CARRIES CASE **TO HIGH COURT** Sioux City Bank Balks At

Paying Draft On Failed Institution

Lincoln, Neb., May - The Live Stock National bank, of Sloux City, filed an appeal Monday with the supreme court fa m a Holt county decision that it owes Henry Henefin, of O'Neill, \$1,353.16. That was the amount of a check sent Henefin by a brother and drawn on the First National bank of Gregory, S. D. Henefin deposited it in a bank at O'Nelli, which forwarded it to Sloux City. From there it went to the Federal Reserve bank at Minneapolis. It collected by draft from the bank at Gregory, and this draft started on the return route. Before it reached Henefin, the Gregory bank, which drew the draft, had gone into a receiver's hands, and the instrument was never paid. The Sioux City bank says it had to send the check by way of Minneapolis for lack of a correspondent at Sloux City for the Gregory bank, while Henefin says it did not use due diligence.

ONE DOUBLE WEDDING SEEMS A FAILURE

Fremont, Neb., May = -Mrs. Emma Knoell and Mrs. Laura Knoell, twin sisters, have filed charges of non-support in district court against their husbands, John H. and Lawrence Knoell, brothers, who are farmers near here. The brothers were cited to appear Wednesday. The two couples were married about a year ago at a double ceremony.

COMMENCEMENT WEEK ON AT BLOOMFIELD

Bloomfield, Neb., May . (Special) -The annual baccalaureate services of the senior class of the Bloomfield high school were held at the opera house Sunday night. Rev. H. H. Pyche, of the Congregational church, delivered the sermon. The commencement exercises will be held at the opera house on Friday night of this week.

ODD FELLOWS ARE SHOWING MUCH ACTIVITY

Lynch, Neb., May . (Special)-Odd Fellows and kindred organizations are holding large representative meetings in this part of the state almost weekly and a larger number of members than usual are being received into the various organizations. A big meeting will be held here May 27, when large delegations of Muscovites will raid the town with the bear

COURT SAYS HE MUST DO TIME Temporary Parole Granted

By Sheriff Not A Release

Lincoln, Neb., May 5 (Special)-In denying the request of Mrs. Warren Riggs, wife of an Antelope county farmer, for the release of her husband from any obligation to serve a 60-day sentence for bootlegging, the supreme court says that what was asked would be a mockery of justice. Riggs asked the sheriff to let him go home and harvest his crops, and that when that was done he would come back and serve his sentence. He did not return, and when the sheriff took him into custody, his wife got out a writ of habeas corpus, claiming that his sentence began the day it was imposed and that the 60 days having expired while he was still toiling at his crops, he was entitled to freedom.

The supreme court says that a sentnce does not begin until a person is taken into custody, that the time to begin it is not an essential part of the sentence, that being the kind and amount of punis' ment. To order n's release would be to give the pardoning power to sheriffs and nullify the criminal law.

FEDERAL ROAD DEPARTMENT SAYS "SAFETY FIRST"

Lincoln, Neb., May = (Special)-Federal road inspectors, in obedience to instructions from headquarters, are seeking to minimize the railroad crossing danger by declining to approve projects that cross tracks where another route would serve the public as well and eliminate unnecessary crossinge. Until next January the county boards will continue to designate the route of highways through their jurisdictions.

Being political bodies they are peculiarly susceptible to pressure from voters. In locating highways it has been found that every town near which it is laid out insists upon having it twisted a bit so that the tourists will have to traverse the well known Main street. Sometimes this means crossing a railroad track to get into the town and then recrossing it to get out. This adds to the certainty of an increased death list in the course of the years, and this is what the federal government is trying to shorten.

Work on graveling the S. Y. A. through York county has been halted because the people of Bradshaw want the highway to go through their town and have the county board's approval, but the federal agent has put in a

O'NEILL FRONTIER

A lot

will come.

CHURCH COUNCIL OUSTS PASTOR Rev. Harry Koonz, of Fremont, Recently Upheld **Prize Fighting**

Fremont, Neb., May : (I. N. S.)-As the result of a sermon he delivered a month ago, defending professional prize fighting, Rev. Harry Koontz, pastor of the Congregational church here, has been requested to leave the pastorate by a council of six members of the church. The council heard the evidence for and against the pastor.

