

CANNOT RESUME BUSINESS

Insurance Department Denies Petition of American Accident Association.

ALLOW BILL FOR NIEGINFIND EXECUTION

State Declines to Advance Money to City of Lincoln to Pay for Paving of Street Intersections.

(From a Staff Correspondent.)

LINCOLN, June 4.—(Special).—President of the American Accident Association, formerly the Woodman Accident Association, accompanied by Attorney Aleck, was here this morning to discuss with Auditor Weston and Insurance Deputy Pierce the suit now pending against the company in Douglas county. The men wanted to know if they could not resume business by a reorganization of the company by the infusion of new blood and one thing and another. They were told to get into court and there tell their troubles.

Mr. Pierce said the company had been doing business without a license from the state, and that its organization and its methods were both wrong. He said the total bill allowed was for the infusion of new blood and one thing and another. They were told to get into court and there tell their troubles.

Pay Bill for Execution.

The bill for the execution of Gottlieb Nieginfund has finally been allowed by the Board of Public Lands and Buildings. The total bill allowed was for the infusion of new blood and one thing and another. They were told to get into court and there tell their troubles.

Request is Turned Down.

The mayor and the city council of Lincoln, armed with such assurance and lots of nerve, called upon the Board of Public Lands and Buildings this afternoon with a request and were turned down. The request was that the state advance to the city sufficient money to pay for paving the street intersections around the capitol. The city, however, had not had any available cash, but would have next fall, when it sold its pumpkins and it would then repay the state. The legislature appropriated money to pay for the paving to be done by the state, but the board did not feel justified in helping out the city.

Duplicate Inspection Reports.

State Oil Inspector Church has just mailed to his deputies a report book covering a period of about eight months. The deputy will fill out two of the reports each month, keep one himself and send one to the main office. In this way Mr. Church expects to simplify the bookkeeping and at the same time duplicate reports will be a protection to the chief as well as to the deputies if anything ever comes up that makes it necessary to show records.

Adjutant General Quiver tonight will go to York, tomorrow to Aurora and Saturday to West Point to inspect the companies of the national guard stationed at those towns. The companies he has inspected he reports as coming up to his highest expectations and he is gratified at the showing made.

Names Deputy Game Warden.

Governor Mickey this afternoon appointed H. S. McConnell of Albia, Boone county, as assistant deputy game warden. Recently the governor appointed George Carter chief deputy and E. Hunger of Lincoln assistant deputy. Mr. Hunger, over his protest, yesterday afternoon was nominated by the republican convention as a candidate for reelection. Chief interest now in the game commission is whether Commissioner O'Brien will succeed himself. One of the other applicants for the place is Rudolph Seerkin of Omaha. Mr. O'Brien has strong recommendations for the place, but the governor said this afternoon that he would not set until he had visited the hatcheries in person and investigated. Along the same lines it might be interesting to sportmen to know that they are privileged to shoot at five targets until July 1. The anti-goose shooting bill which passed the legislature was introduced with the emergency clause attached, but the latter was stricken off before the bill became a law.

Another law that was supposed to have

been operative for some time is not yet in force; at least there is a question about it. This is H. R. 34, a school bill, which changes the membership in district school boards. The emergency clause, while attached, is not worked according to Hoyt. "Whereas, an emergency exists," is omitted.

Certificates for Doctors.

The State Board of Health met today and spent the time making out certificates to new doctors. In all ninety-seven were issued and just that many more young men have the right to roll pills.

New Bank at DeWitt.

DeWitt is to have another bank to start next Monday. The name of the new institution is the Home State bank, and its incorporators are Albert Thomas, D. M. Pits, L. J. Cross, Charles B. Anderson, H. A. Meister, C. W. Hubble and T. H. Miller. The officers are: Albert Thomas, president; C. B. Anderson, vice president, and H. A. Meister cashier. The capital stock is \$10,000.

Suicide Clause Invalid.

The Knights of the Maccabees of the World are met by the supreme court in their appeal against a judgment of the Hall county district court, holding that they should pay the policy held by Louise Nitsch upon the life of her husband, August C. Nitsch. The latter committed suicide in 1912, and the company refused to pay on the ground that there was a by-law of the company to the effect that suicides, while sane or insane, vitiated the policy. When Nitsch joined in 1892 there was no such provision in the policy. Several amendments had been made, but these all provided for a period less than the time Nitsch had been a member. Finally the prohibitive one was adopted. It appeared from the evidence, however, that no copy of this bylaw had been filed with the state auditor, and this omission loses the case to the order.

Sunday Ball a Misdemeanor.

The playing of base ball on Sunday in the state of Nebraska is a misdemeanor punishable by fine and imprisonment. The supreme court in a case brought before it from Nebraska City, where Sunday ball playing became offensive to the law and order league and arrests of players followed.

