

KILLER'S CASE TO HIGH COURT

Farmer Convicted Spouse's Murder Seeks a New Trial Now

Lincoln, Neb., Oct. 5. (Special)—A recommendation to the supreme court that it affirm the conviction in Adams county of William L. Phegley, Boone county farmer, convicted of journeying down there last April and killing his divorced wife, is made by Attorney General Spillman in a brief filed in the Phegley appeal case. He got 12 years.

Phegley claims that his wife, as soon as he saw him, dived for a revolver he had in his jacket pocket and that in the struggle it was discharged accidentally. He says he went there with only pacific intentions. The attorney general says that his story is contradicted by the location of at least one wound and by the fact that he had written a letter to her notifying her of his coming and his intention of "ending it one way or another" and that when he gave himself up he told the officers he had shot his wife.

MAY GRAVEL IN CITY OF BLOOMFIELD

Bloomfield, Neb., Oct. 5. (Special)—With the end in view of graving the streets of the city, the Bloomfield city council is now investigating a sand and gravel pit on the Lamprecht farm just north of the city. It is said that their findings have been very encouraging and that a good quantity of gravel has been located at a depth of about 12 feet. Should there prove to be a sufficient amount of the gravel, the council will take a long time lease on the land.

EARLY SETTLER OF NEBRASKA SUCCUMBS

Bloomfield, Neb., Oct. 5. (Special)—Mrs. Christina Eliasson, 44 years old, passed away on Tuesday at the home of her daughter, Mrs. A. N. Swanson, east of Bloomfield. She was an early settler in the community and was the wife of Magnus Eliasson who died about four years ago.

DRAINAGE PROPOSITION BEFORE WAKEFIELD AGAIN

Wakefield, Neb., Oct. 5. (Special)—For the second time a drainage ditch project is under way here to drain the lowlands of the Logan valley north and west of Wakefield. The proposition which was defeated the first time, now divides the territory to be drained into two districts and with this change it is believed the proposition will carry.

CONSTRUCT STEEL BRIDGE AT NORFOLK

Norfolk, Neb., Oct. 5. (Special)—Construction of a steel bridge to span the Norfolk river, three miles south-east of Norfolk on the Moldenhauer farm, will be started immediately. The bridge will cost \$7,500, its construction has been given to the Norfolk Bridge & Construction Co.

GYPSIES HELP SELVES TO FARMERS' PROPERTY

Hastings, Neb., Oct. 5. (I. N. S.)—Roving bands of gypsies in this county are causing farmers a great deal of annoyance. Sheriff Harm had several calls today to order the unwelcome visitors to move on. They make horse trading their chief business and farmers declare that they take the corn from the fields without pay to feed their stock. Farmers also complain of thefts of chickens and the milking of cows by the bands.

NEBRASKA'S JUNIOR FAIRS ARE SUCCESS

Hastings, Neb., Oct. 5. (I. N. S.)—The junior fairs being held in some portions of the state this fall are unique in the annals of Nebraska exhibitions. One is being held now at Blue Hill and another is to open soon at Minden.

The fair at Blue Hill met with marked success and the corn exhibit is said to be one of the finest ever seen in this portion of Nebraska, both for quantity and quality. All prizes are to be given to boys and girls under 21 years of age and all products exhibited are supposed to be raised by them.

CEDAR COUNTY TEACHERS MEET AT HARTINGTON

Hartington, Neb., Oct. 5. (Special)—The Cedar County Teachers' institute will be held here Thursday and Friday, October 2 and 3, a strong force of instructors being on the program. Dr. M. V. O'Shea of Wisconsin university will deliver a lecture to the public at the Auditorium on Thursday evening and lecture to the teachers on Friday. Other speakers are Prof. J. W. Dearson, of Nebraska university; H. E. Bradford, chairman of vocational education of the college of agriculture of Lincoln, and Miss Alice Hennigan, primary instructor of Lincoln.

NIMROD CATCHES PIKE WEIGHING 14 POUNDS

Yankton, Oct. 5. (Special)—C. G. Magera, of Yankton, is exhibiting a 14-pound pike, measuring 39 inches, which he caught in Lake Madison with a hook and line.

