

WATER USERS FIGHT

W. L. MINOR TAKES UP THE CUDGEL IN THEIR DEFENSE.

SENDS A LETTER TO KINKAID

Urges New Rule Giving More Leeway to Those Who Are Unable to Meet Obligations.

There has been considerable controversy between users of water under the government ditch in Scotts Bluff county and the government over the cancellation of water rights held by those who became delinquent to the government for two years and before coming to Lincoln to accept the deputyship in the state auditor's office, W. L. Minor took up the matter with the department in behalf of the users of water on the Belle Fourche project, taking exception to the ruling of the department, which was that "a failure to make any two payments when due shall render the entry subject to cancellation with forfeiture of all rights under the act and of money already paid in."

Mr. Minor contends that the government is wrong in its construction of the act cited above, which he says comes under the head of "Construction" and does not deal at all with the section under the head of "Operation and Maintenance." According to a letter received by Mr. Minor from Congressman Kinkaid, enclosing the opinion of Samuel Adams, first assistant secretary of the interior, if parties are delinquent on their 1911 and 1912 payments on December 31 of this year steps will be taken to cancel their contracts.

Mr. Minor in his letter to Congressman Kinkaid says: "Section 6 of the act of June, 1912, authorizes the secretary of the interior to use the reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of the act. To me this seems explicit and that no direct charge for operation and maintenance should ever have been made on the settlers."

"Immediately following the quotation above from Section 6, I find the following: 'Provided, that the payments required by this act are made for a portion of the lands irrigated from the waters of any of the works provided for them the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense.' This implies that no operation and maintenance charges were contemplated by this act until the construction charges were paid out and the canal turned over to the settlers."

"It seems to me that the government should be satisfied with its power to shut off a man's water supply to enforce collection of operation and maintenance expenses and that is all that is necessary, and that power to cancel should not be claimed."

"Immediately connected with this subject is another that the government now requires the advance payment on operation and maintenance, December 1, before they begin to deliver the water the following May, five months before the water is delivered and eleven months before the completion of the delivery. I believe the principle wrong, for I know of no private enterprise which expects this. The government ought not to cancel entries because of the non-payment of a charge for water that they have never delivered and which they cannot complete delivering for almost eleven months," if, indeed, they are able to do so then.

Makes Claim for Salary.
O. E. O'Malley, appointed by Governor Shallenberger, but who was prevented from serving by reason of an injunction of the federal court, has put in a claim for a salary which that injunction prevented him from receiving. He wants \$3,000, covering the period of two years for which he was appointed.

Defacing Oregon Trail Monuments.
According to word received by the Oregon Trail commission some of the monuments erected along the trail in Nuckolls county have been defaced by vandals who have used them for target practice. George D. Folmer and G. G. Scroggin of Oak, representing the local committee, have offered a reward of \$25 for information which will lead to the arrest of the guilty parties. The state law provides that anyone convicted of defacing these monuments shall be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment in the county jail for a period of not less than thirty or more than ninety days, or both.

The Claim of Chief Briggs.
The claim of Chief John Briggs of South Omaha for \$1,800 due him as he claims for capturing the escaped convicts last spring, will likely be put up to the legislature for settlement, the auditor refusing to draw a warrant for the claim.

New German Corporation.
Articles of incorporation of the Press Publishing company of Lincoln were filed with the secretary of state. The company is incorporated for \$80,000.

Dynamite Kills Many Fish.
Chief Game Warden Miller has been notified that parties near Rulo in Richardson county have been using dynamite in the Missouri river for the purpose of securing fish for marketing purposes. The correspondent asks the game warden if there cannot something be done to prevent further dynamiting in this way, claiming that in a short time there will be no fish left in the river if the practice is continued. The laws of the state of Nebraska do not cover this kind of fishing.

FIRES IN NEBRASKA.

State Commissioner Speaks of Them in Annual Report.

In his report to the governor Fire Commissioner Charles L. Randall pays considerable attention to the loss sustained by fires and the falling off of the number since he took control of the office. He pays the volunteer firemen a strong tribute and urges that a law be passed at the coming session of the legislature which will enable towns and villages to equip their local departments with up-to-date fire fighting apparatus.

