

Legal

PROBATE NOTICE

In the matter of the estate of Joe P. Camper, deceased, notice is hereby given, that the creditors of said deceased will meet the administratrix of said estate, before me, County Judge of Douglas County, Nebraska, at the County Court Room, in said County, on the 11th day of June 1934, at 9 o'clock a. m. each day, for the purpose of presenting their claims for examination, adjustments and allowance. Three months are allowed for the creditors to present their claims, from the 11th day of May 1934.

Bryce Crawford, County Judge.

PROBATE NOTICE

In the matter of the estate of Martha J. Roberts, deceased. Notice is hereby given, that the creditors of said deceased will meet at the administratrix of said estate, before me, County Judge of Douglas County, Nebraska, at the County Court Room, in said County, on the 11th day of June 1934, at 9 o'clock a. m. each day, for the purpose of presenting their claims for examination, adjustments and allowances. Three months are allowed for the creditors to present their claims, from the 11th day of May 1934.

Notice of Administration.

In the County Court of Douglas County, Nebraska, in the matter of the estate of Evelyn Davis, Deceased. All persons interested in said estate are hereby notified that a petition has been filed in said Court alleging that said deceased died leaving no last will and praying for administration upon his estate, and that a hearing will be had on said petition before said court on the 12th day of May 1934, and that if they fail to appear at said Court on the said 12th day of May 1934, at 9 o'clock a. m. to contest said petition, the Court may grant the same and grant administration of said estate to Henry Black or some other suitable person and proceed to a settlement thereof.

Bryce Crawford, County Judge.

LEGAL NOTICE

Ray Lawrence Williams, Attorney. Room 200 Tuchman Bldg. 24th and Lake St.

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA. In the matter of the Estate of David Allen, Deceased. TO THE HEIRS AT LAW, AND OTHER PERSONS INTERESTED IN SAID ESTATE:

You are hereby notified that a petition has been filed in this Court, on the 17th day of April, 1934, by Georgia Allen, wife of deceased, alleging that David Allen, died a resident of Douglas County, Nebraska, on the 15th day of December, 1932, possessed and of which he was seized or had an interest or equity therein, real estate situated in Douglas County, Nebraska, consisting of an estate of inheritance in:

West, 30 feet, South 93 feet, Lot 7 Block 12, Parkers Addition to the City of Omaha, Douglas County, Nebraska as surveyed, platted and recorded, and better known as 2436 Franklin Street.

That the interest of said deceased in said real estate is a Homestead and wholly exempt from attachment, execution or other mesne process and not liable for the payment of the debts of said deceased and asking that the regular administration of said estate be dispensed with and that a decree be entered naming the heirs at law of said deceased, together with their place of residence.

You are therefore notified that a hearing will be held on said petition on the 12th day of May, 1934, at 9:00 A. M. o'clock and if you fail to appear at said time and place and contest said petition, the Court may grant the same, enter a decree of heirship and dispense with further administration of said estate.

BRYCE CRAWFORD, County Judge.

-CLASSIFIED ADS-

Piano Lessons, Frances Coorington. Beginners 25c. Advanced students 50c. about 1816. 2214 Lake St.

Rooms for Single Employed Persons. Two Blocks from car line. Call WE. 5365.

Two Rooms Reasonable. Web. 4162.

FOR RENT—One three room apartment neatly furnished. Inquire 1417 No. 24th St. WE. 4044, evenings.

WILL PAY \$15.00 per month for modern heated furnished apartment, garage. Christian's home preferred. WE. 1750.

Loves Kitchenette Apartment For Rent at 2518 Patrie St. Call WE. 5683

YOUR OWN—LAKE SHOE SERVICE NONE BETTER; 2407 Lake St.

Furnished Rooms for rent. WEber. 2303.

Big Rummage Sale on New Goods—1324 N 24th St. Come and Be Convinced.

BETTER RADIO SERVICE
A. E. and J. E. Bennett 2215 Cummings St. Phone Ja. 0655.

A modern, full-sized, 5 room-house, complete in every detail from a front porch to compete and conditioning, is now being erected in the Electric Shop of the Nebraska Power Company.

The living room, dining room and kitchen will be on the first floor and two bedrooms and bath will be on the second floor. Fifty carpenters, bricklayers, masons, electricians and other mechanics work all night every night on the structure in order to rush its completion. The architect is Neel Wallace, who spent considerable time designing the unique modern house.

