

Lincoln Bureau of The Omaha Bee

NONPARTISAN PLAN MAY PROVE TO BE ILLEGAL

Illinois Law, Which is Same as Nebraska Statute, Thought to be Unconstitutional.

Lincoln, June 26.—Although Nebraska has the same kind of a constitution relative to the matter of constitutional conventions as Illinois and although this state has gone ahead and made arrangement for the election of members of the constitutional convention under the nonpartisan plan, according to information received by Governor McKelvie from Illinois, a committee consisting of some of the leading attorneys of that state and another committee from the civic association, after a thorough investigation of the constitutional provision of that state relative to election of members of the convention, were unanimous in the opinion that a convention in which the members were selected on the nonpartisan plan would be unconstitutional.

Provision of State Law

The provision of the Nebraska constitution covering the election of members of the constitutional convention reads as follows: Sec. 2. (Convention to revise Constitution.) When three-fifths of the members elected to such branch of the legislature deem it necessary to call a convention to revise, amend or change this constitution, they shall recommend to the electors to vote at the next election of members of the legislature for or against a convention, and if a majority voting at said election vote for a convention, the legislature shall, at its next session, provide by law for calling the same. The convention shall consist of as many members as the house of representatives, who shall be chosen in the same manner and shall meet within three months after their election for the purpose aforesaid. No amendment of change of this constitution, agreed upon by such convention, shall take effect until the same has been submitted to the electors of the state and adopted by a majority of those voting for and against the same.

Interpretation of Attorneys. An interpretation of the words "who shall be chosen in the same manner" was held by the Illinois lawyers to mean the same method as that used in electing members of the legislature and as there was no law enabling members of the legislature to be elected on a nonpartisan ballot, the same would apply to the same manner as it related to members of the constitutional convention.

If the Illinois attorneys are right, will the constitutional convention of Nebraska whose members are to be elected on the nonpartisan plan, be constitutional?

Railway Commission Files Answer in Traction Case

Lincoln, June 26.—The State Railway commission has filed in the federal court its answer to the Lincoln Traction company, in which the latter challenges the jurisdiction of the commission over rates.

The traction company holds that as it is consolidated with its light, heat and power company that the commission cannot enter into a matter which cover rates. The commission in answer holds that it has authority over the issuing of bonds and other securities, therefore is within its jurisdiction in the matter of adjustment of rates for the street car company.

Fruit Crop of State Short Because of the Late Frost

Lincoln, June 26.—According to Secretary Webber of the State Horticultural society, the apple crop of this state will be about 30 to 50 per cent of the average, and about 80 per cent over the crop of last year. Cherries are about 80 per cent; pears, 20 per cent; peaches, none; berries of all kinds, about 75 to 80 per cent.

This is the estimation of leading fruit men of the state, with whom the secretary has been in communication. Only for the late frost this year, the fruit crop would have been a bumper one.

State Patrol Boat Picks Up Many Dry Law Violators

Lincoln, June 26.—The law enforcement department of the state for about two weeks has been running a motor boat on the Missouri river between Omaha and Running Water with a considerable degree of success in apprehending violators of the law.

Now they are putting on another to watch things between Omaha and Rulo. Many offenders of the law are crossing the Missouri in boats with their contraband booze and about the only way to get them is to use the water methods also.

Chief Scribe of Nebraska Leader Calls on Governor

Lincoln, June 26.—Col. Fred Carey, former Omaha newspaperman but now chief scribe for the Nebraska Leader, the new organ of the Nonpartisan league, has arrived in the city and called at the executive office to pay his respects to the governor.

It is not known what particular brand of conversation took place between the executive and the editor of the Leader, but it is understood that the governor was admonished that "Now is the time to subscribe."

More Trucks Received for Use in Road Building

Lincoln, June 26.—The state engineer's office received 32 more trucks from the government for use in road building. These trucks are not to be apportioned out to the different counties of the state, as some believe, but will be in the custody of the state engineer and will be placed where they will be needed and used the most. There will be about 400 of them when they get here.

