

ASK REHEARING IN ROAD CASE

State Claims Allowance Given Contractor Establishes Bad Rule

Lincoln, Neb., (Special)—The state has asked for a rehearing of the case in which the supreme court held it liable for \$23,000, claimed by Peterson, Shirley & Gunther, highway contractors, for removing solid and loose rock on a Sioux county contract. The state asks the court, in view of the importance of the matter and the large number of road contracts being made, that it lay down a rule for future guidance. This rule, the attorney general says, should be that a contractor cannot ask for any compensation for work that is not covered by his contract unless, when he encounters material unexpectedly that will cost more to remove, he must notify the state.

The contention is that if a contractor who has a contract to grade a roadway at a certain price for earth removed goes ahead and blasts out solid rock that he encounters without notifying the highway department and then claims extra pay for it, this opens the door of opportunity to all sorts of fraud.

The state also contends that the court was wrong in holding that the state must pay interest on the claim, because there is no law that authorizes this to be charged and the state is immune from the general interest law. It is also claimed that the evidence does not justify the amount awarded as it shows that the amount of explosive used would not move the amount of rock claimed. The court held that the state having had the benefit of the work, does must pay for its reasonable cost.

OFFER LOWER RATES BETWEEN ZONE TOWNS

Lincoln, Neb., (Special)—The Northwestern Bell Telephone company has made application for authority to decrease message rates from 10 to 5 cents between the towns in the various zones which are now being offered a choice of zone service or local service. Hitherto all towns in a zone, usually three to five, had to pay the zone rate and take zone service. Under the schedule filed by the company under authority of the federal court these are now given the privilege of continuing the zone service at the increased rates or of taking their own exchange only and paying 5 cents every time they call some other town in the zone.

VACATION CAMP FOR FARM BUREAU WOMEN

Battle Creek, Neb., (Special)—A woman's vacation camp will be sponsored by the farm bureau the third week of August. This camp will be opened to farm women of the county. O. A. Sunderman, president of the farm bureau, and Mrs. Cleo Fender, county chairman of the woman's work, together with a representative of each of the organized groups of women in the county will make up a committee to work out details and plans for this vacation camp. A similar camp was agitated two years ago by the Jefferson group of women but dropped later. This was revived again at the time of Miss Easley's last visit on clothing work. Plans have not been completed as to the details.

PONCA PREPARES FOR CELEBRATION OF FOURTH

Ponca, Neb., (Special)—Arrangements for one of the most elaborate Fourth of July celebrations ever held in northeast Nebraska are being completed here and will bring together about 10 towns in this part of the state for the day of addresses, songs, music, ball games and other features. The town of Wakefield and its famous band have accepted an invitation to assist in the celebration, and Ponca's band also will play.

Newcastle, Maskell, Allen, Waterbury, Concord, Silver Creek, Daily, Dixon and Martinsburg have been invited to celebrate with Ponca and large delegations from these towns are planning to be here.

In the forenoon the addresses will be given and in the afternoon there will be two ball games one between Ponca and Newcastle and the other between Maskell and Silver Creek. Free show attractions and a balloon ascension will be features in the afternoon. Besides the band music, a chorus choir of 50 voices will sing several selections with Mrs. William Auge as director and Mrs. F. R. Kingsbury as pianist.

FINDS OWNING A CAR IS EXPENSIVE

Scribner, Neb., (Special)—It costs \$712 a year to operate a \$2,000 coupe, according to Wilhelm Bolts, of Scribner, who has kept a careful account of expenditures for the last five years. He used the car for business and pleasure and listed the money actually paid out, with no consideration for his own time used in the patching and other repair work.

FAMILY OF THREE DIE ON RAIL CROSSING

Grand Island, Neb., (A. P.)—Joseph E. Kozina, a school teacher of Boulder, Colo., his wife and an 8-year-old daughter were killed by a Union Pacific passenger train at a grade crossing on the Lincoln highway near Clarks, Neb., Monday afternoon. A 4-year-old child escaped injury. Mrs. Kozina's people live in South Dakota. The family was enroute to Iowa where Kozina was to take a new teaching position, letters indicated.

