

DEFINE RIGHTS OF DEPOSITORS

Not Entitled to Share in Double Liability of Stockholders of Banks

LINCOLN, NEB.—In affirming the finding of the district court in the controversy arising in the settlement of the affairs of the Citizens State bank of Royal, the supreme court, through Justice Good, held Thursday that depositors of a failed bank have a lien only on the assets of the bank, and that the constitutional double liability is not an asset of the bank, but is for the security of the creditors. It says that the stockholders' liability created by the constitution, being self-executing, is free from legislative interference, and that that liability is for the benefit of all creditors, without preference to anyone of class and all on an equal footing, against all who are stockholders when the creditor's claim accrues.

All the depositors in this bank had been paid in full out of the guaranty fund, and as the assets failed by \$19,000 to pay back the fund it laid claim to the money in the hands of the receiver accruing from collections of stockholders' liability. It claimed first lien on all funds, and asserted that the general creditors have no right or interest therein. The American State bank of Newcastle, a contributor to the guaranty fund, joined in this prayer.

The district court held that the fund was subrogated to the rights of the depositors as claimants, and ordered that the \$7,000 be pro-rated among all creditors, general included. Both sides appealed the general claimants saying they are the only unpaid creditors. The supreme court says this is not true. If it were and there were no general claimants, then, because the depositors were first paid from the guaranty fund, there would be no liability on the stockholders.

CONVICTED MURDERER IS GIVEN ANOTHER TRIAL

LINCOLN—(Special)—Robert R. Garrett, convicted and sentenced for life at Alliance in February of 1928, for the murder of William Kinsley, was given a new trial by the supreme court on the ground that the district court erred in allowing Mrs. Clara Garrett, his erstwhile wife, to testify against him. Judge Shepherd, who wrote the opinion, says that this ineligibility arises out of the fact that in divorce proceedings held before the murder was committed, a decree was granted her one day before the six months that the law says must elapse between the filing of the petition and the entering of the decree. She testified as an eyewitness that Garrett did the killing. She was keeping house for Kinsley at the time.

The law says that in no case can a wife testify against her husband except in a criminal proceeding for a crime committed by the one against the other. Mr. Garrett filed her suit for divorce on October 19, 1926. The court heard the case April 19, but although the decree was not signed till two days later the supreme court says it plainly appears that it was heard and decided on the 19th. It says there is no escape from the conclusion that the divorce was granted a day before it could have been legally granted, because when the statute says "months" it means calendar months, and the rule is to exclude the first day and include the whole of the last in the period prescribed.

DOUBLE COMPENSATION FOR WORLD WAR VETERAN

OMAHA—(UP)—Through efforts of the War Veterans' bureau Edward McLaughlin, 34 years old, totally paralyzed veteran of Havelock, Neb., will receive double permanent disability compensation from the government, according to announcement here. This amounts to \$250 a month. He formerly received \$100 monthly. The additional compensation was won after a year's fight, veterans officials said. The bureau is now endeavoring to collect back compensation since 1924 for McLaughlin.

DISTRICT MUSIC CONTEST TO BE HELD AT OMAHA

OMAHA—(UP)—First annual second district music contest sponsored by the Nebraska High School Music association will be held here Friday and Saturday with more than 1,000 high school pupils competing. J. A. Jimerson of Auburn will be chairman of the contest, which is to be held at Technical high school auditorium. Contests include vocal and instrumental solos, duets, quartets, glee clubs, bands, stringed quartet and orchestras. Elimination meets have already been held, the winners to compete here. Competitors will come from Butler, Colfax, Cass, Douglas, Dodge, Nemaha, Otoe, Nance, Platte, Polk, Richardson, Sarpy, Saunders and Washington counties.

W. O. W. RESISTS PAY FOR OPPOSITION LAWYER

LINCOLN—The sovereign camp of the Woodmen of the World in a motion filed in district court here, resists the application of F. E. Fells and others in the successful suit against the W. O. W. and the Globe Life Insurance company for attorney's fees and expenses of between \$100,000 and \$150,000. The plaintiffs won the suit forcing the Woodmen to return to the sovereign camp \$1,700,000 used to purchase stock in the Globe Insurance company.