Along with requesting the pastor to leave, the council also voted to oust the board of trustees, the deacons and deaconesses and other offigials of the church for their refusal to "fire" the Rev. Mr. Koontz.

Rev. Mr. Koontz charged today that the move to oust him followed his refusal to join the Ku Klux Klan at the invitation of several church members.

AS HEART BALM

Omaha Nurse Had Eyes On

Fortune Of Wealthy

Lincoln Man

Lincoln, Neb., May . (Special)-

Alfred Westland, wealthy Lincoln

resident, must pay one cent damages

as heart balm to Helen Olson, Omaha

nurse, who is 40 years his junior.

Westland is 70. She said that she

first met Westland, in California, in

1923, and that later their friendship

was renewed in Omaha. She says that

she was induced by pledges of love

and promise to marry to take a trip

to Atlantic, Ia., where they occupied

the same room, registering as father

and daughter. Westland denied he

ever knew the woman until she came

and sat down beside him on a park

bench in Omaha, and that the Iowa

trip followed the chance acquaintance

MEMBERS OF P. T. A. OF COUNTY MEET

Hartington, Neb., May : (Special)

-Representatives of the various par-

ent-teachers associations in Cedar

county met here Wednesday at the

thus made.

GETS ONE CENT

Wright's Ire Justified. From the New York Times. Grover Loening, designer of the amphibran planes with which Mac-Millan will attempt to find a polar continent this summer, said recently that men in the aircraft field were intensely interested in Orville

Wright's controversy with the Smith-sonian Institution and that some sort of an appeal would be made to the in-stitution to relabel the old Langley machine and to ask Wright to keep his machine in America. "The entire controversy would be ended if the Smithsonian Institution would properly label the Langley plane," said Mr. Loening. "A correct label should say that it did not fly at the first attempt because it was wrongly designed, due to the fact that Dr. Lorder, had made inde that Dr. Langley had made fundamental errors regarding the center of

TOO MUCH AMBITION

William Feather.

our amibtion run away with us. It

may be true that too much am-

bition is better than too little, but we mustn't forget that we can become so lost in dreams of the future that we cannot see the pos-sibilities in the present job.

The peak of a mountain is easy

to look at from a distance, but

gazing at it is not a short cut to

the summit. To reach its snowy

height means climbing, one step

at a time. So it is with our progress through life. The majority of successes are not won in a leap

nor made overnight. If we are willing to put the best of our-

selves in our present jobs and are

willing to grow slowly, success

of us are inclined to let

air pressure and other essentials. "It should then say that in 1914, 11 years after the flight of the Wrights, the Langley plane was turned over to Glenn Curtiss, who was then engaged in patent litigation with the Wrights, and after extensive and fundamental changes the Langley plane was made

to fly. "Many of the old failures which antedated the Langley failure could be resurrected, made over and caused to fly, with the knowledge that we have of airplanes today. I have seen the Ader machine, built in France in 1893. It failed to fly at that time, but I am sure that with a modern motor and a few alterations, it could be made to fly.

"I have no doubt in the world either that a good aeronautical engineer could take the designs of Leonardo da Vinci and, with a modern engine and a few structural alterations, produce a plane which could fly. "Dr. Langley was the secretary of

the Smithsonian Institution and it is easy to understand the feelings of his successors there who do not understand aeronautics and who think it was merely bad luck which prevented Langley from flying successfully. His failure was, however, due to fundamental errors and the success of the Wrights was due to the fact that they mastered the principles of flying

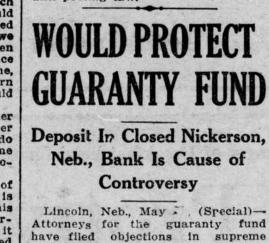


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Lincoln, Neb., May (Special)-Furnas county attorneys, as friends of the court, have filed with the supreme court an attack upon the binding character of the exclusive marketing contracts made by several thousand farmers with the Nebraska Wheat Growers association. This organization went down into Kansas to incorporate, because it has a better co-operative marketing law than Nebraska then had. That was four years ago. It never filed articles in this state until three ; ears after it had filed in Kansas.

The attorneys contend that the contract by which the members of the association bind themselves not to sell to any other dealer in grain under a penalty of 25 cents a bushel for all wheat so sold is null and voic because in contradiction of the laws of the state.