ENOUGH MONEY AND TO SPARE

Nebraska Banks Claim Ability to Finance Handling of Big Crop

Lincoln, Neb., (Special)—Nebraska bankers say that there is so much money, either idle in the banks or out on loans that can be called at any time, that it will not be necessary to draw upon the federal reserve bank for cash to finance the harvesting and movement to market of crops. Years ago the eastern money centers were called on yearly to carry this load. After the federal reserve system was organized, the banks at Kansas City and elsewhere in that system in the agricultural districts furnished the money. This is the first time in history that the local banks have money enough to care for this task.

Bankers also say that a great deal of Nebraska money is just now being loaned on Wall Street in the stock market. Many of the banks in the state that are making these loans found this to be the most profitable line of paper to secure, and many of them are making this sort of loans for the first time in their history. They said some of the western big city banks have been going this, and they were assured there was money and no risk in it.

SHE PURCHASED FROM TWO MEN

Now Widow Must Pay for Both Tombstones, High Court Says

Lincoln, Neb., (Special)—Mrs. Myrtle Lewis, Nebraska City widow, finds herself, as the result of a supreme court decision, legally in possession of two well-lettered and imposing tombstones, testifying to her regard for her deceased husband. The first one was ordered through a traveling agent of an Omaha monument house, which order the widow was induced to cancel by a local dealer, who offered to sell her one for \$500, which is \$150 less than the other. The jury said the widow, who claimed false representations, need not take the one first ordered, but the supreme court says that she has no power to repudiate the contract. The widow says that the local dealer promised to stand back of her in her refusal to take the other, and the court says this is understandable when the evidence discloses he was making 60 per cent, and the other man only 38 per cent.

HIGH TEMPERATURES PREVAILED IN NEBRASKA

Omaha, Neb., (Special)—Hot winds from the southwest, Wednesday, brought temperatures that shattered heat records in many Nebraska localities for July 1. No prostrations were reported from any point, however. At Lincoln, 103 was registered at 4 p. m. At Beatrice 104 1/2 was the maximum. Omaha had a high of 104, the hottest for July 1 ever recorded here and within 6 degrees of the highest mark on record, 110 in August, 1918.

PONCA HAS A BIG FOURTH OF JULY PROGRAM

Ponca, Neb., (Special)—Ponca is preparing to make Independence Day a big day. A full program is planned consisting of music furnished by Ponca's band of 50 pieces, speaking by a prominent speaker and a free act, in the forenoon; two ball games, Silvercreek vs. Maskell and Ponca vs. Newcastle, balloon ascension, a free act in the afternoon; a chorus of 50 voices directed by Mrs. Wm. Auge and Mrs. F. R. Kingsbury, and a band concert in the evening.

RUSTY NAIL WOUND CAUSES GIRL'S DEATH

Grand Island, Neb., (Special)—Lockjaw resulting from injuries suffered when she stepped on a rusty nail about a week ago, caused the death of Miss Clara Stenka, 16 years old, of Burwell.

HUNDREDS OF INDIANS TO BE AT CELEBRATION

Fort Thompson, S. D., (Special)—Hundreds of Sioux Indians from the Lower Brule and Crow Creek agencies will participate in a Fourth of July celebration at this agency, which is better known as Crow Creek agency. Sioux warriors of three reservations, the Yankton, Crow Creek and Lower Brule, will compete in a broncho "busting" contest, with the championship of the three reservations as the stake.

TABERNACLE MEETING ATTRACTING CROWDS

Castana, Ia., (Special)—Large crowds are attending the tabernacle meetings being conducted here by W. E. Purdy, evangelist.

HEIGHT OF COURTESY

Bath, Eng.—A motor car knocked down an old man in Bath street and spectators feared he had been killed. To their surprise, he jumped up quite unharmed and raising his hat, apologized to the driver for the inconvenience he had caused him.

