

Language Law Unconstitutional, Ruling of Court

Permanent Injunction Permitting Foreign Tongue Instruction in Religious Schools at Columbus.

Lincoln, Sept. 24 (Special).—Declaring the Reed-Norval act, which prohibits the use of foreign languages in Nebraska schools to be unconstitutional, Judge Frederic W. Burton today rendered an opinion at Columbus which gives the Nebraska district of the Lutheran Evangelical synod of Missouri perpetual injunction against the state of Nebraska which forbids enforcement of the law.

The injunction restrains the state from interfering with the giving of religious instruction in "private, parochial and denominational schools in any language required by the parents of the pupils who attend the church or school." It also forbids the state from interfering with the imparting of necessary instruction in "said languages, to enable teachers intelligently and efficiently to impart religious instruction to their pupils.

At the beginning of the arguments the court was confronted with the problem of whether the district court had jurisdiction where the constitutionality of a law is in question. Judge Burton explains that the supreme court is a court of limited jurisdiction and that the district court is a court of original common law jurisdiction and has jurisdiction in all cases except where that right is expressly withheld.

The case was brought before Judge Burton from Platte county district court at Columbus. The opinion is considered of nation-wide importance and will establish a precedent. The American Legion took part in the arguments before Judge Burton, appearing as "friend of the court" in the interest of the Americanization of the foreign element of Nebraska. Judge Burton's opinion is an exhaustive study of the many details introduced in the litigation.

France Teaches German. Relative to the effect of foreign languages in schools Judge Burton said in part: "We might say in passing over that France teaches German and English in its schools. Roumania teaches German and French. England refuses to graduate a pupil who cannot speak at least three languages. The countries of the world are so closely connected in this age that statesmen believe a knowledge of the more important languages is necessary for business reasons and in time of war for military purposes.

"The soul of a people is reflected in the language they speak. Therefore, when a pupil learns another language he acquires something of the soul therein reflected, and he grows up to be a broader-minded and better man than he otherwise would. Then what is the duty of our country in this matter? We leave the question to our people to answer. And it should be remembered that the act strikes at all foreign languages."

Fairfield Merchant Convicted of Theft

Fairfield, Ia., Sept. 24.—A. J. Boyd, one of the leaders in business here for many years, was convicted yesterday of receiving stolen goods. It was charged that he had cooperated with box car thieves and had bought the proceeds of their robberies.

The stolen goods were found in his store but he denied knowledge that they were stolen. He claimed his wife bought them.

Glen Hoskins testified that Boyd hired him to rob the cars; told in detail of the instructions he got as to how to do it; described and identified the stolen goods; and positively swore that Boyd sent a truck for the stolen goods after they had been stolen.

Judge Anderson will sentence Boyd Saturday.

Iowa Town Rocked by Gasoline Explosion

Onawa, Ia., Sept. 24.—Three explosions in tanks containing 21,000 gallons of gasoline shook the entire town of Onawa late yesterday. Subsequent fire destroyed the entire contents of the three huge containers, entailing a loss of \$5,000. The cause of the explosions was not determined. No one was seriously injured.

Sackett Is Receiver.

Sam J. Sackett has been named receiver of the Guarantee Securities company in Colorado, it was announced yesterday by S. A. Mulfinger, attorney for the Nebraska receiver, on his return from Denver.

Slayer Serving Life Term Writes Poems to Ease Mind

Frank Connell, Convicted Of Killing Two of Posse After Bank Robbery, Pen's Poet.

Lincoln, Sept. 24.—(Special).—Like the prisoner of Chillon, who in spite of his chains and prison bars, burst into song and recounted the misfortunes of himself and family, Frank Connell, serving a life sentence for murder of two men at Sunol, Neb., in 1916, breaks the monotony of the prison grind with bursts of poetry.

Connell, unlike the prisoner of Chillon, who was somewhat selfish and sang only blues for himself, sings for humanity and for the welfare of his fellow prisoners.

Connell, a fellow with studious tendencies, resembles the bird in the cage, who would ease his soul in song. Instead of beating futilely against his prison bars in wild protest against his imprisonment, Connell when he feels the urge upon him, takes his pen, dips it into the ink and composes a poem.

