New Laws of Nebraska Passed by the Late Legislature

Complete Digest of All the Bills Passed by the Law Makers and Signed or Vetoed by the Governor

THE Thirty-third legislature of Nebraska made several records, one of them being the number of new laws passed. In adopting the report of the Code commission, the legislature re-enacted all the laws of the state that were retained in the code by the commission. In addition, it passed 266 bills, of which the governor signed 260, thus adding that many new laws to the code, and vetoed six. In addition to the six bills vetoed outright, the governor also vetoed an item in the general maintenance bill, providing $115,000 for the erection of a dairy barn at the State farm in Lincoln, to be used in connection with the College of Agriculture of the University of Nebraska; and an item in the general salary bill for the relief of Superintendent Thomas of the Institute for Feeble Minded Children at Beatrice.

The following digest of the new laws passed deals only with the bills introduced in the legislature during its session, and tells nothing of the new code presented by the Code commission in its report and adopted by the legislature; this volume has not yet been printed, and until it comes from the press there is no way to determine just what the laws of Nebraska are, as the former codes have been superceded; a number of the laws passed by the legislature are amendatory or corrective of laws contained in the code, so that work for the courts has been made by the legislature. Following will be found a classified digest of the laws passed by the legislature, those without emergency clause going into effect in July:

Agriculture.

S. F. 153, by Hummel of Webster—Prohibits county from aiding agricultural society in an amount greater than premiums, other than speed prizes.

H. R. 524, by Brott, Hasik and Ayers—Permits county boards to appropriate money for a county farm demonstrator, upon petition of 10 per cent of farm land owners, appointment to be on advice of University Extension department.

Anti-Discrimination.

H. R. 646, by Grueber of Thayer—Puts the burden of proof, in case where discrimination in selling price is alleged, on the salesman.

S. F. 306, by Ollis of Valley—Requires attorney general to investigate complaints of discrimination under anti-discrimination law, whenever request is made.

Appropriations.

H. R. 353, by Regan—Appropriates $50,000 for state penitentiary deficit. (Emergency).

H. R. 32, by Mockett—Appropriates $15,000 for deficiency and emergency repairs at state orthopedic hospital. (Emergency).

H. R. 9, by Potts—Appropriates $120,000 for salaries and expenses of the legislature. (Emergency).

H. R. 8, by Potts—Appropriates $20,000 for incidental expenses, state legislature. (Emergency).

H. R. 234, by Cronin—Appropriates 90 per cent of the one-fifth mill state aid bridge levy, 1913-15.

H. R. 341, by Reische of Dawes—Appropriates money in state normal library fund for purchase of books for Chadron normal. (Emergency).

H. R. 887, by the Governor—Appropriates $100,000 for the relief of tornado sufferers and to pay the militia, to be expended by the following commission: Arthur C. Smith of Omaha, Robert Cowell of Omaha, Arthur Mullen of Omaha, William A. Redick of Omaha, William Miller, sr., of Yutan, S. H. Buck of Otoe county, P. H. Hall of Lincoln. (Emergency).

H. R. 380, by Bartels of Wayne, Kauffman of Nemaha, Harris of Buffalo, Hostettler of Buffalo and Reiche of Dawes—Appropriates cash funds of four state normal schools to current expense funds.

H. R. 56, by Harris of Buffalo—Appropriates library cash fund of Kearney State normal to current library fund of that institution.

H. R. 125, by Bartels of Wayne—Appropriates Wayne normal library fund for purchase of books.

H. R. 255, by Flanagan of Douglas—Appropriates $5,000 for Guard Doody of state penitentiary, injured during convict outbreak.

H. R. 135, by O'Malley of Hall—Appropriates $3,000 for relief of Mrs. Ruby Carson, injured in laundry machine at Grand Island Soldier's home.

H. R. 98, by Mockett of Lancaster—Appropriates $1,000 for relief of John Keane, penitentiary employe injured by falling through trap door.

H. R. 345, by Kundson, Allen, Yater, Morris, Gurtin, Banks, Chappell and Anderson of Douglas—Appropriates $5,000 for hatchery at state hatcheries.

H. R. 169, by Jeary of Lancaster—Appropriates $5,000 for relief of Mrs. Ida Armstrong, whose husband was killed on the state fair ground.

H. R. 877, by the Governor—Appropriates $50,000 for erection and equipment of a new building. Girls' Industrial home at Geneva.

H. R. 428, by Harris and Hostetler of Buffalo—Appropriates $40,000 for additional land for Kearney Industrial school.

H. R. 282, by Grueber of Thayer—Appropriates $35,000 for a binding twine plant at the state penitentiary; no appropriation for working capital.

H. R. 155, by Jackson of Nuckolls—Appropriates $100,000 for new building at state fair grounds and $8,000 for additional land.

H. R. 726, by Busch of Otoe—Appropriates $20,000 to build a memorial armory at Nebraska City, on site of old Fort Kearney.

