

# THE VALENTINE DEMOCRAT.

L. M. Rice, Editor and Proprietor

VALENTINE, NEBR., THURSDAY, MAY 26, 1910.

Volume 25, No. 20

**RED JACKET PUMPS are GOOD PUMPS**



THEY RAISE WATER FROM THE DEEPEST WELLS WITH THE LEAST WORK. A CHILD CAN PUMP THEM.

**THE RED JACKET COSTS NO MORE THAN ANY OTHER GOOD PUMP AND THEY ARE**

**"So Easy to Fix"**  
**"Fix 'Em Yourself"**

A RED JACKET PUMP GIVES YOU A PRIVATE WATERWORKS.

SO EASY TO FIX

Just THIS and a Monkey Wrench

Come in and Let Us Talk to You About It We have some Booklets to Distribute FREE

The RED JACKET Out of Sight!

Remember also that we handle D. M. Ferry's and Sioux City Seed Co's seeds. Fresh stock just received.

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**Eureka Saloon**  
McGEER & CARROLL, Proprs.

**Fine Wines, Liquors and Cigars**

<b>Bourbon Whiskies:</b>	<b>Rye Whiskies:</b>
Old Crow, Hermitage, Cedar Brook, Spring Hill, and Jas. E. Pepper.	Sherwood, Guchenheimer, Sunny Brook, and 29-year-old O. F. C. Taylor.

These whiskies were purchased in bond and came direct from the U. S. government warehouse. They are guaranteed pure and unadulterated. Unexcelled for family and medical use.

Three Star Hennessy and Dreyfus Brandies. Imported Gordon and DeKuyper Gins. Guinness's Extra Stout. Bass Ale. Storz Blue Ribbon and Budweiser Beer.

**Valentine - Nebraska**

Chartered as a State Bank June 1, 1884. Chartered as a National Bank August 12, 1902.

**The FIRST NATIONAL BANK**  
(Successor to Bank of Valentine.)

Valentine, Nebraska.

CAPITAL PAID IN **\$25,000.**

A General Banking, Exchange and Collection Business :: ::

C. H. CORNELL, President. J. T. May, Vice President. M. V. NICHOLSON, Cashier. MISS GLEN HOENIG, Ass't Cashier.

**There's a Difference**

between quality and quantity. We give you the best quality at a reasonable price.

**Home Bakery.**

Read the Advertisements.

**C. & N. W. New Time Table.**

WEST BOUND:

No. 1, 7:17 p. m.	New passenger train.
No. 3, 1:55 a. m.	Old "
No. 119, 11:55 p. m.	Through freight train.
No. 81, 2:00 p. m.	Local freight train.

EAST BOUND:

No. 2, 10:12 p. m.	New passenger train.
No. 6, 5:35 a. m.	Old "
No. 118, 6:20 a. m.	Through freight train.
No. 82, 11:00 a. m.	Local freight train.

**Our Lincoln Letter.**  
(Special Correspondence.)

Hiding behind the constitution, the supreme court declared the law invalid passed by the 1909 legislature to take the schools and the board governing the normals of Nebraska out of politics.

Gov. Shallenberger has addressed a letter to the attorney general, protesting against the practice of the secretary of this board in drawing a salary in violation of the statute. The governor insists upon the observance of the laws of this state and his business administration commends itself to the people of Nebraska, regardless of politics. The governor's letter to the attorney general is as follows:

"Executive Office, Lincoln, Nebr., May 7.—Hon. W. T. Thompson, Attorney General, State of Nebraska.—Dear Sir: My attention has been called to an opinion from your department in response to a request from the state auditor, with reference to a claim bearing date April 12, 1910, for the sum of \$175, the voucher therefor being drawn against the fund appropriated for expenses of the normal board of education, by Luther P. Ludden, for services as secretary of said board. I note the opinion states the auditor would be justified in approving the voucher unless restrained by an order of the court, and this conclusion appears to be based upon the fact that the normal board of education approved the claim, and the legislature made an appropriation to meet the expenses of the board.

"Section 11721 Cobbe's Annotated statutes for 1909, relating to the normal board of education, provides: 'The members of the normal board of education shall annually elect a president and secretary from among their number, and the state treasurer shall be treasurer of the board by virtue of his office.'

"The following section reads: 'It shall be the duty of the secretary to keep an exact and detailed account of the doings of the board, and on the first day of January of each year he shall transmit to the governor a report of all expenditures made during the preceding year, voucher for which shall be kept on file in the office of the secretary, and open to the inspection of the governor and members of the legislature.'

"Section 11724 of this act provides: 'The board of education shall receive no compensation for their services, but shall be reimbursed actual expenses incurred in attending upon meetings of the board.'