In the interest of carrying on a campaign of education, the report shows that Commissioner Randall has delivered addresses to over 70,000 school children and 30,000 business men over the state. He has sent out over 500,000 bulletins and cards and over 100,000 of his recent "Nebraska Fire Scout" enrollment cards.

He pays a tribute to the press of the state, which has assisted in the campaign of education for fire precaution by publishing his monthly bulletins. He says that the legislature should provide a suitable amount so that these papers could be paid for the space taken in the work.

Last year the loss of property on account of Fourth of July conflagrations was \$235,000, but this year the loss was only \$7,100.

He calls attention to the great danger from gasoline, not only from its fire-starting qualities, but from the danger to those who may be called to fight a fire where gasoline is burning. He says that he has known the fumes of burning gasoline to penetrate through the air fifty feet and do great damage, not only to property, but to life. Some of the most severe cases of burning have been from the inhaling of gasoline from a fire. This can be communicated fifty feet or more under conditions which are apt to exist at most any fire where gasoline is burning.

During the last year 1,234 fires were reported to the fire commissioner. Last year there were 1,348. The value of the buildings on fire was \$11,373,284.38. The fire loss was \$869,068.40, about 7.23 per cent of value. The value of the contents of these buildings was \$6,168,397.54. The loss was \$1,314,556.93, about 21 per cent. The difference between the value of the buildings and their contents and the damage was \$15,358,056.59, and volunteer firemen of the state should be given credit for the saving of this vast amount of wealth.

Following is a showing of the value, loss and insurance on property during the last three years:

Value of buildings	\$27,721,873.39
Value of contents	19,954,373.54
Insurance on buildings	14,467,860.50
Insurance on contents	12,947,650.75
Loss to buildings	2,982,683.05
Loss to contents	3,159,123.55

The Dairymen Meet This Month.
The twenty-eighth annual meeting of the Nebraska dairymen's association will be held in Lincoln Wednesday, Thursday and Friday, January 22 to 24. The sessions will be held in connection with the organized agricultural meetings which will take place at the same time. Addresses will be given by Food Commissioner Hansen and Professors Burnett and Frandsen of the state university farm.

A feature of the convention will be the cow judging contest to be held Friday afternoon. A purse of \$200 will be divided among those contestants who score seventy-five or more points out of a possible 100.

'Phone Company Bonds.
The Platte Valley Telephone company has made application to the railway commission for permission to issue and sell \$20,000 refunding bonds and the same has been granted by the commission. The company is located at Scotts Bluff, and desires to pay off its present indebtedness and extend its lines.

Talk of New State House.
A. P. Foster, secretary of the Nashville industrial bureau, has written Secretary of State Wait that the state of Tennessee has outgrown its historical capitol building and proposes to build an annex. He asks whether the state of Nebraska has built an annex or is contemplating building one, and if it has he desires to get the name of the architect, information in regard to the cost and how the annex compares with the main capitol building. In reply Mr. Wait has written that Nebraska is in search of just such information as Tennessee desires because there is talk of a new capitol or an annex in this state.

County Sues for Cash.
An echo of the Capital National bank failure of many years ago was heard in the Lancaster county district court when arguments were heard on the demurrer of the state to the petition of the county of Lancaster to recover from the state money belonging to the state which the county had in the bank at the time of the failure. The amount sued for is \$6,321.72, and interest from January 21, 1933.

A \$15,000 Observatory.
Unless the legislature refuses to accept and act on the advice of the board of regents of the university, the state school will soon be provided with a \$15,000 observatory in which will be housed the new twelve-inch telescope and other astronomical instruments. Professor G. D. Swezey, head of the department, made the request. It was given the approval of Chancellor Avery, and the regents acted favorably in their biennial report to the governor.

