

FREE TEXT BOOKS IN OMAHA

Superintendent Fowler Says No Law Re-quire City to Furnish Them.

MUST MAINTAIN SCHOOLS NINE MONTHS

Nebraska Commission for St. Louis Exposition Seeks to Raise Funds -P. H. Philbin's Judgment Affirmed.

(From a Staff Correspondent.) LINCOLN, Jan. 9.—(Special.)—In an opinion given today State Superintendent Fowler declares that there is no law which requires the school district of the city of Omaha to furnish free text books to pupils in the public schools. This ruling was made in response to an inquiry as to whether or not the Board of Education of that city could legally discontinue the practice of giving free text books in the high school.

Replying to the inquiry, it is his opinion that the school district of the city of Omaha is exempt from the provisions of subdivision 18, school laws of Nebraska, as revised and amended in 1901, relative to text books and supplies. Section 1 of said subdivision reads as follows:

"District school boards and boards of trustees of high school districts and boards of education in cities of the first and second class are hereby empowered and it is made their duty to purchase all text books necessary for the schools of such district."

The school district of Omaha is organized under subdivision 17, schools in metropolitan cities, and is, therefore, clearly and purposely exempt from the provisions of subdivision 18. Moreover, subdivision 18 was enacted into law by the legislature of 1901, when Omaha was and for many years had been furnishing free text books to the pupils in its public schools.

Replying to an inquiry as to the length of term required for the school apportionment of the state, Mr. Fowler says: "It is my opinion that the school district of the city of Omaha must maintain at least nine months of school to share in the state apportionment of school money. The law says that in the absence of any agreement between the director and teacher to the contrary twenty days shall constitute a school month. It is not necessary that the twenty days be taught, but holidays must not be declared by the board of education and the teacher's pay must go on for twenty days, in order that a legally constituted school month may be reported."

Funds for Nebraska Display.

The Nebraska commission for the Louisiana Purchase exposition will meet in this city tomorrow to formulate plans for its work and to determine upon some method for raising the funds necessary. The commissioners are: J. Sterling Morton of Nebraska City, E. E. Bruce and G. W. Wattles of Omaha, C. H. Rudge of Lincoln and H. S. White of North Platte, and it is believed that all will attend the meeting here tomorrow, as it will be the first and therefore one of the most important to be held. The five members were together with the governor in St. Louis on December 20 last, but so far as known no definite plans were made at that time.

State Historical Society.

Early railroad history of Nebraska will be the chief topic of discussion at the forthcoming meeting of the State Historical society, which will be held in the chapel of the University of Nebraska, on the evenings of January 14 and 15. The program follows:

Tuesday evening, January 14.—President's annual address, Sterling Morton, "The Great Railroad Migration into North Nebraska," R. Buchanan, general passenger agent Elkhorn railroad, "The Work of the Union Pacific Railroad," E. L. Lomax, general passenger agent Union Pacific railway, "Early Railroad Reminiscences," a round table of discussion conducted by President Morton.

Wednesday, January 15, 8 P. M.—"Nebraska Archaeology," E. E. Blackman, "Recollections of the Nebraska Board of Transportation," Gilbert L. Laws, former member state board of Transportation, "Nebraska Politics and Nebraska Railroads," J. H. Ager, Burlington & Missouri River railway, "Nebraska County Boundaries," E. L. Sayre, Union Pacific law department.

The Nebraska State Horticultural society will meet in morning and afternoon sessions January 14, 15 and 16 in Nebraska hall on the university campus.

In compliance with action taken a year ago, a supper and social meeting for the members of the societies and of the State Historical society will be given at the Lincoln hotel at 6 o'clock Wednesday evening, January 15.

Philbin's Judgment Affirmed.

The supreme court has affirmed the judgment given P. H. Philbin of Omaha for \$300 damages against the proprietors of the Paxton hotel for blocking the entrance to his place of business. Mr. Philbin is a ticket broker and had rented a room in the kitchen from the hotel proprietors, the apartment communicating with the hotel rounda by means of a rear door. By dodging about a couple of pillars one could enter the ticket office from the hotel. Suddenly, alleged Philbin, the method of ingress was shut off by a partition erected by the hotel people.