The builders hope to complete the house by June 15. "This house will not be a 'doll house' in any manner but will be a regular sized home which is fully capable of housing a family of four or five," said architect Wallace. "Everything that the modern housewife has wished for will be displayed in this modern, all-electric home. It will be completely and properly lighted, air conditioned and furnished. It will have a complete all-electric kitchen."

As the guests appear in the home they will enter by way of a regular front entrance and pass through an "electric eye" which will announce their arrival. The "electric eye" will automatically release a set of beautifully sounding chimes. Even flower boxes will be placed below the windows which are of steel casement design. The living room will have a variety of four classes of lighting. A turn of switch changes the complete lighting in the living room. Cove lighting, a new feature which involves the principle of playing light on the ceiling and thus flooding the entire room, will be included in the lighting effects of the home. In the master bedroom within arm's reach will be all necessary buttons and equipment for middle-night emergencies. A complete telephone service will be throughout the home.

The bathroom will furnish its own sun. A built-in ceiling sun lamp will furnish sun rays.

According to J. E. Davidson, president of the company, this is the only 2-story house built as a home within a building in this country. It will be open for public inspection some time after June 15.

ECONOMIC HIGHLIGHTS

Happenings That Affect the Dinner Pails, Dividend Checks and Tax Bills of Every Individual... National and International Problems from Local Welfare.

Many of the Washington Correspondents, of late, have been commenting on a strange phenomena which is furrowing the brows of senators and representatives. There is a growing volume of public criticism of Administration legislation—unaccompanied by criticism of the man who is responsible for it, Franklin D. Roosevelt.

All the Congressmen have been finding their mails flooded with letters reading, in effect: "You should vote for or against the stock exchange bill (or some other White House backed bill which holds the limelight at the time), because it will delay recovery.....Support the President!"

That isn't at all far-fetched. Thousands, perhaps tens of thousands of

such letters have reached the cautions, and the more prominent the legislator the more he gets. In spite of their obvious inconsistencies, such such letters are important. They show something that is of vital interest, and will be a vital influence in coming political campaigns: That the voting public is beginning to fear that the New Deal is more revolutionary, both in principle and practice, than it had bargained for—but that its faith, its trust, and its affection for the President is as strong, perhaps stronger, than ever. Mr. Roosevelt, in its views, can make mistakes, but he can do no wrong.

The Wirt inquiry brought the criticism to a head. Mr. Wirt's startling charge—that members of the brain trust were conspiring to overthrow the government, and regarded Mr. Roosevelt as the Kerevsky of the American revolution, eventually to be replaced by his Lenin—wasn't taken very seriously. Again, there was nothing thrilling in his statement that men such as Dr. Tugwell want changes made in the American government—Mr. Tugwell has written many books, made many speeches, given many interviews, and his ideas are hardly a secret. But in the wake of Mr. Wirt came other, more moderate and better known critics who offered the opinion that we were drifting toward fascism, that the public hadn't much idea of what was going on, that the shoals weren't far ahead. They were backed up by a substantial volume of newspaper comment.

And every one of these critics, as well as Dr. Wirt was careful to avoid anything that might be construed as a knock at the President.

All of this indicates that Mr. Roosevelt is liable to find it tough getting some of his more unusual legislation through future sessions of Congress—but that his personal hold on the American electorate will continue to be firm. There are plenty of potentialities for political excitement in that unique situation.

The federal government is spending money in a big way—but not in so big a way as was anticipated three months ago. On January 15, the President estimated that the government would spend \$10,500,000,000 in fiscal 1934—\$7,500,000,000 of that was classed as emergency expense. Nine months of the fiscal year are gone now and expenditures have only come to \$4,800,000,000—well under half. This is only about one-third more than the Hoover administration spent in the same period of its fiscal year.

Principle reason for the drop is found in the fact that emergency payments have totaled only \$2,800,000,000. And that, in turn, is largely due to the happy experience of the RFC. The budget included almost \$4,000,000,000 for that bureau—however, since January 1, a quarter of a billion dollars has been paid back on loans made. Head man Jesse Jones believes that repayments will take care of all the loans to be made until July.

Next to the RFC in "economy" is the Public Works Administration. It was allotted \$3,300,000,000—has spent but \$803,000,000.