H. R. 343, by Anderson of Douglas—Appropriates $4,200 for deficiency at Omaha school for the deaf.

H. R. 425, by Hoffmeister of Chase—Appropriates $12,000 for state board of health laboratories; $5,000 for equipment and $7,000 for maintenance, including a director's salary not to exceed $2,400 a year.

H. R. 404, by Jeary of Lancaster—Appropriates $75,000 for buildings, repairs and improvements at the Lincoln insane hospital.

H. R. 875, by Code Commission—Appropriates $40,000 for infirmatory building at Kearney tubercular hospital.

H. R. 565, by Nichols and Regan—Appropriates $62,000 for construction and equipment of building for male patients at Norfolk insane asiyum.

H. R. 34, by Busch of Otoe—Appropriates state normal library fund to purchase of books and supplies for Peru normal library. (Emergency.)

H. R. 646, by McCarthy of Cuming—Appropriates $2,500 for a night school at the state penitentiary.

H. R. 888, by Penitentiary Committee—Appropriates $66,000 for repairs, improvements and buildings at the state penitentiary. (Emergency.)

H. R. 690, by Fuller of Seward—Appropriates $25,000 for hospital at Milford Soldiers' home. (Emergency.)

H. R. 875, by Hardin—Appropriates $30,000 for notation and publication of revised statutes by recodification commission. (Emergency.)

H. R. 563, by Lancaster Delegation—Appropriates $928 for expenses of Sheriff Myers of Lancaster county in defending himself against the charge of murdering Roy Blunt, farmer, who was killed by officers during the chase of escaped convicts in March, 1912.

H. R. 365, by Anderson of Douglas—Appropriates $100,000 for Deaf and Dumb institute at Omaha, as follows: Department building for segregation of oral pupils, $60,000; for power house and equipment, $35,000; for changing and improving present buildings, $5,000.

H. R. 229, by Heiliger of Jefferson—Appropriates $2,000 to further mark the Oregon trail through Nebraska.

H. R. 146, by Schaupp and Allen—Appropriates $5,000 for the construction of a sanitary sewer at Beatrice Institute for the Feeble Minded. (Emergency.)

H. R. 390, by Losey of Dodge—Appropriates $6,000 for relief of Mary E. Heilman and daughter whose husband and father was killed in penitentiary outbreak. (Emergency.)

H. R. 114, by Mallery of Box Butte—Appropriates for the use of the state university 98 per cent of the annual mill levy, for maintenance only. (Emergency.)

H. R. 247, by Norton of Polk—Establishes the state intermediate reformatory and appropriates $150,000 for grounds and buildings for same; State Board of Control to purchase site where at least one section of arable land is available or where a brick plant may be maintained; buildings to accommodate at least 200 prisoners to be erected, as far as possible by convict labor; any male person of from 16 to 30 years old, when first convicted of a felony, may be sentenced to reformatory instead of to penitentiary; Board of Control may transfer other prisoners to institution or remove men so committed to the penitentiary at its own discretion.

H. R. 423, by Norton of Polk—Appropriates $5,000 for investigation of the state's resources and for giving publicity to same; under direction of a commission composed of the governor, the chancellor of the university, the director of the conservation and soil survey, the secretary of the State Board of Agriculture and the director of the state legislative reference bureau.

H. R. 274, by Gates of Sarpy—Appropriates $4,000 for relief of Mrs. Roy Blunt, whose husband was killed during pursuit of escaped convicts, and $3,500 for relief of infant son; first sum to be paid into her hands at once without conditions; second sum to be paid to boy's guardian for his sole use. (Emergency.)

H. R. 615, by Scott of Hamilton—Appropriates $1,500 for the relief of Mrs. Anna Nichels, whose son died during a National Guard encampment.

H. R. 882, by Deficiencies Committee—The general deficiency bill, appropriating $162,588 for 1912-1913. (Emergency.)

H. R. 872, by the Finance Committee—The general salaries bill, appropriating $962,123 for 1913-1915. (Emergency.)

H. R. 873, by the Claims Committee—The general claims bill, appropriating $82,003 for 1911-1913, $60,000 of which was for advertising of proposed constitutional amendments. (Emergency.)

H. R. 874, by Finance Committee—General maintenance bill, $3,190,649.

H. R. 273, by Pearson of Frontier—Appropriates $10,000 for permanent improvements at the Curtis agricultural school.

H. R. 459, by Lancaster Delegation—Appropriates $40,000 for new hospital at Orthopedic hospital at Lincoln.

H. R. 345, by McKissick of Gage—Appropriates a three-fourths mill levy for the permanent improvement of the state university, to be expended as the people shall direct by vote at the 1914 general election, either all for consolidation at the farm or one-third there and two-thirds at the city campus, for extension and improvement.

Assessors.

S. F. 170, by Dodge of Douglas—Precincts assesors in Douglas county to be appointed instead of elected; vacancies in any county to be filled by appointment of county assessor, instead of by county assessor and county board. (Emergency.)

