

HOTEL COMPANY APPEALS CASE

Believes Is Entitled to More Damages from Architects

Lincoln, Neb., (Special)—The Norfolk Hotel company has appealed to the supreme court from a judgment of the district court that awarded it but \$2,848 damages from Stevens & Company, architects and builders, when it asked for \$160,000. The company was formed to complete a hotel started on donated lots in Norfolk by the North American Hotel company. The suit was brought by Stevens & Company, who claimed that there was a balance due them of \$36,000 for work done and construction put into place.

The hotel company came back with a demand for \$160,000 damages, claiming that the members were deceived by the representations of the plaintiff company that it could complete the building for \$375,000. After \$285,000 had been expended and it was found it would take \$238,000 more to finish it the hotel company called everything off, and when Stevens sued for the balance due, came back with its claim for big damages based on the loss of rentals. The hotel had been rented for \$27,500 a year, but was never completed, as far as the petition shows.

MAKES DEMAND FOR HER CASH

Woman Advanced Money to Buy Park for Town of Superior

Lincoln, Neb., (Special)—Evelene Brodstone, member of the Superior park board, is asking the supreme court to compel the city council to sell \$12,000 worth of park bonds that it holds and repay her the \$10,000 she advanced to buy a park for the city. The council says the bonds are invalid and nobody will buy. It is willing that she should sell part of the park land and get her money back, but she insists that the bonds are good, and that the city cannot plead irregularity on its own part anywhere.

Since the suit was begun Miss Brodstone, who is wealthy in her own right, has wedded an English lord who is engaged in the meat packing industry in this country, and England. She began with his firm as a stenographer, and became one of the mainstays of the management of the firm in this country.

RECEIVES PROGRAM OF BIG RATE HEARING

Lincoln, Neb., (Special)—The state railway commission has received from the Interstate Commerce Commission an outline of the rate hearing program when the western carriers present at Chicago, next Tuesday, their application for an increase. L. E. Wetling, former employe of the state commission, is to be the first witness. He is to present a mass of figures showing the revenue needs of the carriers. He is to be followed by railroad executives who are to tell of the economies and efficiencies of operation in effect, and present the general situation in the territory they serve. They are also to present figures showing what earnings are necessary to fund obligations and what capital expenditures are contemplated.

The last half of the eight-day hearing is to be taken up by the presentation of rate plans by the traffic experts, the testimony of economists as to the agricultural industry and general price levels, and the presentation of their own needs and situation by several of the weaker roads that desire to stress their own financial condition.

SENTENCE TOO SEVERE ATTORNEY GENERAL AVERS

Lincoln, Neb., (Special)—Attorney General Spillman concedes in a brief filed in supreme court that the 20 year sentence given Frank Hubka, a youthful farmer from the Filley neighborhood in Gage county, is too great for the offense he committed, that of intimacy with a girl under the age of consent. Hubka defends on the ground that the girl, who was a waitress in a hotel at Virginia, was not previously chaste. The attorney general says that the verdict of guilty given by the jury is fully sustained by the evidence, but that he is inclined to recommend a lessening of the sentence by the court. He says that the average sentence for offenses of this character has been from three to seven years, but that he believes this is too light and that it should be stiff enough to make young men pause.

FAMOUS OLD INDIAN DIES AT WINNEBAGO

Winnebago, Neb., (Special)—Charlie Walking Day, one of the oldest men of the Winnebago tribe, died in the government hospital here. Walking day had been for many years a leader and counselor of his tribe. He came with the Winnebagoes from Wisconsin in the 1850s and has lived here most of the time since. While never an agitator and always conservative in his attitude toward the white men and the government, he was a man of influence

SEEK SCALP OF THIS OFFICER

But Defenders Assert It Is Because He Is Fearless in His Work

Lincoln, Neb., (Special)—Because Deputy Sheriff L. E. Shurtleff, of Johnson county, shot at the tires of an automobile driven by two girls, who had escorts with them, a petition was sent to Governor McMullen asking him to remove the deputy from office. One of the shots punctured a tire and the car was stopped. Friends of the girls have waxed indignant over the affair and are after the scalp of the officer.