CAN'T PRACTICE HIS PROFESSION

Hartington Veterinarian Is Suspended by Secretary Frost

Lincoln, Neb., (Special)—Dr. R. W. Heckert, a veterinarian of Hartington, has been suspended for 90 days from the practice of his profession by Secretary Frost of the department of public welfare, which issues licenses to veterinarians.

Heckert had been authorized to make tests for bovine tuberculosis. The testimony was that he had reported one cow in a herd of four that he inspected for the Ursuline Sisters, an organization at Hartington, to be infected, and was asked to take it away. Then he made a second test of the animal, found it showed no trace of tuberculosis, and traded it for a horse. Later the new owner sold it for \$35.

The secretary held that it was misconduct on Heckert's part not to have reported to the Sisters the result of the second test.

DENIES STATE MADE PURCHASE

Owners of Goose Lake in Holt County Must Produce Water First

Lincoln, Neb., (Special)—Secretary McLaughlin denies the printed story that the state has bought Goose lake in Holt county. He and Game Warden Jenkins have returned from a tour of Rock, Brown, Cherry, Holt, Sheridan, Box Butte, Dawes and Garden counties inspecting lakes that are offered for sale. The legislature of 1923 appropriated \$50,000 for this purpose, the object being to provide lakes that could be thrown open to the public for hunting and fishing purposes. Governor Bryan declined to follow the instructions of the legislature. He spent \$12,000 of it for land near the Benkman fisheries, and the Isaac Walton league of the state is urging that the remainder be expended for the original purpose.

Mr. McLaughlin says that Goose lake was offered for \$12,000, but the owners will first have to prove that flowing wells can be sunk in it. The lake consists of 400 acres.

DENIES GIRL'S CLAIM AGAINST MAN'S ESTATE

Seward, Neb., (Special)—The plea of Alby Vajrft, 17 years old, in behalf of her fatherless child, for \$10,000 against the estate of her betrayer, Anton Lana, has been denied by County Judge Bek.

The girl and her parents, Mr. and Mrs. Adolph Vajrft were jointly acquitted December 8, 1923, on a charge of murdering Lana.

At the time Lana was killed, the girl named him as her betrayer. He had been living at the Vajrft home as one of the family. The baby was born after the murder trial had been held.

Lana's estate is not worth in excess of \$1,500, it is estimated. Judge Bek allowed the claim of Mrs. Vajrft, asking \$220 for a board bill against Lana. A claim of Mr. Vajrft for \$34, claimed for work done by him and his children on a melon patch, planted by Lana, also was allowed.

SUPERIOR, NEB., ASKS FOR GRAIN RATES

Lincoln, Neb., (Special)—The city of Superior, through its traffic association, is making a fight before Interstate Commerce Commission Examiner-Witters to secure rates that will establish it as a terminal grain market that can compete on equal terms with other cities in the west. It is asking that the commission order joint rates on shipments of wheat, corn, oats, barley and other grains from Nebraska points through the Superior gateway into Oklahoma and Kansas, where there is a good market for these commodities. This will mean lower rates, and will enable the establishment there of grain dealers who can benefit the producers of the state by offering competitive prices in order to draw grain that way.

The city is relying heavily upon the fact that the interstate commerce commission recently authorized joint rates from South Dakota points on shipments of oats and corn into Iowa, and argued that if a joint rate is justified on notice from a state that produces little of these grains into one that produces a great volume of both, it is justified where the movement, as asked for in this case to be recognized by lower rates, is from a great producing state into states that have no surplus of either.

HOLD FUNERAL OF PIONEER OF PONCA

Ponca, Neb., (Special)—William Davis Belter, 76 years old, who has resided at Ponca since 1899, died suddenly of heart disease. Funeral services were held at the Presbyterian church Tuesday afternoon.

DOUBLE WEDDING AT NORFOLK, NEB., TUESDAY

Windside, Neb., (Special)—Tuesday morning at St. Paul's Lutheran parsonage, at Norfolk, occurred the double wedding of Miss Minnie Loebback to Otto Graef, both of Windside, and Miss Anne Graef to Loren Tappert, both of Norfolk. Rev. Meyer officiating. Immediately after the ceremony Mr. and Mrs. Graef left by auto for Winner, S. D. to visit relatives. Mr. and Mrs. Tappert will spend a couple of weeks with relatives at Burlington, Ia., Mrs. Trappert and Mr. Graef are sister and brother.

