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# Laws Passed by Nebraska Legislature at Its Late Session Epitomized

## New Laws Now in Force

The Following Bills Were Passed by the Legislature With the Emergency Clause and Become Laws at Once, and Are Now in Full Effect as Statutes.

H. R. 41, by Clark of Richardson—Appropriates \$20,000 for incidental expenses of the legislature; emergency.

H. R. 42, by Clark of Richardson—Appropriates \$50,000 for the salaries of members, officers and employees of the legislature; emergency.

H. R. 43, by Begole of Gage—Appropriates \$100,000 to buy 500 copies of a lobby's statutes for use of the state; emergency.

H. R. 44, by Clark of Richardson—Appropriates \$500 for deficiency governor's office; emergency.

H. R. 45, by Wilson of Polk—Judges of the judicial district in which a person committed to die is tried, may suspend sentence for an examination to sanity, to be conducted by the superintendent of the asylum at Lincoln, Hastings and Norfolk, who are to serve without pay, except mileage. The expenses to be borne by the county in which the trial took place. Examinations may be continued until sanity is shown, in which event execution must proceed. Superintendent to examine into the condition of sentenced women; emergency.

H. R. 46, by Fries of Howard—Precinct officers not included in the primary election law; emergency.

H. R. 47, by Barrett of Buffalo—Appropriating the cash fund of the Kearney Normal school for the purchase of books for the library; emergency.

H. R. 48, by Case of Frontier—Books for the State university for the years 1908 and 1910 and \$20,000 of the delinquent taxes for salaries, current expenses and permanent improvements; emergency.

H. R. 49, by Hanson of Douglas—Bonded indebtedness of Omaha may equal 5 per cent of the actual cash value of city property. Bonds may be issued for maintenance of public utilities and sewer and fire insurance bonds may be issued by the council without vote of the people under statutory limitation as to amount; emergency.

H. R. 50, by Hanson of Douglas—Repeals the revolving county comptroller shall be ex-officio comptroller of city of Omaha; emergency.

H. R. 51, by Fuller of Seward—County and precinct assessors may administer oaths; emergency.

H. R. 52, by King of Polk—Clerk of district court before February 1 of each year shall return to the State Board of Health marriage and divorce statistics; penalty for failure; emergency.

H. R. 53, by Hanson of Douglas—Lands of minors may be mortgaged when not in violation of will for necessary support and education of said minors. Proceedings under court order, guardian to give bond to apply money faithfully. Guardian may mortgage property in his own name; emergency.

H. R. 54, by Randall of Madison and King of Polk—Lands in villages may be vacated for park purposes under condemnation procedure; emergency.

H. R. 55, by King of Polk—County judge before February 1 each year shall send to the State Board of Health marriage and divorce statistics gathered from marriage license; penalty for violation; emergency.

H. R. 56, by Barton of Saline—Villages containing a 1,000 population may upon petition of one-fourth of legal voters submit the question of retaining the village government, vote to be taken at next annual election; emergency.

H. R. 57, by Howell of Douglas—Omaha charter; emergency.

H. R. 58, by Lawrence of Dodge—Amending the military code of the state to conform to the amended Dick law of the United States. The military board shall

less than 45 degrees at a temperature of 60 degrees; any pills of a yellowish or dark, dirty tint may be rejected without a test; illuminating oils produced in Kansas, Oklahoma and Colorado when conspicuously labeled may be sold where specific gravity is not less than 82 degrees, and the residue is not more than 7 per cent by weight on distillation of 50 degrees. Gasoline shall not be tested by the flash test, but by specific gravity; must have a specific gravity of 82 degrees at a temperature of 60 degrees; emergency.

H. R. 59, by Begole of Gage—Appropriates \$70,000 for two buildings at the Institute for Feeble Minded; emergency.

H. R. 60, by Armstrong of Buffalo—Appropriates \$20,000 for a north wing for the Kearney Normal school; emergency.

H. R. 61, by Sken of Nemaha—Appropriates \$40,000 for administration building and to complete the library building at the Peru Normal school; emergency.