Lewis C. Westwood, of Tecumseh has called on the governor in defense of Shurtleff. He says that as a result of better law enforcement the deputy was appointed to the office a short time ago and that because of his fearlessness his services have been of great value to a law abiding community. Other supporters of Shurtleff say that the wet element, not in sympathy with the dry law, are most active against the deputy.

PIERCE COUNTY FAIR TO START

Pageant to Be Put on by Schools to Be a Daily Feature

Pierce, Neb., (Special)—The management of the Pierce County Fair association is making arrangements to entertain the largest crowd that has ever attended the fair which will be held at Pierce, September 1, 2, 3 and 4. Wednesday there will be foot races, horse races and a ball game between Randolph and Wausa, and the Wausa band will play.

Thursday there will be races and a ball game between Plainview and Osmond, and the Plainview band will play. Friday there will be a ball game between Winside and the Santee Indians and the Pierce band will play. In addition to these events on those days there will be eight free acts each day.

The livestock exhibit promises to be the best ever had here. The farm exhibit will be up to the standard of other years while the ladies promise to have more fancy work and canned goods than ever.

Something new in the way of entertainment in this county will be presented by the Misses Jean and Marjorie Preece of Battle Creek who have been training more than 400 school children of the county for a grand pageant to be put on each evening. The title of the pageant is "The Early Settlement of America."

FARM IS SOLD IN SETTLEMENT OF ESTATE

Winside, Neb., (Special)—The estate of the late S. L. Tidrick has been settled by the six heirs and a farm one and one-half miles south of town was sold to E. L. Imel of Red Oak, Ia., who plans to move here next spring.

HOLD PRELIMINARY IN SHOOTING CASE

Neligh, Neb., (Special)—The preliminary hearing of Ernest Galloway, charged with shooting Glen Jones of Tilden, was held here. Galloway entering a plea of not guilty. He was bound over to the September term of district court and bond of \$300 fixed. This was promptly furnished. Glen Jones, Alvan Saxton and Doctor Curtis were the witnesses quizzed. The defense did not introduce testimony. The witnesses told practically the same stories, except under cross examination. Jones and Saxton's stories did not agree in details as to position and distance from the car of the defendant and whether there was enough moonlight to see the defendant. Galloway's story of the shooting has never been told and it is hinted that startling testimony will be developed at the trial.

INDIANS FACE CHARGES OF WIFE DESERTION

Pender, Neb., (Special)—Deputy Sheriff McMannus has gone to Oklahoma to return Frank White, an Indian, charged with wife desertion and taking a car not his own. Another Indian, Charles One Feather, a Sioux, was taken to his home at McIntosh, S. D., by the Dakota sheriff, on a charge of wife desertion, also.

OFFER \$500 REWARD FOR SLAYER OF TWO

Lincoln, Neb., (Special)—Governor McMullen has offered a reward of \$400 for the arrest of the slayer or slayers of Mrs. Lawrence Bird and Clarence Yager, of Hastings, found killed over a week ago. The reward was offered at the suggestion of State Sheriff Condit.

SADIE K. LYTLE ESTATE IS SOLD AT AUCTION

Crofton, Neb., (Special)—The 400 acres belonging to the Sadie K. Lytle estate were cut up into small tracts and sold at auction here bringing from \$68 to \$94 an acre. Martin Mischeke and Marshall Phillips were the buyers. Frank Ulrich bought 40 acres of the Ulrich farm at \$33 an acre and Marshall Phillips bought the remainder at \$31 an acre. This land is used only for grazing as it is rough. The Lytle land borders the Missouri river.

HIS INSANITY BELIEVED RUSE

Man Who Escaped from Private Institution Is a Bad Actor

Lincoln, Neb., (Special)—While the detectives have so far failed to locate James R. Lane, the burglar who escaped from a private insane asylum the other night, they have discovered that shortly before he was arrested here he married Mrs. Lora Culp, matron of Iowa hospital for the insane, at Des Moines. She resigned when she was wedded, and was interrogated by the police here after her husband's arrest. She left Lincoln, and is now employed at a Missouri state hospital for insane. It was suspected that she might have helped him escape, but investigation disclosed she has been at her place of employment all during the past month, and has resumed her maiden name.