BREAK GROUND FOR NEW DORMITORIES

Fremont, Neb., Oct. 5.—Ground breaking ceremonies for the erection of the first unit of the new girls' dormitories at Midland college, costing \$75,000 were held Thursday. The approximate cost of all the dormitories is estimated at \$250,000.

Davis and Wilson of Lincoln have been named architects of the buildings, consisting of the three units. It is planned to finish the first unit by August 1, 1925.

A fitting program was arranged for the ceremonies.

SEEK TO OUST AGED PHYSICIAN

Petition of 3,000, However, Ask Grand Island Doctor's Retention

Lincoln, Neb., Oct. 5. (Special)—Dr. Charles Filippin, of Grand Island, is on trial before the state medical board on the charge that misconduct justifies cancellation of his permit to practice. Filippin recently paid a fine of \$400 on a plea of guilty when charged with an illegal operation. His attorneys presented a petition signed by 3,000 citizens of Hall county stating that he has been a great benefit of the poor, and asking that his license be not taken away from him.

Filippin is a colored doctor who has practiced years in the state at various points. He says he does not know how old he is, but his age is estimated to be between 85 and 90 years.

The records of the district court trial were placed in evidence to show that as a settlement of the case when tried for malpractice he agreed to quit following the profession.

STATE TAKING HAND IN CASE

Location of Bridge Over Platte River Goes Into The Courts

Lincoln, Neb., Oct. 5. (Special)—Attorney General Spillman has intervened in a lawsuit in Douglas county brought by two taxpayers of Omaha who object to having state aid money spent on a bridge across the Platte that will connect Saunders and Douglas counties. The boards of these two counties have disputed for months over where the bridge ought to be located, and the state highway department was finally called in to make a decision. It chose the location near Yutan, favored by Saunders county. The other site is a mile down the river. The attorney general says that the bridge will cost the same no matter where placed, but that several thousand dollars worth of highway building can be saved by the north location. At the same time it will well serve everybody who uses the road.

BLOOMFIELD ORGANIZES LA FOLLETTE CLUB

Bloomfield, Neb., Oct. 5. (Special)—A La Follette-Wheeler club was organized here, a very good attendance being registered. Ray Satterlee was chosen as chairman and C. H. Liddell as secretary. Chairman for the various townships were selected as follows: Morton C. A. Bussokh, Columbia; Henry Kuhl, Dolphin; Claus Hage, Herrick; Henry Hafner, Centari; William Grabowski, Fenora; Ed McQuistian, Dowling; John Hamholt, Harrison; H. J. Hubenthal, Hill; Joachim Heidek, Bloomfield, first ward; J. C. Hansen, second ward; Louis Burgard, third ward. Another meeting will be held on Saturday evening. Plans were made for getting some good speakers and for carrying on a vigorous campaign.

FUNERAL HELD FOR YOUNG GROOM-TO-BE

Osmond, Neb., Oct. 5. (Special)—The funeral of Fred Kupke, 22, who died suddenly Monday, was held here from the Lutheran church and the body sent to Murdock for burial. He had been employed in the Coleman, Holmquist Lumber Co. for two years, and was at work when he was stricken with heart trouble. The Brockmeier family accompanied the body. He and his daughter were to be married in the spring.

STORM LAKE TO OBSERVE FIRE PREVENTION DAY

Storm Lake, Ia., Oct. 5. (Special)—Storm Lake will observe fire prevention week, set by Governor Kendall for the week of October 5 to 11. Speakers will talk to the school children, the fire department will parade with its equipment, along with the automobiles and prize winning live stock in the big feature parade of the coming fall festival, Saturday afternoon, Oct. 11.

The fire laddies will put on a display in one of the downtown store windows. Speakers will appear before the federated clubs, the service clubs in the theater and elsewhere.

