

HIGH HAND RULE BY NORMAL BOARD

Body Decides that His Commission, Which Expires September 1, is Invalid and Seeks Successor.

CONTRACT TO HIGH BIDDER

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square deal and their bids on the plumbing, heating and lighting should be considered.

Mr. Gould, junior member of the firm of Gould & Son, was asked if he would like to change his bid to cover everything, but he replied that he had made a bid and would stand on that bid.

Later the senior member of the firm came in and, discarding the conditions that existed and the evident intention of the board to give the contract to the Kearney firm, withdrew his bid in disgust.

The smaller bidders, who stood around wondering where they came in, began to thin out, and then Caviness made a motion that the Crosby bid be adopted by the board, notwithstanding it was several thousand dollars higher than any other bid made.

Getty Flinda He's Out.

Getty moved that the Crosby bid be not accepted and then the board proceeded to sit down on the University Place men. President Morris ruled that Getty was not a member of the board.

Getty flashed his commission issued by the governor showing that he was appointed to act until September 1, 1915. In explanation, he said that he did not wish to encumber the board with his presence if he had no right to sit.

"There is a question of law involved," said he, "which the board cannot afford to ignore, whether I have a right to vote on the letting of this contract or whether Mr. Reische is the one. I believe this board ought not to take action until this is settled."

Treasurer Hall then moved that the board take a recess so that the matter could be looked into, and the attorney general consulted. Morris and Caviness opposed taking any time to look the matter up. They wanted the contract let right then.

A vote was taken and the motion was voted down. Vice, Valines, Majors and Morris voting against it and Thomas and Hall for, Reische not voting.

Commission Doesn't Count.

President Morris then ruled that Getty had no right to a seat on the board, giving as his reason that the term of former members expired June 23, and that as Getty was appointed to fill an unexpired term his commission would expire June 22 and not September 1, as the commission issued by the governor stated.

"Then in that case, why not take a recess and allow me to look the matter up in the office of the governor," said Mr. Getty. "There is a question involved of the right of myself to sit on this board which can be determined by a short visit to the office of the governor. If a mistake was made in my commission I will hand my resignation to the governor, dating it back a day, and that will make the present action of the board legal and give Mr. Reische undisputed right to sit on the board."

Asked About Verbal Change.

However, the majority did not propose to do anything that would look like yielding, and proceeded to go ahead and let the contract to Crosby for \$57,567 without considering whether his bid was good. The question, however, was raised why a bidder could make a verbal change in his bid after all bids had been opened, but the pins were set that way and no little minority of two could knock them over.

Vice, Morris, Majors, Caviness and Reische voted to give the bid to the highest bidder, while Hall and Thomas refused to vote.

Nothing has occurred at the state house in many months that has caused such universal condemnation as the arbitrary work of the majority of the normal board.

Train Hits Automobile at Walnut.

ATLANTIC, Ia., Aug. 2.—(Special.)—Emil Kubr, a farmer living south of Walnut had his automobile knocked to pieces and crushed by his life by a narrow margin at a railroad crossing in Walnut yesterday morning, when the second section of No. 1, eastbound Rock Island flyer, struck his car as he went to cross the track. The reports vary as to the cause of the accident, some insisting that he did not see the train as it approached, and others that he saw it and attempted to cross ahead of it. The car was totally demolished.

The Day's War News

SILENCE OF SEVERAL WEEKS on the situation of the allies in the Dardanelles was broken today by an official announcement in London saying the crest of the ridge on the peninsula has been gained by British troops.

SITUATION AT WARSAW shows no material change. The German encircling movement continues. A Russian official report says desperate and sanguinary fighting is still going on on the banks of the Narva south of Ostrobenka and that there have been equally heavy engagements between the Vistula and the Bug. Russian troops on both banks of the Vistula have repulsed the enemy. An Austrian official statement says that Austrian regiments have been successful at Ivangorod, capturing more than 2,000 men and numerous supplies.

RELATIVE INACTIVITY on the western front appears to have undergone a sudden change. A dispatch from Amsterdam reports heavy fighting on the British front near Ypres.