Since his entrance into prison Connell has written several poems. One entitled "Electrocution," written on one of the days set for the postponed execution of Cole and Granter, follows:

"The day dawns clear without a sign of a fear
For the two men, or boys, I should say
That are sentenced to die as the bright
flames fly.
For the man's soul is sealed 'ere the sun's
last ray
Is hid by night's curtain, unrolled.
Legally murdered the courts have revealed.
Electrocuted, 'gh! What a word!
Society, lawmakers say, by punishing
the crime this way,
'Twill better the world, work reform and
How different it would be if hearts and
minds they'd im-
prove.
Nay! I know and can say
It breeds hatred and murder this way.
Electrocuted, 'gh! What a word!
The most heart-rending ear ever heard.
Why won't you then, my thoughtful fel-
lowmen
Listen with me to that still small voice?
Picture, as a babe pressed to a woman's
warm breast,
How in infancy their souls did rejoice,
Then how can you say, in a sangroid
That you, not God, should make them
pay.
Electrocuted, 'gh! What a word!
The most cruel ear ever heard!
Men that are insane thoughtlessly tarnish
their name
But the normal man no excuse can make
For no act he may do, yet regret when
through
If that act be the life of another to take,
Civil law will not satisfy the law divine,
So keep your soul clean while yet there
is time.
Electrocuted, 'gh! What a word!
The most soul-damning ear ever heard!
This poem, in its not too elegant
English or rhythmic structure is a
protest against capital punishment.
Another, "Retribution," in which
the writer comes to the conclusion
that he must answer only to God
for his transgressions here below,
follows:

"Here in my low-ceiled room of steel
Blank walls shut out all else of life,
Locked close within their bound, I feel
God's love, free from pain and toil and
strife.
Oh, God, alone with Thee I kneel.
Society may class me and my fellow-
men,
As criminals unworthy of their love;
Let conscience file the sentence then,
While God looks down from high above:
Oh, God, guide now my pen.
Critics may censor us forever and a day,
Blinded by their lusts and greed of
wealth,
Thinking not, we are as immortal as
they;
While death steals by with step of
stealth,
Oh, God, Thy summons what shall
they say?
When court convenes, before God's great
white throne,
And their sentence by the judge is read:
Will they face it bravely, or will they
weep and groan?
To His command, "What you have to
say, let it be said."
Oh, God, alone may they to Thee
alone.

If my prayers would gain for them your
love so true,
Then gladly would they pay, earnestly,
both night and day,
That heaven's eternal freedom be granted
them by you;
For by their persecution, I have found
the way:
Oh, God, they know not what they
do.
Awaken them, cold hearts of men, in
clay's abode,
Deal kindly with the erring, while still
you can;
For God's all-healing eye sees you place
or lift the load,
That chills or thrills the soul of your
fellowman.
Oh, God, why so short life's road?
Connell, the uncrowned poet laureate of the Nebraska penitentiary, was convicted of murder along with R. C. Lukens in 1916 and was sentenced for life. Lukens' sentence

Des Moines Women Demand Vote on Tram Franchise

Des Moines, Sept. 24.—(Special Telegram).—A delegation of women, carrying a petition signed by over 5,000 women, stormed the city council here today urging immediate submission of a new street car franchise to a vote of the people. The women declared that they would carry their appeal for resumption of service to Federal Judge Martin J. Wade, asking that service be resumed as soon as the franchise is ready for submission to a vote.

Federal Reserve Men Will Not Be At Bankers' Meet

A. E. Ramsay and J. Z. Miller, Jr., to Attend Bankers' Convention on Coast; Send Credit Analysis.

Lincoln, Sept. 24.—(Special).—Asa E. Ramsay and J. Z. Miller, Jr., of the Federal Reserve bank of Kansas City will not attend the meeting of bankers in Omaha Monday, according to a letter from Mr. Miller received today by Governor McKelvie.

The letter states that both men plan to leave Kansas City Tuesday to attend the national bankers' convention at Los Angeles.

Analysis of Credit. However, Mr. Ramsay submitted some information to be used at the meeting, consisting of an analysis of the distribution of credit at the Federal Reserve bank of Kansas City as of August 31, 1921. This memorandum shows that out of a total membership of 1,080 banks, 396 are borrowing about 50 per cent in excess of their basic line; 303 are only borrowing about 58 per cent of their basic line; while 471 members with basic lines aggregating \$46,000,000, are not borrowing.

"You will also observe from the memorandum enclosed that we have an unused lending power of about \$60,000,000 which is subject to call of member banks offering eligible paper, the acme of which is agricultural and live stock. You will note that in the state of Nebraska 72 member banks are borrowing in excess of their basic line, 57 less than their basic line, while 74 are not borrowing.

