

20 THOUSAND DOLLAR LOSS IN NICHOLAS FIRE

Largest Tanks of Big Oil Concern's Plant Saved; Work of Rehabilitation Already Started.

Fire, which partially destroyed the plant of the Nicholas Oil company at Twenty-fourth and Hickory streets Monday night, is estimated to have done \$20,000 damage, according to L. V. Nicholas, president of the concern. Loss is fully covered by insurance.

Work of reconstruction has already begun.

"After a conference with the other officials of the company, we have decided to build temporary structures to replace those destroyed. Our original intention was to build with reinforced concrete, but this is impractical while the weather is so cold. We will, therefore, defer the concrete work until spring."

It was only by heroic efforts that the fire, which for a time menaced the Drake-Williams-Mount company and the United States supply depot, was kept in check. If the flames had reached the three large oil tanks which stood near, it is probable that no amount of effort would have succeeded in saving the surrounding buildings.

Residents of the neighborhood were in a high state of excitement. The lurid flames and muffled explosions caused several of the more timorous to hazard wild guesses as to the cause. "I thought it was the end of the world," said Mrs. Armand Guenette, 2521 Hickory street.

LARGE CORPS OF MECHANICS TO BE SENT ABROAD

With the American Army in France, Monday, Dec. 24.—Extensive training quarters will be established in England and France for a corps of several thousand mechanics to repair and care for the machines of American airmen. Washington has been asked to send to England 13,000 bricklayers and carpenters and also a large number of laborers for construction work at the training quarters. When the work in England is completed the construction men will come to France to build quarters here.

It is inadvisable to mention the number of men who will be trained in England. It is sufficient that the army is determined to have more than enough efficient men available for America's success in the air will depend primarily upon this corps of mechanics.

Flying schools for Italian aviators are to be established in the United States for two purposes. First, the conditions in certain sections of the United States are better than in Italy, and, second, the utilization of training airplanes and equipment in the United States will save the tonnage involved in transportation to this side. Expeditionary headquarters has recommended that the American government provide for the construction of schools, the manufacture of airplanes and engines of Italian model and the feeding and housing of skilled pilots and students. The expense is to be met by Italy at a price to be determined later. It is planned to have the program become effective in the middle of 1918.

William R. Morse, Pioneer Of Clarks, Passes Away

Clarks, Neb., Dec. 25.—(Special.)—William R. Morse died here December 23 of arterio sclerosis. He was born August 4, 1846 at Bath, Me. He was one of the pioneers in this section of the state, having located at Clarks in 1871, where for many years he was engaged in banking. Later he was in the real estate, loan and insurance business. Mr. Morse was active in all public affairs and was a member of the state senate in 1881. He also served for many years as a member of the republican state central committee for Nebraska. Mr. Morse was an active member in many of the fraternal orders, including the Masons and Knights of Pythias.

He leaves his widow, Emma Morse, a son, Harold M. Morse, and a daughter, Mrs. Little, at Clarks; a son, Ralph, Morse of Twin Falls, Idaho; Mrs. Larkin of Omaha and Mrs. J. W. Hinman of Lincoln.

The funeral will be held at the family residence Wednesday, December 26, at 2 o'clock.

ITALIANS FIGHT THEIR WAY BACK TO FORMER LINE

Rome, Dec. 25.—In a desperate battle which lasted all day yesterday, the Italians fought their way back to the positions from which they were forced the previous day on the Asiago plateau under Austro-German attack, according to today's war office statement. Some guns and numerous machine guns which had been abandoned by the Italians in their retirement were recaptured when the old positions were reoccupied.

Nebraska News Notes

Emerson—Miss Emma Langford and Edward Hingst, both of this place, were married at Omaha and will make their home in a farm west of here.

Shelton—John, the little son of Grant Nelson, fell from a load of corn and one of the rear wheels of the wagon passed over him. He was not badly hurt.

Allen—The Boyle bought the R. C. Calkin property in the north part of town.

Randolph—While making a car Sunday night Harold Morris's arm was broken.

Emerson—Mrs. John D. Zastrow, aged 74 years, passed away at the state hospital at Norfolk. Her husband and 10 children survive her.

Randolph—Mrs. Henry Koppelman, aged 84 years, an old resident of Pierce county, passed away at her home in Omaha. Her husband and four sons survive her.