The Creamery Interests.
Sixty-seven creameries in the state handle butter fat from more than 500,000 dairy cows, according to a statement made by State Food Commissioner Hansen. This is ample evidence, according to Mr. Hansen, of the importance of the dairy work of the commission, and with the other duties of that body sets out the need of a larger appropriation to carry on the work for the coming biennium. The commissioner says the present appropriation is altogether insufficient for the work.

MOST TIMELY HELP

How a Nyctalops Repaid a Favor Shown Him by a Young Bank Clerk.

By FLORENCE LILLIAN HENDERSON.

With the magic of a smile Walter Davis ruled all the little world of Millville. He had started in at the bank as messenger, and at twenty-two, bright, intelligent, energetic, had worked his way into the favor of every person connected with that institution from the president down to the janitor—save one.

The exception was Bruce Lowell. He seemed always to have envied Walter his rapid advancement and popularity. He was a dark-featured, sinister-appearing man, secretive and surly. If the light-hearted Walter had more closely scanned the surface of affairs, he would have noticed that Lowell scowled at him most particularly when he was in the company of Viola Merton, the daughter of the president of the bank and the belle of the town.

Walter was always doing kind things and making other people happy. It was no marvel to anybody, therefore, when one day, going home to supper from the bank, he stopped to speak to a blind man slowly making his way along the street.

"Can I help you, friend?" inquired Walter, in his warm-hearted, impulsive way.

"Why, yes," replied the beggar. "I want to be set right on the road to Clyde."

"Why, that is fully ten miles away, and darkness will overtake you before you reach your destination," observed Walter.

"Oh, I'm all right in the dark," rather enigmatically explained the blind man.

"Why don't you take the train?" asked Walter.

"Because I have no money," was the blunt response.

"But I have, and there you are!" cried Walter, handing the mendicant



"Why Don't You Take the Train?"

a two-dollar bill. "Keep right on as you are headed, and you'll reach the depot."

"Hold on," spoke the blind man, with a queer grateful catch in his voice. "A little silver will do."

"No, no—you are welcome to what I have given you," declared Walter. "I can spare it."

"I want to know your name, anyhow," persisted the mendicant.

"Walter Davis."

"I'll remember it. This is the most timely help I have ever received."

"Glad of it," said Walter heartily, and went on his way, immediately forgetting his kind deed, but followed by the ardently-expressed wishes of his pensioner that "he would have all kinds of good luck."

The parting benison of the blind man, however, did not follow out. Instead, bad luck, indeed, came to the young bank clerk. The following day the manager of the bank called him into his private office, serious-faced and somewhat distant in his manner.

"Davis," he said, "I am sorry to tell you that you will have to take a leave of absence until the return of the president of the bank, Mr. Morton."

"Why, what does this mean?" exclaimed Walter, staring vaguely.

"Just this: Only yourself and Mr. Morton have keys to the bank. Coming from another town late in the morning, I have found no use for one. Last night some one entered the bank and removed the money and notes we keep in the cashier's box. It is not usually locked up in the vault, as the sum it holds is generally small. However, the notes and some two hundred dollars are missing."

"Do you dare—" began Walter, flaring up instantly, but the manager silenced him with the words:

"No one suspects you, but the bank directors hold you responsible as the possessor of a key to the institution. They demand an investigation, and your temporary resignation until Mr. Morton returns."

The matter was plainly put and Walter could not rebel. The story got about town. No one accused him openly, but there were hinted suspicions, and to say the least he felt uncomfortable.

Old Mr. Morton was a crabbed, suspicious man, and Walter wondered how Viola would take it. He went to a lawyer, but the latter advised him not to stir things up.

Walter kept up a brave front. Innocence armed him against real fretting, and hope made him cheery and bright as usual.

"I have good news for you," announced his lawyer, appearing at the Davis home just after dusk one evening. He was quite excited, and he had a companion at whom Walter glanced curiously and then recognized.

"Why, I've seen you before," said Walter.

"Yes, you gave me some help about a week ago," replied the blind man. "I happened in town today. I learned

of your trouble and I found your lawyer. You called me 'friend'—do you remember?" asked the mendicant, with a noticeable huskiness in his throat.