S. F. 236, by Macfarland of Douglas—Gives county surveyor of Douglas county an additional $1,000 a year as highway commissioner; total salary, $3,000. (Emergency.)

Banks.

H. R. 564, by Elmelund of Saunders—Requires a reserve of 20 per cent by all state banks in cities of over 25,000 inhabitants; former law, only by banks in such cities which were reserve agents for other banks.

H. R. 447, by Elmelund of Saunders—Allows banks to loan not to exceed ten times the capital stock and surplus (present law, eight times). (Emergency.)

Boundaries.

H. R. 15, by Fries of Howard—Provides a penalty of from $10 to $50 fine and liability for damages for imitating any "corner" established by the federal government in the survey of public lands in Nebraska. Emergency.

H. R. 13, by Fries of Howard—In boundary disputes gives state surveyor the right to summon witnesses, administer oaths and compel testimony. Emergency.

H. R. 12, by Fries of Howard—Prescribes methods of establishing or restoring lost or obliterated corners; gives the county surveyor right to summon witnesses. Emergency.

Cities and Towns.

H. R. 748, by Keckley of York—Allows cities of 5,000 inhabitants to vote not more than $100,000 bonds for the drainage of natural water courses; designed to permit York to relieve a local condition. Emergency.

H. R. 154, by Lancaster Delegation—Permits city of Lincoln to purchase or construct municipal street railway, gas or any other public utility plant. Emergency.

H. R. 18, by Brain of Douglas—Provides that advertisements of election for issuance of sewer bonds may be made by posting placards in prominent places, in case village has no newspaper. Emergency.

H. R. 24, by Hoagland of Lancaster—Provides for double shift for Lincoln firemen.

H. R. 362, by Brain, Druesedow, Flanagan, Yates, Sugarman, Foster, Hoff, Anderson—Double shift fire service for South Omaha firemen. (Emergency.)

H. R. 142, by Greenwalt—Permits cities of 1,500 population or over to adopt commission form of government. Minimum population heretofore 5,000. (Emergency.)

H. R. 280, by Korff of Cedar—Reduces population required for incorporation of villages from 200 to 100.

H. R. 44, by Lee of Douglas—Permits Omaha to vote bonds for city auditorium or workhouse; reduces majority required for voting any bonds from two-thirds to three-fifths; permits city council to issue $50,000 park bonds in 1913 without vote; permits issuance of $1,000,000, bonds not over $250,000 in any one year, for improvement of boulevards and parks (not for purchase) by three fifths vote of those voting on question at a special or general election.

S. F. 17, by Saunders of Douglas—Creates a metropolitan water district embracing all territory served by the Omaha municipal water plant; provides for election of a water board to govern water affairs of districts; no municipality to retain right to grant water franchises; existing private plants February 1, 1913, exempted.

S. F. 67, by Brookley of Clay—Permits city councils of cities of from 5,000 to 25,000 population to charge cost of water main extensions up to abutting property as a special assessment, as at present for sewer extensions. (Emergency.)

S. F. 38, by Bartling—Strikes out word "sporting" out of anti-Sunday amusement statute; specifically permits base ball in village or city when majority of voters expressing opinion on matter so vote, or in county outside corporate limits of village or city, when county board so grants. (Emergency.)

H. R. 731, by Jeary of Lancaster—Provides that city of Lincoln and Lancaster county may unite in purchase of site and construction of a joint jail, issuing $100,000 bonds therefore.

S. F. 218, by Dodge of Douglas—Permits cities of 5,000 to 25,000 population, by three-fifths vote of those voting on the question, to issue not to exceed $25,000 bonds for public park purposes. (Emergency.)

S. F. 71, by Wolz of Dodge—Increases maximum of bonds that may be issued by cities of 5,000 to 25,000 population for construction of heat or lighting plant from 5 to 10 per cent of assessed valuation. (Emergency.)

H. R. 22, By Elwood of Antelope—Requires boad of trustees of villages to hold annual meeting on last Tuesday in April, which is designated the beginning of the municipal year. (Emergency.)

S. F. 344, by Wolz of Dodge—Permits city council to fix rates for municipal water and light plants by resolution as well as by ordinance in cities of 5,000 to 25,000 inhabitants; permits council to confer management of municipal plants upon a board of public works. (Emergency.)

H. R. 291, by Brain of Douglas—Changes qualifications for membership on South Omaha School Board; changes date of beginning of their term of office; increases the salary of the secretary $200; maximum mill levy raised to 25 mills; permits issuance of $50,000 bonds.

S. F. 287, by Saunders of Douglas—Establishes a pension fund for librarians of Omaha City Library, under supervision of city council; fund made up of assessments not exceeding 1½ per cent of librarians' salaries, of appropriations from the library fund, not exceeding one and one-half times the assessments, and of bequests or donations, or any of of bequests or donations; pension may be granted any employe of thirty-five years' service, or any of twenty years' service who may be incapacitated for further duty.

S. F. 450, by Hoagland of Lancaster—Provides for excise board in Lincoln in addition to commissioners in commission form of government.