Emerson—The funeral of John T. Lawrence, aged 74 years, was held at the Lutheran church. The Odd Fellows lodge, of which he was a member, had charge of

Funeral of Henry D. Estabrook To Be Held in Omaha This Afternoon



H.D. Estabrook

Funeral services for the late Henry D. Estabrook were held at his late home at Tarrytown, N. Y., Monday and the body will arrive today for interment this afternoon in Forest Lawn cemetery. Mrs. Estabrook accompanied the body from the east as did also Mr. and Mrs. Karl Roehling, Mrs. Roehling being a daughter.

Mr. Estabrook was formerly a prominent Omaha attorney and orator, who moved to New York to reside several years ago, although still maintaining his interests in Omaha.

JINGLES SOLDIERS SING TO Boys at Fort and in Camps Who Soon Will "Go Over the Top" Make Merry With Trumpeter MUSIC OF ARMY BUGLE CALLS

By WILLIE GREEN.

With the nation at war, the crash of martial music and the tramp of soldiery resounding through the streets of Omaha is daily reminder of the conflict "over there" where human lives are being snuffed out by the thousands in the grim struggle for world democracy and the right.

At the great balloon school at Fort Omaha where the "eyes of the army" are being trained in the awful business of war every clarion call of the bugle is a reminder that the boys are one day nearer to the actual summons to arms.

Down at Fort Crook the bugler sounds "reveille" at frosty dawn and thousands of hearts thrum in unison. "One day nearer to going over the top" seems to be in the air and the faces of the boys brighten as they tumble from their bunks to make ready for the day's activities.

Captain Worst of All.

As the trumpeter sends forth the glad news of the early call its seriousness is softened by the light hearted response it brings from hundreds of voices following the bugle:

I can't get 'em up, I can't get 'em up, I can't get 'em up in the morning.

I can't get 'em up, I can't get 'em up, I can't get 'em up at all.

Cornals worse than the privates, Sergeants worse than the corporals, Lieutenants worse than the sergeants, An' the captain's worst of all.

Chorus: "I can't get 'em up, I can't get 'em up, etc."

And then the summons to "eat's" a "mess call" is factiously referred to. The young huskies you admired an hour ago as they swung across the parade ground in wonderful columns take liberties with Uncle Sam's menu in this fashion:

Soup-y, soup-y, without a single bean; Pork-y, pork-y, without a streak of lean; Coffee, coffee, without any cream, (or, the weakest ever seen).

They don't get so gay with the "sick call"—that's a little too serious even for the rollicking, jolly bunch that will tell you to your face they would rather be shot in Flanders than half-shot in Omaha. This is the way they kid the doctors:

Come and get your quinine, Come and get your quinine, Oh! Come and get your quinine, Come and get your pills.

Gets the "Iron Cross."

Discipline comes so near being second nature with these fighting men that they seem to forget it in their vocabularies, but they poke fun at it in the jingle they sing to the "stable call."

Come all who are able and go to the stable, And water your horses and give 'em some corn;

For if you don't do it, the colonel will know, And then you will rue it as sure as you're born.

So come to the stable, all ye who are able, And water your horses and give 'em some corn.

They hang the iron cross onto the "fatigue call" in a way that shows they remember the trench digging and other exercises. It's a jolly in which

Judge Arthur Wakeley will read the service at Forest Lawn cemetery chapel this afternoon at 2:30.

Honorary pallbearers will be: Casper E. Yost, Luther Drake, Dr. W. O. Bridges, John S. Brady, William D. McHugh, William E. Gurley, W. H. McCord, Walter B. Wilkins, L. F. Crofoot, I. H. Gongdon, George P. Stebbins, Edward P. Peck.

Active pallbearers: Myron L. Leonard, Francis A. Brogan, W. A. Redick, E. Buckingham, E. M. Fairfield, C. L. Saunders, C. L. Deuel, Joseph Barker.

The net results of these voluntary agreements was to reduce the ruling price of sugar 14 cent west of the Mississippi and north of the Ohio and 1 cent on the Atlantic. Had these arrangements not been made the sugar would have risen to 25 or 30 cents a pound.

"Numerous prosecutions have been started against firms which have sold prices of 15 and 20 cents.