NINE CRIMINAL CASES ARE ON DOCKET

Vermillion, S. D., Oct. 5. (Special)—The fall term of circuit court will open here Monday afternoon, October 6, Judge R. B. Tripp presiding. There are nine criminal cases on the calendar, three of these being liquor cases. There are 23 civil cases listed on the calendar, but few of those are likely to be tried.

WESTERN UNION TO CELEBRATE OCTOBER 10

LeMars, Ia., Oct. 5. (Special)—All over the middle west, Western Union alumni are arranging their business affairs in preparation for a trip to LeMars. Here on October 10 they will meet scores of old school pals in their alma mater's second grand homecoming.

A feature of the day will be the football game between Wayne Normal and the Telegraphers.

WOMEN HIT IN FREMONT FIGHT

Claim Fair Sex May Not Sign Petition If They Pay No Taxes

Fremont, Neb., Oct. 5.—Ruling that women who are not tax payers are not entitled to sign a petition that was presented demanding the discontinuance of the Dodge county farm agent's office, the county board of supervisors passed a resolution for the maintenance of the office for another two years.

The petition favoring the continuance of the farm bureau contained 17 legally qualified names. The remonstrance petition to be effective must have one-eighth more names than the opposing petition.

Opponents of the farm bureau presented a petition with 734 names, but upon investigation the board determined that a great many of the signatures were women who pay no taxes. Removal of these signatures made the petition powerless to demand consideration.

Six supervisors were present at the meeting, with Attorney J. C. Cook on hand in behalf of the petitioners. Remonstrators were not represented. Although it is known that there are members on the board who oppose the operation of the farm bureau office, the statutes lay down the law in regard to petitions.

The action of the board brings to a climax the annual battle between the elements for and against the farm bureau in Dodge county.

BANKER WOULD GRAB IT ALL

But Omaha Cattle Dealers Have Entirely Different View of Things

Lincoln, Neb., Oct. 5. (Special)—Wertheimer & Degen, Omaha cattle dealers, and Fred Schreiber, Stanton banker, have gone to the legal mat over the proper interpretation of the law of sales as applied to cattle. The Omaha men sent a shipment of 120 head to Carl Sporing, farmer near Pilger, who had corn to feed and no money to pay for cattle. He was sick at the time and did not sign the chattel mortgage demanded by the seller until after the cattle had reached Stanton county. There the banker caused the sheriff to levy on them to satisfy a judgment he held against Sporing, and seeks to make the attachment good by pointing out no mortgage was of record at the time. The dealers take the position that as the consideration for the sale was the signing of the mortgage they did not lose title until after the signature, at which time Schreiber has levied on them.

RAILROAD FIGHTS "TOWN" OF RAEVILLE

Lincoln, Neb., Oct. 5. (Special)—Asserting that Raveville, Boone county, is simply a spot on the map and no town or village and therefore, not entitled to have a depot and additional stockyard facilities, the Northwestern railroad attorneys are asking the supreme court to overturn the order to that effect issued by the state railway commission. The attorneys say that a caretaker, who is the local dayman, and a boxcar depot serve all needs of the community.

NEBRASKA VOTERS GIVEN WARNING

Lincoln, Neb., Oct. 5. (Special)—La Follette headquarters men are busy sending out warnings to supporters in Nebraska not to follow the advice of certain progressive party leaders to vote that ticket straight on the claim that this will be an easy way to cast a ballot for La Follette. As a matter of law and fact a straight progressive party vote is not a vote for anybody for president, as it has no candidate for that office, and is a different organized party from that which carries the names of La Follette and Wheeler. The two have the same electors, but under the Nebraska law, electors are not directly voted for, and the governor names only those representing the party that has the most votes. The suspicion is entertained that some of the progressive party leaders were not acting in good faith, as a straight vote is a vote for the democratic opponent of Senator Norris, who also is on the progressive ticket.

ROCK VALLEY, IA., PIONEER IS DEAD

Rock Valley, Ia., Oct. 5. (Special)—Chas. Klein one of the first settlers of Shaw county died Tuesday evening after an illness of a year.

Mr. Klein broke up the ground for the main business plots and streets of Rock Valley and has the right to the claim of a true pioneer.

