

COUNTY CLERKS WORRIED

Writing State Board to Hurry Up Certifying Terminal Values.

NO OCCASION TO BE EXERCISED

Nebraska State Bar Association Endorses Judicial Amendment and Issues a Circular to the Voters of the State.

(From a Staff Correspondent.)

LINCOLN, Aug. 15.—(Special.)—Some of the county clerks and county boards are needlessly exercised over the delay of the State Board of Equalization in certifying out the value of railroad terminals. Some of these officials are of the opinion they have to have this valuation before making their county and school levies. Such, however, is not the case. The value of railroad property under the provisions of the terminal tax law affects only levies for municipal purposes. The property upon which county and school levies have to be made has already been certified out to the county clerks, and every county board is now in a position to make its levy.

Among those who telephoned Secretary Schavland yesterday for the value of railroad property under the terminal tax law were the county clerks of Lancaster, Platte and Butler counties. Each was informed that his board had nothing to do with the property assessed under the terminal tax law.

Bar Endorses Amendment.
The Nebraska Bar association, through a special committee, has issued a pamphlet in which it endorses the constitutional amendment relating to the increase in the number of supreme judges. For this amendment to be a part of any party platform and thus receive a vote when a straight party vote is cast it must receive a majority of the votes at the coming state primary. The committee which drew up the endorsement of the amendment consisted of C. C. Flansburg, president of the bar association; J. J. Sullivan, former democratic chief justice; W. H. Herdman, former democratic clerk of the supreme court; E. R. Quackenbush, fusion member of the legislature; Senator E. L. King, republican, and F. M. Hall, republican. The committee represents the three parties in the state.

The circular says the supreme court is now composed of three judges and six commissioners. These commissioners are appointed to assist the judges, and the plan is merely a makeshift, because the constitution provides for only three supreme judges. Under the law, the circular says, the commissioners can act only in an advisory capacity. Their opinions can only be recommended. The court alone can pronounce a judgment and is alone responsible. This makes it necessary for all of the work of the commissioners to be reviewed by each judge. None of the judges has previously read the record, heard the arguments, read the briefs or bill of exceptions. Should the correctness of an opinion be doubted by the court, it must be referred back to the commission and all gone over again. If an agreement cannot be reached, the case must be reargued.

Suit to Force Transfers.
City Attorney Stewart of Lincoln today made application to the State Railway commission for an order compelling the Lincoln Traction company to give transfers to the state fair grounds. The traction company has its lines completed to the fair grounds, but so far it has failed to inform the people that it intends to give transfers good on this line. Under the rules of procedure adopted by the commission, the street car company has fifteen days in which to file its answer, after which a date for the hearing is to be set. It is barely possible the street car company will come across with its transfers before the commission gets around to hear the case. Anyhow, the Burlington and the Citizens carry people to the fair grounds for 5 cents each way. The Citizens give transfers from all of its lines.

Stock Yards Case Monday

The State Railway commission Monday will begin the hearing in the case wherein the Union Stock Yards at South Omaha is seeking to increase its rates.

Doctor May Be Prosecuted.
Dr. E. M. Tyler of Auburn, who is reported to be in possession of a Missouri Pacific annual pass, has been referred to the attorney general by the Railway commission as a fit subject for prosecution. When the railroad reported Dr. Tyler as one of its surgeons holding a license, the Railway commission at once wrote to him asking if he devoted more

than half of his time to the business of the railroad company. For answer Dr. Tyler asked for a copy of the anti-pass law. This was sent to him and again he was asked if he devoted more than half of his time to the business of the railroad. Another letter was received from Dr. Tyler today asking for the latest decisions of the court on the anti-pass law. He said in his letter the county attorney had been unable to furnish him with the information and he had tried to post himself regarding the law. He said he was subject to call day or night under the terms of his contract with the Missouri Pacific. In answer to this letter the commission said it had complied with the requests of the doctor and asked him if he would now give the commission a definite answer to its question whether the doctor devoted more than half of his time to the railroad service.

Railing on Electors.

Secretary of State Junkin has issued the following special instructions to county clerks:
In an opinion rendered to this department by the attorney general in subdivision 4 of section 11-P of the compiled statutes of Nebraska relating to presidential electors, it was held that each party was entitled to two presidential electors at large and one elector from each congressional district and the one representing the congressional district wherein your county is located.
Therefore, in making up your primary ballot you will place thereon the names of those who filed for presidential electors at large and those filing as presidential electors from the congressional district wherein your county is located.