They say that if the wheat growers' association have a legal right to thus pool, then the old line dealers have a similar right, and that the antipooling statute could be made a complete mock of by merely going into another state and incorporate. No foreign corporation, they say, can do business in Nebraska except under the legislative policy in force, and that as the iegislature had made pooling an offense, the contracts are unenforcible. The last legislature exempted co-operatives from this anti-pooling law.

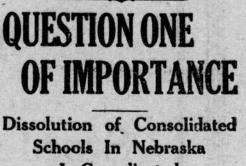


Attorneys for the guaranty fund have filed objections in supreme court to the allowance of a claim of \$1,700 by C. L. Waldron and L. A. Magney, who claim to be owners of a deposit made in a bank at Nickeron, now in a receiver's hands.

THEIR FATHER Sons of Aged Dixon County Man Appeal To Nebraska Supreme Court

GUARDIAN FOR

Lincoln, Neb., May - (Special)-The two sons of Frank Gronlund of Dixon county lodged an appeal Friday with the state supreme court from an order of the district court denying their request that a guardian be named for their father, 82 years old. They claim age has robbed him of his mental powers, and that a neighbor has taken advantage of this fact to get hold of a deed to some land which he is threatening to take possession of, and that it is necessary that some one be named to look after his interests. A brother of the father was suggested, but the court held there was no reason for naming a conservator.



Is Complicated

Lincoln, Neb., May (Special) ---A lawsuit of state wide educational importance has been filed in suppreme court, to determine the proper method of dissolving consolidated school districts. A decade ago the plan of consolidating rural schools so as to have better teachers and more advantages was adopted in many parts of the state. Hard times among the farmers led to their objecting to the increased expense of the consolidated schools, and a number of dissolutions have taken place and others are under way.

Two districts in Seward county consolidated by formal vote, and later enlarged the consolidated boundaries by taking in outside territory. Later this was detached in lawful form, and then one of the two original consolidators presented a petition to the county superintendent, signed by two-thirds of the electors, asking for a dissolution. Acting under a general law he made the order asked for. Now comes the remaining district, which says dissolution would leave it in bad shape, and makes the point that the special law governing consolidations says the superintendent cannot act save on petition of two-thirds of the electors. of the consolidated district. The question for the court is, which law is supreme.

which will lead the Sioux Falls S. D., delegation, and an afternoon and evening program will be given.

The meeting of Muscovites will be the second big affair of its nature to be held here within the month. Recently about 150 Odd Fellows gathered here at a special meeting for the initiation of 21 candidates and the work of the three degrees. Bloomfield, assisting with a degree team, came with 32 members; Creighton, with 26, and Orchard with 24, Activities extended into the morning hours and two suppers were served by the Rebekahs, the last being a midnight luncheon.

UNUSUAL PROCEDURE IN AN APPEAL CASE

Lincoln, Neb., May __ (Special)-The unusual course of asking for a rehearing in a supreme court appeal that has gone against the state was taken by Attorney General Spillman, who asks that the state be given a chance to discuss the legal proposition upon which the court decided the case of Carl R. Goucher, charged with aiding and abetting the forgery by County Clerk Allan, of North Platte, of a county warrant.

Mr. Spillman says that the court decided the case upon a point not raised by either side, towit, that the warrant was not forged. The defense had admitted that it was, and now the state thinks it ought to have a chance to convince the court that it is wrong. It is pointed out that if the warrant was not forged then Allen, who is serving a term for forging it, was unlawfully put in jail.

Goucher is a salesman for an Omaha printing concern, and Allen said he had induced him to issue the warrant so that he could use the proceeds to square a shortage in his accounts with the printing company. The court said that Goucher was charged with aiding in the false making of a warrant, when as a matter of fact the warrant was genuine. The attorney general insists that this is a refinement of technicalities that marks a step backward.

THEM FOX CUBS, BUT ARE WOLVES

Worthington, Minn., May (Special)-Lowell Kizer, near Round Lake, dug up seven wooly cubs on his father's place recently and presented himself at the Woolstencroft foxbuying station in this city for reward. He was considerably disappointed when told that they could not be used for fox pelts. However, he was told there was a bounty of \$6.00 a head on the sackful of furry wranglers, as he had discovered a wolf den. All but one were disposed of according to the law of these herd ravagers; Mr. Woolstencroft purchased this one for a pet.