IN TROUBLE TOO OFTEN; GIVEN PRISON TERM

OMAHA—"I've just about come to the conclusion that you're no damned good," observed District Judge James E. Fitzgerald in passing sentence of one year of imprisonment on Carl H. Richards, salesman for a music supply company who pleaded guilty to embezzlement of approximately \$600. Richards about a year ago was in trouble when he and his wife are alleged to have taken La Rue Garrison, a 3-year-old girl they had taken from a Kansas City child savings institute away from Miss Hazel Clough, Kansas City juvenile court worker as she was taking it back to Kansas City on the claim that the Richards' were not proper persons to have it, following complaint of persons in Hastings who previously had testified to Richards' good reputation.

This case was finally settled when the Richards' were allowed to legally adopt the child in Omaha courts.

In today's case Richards was charged with collecting money for the company which employed him and failing to turn it in.

Mrs. Richards will be allowed to keep her adopted child, court attaches said. She recently filed suit for divorce.

TRADING MATES BRINGS GRIEF

Two Bennett, Neb., Husbands and Their Wives Taken Into Custody

LINCOLN, NEB.—Trading wives without sanction of the divorce court landed two Bennett, Neb., men in jail here Monday. Their wives with two children each, were in custody of juvenile officers. Neighbors told Sheriff Claude Hensel about "strange doings," at the two homes and his deputies arrested the men—Otto E. Slade, 31 years old, and Horace Reed, 29, early Monday morning.

By mutual consent, the trading had been done Sunday, March 30, the quartet told officers following the arrests. The quartet met last August at a dance and had been exchanging visits and going together all winter.

THEY WANT OUT OF WHEAT POOL

Nebraska Farmers Begin Court Action for Return of Their Contracts

RED CLOUD, NEB.—(UP)—One hundred fourteen wheat growers of Webster county Friday had demanded, in a suit on file here, the return of their contracts with the Nebraska wheat pool of Lincoln. The suit was filed by Harm Boening, farmer of Webster county, on behalf of 113 other wheat growers, and the defendants are the Nebraska wheat pool, of Lincoln, and Gus Strasburg, local farmer who was appointed director of the organization.

The petition states the pool is headed by men who are not engaged in the business of farming or marketing wheat; that the only purpose of the scheme is to levy a tax on wheat growers of the state for the pool's benefit and not for that of the farmers; that the organization has no elevators, no mills, no agencies for marketing wheat, and that its promoters have no property other than a rented room, a few typewriters, office chairs and some stationery.

Further allegations that the 114 farmers were induced to sign the agreement under false and fraudulent representations by the solicitors are made. The farmers were told the government was behind the organization and a greater price would be obtained if marketed through the organization, the petition states.

WOULD CANCEL CHARTER OF FARMERS OIL COMPANY

OMAHA—(UP)—Deputy Attorney General Stalmaster is preparing a petition asking that charter of the Farmers' Paint and Oil company, formerly owned by Hubert M. Michel, "doodle bug" oil promoter, be forfeited and that the company's gasoline filling stations here be closed for nonpayment of state gasoline tax. Stalmaster alleges the company owes the state \$595 collected from motorists as tax. Neither has it paid occupation tax, he said, after examining books and records seized under orders from Judge Noble.

FUNERAL FRIDAY FOR NEBRASKA PIONEER

FREMONT—(UP)—Funeral services will be held here Friday afternoon for Charles H. Hooper, 75 years old, one of Nebraska's earliest overland freighters and son of the man for whom Hooper, Neb., was named. Hooper died at his home here Wednesday.

CHURCHES POOL INTERESTS

OMAHA—(UP)—After listening to an address of Rev. Frank A. Hosmer, pastors representing a majority of Omaha Protestant churches decided upon a program for pooling of efforts in a campaign for additional membership. Solidification, Dr. Hosmer said, is the logical step to be taken in religious development. Churches must co-operate and organize to save themselves, he said, asserting that there is an unequal struggle progressing between organized and unorganized religion.

Courtesy Is the Key to Greatness and Power

A bunch of golden keys is mine To make each day with gladness shine. "Good morning," that's the golden key That opens every day to me. When evening comes "Good Night!" I say And close the door of each glad day. When at the table, "If you please," I take from off my bunch of keys.