Lane proves to have been a resident of Carbondale, Ill., for a number of years, and it is a theory of the police that one of the reasons why he sought employment at the Iowa and Nebraska asylums, where he worked for a time, was that he might observe how insane people acted so that he might ape them when he got into trouble with the police through his burglaries. He had a stolen car with him when arrested that was so tampered with that it is impossible to trace its owner.

RATES HIGHER REVENUE LESS

Figures Compiled by Rail Commission Show Motor Vehicle Results

Lincoln, Neb., (Special)—Figures prepared by the rate department of the state railway commission on shipments of less than carload lots for the past 11 years show that in spite of increased rates the revenues were, in 1924, 25 per cent. less than they were in 1914. So far as ticket sales are concerned, the total is 10 per cent. less, although the rates were nearly doubled. The automobile, the intertown bus and the auto truck are given credit for the losses.

O'NEILL DENTIST DIES IN PITTSBURG HOSPITAL

Pittsburg, Pa., (Special)—Dr. A. H. Corbett, a well known dentist, of O'Neill, Neb., died in a Pittsburg hospital, Tuesday night, and will be buried at Corsica, Penn., Friday afternoon.

TWO LIFE-TERMS ARE DECLARED INSANE

Lincoln, Neb., (Special)—Two men recently received at the state penitentiary to serve life sentences for murder were declared insane by the state insanity commission. One of these is Ed Newcomb, of Rushville, who poisoned his wife and children last July. The children recovered, but the wife died. Newcomb also took some poison. He is a laborer. The doctors said he was suffering from dementia precox, which is curable and which does not bring on violent attacks. The two children are in the hands of relatives.

The other man is Thomas Allen, ranch hand, who slew his master, William Heckel, near Valentine three weeks ago. The doctors said he is suffering from an incurable form of insanity. He has been in that condition half a dozen years, the doctors said. He killed Heckel because of a belief that he was trying to poison him. Allen had accused previous employers of the same thing, and when asked why he had not killed them he said he either lost his nerve or had no means at hand.

BEEF SUGAR CROP IN PRIME CONDITION

Grand Island, Neb., (Special)—Manager A. J. Denman, of the American Beet Sugar company, has returned from an extended trip throughout the beet raising territory and reports the fields to be in better condition at this time of the year than at any time before since the establishment of the beet mill 35 years ago. The outlook is that the campaign will be commenced earlier than in previous years as the crop appears several weeks ahead, while the tonnage is expected to be greater owing to a large increase in beet acreage. Mr. Denman said.

BURLINGTON BRAKEMAN KILLED AT LINCOLN

Lincoln, Neb., (Special)—R. A. Rich, 31 years old, a Burlington brakeman, was fatally hurt in the railroad yards here Tuesday, dying in a hospital two hours later. He was found unconscious, and details of the accident were not known, but he is believed to have been hit by a freight train.

WINSIDE PIONEER WOMAN IS LAID TO REST

Winside, Neb., (Special)—Mrs. Helena Heyer, who has been a resident of Wayne county for 40 years, was buried Tuesday beside her pioneer husband in the Winside cemetery. They came here from Illinois in 1884. Mr. Heyer died in 1906. Five children, Mrs. Clara Denesia, of Carroll, Neb.; Mrs. Ida Jensen, of Briggsdale, Colo.; Will Heyer, of Omaha; Louie and Edna Heyer, of Winside, were all present when she died.

VACATION OVER, ENDS HIS LIFE

Bookkeeper in Ord, Neb., Bank Gives No Reason for Act

Ord, Neb., (Special)—Roscoe Sneith, young bookkeeper at the Ord State bank, took his life by shooting in the country near St. Paul, Neb. He had returned from his vacation with his parents at Elba, then went to St. Paul, wrote a letter of resignation to the bank, and went out to commit suicide. He left letters to his parents, instructing them what to do with his remains and how to distribute his property. He assigned no reason for the act. He was a trusted employe of the bank here and there were no irregularities found in his work.