"Since this matter has been under consideration I have taken occasion to make examination of the records with reference to the sums of money received by Mr. Ludden for his services, or salary as secretary of the board, and find to my surprise vouchers on file in the office of the state auditor of public accounts which disclose that he has filed claims for and received \$899.32 for services.

1906: Oct. 10.—Clerical work state board of education for September and October \$32.67; November and December, and January, 1907, three month's office work, \$50.

1907: July—1908 stenographer's expenses, \$33.32.

April 2, services February and March \$33.33.

Salary April, \$16.67; May,

\$16.66; June, July, August, September, October, November and December, salary, \$25 each month.

1908: 12 months salary at \$25 per month.

1909: Salary January, February and March, \$25 per month; November and December, and January, 1910, \$33.34 per month.

1910: Clerical services February and March, \$66.67.

"The reports filed in my office by Mr. Ludden, as secretary of the board, as directed under the second section of the statute herein quoted, failed to show a single item for salary paid the secretary, but the money so drawn by Mr. Ludden as above set forth, is reported to me under the head of 'secretary's office expenses.'

When the legislature of 1909 made a deficiency appropriation of \$500, as well as the general appropriation for the expenses of the board, no showing was made that the secretary was drawing a regular monthly salary from this fund, but on the contrary such information was carefully withheld from the knowledge of the committee on appropriations. Moreover, it is a well-settled rule that the salaries of the officers of the boards cannot legally be paid out of an appropriation to meet the general expenses of a board.

"I am not so much concerned over the amount involved in this particular case, but a sense of duty commands me to enter a protest against the establishment of a precedent such as is sought here, which, if permitted, would do violence to a plain and positive statutory provision. Nothing could be more explicit, definite and free from ambiguity than the language employed in the sections of the statute quoted. The first section cited provides for the election annually of a president and secretary, and contains the further provision that the state treasurer shall be the treasurer of the board. If the secretary of the board is entitled to a salary in the face of the positive declaration in the last quoted section that 'the board of education shall receive no compensation for their services but shall be reimbursed actual expenses incurred in attending upon meetings of the board,' then it cannot be successfully urged that the president, treasurer, or any other member of the board, would not equally be entitled to compensation for his services.

"The law governing this board seems plain that no member thereof shall receive any compensation for services, neither has any appropriation been made for the payment of salaries of members of this board. Had any such an appropriation been made I would have had but one duty to perform, under the law, and that would have been to have vetoed such appropriation. It is not a question of whether or no the secretary of this board is entitled to a salary measured by the services rendered but rather whether he is entitled to it under the law.

"You are, therefore, requested to take such action or institute such proceeding as is necessary to protect the interests of the state of Nebraska from the payment of this claim now pending before the auditor of public accounts, to-wit: Voucher filed and sworn to bearing date April 12, 1910, by Luther P. Ludden, secretary, for writing up the records of the board from April 1, 1909, to November 1, 1909, inclusive, at \$25 per month, said claim being against the fund appropriated for the payment of expenses of the normal board of education.

"A. C. SHALLENBERGER."

Fresh garden seeds in all varieties at Fischer's Hardware. 9

**RESOLVED**  
YOU NEED NOT GO BARE HEADED, WE HAVE SO MANY STRAW HATS. A MAN IS FIRST JUDGED NOT BY WHAT IS IN HIS HEAD BUT BY WHAT IS ON IT—BUSTER



DOES NOT YOUR HEAD FEEL HOT IN THE OLD HAT YOU ARE WEARING? WHY NOT PUT ON A CLEAN, COOL, SWELL STRAW HAT? THE HEAD IS THE CENTER OF ALL FEELING AND UNLESS YOUR HEAD FEELS GOOD YOU CANNOT FEEL GOOD. WE CAN MAKE THE HEADS OF MEN, BOYS' AND CHILDREN FEEL COMFORTABLE FOR THE FOLLOWING PRICES:

WE HAVE STRAW HATS FROM THE 5-CENT KNOCK-ABOUT STRAW TO THE COOL, AIRY AND STYLISH PANAMA AT \$7.00

RESPECTFULLY,  
**The Corner Store**  
DAVENPORT & CO.

**Farm Implements**

We sell farming implements as well as other merchandise at reasonable prices. Call and try us.

CROOKSTON, NEBRASKA. **MAX E. VIERTTEL.**  
DEALER IN EVERYTHING.

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**Good Clothing, Shoes and Oxfords, Gent's Furnishings**

AT RIGHT PRICES

**THE FAIR,**

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**CITIZENS MEAT MARKET**  
Stetter & Tobien, Proprs.

DEALERS IN All Kinds of Fresh and Salt Meats. . . .



Will buy your Cattle, Hogs, Poultry, Horses, Mules and anything you have to sell.