A NOBLE LIFE.

Goethe.
Wouldst shape a noble life? Then cast
No backward glance toward the past;
And though somewhat be lost and gone
Yet do thou act as one new born.
What each day needs, that shalt thou ask;
Each day will set its proper task.
Give others' work just share of praise;
Not of thine own the merits raise.
Beware no fellow man thou hate;
And so in God's hand leave thy fate.

No Man Shortage in Europe.

Garet Garret in Saturday Evening Post.
There is the fallacy that Europe suffers deeply from the loss of man power in the war. That is not so. How can it be so when the most vivid economic symbol of Europe is still the supernumerary hand? Whether it is tying up a ship or unloading a cart of bricks, there will be one, two, three pairs of hands more than are really needed.

How can it be so when Italy's definition of her problems is how to find work and food for 500,000 more Italians each year? How can Europe say it is so while complaining bitterly at the same time that the American outlet of her excess population has been closed by the new immigration laws? How can it be so when in Great Britain the number of unemployed, supported by doles, is normally 1,250,000 to 1,350,000? If it were so, would England be assisting her people to emigrate?

France is the only country where there is a deficit of native man power. She is importing population. But she was doing it before the war. In Europe as a whole there is a great surplus of man power.

No Foods Heat the Blood.

From Motive Magazine.
One of the foolish fallacies prevalent among even the widely read and well informed is that there are certain foods which "heat the blood," and others which "cool the blood."
Alfred W. McCann, in his "Science of Eating," specifically declares there are no foods capable of increasing the heat of the body above the constant normal or 98.4 or decreasing it below the same figure. He says: "Foods are neither heating nor cooling. No food has the power of raising the temperature of the body to a point higher than the normal constant, 98.4 degrees Fahrenheit. No foods are cooling in the sense that they reduce the temperature of the body to a point lower than this same normal constant."
This fallacy is close kin to that indefinite thing known as "light" food or "heavy" food. They all show how utterly ignorant humanity is of why it eats.

It is utterly astounding how many people implicitly believe that in the summer time they must avoid certain foods because they are "heating" and must use others because they are "cooling" to the blood.

The Old Room

Querer old room with your red carpet and blue painted walls,
There will never be any room so dear to me as you.
There was a water stain on the ceiling where it slanted—that was like a dragon.
I remember how I could lie and look at its coiling shape—
The wash stand was propped at one corner,
And nothing matched with anything else,
And the kitchen table with the writing table,
And the reading table and the dining table—
The books at with me, sitting in a pleasant row;
The vine on the brick wall opposite my window
Looked over on summer afternoons twinking its leaves.
O high-up room!
The steep stair, the landing with its linoleum floor and piled boxes
Were entrance to paradise for me; lofty, separate, private kingdom.
Many a dance I danced on the red carpet between the mirror and bed.
The bed with its ugly twisted iron and kind arms,
The white bed with its lonely pillow;
Against whose side at night so often I cried my desire:
Where at night I dreamed; sleeping of walking, dreamed.
—Helen Hoyt in The World Tomorrow.
Reputation signifies little. The stork raises a small family at home. —Vancouver Sun.
Worry is about the only thing that can make most of us think.—Kalamazoo Gazette.
Doubtless there are some who think masle is the feminine term for a masher.—Muncie Star.

Fashion Plaques



The latest in scarfs is one of chiffon or net edged with insertion and lace. It is effective with both the light and the dark gown, and is a most feminine and fetching accessory to own.

The Great American Impulse.
From the Washington Star.
"Do you ever think of retiring from politics?"
"Why should I?" rejoined Senator Sorghum. "I have no wish to be unique, and there isn't a man, woman or child in the United States of America who is not either openly or secretly aspiring to some kind of an office."
The world's largest locomotive, an electric giant 152 feet long, weighing 1,250,000 pounds, and with a rating of 7,135 horse power, recently passed successful tests in Pittsburgh, Pa. The locomotive is built in three sections, so that it may pass safely around curves.

