

Nebraska SULLIVAN DODGES THE CASE

Name Not on Petition Assailing the Corporation Tax Law.

FACTS SHOW HIS CONNECTION

Terminal Tax Bill of Northwestern Will Be Heavily Larger Than Last Year—Rehearing in Judicial Case.

(From a Staff Correspondent.)

LINCOLN, Aug. 24.—(Special.)—In the matter of Judge John J. Sullivan, democratic candidate for supreme judge, and the attempted nullification of the recently enacted corporation tax law, one of two things has happened. Either the democratic bosses forced Judge Sullivan to leave his name off the petition filed in the suit or the name was left off inadvertently.

The name is not on the petition as the attorney for the Mercantile Incorporation company, which is attacking the law. When it was published that Judge Sullivan had filed the suit democratic bosses, so it was reported in the papers here, were up in arms over his action in attempting to nullify a pet measure of the late democratic legislature. These same bosses, these papers insisted, were very indignant that a democratic candidate for supreme judge should put himself in the Shallenberger class of "nullifiers."

When the petition was filed it did not contain the name of John J. Sullivan, though Judge Sullivan announced that he intended to file the suit and over his own signature admitted he was the attorney for the company which is plaintiff in the case.

The following taken from a letter on file in the office of the secretary of state, in which the occupation tax fee of the Mercantile Incorporation company was sent to that officer, shows Judge Sullivan's connection with the suit:

"The petition is not made voluntarily, but filed by force and duress in order that this corporation may be able to continue to transact business in Nebraska without paying the taxes, penalties, and forfeitures provided by said act in case of failure to promptly pay the annual occupation tax charges thereon."

"The undersigned corporation insists that said act of April 3, 1927, is unconstitutional and that the said fee or charge is an illegal exaction and it is paid with the intention and purpose of hereafter instituting an action to test the validity of said act, and to recover back said sum of \$50,000 which said act is not adjudged unconstitutional."

The letter was signed: "The Mercantile Incorporation company, by John J. Sullivan, W. W. Slaughter and J. W. Batten, its attorneys."

The letter was written on the letter-head of Sullivan and Batten, attorneys.

Following this Judge Sullivan announced to the attorney general that he intended to file the suit and the legal department was sent a copy of the petition which now turns up signed only by Slaughter & Batten.

Northwestern Terminal Tax.

Table showing tax amounts for various towns in Nebraska for 1928 and 1927.

KEPT PRISONER BY AWFUL TUMOR

Whole Body Covered and Head So Bad She Could Not Comb Hair—Sight Affected—Neighbor Begged Her to Use Cuticura—It Cooled the Itching Flesh and

BROUGHT REST, SLEEP AND A PERFECT CURE

"Words cannot express the awful skin disease I suffered with. My whole body was covered with it, my head broke out so that I could not comb my hair. For a month or more I suffered with a terrible sore itching. When I slept in bed at night my eyes would stick together and I would have to bathe them before opening them each morning. I could not see. My eyes had become so inflamed that I could not see. I tried three doctors, but they gave me no relief, and then I tried all kinds of things that I thought would do me good but I could find nothing. I was a perfect prisoner with the awful itching. One of my neighbors begged me to try the Cuticura Remedy, and I made up my mind to try them but not thinking that I would ever be cured, I would take a hot bath with Cuticura Soap and then apply the Cuticura Ointment. I found relief in a few days and in a month you could scarcely see a spot on my face. I felt like a new person. When I first began to use the Cuticura Remedy they cooled the itching flesh and brought me real good sleep and rest at night. I had suffered fully two years with the skin disease but now I am a well woman and in good health. I beg every skin sufferer to use the Cuticura Remedy. I cannot praise Cuticura enough because I thought that I would never get well again." Mrs. Cordelia C. Pitts, Newborn, Ga., Nov. 24 and Dec. 21, 1927.

Keeping the Hair

To prevent dry, thin and falling hair, remove dandruff, allay itching and irritation and promote the growth and beauty of the hair, frequent shampoo with Cuticura Soap and occasional dressings with Cuticura are usually effective when all other methods fail. Special and full directions accompany each package of Cuticura.