STATE'S CASH FUND REDUCED DURING MONTH

Lincoln, Neb., Oct. 5. (Special)—The general fund of the state is again in the red to the extent of \$124,000. This was due to the fact that the treasurer paid out \$575,000 during the month and only took in \$221,000. He still has \$2,219,000 cash in his credit in the banks. The largest balance is in the new capital fund, close to \$2,000,000. In addition he has \$12,264,000 of securities owned by the permanent school fund. During the month the state paid out \$274,000 for construction of new state highways.

Two Bigger By Peckinpaugh In Last Frame Breaks 3 to 3 Tie and Brings In Winning Run

Marberry, Relief Pitcher For Washington, Real Hero of Second Battle of World Series—Strong Rally in Last Turns Trick For Home Team Sunday

BY DAMON RUNYON, Universal Service Correspondent. (Copyright, 1924.)

Washington, Oct. 5.—One, two, three—the cudge-like arm of big Fred Marberry of the Washington club rose and fell in the ninth inning of the second game of the World Series Sunday afternoon.

One, two, three—the arm catapulted the ball, white and whirling, past the swishing bat of young Travis Jackson, short felder of the New York Giants, while "Whack" Wilson fretted at second base with what would have been the winning run for the Manhattan Islanders.

One, two, three—then the shrill voice of the Umpire Bill Klem, intoning "he's out."

It was the out that ended the inning, the out that closed a mighty rally by the Giants, leaving the score a tie at 3 to 3 for the moment.

Big Marberry, a tall Texan with arms that dangle loosely from his shoulders, moved with swiftness back to the bench of the Washington club and sat there through the last half of the ninth watching his teammates break the tie and win the game by the score of 4 to 3.

"Peck" Turns Trick

Roger Peckinpaugh did it with a two bagger off Jack Bentley, following a base on balls to Joe Judge and a sacrifice by Bluege.

Marberry watched these incidents stolidly. As Judge crossed the plate with the winning run and 40,000 fans were tonguing Washington's jubilation and tossing hats and cushions out on the field the lanky Texan arose, shook himself and shambled off toward the dressing room.

He acted no part of the baseball hero. He probably did not know then that he had entered diamond history as the winning pitcher of a World Series game on three pitched balls.

Marberry relieved Zachary, the Washington left-hander, in the ninth when the game Giants struggled up through a two run lead to even terms with the Washington club. Marberry had been warming up" for several innings over in front of the right field pavilion, his big arm lifting and falling steadily. Occasionally he turned his head to look at the game, then would resume his "warming up."

Great "Relief Pitcher"

Marberry has generally been "warming up" during the past season when the Washington club was on the field. He has been called the greatest "relief" pitcher that ever lived, "a relief" pitcher being the man of the baseball emergency who is rushed in, generally at the last minute, to stem the tide of defeat.

Marberry, who is little more than a recruit, has been in more than 50 games for Washington this season and has started only a few. In most of the games he went in to hold a lead when some other pitcher was floundering. It is not a role in which pitchers win their greatest fame.

The Washington battle line was in full retreat when Marberry came shambling up from the "warm up" station Sunday afternoon. It was crumbling under a surprise attack from the Giants delivered at a moment when Washington seemed to be a sure winner.

Jackson Dangerous Man

Young Travis Jackson is a dangerous hitter at any time. He was particularly dangerous at this moment, under the conditions. A single would score the fast "Whack" Wilson, the baseball pride of the little village of Leipsersville, Pa., from second with the winning run.

The big crowd, depressed by the unexpected turn of events just as it was celebrating a Washington victory, probably had little hope as Marberry came in, passing the dejected Zachary on his way to the bench. A baseball crowd always fears the worst for the home team, anyway.

Marberry, a towering figure on the mound, wasted no time in preliminaries. He lifted his arm—once! The ball driven with all the power of

Marberry's muscles, fairly slashed the air as it passed Jackson and fell into "Muddy" Ruel's fat glove with a thud. Jackson did not hit at the ball and Klem called it a strike. He made furious swings at the next two pitches and missed the ball each time fully a foot.

