

Collins Sentenced to 25 Years, Pal to 20, for Robbery

Mail Thieves to Serve Terms in Atlanta for \$3,000,000 Council Bluffs Mail Theft.

(Continued from Page One). count of the indictment, thereby complying with the circuit court decision.

"These defendants appeared before me in 1920," the judge said in reading his decision, "and entered pleas of guilty to this crime.

"The robbery was one of the greatest ever committed in the state of Iowa and the sentences which I imposed were justified.

"Yet, because of a slight error, an error which had been made countless times before, they were released after serving but a portion of that sentence.

Refuses New Trial. "Now they plead not guilty to other charges arising from the same robbery. If they were guilty the first time, they are certainly equally guilty this time.

"If they deserved the sentences which were originally imposed when they were first tried, they still deserve those same sentences.

"You ask that the court grant a new trial in this case because of certain alleged irregularities. The court cannot see that there are any irregularities, nor is it in the power of this court to grant a new trial.

"The state would have an opportunity to demand an appeal should a new trial be granted, and then the decision would come back and the case would stand right where it does now, except that there would have been a great loss of time.

"This is an important case. Important to the public and to those who wish to see our laws enforced. It is the duty of this court to see that no further errors are made.

"The decision of the case may be sent to a higher court, where it can be upheld or reversed on its merits. I overrule all pleas and motions which have been made by the defense and you, Keith Collins, I sentence to five years at hard labor on each of the five counts included in your indictment. And you, Fred A. Poffenbarger, I sentence to five years at hard labor on each of the counts in the indictment against you."

When the judge declared that the boys would have to serve their time in Atlanta and not in the Leavenworth prison, the attorneys leaped to their feet and objected.

"That prison is outside the jurisdiction of this court," Eugene O'Sullivan declared. "The men must be sentenced to Leavenworth."

"No," the judge responded, "I have here a telegram from the attorney general of the United States, in which he requests that the defendants be sentenced to Atlanta. Perhaps it is a better prison."

The attorneys filed motions for the arrest of judgment and the dismissal of the verdict in the case early in the day. These pleas were argued before the sentences were passed.

J. J. Hess, opening the argument in support of the motion, declared that the men had not been granted a "speedy trial," as guaranteed under the constitution. He declared that the indictment under which the defendants were convicted at this trial was returned in May 11, 1921, and cited authorities to prove that the statute of limitations barred prosecution more than three years after an offense is committed.

Plea of Misomer. He declared that no warrant was served on the defendants under the present indictment until December, 1923, more than two years after the indictment was returned. He asserted that the fact that the men were in the penitentiary was no bar to prosecution.

Frank Wilson, assistant United States attorney, arguing against the motion, declared that the indictments against the men were returned in the federal court at Des Moines within the time limit of the statute of limitations and cited authorities to prove that the previous trial and conviction of the men on another indictment in connection with the mail robbery was no bar to the present action.

Man Injured in Fight Sues for \$5,000 Damages Columbus, Feb. 6.—As a sequel to the fight in which he had his right leg broken below the knee when he and his antagonist went down onto the curb in a clinic, Ed Launer, local business man, has filed suit in district court here against Charles Nickolite, auto mechanic, for \$5,000 damages. Each man claims the other was the aggressor.

Liberty School Head Ill. Beatrice, Feb. 6.—Superintendent Drake of the Liberty schools has been seriously ill the last week at his home from a threatened attack of pneumonia.

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New Officers of State Clothiers



Officers of the Nebraska Clothiers Association elected Thursday at the Hotel Fontenelle are, left to right, Raymond Fabruer, Lincoln, secretary and treasurer; John Sonin, Fremont, president, and Louis Leppke, Omaha, vice president.

Wife Scoffs at Plea of Stokes

Claim He Was "Misled" in Accusing Her Brings Burst of Indignation.

By International News Service. Chicago, Feb. 6.—"Misled! He misled himself!"