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Table listing names and amounts for various locations in Nebraska.

Rehearing Asked in Judicial Case.

On behalf of Secretary of State Junkin (though without his knowledge probably) a motion has been filed in the supreme court asking for a rehearing in the non-partisan judicial case, in which the court held the law invalid. The motion was signed by Attorney General Thompson, Deputy Attorney General Grant Martin and Arthur Mullen. In a motion it is set out that the court declared the act unconstitutional on points that were not raised by either side to the controversy.

Challenges New Board of Health.

On behalf of the old board of secretaries of the State Board of Health, Charles H. Sloan and Charles S. How, this afternoon filed quo warranto proceedings in the supreme court to oust the board appointed by Governor Shallenberger under the law enacted last winter. The petition sets out that the old board is the legally constituted board of secretaries and that the board members are usurpers and have no authority to act. The court in extra session granted the relators the right to file the petition.

Nebraska State Fair.

The board of managers of the state fair, to be held in Lincoln September 9 to 16, is building every day, as in years past, to make the state fair a great educational fair. This is the general purpose of the fair. But aside from that the board has been paying special attention for several years to an educational department, under the special direction of the state superintendent. Last year they acquired a very large building, Education hall. This year this large building has all been rearranged and refitted, making a larger and better exhibit space for a larger and better exhibit than ever before.

Case of Child Abandonment.

George E. Combs, a bridegroom of a month, is in jail, though no charge has been filed against him, his wife is ill and the nurse, Mrs. Anna Knorr and the attending physician, C. E. Spear, are under arrest charged with child abandonment. The infant of a few hours was found Sunday morning on the steps of St. Elizabeth's hospital. The nurse and the physician have been released under bonds. It is charged that the physician in the case left the baby at the hospital. It is still alive.

Baggage Agents Must Pay Fare.

Employees of the Omaha Transfer company will not be permitted to board trains and ride out 100 miles or so in order to take care of the baggage of visiting Eagles unless these employees are regular employees of the railroad company or pay fare. This was the decision handed down by the Railway Commission today when General Manager Mohler of the Union Pacific asked the commission if the employees of the transfer company ride on passes. Mr. Mohler said the transfer men wanted to go out on the train to assist the Eagles, who are coming to the national meeting to be held in Omaha.

Minor Matters at Capital.

Judge John B. Barnes spent \$48.30 to secure his nomination on the republican ticket as a candidate for supreme judge. Of this amount \$28.90 was spent for blank petitions; \$4 for getting them circulated and \$15 for postage.

C. L. Hobbs, stenographer to Judge Letton of the supreme court, announced through the medium of a postal that Mrs. Hobbs had given birth to a nine-pound girl, and both the mother and the little one were doing well. Mr. Hobbs and family are now in Fairbury, their old home.

DAHLMAN TALKS AT A PICNIC

Opposes Prohibition or County Option Laws.

BEATRICE, Neb., Aug. 24.—(Special.)—Mayor Dahlman of Omaha was the principal speaker at the Barneston Old Settlers' picnic today. He opened his remarks by touching on the growth of Nebraska and the importance of the state as an agricultural country. He then took to the county option and prohibition question. He expressed opposition to both and said no new laws were needed to regulate the liquor traffic. He believed in home rule and thought that a city should regulate or banish the liquor traffic in accordance with the will of a majority of the people.

Wayne County Normal.

WAYNE, Neb., Aug. 24.—(Special.)—The Wayne county teachers institute convened at Wayne Monday, August 23. The attendance is now ninety-five and this will be increased to more than 100 by the end of the week. The instructors are Miss Laura Phillips of Cedar Falls, Ia., who has charge of the primary work; Prof. F. M. Gregg of the Peru State normal, pedagogy, agriculture and hygiene, and Superintendent U. S. Cook of Columbus, grammar, arithmetic and school management. Evening lectures are scheduled by Miss Phillips on Tuesday evening, and

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by Mrs. J. M. Pile of the Wayne normal on Thursday evening.

