

Nebraska. SUPREME COURT DECISIONS

High Tribunal Settles Number of Recent Controversies.

RAIL BOARD RULES CAR LINES

Permit Must Be Secured by the Street Traction Companies Before They Make Important Change in Service.

(From a Staff Correspondent.) LINCOLN, May 4.—(Special.)—Opinion handed down by the supreme court this morning did not contain the celebrated insurance controversy opinion as had been expected. Other opinions covered the Oma hotel case on a violation of the Albert law, three damage cases, opinion in a saloon case which gives the right of decision on a location to the local board, an opinion covering the right to damages because of testimony given before a grand jury and another opinion giving authority to the State Railway commission to arrange for the changes in the running of street railway cars. Following are a few of the more important decisions:

Damage Verdict Upheld

The supreme court affirms the judgment of the district court of Douglas county for \$5,000 given to Nolen E. O'Dell against James Stewart & Co., contractors for the erection of the Union Pacific headquarters in Omaha. O'Dell was an iron worker and belonged to the so-called "derelict gang" which raised the temporary flooring of planks to the floors of the building. His duty was to assist in placing the hoisting rope around each load of plank and then ride the load to its destination above. On October 2, 1910, O'Dell rode a load to the fourth floor of the building and while laying the planks stepped on one which was defective, which broke and he fell to the ground fracturing one leg and sustaining other injuries. His suit for \$5,000, claiming that the plank had a knot in it, weakening it, the company was negligent.

Location of Saloon

"The determination of the locality in which a saloon may be conducted is one which is committed to the good judgment of the licensing board and not to the discretion of the courts," is the opinion of the supreme court. "The courts may investigate, whether the law has been complied with as to the facts upon which the right to grant a license depends, but unless, perhaps, in extraordinary cases this is as far as they may go."

The opinion is given on the appeal of William C. Fraser against the action of the license board of Omaha, in granting a license to Ted P. Hunter over a remonstrance as to his fitness to operate a saloon in the city of Omaha.

Judgment Reversed

A judgment secured by Alexander LaLoue in the district court of Douglas county, is reversed by the supreme court and the case dismissed. LaLoue was injured while in the employ of Peter Soderberg, a contractor, and sued the latter. It was shown in the evidence that the plaintiff was careless, in that he did not look to see the condition of a 2x4, which he took hold of and which turned and allowed him to drop eight or nine feet. The court held that:

1. A master is not an insurer of the safety of his servant, but is only required to use ordinary care in furnishing the servant with reasonably safe, suitable tools and implements, and a reasonably safe place in which to perform his work.

2. An experienced carpenter engaged in the work of erecting a one-story building assumes the ordinary risks of his employment, and is required to use such means in climbing upon and descending from such building as judgment and convenience may suggest.

Disputing Facts

An echo of the grand jury investigations in Douglas county in 1908 appears in an opinion handed down by the supreme court affirming a decision of the district court of that county dismissing an action for \$50,000 damages brought by Duncan D. Turner against the Columbia Fire Insurance company because of evidence given by representatives of the latter alleging that Duncan was responsible for the destruction by fire of property owned by him on which he held insurance in the company. The court holds that "a right, question of fact, distinctly put in issue and directly determined by a court of competent jurisdiction as a ground of recovery, cannot be disputed in a subsequent suit between the same parties or their privies."

LIVER OUT OF ORDER?

Rheumasalts is Fine for the Liver and Kidneys.

The liver is the largest gland in the body and one of the most delicate and important. Lame back, shooting pains, tired feeling, dizziness, and nervousness simply mean that your liver and kidneys are clogged with impurities, and that poisonous uric acid is retarding their work of aiding the digestive function and filtering the blood. Push your liver and kidneys and set to working right again by taking Rheumasalts in water for a few mornings.

Nearly all rheumatism, headaches, nervousness, constipation, dizziness, sleeplessness and bladder disorders come from torpid liver and sluggish kidneys. So keep your liver and kidneys active and working right by taking Rheumasalts. This wonderfully efficient effervescent lithia drink helps the weakened liver and kidneys and cleans out the stomach and eliminates toxins and poisons and leaves the intestinal canal clean and sweet.