The above was the indignant statement of Mrs. Helen Elwood Stokes on her arrival in Chicago from Denver to press her suit against the aged and eccentric New York millionaire, on charges of conspiring to defame her character.

"I might have known he'd try to test his defense on some such statement as that," she said when informed that her husband had indicated he had been duped into believing some of the incidents with which he charged his pretty, young titan-haired wife.

"However, he can't get away with that," she continued. "I have the very picture album from which he stole the prints which he presented as evidence right here with me."

Ready for Fight. Mrs. Stokes referred to the charge brought by her husband that she was once an inmate of a notorious Chicago resort.

"I've come to Chicago to do on hand when the fight that means so much to me is going on. I intend to stay here until the last word is said on the subject and I hope it will be mine, too."

Mrs. Stokes was accompanied by her mother, Mrs. Arthur Scott Miller, and her mother's close friend, Mrs. Albert Meservey. Mrs. Stokes wore a long clinging wrap of seal with mink collar and cuffs, a black dress and a tiny brimmed hat of black. Her slim ankles were clad in chequer-hosiery and she wore a choker necklace of baroque pearls. The flat, fan-colored bag she carried was set with amber brilliants.

Three Jurymen Chosen. Only three jurymen were in the box when the trial was resumed and the weary task of selecting the other nine men to hear the evidence continues.

Mrs. Stokes probably will be unable to testify because of the law forbidding her to testify for or against her husband.

Mrs. Sarah A. Witnah Dies; Lived in Clarinda 44 Years Clarinda, Ia., Feb. 6.—Mrs. Sarah A. Witnah, 77, died at her home here after an illness of one month. She came to Clarinda from Illinois, her native state, 44 years ago with her husband, Joseph C. Witnah, who died 26 years ago. Four children survive, Miss Blanche Witnah, Clarinda; Mrs. E. C. Bennett (Cordie), Roswell, N. M.; Fred J., Clay Center, Kan., and Harry A., Fulton, Mo. She was a member of the Presbyterian church.

Road Certificates Issued. Clarinda, Ia., Feb. 6.—Anticipation certificates for Page county road work, to the amount of \$33,000, have been sold to Polk, Corley and Wheelock at Des Moines. The certificates will run until December 31, 1926, and will draw interest at the rate of 4 per cent.

Gen. Mitchell Raps Air Plan of U. S. Army

Assistant Aviation Chief, in Letter to Weeks, Says Department Hampers Progress of Service.

Washington, Feb. 6.—Brig. Gen. Mitchell, assistant chief of the army air service, informed Secretary Weeks today that he believed "the present War department organization and its administration quite incapable of creating, handling or administering air power in an efficient manner."

In the letter, replying to a request from the war secretary for all facts upon which the assistant army air chief based recent statements "seriously reflecting" on the army's air arm, General Mitchell said he was convinced the system of aircraft management in operation in the United States "is detrimental to the country's good and will seriously compromise our national defense should an emergency arise."

The general's letter was placed before the house aircraft committee, which had met to hear both General Mitchell and Brigadier General Drum of the army general staff.

"The general view of the War department," General Mitchell wrote, "is to limit the ability of aviation in a military way and in spite of the findings of the joint army and navy board, in spite of the most conclusive evidence of every country in the world, the Navy department still appears before congress and still testifies incorrectly and gives the impression that the aircraft are of limited power against battleships.

Blocks Unification. "The resistance of the War department to the organization of an independent aeronautical personnel is insistent and constant.

"Our national well-being depends upon a wider understanding of business. And that means, simply, the sum total of your understanding and mine. The great danger in the United States is that popular understanding of business will not keep pace with the more and more intricate and complex phases of present-day industry. The 'there ought to be a law' craze, with the laws consequently enacted, are only adding to the complexity of the situation."