FOSSILS FOUND IN GRAVEL PIT

Bones of Long Extinct Animals Found Near Town of Hartington

Hartington, Neb., (Special)—Some valuable prehistoric finds have been made in a gravel pit by Anton Wortmann on the George Dettmer farm, north of Hartington. The Smithsonian institution at Washington, D. C., has asked for more fossils, following the sending of the tooth of an extinct animal belonging to the pig family. Its closest living relatives are the peccaries of Mexico, of Central and South America.

Other finds by Wortmann have been the lower jaw tooth, lower hind leg bone. Upper tooth of one of the later extinct species of three-toed horses known as protolippus; part of toe bone of extinct kind of camel; a vertebra of large extinct species of crocodile and a few pieces of petrified wood.

SIMMONS CASE UP NEXT MONTH

Board to Hold Hearing July 10—Other Convicts Ask Freedom

Lincoln, Neb., (Special)—The state board of pardons and paroles has fixed July 10 for a special meeting to consider the application of Walter Ray Simmons for a commutation of his death sentence to one for imprisonment for life. Simmons awaits electrocution for killing Frank Pahl in Boyd county. The board, early this month, granted his plea for a rehearing, but is still to pass on the question of whether there is enough merit in his alleged ability to establish an alibi to warrant a commutation.

July 14 the board will hold another meeting to consider the applications of 22 inmates of the state penitentiary and state reformatory for paroles or commutations. Among those asking parole is Peter E. Nelson, former Theodor banker, who is serving a sentence of one to five years on conviction of falsifying the books of the bank, which was closed shortly after he is alleged to have fled to New Mexico.

Another parole applicant is George W. Gregory, who was pastor of a Methodist church at Stuart, Holt county. He was convicted of unlawful relations with four girls. In his application he admits his guilt, but asks for mercy on the grounds that his family needs him. He came to Nebraska from Sidney, Ia., and is 45 years old. He has a wife and three children. His sentence was for 18 years.

BUNGLING JOB BY LAWMAKERS

Attempt To Amend Divorce Laws Results in Tangled Mess

Lincoln, Neb., (Special)—Attorney General Spillman has been asked by a Lincoln lawyer to pass on the question of whether Perry Reed's amended divorce law is valid. Mr. Reed secured the passage of an amendment which forbids the courts from hearing a divorce case until six months after service has been had or perfected on the defendant. In drafting the bill he made it an amendment to section 1520 of the compiled statutes of 1922. Now the lawyers have discovered that at the 1923 session this particular section was amended in a minor particular with relation to service on non-resident defendants.

This fact seems to have been overlooked by the last legislature, which amended and repealed the law as it was in 1922, thus leaving the law as fixed up by the 1923 session neither amended or repealed. The lawyers say that as it amended and repealed a law that did not exist, it is useless as a statute.

LAD IS DROWNED IN SWIMMING POOL

Holdrege, Neb., (Special)—Raymond O. Bergstrom, 16 years old, was drowned in the Bertrand swimming pool, after the pool had been closed to the public. Young Bergstrom with three companions arrived just as the pool was closing. They urged the caretaker to allow them to enter, but he refused. Two of the boys scaled the fence and went in, despite his orders. The caretaker returned and his flashlight frightened the youths. They fled to the car, but when they reached it they missed Bergstrom. His body was found in three feet of water. He could not swim and it is thought he was taken with cramps.

PLAN DRILLING FOR OIL AT CHADRON, NEB.

Chadron, Neb., (Special)—Providing that a few landowners in the Chadron oil field will lease their holdings to a drilling corporation now formed in this vicinity, drilling will be started within a few weeks. For several years C. M. Valentine has been tireless in his efforts to interest capital in the Chadron field.
F. J. Duthie, of Seattle; John H. Merrill, Mr. Duthie's Wyoming manager, and Albert Bounnitz, his private secretary, have surveyed the territory.