When a bill of \$500 for rent was presented to Philbin he refused to pay it and when it was brought he appeared with a counter claim for \$300. The partition, he declared, had injured his business fully one-third, besides making it necessary to hire a "barker" to "spiel" outside on the streets. He wanted \$300 in excess of the rent bill.

The company endorsed to show that there was no accurate way of telling the average business the ticket broker transacted, even if the damages were due him. But Philbin had an abundance of data on this point, which the court approved. The broker was the method of ingress was asked and the company the damages he asked and the court the decision of the supreme court is on the side of Philbin.

Nebraska Schoolmasters' Club.

A call has been issued for the sixteenth meeting of the Nebraska Schoolmasters' club in this city Friday, January 17. Business meeting will be at 6:30 and supper will be served to all members from 7 to 8 o'clock. The subject for discussion at the meeting is "The College and the High School." A paper on this topic will be read of Prof. J. T. Lees of the University of Nebraska and the points advanced will be discussed by Principal A. H. Waterhouse of Omaha.

Inspector of Oils.

The report of E. R. Sizer, state inspector of oils, for the month of December, shows the receipts of the office to have amounted to \$1,914.20, and the expenses to \$212, leaving a balance of \$1,702.00, which was turned into the treasury. The balance for the corresponding period a year ago was \$335.

Magistrate's Bank.

Secretary Royce of the State Banking Board today issued a charter to the Magnet State bank of Magnet, Cedar county. It is capitalized for \$100,000 and its incorporators are: F. E. Strahan, John T. Bressler, H. F. Wilson, H. S. Ringland and Robert E. K. Miller.

Motor Vehicle Company.

The Gedrich Motor Vehicle company of Omaha has incorporated under the laws of the state for the manufacture and sale of motors and vehicles of various kinds. It

is capitalized for \$200,000 and the principal incorporators are: O. A. Goodrich, M. T. Muninger, John N. Westberry, R. A. Talbot and James Barrett.

Omaha Country Club.

An amendment to the articles of the Omaha Country club were filed today, providing for an annual meeting on the first Tuesday in each December and for the election of three directors at each annual meeting. The directors so chosen shall serve for three years.

Judge Barnes Takes Oath.

The appointment of J. B. Barnes of Norfolk as a member of the supreme court commission, vice Judge Sedgwick, resigned, was officially announced this morning. Judge Barnes took the oath of office this morning.

Nebraska Territorial Pioneers.

The Territorial Pioneers' association will meet in the university chapel, Lincoln, Wednesday, January 15, in place of Tuesday, January 14, as before announced, at 2 o'clock.

County Officers Take Seats.

Newly-elected county officials and employees took their seats today. The only new officers are Commissioner Tilton, Treasurer Knight and Register Moore.

FAMOUS MILES WILL CASE

Taking of Testimony is Concluded and Thirty Days' Extension is Taken.

(From a Staff Correspondent.) LINCOLN, Jan. 9.—(Special Telegram.)—The taking of testimony in the Miles will case was completed before Judge J. J. Thompson tonight and thirty days' time was granted each side to obtain depositions of absent witnesses. The hearing has taken the entire time of Judge Thompson since Monday morning, and tonight an evening session of the court was held in the Lindell hotel.

The decision given by the court some time ago in favor of Joseph Miles and against Samuel Miles, who seeks a rehearing on the grounds of newly discovered evidence. To substantiate this claim is offered the evidence of Paul Gadsden, formerly of St. Louis, now of Mexico, who says he wrote the will, which was in favor of Samuel Miles. Final testimony and argument will be before Judge Thompson in Grand Island.

AIRSHIP COMPANY ORGANIZED

South Dakotans Propose to Manufacture Machines for Aerial Navigation.