Rheumasalts is a scientifically blended and chemically pure carbonated lithia drink. It is delightful to the taste. It is a uric acid solvent, as well as a saline laxative. Acts quickly without griping or nausea.

The next time your liver and kidneys bother you, or your back aches, get a bottle of Rheumasalts. It comes in 25c, 50c and \$1.00 bottles. If your druggist hasn't the genuine Rheumasalts send the price to the Rheumasalts Company, Dept. 531, Minneapolis, Minn., for a bottle.

Hair Falling? Then stop it! Stop it now! You can do it with Ayer's Hair Vigor. Does not color the hair. Ask Your Doctor. J. C. Ayer & Co., Lowell, Mass.

Nebraska. STATE ESCAPES HEAVY FROST

Cloudy Weather Prevents Much Damage to Fruit Crop.

PROSPECT OF BUMPER YIELD

Secretary Duncan of State Horticultural Society Declares Outlook Bright for This Character of Crop in Nebraska.

(From a Staff Correspondent.) LINCOLN, May 4.—(Special.)—That Nebraska closely escaped a very destructive frost, is the opinion of Secretary Duncan of the State Horticultural society. "I have received no reports showing that any part of the state suffered damage last week," said Mr. Duncan this morning. "It was probably about the narrow escape the state has had for many years. The temperature was low enough for three nights, but fortunately the clouds remained until morning and no frost of a killing nature appeared."

"Should we escape farther along in the season there are indications that here will be a large crop of fruit of many kinds," said he.

Notes from Beatrice and Gage County

BEATRICE, Neb., May 4.—(Special.)—The village board of DeWitt has refused to grant a saloon license to Nick Abig and will hear the remonstrance case against Jake Wunnenberg next Tuesday evening. The remonstrance charges that Wunnenberg at present occupies a building owned by an Omaha brewing company and is operating a saloon in the interest of the company. At present the town is dry though it voted wet by twenty-two majority.

Edward Henry Bule and Ernestine Roker, both of Clatonia, were married at that place today. The telephone exchange at Clatonia, which was destroyed by fire, has been connected up and service is being given the public as usual by the Lincoln Telephone and Telegraph company.

Mrs. R. H. Yale Saturday received a message from Frederick, Kan., announcing the death of her father, Sylvester Dennis, which occurred at that place Friday evening. The cause of death was Albert Smith of Pickrel brought action in the district court Saturday for a divorce from May Smith, charging extreme cruelty. He asks for the custody of the two minor children.

NOTES FROM WEST POINT AND CUMING COUNTY

WEST POINT, Neb., May 4.—(Special.)—The town of West Point presents a very dead appearance since Friday morning, the eight saloons of the city being tightly closed. The new council have concluded they have no power to issue any licenses until 7 a. m. of May 5. The result is that all drinking places are inaccessible until that time. The filings for county office, up to this date, are only three in number, viz: Arthur Sexton, the present incumbent, has filed for sheriff; Miss Emma R. Miller for county superintendent and Rudolph Brada, present deputy, for county clerk.

Ferdinand Koch of West Point has also filed for state representative from the Twenty-first district. Ludwig Beaune and Miss Elizabeth Ketter were married at the German Lutheran church by Rev. L. E. Treskow, pastor, on Thursday. The groom is the son of Mrs. William Beaune and the bride the daughter of Mr. and Mrs. G. Kettler of Bismarck township. The young couple were born and reared in Cuming county. They will make their future home on the old Beaune farm.

A sharp bolt of lightning killed a valuable cow belonging to Schmitz brothers. The animal was valued at \$100. A serious accident befell Mrs. J. D. Romig of this city on Friday, resulting in a broken arm and other injuries. She fell while descending the stairs at the Grace Lutheran church.

A marriage license has been granted to Edward F. Pates and Miss Marie A. Throener of this vicinity. The couple will be married at St. Mary's church on Wednesday morning next.

NOTES FROM KEARNEY AND BUFFALO COUNTY

KEARNEY, Neb., May 4.—(Special.)—With the letting of the contract for the installation of a ninety-four electrolux lighting system this week to the Midwest Electric company of Omaha, the city is now assured of a new lighting system within the next two months. About 226 additional lights will also be installed in the residence districts. The new system will be installed by July 4, in time for a big celebration to be pulled off in this city on that day.