"You can't hit 'em when you can't see 'em," old Ping Bodje once remarked. Jackson probably didn't see 'em.

Zachary Pitches Well

Zachary, another member of the tall, lanky species of pitcher which is a distinct tribe in itself, and who comes from North Carolina, pitched fairly well up to the ninth. His full name is Jonathan Thompson Zachary. When he came into the big league, some writer thought he needed a more picturesque title, so Jonathan Thompson Zachary became Jezabel Tecumseh. But his name is Jonathan Thompson just the same.

He has a way of "slopping" the ball up at the batters, slow and easy, that bothered the Giants quite a bit. Big Jack Bentley, McGraw's \$65,000 southpaw from Maryland, pitched well until the ninth when he turned in that base on balls. A base on balls is never good pitching, especially when it becomes the winning run.

Bill Klem, umpiring at the plate, had on a very close decision which caused the denizens of Washington to scowl at him afterwards. It gave the Giants one of the two runs they scored in the ninth. The final score was the same as the score in the 12 inning game Saturday. It is developing that these are two bulldog teams that are fighting this series, both of them dead game and evenly matched. The fur will be flying all week.

Game Full of Thrills

The game was full of pearls of playing. Bluege, the Senators young third baseman, revealed most remarkable judgment in twice going after close double plays with a Giant running home from third. In the first inning, after Tom Zachary had gotten off to an appalling bad start, he shot the ball to complete a double play to end the inning just as Freddy Lindstrom crossed the plate. He allowed George Kelly to score the Giant's first run in the seventh in order to make two outs and remove the Giants from threatening positions and possibly other runs, there being none out at the time.

Bluege, Harris and Judge handled these double plays in lightning fashion. Peck also showed a great pair of paws in the field.

There was only one error, marked against Harris, who threw a trifle high to Peck for a forced play at second but many thought this was stretching a point. It was a very close play anyway.

Zachary allowed only six hits in eight and two thirds innings and had the sympathy of all when withdrawn and Fred Marberry sent in after the Giants had tied the score in the ninth with two runs on a pass and two hits. Bentley also allowed but six hits, but two of them were homers by Goslin and Harris, and Zachary had the edge, though inclined to get in the hole at times.

Frisch's injured finger didn't seem to bother him the slightest and few, if any, could have duplicated his scoring from first by inches in a diving slide under Ruel when Kelly singled to right in the ninth and Rice and Harris collaborated in the brilliant relay.

We doubt if Groh, out with a twisted knee, could have done better at third than the 19 year old Freddy Lindstrom.

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Beatrice Fairfax Falls Victim To Cupid's Arrow

Universal Service

New York, Oct. 5.—Cupid is the proudest little god in all the world. The famed Beatrice Fairfax, who has given millions of lovelorn readers inside information concerning his roguish wiles is the victim.

She will become the bride of James Wolf, basso of the Metropolitan Opera company, October 15. And in her own matrimonial adventure, she is going to follow some of her own advice, she says.

She will no longer be Beatrice Fairfax, but will use her maiden name, Lillian Laferty, with a Mrs. prefixed to it. And she insists that her husband wear a wedding ring.

Teacher Who Attempted To Settle Feud Is Killed

Anna, Ill., Oct. 5.—Oscar Trainer, school teacher, was shot and killed at a dance hall in Wolf Lake, 12 miles west of here, Saturday by Logan Randall, and the latter is said to have confessed. Harris Randall and Miles Randall, brothers of the slayer, were arguing when Trainer tried to settle their dispute. Logan shot Trainer in the back and seriously wounded Merle McMainen, a bystander.

London Hears Hussein Has Abdicated Throne

London, Oct. 5.—An unconfirmed report that King Hussein of the Hedjaz had abdicated was received here. Officials are disposed to believe the report. It is understood the king's eldest son, Emir Ali, will succeed to the throne. The Wahabi Arabs are at war against Hedjaz and at last reports King Hussein was at Mecca, deserted by all but his bodyguards.