PIERRE, S. D., Jan. 9.—(Special.)—These articles of incorporation have been filed:

Northwestern Aerial Navigation company, at Elkhorn; capital, \$2,000,000; incorporators, Henry Heinz, M. F. Heinz, Rev. George Sheehan and a number of other persons of Elkhorn. The purpose of this company is to utilize the patents of Henry Heinz of Elkhorn, who claims to have perfected a machine with which he can successfully navigate the air.

Hamilton Hotel company, Pierre; capital, \$1,000,000; incorporators, Montgomery S. Graham, Charles N. Lomis and I. W. Goodner.

Policy Holders' union, Huron; capital, \$250,000; incorporators, W. B. Walker, James T. Marchant and Phillip Lawrence.

D. E. Lester company, Huron; capital, \$500,000; incorporators, D. F. Lester, A. L. Ringo, and Phillip Lawrence.

Western Fuel and Gas company, capital, \$300,000; incorporators, George H. Burns, A. L. Ringo and Phillip Lawrence.

Citizens Telephone company, Sioux Falls; capital, \$200,000; incorporators, E. W. Coughran, W. T. Doolittle, H. H. Natwick, G. W. Burnside and R. C. Johnson.

Tiger Mining and Milling company, Deadwood; capital, \$1,000,000; incorporators, Charles Waite, Chambers Keller and O. C. Jewett.

General Exposition company, Pierre; capital, \$50,000; incorporators, Allen S. Williams, Harry D. Benedict and L. L. Stephens.

Acme Lead and Zinc company, Pierre, capital, \$1,000,000; incorporators, I. T. Hunter, E. J. Minick and Oscar Nelson.

Big Creek Mining company of Idaho, at Sioux Falls; capital, \$1,000,000; incorporators, William H. Lyon, Sioux K. Grigsby and P. R. Kelsey.

NEW TOWN GROWS RAPIDLY

Transition from Mining Camp Into Prosperous Community in Short Time.

DEADWOOD, S. D., Jan. 9.—(Special.)—Roubal is the corporate name of the location on the Burlington formerly called Perry. It is rapidly graduating from a small mining camp to a prosperous town. Over fifty new houses have been erected during the last year, many of them being substantially built for permanent homes.

The town is situated in the valley of Elk creek, which at that point is nearly half a mile wide, and is supported chiefly by the Clover Leaf Mining company, which is operating the old Uncle Sam mine, purchased last year by the company. It has lately completed a new steel hoisting plant and is at present running twenty stamps of the mill, which is soon to be enlarged.

Three shifts of sixty men each are employed by the company. The freight business of the town amounts to over \$3,000 a month and the express receipts are still larger. Bonds are being issued to build a new school house, and an electric lighting plant is contemplated. Several new business houses have been established during the last few months. The railroad was formerly the Black Hills & Fort Pierre, owned by the Homestake Mining company of Lead and sold to the Burlington last summer.

ELOPERS WAIVE EXAMINATION

Man Who Deserted Wife and Woman Who Left Her Husband Committed to Jail.

SIoux FALLS, S. D., Jan. 9.—(Special.)—Philip Knodel and his wife, an eloping couple from Hutchinson county, who were recently arrested at Sutton, Neb., and brought back to South Dakota, at their preliminary hearing waived examination and were held for appearance at the next term of circuit court in Hutchinson county. Their bonds were fixed at \$1,500 each, but they were unable to furnish them and have been lodged in jail. Knodel deserted a wife and four children, while the woman with whom he eloped deserted her husband.

Fair Association Elects Officers.

YANKTON, S. D., Jan. 9.—(Special.)—The Yankton State Fair board has elected these officers for 1920: George W. Roberts, Mike Wagner, W. C. Luak, William M. Powers, Fred Schreiber, Fred Donaldson, E. Madole, H. E. Brubaker, W. E. Dean, W. Bader and F. Fanslow. A large number of stockholders attended than at any previous meeting and enthusiasm for the year of 1920 was expressed. These officers of the board were elected President, George W. Roberts; vice president, Fred Schreiber; secretary, W. B. Dean, and treasurer, Fred Donaldson. Plans are now being prepared for a fair carnival, to be held the last week in January to raise money to pay the indebtedness of the local association.