Crops Damaged by Storm

Fremont, Neb., June 26.—(Special Telegram.)—Considerable damage resulted from the rain and windstorm in this vicinity Wednesday night. Corn in many fields is flat on the ground and much of the wheat in the path of the storm east of Fremont is so badly blown down that harvest will be difficult.

To Appraise Lands

Lincoln, June 26.—Land Commissioner Dan Swanson and Secretary of State D. M. Amsbury, left Thursday for an inspection trip for appraisal of school lands in Custer, Sheridan and other counties.

UNITED STATES RAILROAD ADMINISTRATION. CONSOLIDATED TICKET OFFICE, 1416 Dodge Street, Omaha, Neb.

BOXWOOD TREES

in all shapes and sizes. Closing out Saturday, June 28, at LEE LARMON'S, Fontenelle Florist.

EXTRACTS FROM TOWNLEY TALKS READ IN COURT

CONTROL BOARD HAS 'LAST WORD' IN M'MAHON CASE

President of Nonpartisan League Charged With Conspiracy to Commit Disloyalty to U. S.

Jackson, Minn., June 26.—Long extracts from addresses by A. C. Townley at meetings at New Ulm, Minn., in 1917 and 1918, were read into the record in district court here at the trial of President Townley of the National Nonpartisan league and his former lieutenant, Joseph Gilbert, who are charged with conspiracy to commit disloyalty.

The Townley addresses were made at New Ulm, June 22, 1917 and February 20, 1918. The report of the first address, as printed in the New Ulm Journal, was read by Philip Leisch, publisher of the Journal, and the second address was read by Alexander Seifert, a court reporter from Springfield, Minn., testifying that he copied the speech in shorthand. The reports of the speeches were admitted as evidence.

The defendants' attorneys did not question the accuracy of either of them as read in court. In fact, they read into the record long sections of the speeches after the prosecuting attorney introduced sections which he claimed were part of the evidence upon which the disloyalty charges are based.

Assaults War Profiteers. In both addresses, as read in court, Townley discussed the war and devoted most of his time to consideration of economic issues and to assailing "war profiteers." Townley charged in both speeches that in 1915 "the profits of war corporations were \$4,000,000,000" and he demanded that the wealth of the nation should be conscripted as well as the men.

The portion of Townley's second speech at New Ulm, which received the most attention from the attorneys, follows: "You hear them say all over the country that this is not a time for war; that this is not a time for you to fight; that it is perfectly quiet. Don't wake up and look around, for if you look around, you are sure to see something. That is what they mean. "Have Right to Raise Hell." "If your boy refuses or neglects to register for war service do these gentlemen keep quiet; do they say that this is a time when you ought to have no trouble? Oh, no. They will raise hell to see that your boy goes to war. And so, now gentlemen, when these men like your boy refuse, neglect or forget to turn over these \$4,000,000,000 a year war profits we have a right to raise hell until they turn it over."

"Blood and flesh alone cannot win the war. It takes money to equip the boys. They have gone to win the war and they have got our money. Those American people, these farmers have heard the calls of the government to make a sacrifice to win this war against autocracy. We have heard them call and you have heard it. Boys have gone in response to the call. You are making every sacrifice required of you. Your boys are making every sacrifice required of them. We heard the call and we do stand behind the government. We do stand behind the president. "Now we demand that you gentlemen also stand behind the government stand behind the president with your money. They say they do. If you will watch them, if you will look around, if you will study the gentlemen who are making these profits, the beef trust, the steel trust, the sugar trust, the food speculators, you will find that they say they do stand behind the president. I guess they do, but they are too damned far behind."

Townley was not in court. His associates said they expected he would arrive tonight.

