one acquainted with Ed knows that he will do his full duty while holding down the office. Herb Hammond retires from the office of city clerk, after several years service, and is succeeded by John C. Gallagher. Herb has made a splendid city clerk, efficient, painstaking and obliging. His successor has the qualifications to make a splendid officer and everyone knows that John will be on the job all the time. The council held a short meeting last Monday night, but put off the complete organization until next Monday night.

Considerable levity and no little solemnity marked the passing of the late and lamented J. Barley Corn who has been a resident of O'Neill dating back to its very inception and even to its former habitation by the Indians. Interment was made in the cellars of thoughtful friends and admirers where loving care and attention, will be bestowed upon him and where frequent communion with his spirits will be possible. The last few days preceding his demise witnessed scenes of many fond and passionate adieus. Citizens, formerly unacquainted with

Mr. Corn, called upon him at his home for a final farewell, and as they became acquainted they became congenial and the better acquainted they became the more congenial they became and the harder came the parting. Although, many were hilarious, at the hour of his departure, few rejoiced at his going. Yea, many of his closest friends who spent the last day with him were ill for days following his departure. Mr. Corn had the faculty of making and holding friends easily. When one felt blue or down in the mouth he always offered comfort and cheer. Or on the other hand if one felt happy, for cause, and wished to celebrate no one would enter more whole heartedly into it than Mr. Corn nor would anyone go so far towards making the celebration a success. Consequently he had many friends. The final obsequies of two old friends of Mr. Corn's, Mr. China Pitcher and Mr. T. Pail, who for lack of usefulness passed away immediately after Mr. Corn, were to have been held this afternoon but owing to the inclemency of the weather this has been postponed. Mr. Pitcher and Mr. Pail were very intimate with Mr. Corn and often carried him from his home to the headquarters of friends and admirers. Whether he came to provide the reason for a game of cards or to furnish ammunition for an argument on schedule K, he was always received with much rejoicing and all felt better for his coming. There is some talk of a military funeral for Messrs. Pitcher and Pail their usefulness rivaled that of Gungadin, of Kipling fame. Al K. Hall and Tom and Jerry, inseparable companions of Mr. Corn, have also left us. A distant relative of Mr. Hall's named Wood will remain in spite of his unpopularity.

## Please Take Notice.

On and after May 1st, 10 per cent will be added to all laundry bills to help cover increased cost of supplies.  
47-2 O'Neill Sanitary Laundry.

## Hay Up In The Clouds.

With the continuing spell of wet weather and a heavy snow falling from Emmet west to Chadron and up in the Black Hills the price of hay is soaring higher and higher every day. The market in Holt county has jumped from \$11 per ton ten days ago to \$17.50 last Friday and now is from \$20 on up to \$21.50, with eastern buyers on the ground willing to pay any price asked if they only can get the stuff. The snow to the west is wet, heavy and ranges from four to six inches deep on the level, livestock suffering severely as a consequence. Because of the demand for provender for the starving stock on the ranges hay shippers are giving preference to shipments west. The heavy roads prevent the bailing and hauling to market of thousands of tons in the county and as a result that stored at all the shipping points practically is exhausted. None at all is to be had in O'Neill.

## Students Present Class Play.

The seniors of the O'Neill high school presented their class play, "A College Town," at the K. C. Hall on last Tuesday evening to a large and appreciative audience. The young men and women who took part, a great majority of whom had never previously appeared in public, were all exceptionally good. If these young people decide to go to Chambers we can assure the people of that community an evening of real enjoyment, witnessing this play. The cast follows:

- Jimmie Cavendish ..... Francis Cronin
- Tad Cheseldine ..... John Gilligan
- Leviticus ..... William Froelich
- Major Kilpepper ..... Francis Mullen
- Prof. Senacharrib Popp ..... Dee Snyder
- Scotch MacAllister ..... Charles Cronin
- Shorty Long ..... Edward Davidson
- Billy Van Dorn ..... Lysle Curtis
- Dr. Twigg ..... Francis Mart.
- Miss "Jim" Channing
- Elizabeth Gribble
- Marjorie Haviland ..... Blanche Baker
- Mrs. Baggsby—"Ma" ..... Joyce Bressler
- Miss Jane Cavendish ..... Ruth Murnan
- Miss Cleopatra Popp
- Elizabeth Mitchell
- Mrs. Mollie Stiles ..... Susie Wedtfeldt
- Mrs. Twigg ..... Ruth Simonson
- Miss Twigg ..... Lucile Wood

**\$8,000.00**

was what Morris S. Effingham did not lose. Burglars broke into his store. They broke into his safe. They found 93 cents in the safe. They got 93 cents. They could not get the \$8,000. It was in the Bank.

If your money is in this Bank, no one can get it, but those you wish to have it. If you keep it in cash, anyone can get it.

## THE O'NEILL NATIONAL BANK

O'Neill, Nebraska

This bank carries no indebtedness of officers or stockholders and we are a member of The Federal Reserve Bank. Capital, surplus and undivided profits \$100,000.00.

## NEBRASKA'S PROTECTION

The careful plans and guidance of officers of experience means strength.

Rigid supervision by shrewd trained inspectors means greater stability.

The Nebraska State Bank gives you both of these assurances plus the protection of the Depositors' State Guarantee Fund of the State of Nebraska.

There have been no losses to depositors in Nebraska State Banks under this protective act.

If you have money to deposit—if you need money in your business operations—in either case see us before acting.

**Nebraska State Bank**