BY ETHMA SEAY.

People all over the world have been taught to be courteous even from the very earliest of times. Parents, it seems have always tried to impress the value and the necessity of courtesy upon the minds of their children—especially the key of "Thank You" and "If you please."

To be courteous is a great undertaking and is nothing to be scoffed at. A true courteous person must look for the small acts that can be done for others and the large ones will take care of themselves, just as, if you take care of your pennies, your dollars will take care of themselves.

Your observers count the smallest courtesy almost as important as the greatest one.

Emerson said in his essay, "Compensation," that a man is just as strong as his weakest point—so if you are a brave hero or a man of power and yet lack courtesy—just how great or strong are you?

Courtesy is more than mere form or habit or individual accomplishments; it is a social virtue. To be of a social standing you are expected to know the three "R's;" likewise it is as necessary that you know the meaning of courtesy and practice it continually.

Courtesy is a very valuable asset in life—probably assumption will make this more clear to my readers.

Suppose that you were the owner of a large factory and that some people came to you for information concerning your product or products. If you did not treat them politely and in an obliging manner, could you expect them to become or remain your customers?

Also, suppose that you were trying to secure a position, don't you realize that some act that you perform, while applying for the position, is going to go a long way in helping the employer to judge your character and decide for or against you?

Courtesy is planted in the home. If one is taught to practice good manners at home, it will be natural for him to perform the same manners on the streets or in public and it is by these manners and courtesies in these places that a person is judged.

I wonder how it would be to see ourselves as others see us—I imagine that if this were possible we would all have a surprise in store for us.

What places are more appropriate to practice little acts of courtesy in than the school which we attend or the place where we are employed? Are you always looking for these nice little acts of courtesy to be done for your friends, classmates, faculty and employer?

If we forget to be courteous, are we living the Golden Rule? No, indeed! And therefore, are obeying our King's command?

So let us just try to do some act of kindness each day and always have our bunch of golden keys at hand. This will grow to be a habit because habit is nothing but an established custom.

Our reward will follow because we will know that God sees and knows all things and remember He said, "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."

Propaganda in Schools

From Santa Barbara News At the recent session of the department of superintendence of the National Educational association held in Cleveland resolutions were passed condemning propaganda in the schools.

Of course the kind of propaganda at which these resolutions were aimed was that which seeks to benefit private interests. They seemed to be aimed at the power companies which for two or three years have been systematically using the schools and colleges to spread the public utility gospel.

But the ban on propaganda ought to include also political matters of a controversial character. It is a strange fact that those who are most active in the condemnation of one form of propaganda are silent concerning another or even assist in the violation of the principle they have indorsed when the particular issue raised is one they approve.

At this very time, when the issue of the public schools for propaganda purposes is the subject of condemnation, systematic use of the schools to promote interest in the League of Nations is under way.

Although the United States has definitely refused to be drawn into the league and two presidents have gone on record against participation in the affairs of that association, through the schools the league propaganda has been carried into the homes of the people.

"Essay contests," made attractive by cash prizes offers are held. The "League of Nations association," having headquarters in New York is giving competitive examination to boys and girls from more than 1,000 high schools, the subject of which is the League of Nations.

A course of study on the league is the basis of these "contests." Some 8,000 high school students have been induced to study the "short history of the League of Nations."

If the principles of Soviet Russia were suggested as a subject for unofficial study in the high schools of the country, a cry of protest would go up from the very persons who are now using the schools to preach another form of propaganda.

It is the old story. It makes a great difference whose ox is gored.

The Man and the Merger.

From Commerce and Finance. Just as the industrial revolution of the 18th century changed the independent master craftsman, working in his own shop and with his own tools into a wage earner supplying nothing but his labor, so this later revolution is changing the man at the head of a small business enterprise into the salaried employe of a huge corporation.

On the whole, this probably means less worry and more ease and comfort for those affected, but whether this is a sufficient offset for the loss

Coming Down.

From Tit-Bits. "Since Dorothy married she has stopped wearing high heels—her husband disapproves of them." "I always said she'd lower herself by marrying that man."