The budget message likewise included estimates for forthcoming revenue—and in this the President was much nearer right than in his guess at expenses. Collections were forecast at \$3,200,000,000—and actual nine months collections came to \$2,300,000,000 which makes the estimate look quite accurate. Tax collections for March were \$420,000,000 higher than in any month since June 1931; income tax revenue was running a third ahead of last year—and treasury officials smiled happily.

There is still a wide gully between revenue and expenses—but the

problem is looking easier than it was expected to be a few months back. And the other day the treasury attempted an experiment—it offered to exchange 31-2 per cent twelve year bonds for 4th Liberties and Treasury notes falling due May 2. Investors jumped at the offer and trading was brisk. Treasury prestige is thus potent.

IN THE MUNICIPAL COURT OF THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA.

Idean Kerns, Plaintiff, vs. Singer Omaha Corporation, William Singer and John Doe, real name unknown, defendants.

Given Instructions.

1. You are the sole judges of the credibility of the witnesses.
2. You are instructed that plaintiff had no right to resort to physical force in obtaining a seat.
3. If you are satisfied from the evidence that this plaintiff was discriminated against, she may recover.
4. You are instructed that if you find from the evidence that the defendant's usher, real name unknown, was employed by the defendant corporation, and was under the immediate direction and control of the defendant, William Singer, at the time of the alleged assault herein; and that part of the duties of said usher was to direct patrons of the theatre to their seats, and that he was acting in that capacity and within the scope of his employment on March 22, 1934, at the time of the alleged assault upon the plaintiff, Idean Kerns by the said usher; and that the unlawful acts which he is alleged to have committed against the person of the plaintiff, if they were committed by him, were committed while he was acting within the scope of his employment, and if you find that he committed the assault, or inflicted the injuries as described and set forth in the evidence herein, his employers, the Singer Omaha Corporation and William Singer, defendants herein, are liable to the plaintiff for damages, and you will find for the plaintiff and against the defendants, the Singer Omaha Corporation, and William Singer. But if you believe that the said usher did not commit the said assault, and did not injure the plaintiff, nor cause her the injuries of which evidence has been offered, you should find for the defendants.

CHAPTER 23, Section 101, Compiled Statutes of Nebraska for 1929, provides:

"All persons within this state shall be entitled to a full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, restaurants, public conveyances, barber shops, theatres, and other places of amusement; subject only to the conditions and limitations established by law and applicable alike to every person."

Chapter 23, Section 102, Id. provides, a criminal penalty against any person who shall violate the foregoing section by denying to any person except for reasons by law applicable to all persons, the full enjoyment of any of the accommodations, advantages, facilities and privileges heretofore enumerated.

You are instructed with reference

to the second cause of action in the petition that any person who has been denied any of such accommodations, privileges, or facilities, may maintain an action at law for damages of such denial against 11 persons who had denied to him any such accommodations, or facilities, or who have aided or incited any other persons to make such denials and is entitled to recover damages in such an action, in manner and form as is herein covered by the other instructions given you by the Court.

You are instructed that this instruction refers to the second cause of action of the plaintiff. If you believe from the evidence that the plaintiff was prevented by the defendants or their servants, acting within the scope of their authority from having and being accorded full and equal enjoyment of all the accommodations, advantages, facilities and privileges of the theatre operated by the defendants, and of the place of amusement conducted by them, and was discriminated against because of her color, or because of her being a member of the Negro race, and that she was damaged thereby in her feelings, and was humiliated because of such action, then you should find for the plaintiff and should assess her damages at such an amount not to exceed \$100.00 as you find she has sustained by reason of such discrimination and such humiliation. It is not necessary that she should have been excluded from the theatre or from the first floor thereof in order that she may recover damages. If you believe from the evidence that plaintiff was interfered with and prevented from taking the seat she desired to take, even temporarily, and although she did not later take the seat, and if you believe that the acts of the defendants and their servants or any of them, humiliated her and caused her to suffer mental distress or pain, she is entitled to be compensated by damages therefor, if you believe from the evidence that the plaintiff did not suffer any such humiliation or pain or distress, or if you believe that there was no discrimination practiced against her by the defendants, you should find for the defendants.