S. F. 164, by Grossman of Douglas—Double shift for South Omaha fire department.

S. F. 245, by Saunders of Dauglas—Permits Omaha to issue bonds for purchase or erection of city auditorium, by two-thirds vote. (Emergency.)

H. R. 67, by Druesedow of Douglas—Increases Omaha fire and police pension from $40 to $50 per month.

H. R. 27, by Simon of Douglas—Provides that widow of Omaha policeman shall be paid a pension of not less than $30 a month, unless married; minor orphaned children similarly pensioned.

H. R. 152, by Jeary—Miscellaneous amendments to the Lincoln city charter.

H. R. 604, by Douglas County Delegation—Raises maximum levies in Omaha for fire purposes from $250,000 to $280,000, for police from $160,000 to $180,000, for street cleaning from $60,000 to $70,000; reduces maximum levy for lighting streets from $70,000 to $60,000; provides that city shall repay any funds advanced by any department at city council's request. (Emergency.)

H. R. 336, by Anderson of Douglas—The Omaha gas bill; allows people by majority vote at general or special election to extend city gas franchise twenty-five years, with privilege of purchase by city at end of fifteen years. (Emergency.)

H. R. 548, by Harris of Buffalo—Allows cities of 5,000-25,000 to use proceeds of sale of cemetery lots for improvement of grounds.

S. F. 389, by Saunders of Douglas—Permits 10 per cent of the voters of any home rule city to initiate a city charter, or any part thereof, to be voted upon as an alternative to the charter submitted by the charter convention, the alternative sections to become law if approved by a majority of the voters. (Emergency.)

Cold Storage.

S. F. 64, by Code Commission—A cold storage warehouse regulation act. Proprietors must secure license from food commissioner, must keep public record of receipts and withdrawals of all foodstuffs; quarterly reports of foodstuffs on hand to commissioner; storage of foodstuffs longer than one year forbidden unless by specific consent of food commissioner, prospective purchaser of foodstuffs must be notified by retailer of whether or not they have been in cold storage; unlawful to return to cold storage any article of food that has once been released and put on market; at least quarterly inspection by food commissioner, annual inspection to be $10 for warehouse of 50,000 cubic feet, $25 for one of 50,000 to 100,000, $50 for one of 100,000 cubic feet or more; penalties, for first offense in violating any of these provisions, a fine of not over $500; second offense, fine of not more than $1,000, imprisonment not over six months, or both; food commissioner empowered to make other regulations.

Constitutional Amendments.

H. R. 106, by Banks—Ratification of the federal constitution relating to the election of United States senators.

H. R. 92, by Norton—Proposed constitutional amendment to permit reform of state tax system, reading as follows: "The rules of taxation shall be uniform as to any given class and taxes shall be levied upon such property as the legislature shall prescribe. Taxes may be imposed upon incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided in addition to those hereinafter specifically mentioned in section 2 of this article."

H. R. 46, by Bollen of Knox and Cedar—A proposed constitutional amendment permitting five-sixths of a jury to render a verdict in all civil cases and in criminal cases less than felonies; legislature may authorize a trial by jury of less than twelve men in courts inferior to the district courts.

H. R. 210, by Palmer of Clay—Proposed constitutional amendment fixing salary of governor at $5,000 instead of $2,500; increases salaries of secretary of state, superintendent of public instruction and land commissioner from $2,000 to $2,500; increases attorney general's salary from $2,000 to $4,000; state treasurer from $2,500 to $3,000; lieutenant governor reduced from two to one and one-half times the salary of a state senator.

Corporations.

S. F. 167, by Dodge of Douglas—Exempts from necessity of filing annual reports with attorney general all corporations which are required to file reports with auditor of public accounts unless specific report is demanded; applies particularly to insurance companies. (Emergency.)

H. R. 752, by Potts of Pawnee—Increases annual corporation license tax, particularly upon larger companies.

S. F. 4, by Cordeal—A "blue sky" law; requires companies under its provisions to submit to an examination of solvency and credit by state railway commission; penalties for selling stock without a permit issued after such examination; the following come under the act: Foreign and domestic corporations, co-partnerships, joint stock campanies, declaration of trust associations and every other character of association and every individual who sells or attempts to sell or negotiate for sale of any stock, bond or other securities, with these exemptions: Building and loan companies organized in Nebraska, dealers who sell to other dealers or to corporations, sales of stock in Nebraska corporations after being in existence one year, or in foreign corporations in existence five years, a majority of whose stockholders are Nebraskans; sales of real estate in Nebraska, or of real estate outside the state when made by resident owner thereof, are exempted; but on request of prospective purchaser state conservation and soil survey shall investigate and report on any sale of land outside of Nebraska.

S. F. 2, by Smith—Levies a 2 per cent tax upon the gross earnings of all express companies on interstate business; companies to make report for each fiscal year between July 1 and October 1; includes a clause wherein any one giving information resulting in recovery of delinquent taxes may receive 10 per cent of such recovery.