H. R. 62, by Smith of Cass—Upon petition of one-fourth of the legal voters of a school district the trustees twenty days before annual meeting the question may be submitted whether to levy a tax to create a special fund for the erection of a school house. The levy shall not exceed 10 mills on the dollar above the 25 mills allowed for general school purposes; emergency.

H. R. 63, by Clark of Richardson—Board of Educational Lands and Funds may invest the permanent school fund in United States or state securities, registered county and school district bonds, municipal bonds of cities and villages of the state of Nebraska; emergency.

H. R. 64, by Plath and Game Committee—Appropriating \$2,000 for the improvement and maintenance of the Cherry county fish hatchery; emergency.

H. R. 65, by Sapp—Appropriating \$1,000 for the equipment of an office for the Grand Army of the Republic and for printing reports, housing relief and records, etc.; emergency.

H. R. 66, by Tanner of Douglas—Making the city treasurer of South Omaha deputy county treasurer. He shall be known as ex-officio deputy county treasurer and shall receive the salary of \$1,200 per annum for services performed under the act; emergency.

H. R. 67, by Buhman of Howard—Quiet the title to certain lots in St. Paul, Neb. Emergency clause.

H. R. 68, by Committee on Drainage—President, secretary and treasurer of drainage district may borrow money for not to be detached from the completion of canavass in said election. New territory shall be added on majority vote of entire district provided the detached portion was not given for benefit in which case the benefit must have been paid. If districts overlap, property must pay for benefits in both. By three-fourth vote the board of directors may change the meeting place for holding elections other than those for changing boundaries. Emergency.

H. R. 69, by Talcott of Knox—Governor shall appoint a state normal board to consist of five members in addition to the state treasurer and the state superintendent, who are ex-officio members. The board shall have control of the state normal and the junior normal. Superintendent the state Board of Education. Appointments to be made within ten days. Board shall not consist of members of one political party; emergency.

H. R. 70, by Claims Committee of the House—Governor, auditor and attorney general shall investigate rates of surety and fidelity companies doing business in the state, and by June 15, 1909, fix a maximum schedule of premiums to be charged on each and all bonds, contracts, recognizances, stipulations and undertakings. Board has authority to compel attendance of witnesses. Fees shall be paid out of the appropriation for prosecutions under Junkin anti-trust act. New premiums

shall be in effect July 1, 1909. Penalty for receiving greater premium than fixed fine of not less than \$100 nor more than \$500, or jail sentence of not less than thirty days or not more than three months, or both.

H. R. 71, by Cain of Richardson—Enables Auditor may revoke order to transact business for violation. Emergency.

H. R. 72, by Cain of Richardson—Enables people of Richardson county to correct history of some drainage bonds; emergency.

H. R. 73, by Cain of Richardson—Amends the drainage law under which drainage is being done in Nemaha county to meet local conditions; emergency.

H. R. 74, by Taylor of Hitchcock—Prevents overidding in one community to fight competition, where firm or corporation is engaged in doing business in other parts of the state; emergency.

H. R. 75, by Barton of Saline—Compels railroads, express and telephone companies to connect by telephone their office buildings and grounds with public exchanges in towns over 200. The railway commission shall enforce the act. Penalty, \$100 to \$200 fine, or jail sentence of ten to thirty days. Emergency.

H. R. 76, by Bodinson of Buffalo—Gives the right to the land commissioner to contract for the removal of sand and gravel from school lands. Emergency.