Mr. Thorpe was guest of honor Friday morning at a breakfast given at the Omaha club by C. C. George, an old friend and prominently identified with the affairs of the national chamber.

After breakfast the Washington editor, who for many years was dean of the school of journalism at Kansas university, took a five-mile walk with Mr. George through the residential district of Omaha. Mr. Thorpe walks that distance, or a greater distance, every day. It is his hobby, and he attributes his excellent health largely to these regular hikes.

Store Robber Sentenced to State Reformatory Pawnee City, Feb. 6.—Robert D. Jones, 20, pleaded guilty in district court here before Judge Raper on the charge of burglary and was sentenced to from one and one-half to three years in the state reformatory at Lincoln. Jones, whose home is at Eau Claire, Wis., was caught after taking merchandise from the farmers union store of Bookwalter, 12 miles southwest of here.

Hubbell Needs Doctor. Hubbell, Feb. 6.—Several cases of influenza and two cases of pneumonia are reported in Hubbell, three Hubbell residents are being cared for in the hospital at Hebron, for lack of local treatment, and one pioneer living near here is suffering with paralysis. There is no doctor in Hubbell, the only physician here having died nearly one year ago. Medical aid here has to be secured from Chester, Narka and Deshler, and Hubbell citizens feel this is a good field for a resident doctor.

General Mitchell said since the war \$133,000,000 "has been put into aviation," but that he did not believe "the appropriations are economically applied on account of the duplication of land bases between the army and navy." He declared that Major General Patrick, chief of the army air service, had, like himself, endorsed "a united air force," although such a move is opposed by Secretary Weeks as well as Secretary Wilbur.

The report of the joint army and navy department board in 1921, of which General Pershing was senior member, and which bore the approval of Secretary Weeks and Acting Secretary of the Navy, Roosevelt, General Mitchell quoted as follows: "Aircraft carrying high capacity, high explosive bombs of sufficient size have adequate offensive power to sink or seriously damage any vessel at present constructed, projecting, handling or administering air power in an efficient manner."

Despite opposition in other quarters, General Mitchell said, the reason the army air service had accomplished as much as it has "is due very largely to the sympathetic attitude of the secretary of war toward aviation," and the "personal ability of the present chief of the air service."

General Mitchell took up in detail those statements of his congressional testimony objected to by Secretary Weeks. Explaining his assertion that "all the organization we have in this country now is for the protection of vested interests against aviation," he declared the War, Navy, Postoffice and other departments "resist any change which in any way curtails or modifies their authority, either over aviation, its development to a position of equality with these departments, or its extension or development beyond its being a mere auxiliary to their activities."

Discussing the bombing tests off the Virginia capes, in 1921, the general said the "whole performance, in the minds of the air officers participating, appeared to be a deliberate attempt to handicap us in the accomplishment of our mission."

In the 1923 test, he said, the army aviators were ordered to bomb from an excessive altitude.

General Mitchell is recognized throughout the world as one of the best informed students of aviation, according to Maj. Lawrence Churchill, chief of the air service of the Seventh corps area.

"He is heart and soul for the Curry bill now before congress," Major Churchill said.

The bill would create a new department in the cabinet devoted to the air service of the nation.

"We in the air service are endeavoring to have it placed in a separate department," Major Churchill said.

Table Rock—Funeral services for Glen Herrick, 21, son of Mr. and Mrs. John Herrick, were held at the family residence, four miles northwest of Table Rock. The funeral sermon was preached by Rev. A. L. Ogden, pastor of the Christian church of Table Rock.

Iowan, 103, Receives Letter of Thanks From President Coolidge Clarinda, Ia., Feb. 6.—Hugh Hawthorne, 103, father of J. R. S. Hawthorne of Clarinda, and Dr. R. A. Hawthorne of Bradyville, who walked to the polls November 4, and cast his vote for Calvin Coolidge, is wearing a happy smile, having received a personal note from President Coolidge, expressing his appreciation of his interest in the campaign, and stating "It is gratifying to have the confidence of one who has reached the age of 103 years and who has seen so much of our national life in the making."