Electric Cars for Black Hills.

DEADWOOD, S. D., Jan. 9.—(Special.)—The city council of Deadwood has been asked to grant a franchise for an electric car line, to be built by Milton C. Coners and associates, connecting Deadwood, Central City and Spearfish. Spearfish and Chicago capitalists propose to build the line.

Charters New Railroad.

JEFFERSON CITY, Jan. 9.—The secretary of state today issued a charter to the St.

LOUIS, HILLSBORO & SOUTHERN RAILROAD OF ST. LOUIS, with a capital stock of \$1,000,000.

The road, the incorporators of which are all St. Louis men except Otto Rosenbort and Edward Weiss of New York, will extend from St. Louis to Hillsboro, in Jefferson county, a distance of forty miles.

PLEAD GUILTY TO THE CHARGE

Two Men Acknowledge that They Set Fire to a Barn.

PLATTSMOUTH, Neb., Jan. 9.—(Special.)—Ernest Mator and Walter Steck were arrested today on the charge of arson and robbery and taken before Justice Archer, where they pleaded guilty to the charge and were bound over to the district court. The fire took many shingles from outside of Kuntzman & Range. The flames consumed the building, three good horses, one cow, three wagons, two sets of harness and a large quantity of hay.

PET STOCK SHOW AT FREMONT.

FREMONT, Neb., Jan. 9.—(Special.)—The Dodge County Pet Stock association is holding its annual exhibit at the Women's Christian Temperance Union temple this week. About 400 chickens of all the leading varieties, besides geese and ducks and Belgian hares, are on exhibition. There are a good many exhibitors from outside of the county. The barred Plymouth Rocks, Brahmas, Buff Plymouth Rocks and Black Langshans are especially well represented. The attendance is good and much interest is taken in the poultry, though scarcely any in the Belgian hares.

FARMER'S NARROW ESCAPE.

OSCEOLA, Neb., Jan. 9.—(Special.)—Ole Christenson had a narrow escape on Monday. He had just prepared to return from Clark's when a dog barked and frightened his horse. The team dashed across the railroad tracks right in front of the fast train. The hind end of the wagon was struck by the engine and Christenson was thrown twenty feet. Dr. Shaw was summoned and reports that Christenson's injuries will not prove fatal and that he will be moved to his home as soon as he recovers sufficiently.

MILITIA ELECTS OFFICERS.

LONG PINE, Neb., Jan. 9.—(Special Telegram.)—An election of officers for the company of militia recruited by Dr. H. P. McKnight these officers were elected: H. P. McKnight, captain; Clayton Potter, first lieutenant; W. B. Dickson, second lieutenant; C. O. Wright, first sergeant.

QUARANTINE AT PENDER.

Three families have been quarantined for scarlet fever in the last week. The cases have all been light and every precaution has been taken to prevent the spread of the disease. The epidemic of smallpox at Winnebago is gradually growing lighter.

CHORUS TO SING "THE MESSIAH."

SUPERIOR, Neb., Jan. 9.—(Special.)—Handel's oratorio, "The Messiah," will be sung here by a chorus of fifty voices in March. The chorus is under the direction of Mrs. W. L. Wilson and has been training nearly two months.

IDENTIFY LOGAN AS ROBBER

Great Northern Express Officials Visit Knoxville to See the Prisoner.

KNOXVILLE, Tenn., Jan. 9.—General Manager D. S. Elliott and Messenger C. E. Big Creek of the Great Northern Express company, and Fireman O'Neil, who was on the train which was robbed by bandits at Wagner, Mont., July 3 last, have positively identified the man under arrest here as Harvey Logan, as one of the men who robbed the express car of the new bank bills and other valuables.

The same train which brought these three men had as passengers a man and woman who came on Great Northern tickets and who are believed to be friends of Harvey's gang. After the identification Messrs. Elliott, Smith and O'Neil departed for St. Paul.

COLDER WEATHER IN PROSPECT

Fair Skies for Friday and Saturday in Nebraska, but Drop in Temperature.