May Discount \$12,700,000. "Banks in the last two classes may discount with us at least \$12,700,000 any time they desire." The figures also show that the basic lines of 72 banks which are overborrowed are \$2,898,637, and the amount borrowed by them \$4,944,194.

The 57 banks which have borrowed less than their basic line have a right to borrow \$10,306,933, and have borrowed only \$6,319,151.

The 74 banks which have not taken advantage of this borrowing power have a basic line of \$8,797,190.

Elkhorn Meteorologist to Prognosticate at Air Meet

Aviators attending the International Aero congress in Omaha in November won't have to go aloft to find out how the air is.

A special prognosticator has been assigned to Omaha for the period of the meet, for that purpose.

In response to a request by W. V. Robins, Omaha weatherman, C. S. Marvin, chief of the weather bureau, has assigned V. E. Jaki of the Drexel Aerological kite station at Elkhorn, Neb., to come to Omaha November 3 to 5 to give the aviators special advice and warning on upper air conditions.

Thomas Retains Omaha End of Lion Bonding Affairs

Efforts of Minneapolis Receivers to Take Over Direction From Nebraska Receiver Fail in Court.

Minneapolis receivers of the Lion Bonding company lost their fight to take over the Omaha end of the concern from Amos Thomas, state receiver, when Federal Judge Woodrough dismissed the northern people's motion to enjoin Thomas from withholding company papers and records.

The judge announced his decision yesterday afternoon, after several hours argument by opposing counsel.

Priority Rights Argued. Bruce W. Sanborn, son of W. H. Sanborn, chief judge of the eighth federal district, represented the Minneapolis receivers, A. J. Hertz and John L. Levin.

Before the judge dismissed the motion, Sanborn asked if a dual arrangement could not be established between his clients and Thomas, who was appointed by the state board of securities.

Priority rights were argued by Halleck Rose, acting as attorney for Thomas.

Tries to Obtain Action. Sanborn attempted to obtain action from Judge Woodrough earlier in the week while the judge was at Norfolk, but to no avail.

"If any rights are to be adjudicated, it seems to me the plaintiffs should apply to the district court of Douglas county, under whom Amos Thomas holds his authority," said the judge, in announcing his decision.

Boy, 13, Yearning for Chum In Kearney, to Go There, Too

Edward Konvalin, 13, son of Mr. and Mrs. James Konvalin, Seventy-fifth and Murderson streets, won't stay at home and he won't stay at Riverview home. He has demonstrated this by running away from both places, and yesterday he emphatically told Judge Sears in juvenile court that he would not stay at either place.

After taking "French leave" of Riverview early in the week, young Konvalin became implicated with Le Roy Lawless in the theft of a bicycle, it was admitted. Young Lawless has been sentenced to Kearney Industrial school until he is 21. Juvenile authorities were of the opinion that Konvalin wanted to go to Kearney because his chum was going there. Judge Sears obliged him.

Posse Members Killed

Connell, said to be the man who robbed a bank at Sunol, Neb., and escaped into a cornfield, was the two members of a posse giving chase were killed. Lukens, who led the chase and met Connell in the cornfield, Lukens later declared, Connell at the point of a gun forced him to drive him in an automobile to Sunol, he said. Connell then took the car but was captured some time later.

Connell has refused to discuss the case, saying it was in the hands of a relative.

Omaha New Executive Secretary of Uni Alumni

Harold F. Holtz of Omaha has been appointed executive secretary of the University of Nebraska Alumni association, succeeding Miss Annis Chaikin, who resigned two months ago.

The appointment was announced following a meeting of the executive committee at Lincoln Friday. Mr. Holtz will maintain offices on the campus at Lincoln and is expected to develop the association's activities considerably beyond anything heretofore attempted.

Omaha Youth, Now Ensign In Navy, Here on Leave

When Lett Hansen, former athlete at Central High school and the University of Nebraska, heeded the call of Uncle Sam four years ago, he bade his school and friends farewell to become a "gob."

He returned to Omaha several days ago in the full regalia of an ensign in the navy, direct from duty on the U. S. S. Minneapolis off the eastern coast. Ensign Hansen is on a six months' leave of absence.

"40" INDUCES SLEEP

Humphreys' Number "Forty" Induces Repose, and Natural, Refreshing Sleep. For Insomnia, Sleeplessness, Wakefulness, Nervousness.