"Well, aren't we friends?" smiled Walter.

"I'm going to prove it. Go ahead, Mr. Lawyer. You've described that fellow, Lowell. He tallies. Give me a sight of him."

"What's that? A sight of him?" cried Walter.

"You will understand later, Walter," promised the lawyer. "Just run us against Lowell, some way."

Walter felt that there was something mysterious in the proceedings. He noted also that the blind man accompanied them at quite a brisk gait and without guidance.

It was a moonless night. Suddenly, as they turned a corner, they came face to face with Bruce Lowell, strolling along by himself. The blind man took a step forward, bent his glance on the approaching figure, and cried out sharply.

"That is the man!"

"You are positive?" questioned the lawyer.

"I'd swear to him anywhere," avowed the mendicant. "That man was one of two men whom I saw enter the bank at midnight on the night of the robbery. His companion unhinged one of the iron gratings and forced up a window. The fellow with him had a wooden leg."

"Hello! hello!" exclaimed the lawyer in three different tones of voice, evincing in turn wonder, suspicion and then triumph. "You didn't tell me that before. You have given me a final clue."

"What is this nonsense?" demanded Lowell indignantly, but pale and trembling.

"This man identifies you as one of the bank robbers, he says," replied the lawyer.

"Why! but he is blind," exclaimed Walter.

"Yes, day times," said the mendicant. "I am what is called a nyctalops—I can see at night."

The next morning the lawyer, Walter and the mendicant had an interview with the bank manager. Then the lawyer made a hurried visit to a neighboring town.

He had remembered that Lowell had a relative there, an ex-convict, who had but one leg. The man confessed to the crime when he learned that otherwise both he and Lowell would be arrested.

Lowell was given his walking papers and disappeared. Somehow the story got out. When the banker and his daughter returned to Millville, it was to learn the whole story. Against his wishes Walter had been put up as a candidate for a public office, and was more popular than ever.

"You seem always making people happy," said Viola a few evenings later, referring to the blind man, whom Walter had sent again on his way rejoicing. "I wish I was as fortunate as you."

"Do you really?" asked Walter earnestly. "Then begin the good work, by telling me that you will make me the happiest of men by returning my love."

"Oh, Walter," confessed Viola impulsively. "I did that long ago!"

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Marking of Sheep.

Means prevailing at present for marking sheep for the purpose of identification is unsatisfactory for the reason that the coal tar or pitch solution which is made use of has a serious effect on the wool, not only where the mark has been made on the hair but all that which is being put through the cleansing process at that time. Such wool brings a decreased price. The National Society of Agriculture of France has been investigating the matter, and the report of those appointed to do the work contains the following: It has been proposed to use aniline colors, but this is even worse, since the colors do not merely soil the fleece, but actually dye it. Other means are not lacking, notably that of tattooing the ear of the sheep. Also, a small metallic plate can be fastened in the ear, as is done with African sheep to prove that they have been "diseased," i. e., inoculated with the special serum which combats their dangerous eruptive manhood, not or scab. The syndical chamber of commerce and industry advises the employment of a color composed of linseed oil, essence of turpentine and Prussian blue or similar color. It recommends marking on nose, forehead or nape of neck.

Swapped Loot for Pie.

His feast on good, old-fashioned pumpkin pie came near being the undoing of a burglar who entered the residence of W. W. Martin in Bellevue. When the burglar had ransacked the lower floor and piled up a lot of plates and jewelry, he decided to eat. Finding a pumpkin pie in the pantry he sat down and devoured it. Not being satisfied with the pie, a jar of peaches was cleaned out. Mr. Martin, however, awakened while the burglar was regaling himself, and bearing a noise in the dining room made his way down without his booty—Pittsburg Telegram to Philadelphia Record.

When the Principal Fainted.

A certain school principal was very busy. Into the office came a tiny, eager-faced lad who respectfully asked leave to put "an important question."

"I've studied and studied about it, and I can't find any answer in the books," he explained.

"All right, John," replied the principal. "Go ahead."