In the case of the State against O'Rourke,

decided twelve years ago, the same holding was made by the court, but in this case it was hoped to secure a reopening of a and a reversal of this opinion. Nowhere in the statutes is the playing of base ball on Sunday specifically inhibited, but the court holds that the prohibition of sporting included base ball.

Attorney Mahan for the Fitzgerald

estate effects a saving of \$5,000 for his client by the court's decision in the suit of Mallory against Fitzgerald. This is a suit wherein S. H. Mallory, the Iowa railroad contractor, sought recovery upon the late John Fitzgerald in a settlement between him and Mallory as associate contractors. The notes on their face were due in five years, but Mallory claimed that they were not to be presented for payment until the expiration of a term of years, which was secured by him against the Missouri Pacific Railway company for nearly \$200,000. The effect of such an agreement would be to defeat the statute of limitations. The amount due on the notes to date would be about \$50,000.

The court found in favor of the defendant

holding that where a note is negotiable in form and by its terms payable on demand, evidence of a contemporaneous oral agreement destroying its negotiability, and making the time of payment contingent on the happening of an uncertain event is inadmissible. Where evidence of such agreement is received over the objection of the party against whom it is offered, the court may disregard it in determining whether a verdict should be directed against the party offering it.

Western Union Wins.

An ordinance enacted by the city council of the town of Wakarusa whereby it was sought to levy an occupation tax upon the Western Union Telegraph company is knocked gallely west by the court. The company related payment on the ground that the ordinance was void because it sought to impose a tax on interstate commerce and on a post road of the United States, the company's wires being used to transmit government messages from one government station to another. In the lower court the finding was in favor of the town, but the supreme court says that the ordinance is void because it seeks to include any interstate business of the government of the United States transacted by such company.

County is Not Responsible.

The county of Dodge is relieved from responsibility for the board of smallpox patients kept under quarantine in their lodging house. The point is one of considerable interest.

Hermes Diers was running a boarding

house whereat lodged a gang of railroad construction men. Smallpox broke out among them, and the whole lot was quarantined. They refused to pay board, and as Diers could not fire them out without violating the quarantine law he kept them and sued the county to recover for their keep. The supreme court holds that a county is not liable for necessities furnished to persons who are not paupers while quar-

antined in their residences for the time

being. It must be shown that they are paupers or that those primarily liable for their meals are unable to respond. The mere fact that they are quarantined for the safety of the public does not relieve those who are able to supply themselves with food from the duty of doing so. It was claimed that they were virtually prisoners and as such were entitled to their keep, but the court says this is not primarily true. Under the old common law a prisoner, if able to do so, must supply himself, and the doing this for an imposition of the statute only when the statute is applicable only to the cases that come within its purview. This is not one of them.

Strikes Oil in Well.

YORK, Neb., June 4.—(Special).—For some time it has been generally known that coal oil underlaid York county and yesterday well diggers at a depth of 100 feet on the farm of Mr. Brandhoefer, near Waco, struck oil in such quantities that it was impossible to use the water from the well. The well filled up to a depth of forty-five feet and the oil and petroleum is very strong. Mr. Brandhoefer is very well hoping that he will not strike oil. Along the three streams of water traversing York county are places where coal oil oozes out of the banks and covers the surface of the water for a number of yards. Many believe that the oil could be found in quantities in York county and hope that some expert may come here and investigate.

Small Cut Proves Serious.

OSCEOLA, Neb., June 4.—(Special).—The Union Pacific conductor, Edward Hamilton, who formerly ran on the line from Lincoln to Stromsburg, and who was changed to the Beatrice end of the line, is still confined to his room at the Park hotel, Stromsburg. Mr. Hamilton was knocked out a number of times since he has been on the road, but never regained his health. It is now supposed that the young woman was also a student at the university. The initials "F. E. M." were found on them when by Miller's companion.

The young woman who was drowned with

Jesse Miller was identified last afternoon as Miss Frances E. Moore of Davenport, Ia. Miss Moore was in her first year at the university and was taking the literature course. She was also said to have been a member of the Y. W. C. A. school down town. Her body was identified by Miss Helen Baldwin, her room mate.

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Transportation and Labor Question.

The question of transportation is one of the most serious problems now before the American people. The utilization of our inland waterways, and the improvement of our railroads, are of the highest importance to the people. We favor the continued improvement by the general government of the Ohio river and the navigation thereon. We favor the improvement of our inland waterways and the improvement of our railroads. We favor the continued improvement by the general government of the Ohio river and the navigation thereon.