BOOTLEGGERS ARE **KEEPING UNDER COVER**

Bloomfield, Neb., May (Special) -It is reported that bootleggers of this part of the state are keeping pretty well under cover these days and that it is about as hard to get a pint of hootch as it is to find a man that enjoys paying taxes. And the reason ascribed for this remarkable quietude among the vendors of illicit stimulants is that a goodly number of agents from the enforcement bureau are "carrying on" in northeast Nebrasks. Many arrests are said to be scheduled for the near future.

HUSE QUITS NORFOLK'S

PARK COMMISSION Norfolk, Neb., May -- (Special)-In an open letter to the mayor and city council, Gene Huse, editor of the Norfolk Daily News and for seven years a member of the park board, resigned his position as park commissioner because he declared the city fathers were "passing the buck" to him in the matter of letting out the city athletic park for public meetings.

Mr. Huse converted an old grove into one of the most beautiful parks in the city a few years ago. This park now fronts the city's new half million dollar high school. Mr. Huse also built parks and made beauty spots of old holes and unsightly places along the railroad tracks, vacant lots and isolated parking, until the city now has many beauty spots which once were weed patches and unsightly grounds. Through his efforts resulted the city's athletic park, Mapes park, the city park and other places of beauty

CAUGHT IN TRACTOR

GEAR AND KILLED Herman, Neb, May . (Special)--Henry Meier died following injuries received when he became tangled in the machinery of his tractor. He was found hours later, with his body holding the tractor, still running, out of gear. His body was resting across the exhaust pipe and was horribly burned. He leaves a wife and six children.

NEBRASKA SCHOOL MAN GOES TO COLOME, S. D.

Oakland, Neb., May : (Special)-Leonard R. Benson, for several years superintendent of schools here, has been elected to the same position in the Colome, S. D., schools at a \$600 a year increase in salary.

DIXON BOY SENT UP

FOR AUTO THEFT Ponca, Neb., May -- Lawrence Bourge, of Dixon, who was brought here from Deadwood, S. D., by Deputy Sheriff Mille after he had stolen a coupe from the Thempson garage in Dixon and driven to the South Dakota town, being convicted of stealing the car was sentenced to

the industrial school at Kearney. Deputy Mille brought the boy back in the stolen car which was nearly new and still carried the Nebraska license number. Young Bourge claimed he took the car as he had no other way to go to Deadwood where he was working in the gold mines.

Shrinking Peaches. From Williams Purple Cow. Customer—That pound of evaporated peaches you sold me didn't weigh over 3 ounces. Grocer-Well, Ma'am, I' didn't guarantee 'em not to go one evaporating.

HARTINGTON SCHOOL GIRL WINS HISTORY PRIZE

Hartington, Neb., May (Special) -The winner of the history prize offered by County Judge W. F. Bryant here was won by Miss Elizabeth Habel, senior in Trinity high school here. The judge offered an award for the Hartington high school student who could name the four states hich had their own governments before they were admitted to the union, excluding the 13 original states and those which left the union at the time of the Civil war. Miss Hapel answered the question the day it was propounded.

annual meeting of the county council of P. T. A.'s. The Coleridge, Laurel and Wynot organizations were on the program and an address was given by Mrs. Charles Yugblut, of Lincoln, who attended the national P. T. A.

convention at Austin, Tex. LEGION ENDOWMENT

FUND IS OVER SUBSCRIBED Norfolk Neb., May : (Special)-The American endowment fund was over subscribed here in a few hours drive by teams organized by the American Legion and a citizens' committee. Guy Parish, district committeeman, was in charge of the drive.

SETS DATE FOR HEARING ON WHEAT CONTRACT

Lincoln, Neb., May : (Special)-The supreme court has set for argument on Friday, June 5, the suit from York county which is to determine whether the five-year exclusive marketing contracts that the Nebraska Wheat Growers association has made with several thousand members in the state are worth the paper on which they are printed. The suit is a friendly one but other members who wish to back out have filed petitions in intervention and insist on acting unfriendly towards the contracts. The basic objection in that the anti-pooling law passed in 1907 to break the trust of grain dealers forbids any such contracts as the ones made by the association.

TO HOLD MEMORIAL

OVER "FRAZIER" GRAVE Niobrara, Neb., May -Services to be held over the grave of a soldier unknown at the present time, but which the government claims to be the grave of Arthur Frazier, Indian world war veteran, are being planned for Memorial day, Saturday.