POTATOES ARE EXCELLENT CROP

Growers in Western Nebraska Counties Say Prospects Unusually Good

Chadron, Neb., (Special)—The condition of the potato crop in western Nebraska is excellent, members of the annual potato tour conducted by the Nebraska Certified Potato Growers' association and the Kimball, Scotts Bluff and Dawes county farm bureaus reported. Growers from Kimball, Banner, Scotts Bluff, Box Butte, Sioux and Dawes counties took part in the trip and inspected fields in each county.

OMAHA'S MAYOR DID ROPE A STEER

Norfolk, Neb., (Special)—Mayor James Dahlman of Omaha, was introduced to a huge throng witnessing the final day's celebration of the Norfolk American Legion's second annual Pioneer Day celebration here Sunday afternoon as "Cowboy Jim," and as an added feature he roped a steer from the back of a horse after a chase about the rodeo grounds.

The Omaha mayor is 67 years old, and as there were no comers to his challenge to any one his age for a roping match, he roped alone.

Six of the original band that settled in Norfolk following the close of the Civil war after their trek across the country in covered wagons, traveled in that style in Sunday's pageant. They are Fred Dederman, Fred Braasch and Mrs. Braasch, Herman Braasch, August Uehle and August Melcher.

"Diamond Dick" of Deadwood days, a frontier life figure two score years ago, but for 15 years known to his fellow townspeople as Dr. Robert J. Tanner, headed the pageant. Mayor Julius Haas of Norfolk and Mayor Dahlman of Omaha, rode abreast behind him.

STANDARD OIL APPEALS TO SUPREME COURT

Lincoln, Neb., (Special)—The Standard Oil company filed an appeal in supreme court today from a district court order denying it an injunction against the operation of a filling station in Lincoln. The company contends that it is being deprived of its property and will be driven out of business by the competition of a station maintained in part by taxation, and that the city is without power to operate one when full and free competition exists.

RAILWAY COMPANY TO ABANDON RIGHT OF WAY

Lincoln, Neb., (Special)—The Kansas City Northwestern railroad company filed a petition with the state railway commission today asking permission to abandon the 32 miles of road it owns in Nebraska, in Pawnee and Gage counties. It says that it has asked the Kansas commission to let it abandon 111 miles it owns in that state.

L. S. Cass of Waterloo, Ia., is president of the company. It was started nearly 40 years ago as one of the north and south railroads that was to relieve the middle west of the tyranny of the eastern ports by providing a way to send farm products to Galveston. It built 161 miles of road from Kansas City, Kan., to Virginia, Neb., a little town northeast of Beatrice. The road has not been in operation since 1919.

The road was once operated as a part of the Missouri Pacific, but when that system was reorganized it was dropped. No other road has seen fit to buy it although it crosses a good farming territory. Railway commissioners say that it is because the territory is fairly well served by other roads. The road attempted a reorganization lately, and paid off all back taxes, but it failed to secure a loan from the government, and gives this as the reason for tossing up the sponge.

CHILD BURNS IN HOME STRUCK BY LIGHTNING

Sutherland, Neb., (Special)—Lena Marie Jensen, 3 years old, was burned to death at the farm home of her parents, Mr. and Mrs. James Jensen when the house was struck by lightning and burned. The mother has gone to a chicken house and noticing the storm coming, started for the house, but was knocked unconscious by a bolt of lightning before she reached it. When she recovered consciousness, the house was almost destroyed.

PIERCE COUNTY SOIL VALUABLE

One 80-Acre Tract Sold This Week for \$13,000 in Cash

Osmond, Neb., (Special)—Another faith in Pierce county land was expressed this week when Theodor Streich purchased from James B. Wilson 80 acres of land at \$13,000. This was an all cash deal, and while possession is not granted until March 1, 1926, full settlement is made at this time.

Many renters are looking for land, but little of it is available, and it was for the purpose of providing a farm for his son that Mr. Streich made the purchase.