S. F. 440, by Hoagland of Lincoln—Any corporation whose products are sold in Nebraska must have a resident agent on whom service in legal action can be had; forbids sale by jobbers of goods of foreign corporation not so represented. (Emergency.)

S. F. 322, by Spirk of Saline—Taxes of private car companies shall be paid into state treasury, instead of through county treasuries. (Emergency.)

County Officers and Boards.

H. R. 299, by Hasik of Butler—Requires county officials to pay annually to the county treasurer all fees collected in excess of what law allows them as salaries (former law, paid in at end of term.)

H. R. 204, by Hasik of Butler—Substitutes town treasurer for assessor as a member of town board. (Emergency.)

H. R. 220, by Hartwell of Webster—Requires proprietor of pool hall outside of incorporated city or village to obtain license from county board on petition of at least thirty freeholders of precinct wherein it is to be located, after publication of application in newspaper of general circulation for at least two weeks; license fee, $10 each of first three tables and $5 each additional; must close at 10 p. m.; license forfeited if guilty of any law violation.

H. R. 278, by Anderson of Boyd—Where county boards cannot settle dispute over intercounty bridges, the matter shall be arbitrated, with each county having one vote and the state engineer the third (Emergency.)

H. R. 889, by the Governor—Authorizes the county board of any county, on vote of a majority of those expressing an opinion on the question, to issue bonds not to exceed 5 per cent of the assessed valuation of the county, or $1,000,000, to relieve destitute and needy sufferers from cyclones, tornadoes or destructive windstorms; the county to loan such funds for rebuilding and repair of homes; for particular application to the city of Omaha. (Emergency.)

S. F. 446, by Macfarland of Douglas—Increases compensation of county commissioners in Douglas county from $2,100 to $2,500 a year, and in Lancaster county from $1,800 to $2,100.

H. R. 556, by Elmelund of Saunders—Repeals law requiring counties to pay for board and care of insane patients in state asylums.

H. R. 281, by Searle of Keith—Requires sheriff instead of county treasurer to make returns on distress warrants. (Emergency.)

S. F. 144, by Klein of Gage—Minor changes in details of county treasurers' cash books.

S. F. 291, by Cordeal—Repeals section 9,565 of Cobby's annotated statutes, requiring duplicate records by county clerks and county treasurers.

S. F. 121, by Hummel—A county board may levy not over 5 mills to build a court house or jail; the amount so secured to be not over $100,000 and the levy to extend for not over three years; providing that the total tax levy for all purposes shall not be more than 1½ per cent of the assessed valuation; such levy to be on petition of 51 per cent of the voters, as ascertained by an average of the last two elections.

H. R. 159, by Code Commission—Makes a four-year term for county commissioners and provides that districts cannot be changed oftener than once in four years. Emergency.

S. F. 13, by Bushee of Kimball—In counties having an assessed valution of less than $700,000, compensation of county assessors shall be $5 a day for time employed, not to exceed $250; precinct assessors to be paid $3 a day. (Emergency.)

S. F. 115, by Robertson of Holt—Provides that children may be cared for at home at expense of the county, not to exceed $10 per month for each child, when parents are unable to properly provide for them.

H. R. 214, by Potts of Pawnee—Provides for consolidation of all delinquent taxes due prior to 1906.

H. R. 521, by Schaupp of Gage—Provides that county treasurer, prior to each annual town meeting, shall file statement of amount of money spent in previous year and funds now on hand.

H. R. 884, by Code Commission—Provides for incorporation of Arthur county out of McPherson county. (Emergency.)

H. R. 168, by Baker of Thomas—Limits county attorneys' salaries in counties with less than 1,000 population to $300.

H. R. 322, by Jeary of Lancaster—Authorizes the appointment of probation officers by any district judge; provides for a chief probation officer in counties of 50,000 to 100,000 population, salaried at $1,200; in counties less than 50,000 population chief probation officer shall receive $720 or less, as county board shall determine; no probation officer shall be appointed in counties of less than 20,000 population; prescribes in detail duties and rights of probation officers.

H. R. 517, by Hoffmeister of Chase—Makes it compulsory upon county board to call a meeting of school directors to establish a county high school in any county which has no twelfth grade school, accredited to the state university, said high school to be located at the county seat.

S. F. 401, by Dodge of Douglas—Authorizes Douglas county to vote $100,000 bonds for a workhouse, to be established by county commissioners at least ten miles from city limits; to be controlled by board of inspectors composed, according to the defective wording of the bill, of the chairman of the commissioners and three inspectors appointed by him and confirmed by themselves. (Emergency.)

S. F. 104, by Reynolds of Dawes—Provides that counties of from 7,000 to 8,000 population shall give the clerk of the district court $400 in addition to fees.

Courts.

H. R. 124, by Nichols of Madison—Repeals the law requiring the filing in supreme court in appeal cases of printed abstracts of bills of exception. (Emergency).