At the same time it is expected, according to word from Minneapolis, that the trial being held there in which a man whom the government claims to be Arthur Lopez, a Mexican. is trying to establish his identity as the "dead" Arthur Frazier, will be ended, and the identity of the claimant established.

HE WROTE 17,000

WORD LOVE LETTER Grand Island, Neb., May 2--- Upon complaint of a young woman to whom he had been writing annoying letters, Frank Wiseman, 51 years old, was arrested by Chief of Police Degraw and taken before the county insanity board for hearing. The most recent letter written by Wiseman was a "violent" love letter containing 17,000 words. He stated to members of the board that he desired to give the young woman an opportunity to accept his attentions, and to make his position clear in the He was committed to the Hastings

FORMER SHERIFF IS NOW BADLY INVOLVED

Omaha, Neb., May 2 (Special)-Charles Hutter, former sheriff of Sarpy county, now under arrest here as leader in one of the big booze rings operating in the state, is wanted in the federal court at Lincoln, where he is charged with having forged his brother's name to a bail bond for a man named Butler three years ago, when Butler was under arrest on a robbery charge. Hutter is said by the officers to have gone bad while serving as county sheriff.

so well that they avoided those errors.

"The one mistake that the authoritles of the Smithsonian Institution did commit was that of turning the Langley plane over to Mr. Curtiss while he was in the midst of an intricate patent litigation which might be affected by the success or failure of the flight. They should at least have turned the Langley plane over to disinterested men to give it a test, and they should have held it Jublicly, with plenty of disinterested witnesses.

"Such was not the case. They tried it out in an improper manner, after radical changes had been made which overcame the errors due to Langley's ignorance, and then they made incorrect claims of what had been accomplished."

White Collar Jobs.

From the New York American.

The most unfortunate person in modern society is the man with a "white collar job." His pay has not kept pace with the higher cost of living. Capitalists have succeeded enor-

mously. Besides this men who labor only with their hands are better off now than ever before due to their labor unions and other causes. Recently the G. K. Mathews com-

pany which is building model flate for moderate rentals on a large scale in Long Island advertised for brick. layers to work for \$14 a day.

In former times a man laid much brick as he could during the Nowadays the unions will allow him to lay only so many brick and prescribe that he should get \$12 a day for what he does lay.

It is not to be wondered that many college professors and bank clerks are leaving their nice white collar positions and learning to be mechanics.

The Students Suggest,

From the Nashville Banner.

University of Tennessee boys, believing in thoroughness in all things, have addressed a petition to their legislators calling on them to finish the work begun with the anti-evolution law. The students suggest: 1. That the law of gravity be amended. Just what the amendment

should be is not definitely known, but we think it should be amended. 2. That something be done about

the excessive speed of light. That it be made illegal to bring Fords into Tennessee.

4. That pi be changed from 3.1416 to an even three.

That it be made illegal to teach that the world is round. The Book of Revelations refers to the four corners of the earth; incontestable proof of its flatness. That it be made unlawful for

alcohol and aicotine to harm the body. That flappers be eliminated. That morphine be ruled nutri-

tious.

Easier Than She Expected.

From Everybody's Magazine. A young woman who came to Colum-bla to take her degree of Doctor of Philosophy married her professor in the middle of her second year. When

she announced her engagement, one of

her friends said. "Sut, Edith, I thought you came up here to get your Ph. D.? "So I did," replied Edith, "but I had no idea I would get him so soon."

The Snake Indians were so called be-cause of the characteristics of these natives in quickly concealing themselves when once discovered. They Beemed te slide away in the grass, sarebrush and focks and disappear with all the sub-

The attorneys for the guaranty fund say that the deposit represents an illegal contract, made contrary to public policy and which is a transgression of public morals.

The claimants are Omaha attorneys, who put the money in escrow to be paid to two Fremont women if they were called to Omaha later to testify in the case against Dr. Mathes. convicted of murder in connection with an illegal operation. The case was then pending in supreme court. Mathews never got a new trial and their testimony was never used. Before that happened the

bank broke. The guaranty fund lawyers say that as the contract was that the payment was dependent on a court decision it was bad in the eyes of the

law.