A base ball league has been organized among the churches of this city and a schedule has been planned for a regular series of games through the summer and a pennant is offered for the winner. F. G. Keens, who is now visiting in this city from California, will let the contract soon for the erection of a moving picture theater with a seating capacity of 700 people and being 50x100 feet in size. The lobby will be finished in marble and all through the latest in theater styles will prevail. The building will cost approximately \$25,000.

SANDERSON'S SONS ACT AS PALLBEARERS

OXFORD, Neb., May 4.—(Special.)—Jonathan Sanderson, an old time and respected citizen of Furnas county, whose death occurred a few days ago at Lincoln, was buried in the Highland cemetery northwest of town this afternoon. A large number of old friends and neighbors attended the funeral. A rather unique feature of the funeral was the fact that his six sons acted as his pallbearers. For the last few years he has lived in town, but before that time for many years he was a resident of the Highland neighborhood. He leaves a wife and several grownup children, nearly all of whom live in this vicinity. Mr. Sanderson, who is alive, was one of the largest men in Nebraska, measuring between six and a half and seven feet in height, and equally large in other proportions.

Royal Neighbors at West Point

WEST POINT, May 4.—(Special.)—The Royal Neighbors of America held their fifth annual convention for the Third district at West Point on Thursday. A large attendance was present and a very successful meeting took place. Papers were read by Mrs. Edith Sundeberg of Stanton and others and a school of instruction was held by Mrs. Alice K. Stevenson, state supervising deputy. The officers for the district are: Lizzie Koch, West Point, orator; Etta Perrin, Winalee, vice orator; Rosa McHale, Lyons, chanctor; Nora R. Kidder, Fremont, recorder; Minnie Kelley, Bancroft, marshal; Anna Kuhle, Leigh, inner sentinel.

Nebraska. Huerta Collecting Taxes Ahead in Mexico

(From a Staff Correspondent.) LINCOLN, May 4.—(Special.)—According to John Tully, president of the First National bank of Crete, President Huerta of Mexico is collecting taxes on land owned by Americans in Mexico double the valuation of last year, the collection coming through his bank for Crete people owning Mexican land.

BANQUET FOR BASKET BALL TEAM

WEST POINT, May 4.—(Special.)—The basket ball team of the West Point High school, which recently won the cup and championship at basket ball at Lincoln, were fettered a banquet by the citizens and the school board at the Auditorium on Wednesday. Covers were laid for 100 guests. P. M. Moore acted as toastmaster and the responses were given by Superintendent Bowen, Prof. Hackett, coach of the team; Charles Y. Thompson and Wayne Wells. The boys were presented with a handsome set of sweaters by the athletic board of the high school. Speeches were made of an inspiring and congratulatory character.

Practice Games at York

YORK, Neb., May 4.—(Special.)—The Prohibs, after defeating Giltner's ball team last Friday, 5 to 0, went to Hastings Sunday and trimmed the Reds, 10 to 7. On Tuesday and Wednesday Grand Island will come here for two games and Thursday and Friday Hastings will come for two games. Saturday and Sunday the Prohibs will go to Grand Island for the last practice games before the league games start. The season's games opens here on May 12 with Norfolk.

Nebraska. BURLINGTON PROTESTS VALUE

Tax Expert Pollard Appears Before Board of Equalization.

DISCUSSION OF LAND VALUES

Members take Matter Under Advice, While Pullman Car Company is Allowed to Remain at Same Figure.

(From a Staff Correspondent.) LINCOLN, May 4.—(Special.)—The State board of Equalization held its first session of the year in the office of Governor Morehead this morning and took up the valuation of railroad property. Tax Commissioner Pollard of the Burlington appeared before the board and asked for a readjustment of valuation for his road. According to his statement the road was assessed last year at \$11,924.25 per mile. The railway commission found the reproduction new value was \$43,002 per mile and the depreciation value \$34,673 at the present time. According to the census reports the value of lands and buildings in 1913 was \$1,813,196,835.