What Cent Pound Means.

"The consumers' sugar bill from the time restraints were imposed until January 1 will be about \$180,000,000. Every cent pound means about \$18,000,000. Twenty-cent sugar would have meant about \$180,000,000 profited from the American consumer.

There was no other way under the law to prevent profiteering except by voluntary agreement, as the food bill carried no power to fix prices. These agreements have of necessity been made with the old manufacturers, including the sugar trust.

"Independent refiners are represented by majority on a committee whose duty it is to divide the imported sugar equally.

This committee has no price-fixing power; it has solely to do with distribution. The independent refiners who have been fighting the trust for years could be depended on to watch any unfair action.

"An appeal to prejudice has been made against the food administration because the Cuban price is 34 cents above that which prevailed in 1917 prior to September 1. It has been said in effect that the Cubans are at our mercy, that we could get sugar 1 cent lower. We made an exhaustive study of the cost of producing sugar in Cuba last year our own agents in Cuba. We found that an average profit of at least 1 cent pound was necessary in order to maintain and stimulate production or that a minimum price of \$4.37 was necessary, and even this would stifle some producers. The price ultimately agreed upon was 23 cents above these figures, or about one-fifth of a cent per pound to the American consumer, and more than this amount has been saved by our reduction in refiners' profits, and in net result sugar would be 1 cent cheaper to the Atlantic consumer next year than now.

Question of Justice.

"If we wish to stifle production in Cuba, we could take that course just at the time of all times in our history when we want production for ourselves and the allies. Further than that, such a course would produce disturbances in Cuba and destroy even our present supplies—but beyond all these material reasons is one of human justice. This great country has no right by the might of its position to strangle Cuba."

The statement recounts the food administration's efforts to reduce consumption to these figures, or about one-fifth of a cent per pound to the American consumer, and more than this amount has been saved by our reduction in refiners' profits, and in net result sugar would be 1 cent cheaper to the Atlantic consumer next year than now.

Hood Makes Startling Admission in Bomb Case

Sacramento, Cal., Dec. 24.—According to the police William Hood, arrested here Saturday, with dynamite in his possession, virtually admitted tonight that he had stolen the explosive from the Pacific Gas and Electric company when he was in the company's service as a cook at Smart, Cal., asserting, it was said, that he had shipped it under a false name to this city.

The police asserted that there was no doubt, as a result of Hood's statement, that the dynamite was intended to be used for the destruction of the company's plant here.

"The I. W. W. is my country and my soul," Hood is said to have shouted. "I don't give a who knows it, and I'm proud of it."

Hood, his companion, G. F. Voetter, and 43 others, most of them members of the I. W. W. were taken into custody in connection with the dynamiting of Governor Stephens' mansion a week ago.

That White Hat Band Signifies He's Flying Cadet

White bands worn on the hats of many soldiers now home on furlough from various cantonments signify the wearer is what is technically called a "flying cadet."

You can secure a maid, stenographer or bookkeeper by using a Bee Want Ad

RETAILERS WILL MEET NEXT MONTH

Annual Convention of State Organization to Be Held in Omaha January 21 to 24.

The annual convention of the Federation of Nebraska Retailers has been moved to January instead of February. The dates will now be January 21 to 24 instead of February 11-14, as originally planned.

"It was thought that the February dates were too near Merchants' market week, March 4-9," explained Secretary J. Frank Barr of Omaha. "By having the conventions farther apart each will be better attended."

The State Council of Defense is anxious to have a large attendance of retailers at the federation's convention. Plans will be worked out then for a closer co-operation between the retailers and the State Council of Defense.

Assist Defense Council. It is believed that retailers, particularly in the smaller cities and towns, are in closer touch with the real sentiments of the people than any other class of business men. In the matter of stamping out profiteering the retailers have been of great assistance to the State Council of Defense.

The state food administration is also much interested in the coming convention. The retailers are looked upon as the proper parties in their respective communities to lead and put into effect all measures of food conservation. They have rendered valiant service in the past and the way for further service will be pointed out.

Hoover Says Saved Two Hundred Millions By Check on Sugar

(Continued From Page One.)

report from the American consul general in Cuba.

As to the fixing of sugar prices the food administrator has this to say:

"In order to prevent profiteering out of the situation the food administration considered strong action was necessary and imposed a maximum profit on refiners and wholesalers.

