

Auto Co. That Lends Car Not Liable for Accidents

San Francisco, Cal., April 19.—(Special.)—The California court of appeals has handed down a decision holding: "The liability of an owner of an automobile for the negligence of its driver depends on the existence of the relation of principal and agent between the two. This relation does not result from the mere borrowing of such automobile. Hence it is uniformly held that the owner is not responsible for injuries resulting from the negligence of a driver whose only relation to the owner is that of borrower."

The foregoing decision affirming the judgment of nonsuit rendered in

an action for personal injuries by the trial jury in the case of Joseph A. Brown vs. Chevrolet Motor company of California and Fred W. West. The evidence submitted at the trial showed that West, a salesman for the motor company, had borrowed a car from the latter to take his family out for a ride on Sunday. While out driving on this excursion West had an accident, with the result that one man was killed and several others injured. Joseph A. Brown, one of the victims, brought suit against the motor company and West, as joint defendants, but no service was made on the latter and the case went to

trial with the automobile company as sole defendant. When the case was nonsuited, Brown, the plaintiff, appealed, but the decision just handed down holds that the motor company can not be held liable for alleged negligence of West while driving the car he had borrowed for the Sunday trip.

The Chevrolet Motor company's liability was insured with the United States Casualty company, and liability underwriters generally are much interested in the case, as it has an important bearing on automobile concerns' liability risks where demonstrators are employed, as in the testimony in the trial court West claimed that he offered the car for sale to two or three parties while on the trip, and that therefore he was acting as a salesman for the Chevrolet Motor company, which was insured for its legal liability with the United States Casualty.

MUSIC

By HENRIETTA M. REES.

THE music department of the Omaha Woman's club will close the series of concerts by local artists which they have sponsored this year Monday evening, April 21, by presenting Henry C. Cox, violinist, assisted by the Woman's Choral club, of which he is the director. This will be held at the Y. W. C. A. auditorium, as have been the other numbers of this course.

The department may not be much richer and the readers may feel that a great deal of hard work has been done by them in sponsoring this course, without much appreciation, but they may comfort themselves upon the knowledge that they have recognized the local talent by giving it the opportunity of appearing under favorable auspices, thus doing a share in support of art in Omaha, which in itself was a worthy project, and also that the concerts have maintained a high standard and have furnished much musical and aesthetic enjoyment to the listeners.

A great many novelties have been presented and a musical course which would not otherwise have come to a hearing publicly in Omaha. The only regret is that more concerts could not have been given and more talent had been presented. The program is:

- Purcell 1688-1695....."The Willows"
- Arne 1710-1778....."The Lass With the Delicate Air"
- Schubert 1797-1828....."My Sweet Home"
- Martini 1706-1784.....Andantino
- Gretry 1761-1813.....Dance legere
- Bruch 1838.....Concerto in G Minor, (a) Adagio, (b) Allegro energico
- Mrs. H. W. A. Beach 1865.....Three Flower Songs
- Lieut. Albert Spalding 1889....."The Yellow Daisy"
- Lieut. David Hochstein 1892-1918....."The Bluebell"
- Lieut. Albert Spalding 1889....."The Bluebell"
- Lieut. Francis Sommers 1894....."The Bluebell"
- Lieut. Negro Serenade in B Major
- Horatio Parker....."In May"
- Nella Burdick Bradshaw....."The Bluebell"
- Lisa Lehmann (Unison)....."The Bluebell"
- Mrs. Beach....."The Years at the Spring"

Sings for Omaha On Tuesday Night



Carolina Lazzari

Shepherds Hay.....Granger

Little Indian.....Carpenter

March Wind.....Macdowell

Perpetual Motion.....Weber

Before the crucifix.....La Forge

Love in a Cottage.....Ganz

Down in the Desert.....Ganz

Capriccio (for the right hand alone)

After Midnight.....Ganz

Petrarca Sonnet in A flat.....Ganz

La Campanella.....Paganini-Liszt

Galle.....Mokrejes

The Roadway.....Kramer

At the piano for Miss Lazzari, Isaac Van Grove.

the stage, while he is making the traditional bows to center, right and left, he will be decorated with a blue ribbon. A soprano, courting aptly, will sing passionately the beautiful and emotional ballad: "The lips that touch wine Shall never touch mine."

Musical Notes.
Cecil Berryman announces a change of studio from the McCague building to rooms 400-402 Barker building, Fifteenth and Farnam. Recitals will continue to be held there every other Thursday evening, to which the public is cordially invited. On Friday evening, May 16, a number of pupils will be presented in recital at the Y. W. C. A. auditorium.

Henry Cox is giving a short violin recital at the Plymouth Congregational church in Lincoln, today, during the special Easter vesper services. Mr. Cox is being accompanied by Miss Kincaid, Nebraska president of the National Federation of Musical Clubs.

Friends are cordially invited to the Easter musicale by junior and intermediate pupils of Mr. and Mrs. August M. Borglum, at 2661 Douglas street, Saturday evening, April 26, 1919, at 8 o'clock. Those on the program are: Margaret Smith, Helen Meister, Martha Stiercker, William Walrath, Louis Finck, Helen Johnson, Dorothy Knox, Ruth Cochrane.