WASHINGTON, Jan. 9.—Forecast: Nebraska, cloudy, with a chance for snow.—Fair Friday, colder in north and western portions; Saturday fair, colder in southeast portions; variable winds, becoming northerly.

For Iowa—Fair Friday and Saturday; northerly winds.

For Montana—Fair Friday and Saturday; westerly winds, becoming variable.

For Oklahoma and Indian Territory—Fair Friday; Saturday fair, probably cold; southerly winds, shifting to northerly.

For Arkansas—Fair Friday; Saturday fair, probably colder; southerly winds, becoming variable.

For Missouri—Fair Friday, colder in northwest portion; Saturday colder; winds shifting to northerly.

For North Dakota—Fair Friday and Saturday; northerly winds.

For Colorado—Fair Friday, colder in southeast portion; Saturday fair; variable winds.

For Wyoming—Fair Friday and Saturday; winds shifting northerly.

For Illinois—Fair Friday; Saturday, fair and colder in south and central portions; light westerly to northerly winds.

OFFICE OF THE WEATHER BUREAU.

OMAHA, Jan. 9.—Official record of temperature and precipitation compared with the corresponding day of the last three years.

Table with 4 columns: Year, Maximum temperature, Minimum temperature, Precipitation. Rows for 1917, 1918, 1919, 1920.

CONDITION OF THE WEATHER.

Table with 4 columns: Location, Temperature at 4 P. M., Maximum temperature, Minimum temperature. Rows for Omaha, Valer, North Platte, etc.

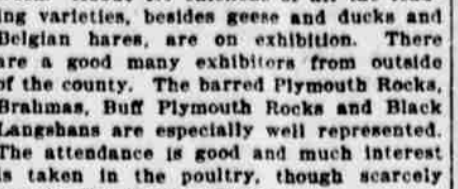
SMOKE DAMAGED SHOES ON SALE IN BASEMENT

Every pair of smoke damaged shoes has been taken from the main floor and placed in the basement for immediate clearance. We have made a price on the whole lot that will sell them quick. This is beyond question the most sensational shoe values ever offered. You have our assurance that not a single pair was sold for less than \$3.00—most of them were \$4.00. It's your opportunity—better come early tomorrow, (Friday.)

Exceptional lots of good shoes gathered, arranged and assorted to make sizes all complete. Most all widths.

Women's very dark tan shoes, in lace, fancy trimmed, scroll work and inserted vestings, (broken sizes), \$1.00 a pair. Women's dongola kid shoes, very soft, desirable, all sizes. Misses' vic kid, box calf, chrome kid and patent leather shoes, light and extension soles, all sizes, \$1.00 a pair. Child's box calf, vic kid dress and every day shoes, thick and thin soles, all sizes, \$1.00 a pair. Men's enamel, patent leather, cordovan and calf shoes, congress and lace, somewhat broken in sizes, \$1.00 a pair. These are the best shoes ever placed on a bargain counter.

Little Boys' solid knobabout school shoes, sizes 9 to 13, 79c a pair. Women's carpet slippers, an odd lot, at 19c a pair.



BRANDEIS STORE BOSTON & SONS

WARRANT FOR HARVEY CURRY

Special Detective and United States Marshal Go After Outlaw.

LOCATED IN TENNESSEE MOUNTAINS

Only Member at Large of the Gang That Held Up and Robbed Union Pacific Express Train at Wilcox.

CHEYENNE, Wyo., Jan. 9.—(Special Telegram.)—United States Marshal Hadsell of Wyoming and W. T. Canada, chief of the Union Pacific secret service, secured a warrant at Casper today for the arrest of Harvey Curry, one of the members of the Curry gang of outlaws that held up and robbed a Union Pacific express train at Wilcox, Wyo., on June 2, 1899, and who three days later killed Sheriff Hazen of Converse county during a battle on Tea Pot creek, forty miles north of Casper.