The state auditor's report for the same year shows the assessed value of lands and improvements to be \$20,544,665, which, multiplied by five, gives the probable actual value as \$1,027,233,250, so that according to the census this class of property was only assessed at a little over 36 per cent of the total value.

He said that the expert of the state railway commission, Mr. Reed, placed the average value of land in the state at \$42.41 per acre. The average assessed value of land in 1913 was \$6.25 per acre, or \$31.20 for full value. Earnings and operating expenses of the road, according to Mr. Pollard, in 1913 were \$2,186.46 per mile, being 5 1/2 per cent on the \$42,000 per mile assessed valuation and 2 1/2 on the actual valuation at which they are taxed or \$90,000 per mile.

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Orchard & Wilhelm Co.

The Only Store in Omaha Where Hoosiers Are Sold. Why Not Decide This Tomorrow, Once for ALL?

- 1. Do you want this new HOOSIER put into your home, NOW for only \$1. 2. Or will you wait and miss the benefits of the liberal HOOSIER PLAN? The end of this great opportunity may come sooner than we expected. Scores have stood in front of our window and admired "White Beauty" shown there. Many have already enrolled on the HOOSIER PLAN, which is as follows: 1. \$1 puts the Hoosier you select in your home. 2. \$1.00 weekly pays for it. 3. The low cash price fixed by the factory prevails strictly. 4. The sale is under the direct supervision of the HOOSIER company. 5. No interest. No extra fees. 6. Your money back if you are not delighted with your Hoosier. Will you grasp this opportunity and come tomorrow? Or will you delay and risk coming too late?

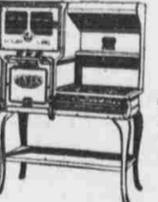


Hoosier "White Beauty" Advertisers in Leading Magazines supervision of the HOOSIER company. Will you grasp this opportunity and come tomorrow? Or will you delay and risk coming too late?

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A special factory representative is present all of this week to show by actual operation why Detroit Jewel Stoves are a superior value. We show all styles and sizes.

Up from \$12.90 In the Basement.



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Booklets Free—"California Excursions," "Summer Tours of Pacific Coast," "Yellowstone Park," "Cody Tours into Yellowstone," "Colorado-Yellowstone Tours," "Northwest Tours," "Colorado-Utah Hand-book," "Ester Park," "Big Horn Resorts," "Summer Tours Westward," "The Black Hills." CITY TICKET OFFICE, 1502 Farnam Street. Phone D. 1238.

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Anheuser Busch Co. of Nebr. DISTRIBUTORS Family trade supplied by G. H. HANSEN, Dealer Phone Douglas 2506 OMAHA NEBRASKA



Specify Your Needs, Bee Want Ads Will Serve You in Home, Store and Office Tyler 1000

Advertisement for Grape-Nuts featuring an illustration of a man reading a newspaper titled 'SIGNS OF THE TIMES' and 'Grape-Nuts'. Text includes: 'Sometime—a Grape-Nuts ad May Set You Thinking', 'Grape-Nuts ads have set many people thinking, who for years have been suffering from constipation, liver complaint, headache, "nerves," and various other troubles arising from indigestion.', 'Thousands are learning that one common cause of indigestion is the lack of mineral salts—phosphate of potash, iron, sulphur, etc.—in the ordinary diet.', 'This is true of white bread, for, as is well-known, nearly all the mineral salts are removed from flour in the milling process just to make it look white and pretty.', 'Scientists tell us this lack of mineral salts in food is causing actual, if slow, starvation, for these salts are absolutely necessary for the growth and maintenance of body, brain and nerves.', 'What set people thinking was that the "ad" pointed out the cause of their trouble, and why Grape-Nuts would probably help them.', 'A ration of Grape-Nuts—along with other food—supplies what is lacking in the ordinary diet, because Grape-Nuts—made from whole wheat and barley—contains all the nutritious elements of these grains, including the invaluable mineral salts.', 'Grape-Nuts is an ideal food ALL the time. Comes ready to eat from the package, fresh, crisp and appetizing. Digests easily and quickly.', 'If one of these days a Grape-Nuts ad sets you thinking, and a trial of the food starts you on the Road to Wellville, you'll know "There's a Reason" for Grape-Nuts —sold by Grocers everywhere'