SEARS' VERDICT SET ASIDE

Judge Thomas Overrules Douglas County Court.
CENTRAL CITY, Neb., Aug. 15.—A judgment obtained before Judge Sears of the Douglas county district court was set aside when Judge Thomas this week handed down his decision finding for the plaintiff in the case of Fred C. Ratcliff against George Moore, Grace L. Moore and Thomas H. Matters.
The case originally grew out of a real estate deal in which George W. Moore traded a drug stock in York county for some land in Howard county. After the deal was completed, Moore claimed the land was not as represented, and brought suit in the district court of Douglas county against John A. Hays, Fred C. Ratcliff and the late J. E. Kerr, who had been involved in the deal. The case was heard before Judge Sears in Omaha in the spring of 1907, and an instructed verdict given against Mr. Ratcliff alone for the sum of \$2,500. Mr. Ratcliff at once commenced suit to have this claim set aside and his petition set up some interesting allegations.
He claimed that before the case came on for hearing in Omaha he had met George W. Moore and his attorney, Thomas H. Matters of the firm of Green, Breckinridge & Matters of Omaha, and settled any judgment that might be obtained against him by transferring to Moore a lot in Spring Valley, Nebraska, and is alone responsible. He claimed that he supposed that an agreement which both he and Moore had signed was to this effect, and that confident that he had settled all his liability in the case, upon the assurance of Matters who was attorney for Moore, he had made no appearance when the case came on for hearing in Omaha. However, he claims that he was deceived by Matters' representations, and that when the case was tried judgment was entered against him by default because he made no appearance or defense.
The case was tried before Judge Thomas some time ago, but he did not hand down a decision until he came up from Columbia this week to hold a brief session of the court. In his decision the court held that the contract signed by Ratcliff and Moore was not the true contract, and that the true contract was that Ratcliff be released of all liability for any judgment that might be obtained against him, and the court therefore ruled that the contract should be reformed as the plaintiff asked, and also ruled that the judgment against the plaintiff should be satisfied and the cloud upon his property removed.

PLAN TO CURB HEAD WATERS

Chautauqua Association Interests County Board in Platte River.
SCOTT'S BLUFF, Neb., Aug. 15.—(Special.)—The North Platte Valley Chautauqua association is holding its annual assembly at Scott's Bluff, the lecturers including Senator La Follette, Ross Crane, Senator Norris Brown, Judge George W. Norris, Governor Brooks and Wyoming Senator Dr. W. L. Hall, Forester of the United States. The attendance has been large. This is the second assembly of the institution and the pronounced success of this year insures its permanency. A heavy rain fell Thursday afternoon which prevented the ball game and athletic sports, but the large number of tabernacles accommodated the crowds and there seemed to be no lack in the attendance because of the deluge.

No Big Ditch in Merrick

CENTRAL CITY, Neb., Aug. 15.—(Special.)—A final quietus has been put to the proposition to have Merrick county build a big drainage canal at Clark, the County Board of Supervisors having this week refused to make any appropriation for carrying out the work, or in any way encouraging the project. During every wet season a large portion of the town of Clark is under water and considerable of the best land in the neighborhood is also inundated. It was proposed to dig a big ditch, commencing west of Clark and continuing under the north side of the Union Pacific tracks to the point east of town, where it would cross the right-of-way and empty into the Platte river a mile or so further on. In this manner it was claimed the ditch would thoroughly drain the town and adjacent territory, and in order to further the project the people of the vicinity applied to the county board for aid. The members of the board considered that there would be some opposition to the project, and sooner than enter into any controversy or litigation, decided to take no action in the matter. Now, if the ditch is built it must be by the property owners at Clark.

Mill Owner Killed by Accident

HOLDSBEG, Neb., Aug. 15.—(Special.)—Mortimer Johnson, a pioneer business man and one of the most substantial and best known citizens of Holdrege, was instantly killed about 1 o'clock this afternoon by a falling timber which struck him on the head and crushed in his skull. He was senior member of the firm of Johnson & Johnson, proprietors of the Holdrege flour mills. They are building an elevator near the mill and it was in this elevator the accident occurred. The timber, a 2x6 log, fell a distance of more than thirty feet and it struck him. He leaves a family of seven children.

Trusted Employee Confesses Theft

NEBRASKA CITY, Neb., Aug. 15.—(Special.)—For the last six months the firm of Leitbold & Johnson, bakers, has been missing money and have been short in their cash account at night. They had tried

in every way to account for the loss up to yesterday when suspicion was fastened upon a colored man named James Martin, who has worked for this firm for the last six years and he was charged with the theft and the evidence broke down and confessed. He had \$900 deposited in the bank here, and of this he gave the first \$500, and before information could be filed and he arrested he left the city. He had full charge of the delivery of bread and ice cream and he was never suspected. It seems that he became infatuated with a colored dame and lavished money on her and this was the cause of his downfall. He was born and reared in this city and was considered one of the honest colored people of this section and everyone trusted him.