NEFF HELD TO DISTRICT COURT

for a Wife.

TECUMSEH, Neb., Aug. 24.—(Special Telegram.)—Dr. J. G. Neff, the Sterling dentist, who was charged with a statutory offense preferred by his daughter, Miss Lora Neff, was this evening bound over to the district court in the sum of \$2,000 by County Judge James Livingston. Neff gave bond. Among the witnesses were Miss Neff, Chief of Police Ricard and City Physician Spearman of Lincoln for the prosecution, and Mrs. J. G. Neff, defendant's wife, for the defense.

NORTH PLATTE VOTES BONDS

Exciting Campaign Ends in Victory for New Plant.

NORTH PLATTE, Neb., Aug. 24.—(Special Telegram.)—The most exciting election in North Platte was held today, and the town is slated for the proposed water rate for 1928 against a \$100,000 bond issue to build its own water power plant. The campaign began twenty days ago with the exposure by Editor Kelly of the attempt to buy the influence of his paper and the sensational receipt and agreement passing between Kelly and the attorney for the water works company. The law requires two votes out of three, but there were five votes out of six. The franchise of the American Water Works company expired two years ago and all negotiations to purchase the plant failed because the water works company refused to accept a cent less than the appraised price of \$85,000, although city officials tried to settle the matter without voting bonds for a new plant.

HARD LUCK PURSUES SHIVELY

Recovers from Tornado to Be Hurt by a Fall.

GENEVA, Neb., Aug. 24.—(Special.)—Hard luck pursues John Shively. A year ago last June he was terribly injured in a tornado and was a long time recovering. Now he is the victim of a fall from the roof of a barn, where he was working on a hay rigging. He suffered a broken shoulder, had three ribs fractured and underwent a hemorrhage from the lungs. His condition was so serious that he could not be removed to his home, and his wife was sent for to care for him.

Brick Buildings Replace Frame.

PENDER, Neb., Aug. 24.—(Special.)—The frame buildings recently destroyed by fire are being rebuilt with brick, which will have a more substantial appearance. The Wagner Hardware company and John King are erecting brick buildings.

Nebraska News Notes.

PENDER—Pender will hold a carnival during the week of August 27 to 31. The usual amusement. A show company is erecting its tents and swings.

BEATRICE—The Filley ball team has won eighteen out of twenty games played this season. Their last game was with St. Joe, which they won by the score of 15 to 4.

HEARN—The Hearn school district held an election last night for the purpose of voting bonds for a new school house. A heavy vote was polled and the bonds failed to carry by only eight votes.

BEATRICE—The old settlers' picnic at Barneston opened yesterday for a three day session. The day was spent in games and amusements for everybody.

HEARN—Summer apples were never more plentiful around Hearn than they are this year. The apples are in plenty and there is no sale for them. Some orchards bearing the finest kind of fruit have the ground covered with apples going to waste.

BRIDGEPORT—The County Commissioners of Morrill county have adopted plans and specifications for a court house to cost \$25,000. They will ask for the construction of the building at once, expecting to coat the building well under way before winter sets in.

FREMONT—Physical Director Kearns of the Y. M. C. A. accompanied a delegation of twenty-five members of the athletic department on a camping trip near Arlington this morning. The boys will spend a week in camp. A delegation of thirteen juniors spent a week at Tekamah camping last month.

BEATRICE—Mr. and Mrs. Michael Falk, who located here in 1873, celebrated their golden wedding anniversary at their home in West Beatrice Sunday. In the presence of two hundred guests. They have four children, and are the grandparents of twenty-three grandchildren and three great grandchildren.

PLATTSBURGH—Judge L. M. Pemberton of Beatrice has handed down a decision in the case of Clark against Fleishman. He found for the plaintiff and gave her the land and the judgment of \$1,500.25 for the rent of the farm. The land in controversy comprises eighty acres of the best in Cass county and adjoining the town of Elmwood.