The refiners' margin was \$1.84 per hundred and nine months before the food administration came into existence it was reduced to \$1.30 and a saving of more than \$25,000,000 per annum was effected.

Price Cut Down.

"As a further precaution against profiteering the administration adopted a voluntary agreement with the beet sugar factories that they would not sell sugar at more than \$7.25 a hundred pounds, seaboard. Some who already had contracted at \$9, rescinded their contracts. This was followed by similar agreements as to Louisiana, Cuban and Hawaiian arrivals.

The net results of these voluntary agreements was to reduce the ruling price of sugar 14 cent west of the Mississippi and north of the Ohio and 1 cent on the Atlantic. Had these arrangements not been made the sugar would have risen to 25 or 30 cents a pound.

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NEBRASKA SUPREME COURT DECISIONS

Opinions and Rulings Handed Down in Various Cases Heard by State High Tribunal.

The following are rulings on miscellaneous motions and stipulations in the supreme court of the state of Nebraska, December 15, 1917:

20181—Burup against Kilzer. Stipulation allowed; rule day extended to March 1, 1918.

20189—Melcher against Melcher. Motion of appellant to extend rule day allowed; rule day extended to March 1, 1918.

19417—Omaha Loan & Building association against Coker. Motion of appellant for leave for additional time in which to file briefs of motion for rehearing, sustained. Appellant given until January 7, 1918, to file briefs on motion for rehearing.

20161—Stewart against Tate. Stipulation allowed; rule day extended to December 15, 1917.

The following opinions were filed: 19017—Moran against Catlett. Affirmed. Hamer, J., Rose, J., concurring in affirmance. Dean and Sedgwick, JJ., dissenting.

19096—Bank of Cortland against Maxey. Reversed and remanded. Sedgwick, J., Rose and Cornish, JJ., not sitting.

19614—Rule against Claar Transfer & Storage Co. Affirmed. Letton, J., Sedgwick, J., dissenting separately.

19644—Ambler against Jones. Reversed. Hamer, J., Letton, J., concurring in conclusion. Sedgwick, J., not sitting.

19658—Lord against Roberts. Affirmed. Hamer, J., Sedgwick, J., not sitting.

19690—Dunn against Dixon County. Affirmed. Morrissey, C. J., Letton and Sedgwick, JJ., not sitting.

19702—Marland against Callahan. Affirmed. Cornish, J.

19726—Mohler against Board of Regents. Affirmed. Letton, J., Cornish, and Sedgwick, JJ., not sitting.

19773—Nathan against Nathan. Reversed in part with direction to modify. Dean, J., Sedgwick and Letton, JJ., not sitting.

19787—South Side Irr. Co. against Brooks. Affirmed. Cornish, J., Sedgwick, J., not sitting.

19790—Kimball against Lanning. Reversed and remanded. Dean, J., Sedgwick and Letton, JJ., not sitting.

19823—State against Dawson County Irr. Co. Affirmed. Dean, J., Sedgwick, J., not sitting.

19824—Dadson against Dawson County Irr. Co. Affirmed. Letton, J., Sedgwick, J., not sitting.

20386—Blair against Omaha Ice & Cold Storage Co. Affirmed. Letton, J., Sedgwick, J., not sitting.

The following cases affirmed without opinion: 19802—Lohman against Lohman. Sedgwick, J., not sitting.

The following cases disposed of by the commission: 19669—Gilbreth against Lowman. Affirmed. Martin, C.

19672—First Natl. of Hebron against Lucas. Appeal dismissed. McGirr, C.

19698—Woods against Walston. Affirmed and defendant allowed 90 days in which to redeem. Martin, C.

19703—First Natl. Bank of Blue Hill against Holmes. Affirmed. McGirr, C.

19708—School Dist. No. 10, Brown County against Osborn. Affirmed. McGirr, C.

19716—Cook against Stull. Affirmed. McGirr, C.

19719—Melma against Omaha & C. B. St. R. Co. Affirmed. Martin, C.

19739—A. Koehler Co. against Gratto. Affirmed. Martin, C.

19740—A. Koehler Co. against Dudley. Affirmed. Martin, C.

19745—Semler against Backes. Affirmed. Parriott, C.