And this was John's problem: "Please tell me, if you had fleas on you and you had a shock of electricity sufficient to kill you, would it kill the fleas?"

Take His Away.

Man, says a French savant, has six times more lung capacity than he needs. Now about the artist who plays on the slide trombone?—Chicago Record-Herald.

Boy's Essay on the Ostrich.

Ostriches are different from geese. Geese can swim and lay eggs but cannot kick, while an ostrich can kick and lay eggs like a horse.—Woman's World.

Palm Beach Bathing Suit



(Photo, by Underwood & Underwood, N. Y.)

Florida winter resorts will have the first of the new taffeta water repellent beach suits. After a dip in the surf the suit will remain crisp and fresh. A cap of the same material tied with a taffeta ribbon completes this stunning bathing costume.

INDOOR PLANTS NEED CARE SHOWING CONTRAST IN FURS

Many Will Do Well in Gas-Lighted Rooms if They Are Judiciously Selected and Tended.

One of the great secrets in the successful cultivation of plants in rooms is judgment in selecting the right kinds, as an experiment will soon show, will do well in gas-lighted or drafty rooms, others will not; so it is most essential that care should be exercised in choosing kinds adapted to both purposes.

Those who have the good fortune to have their rooms lighted by electricity need not worry, because all kinds of plants will succeed under the latter conditions.

The best of all plants to grow in gas-lighted rooms are the parlor palms.

There are two distinct kinds of these, one which produces very tall leaves and another of the dwarf growth.

If carefully watered and their leaves sponged at least once a week, they will thrive for years.

Another excellent plant to grow under similar conditions is the fig-leaf palm, or so-called "castor-oil plant." This has giant ivy-like green leaves, which radiate from a central stem and form a handsome plant. As it increases in age it is, however, apt to lose its lower leaves, and hence some of its beauty.

The "india-rubber" plant, a brother of the fig tree, is another plant which is admirably adapted for gas-lighted rooms.

The plant usually grows with a single main stem, and if well cared for will in a few years attain a height of five feet or six feet. When it becomes too tall the upper part can be clipped.

Combining Two Lace Gowns.

A remarkable costume consists of two superposed, one in white lace, the other a black, the latter the uppermost, but so filmy and delicate of mesh that the pattern even of the white lace beneath can easily be seen. The only relief to this gown is an immense rose with silk petals in a deep orange shade, with a large spray of black foliage.

Brown seems gradually coming into fashion again, and a dress of liberty satin in a bright tone of this useful color seen recently was almost entirely veiled with a black lace draped coat. On that portion of the bodice seen in front there was an embroidery in full pale blue and greens, forming wheels, and here and there was a slight touch of black and white.

Pendants of All Kinds.

Pendants are the ornaments of the moment and come in every imaginable grade of stone, from the most garish artificial bits set in poor gilt to the semi-precious stones, combined with diamonds. About the most excellent are the semi-precious stones set either in gold or silver. Their cost varies with the worth of the stone, and its setting is secondary. Abilene shell "blister" are very pretty and in good taste, for their price has been kept up.

Frocks for Girls.

Girls' frocks have never been prettier than they are this season, for all the best models are charmingly simple and artistic, while the favorite colors are the soft, dull Egyptian blue—"donkey boy blue" as it is sometimes called, for it is the exact tint of the garb worn by most of the Cairo donkey boys—cinnamon and chestnut brown, various art shades of green, and the ever popular navy blue.

Hook Hint.

Try putting hooks on the lower side of a dress-opening, and the eyes on the upper side. When the dress is ironed no "hookmarks" will show, as often happens when hooks and eyes are put on in the old-fashioned way. This works splendidly, writes a contributor to Needlecraft.

Ermine and Skunk Combined in One of the Most Fetching of the Winter's Styles.

The graceful stole cleverly combines and contrasts snowy tailless ermine and dark skunk worked in strands in the way which gives such special softness and beauty to this most durable of furs.

The muff is, on the other hand, entirely carried out in the ermine, but also gains variety of effect by the introduction of the little tails and heads



into the bordering band, while the great bow of velvet ribbon, with its central paste ornament, is a further addition, which is strikingly smart, as well as novel.