H. R. 77, by King of Polk—All corporations doing business in Nebraska shall pay to the state an annual occupation tax based on capital stock as follows: \$10,000 to \$20,000, \$10; \$20,000 to \$50,000, \$20; \$50,000 to \$100,000, \$30; \$100,000 to \$200,000, \$40; \$200,000 to \$500,000, \$75; \$500,000 to \$1,000,000, \$100; from \$1,000,000 to \$2,000,000, \$150; from \$2,000,000 to \$5,000,000, \$250; from \$5,000,000 to \$10,000,000, \$350; from \$10,000,000 to \$25,000,000, \$500; from \$25,000,000 to \$50,000,000, \$750; from \$50,000,000 to \$100,000,000, \$1,000; from \$100,000,000 to \$500,000,000, \$5,000; from \$500,000,000 to \$1,000,000,000, \$10,000. Penalty for non-payment of tax shall be \$10 for each day of delinquency and a penalty of \$10 is added. Secretary of state shall report to the governor by September 15, each year, all delinquent corporations and the governor shall thereupon issue a proclamation and all delinquent domestic corporations shall forfeit their charter and foreign corporations their charter unless payment is made to the secretary of state by September 30 at 4 p. m. All educational, religious, scientific and charitable corporations and all corporations not organized for pecuniary profit are exempt. Penalty, fine of \$100 to \$1,000, or imprisonment of 30 to 60 days, or both. Emergency.

H. R. 78, by King of Polk—A judge, on the conviction of any person of a felony, shall determine whether it is the defendant's first offense and also the extent of moral turpitude. If it is the first offense of the nature of a felony and the court is convinced the defendant will refrain from similar acts, he may suspend sentence and parole him, but the parole shall not be less than for the maximum time he might be sentenced. If the person's conduct remains good when the parole expires, he may dismiss the case standing against him, but if his conduct is not good, he may be recalled and sentence imposed. Emergency.

H. R. 79, by Randall of Madison—Giving power to State Highway commission to contract for the removal of sand and gravel from school lands. Emergency.

H. R. 80, by King of Polk—Permits the county attorney of Lancaster county to employ a detective to search for evidence at a cost not to exceed \$500 annually; emergency.

H. R. 81, by Barton of Saline—Provides for the incorporation of Bohemian fraternal societies in like manner to their "biges"; emergency.

H. R. 82, by Barton of Saline—Providing a salary of \$4,000 a year to the county attorney of Douglas county. Emergency.

H. R. 83, by Smith of Cass—Permits the sale of live stock, swine, poultry, sheep, carp, suckers and garfish. Emergency.

county conventions. The various political parties shall hold a delegate state convention on the last Tuesday in July of each year. This convention shall formulate a state platform and elect a state central committee. County conventions shall be held prior to the county convention and delegates to the state convention and members of the county central committee shall be selected. No provision is made for calling the county convention.

H. R. 84, by Carr of Keya Paha—Providing that on January 2, 1910, any territory which is not then part of any school district shall be the county superintendent of the county in which such territory lies either be organized into new districts or attached to one or more adjoining districts.

H. R. 85, by Sken of Nemaha—Provides for the election of precinct assessors and makes the election law for supreme judges conform to the new constitutional amendment. In 1909 and every six years thereafter there shall be elected three judges of the supreme court who shall hold office for six years; in 1911 and every six years thereafter three judges of the supreme court who shall hold office for six years; and in 1913 and every six years thereafter, there shall be elected a chief justice of the supreme court to hold office for six years.

H. R. 86, in all counties under township organization one township assessor shall be elected and every second year thereafter for each township. In 1909 and every two years thereafter a chief justice of the supreme court to hold office for six years.

H. R. 87, by Sken of Nemaha—Amends the revenue act by prescribing the duties of precinct assessors instead of deputy assessors. The precinct assessors shall hold office two terms in succession. The county board at its first meeting after the law goes into effect shall divide all cities having a population of more than 4,000 into suitable assessment districts as nearly as possible 4,000 population in each.

H. R. 88, by Griffin of Burr—Punishes with a fine of not less than \$10 or more than \$20 any person who shall deposit in any road ditch along a public highway which leads to any drain or ditch any rubbish, manure or other debris. In addition the offender is liable to damages to party injured.

H. R. 89, by Joint Committee of House and Senate—Guaranty banking bill.

H. R. 90, by Moore of Red Willow—Providing a bushel of speltz shall weigh forty pounds, alfalfa sixty pounds to bushel, green apple forty-eight pounds per bushel in chum seed, fifty pounds.