H. R. 382, by Baker of Thomas—Raises salaries of court reporters from $1,500 to $2,000 a year.

H. R. 236, by Bollen of Knox—In all actions brought to recover damages for injuries to a person or his property, negligence of the plaintiff shall be considered in comparison with that of defendant the jury to decide degree of compensation that is just. (Emergency.)

H. R. 107, by Norton of Polk—Permits the collection of costs and payment of witness fees in juvenile court cases. (Emergency.)

S. F. 276, by Macfarland of Douglas—Increases the salary of the clerk of the district court in Douglas county from $2,000 to $2,500 a year. (Emergency.)

H. R. 53, by Chappell of Brown—Transfers Brown county from the Fifteenth to the Sixteenth judicial district.

S. F. 69, by Wolz—When a temporary injunction has been granted by a district court and a permanent injunction refused if an appeal is taken the case shall be heard by the supreme court within ninety days; actions of this nature now pending must be heard within sixty days of taking effect of this act. (Emergency.)

S. F. 326, by Placek—Prescribes procedure in probate court in estates where real property is situate in state, but where no court has acquired jurisdiction; jurisdiction devolves on court of county where deceased was last resident or where any property is situate.

S. F. 5, by Hoagland of Lincoln—When a temporary restraining order has been issued, hearing on application for an injunction must be within ten days.

H. R. 1, by Hardin—Makes recodified statutes compiled by the recodification commission the law of the state. Emergency.

S. F. 127, by Hoagland of Lincoln—Assignees of cases in action assigned for purpose of collection may sue on any claim assigned in writing; assignee must furnish security for costs. (Emergency.)

H. R. 237, by Bollen of Knox—Requires a judge to give ten days' notice of intention to sit in chambers; adds to his power in chambers the following: The right to enter a judgment by default, to hear and enter judgment in equity cases upon agreement and stipulation of both parties to the action; to hear and enter judgment in cases of law wherein a jury has been waived and upon agreement and stipulation of both parties. (Emergency.)

Elections.

H. R. 11, by Fries of Howard—Judges and clerks of election and canvassers shall receive 30 cents an hour for not more than twenty hours, party making returns to county clerk to receive 5 cents per mile traveled; in cities of first class judges and clerks to receive $5 a day (formerly $6 an election).

H. R. 26, by Jackson of Nuckolls—Names of candidates nominated at a primary election shall not be placed on the official ballot unless the candidate accepts the nomination in writing within ten days when running for a county office or fourteen days if for a state office; county clerk shall notify nominees by mail within three days after the result is ascertained.

H. R. 186, by Hardin of Harlan—Brings police magistrates under biennial election law; next election in 1914.

H. R. 742, by Richardson of Lancaster—Prescribes detailed procedure for initiative and referendum; makes it a felony for anyone to sign a petition who is not a legal voter; requires affidavit of circular with each sheet of signatures, asserting authenticity thereof; if secretry of state refuses to accept the act upon petition, mandamus may be secured from Lancaster district court, all cases to be advanced to earliest possible date for hearing; either party may appeal to supreme court within ten days of decision; attorney general to prepare title for ballot, or, if his title is objected to, appeal may be had to court, as hereinbefore stated; supporters and opponents of any question submitted by initiative or referendum may submit arguments to secretary of state, who shall print same and mail one copy of pamphlet to every voter, cost of paper and printing to be paid by person submitting argument, cost of mailing by state; secretary of state to secure assessment rolls, poll books and other data to make up mailing list; penalties prescribed.

S. F. 18, by Bartling of Otoe—If any qualified voter is absent from his county, by virtue of the necessities of his occupation, on a general election or primary election day, he may present himself to any polling place in the state and cast his ballot on all offices and questions voted upon in his home county; voter to swear to an affidavit setting forth the facts; clerk of election to mail ballot by special delivery to county clerk of voter's home county, where same will be counted by canvassing board; penalty for false swearing, fine of not more than $100; penalty for violation of confidence by county clerk, not over $100 fine.

S. F. 169, by Bushee of Kimball—Twenty per cent of the electors of a township or county may petition county board for a resurvey of township or county, the board to submit the question to a referendum.

H. R. 18, by Code Commission—Abolishes off-year election in 1913 and provides for extension of terms of state and county officers to 1914.

S. F. 126, by Dodge of Douglas—Authorizes the governor to appoint an election commissioner with complete authority over the registration of electors and the conduct of elections in Douglas county; provides for permanent registration lists, all-year-round registration, system of taking electoral census and of checking registration; election commissioner to receive $5,000 a year; deputy, appointed by him from opposite political party, to receive $1,800; other deputies and inspectors to be appointed at his discretion, to receive $5 per day; commissioner to appoint all election officials, who may or may not be from precinct in which they are to serve; commissioner subject to immediate removal for cause by governor. (Emergency.)

S. F. 352, by Grossman of Douglas—Nonpartisan election of supreme, district and county judges; election to be by petition, that of supreme court candidate to have at least 2,500 names, of district court, 5 per cent of qualified voters of district and of county court, 10 per cent of same; leaders in primary vote, to the number of twice the number of places to be filled to be placed on a separate ballot to be voted upon at the general election.