Mary Walrath, Florence Raamussen, Marcella Foster, Jeanette Jeffers, Elizabeth Roberts, Virginia Fonda, Ethel Gladstone, Jean Borglum, Betty Paxton, Alice Borsheim, Esther Smith, Virginia Barker, Eleanor Smith, Ednor Kountze, George Paul Borglum, Elizabeth Robison, Charlotte McDonald, Dorothy Sherman and Elizabeth Paffenrath.

Returning Soldiers
Demanding Machines

Materials as well as men were trained to the elastic limit in France. Up front, in the area of defense, war crosses and citations testified to the work of men. Behind in the quieter areas of S. O. S. machines did their work just as capably, yet there were none to cite their praises. And so, while the legislators at home were raising the academic question as to whether the motor car was a luxury or a necessity, automobiles were proving their worth under the most exacting conditions. For want of a nail—the battle was "lost" was once a good excuse. But a defective spark plug or a leaky piston ring can dare assume no such responsibility today. Motor cars in France were given their job and no extenuating circumstances were recognized. So, instead of crosses and citations

letters from overseas are arriving daily, pencil-scrawled or formally typewritten, as the case may be. The following excerpt was recently received from Lt. Col. J. B. Lowman, U. S. A.:

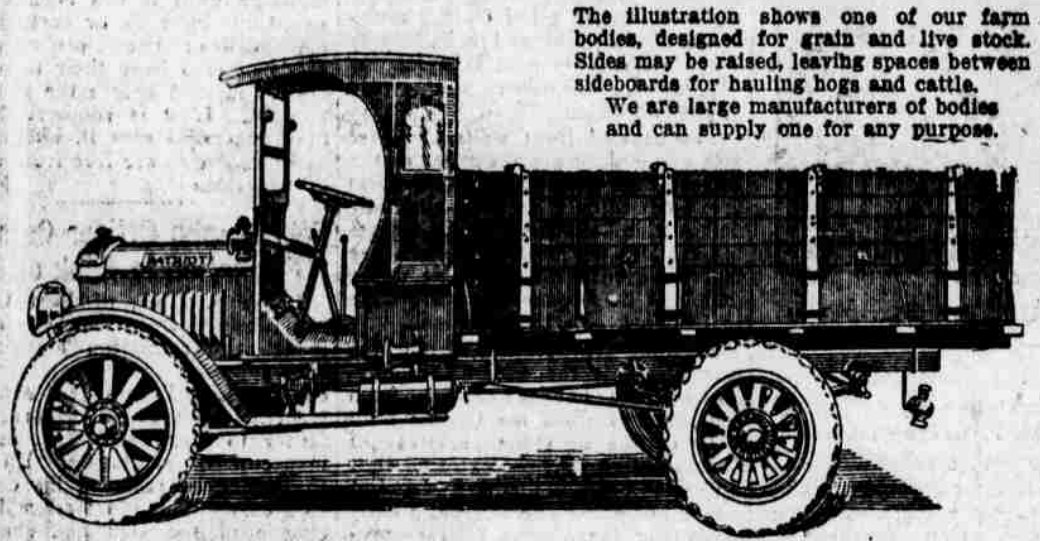
"Although I have used Cadillac for a great many years and have always been enthusiastic about them, I really did not appreciate them until I saw what they were doing on the western front. I was fortunate in being able to have one for a short time. Owing to the fact that every other officer wanted one and there were not enough to go around, I could not have it as much as I wished."

Unsettled Weather Is Predicted for Next Week

Washington, April 19.—Weather predictions for the week beginning Monday, issued by the weather bureau today are:

Upper Mississippi and Lower Missouri Valleys—Some prospect of rain about Tuesday, otherwise generally fair, although possibly unsettled at close of week over lower Missouri valley. Nearly normal temperatures, although somewhat above Tuesday and Wednesday.

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The joint recital of Rudolph Ganz, Swiss pianist, and Carolina Lazzari, contralto, will be given at the Auditorium Tuesday evening, April 22. Seldom, if ever before, have two artists of such brilliancy appeared in joint recital before an Omaha audience. Rudolph Ganz is one of the great pianists of the day, minus every trace of pose and sensationalism. He has a facility which hides endeavor and a spontaneity of expression that makes one forget the efforts its attainment has required. Carolina Lazzari's voice is big, velvety, luscious toned and expressive. It is one of those pure contralto voices which, when directed by a fine musical intelligence and well controlled temperament, is ideal for the effective presentation of song. The program for Tuesday evening:

- Lesst dal caro bene.....Seecht
- Ridomani in calma.....Fonit
- Sotto il cielo.....Sibelius
- Nocturne in C Minor.....Chopin
- Two Etudes.....Chopin
- Polish song, "My Joy" (transcribed by Liszt).....Chopin
- Waltz—A flat.....Chopin
- Aria, "L'let Signor" (from "Gli Ugonotti").....Mayerbeer
- Irish Tune.....Granger

Child Artist In Harp Recital Next Sunday



Thelma Skeen

Miss Thelma Skeen, who will be presented in recital by Lorette De Lone at the Fontenelle Sunday evening, April 27, at 8 p. m. In the harp trio numbers she will be accompanied by Misses Irene Clow and Lydia Ball.

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