FRENCH OFFICIAL REPORT reiterates the customary attacks by the Germans, all of which were repulsed.

STRASSBURG, on the Rhine, forty miles from the French frontier, again has been raided from the air. A group of French and British aeroplanes flew over the city today and dropped twenty-five bombs. The damage done has not been made known.

LETTERS FROM Italian officers at the front in Tripoli to Rome dwell upon the heavy losses to the Austrians. The Austrians threw a line of heavy rocks into valleys where the Italians were in positions. Some 10,000 men have been killed in this manner, it is declared.

BRITAIN ASSERTS ITS BLOCKADE IS WHOLLY LAWFUL

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ditions and means of naval warfare since the rules hitherto governing legal blockade were formulated, and recognizes that the form of close blockade with its cordon of ships in the immediate offing of the blockaded ports is no longer practicable in the face of an enemy possessing the means and opportunity to make an effective defensive by the use of submarines, mines and air craft.

"The only question then which can arise in regard to the measure resorted to for the purpose of carrying out a blockade upon these extended lines is, whether to use your excellency's words, they conform to the spirit and principles of the law of nations and whether they shall be content to apply this test to the action which we have taken insofar as it has necessitated interference with neutral commerce."

Sir Edward Grey then refers to the American civil war blockade of 1800 miles of coast with a small number of vessels, and recalls how the United States finally took recourse to blockading neighboring neutral territory which afforded convenient centers from which contraband could be introduced into confederate territory and from which blockade running could be facilitated.

Old Principles Developed.

"Your excellency will no doubt remember," writes Sir Edward, "how that in order to meet this new difficulty the old principles relating to contraband and blockade were developed and the doctrine of continuous voyage was applied and enforced, under which goods destined for the enemy territory was intercepted before they reached neutral ports from which they were to be re-exported.

"The difficulties, which imposed upon the United States the necessity of re-shaping some of the old rules, are somewhat akin to those with which the allies are now finding themselves dealing with the trade of their enemy. Adjacent to Germany are various neutral countries which afford it convenient opportunities for carrying on its trade with foreign countries. Its own territories are covered by a network of railways and waterways which enable its commerce to pass as conveniently through such ports in such neutral countries as through its own. A blockade limited to enemy ports would leave open routes by which every kind of German commerce could pass almost as easily as through the ports in its own territory.

Rotterdam Nearest Outlet.

Rotterdam is indeed the nearest outlet for some of the industrial districts of Germany. It seems, accordingly, that if it be recognized that a blockade is in certain cases the appropriate method of intercepting the trade of an enemy country and if the blockade could only become effective by extending it to enemy commerce passing through neutral ports, such an extension is defensible and in accordance with principles which have met with general acceptance.

The note then refers to the case of the British ship Springbok, seized by United States cruisers during the civil war, and the fact that the British West Indies, because it cargo, it was charged was to be transhipped to the confederate states. The supreme court of the United States sustained the seizure against the condemnation of a group of prominent international lawyers, although the United States and British governments took the broader view and recognized the development of the older method of blockade. No protest was made by Great Britain.

What is really important.

"What is really important, in the general interest," says the note, "is that adaptations of the old rules should not be made unless they are consistent with the general principle upon which an admitted belligerent right is based. It is also essential that all unnecessary injury to neutrals should be avoided. With these considerations in mind, the British government the steps we are taking to intercept commerce on their way to and from Germany fully comply. We are interfering with no goods with which we should not be entitled to interfere by blockade if the geographical position and the conditions of Germany at present were such that its commerce passed through its own ports.

The one principal which is fundamental and which has obtained universal recognition is that by blockade a belligerent is entitled to cut off by effective means the sea-borne commerce of his enemy.

Can't Maintain Right.

"Consequently, Sir Edward argues, it is impossible to maintain that the right of a belligerent to intercept the commerce of his enemy can be limited in the way suggested in the American notes on the subject.