This instruction refers to the first cause of action set out in the petition. You are instructed that the measure of damages which the plaintiff may recover, if she is entitled to recover damages, is compensation for the physical injuries which you believe from the evidence the plaintiff sustained in connection with the injury inflicted upon her by the defendant usher, the servant of the other defendants in the case, which he was acting within the scope of his authority; and for all other injuries, sickness, pain, physical or mental anguish or suffering, humiliation, indignity, bills for physician's services, medicine and domestic help, and mental distress which you may be satisfied from the evidence were directly caused by or which directly flowed from the wrongful acts of the defendants or their servant so acting. Said damages shall in no case exceed the amount of \$900.00. You are not permitted to find and punitive damages, by which I mean damages imposed upon defendants as a punishment. If you believe from the evidence offered that the plaintiff suffered injuries from the defendants or their servant, acting within the scope of his authority, you will find

for the plaintiff in such sum as you believe will compensate her for such injuries, sickness, pain physical and mental anguish, suffering, humiliation and bills for service, as you believe from the evidence she has sustained. If you believe from the evidence that the plaintiff did not sustain any such injuries from the defendants or their servant, or that the servant who inflicted same was not acting within the scope of his authority, you will find for defendants.

You are instructed that the meaning of the language "within the scope of his employment," as applied to the usher in this case, means that he was at the time of the injury which plaintiff complains of, performing the duties which defendants employed him to perform, and that one of his duties consisted in seating patrons of the theatre. If you believe from the evidence that he used force to prevent the plaintiff from taking a certain seat, or entering a certain part of the theatre, and inflicted an unjustifiable injury upon her while so acting as an usher, the other defendants are bound by his conduct and liable for his acts and he acted within the scope of his authority, even though they did not employ him for the purpose of inflicting such injuries, and although his act was negligent, wanton, wilful or malicious. If, on the other hand, you find that he was acting outside of the scope of his authority, for the purpose of gratifying some hatred or grudge of his own not connected with his employment, you should find for the defendants.

HITS ABOUT 'EM:—The secret ambition of Margaret Beck is to be a nurse. . . . George Curry frequently visits Central. . . . Dortha Bell is seldom seen walking down the Avenue. . . . Juanita Cole and Billy Love are going back again so it seems. They are seen together at night quite a bit. . . . William

Goldman has really proven that he is sweet. A girl bit a hunk out of his arm one night last week in the Ritz. . . . Buster King is back in town and already asking about a certain young lady after only being back about a week. . . . Edward Anthony has become a store clerk. He is employed at the Hayden's Cash Market on Saturdays. . . . Edgar Smith is really religious, or would you call religion. He goes to church every night in the week. Just try to stop him from going one night, and see if you are successful. . . . Margaret Blair is wearing a sweet smile on her face once more, as much to say, "All's right with the world." . . . Estelle Richardson made a short trip to Kansas City. . . . Henrietta Edson has taken up skating for exercise.

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W. L. PARSLEY, Prop.
2851 Grant Street
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You've never tasted a more delicious cereal than these crunchy whole wheat flakes, served with cream and sugar. But that's not all—they have added a small quantity of flaxseed just enough to make Uncle Sam's a mild but effective laxative. Eat Uncle Sam's every morning for your health's sake

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BEANS—RED BEANS	3 CANS	
EGGS	LARGE CLEAN STRICTLY FRESH	Doz. 15c
SUGAR	FINE GRANULATED 10 POUNDS	50c
OMAHA FAMILY SOAP	10 BARS	25c
BUTTER	GOLDEN ROD CREAMERY	Lb. 25c
PORK—STEAK	Lb.	12½c
PORK—SAUSAGE	Lb.	7½c
FRESH—PICNICS	Lb.	8c
BEEF—ROAST	Lb.	10c
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LEAD EATING INSECTS
THE FRENCH ARMY WAS SERIOUSLY HANDICAPPED IN THE CRIMEAN WAR BY INSECT LARVAE BORING HOLES THROUGH THEIR LEAD BULLETS.

WARM BEATS
SNAILS' HEARTBEATS VARY WITH THE TEMPERATURE. IN SUMMER THEY MAY BEAT ONCE A SECOND IN WINTER ONLY TWICE A MINUTE.

NIGHT FLIGHT
THE VAST MAJORITY OF BIRDS MIGRATE DURING THE NIGHT.