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young woman, as yet unidentified, but believed to have been a student at the University of Chicago, were drowned in the lagoon at Jackson park today. The bodies were found floating in the water. The dead man was the following: "If any thing happens to me notify Mr. Miller or Sophia Case, 1638 M street, Lincoln, Neb." Later information developed the fact that Miller was a student in the school of medicine at the University of Chicago.

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been the result of an accident. Early in the morning the two secured a row boat and started out on a tour of exploration with the world's fair caravels which are anchored in the lake. Later the bodies of the two were found floating in the water. Many believe that the oil could be found in quantities in York county and hope that some expert may come here and investigate.

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Rains Damaging Crops.

YORK, Neb., June 4.—(Special).—Owing to excessive rainfall which prevented a few of York county farmers putting in all of their corn and places in corn fields washed out, York county farmers are buying and ordering new seed corn of the earliest maturing kind. Winter wheat in low places is heading out and where water has stood will be damaged while wheat on higher places promises to be good. The yield will depend on sunshine and dry weather.

Louis C. Parker Wins Again.

BEATRICE, Neb., June 4.—(Special).—The Parker will case, which was recently affirmed in the supreme court and later tried in the district court, is now a technicality in serving the papers on the attorney, Judge Kretzinger, was disposed of by Judge Letton yesterday. The court for the second time decided the case in favor of the defendant, Louis C. Parker. It is reported that he will not sue the plaintiff, Frank H. Parker, propose to take the case to the supreme court again.

Give Superintendent a Reception.

BEATRICE, Neb., June 4.—(Special).—In view of the fact that Superintendent W. L. Stephens is soon to leave the city for Lincoln, where he was recently elected mayor, the teachers of Beatrice tendered him a reception at the home of Miss Anna Day last night. Before the pleasant affair was brought to a close Mr. Stephens was presented with a diamond stud as a token of the esteem in which he is held by the teachers of the city.

Soft Roadbed Causes Wreck.

BEATRICE, Neb., June 4.—(Special Telegram).—Burlington passenger Train No. 30, was wrecked a mile north of Lanham, Neb., this afternoon, the engine and one coach leaving the rails. A wrecking train was sent out from Wymore to clear the track and the train pulled in here four hours late. No one was injured. The wreck was due to a soft roadbed.

York Talks of Paving.

YORK, Neb., June 4.—(Special).—Mayor Post has issued a proclamation calling a meeting Friday night at the city hall requesting all property owners in Lincoln for the purpose of considering paving for nearly a year the streets have been in such a deplorable condition that the business men now insist on something being done.

Beatrice Company is Complimented.

BEATRICE, Neb., June 4.—(Special).—Captain Krebs of the Twenty-second Infantry, stationed at Fort Crook, arrived in the city yesterday and inspected the company C, First regiment, Nebraska National Guard. After the inspection the captain pronounced the company among the best in the state.

Indication of Prosperity.

BEATRICE, Neb., June 4.—(Special).—A special train consisting of twelve cars of cattle and hogs left the city this morning for the St. Joseph market. The stock belonged to Messrs. Stoll, Pirow and Neuhauer of this city.

Injured by Team of Bronchos.

BEATRICE, Neb., June 4.—(Special).—Dr. Bentz was seriously injured at his farm in Plymouth, Jefferson county, yesterday by being kicked out and trampled by a team of bronchos while he was engaged in feeding them. He will recover.

Roads in Bad Shape.

GIBBON, Neb., June 4.—(Special).—The sun is trying to shine this morning, but makes a poor showing. The roads are in horrible shape.

WORKERS FOR SUNDAY SCHOOL

Elect Officers and Propose to Hold Wyoming Convention at Douglas.

CHEYENNE, Wyo., June 4.—(Special).—The Wyoming Sunday School association voted to hold its next annual meeting at Douglas. Resolutions were passed thanking the retiring president, H. B. Henderson, for his good work during the year just closed; also thanking the representatives of the International Sunday School association for their attendance and assistance. The resolutions also protest against the saloon, gambling house and allied evils. The officers elected follow:

President, Prof. Aven Nelson, Laramie; vice president, Rev. E. E. Tingley, Cheyenne; secretary, Mrs. P. F. Powell, Cheyenne; treasurer, W. L. Whipple, Cheyenne; superintendent primary work, Thomas J. H. Collier, Cheyenne; superintendent normal work, Rev. W. Brown, Laramie; superintendent home department, Miss Florence C. Shepherd, Douglas; Executive committee, Mrs. J. W. Lacey, J. Q. Matthews, Cheyenne; Rev. J. L. Craig, Casper; Rev. E. E. Giffen, Rawlins; Rev. H. A. Lyman, Rock Springs; Prof. C. C. Norwood, Evanston.

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