Asks Damages for Injuries Sustained on 16th of April

Aurora, Neb., June 26.—(Special.)—Action for \$5,000 damages has been brought in the district court of Hamilton county by Mrs. Amanda Forsythe Murray of Julesburg, Colo., against Ray Walker, Robert Y. Barnes and Andrew Peterson. Mrs. Murray alleges that she sustained injuries when she was hit by her two grandchildren, Thelma and Esther Pollard, were forcibly taken from her by the defendants on the 16th of last April. Both parents of the children, Mr. and Mrs. Lester S. Pollard, died of influenza last November.

Wife of Scottsbluff Man Asks Separate Maintenance

Aurora, Neb., June 26.—(Special.)—Suit for separate maintenance has been filed in district court by Halene M. Wheeler of Scottsbluff against Forest G. Wheeler, deputy county clerk of Hamilton county. The couple were married at Gillette just a year ago. They lived together until Wheeler was called to the army in October. Mrs. Wheeler alleges that he has shown no disposition to reestablish a home since that time and she wants him to contribute \$75 a month toward her living expenses.

Alleged Automobile Thief Released on \$2,000 Bonds

Aurora, Neb., June 26.—(Special.)—Milan Shepherd, who has been in the custody of the sheriff for the past week on the charge of being connected with a series of automobile thefts, gave bond for \$2,000 and is being held in jail pending a hearing set for July 15th. Sheriff Howard has recovered 13 stolen automobiles within the past two weeks in Hamilton and Merrick counties. Ownership of most of the machines has been traced to Omaha.

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"TWO AND THREE" "PUTTING THE NEXT ONE OVER" WITH "DUGS" DAER

THE Boosters' big comeback was from first to fifth. Fight experts busy. They're the birds who only guess wrong once each try. Phils hung up a 1919 losing streak record that only the Phils can break.

Where Barnum was wrong was that he never put gloves on 'em. Cravath can pat those Spalding berries neater and further than Ajax could with four blackjacks and a bass fiddle loaded with dynamite. If the old boy could hoof like he can spank he would be leading the works so far that the next guy wouldn't be next at all. At all.

Gavvy's props are built like a couple of wharf pilings and are just about as nimble. He loses more infield hits than there is tattooing in the navy. Once we piped the old bird stepping out to grab second base. The pitcher wound up like a windmill in a feeble breeze in order to get everything set right. Just like putting sugar on tanglefoot to snare flies. Same idea. Cravath grabbed a lead that would have landed the knaiser in Paris if distributed in the right direction. He was knocking off 50 miles per hour, but 49 of those miles were straight up and down. Just like riding in a flivver on an oyster shell turnpike.

The pitcher tossed a fungo to the catcher and all the time Gavvy's dogs were aimed toward second. He was picking 'em up and laying 'em down good. It was a wild ankle excursion. His elbows were steaming a million, but his insteps were cold. The catcher snapped off a chew of Piper Heidsieck and tossed another fungo to second base. Gavvy was out by a boat length if the boat was the Leviathan. His head was sure full of larceny. But his feet were honest.

Private Kirk Miller of the Sight Seeing Sixth is back in America with his division. While racing the porpoises west, Private Miller took a plebiscite of inhabitants on the boat. It was a consensus of seastick opinion that 60 smackerns ain't much for a Toledo seat if the two leading men pack a meat axe in each hand and one behind each ear.

We all join the booze alumni on the 1st. Walter Johnson has gone back a lot, but not enough for a batter to see. Government control seems to be sidetracking the expresses in order to let the locals go by.

If Sir Thomas Lipton waits much longer, the only sails flapping in the breeze will be the kind the washlady hangs on the line with clothes pins. Wiches are coming to life and may pop out of eighth place, but it always gives a guy a chill down the spinepiece to see a mausoleum door being opened from the inside.

There will be a Mother's day every year, but Father's Last Day is June 30.

Nebraskan Urges House to Grant Extension Fund

Washington, June 26.—(Special Telegram.)—H. N. Brokaw, in charge of the extension department of the state university, who has been in Washington for a week in conference with officials of the Agricultural department, rearranging his extension work to meet the new conditions with reference to the appropriation for this purpose was presented to the members of the conference committee on the agricultural bill by Representative McLaughlin. Professor Brokaw urged the conferees to grant the \$1,000,000 extension fund as provided in the senate bill and gave numerous reasons.