Hotels.

H. R. 415, by McKissick and Hoff—Increases the salary of hotel commissioner from $5 a day to $1,500 a year; authorizes expenditures of not more than $12,000 for assistants, this amount to be paid out of fees collected by department; various minor changes in hotel regulations.

H. R. 416, by McKissick and Hoff—Gives hotel keepers a lien baggage of guests for unpaid board bills; liability for loss of guests' valuables limited to $300 even if kept in hotel safe, unless by special agreement, in case of destruction by fire, liability limited to $10 for each grip and contents and $50 for each trunk and contents.

Insurance.

S. F. 264, by Code Committee—A bill for an act to provide for the organization and government of insurance companies and to regulate, supervise and control the business of insurance in Nebraska, to provide penalties for its violation, to provide for an insurance board and define its duties and powers and to repeal Chapter 24 of Cobbey's annotated statutes of Nebraska for the year 1911, and all acts and parts of acts in conflict therewith.

Some of the principal changes made in the present law are as follows: The control of the insurance department is taken from the state auditor and placed in the hands of an insurance board consisting of the governor, attorney general and auditor of public accounts, of which the governor is ex officio chairman. This board appoints a secretary who receives a salary of $2,500 per annum, an actuary who receives not to exceed $15 per day for time actually employed, one or more examiners at a salary of not to exceed $3,000 per annum, and such clerks as shall be necessary at a salary of not to exceed $1,200 per annum. Thus it shifts the burden of responsibility from one man to the insurance board, the duties and powers of which are clearly defined. Foreign companies are required to invest their capital in the same class of securities as are required by domestic companies doing business in the state, except that securities authorized by the laws of its home state may be recognized as legal investments in the discretion of the board. Reports are required from all companies January and July of each year. Rebate and discrimination in every form is strictly forbidden under heavy penalties, and companies found guilty of either are subject to a revocation of their certificates of authority. A limit is placed upon the amount to be paid to the officers of any insurance company. It defines what shall be considered as assets of a company, provides heavy penalties for false statements of false advertisements and provides for and defines what shall constitute a legal reserve. It provides that a life insurance company may write a nonparticipating policy, a participating policy, an annual dividend policy and a deferred dividend policy, but provides that when a deferred dividend policy is written, that the company after the third year ascertain and apportion the amount of the divisible surplus to which such policies as a class are entitled, and upon the written request of the policyholder, shall furnish a statement of the amount of the surplus provisionally ascertained and held awaiting distribution at the expiration of the deferred dividend period. It permits life insurance companies to insure the employes of manufacturing establishments in groups of 100 or more against loss of life by accident, without requiring a medical examination. It separates a mutual from an assessment association, defining each and classifies all companies that meet their losses and expenses by levying an assessment upon their members as an assessment association. It provides for a representative form of government for fraternal beneficiary societies, defining the same, providing that the delegates elected shall have three-fourths of the voting power of the governing body, and provides that when any raise in the rates or form of the payment of benefits are proposed upon request of 10 per cent of the membership of the society, the matter shall be submitted to the membership and must be endorsed by a majority of all members voting thereon. The companies are given two years in which to change their form of policy if found necessary.

S. F. 273, by Ollis of Valley—Provides for incorporation of mutual employers' liability insurance companies by any group of twenty or more employers, who have in the aggregate at least 5,000 employes in Nebraska and who have accepted the provisions of the workingmen's compensation act.

S. F. 83, by Hoagland of Lincoln—Prevents a murderer from receiving life insurance of deceased.

H. R. 71, by Regan of Platte—Requires insurance companits to pay plaintiff's attorney's fees in successful suits for recovery under life, accident, indemnity, sickness or guaranty, policy, amount to be fixed by trial judge. (Emergency.)

H. R. 276, by Palmer of Clay and Hardin of Harlan—On petition of 10 per cent of Nebraska members, officers of any fraternal insurance association must submit to a referendum any proposed increase in premiums or assessments; a majority vote being required to make increase effective. (Emergency.)

Irrigation.

S. F. 313, by Wolz of Dodge—County or municipal boards to co-operate with drainage or irrigation district boards in construction of bridges across new channels; if disagree, drainage district shall repair road or leave it in its original condition; county or municipality to maintain bridges after construction.

S. F. 84, by Bushee of Kimball—Increases authority of state irrigation board over irrigation districts, water commissioner of district need not be resident thereof, duties of water commissioner to be prescribed by state board instead of by statute. (Emergency.)

H. R. 469, by Stearns of Scott's Bluff—Requires monthly meetings of irrigation district boards (throughout the year instead of only through the irrigation season.

S. F. 415, by Bushee of Kimball—Permits polls in irrigation district elections to be opened only from 1 to 5:30 p. m., at the discretion of the board of directors, when the district contains 12,000 acres or less.