19746—Garrett against Sovereign Camp F. O. E. Affirmed. Martin, C.

19829—Gould against Board of Home Missions. Re-gument ordered at session of court commencing February 4, 1918.

19737—Tynon against Missouri Pacific railroad company. Appeal, Nebraska. Reversed and remanded. Hamer, J., Sedgwick, J., not sitting. Rose, J., not participating in decision. Evidence examined, its substance stated in the opinion and found insufficient to sustain the verdict.

20057—State ex. rel. Calling against Smith. Appeal, Dawson. Affirmed. Sedgwick, J.

1. To comply with the constitutional provision that elections shall be on the even numbered years, the legislature (Rye, St. 1913, sec. 1955) has fixed the term of county commissioners at four years and named the specific years that shall constitute such terms hereafter.

2. That section provides that in counties having three commissioners, "two commissioners shall be elected in the year 1914, and every fourth year thereafter," and one "shall be elected in 1916, and every fourth year thereafter," but it does not forbid the election of more than one in the year 1916 if the terms of two commissioners have expired, or will expire, in the succeeding January. In that case two commissioners should be elected.

20113—Havlicek against State. Error. Douglas. Affirmed. Morrissey, C. J., Letton and Sedgwick, JJ., not sitting.

1. Failure to give an accused person a preliminary hearing on the crime charged in an information cannot be raised by a special appearance objecting to the jurisdiction of the court.

2. In a prosecution for wife abandonment under section 8614, Rev. St. 1913, it is competent to prove that, subsequent to the date of abandonment alleged in the information, defendant went to another state and there procured a decree of divorce from the wife he is charged with having abandoned.

3. It is the duty of counsel to make his objections so specific that the court may understand the point intended to be raised, and unless prejudicially erroneous on the point presented the admission of the evidence to which is offered will not be held prejudicially erroneous for some reason which counsel did not suggest at the trial.

4. To sustain a conviction under section 8614, Rev. St. 1913, "the state must prove that the accused is possessed of money, property or other means available for the support of his wife, or, if he is without such means, that he has at least some earning capacity, and his refusal, without good cause, to maintain or

provide for her." But where it is shown that prior to his departure from home he had steady employment at remunerative wages, the state is not required to offer other proof that he had means, or that he drew a salary after his departure.

5. In such case his lack of means, or failure to secure employment, is matter for his defense.

20202. Cavey against Reagle. Appeal. Boone, Reversed and dismissed. Sedgwick, J.

1. In a county having three commissioners districts, if the full term for which the commissioner in one district was elected would expire in or before January 1, 1917, his successor should have been elected in the 1916 election, if two commissioners had been elected in 1914 and duly qualified and were holding the office.

2. In such counties the official term fixed by the statute is four years, commencing on January 1, 1915, for two commissioners, and for one commissioner, and succeeding terms will be for four years from the end of the terms which precede them.

20221. In re Estate of Grove. Grobe against Crownover. Appeal. York. Affirmed. Morrissey, C. J.

1. When the husband dies, testate, seized of real estate which is the family homestead, and the widow elects to take under the statute and renounces the provisions made for her in the husband's will, the court will first award the widow her homestead interest in the homestead property not subject to debts of deceased, under section 3092, Rev. St. 1913, and then award her the share of an heir in the remainder of the property of the estate under section 1265, Rev. St. 1913.

2. Where a widow elects to renounce the provisions made for her in the will of her deceased husband and take under the statute, such election does not render the will inoperative. As between other persons it will be enforced as nearly as may be in accordance with the intention of the testator.

American Army In France Observes Christmas Eve

(Continued From Page One.)

child and as quickly as the child's name was called from the box containing the present the smiling, bashful young citizen of France walked up and received it. Then Santa Claus assistants who were certain designated soldiers, distributed the candy, fruit and small toys to all.

There were entertainments of a similar nature throughout the army zone on Christmas eve, while the festivities were planned for Christmas day at some places.

The men themselves, in addition to the presents they received from relatives and friends got many from other sources, such as the Red Cross and the tuberculosis fund, which latter distributed quantities of "smokes" on behalf of many new recruits in the United States.

Despite the fact that there was a turkey famine, many of the units to purchase a number of these "birds" in France, while others who