ENDORSE CORRIK FOR CHAIRMAN

Action Taken at Northwest Nebraska Conference.

VALENTINE, Neb., Aug. 15.—(Special Telegram.)—We, the chairman of the county central committees of the counties of Rock, Kearney, Pawnee, and Deuel, heartily rejoice in the promotion of William H. Hayward to the secretaryship of the republican national committee. Mr. Hayward, as chairman of the state central committee, has been in close touch with the party organization throughout the state, and we believe that the familiarity of our able and efficient secretary of the state central committee with Mr. Hayward's methods of organization and his acquaintance with the county chairmen throughout the state, makes Mr. Corrick the logical successor of Mr. Hayward as chairman of the state central committee, and we heartily recommend to the members of the state central committee that F. P. Corrick be selected to succeed Mr. Hayward as chairman of the republican state central committee. These resolutions are signed by F. M. Walcott, Cherry; Sam Delrick, Kearney; W. N. Ford, Sheridan; E. L. Meyers, Rock.

Case County Old Settlers

PLATTSMOUTH, Neb., Aug. 15.—(Special.)—The twentieth annual reunion and basket picnic of the old settlers of Cass county was held in the grove near Taylor Friday and Saturday, and was largely attended. The heavy rain Friday night and the few days previous put the farmers and everyone else in a cheerful condition to enjoy the interesting addresses by Governor George L. Sheldon, William H. Ramsey, Prof. J. W. Gamble of Lincoln, D. W. Livingston of Nebraska City, and many others gave short talks of the struggles and trials of the pioneer settlers, who have since become independently wealthy as their hair turned gray. Excellent music was furnished by the Plattsmouth Aeolian quartet and the Union Silver band. The amusements consisted of a good ball game, shooting tournament, various races and contests and a tug-of-war by men over 50 years of age.

Big Fraternal Picnic Planned

TECUMSEH, Neb., Aug. 15.—(Special.)—The preliminary arrangements are about all made for the big fraternal picnic to be given on Wednesday, August 27. It is promoted by five leading lodges and lodges from neighboring towns have expressed their intentions of being present. The speakers will be Mayor W. Robb of Tecumseh, A. R. Talbot of Lincoln, head consul of the Modern Woodmen, and W. E. Sharp of Lincoln, most illustrious protector of the Royal Highlanders. There will be competitive drills by the different lodges. Two balloon ascensions are advertised, as well as horse races, mule races, athletic events, a baby show and a carnival. The music will be furnished by the Tecumseh Military band and the festivities will close with an old-fashioned platform dance.

Pioneers Succeed Old Settlers

WEST POINT, Neb., Aug. 15.—(Special.)—A pioneers' association for Cumming county has been formed at West Point with the following officers: William Stuefer, president; Henry Hunkeler, vice president; D. J. Crellin, secretary; W. T. E. Nettig, corresponding secretary; C. Beckenhauer, treasurer. This organization will supersede the original Old Settlers' association of Cumming county and will have charge of the arrangements for the reunion to be held here on August 27, at which time the jubilee organization of the town of West Point, which took place in the year 1858, will be celebrated. A feature of the affair will be a "Home Coming Week" for former residents of West Point and Cumming county.

Over Four Inches in Polk

OSCEOLA, Neb., Aug. 15.—(Special Telegram.)—The heaviest rainfall of the season visited Polk county last night. The government gauge this morning shows 4.17 inches. All over this part of Nebraska the country received a heavy rain.

Nebraska News Notes

BEATRICE—Cassius M. Dodge and Miss Vera Olin, both of Omaha, were married at Wynome Wednesday by Judge Crawford.
BEATRICE—Rev. J. E. Craig has been assigned as pastor of the Courtland Congregational church and will soon locate at Niagara Hill, S. D.
BEATRICE—Fred H. a pacing horse from this city, won the 2:18 pace at Coffeyville, Kan., Thursday. The purse was \$1,000.
NEBRASKA CITY—Floyd Fleming, a carrier boy for the newspapers here, was badly burned yesterday by the explosion of a gasoline stove.
BEATRICE—George Samuel, who has been chief clerk in the local office of the Adams Express company, has been appointed agent for the company at Nebraska City.

BEATRICE—The secretary of the Commercial Union of Nebraska, H. H. Hill, has written the Jones Automobile company, with a view of trying to get the party to locate there.