Frank Ambrose, Pioneer in Madison County Dies Madison, Feb. 6.—Frank Ambrose, a pioneer resident of Madison county, died at his home in this city after illness of three days. He was born October 7, 1824, in Bohemia, came to America in 1873 and lived in Iowa until 1880 when he came to Madison county and settled with his family on a farm in Schoolcraft precinct.

He is survived by three sons, Frank T. Fairfax, S. D.; John of Winner, S. D., and Joseph of Schoolcraft precinct, this county, and three daughters, Mrs. Mary Storek, Meadow Grove; Mrs. Emma Holy, Lake Audea, S. D., and Mrs. Mary Storek of this city.

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RAISINS "Sun-Maid," 15-oz. package, 2 for 25c	NEW CABBAGE —Firm, solid heads, pound 4c
Marshmallows "Camp Fire," Lb. 45c	CAULIFLOWER —Smooth, firm, white, tender, per pound 18c
COCOA Baker's, 1/2-lb. can, Each 21c	LETTUCE —Crisp, solid Arizona Iceberg head lettuce, 2 for 25c
SYRUP "Karo," 5-Lb. Can 32c	GRAPEFRUIT —Heavy juicy fruit, 3 for 25c
MINCE MEAT Large jar, Each 49c	ORANGES —Sunkist California oranges, medium size, dozen 35c
HONEY Comb or 15-oz. jar, 2 for 45c	APPLES —Red Roman Beauties, for eating, 5 pounds for 37c
SOAP Pearl White, 10 Bars for 39c	VEGETABLES
	Corn, Country Gentleman, 3 for Peas, Early June, 3 for Tomatoes, Selected, 3 for 51c
GEM NUT Clean, pure, whole, some, pound 25c	FLOUR Omar Wonder, 24-lb. sack \$1.35 48-lb. sack, \$2.55
	BUTTER "Goldenrod" choice creamery butter, each pound 44c guaranteed; pound 44c

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Choicest Hindquarters 22c	Lucky Buy Oleo 18c	Sugar Cured Picnic Hams 14c		
Choicest Forequarters 12 1/2c	Liberty Nut Oleo, 1 lb. 21c	Skinned Hams 22c		
Choicest Lamb Chops 20c	Liberty Nut Oleo, 5 lbs. \$1.05	Fancy Lean Bacon 27 1/2c		
FANCY VEAL LOIN, for roasting 16c	Evergood Oleo, 2 lbs. 48c	Fancy Lean Breakfast Bacon 27 1/2c		
PORK CUTS.	Evergood Oleo, 5 lbs. \$1.20	Bacon Bacon Backs 22c		
Fresh Pork Neck Ribs 4c	Pure Rendered Lard 18 1/2c	Choice Lean Bacon 18c		
Fresh Pig Feet 6c	BEEF CUTS.	Fancy Selected Eggs, doz. 42c		
Fresh Pig Snouts 7c	Fresh Hamburger 11c	Fancy Early June Peas, 3 for 40c		
Fresh Pig Hearts 6c	Choicest Beef Steak 12 1/2c	Fancy Sweet Corn, 3 for 40c		
Fresh Pig Tails 12 1/2c	Choicest Corned Beef 7c			
Choice Boston Butts 18c	Choicest Boiled Beef 11c			
Fresh Pig Liver 5c	Fresh Beef Tongue 20c			

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You'll like Kellogg's ALL-BRAN. Serve it with milk or cream, sprinkled over other cereals or cooked with hot cereals. Delicious with fruits. Try it in soups too. Also use the many recipes given on every package. If eaten regularly, Kellogg's ALL-BRAN is guaranteed to bring permanent relief or the grocer returns the purchase price. Eat two tablespoonfuls daily—in chronic cases, with every meal.

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