Curry is the only one of the five men that robbed the train and murdered the pursuing officers now at large. He has been located in the mountains of Tennessee and the officers are reasonably certain that they will capture him. Harvey Curry is said to be the man that fired the shot that killed Hazen.

Of the other members of the robber gang two are dead and two are in the clutches of the law. George Curry, the leader, was killed by officers near Thompsons, Utah, two years ago; Lonny Curry, alias Louie Logan, was killed near Kansas City while resisting arrest a few months following the death of George Curry; "Bob" Lee, alias Curry, was arrested at Cripple Creek early in 1900, and was sentenced to the Wyoming penitentiary for twenty years, and Harry Lowbaugh was arrested at St. Louis two months ago.

Roads aggregating \$2,000 are still standing for the arrest and conviction of the sole survivor of the notorious outlaw gang.

RAILROAD FOR BIG HORN BASIN

Line from Cody to Coal Fields Near Meeteetee to Be Built in Spring.

CODY, Wyo., Jan. 9.—(Special.)—It is reported from Garland, a station north of Cody on the Cody-Tonica line, that grading outfits have stored their machinery there with the understanding that the road will be extended on to the coal field near Meeteetee, owned by Senator Clark of Montana. The line has been surveyed and it is understood that work will be commenced on the grade early in the spring. The distance from Cody to the coal fields is about thirty-five miles.

It is also reported that Colonel Cody and his associates have a grant of 200,000 acres of land in the Big Horn basin which they will lose another year unless they get the water on it. It will cost upward of \$1,000,000 to water the tract, but when the canals are constructed the land will be worth \$10 per acre. Without railroads it is difficult to get farmers to settle in the basin country, and Cody and his associates are working to have a number of branches of the Burlington, built, including the line to the coal fields, to tap the large agricultural section.

It is said that the coming year will witness great activity in the Big Horn basin country. The Burlington railroad, which owns thousands of acres of valuable coal lands there, is interested in the development of the country and will construct numerous branches that will open up sections now remote from railroad communication.

The success attained by the several colonies of Mormons from Utah has been thoroughly advertised and the coming spring promises to witness a big influx of farmers from the middle west, as well as several more colonies of Mormons from Utah.

MINE CONTINUES TO CAVE IN

Surface Gives Way and Work of Recovering Buried Bodies Becomes Dangerous.

NEGUNEE, Mich., Jan. 9.—The surface of the Negunee is still caving in, going direct to the drift where the bodies of the men were covered. The blacksmith shop west of the opening went down late last night and from present indications the dry house west of the opening will go down. It is now problematical when the bodies of the buried miners will be recovered, as with water pouring in and the surface giving way, the work cannot be carried on with any degree of safety.

COLLIDES WITH FREIGHT TRAIN

Vicksburg Express on the Mississippi Valley Wrecked Near New Orleans.

NEW ORLEANS, Jan. 9.—The Vicksburg express on the Mississippi Valley, which left here at 7:10 this morning, collided with a freight train twelve miles from New Orleans. Henry Foster, a negro fireman on the freight, was killed; Engineer Campbell had his jaw and leg broken; Engineer Baldwin and Fireman George Watson of the passenger train and three negro brakemen were injured. None of the passengers were hurt.

Advertisement for Brandeis Store Boston & Sons, featuring shoes on sale in the basement. Includes text about smoke-damaged shoes and a list of shoe types and prices.

Advertisement for Prickly Ash Bitters, claiming to cure kidney disease. Includes text about kidney health and a price of \$1.00.

Advertisement for The Fast Trains to Denver, run via the Union Pacific. Includes schedule information: Leave Omaha daily at 4:25 P.M. and 11:30 P.M.

Advertisement for Brownell Hall, reopening January 6. Includes text about second term beginning February 3 and contact information for Miss Macrae.

Advertisement for Doctoring Free, featuring a staff of eminent physicians and surgeons from the British Medical Institute. Includes text about medical services and contact information.

Advertisement for Dr. McGrew (Age 53) Specialist, treating diseases and disorders of men. Includes text about 20 years' experience and contact information for R. C. Peters & Co.