GOVERNOR MAY DENY REQUEST

Failure of Omaha Man to Pay Support in Kansas Has Two Sides

Lincoln, Neb., (Special)—Tense relations may result between the governor of Nebraska and the governor of Kansas over one Harley Henderson, an humble iceman of Omaha. The Kansas executive has requested the Nebraska governor to issue a requisition but the latter has not acted yet. Henderson is wanted at Atchison, Kan., on a charge of failure to support his 11-year-old child.

It develops that Henderson has since remarried and has a new wife and child to support. It is also developed that the first Mrs. Henderson remarried an Atchison man 10 days after she filed a complaint against her ex-husband. Governor McMullen does not feel like taking Henderson from his family and subjecting him to a felony charge if there is any way to arrange the matter by the payment of a lump sum of money.

The Hendersons were divorced in 1920 and the father, defendant was ordered by the court to pay \$20 a month for the support of the child. Only \$50 has been paid and Henderson now owes \$1,110.

The disposition of the case is still in the air and will be until Governor McMullen returns from a speaking date in the western part of the state. It is said that he is willing to do anything to further the ends of justice, as the lawyers have it.

SEA GULLS RID FIELDS OF GRASSHOPPER PEST

Bayard, Neb., (Special)—Hundreds of birds, commonly known as "sea-gulls," have been keeping this valley free from grasshoppers and other pests this summer. They roost on the hills at night, and during the day descend into the alfalfa fields of the valley and destroy all insects No one disturbs them.

NEW ENFORCER FAVORS USING THE PADLOCK

Omaha, Neb., (Special)—Padlock injunctions closing every place where liquor is manufactured or dispensed in violation of the prohibition laws will be the chief weapon of the new prohibition administration, Andrew McCampbell, prohibition administrator for Nebraska, Iowa and South Dakota, announced shortly after his arrival in Omaha to take charge of his office.

Mr. McCampbell reached Omaha from St. Louis, and went immediately to the federal building for a conference with Robert Samardick and District Attorney J. C. Kinsler. Although refusing to discuss the specific methods that he intended to follow in the enforcement of the Volstead act after he takes charge of his office on September 1, the new dry chief did not hesitate to state the general program that he would attempt to carry out. This included recourse to the drastic provisions of the padlock laws.

EXPECT SENSATION IN TRIAL ALIENATION SUIT

Wayne, Neb., (Special)—From the amount of money involved, the prominence of some of the interested parties and the sensational nature of the case, one of the most important trials to be heard in the fall term of the district court held at Wayne, October 5, will be the \$50,000 damage suit brought by Henry Meyers against Edward Marotz, for alienation of his wife's affections.

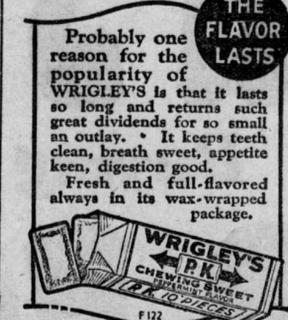
Mr. Marotz is a retired farmer and wealthy landowner, being the owner of 480 acres of Wayne county land besides other property, and is a married man. Meyers and Marotz farmed in partnership on the latter's land not far from Hoskins for the past 12 years. Last spring the men had trouble and Meyers moved to near Winside. The suit was filed early this year, but, as there were but a few jury cases, the trial was postponed until this fall.

RARE INDIAN RELICS TO BE EXHIBITED

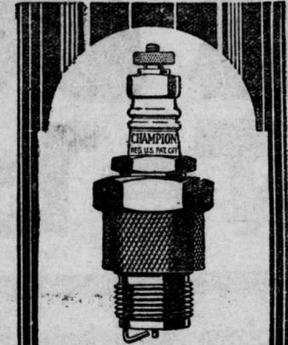
Nebraska City, Neb., (Special)—The Indian relics owned by the widow of the late Major Keeling of Falls City, considered one of the largest collections in the west, has been loaned to the Arbor Lodge State park museum, and will be placed on exhibition as soon as cases are provided. This collection was gathered together by Major Keeling, who in the early days had much to do with Indian affairs in the west.

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