FREMONT—The corn crop in this vicinity has not so far been seriously injured by the dry weather and intense heat of the last two weeks, though a good rain would help it out wonderfully. Some fields are looking dry around the edges. Pastures are getting dry and brown. The Platte is unusually high for this season on account of heavy rains in the mountains.

KEARNEY—The fifth annual Old Settlers' reunion of Buffalo county closed at Pleasanton Saturday. Saturday morning a "concessionist" was driven out of town.

SURE TO ASK

The Kind of Coffee that Postum is Well-Made.

"Three great coffee drinkers were my old school friend and her two daughters. They were always complaining and taking medicine, I determined to give them Postum instead of coffee when they visited me, so without saying anything to them about it, I made a big pot of Postum the first morning, using four heaping teaspoons of the pint of water and let it boil twenty minutes, stirring down occasionally. "Before the meal was half over, each one passed up her cup to be refilled, remarking how fine the coffee was. This mother asked for a third cup and inquired as to the brand of coffee I used. I didn't answer her question just then, for I had heard her say a while before that she didn't like Postum unless it was more than half old-fashioned coffee. "A ball game was played between Odell and Blue Springs, the latter winning, 11 to 5. About three thousand people attended the picnic.

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for working some "sucker" too hard. After he had gotten out of sight over the hill the anger of the mob arose and they engaged automobiles and went after him, but he had eluded them by going through a cornfield.

PLATTSBURGH—Sunday evening in his own residence, Rev. Luther Moore, pastor of the Christian church in this city, united in marriage Mr. Thomas Wiles, aged 45 years and a pioneer of Cass county, and Mrs. Catherine Palmer, aged 33 years. He is her third husband and she is his second wife. Mr. Wiles has purchased the J. C. Coleman residence property in this city where he and his bride will be at home to their friends.

FAIRBURY—Representatives of the labor and fraternal organizations of Fairbury held a meeting last night and took the initiatory steps for a big picnic, to be held in Fairbury on Labor day, Monday, September 3. Officers were elected at the meeting last night and correspondence was at once sent out for speakers of state-wide reputation in both labor and fraternal circles. Fraternal and labor organizations throughout Jefferson and contiguous counties will be asked to participate in the picnic.

KEARNEY—The annual teachers' institute of Buffalo county opened in this city today with a fair attendance for the first day. The meetings are being held at the state normal school and the first day's session consisted of Bible reading, singing and addresses by Prof. Snodgrass and Clark, Superintendent of Schools of Buffalo county schools, in charge of the work and has for his assistant Miss Rachael Buford, a young woman, Dr. J. C. Thomas, president of the normal school, and speakers to the teachers, being for his subject, "The Teacher and Her School."

KEARNEY—Monday evening fire broke out in a barn belonging to Frank Fleming on West Twenty-fifth street and before the department could arrive it had entirely consumed the barn and had caught three other buildings adjacent to it. The other buildings were total losses. A small boy with matches was the cause of the fire, which, with a favorable wind, would have wiped out much more property. The property was partly covered with insurance.

Skinned from Head to Heel

was Ben Postum, Tex. Ala., when dragged over a gravel roadway, but Bucklen's Eucalypti Salve cured him. Sold by Beaton Drug Co.

The Weather.

WASHINGTON, Aug. 24.—Forecast of the weather for Wednesday and Thursday: For Nebraska and the Dakotas—Generally fair Wednesday and Thursday.

For Missouri and Iowa—Unsettled Wednesday; Thursday fair.

For Wyoming and Montana—Fair Wednesday and Thursday.

For Colorado—Partly cloudy Wednesday, warmer in east portion; Thursday fair.

Temperature at Omaha yesterday:

Table showing temperature at Omaha yesterday for various times of day.

OFFICE OF THE WEATHER BUREAU, OMAHA, AUG. 24.—Official record of temperature and precipitation compared with the corresponding period of the previous years:

Table comparing temperature and precipitation with previous years.