Congressman Evans introduced a bill to repeal sections 630, 901, 902, 905 and 907 of the revenue act of 1918. Representative Reavis has introduced a bill to create a department of public works and define its powers and duties.

Clack and Warren Purchase the State Bank of Edgar

Edgar, Neb., June 26.—(Special.)—E. W. Clack and A. H. Warren have purchased the State bank of Edgar, and the majority stock in the Exchange bank of Ong. Mr. Clack was formerly engaged in the real estate business in Edgar. Mr. Warren is an experienced banker. Mr. Carson, president of the Exchange bank of Ong, and active vice president of the State bank of Edgar will remain temporarily. C. V. Glenn, cashier, and Glenn Martin, assistant cashier of the Exchange bank of Ong; Byron B. Vaughn, assistant cashier, and Lloyd Strawser bookkeeper of the State bank at Edgar, will all remain in their respective positions.

100 Acres Bring \$80,000

Albion, Neb., June 26.—(Special.)—Col. Dan J. Fuller sold his 100-acre farm south of the city for \$80,000, setting the highest price paid in Boone county for farm land. The farm is now in crops, alfalfa and sweet clover.

Osborne Funeral Services

Funeral services for Lloyd Osborne, jr., son of Mr. and Mrs. L. N. Osborne, 3332 Pine street, who died Wednesday night of diphtheria, will be held at the residence Friday afternoon at 2:30 o'clock. Services will be read by Rev. Clyde B. Blakeslee, of St. Barnabas church. Burial will be in the Forest Lawn cemetery.

AMUSEMENTS

EMPIRESS

Jack Stewart offers "Hello Tokyo" Operette de Luce
TWO KEYS: Weekly Supper: MAKER & REDFORD; "The Girl and the Gob"; BETTY FEDERICK; CO. "Betty" Musical; Photo Play: "BESSIE BARRISCALE in 'Tangled Threads'."

Krup Park

THE HOME OF PICNICS
FREE—TONIGHT—9:15
THE FEARLESS GREGGS
In their Act,
"AUTOS THAT PASS IN THE AIR."
The World's Greatest Sensation.
Tonight, Friday, June 27, Thompson-Belden Co. Employees' Picnic.
RIDES DANCING THRILLS
NEW BATHING BEACH
Most modern and sanitary in America. Ready in a few days.
Admission—Adults 10c; War Tax, 1c. Children Admitted Free at All Times.

Head of Coal Dealers Talks At Public Affairs Luncheon

George H. Cushing, managing director of the American Coal Dealers' association addressed the members of the Chamber of Commerce at the noonday luncheon of the public affairs committee yesterday. He spoke on the coal situation.

BRANDEIS THEATRE

TODAY AND SATURDAY 1 P. M.—Continuous—11 P. M.
Monroe Salisbury
The Mansfield of the Screen, in a Wonderful Drama of Human Love.
"The Sleeping Lion"
Hearst News—Two Reel Comedy
Admission 20c—Children 10c

THOS. H. INCE PRESENTS ENID BENNETT in "THE HAUNTED BEDROOM"

A Paramount Picture

SUN GEO. WALSH

In "PUTTING ONE OVER."

Lothrop

D. W. GRIFFITH'S "The Greatest Thing in Life"

TAYLOR HOLMES

Breaks all speed limits for laughs in "TAXI" Today and Saturday MUSE Today and Saturday

RIALTO

Direction of A. H. Blank

VIVIAN MARTIN

in "An Innocent Adventuress"

YOU know how it is. You try to do something for a friend and—Bang! Everything comes tumbling down around your own head.

That's how it happens in "An Innocent Adventuress." It's the most "life-like" picture you ever saw. It'll make you laugh a hundred times at similar adventures in your own life.

Big V Comedy Harems and Hokum