Decollete Shoe.

An interesting freak of fashion is the decollete shoe. Many Parisian elegantes are wearing what would seem a perfectly ridiculous shoe for this time of the year, a court shape with a mere two or three inches of vamp, which, of course, reveals any amount of stocking, matching either the frock, the furs or some other accessory of the scheme.

Rateen and Shot Suiting.

A delightful fabric is a new shot suiting, mostly produced in such unobtrusive colorings as gray, black, moire, brown, tan, and olive green. In texture this new suiting has a colorable resemblance to that used for a man's coat, and it is generally treated in a similar way, that is to say, it is stitched, finely braided and bound.

Paradise Whim.

The latest whim concerning paradise favors the use of a full sweep. These scanty paradise trimmings are very graceful when perched upright on the edge of the brim or at the base of the crown.

NO LONGER SELECTS THE HAT.

Hubby's First and Last, Experience at a Millinery Store, Was Altogether Too Costly.

Congressman Ralph W. Moss of Indiana did not care much for a hat his wife wore. He finally spoke about it. Mrs. Moss admitted that it was plain, and, instead of taking exceptions to her husband's remark, invited him to accompany her the next time she bought a hat.

"I can certainly pick out a better one than that," said Mr. Moss.

So they went to the store together. Mrs. Moss said not a word as the comely milliner displayed one beautiful bonnet after another. It was the first time Mr. Moss had ever been in a millinery store, but he appeared to be at ease, and finally selected one of the most joyful creations in the entire stock. Mrs. Moss looked well in it. She was pleased.

"I'll take that," said the Hoosier congressman. "How much is it?"

"Forty dollars," said the pretty girl without even a blink.

Mr. Moss saw blue stars, but luckily had just come from the bank and was able to produce that much in cash. Now he lets Mrs. Moss buy her own hats and he does not complain about their being plain.—Judge.

SKIN ERUPTION ON CHEEK

Kingsley, Mich.—"Last May my thirteen-months-old baby had a sore come on her cheek. It started in four or five small pimples and in two or three hours' time spread to the size of a silver dollar. It spread to her eye. Then water would run from the pimples and wherever that touched it caused more sores until nearly all one cheek and up her nostrils were one solid sore. She was very fretful. She certainly was a terrible-looking child, and nothing seemed to be of any use."

"Then I got some Cuticura Soap and Cuticura Ointment. She tried to rub off everything we put on so that we would sit and hold her hands for two hours at a time, trying to give the medicine a chance to help her, but after I washed it with Cuticura Soap and then put on the Cuticura Ointment they seemed to soothe her and she did not try to rub them off. It was only a few days before her face was all healed up, and there has been no return of the trouble since. We thought that baby's face would surely be scarred, but it is not." (Signed) Mrs. W. J. Cleland, Jan. 5, 1912.

Cuticura Soap and Ointment sold throughout the world. Sample of each free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. L, Boston." Adv.

Geography of Liquor.

Mayor Gaynor, discussing city government in his wonted illuminating and brilliant way, said in New York: "We must not have one reform law for the rich and another for the poor. It is as bad for the millionaire to gamble in his club as for the laborer to gamble in a stuss joint. It is as bad to become intoxicated on champagne as on mixed ale."

"Too many reformers, so-called think that when a man is drunk on Fifth avenue he is ill, and when a man is ill on Third avenue he is drunk."

Our Discontent.

Brand Whitlock, the mayor of Toledo, was talking about discontent. "It is our discontent, our divine discontent," he said, "that will make a great nation of us."

"I believe in discontent. I can sympathize even with the discontented old farmer, who said: 'Contented? When'll I be contented? Well, I'll be contented when I own all the land adjoinin' mine—and not be fur, by gum!'"

Straggling Along.
"Is that a monthly rose?"
"It looks more like a weakly one to me."

The rich mellow quality of LEWIS' Single Binder 5c cigar gives the highest pleasure in smoking. Adv.