Q. Will soap thrown into a geyser force it into action? W. R. P. A. The geological survey states that sometimes soap is used as an expedient to hurry up the action of a geyser. The soap makes a film over the water and causes accumulation of steam. When the steam accumulates to a certain point it causes the eruption.

When friends do anything for me I use the little "Thank You" key. If by mistake some harm I do "Excuse me," I beg your pardon," too.

—Anon.

VERDIGRE TEACHERS ALL ACCEPT RE-ELECTION

VERDIGRE—(Special)—The teaching force of the Verdigre schools will be the same next year as it is this, all of the present teachers having returned their signed contracts to the board of education. J. J. Van Hoff is to be superintendent for 11th consecutive year.

ASTOUNDED BY BUDGET BOOST

Nebraska Legislators Now Think of Their Campaign Economy Promises

LINCOLN, NEB.—(Special)—Members of the legislature who recalled their campaign promises of reduction of state taxes wherever it was possible, were aghast Tuesday when the big appropriation bill made its appearance carrying an appropriation of more than \$40,000,000 for the biennium, more than 25 per cent in excess of any previous bill of the kind. They felt a bit relieved when Chairman Essam told them that \$7,500,000 represented the additions made by reason of doubling the gasoline tax, which, in turn, draws more federal aid money in the matching process, although that is an indirect tax that persons must pay.

The actual increase was \$8,500,000, of which \$7,464,000 was represented by the gasoline tax and federal aid money, leaving a little over \$1,000,000 more than the governor had recommended. Actually the committee added \$1,500,000, but cut out a little less than \$500,000 as recommended by the chief executive. The biggest share of the increase goes to the state university, \$315,000 being appropriated for the new heating and power plant, one unit of which is to be built at the expense of the state capitol fund, which contributes \$210,000. Other increases to the university were for maintenance of the hospital used in connection with the state college of medicine at Omaha, and there also was provided an increase in the fund out of which salaries of professors are to be paid, the chancellor having urged an increase. The state normal at Wayne loses the \$45,000 new building that the governor recommended, as do all the other normals, and the appropriation for a new unit to the dormitory there was eliminated. It was favored however, in that it gets \$25,000 for enlargement of its heating plant.

The Norfolk hospital for the insane got all that the governor had recommended, and in addition, had an item for a new building increased from \$100,000 to \$125,000. Two years ago the legislature ordered a branch laboratory of the state board of health installed at Scottsbluff and provided for its maintenance. This year it is abolished, there having been but six applications for tests during the two years and three were from Wyoming.

TOWN MARSHAL'S WIFE IS ACCIDENTALLY WOUNDED

DODGE—(Special)—Mrs. Ludwig Kresl, wife of the Dodge marshal, was accidentally shot when she picked up a pair of her husband's overalls in which was a .25 caliber revolver. The pistol fell to the floor and was discharged, the bullet entering her right leg just below the ankle. She was alone in the house, and suffered great pain but managed to get downstairs to the telephone where she called a doctor, who heard her gasp after the call and she then collapsed. She is recovering.

WANT NEW BRIDGE ACROSS NIOBRARA RIVER

STUART—(Special)—Definite steps are being taken for a new bridge over the Niobrara river west of the island north of Stuart, as a result of a joint meeting of commissioners of Holt and Boyd counties and business men from Stuart and Butte with State Engineer Cochran of Lincoln. Half of the expense will be borne by the state and one fourth by each of the two counties benefited. It has been 20 years since the old Grand Rapids bridge went out and since then it has been necessary to travel many extra miles to get across to northern Nebraska and South Dakota.

DEPOSITORS OF FAILED BANKS ARE TO MEET

LINCOLN—(UP)—Depositors of failed state banks have been invited to attend a meeting Saturday morning at the Cornhusker hotel, R. T. Jones, of Scottsbluff, registered lobbyist for the depositors at the legislature, announce. Jones will preside at the meeting. Senators and representatives and those who favor retention of the bank guaranty law are to speak, he said. The purpose of the meeting is to impress the legislature and Governor Weaver with the desirability of maintaining and strengthening the guaranty law, Jones said.