"There are many cases," he said, "in which the facts of the case would afford strong evidence that they were of enemy origin or enemy destination, and it is only in such cases that we are detaining them where proof of enemy ownership would afford no evidence of such origin or destination we are not in practice of detaining the goods."

Sir Edward's note closes with the observation that the increased opportunities afforded by the war for American commerce have more than compensated for the loss of the German and Austrian markets. We shall continue to apply these measures with every desire to occasion the least possible amount of inconvenience to persons engaged in legitimate commerce.

In the supplement note, which is a reply to the American demand giving notice that the United States would recognize the orders in council in the form of international law, Sir Edward writes he does not understand to what divergence of views as to the principles of law applicable in cases before the prize court, the government of the United States refer for I am not aware of any difference existing between the two countries as to the principles of law applicable in cases before such courts."

Comparison of Rules.

Sir Edward Grey compares the rules governing British prize courts to the rules applied by American courts, referring especially to the American case of the Amy Warwick before the United States supreme court, where it was held that "prize courts are subject to the in-

structions of their own sovereign. In the absence of such instructions their jurisdiction and rules of decision are to be ascertained by reference to the known powers of such tribunals and the principles by which they are governed under the public law and the practice of nations. It will appear therefore that the principles applied by the prize courts of the two countries are identical."

The supplemental note then proceeds with a long legal argument to demonstrate the practicability of a prize court being governed by international law and at the same time by municipal law in the form of orders-in-council. It finally comes to the case of the steamer Zamora, in the present war, in which the British court declared:

"The nations of the world need not be apprehensive that orders-in-council will emanate from the government of this country in such violation of the acknowledged laws of nations that it is conceivable that our prize tribunals, holding the law of nations in reverence would feel called upon to disregard and refuse obedience to the provisions of such orders."

Sir Edward then points out that the legality of the orders-in-council, or of the measures taken under them, have not been brought to a decision in a prize court, but he reminds the United States that "it is open to any United States citizen whose claim is before the prize court, to contend that any order-in-council which may affect his claim is inconsistent with the principles of international law and is therefore not binding upon the court. If the prize court declines to accept his contentions, and if after such decision has been upheld on appeal by the judicial committee of his majesty's privy council, the government of the United States considers that there is serious ground for holding that the decision is incorrect and infringes the rights of their citizens, it is open to them to review by an international tribunal."

The celebrated Matamoros case of the civil war then is cited to show that the supreme court of the United States held it had the right to reverse the decisions of prize courts, and that "there was no doubt of the justification of an international tribunal to review the decisions of the prize courts of the United States where the parties alleging themselves aggrieved had prosecuted their appeals to the court of last resort."

If the United States should be dissatisfied with decisions of British prize courts as sustained by the privy council, the British government is prepared to concert with the United States in order to decide upon the best way of applying the principles to the situation which would then have arisen."

Allies' Aeroplanes Drop Twenty-Five Bombs on Strassburg

PARIS, Aug. 2.—A flotilla of Anglo-French aeroplanes today flew over the German city of Strassburg and dropped twenty-five bombs, according to a dispatch from Geneva to the Havas Agency. The extent of the damage caused by the explosion of the missiles has not yet been ascertained. Strassburg is the capital of Alsace-Lorraine, and lies eighty miles southeast of the German fortress of Metz.

Could Not Walk with Rheumatism.

A satisfied patient writes: "Rhoan's Liniment cured my rheumatism; am grateful I can now walk without pain." only 5c. All druggists.—Advertisement.

RUSSIAN LINE TO WEST OF POLISH CAPITAL HOLDS

(Continued from Page One.)

unanimous adoption of a resolution declaring it to be the empire's unshakable determination not to conclude peace before Russian victory was complete and pledging the willing assistance of the entire population for the creation of fresh means for continuing the struggle.

The resolution emphasizes the necessity of forgetting old political quarrels and recalled the government's benevolence with regard to the interests of "all loyal citizens of Russia without distinction of race, language or religion."