No Narcotic, No Opiate, No Dope, No habit forming Drugs, Strictly Homeopathic. 8c. and \$1.00, at Drug Stores, or sent on receipt of price, or C. O. D. Parcel Post.

Humphreys' "Seventy-seven" breaks up Colic that hang on.

R. C. Lukens in 1916 and was sentenced for life. Lukens' sentence

DR. McCLEARY'S FREE PILES CAUSE MANY DISEASES

—Yet you will NEVER REMOVE UNTIL YOUR PILES ARE REALLY GONE—AND IN A NATURAL WAY.

Write today for Free book on Piles Without Surgery. FREE. DR. McCLEARY, KANSAS CITY, MO.

Attention Men

A \$5.00 deposit will reserve any suit for a period of thirty days

SO that no man need deny himself the benefits of this tremendous money-saving opportunity, we will hold in reserve for a period of 30 days, any suit you may select by making a deposit of \$5.00 on the suit.

25

29.75

34.75

2 PANT SUITS

One Pant Suits

This Season's \$60 and \$65 Suits

This Season's \$50 and \$55 Suits

25

25


25

Dr. Burhorn's Chiropractic Health Service

Either you are healthy or you are sick. There is no middle ground. Every day Chiropractic is being subjected to new and severe tests and is not found lacking. It makes good because the idea back of it is fundamentally right.

An X-Ray of your spine will show the exact location of the misplacement that is producing the pressure upon the nerves that causes your troubles.

Adjustments are 12 for \$10.00 or 3 for \$25.00. Private adjusting rooms. My Council Bluffs office is located in the Wickham Block. Hours, 9 a. m. to 7:30 p. m. Phone 1075. R. R. Ruberg in charge.



414-26 Securities Building
Tel. Doug. 5347
Omaha, Neb.

Hair Often Ruined By Careless Washing

Soap should be used very carefully, if you want to keep your hair looking its best. Most soaps and prepared shampoos contain too much alkali. This Gries the scalp, makes the hair brittle and ruins it.

The best thing for steady use is Multisided coconut oil shampoo (which is pure and greaseless), and is better than anything else you can use.

One or two teaspoonful of Multisided will cleanse the hair and scalp thoroughly. Simply moisten the hair with water and rub it in. It makes an abundance of rich, creamy lather, which rinses out easily, removing every particle of dust, dirt, dandruff and excessive oil. The hair dries quickly and evenly, and it leaves the scalp soft, and the hair fine and silky, bright, lustrous, fluffy and easy to manage.

You can get Multisided coconut oil shampoo at any pharmacy, it's very cheap, and a few ounces will supply every member of the family for months. Be sure your druggist gives you Multisided.

"Twenty feet above the high rents"

THIS CLOTHING MAKER'S LOSS IS YOUR GAIN!

MEN! Here It Is!—Omaha's Suit Selling Sensation

1000 Suits Secured by Barker in a Gigantic Cash Purchase

A large eastern clothing store, due to industrial depression, was forced to cancel its order for these suits. The manufacturer, knowing this store as cash buyers, accepted our bid on the entire lot. The suits are now here and, starting Monday morning, we offer them to Omaha men in what we believe to be the most astonishing clothing sale ever attempted in the west.

This Store's Reputation for Straightforward Merchandising Should Convince You of the Tremendous Importance of This Event

2 PANT SUITS

The very finest of woolens, wonderfully tailored, smartest of patterns, two pairs of trousers, belt with silver buckle on every suit, all sizes. Here are suits for the men who care, at prices absurdly low.

One Pant Suits

Same quality of woolens as in the two-pants suits; wide selection of patterns; men of every size and build can be fitted perfectly. No thinking man will disregard this offer.

Attention Men---

A \$5.00 deposit will reserve any suit for a period of thirty days

SO that no man need deny himself the benefits of this tremendous money-saving opportunity, we will hold in reserve for a period of 30 days, any suit you may select by making a deposit of \$5.00 on the suit.

25

29.75

34.75

25

25

25

BARKER'S

Please Shop Early

Second Floor Securities Building

Take The Elevator

16th and Farnam Streets

Are You Proud of Your Looks After Doing the Washing?

We eliminate the profane state of mind and the "washday look" by doing your family laundry better, cheaper and more thoroughly than you could possibly do it.

Wet Wash or Rough Dry

Phone for Our Driver
Harney 0784
The Laundry With a Prestige