Former Wife of Yeast King To Wed Polo Player

Universal Service

Paris, Oct. 5.—Laura Fleischman, who came here to divorce her husband, Julius Fleischman, the yeast king, is soon to be married to the polo player Jay O'Brien, according to insistent gossip of their friends.

When Mrs. Fleischman arrived in France before getting her divorce she was followed by O'Brien. They are now seen together always. The couple, however, deny that they are engaged.

PANIC SWEEPS PASSENGERS ON BURNING VESSEL

Flames Destroy Atlantic Excursion Steamer—All On Board Rescued

Universal Service

New York, Oct. 5.—The excursion steamer Mistletoe, carrying 26 passengers, including 20 women and children, and a crew of 12, was destroyed Sunday afternoon by fire two miles off Ambrose Lightship, between Sheephead Bay and Rockaway. All on board were saved by coast guard cutters, police boats, tugs and fishing smacks which came quickly to the rescue of the doomed vessel.

The heavy smoke from the spectacular blaze could be seen plainly for miles along the coast and the piercing shrieks of the Mistletoe's fire siren brought scores of small craft hurrying to its side.

Meanwhile the deck of the Mistletoe had become a scene of frenzied disorder. The deck of the vessel, heated by the seething flames, burned the feet of the frantic passengers. Women became hysterical and panic ensued.

The men on board, nearly all of whom were foreigners, rushed wildly to the railing, imploring in a babel of strange languages, help from boats that were beginning to draw alongside. Fishing smacks which were in the vicinity when the fire broke out, succeeded in removing all of the passengers safely. The crew remained to fight the fire in a desperate attempt to save at least the hull of the vessel. They were soon forced to give up.

PECK TELLS OF SECOND GAME

Captain Gets Real Kick Out Of Winning Battle For Senators

BY ROGER PECKINPAUGH, Captain Washington Senators. (Copyright, 1924.)

Washington, Oct. 5.—I've lived a lot of thrills in my time and know a lot of happy moments. But I've lived none nor known any joy greater than came to me Sunday afternoon when I was able to reach one of Jack Bentley's twisters and bust up a ball game.

When I saw that old horsehide whistling safely through the infield and saw Joe Judge making a wild and successful dash for home with the winning run in the ninth—well, that was glad stuff.

The game wasn't an awful lot unlike the opener. The Giants jumped into their lead Saturday with two home runs. We did the same Sunday. We tied it up in the ninth Saturday; the Giants did it Sunday. And then the team which had the early lead finally won out just as it did Saturday.

The Giants proved again and again that they are real warriors. When we went into our first inning lead, the Giants began the desperate effort to catch up with us and then to pass us. They made a great rally in the fourth, another in the seventh and then came through with two runs and a tie in the ninth.

But we beat them in the end because moments when Zachary was in trouble our boys rallied with superb defensive work and pulled Zachary clear. In the ninth when Zach faltered, we called on "Old Reliable" Fred Marberry, and Fred delivered like the marvelous pinch pitcher he has been all through 1924.

Assisted by Stanley Harris, Ossie Bluege made a great play in the first inning which really saved the game for us. The Giants had the sacks loaded, only one out and the hard hitting Emil Meusel up. It looked bad for us. But Ossie and Stanley came through with a chain lightning double play.

Goslin's terrific ciout in the first was the most terrific hit of the series. His home run drive into the center field bleachers travelled with rifle bullet power and scored Rice ahead, giving us a two run lead which we never afterwards surrendered.

Our victory Sunday gives us unflinching confidence as regards winning the series. We got by with Zachary. I think George Mogridge and his slow ball will bother the Giants. And then we can come back with Walter Johnson, who had all the hard luck in the world Saturday, but will have another kind when he faces the Giants again.

HOIST RED FLAG

Shanghai, Oct. 4. (I. N. S.)—Elaborate flag raising ceremonies over the former czarist consulate here have been arranged by the Russian soviet representatives. Similar ceremonies will be held at Russian consulates throughout China marking their return to Russian control.

Former Wife of Yeast King To Wed Polo Player

Universal Service

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