S. F. 416, by Bushee of Kimball—If a bond issue by an irrigation district for the purpose of acquiring new property or making improvements shall be insufficient to complete the work, the irrigation district board may levy a special assessment to meet the deficiency, or may call a second election to vote more bonds, such bonds to be a second lein on property. (Emergency.)

S. F. 16, by Bushee of Kimball—Many minor changes in details of irrigation district organization; an elector who is nonresident in district to be given a vote in that division of district, wherein he has the most property.

S. F. 11, by Bushee—Provides penalties for diverting or otherwise interfering with irrigation canal; if amount of water diverted or damaged amounts to less than $20 imprisonment for not more than 30 days or fine of not over $500; if damage greater than $20, imprisonment, in penitentiary for from one to three years. (Emergency.)

S. F. 109, by Hoagland of Lincoln—No change in the point of diversion of any flume, ditch or acqueduct shall be to a point more than two miles distant from original point of diversion. (Emergency.)

S. F. 110, by Hoagland of Lincoln—Requires irrigation companies to report to the state engineer, instead of to superintendent of water district, a list of all lands to be watered. (Emergency.)

S. F. 280, by Hoagland of Lincoln—Gives the State Board of Irrigation original jurisdiction in all matters pertaining to water rights for irrigation, power or other useful purposes, highways and drainage; appeal in such matters to be direct to the state supreme court, instead of to the district court; prescribes procedure.

H. R. 179, by Hoffmeister of Chase—Requires woven wire fish net or screen at headgates of every irrigation ditch, mesh not over one inch; penalty for neglect after twentieth day from notification by deputy game warden, $1 per day.

H. R. 751, by Stearns of Scottsbluff—Permits the use of seepage water when such use does not damage any other property, not to excee dthree feet to the acre. (Emergency.)

H. R. 178, by Stearns of Scott's Bluff—Declares irrigation works to be common carriers and places regulation of rates, service and general affairs of all irrigation works, save those of irrigation districts, under the direction of the state railway commission.

S. F. 82, by Bushee—Repeals bill passed by 1911 legislature giving double water appropriation to certain lands in western Nebraska and prescribes way in which water from lakes and small streams may be diverted for irrigation.

Relating to Labor.

S. F. 293, by Cordeal of Red Willow—Provides public boards shall require contractors for constructing public buildings to give bond to secure payment of labor and material used therein.

H. R. 221, by Jeary of Lancaster—Creates board of mediation and investigation to prevent and settle industrial strikes and lockouts; provides for local boards; state board of three members appointed by governor to receive $5 per day and expenses; $2,000 appropriated for expenses; entire matter optional with employer and employe.

S. F. 40, by Grossman—Permits a contractor or laborer to secure a lien on electric light or gas fixtures for labor or material.

S. F. 139, by Kemp—Any officer, agent or attorney of any voluntary association or labor organization, who embezzles its property, shall be deemed guilty of embezzlement and penalized according to the law as to the amount.

S. F. 159, by Talcott—Extends factory sanitation and inspection act to include all factories, workshops and machine shops, instead of only those employing eight or more persons; authorizes appointment by labor commissioner of factory inspectors, to be paid $4 a day and expenses; prescribes extensive detailed specifications for belt guards and other safety precautions.

S. F. 151, by Dodge of Douglas—Prohibits contract labor by state convicts; prisoners to be employed as far as possible in manufacture of clothing, shoes and supplies for other state institutions; may be employed to manufacture articles for sale that are not manufactured privately in the state; all building and repairs for the state to be by convict labor wherever possible, such labor to be charged to the institutions; institutions to be credited with board of prisoners at not to exceed 50 cents a day; convicts may be loaned to any county, city or village for public work.

S. F. 394, by Talcott of Knox—Establishes a maximum working day for women of nine hours and maximum of fifty-four hours a week; public utility employes exempted.

H. R. 151, by Knudson of Nance—Removes exemption of wages where debt is contracted for necessities of life; execution for wages shall not issue until judgment is rendered.

H. R. 222, by Harris of Buffalo—Establishes artisans' lien on personal property.

H. R. 636, by Brain and Losey—Establishes a minimum wage commission, appointed by the governor, to serve without salary; commission has power to appoint wage boards in any industry, composed of three employers, three employes and three outsiders. If two-thirds of such boards agree upon a minimum wage scale it shall be published by the commission, and thereafter any employer not maintaining the scale shall be proclaimed in the public print; no other method of enforcement; appropriates $2,500.

Liquor.

H. R. 538, by Busch of Otoe—Makes fine for selling liquor to habitual drunkards, idiots or insane $5 to $100.

S. F. 73, by Shumway of Dixon—Makes the sale, gift or transfer of intoxicants of any sort to an Indian of whole or mixed blood, punishable by a fine of not more than $100, or imprisonment for not more than three months, nor less than thirty days, convicted defendant to pay costs of prosecution. (Emergency.)

H. R. 228, by Jackson of Nuckolls—Prohibits the misuse by any other than the owner thereof of name, mark or brand on receptacles used in the sale of nonintoxicating beverages, ice cream and butter; prohibits the theft thereof and prov