ARE NOT AGREED ON DISINFECTING CARS

Lincoln, Neb., May = (Special) .-The railway commission held a hearing Tuesday on what constitutes a reasonable charge for cleaning and disinfecting cars, stockyards, pens and chutes, to be paid by shippers. Two roads, the Burlington and Union Pacific, apply the present charges to all shipments, while the other roads have it apply on shipments between jobbing points. This discrimination is a hangover from the federal administration period, the railroad men said.

The farm bureau federation had representatives present to insist upon no more than a reasonable charge being made where the shipments were purely intrastate. The interstate charges that the railroads desire permission to apply to all shipments hereafter is \$2.50 for each single deck car and \$4 for double deckers, where the roads do it, and where they must pay others to do it the shipper will not be charged any more than these figures. They ask that for cleaning up yards where infected animals have been quartered, the owner be assessed the cost plus 15 per cent. for overhead.

BLOOMFIELD VOTES TO BUILD LIGHT PLANT

Bloomfield, Neb., May a (Special) -The Tri States Utilities company, which has been serving this community with electricity, lost a heated contest to the city of Bloomfield, 361 votes being cast at the election Tuesday in favor of issuing bonds for \$50,000 for a municipal light and power plant and 66 votes against theissue. The Tri States company rented the Star theater here Monday night, putting on a free show and President Henlehy laying his facts before the audience. The company had representatives in town several days prior to election, conducting a house to house canvass for votes in their behalf.

FATHER O'TOOLE'S FUNERAL WAS LARGELY ATTENDED

Newcastle, Neb., May ~ (Special) -Funeral services for Rev. Father O'Toole, who came here as the first Catholic priest of Dixon county and third priest of northeast Nebraska, in 1877, were held from the Newcastle Catholic church Tuesday, and it is estimated that there were 800 or 1.000 people in attendance.

Archbishop Harty, of Omaha, and Bishop Heelan, of Sicux City, together with about 30 priests from various parts of Iowa and Nebraska. had charge of the services.

The objecting district says that it is just as legally necessary to have 🔌 its consent to dissolve a consolidation as it is to enter one.

SAYS PENALTY IMPOSED MUCH TOO SEVERE

Lincoln, Neb., May = (Special)-James Turek, convicted in Fillmore county of shooting a neighboring farmer with whom he had a quarrel over plowing, has asked the supreme court to give him a new trial, or at the very least to reduce his sentence of 10 years. This is too heavy a. punishment for the offense, he says, which was no more than assault and battery considering the provocation under which he acted. The state says that Turek shot his neighbor because the latter had been one of four to bring charges of insanity against Turek.

CONVICTED PLUNGER SEEKS HIS LIBERTY

Lincoln, Neb., May ~ (Special)-Ray Lower, youthful plunger who wrecked a bank at Valparaiso several years ago, now in the state prison, has gone into federal court in an effort to habeas corpus himself out of the penitentiary. He claims that he was sentenced under the provisions of a law that was in force at the time of his conviction that dlffered materially from the law in force when the offense was alleged to have been committed. He contends that this amounts to illegal imprisonment. As another claim he sets up that the Jagislature failed to attach a savings clause to the new law, so that during the period of the alleged crime there was no law ineffect covering the crime of embezziement. The supreme court had refused release on these same grounds to Lower and to another banker convict at the penitentiary.

DIVIDE WALTHER LEAGUE OF DAKOTA DISTRICT PLANNED

Mitchell, S. D., May (Special.) -The Dakota district or the Walther league, comprising the states of North Dakota and South Dakota, will assemble in annual convention. at Hankinson, N. D., June 2 to 4, for the last time as a joint district. Following the general sessions the two state delegations will form separate districts. The rapid growth of the league in both states has made such a division advisable for the efficient administration of affairs and for proper intenive development.

FINDS FIVE DOLLAR

BILL IN BIRD'S NEST Wayne, Neb., May = (Special)-A five dollar bill was found in an old bird's nest which had fallen to the ground here, by Hans Sundahl, a street cleaner. The bill had been picked up by the birds and woven into the nest. It was in good condition.

TYNDALL SCHOOLS PUT

OUT 22 GRADUATES Kimball, S. D., May . (Special.) -Kimball city schools closed this week. There were 22 graduates, 1h boys and 11 girls.

letter which he addressed to her. asylum.