FIND NEBRASKA SEED IS GOOD

Potato Experiment in Louisiana Is Given Close Inspection Recently

Kimball, Neb., (Special)—A report has just been made of the spring Louisiana potato tour, in which the Nebraska college of agriculture and the Nebraska certified potato growers association sent a representative of the certification committee of the college to Baton Rouge and the Louisiana fields.

Nebraska seed showed up well in comparison with the seed obtained from other northern states. The test plot consisted of 162 rows of potatoes of 210 hills, planted from samples submitted by northern growers. Two-thirds of the test samples were grown from Nebraska seed. Only 1.4 per cent of the total number of plants from Nebraska seed showed mosaic and only 2 per cent was of a serious type. In contrast with this the Louisiana station has reported that 48 lots of seed from other northern states showed an average of 16.6 per cent of mosaic and half of this was of the serious type which causes the greatest reductions in yield.

The Nebraska record was due to the drastic elimination of mosaic infected seed in this state several years ago.

BELL COMPANY MAKES REPORT

Shows Large Increase in Revenues and Profits in Five Months

Lincoln, Neb., (Special)—The Northwestern Bell Telephone company, which recently raised rates in Nebraska, filed with the state railway commission today its report covering the first five months of the year for the entire system, which operates in the states of Iowa, Nebraska, Minnesota and the two Dakotas. The company increased its exchange rentals a total of 5.22 per cent during that period as compared with the corresponding period of 1921, while total revenues increased 13.32 per cent.

Total revenues for the five months were \$10,898,232 and expenses \$8,455,895. Adjustments of revenues made the total net earnings in excess of \$2,819,000. By exchanging stock for a large amount of the notes held by the parent Bell company, which now owns all of the stock save a few shares held by officers for qualifying purposes, the interest account was cut \$433,000, while the dividend account was raised \$655,000. Dividends are being paid at the rate of 7 per cent, which is the exact amount the net earnings were on the basis of the property investment. On the basis of total net revenues to capital obligations the per cent earned was 9.64 per cent. Net profits were increased over 60 per cent during this period. The company operates 550,219 stations, an increase of 4,817 in five months. It has filed no separate report for Nebraska yet.

SEARCH FOR RELATIVES WORLD WAR VICTIM

Alliance, Neb., (Special)—Representatives of the Veterans' Bureau were here this week, looking for heirs of Harry Gavelick, who enlisted at Alliance, September 23, 1917, and was killed in action in France, July 18, 1918. He had a war risk insurance policy, but designated no one to whom it was to be paid. He had worked for the railroad for a year and a half as a laborer in the water department before his army service. A brother, Leo, and a sister, Margaret, were also in Alliance at the time, but have disappeared. A search is being made for them.

OMAHA ROAD HAS ITS VALUES CUT

Lincoln, Neb., (Special)—The Minneapolis and Omaha and the Kansas City and Northwestern were the only railroads in the state to secure a reduction in taxable values at the hands of the state board of equalization. The Omaha road had its valuation cut \$1,239,320 from the old figures of \$12,392,904, and the other from \$247,000 to \$61,000. The latter road has not been operated for five years, but plans are under way for reopening it, and for that reason a tax cut was desired. The road runs from Kansas City to Virginia, Neb.

The valuations of all the other roads remain as before. The total a year ago was \$314,569,000 as compared with \$313,143,000 this year. The principal roads are valued as follows: Burlington, 137 millions, Union Pacific, 98 millions, Northwestern, 39 millions, Omaha road, 11 millions, Missouri Pacific, 12 millions, Rock Island, 10 millions, St. Joseph and Grand Island, 4 millions. The board decided that it had no power to assess a franchise value to the American Telephone and Telegraph company, because it is a domestic corporation.

CORN BURNED IN MYSTERIOUS MANNER

Windside, Neb., (Special)—A queer freak of a recent storm is reported on the Peter Iversen farm, southeast of here. A 10-acre strip of corn was burned, as if by a blazing brand had been passed over it. The night had been hot and windy with flashes of lightning and rainfall at intervals. It is supposed that a sheet of electricity scorched the tender plants. They are recovering however, and seem almost back to normal.