H. R. 91, by Taylor of York—Changing fees of county judges and adding new fees as follows: Each additional name in a subpoena, 5 cents; recording petitions over 200 words, 1 cent for each word; recording proceedings and judgments of the district court, 1 cent for each word; each one cent commissioner, 20 cents; over 200 words, 1 cent for every ten words thereafter; first copy of transcript of proceedings, 5 cents; each index thereafter 5 cents; provided not more than 4,000 population in each district court, under 100 words, 50 cents; for each additional 10 words, 1 cent; for every 100 words, 1 cent.

H. R. 92, by Miller of Lancaster—Applicant for office for cause of action arising in the state may have lived in the state and having lived here unto the time of application. For cause of action arising outside of state two years residence is necessary. Three months search for defendant after filing petition is necessary before notice by publication is permitted. A decree shall be final after six months without action in that court where no further proceeding is had.

H. R. 93, by Tibbels of Adams—In accordance with the provisions of the act there must be a seal of record, and in case of justice of the peace statement of court records of justice jurisdiction.

H. R. 94, by Miller of Lancaster—Vesting in the city of Lincoln title to block 29 in return for site for historical building.

H. R. 95, by Kuhl of Cedar—Amends to the primary election law. State, congressional, judicial and legislative committees of the various political parties shall be chosen in such manner as may be determined by the state committee of each party. County committees shall be selected by

months; top bed sheet must be ninety-nine inches in length; individual towels must be furnished guests; in towns where there are water works and sewers, must be connected with hotel; labor commissioner empowered to inspect hotels.

H. R. 96, by Talcott of Knox—Provides for the commitment of the criminally insane to asylum.

H. R. 97, by Chase of Dawes—County commissioners shall appoint inspectors to inspect horses and cattle shipped out of county. For the preventing of selling stolen cattle and horses.

H. R. 98, by Hosopedy of Saline—Appropriates \$10,000 for barn, horses and equipment for Kearney industrial school. Emergency.

H. R. 99, by Kelley of Furnas—Appropriates \$3,000 to reimburse members of soldiers' homes from whom the state has taken pension money.

H. R. 100, by Carr of Keya Paha—Appropriates \$15,000 for an experimental station in northwest Nebraska. Located by board of regents and maintained under direction of regents. Out of temporary university fund.

H. R. 101, by Bushie of Kimball—Giving bond holders in irrigation districts authority to bring suit to test validity of bonds.

H. R. 102, by Clark of Richardson—Increases the salary of bailiffs of district court who shall hold office for six years; and in 1913 and every six years thereafter, there shall be elected a chief justice of the supreme court to hold office for six years.

H. R. 103, by Sken of Nemaha—Provides for the election of precinct assessors and makes the election law for supreme judges conform to the new constitutional amendment. In 1909 and every six years thereafter there shall be elected three judges of the supreme court who shall hold office for six years; in 1911 and every six years thereafter three judges of the supreme court who shall hold office for six years; and in 1913 and every six years thereafter, there shall be elected a chief justice of the supreme court to hold office for six years.

H. R. 104, by Thomas of Douglas—Increases the salary of bailiffs of district court in Douglas county to \$1,200 annually.

H. R. 105, by Miller of Cass—County superintendent shall furnish each district in the county a course of study prepared by the state superintendent under supervision of teachers, printed questions of review, furnish blanks for annual reports of school officers, same to be paid for out of county fund.

H. R. 106, by Wilson of Polk—Provides for the reorganization of district national banks as state banks and provides for the participation by national banks in the assets of failed banks. The depositors of failed banks whenever congress or a federal court decision or a departmental construction of the national banking law permits them to do so.

H. R. 107, by Evans of Hamilton—Railroads shall receive and transport grain in bulk within a reasonable time and load without discrimination. By joint committee of House and Senate—Guaranty banking bill.

H. R. 108, by Moore of Red Willow—Providing a bushel of speltz shall weigh forty pounds, alfalfa sixty pounds to bushel, green apple forty-eight pounds per bushel in chum seed, fifty pounds.

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## Laws Effective July 1, 1909

These Bills Were Passed by the Legislature With the Emergency Clause, and Will Become Effective July 1, Under the Constitutional Ninety-day Provision.

(Continued on Ninth Page)