NEBRASKA CITY—The Modern Woodmen of America annual picnic held at Findlay Thursday drew a monster crowd from all parts of the country. Attorney D. W. Livingston delivered the address.

BEATRICE—The Board of Equalization yesterday ordered stricken from the tax list all property of Odd Fellows and Masonic order that had been donated to the Men's Christian association and the chautauqua.

BEATRICE—Word was received here yesterday that Spill, the pacing horse purchased some time ago by C. H. Dixon of this city, secured second place in the 2:18 pace at Calverton, Ill., Wednesday. The purse was \$1,000.

ARLINGTON—A large Modern Woodmen of America picnic was held at Arlington park under the auspices of the Normal camp of Fremont, music, drills, games, boating, dancing and fishing will be the order of the day.

BEATRICE—The officers of the Gage County Agricultural Society are making great preparations for the annual fair, to be held here September 21 to 25. The officers of the fair are: President, J. E. Riesen, secretary, H. V. Riesen.

ARLINGTON—The growth was finally broken today by a heavy rain. The corn was greatly in need of moisture, the early corn already having been damaged. Fall plowing will now commence and the average of winter wheat soon will be greater than ever young man named Kinsey was arrested at Dewitt for breaking into a house and stealing \$50. He escaped from the officers and is now being sought. The officers have been notified that the Kinsey family is hiding in a house in this city was robbed of \$15 Friday night. There is no clue to the thief.

NEBRASKA CITY—The Ohio Canning company has begun packing corn. This year does not promise as large a crop, but last year the high water during the month of June and the cold weather in the spring. The corn as it will be marketed.

WEEPING WATER—F. B. Spess, 71 years old, who lived with his daughter at Weeping Water, died suddenly this afternoon from a heart attack. He was a former resident of Taber, Ia. later he moved to Weeping Water. He was buried at night. They had tried

son and daughter; his wife died about one year ago.
BEATRICE—Peter Jobman, a prominent farmer living northwest of here, died of heart failure at his home here yesterday. He was 70 years of age. He was a native of Germany and had lived in this city for many years. He was a member of the Lutheran church and was a very successful farmer. He was buried at night.

Furnishers of Hotels, Restaurants and Clubs, as Well as Private Homes.

WE GUARANTEE the quality. The prices guarantee themselves. Many goods from the stock of Collins Heaslip Carpet Company of Des Moines. New of them have never been opened. Best bargains we have ever been able to offer to our patrons.

ON SALE MONDAY AT 8:30 A. M.

A Few Prices and Sizes of the Great Bargains in Rugs

\$18.00 9x12 Brussels Rugs	\$12.25	\$15.00 12x13-6 Pro Brussels Art Squares	\$10.95
\$27.50 9x12 Velvet Rugs	\$14.95	\$23.00 12x15 Pro Brussels Art Squares	\$16.95
\$30.00 9x12 Seamless Wiltons	\$15.95		
\$30.00 9x12 Standard quality Body Brussels	\$19.95		
\$40.00 9x12 Wilton Rugs	\$27.50		
\$45.00 9x12 Royal Wiltons	\$21.50		
\$60.00 9x12 Hartford Saxony	\$42.00		
\$55.00 9x12 Amazin Rugs	\$35.00		
\$40.00 8-3x10-6 Royal Wilton Rugs	\$24.50		
\$27.50 8-3x10-6 Standard grade body Brussels Rugs	\$19.00		
\$7.50 7-6x9 Pro Brussels Art Squares	\$4.75		
\$10.50 9x10-6 Pro Brussels Art Squares	\$6.75		
\$9.00 9x9 Pro Brussels Art Squares	\$5.95		
\$12.00 9x12 Pro Brussels Art Squares	\$7.45		
\$13.50 10-6x12 Pro Brussels Art Squares	\$8.95		

LACE CURTAINS, PORTIERES, COUCH COVERS, all selected from the COLLINS HEASLIP CARPET COMPANY'S stock.

LACE CURTAINS—Brussels, Irish Point, Cluny, Novelty, Battenburg, Bed Room Curtains and hundreds of styles to select from. All being sold at wonderfully low prices—

55c, 95c, \$1.35, \$1.95, \$2.50, \$3.75, \$5.00, \$6.85 and \$9.75 per Pair

You will find a full assortment in every grade.

PORTIERES—The largest assortment ever shown by any store will be placed on sale at, pair, from \$1.50 to \$17.50

COUCH COVERS, each, 79c, \$2.65 and \$3.95

MADRAS CURTAINS, pr., \$2.95, \$3.75, \$4.95, \$6.75

TABLE COVERS, each, 30c, 50c, 75c and \$2.50

TAPESTRY SQUARES, remnants, each, 19c

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