Excess for the day since March 1..... 9.9

Total deficiency since March 1..... 15.2

Deficiency for the day..... 12.1

Precipitation since March 1..... 3.20 inches

Deficiency for cor. period 1903..... .04 inch

Deficiency for cor. period 1907..... 4.50 inches

Reports from Stations at 7 P. M.

Table showing reports from stations at 7 P. M. for various locations.

How to buy a home with a little cash

Some people don't know that a home can be bought with a small cash payment down and the balance can be paid like rent. In the real estate columns of Thursday's Bee will be found many desirable home propositions that can be purchased on the above terms.

Make your rent money buy your home.

Thursday is home day.

Advertisement for Uneda Biscuit, National Biscuit Company, featuring a large illustration of a biscuit and text describing its quality and availability.

DECRIES BIG INSURANCE TAX President of State Commissioners Says Policy Holders Pay It.

LAUDS WORK OF FRATERNAIS Head of Organization Takes Shot at "Unfraternal Societies" Without Mentioning Names—Advices Their Education.

COLORADO SPRINGS, Colo., Aug. 24.—The fortieth annual national convention of insurance commissioners opened in this city today with 30 delegates, representing practically all of the states, in attendance.

President Benjamin F. Crouse of Maryland, introduced Governor John F. Shafroth of Colorado, who delivered the address of welcome, which was responded to by Fred W. Potter of Illinois, vice-president of the convention.

The feature of the morning session was the address of President Crouse, who said in part: "The insurance business should undoubtedly bear its fair and proper share of governmental expenses, but should not be burdened with heavy and excessive taxes simply because it can be done by hiding

and covering them up in the premiums paid by policy holders or by reducing dividends which otherwise would be largely increased.

"If the people who do the voting are convinced that those who pay insurance premiums are paying excessive taxation on their savings, some relief undoubtedly come. Especially ought the taxation of mutual fire insurance companies to be reduced as no part of the premium paid for indemnity of this character is ever turned to the insured except in case of fire, and then only to reimburse him for his actual losses.

Merits of Fraternal Insurance. "Fraternal insurance is another subject of great importance and will receive special consideration at the hands of Commissioner Young of North Carolina. A discussion of the merits and demerits of this character of insurance is not intended here, as all of us would gladly acknowledge the splendid results accomplished by the legitimate fraternal associations for a large class of people who otherwise would not carry any insurance whatever.

"Besides, there is no conflict, or should be none, between that and other plans of insurance as all have their proper places, but one of the great troubles is how to deal with a very great number of associations styling themselves fraternal, whose conduct and actions towards their members are of the most unfraternal character. Some plan should be devised to eradicate these concerns which exist only to rob those who are induced by false promises of rich returns to become members."

President Crouse did not name any of the companies he called "unfraternal." E. E. Rittenhouse, president of the Provident Savings Life Assurance society of New York, arrived here today with sixty-seven delegates from the east in a special train. Many other well known insurance men are in attendance. The convention will be in session three days.

Card of Thanks. I wish to thank my friends that supported and voted for me in my candidacy for coroner at the recent primary election. C. H. T. RIEFEN.

STORM IS RAGING ON THE GULF Strong Winds and Heavy Tide Indicate Gale Which May Be Damaging.

LAKE CHARLES, La., Aug. 24.—Strong winds and a heavy incoming tide in Calcasieu river last night indicated that a severe storm was raging on the gulf. There is no means of communication with Cameron, at the mouth of the river, until the regular steamer arrives late today. It is feared the gale has done much damage to the rice, much of which is still uncut.

Advertisement for E-C cereal, featuring an illustration of a child and a dog, and text describing the product's benefits.

It is the special and exclusive E-C process that makes it so good the children want a second helping—clean, dainty, crisp and wholesome—the most delicious flaked food ever produced.

You don't know how good Toasted Corn Flakes can be until you have eaten E-C Corn Flakes. E-C-O-See Cereals Co., Quincy, Ill.

How to buy a home with a little cash. Some people don't know that a home can be bought with a small cash payment down and the balance can be paid like rent. In the real estate columns of Thursday's Bee will be found many desirable home propositions that can be purchased on the above terms.

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