The members also expressed their "unshakable faith that the shortcomings which hitherto have existed in the pro-

cess of the war have been maintained to show there has been no uniformity of practice in every essential pointed declares:

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German Official Report. BERLIN, Aug. 3.—(Via London.)—The German army headquarters staff today gave out the following official statement:

"Western theater: The English position near Hooge, which we captured July 30, is, contrary to report issued from the British headquarters, still entirely in our hands.

"In the Champagne, after several successful mine explosions west of Perthes and west of Souain, we occupied the borders of the craters.

"In the Argonne, northwest of Fleury de Paris, we captured some hostile trenches, capturing six prisoners. In a bayonet attack yesterday we captured altogether four officers and 163 men and took two machine guns.

"In the Vosges during the fighting on the night of August 1-3 we lost a small portion of a trench on Schratzmannelle, between Lingkopf and Barronkopf. A trench on Lingkopf which had been completely destroyed on the night of August 1-3 has not been recaptured by us.

"A French captive balloon, torn from its anchorage during a thunderstorm, was caught by us to the northwest of Etain.

"Eastern war theater: In the battles around Mitau we took some 500 prisoners. "East of Poniewozh, (thirty-five miles southeast of Shvyl), the enemy, who has been partly ejected from several of his positions, discontinued his resistance and retreated in an easterly direction.

"Our troops forced the road between Wobolniki and Subecz, taking 1,200 prisoners and two machine guns.

"In the direction of Leezna we gained ground and captured some 2,000 Russians. "Otherwise along the Narow front and before Warsaw there have been only minor combats, all of which have been favorable for us.

"Southwestern war theater: German troops under General Von Woyrsch expanded their bridgehead position on the east bank of the Vistula river, thereby taking 500 prisoners.

"Austro-Hungarian troops under General Von Kooevec gained a decisive success on the west front of Ivangorod, capturing 2,300 prisoners and thirty-two cannon, among them twenty-one heavy pieces and two field mortars.

"Field Marshal von Mackensen's army yesterday met resistance on the line of Novo Alexandria, Lezna and Zalin, to the north of Chelm. In the afternoon the enemy's line was broken to the east of Leozna, (fifteen miles northeast of Lublin), and north of Chelm, whereupon during the night he began to evacuate his positions on the great part of this front. Only at some points is he still offering some resistance.

"East of Leezna we yesterday captured 2,000 prisoners. Between the Bug and Chelm on August 1 and August 2 we captured 1,300 prisoners and took several machine guns."

Play Oxfords for Boys, at \$1.00. In Our Annual \$1.00 Sale of Shoes which starts Thursday. BRANDEIS

Brandeis Stores Big Lot of Fine Wash Skirts at Half Price. Bathing Suits at Half Price. Palm Beach Suits Worth to \$17.50.

Thompson-Belden & Co. Wednesday Specials In the AUGUST SALE. Damask by the Yard, Fine Guest Towels, Bath Towels, Ready Made Roller Towels.

Every Piano in the House Must Go. Regardless of Profit and Terms. Practically Entire Stock of Pianos Divided Into Four Lots. \$225 to \$250 Pianos, \$275 to \$300 Pianos, \$325 to \$375 Pianos, \$400 to \$450 Pianos.

A real hair soap. The best point about Lee's Shampoo is that it takes out every bit of grease, dirt and dandruff and takes itself out too.

Glen Morris Inn. Christmas Lake, Minnetonka. Popular Rendezvous of Omaha People.

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Women's Patent Leather Avon Pumps, \$1.00. BRANDEIS THE OMAHA BEE—THE HOME PAPER.

BASE BALL OMAHA vs. DES MOINES ROURKE PARK August 4-5. LAKE MANAWA Bathing, Boating, "Amusements" and Other Attractions.

The Old, Fastidious Smoker is a good guide, and He smokes EL TELLO CIGAR. EL TELLO CIGARS.

EVANSTON Lots Are Priced to Sell. EVANSTON Lots are sold on very easy terms—\$10 to \$25 per month. H. H. Harper & Company, 1013-14 City National Bank Building.