TOWN OF SIDNEY PLANS FOR MUCH BUILDING

SIDNEY—(UP)—An ambitious building program, that will cost approximately \$1,500,000 will be undertaken in Sidney this summer, it is announced. Part of the \$250,000 certified check received from the Western Public Service company in settlement for the purchase of the former municipal power plant, will be used to construct an \$80,000 new city hall. Subject to approval of a bond issue, a new high school building, to cost \$250,000 is being contemplated.

ROAD BUILDING PLANS TALKED

Various Nebraska Chambers of Commerce Meet With State Engineer

COLUMBUS, NEB.—(UP)—Legislative measures authorizing counties to issue road bonds on the security of future gasoline tax revenue have received the endorsement of good roads boosters representing the Chambers of Commerce of cities along the Lincoln highway from Omaha to Kearney. The road boosters met at a conference here Monday, and were addressed by Roy Cochran, state engineer, who outlined the plan for road building in this territory.

The bills endorsed at the conference are three senate measures which permit counties to vote road bonds that will be retired by their respective shares of the gasoline tax money.

The state highway between Omaha and Plattsmouth, the Lincoln highway west from Omaha-Ames pavement to Columbus, and the D. L. D. from Omaha to Lincoln will be among the first roads to be paved with federal state funds under the four cent gasoline tax law, State Engineer Cochran said. Some construction will be done on all these projects this year and they will be completed by the end of next year, he predicted.

The 104 mile paving program proposed by the Omaha Chamber of Commerce for this year can not be adopted in its entirety because not more than 50 or 60 miles of paving can be laid this year with available funds.

THURSTON COUNTY NOTE CASE IN HIGH COURT

LINCOLN—(Special)—Carl Vogt, Thurston county auctioneer, who is called upon to defend the action of the local district court in releasing him from any obligation on a \$2,000 note he once gave to the Liberty State bank of Thurston county, in supreme court next week, has filed an answer in which he said that the note was given without any consideration and had been requested of him by J. C. Chmelka, cashier, who told him he would not have to pay it and that he later renewed it on the representation that it was wanted so that the bank examiner might be satisfied as to the bank's condition. Chmelka denied this, but Vogt says others were present and knew of the agreement. The suit is by George I. Parker, the receiver.

HE WILL USE TRACTOR ONLY ON LAUREL FARM

LAUREL—(Special)—One hundred and sixty acres of land will be farmed this season by Floyd Maxon, young Laurel farmer, without the use of a single horse. There are 135 acres of the farm under cultivation. He and his tractor will do the work alone.

BURLINGTON ROAD GIVEN PERMIT TO RUN BUSES

LINCOLN—(UP)—On the condition that its buses be repainted so as not to be confused with buses of competing companies and that its schedule be altered in certain respects, the Burlington railroad was given permission by the state railway commission Monday to establish bus lines from Lincoln to Omaha and Lincoln to Hastings.

The granting of the application was opposed in a formal hearing by the Nebraska bus operators' union. They protested that granting of the application would be an encroachment upon their constitutional rights, and that there was sufficient service in the territory to be covered.

PAROLE BOARD MEMBERS SHOULD BE EXPERTS

OMAHA—(UP)—Prison parole boards should be made up of experts if they are to function properly, Rev. J. R. Perkins, of Council Bluffs, former warden of Fort Madison penitentiary, said in an address here Monday. He advocated a board composed of a physician with experience in psychiatry, a criminal attorney, a successful business man and the warden of the state penitentiary. Venereal diseases, he said, is one of the biggest causes of crimes. About 75 per cent of convicts never become good citizens, he asserted.

WOOD RIVER—(UP)—The Citizens State bank, with deposits of \$229,000 and the Farmers State bank with \$337,000 deposits have been consolidated, and were operating Tuesday as the Farmers' State bank.

TO HEAR APPEAL OF CONVICTED DOPE FIEND

LINCOLN—(Special)—The supreme court has set for hearing April 18 the appeal of Morris Schwartz, self-confessed dope fiend who is under sentence of death for the murder of Roy L. Tinkham, an Omaha druggist who resisted when Schwartz and a companion sought to hold him up in his store at night. Schwartz claims they entered the drug store for the purpose of satisfying their cravings for cocaine, and that he was incapable of telling right from wrong.