

Nebraska

CLAIM AGENT'S ACTS GOOD

Supreme Court in Tylee Case Rules Illinois Central Must Stand By Settlement He Promised.

JUDGMENTS IN OTHER CASES

(From a Staff Correspondent.) LINCOLN, Neb., Jan. 29.—(Special.)—That a railroad company accepting the benefits of a claim agent must submit also to his means and instrumentalities, declares a decision of the supreme court affirming a decision of the plaintiff in Douglas county in the case of Gus A. Tylee against the Illinois Central Railroad company.

Tylee was injured while acting as travel agent for the company in March, 1911. A claim agent for the company came to him and promised that his salary would go right on if he, for a 30 consideration, would sign a release of the company from obligations for his injuries.

He agreed, but the company paid him salary for only one month. In his suit he is seeking 1905, a year's wages. He was given judgment for the full amount by the district court. The claim of the company that their agent had no authority to promise orally the watchman's salary had no weight in the eyes of the supreme court.

Judgment is Reduced. A verdict of \$4,000 for personal injuries recovered against Hayden Brothers of Omaha by Joseph H. James has been reduced to \$2,000 by the supreme court. Plaintiff was knocked down by one of the defendants' wagons. The court held that injuries were not permanent and that the verdict of the jury was grossly excessive.

Haven's Co. Loses Right to Sue. Because its charter had been forfeited by a failure to pay the state occupation tax, C. B. Haven & Co. of Omaha lost its right of action on a promissory note worth \$5,483, according to the decision of the supreme court. The high tribunal reversed the Douglas county district court and gave judgment for the defendant. The maker of the note was the Colonial Apartment house, Edwin S. Hood and Thomas D. Crane were also named as defendants. The plaintiff urged that a former unrepaid statute gave it the right to sue.

Ruling in Mutual Benefit Case. Failure to pay an assessment of a mutual benefit association, provided the same was irregularly levied, does not invalidate the interest of the member, according to the supreme court. On this theory the court affirmed the judgment of the district court of Douglas county in directing a verdict for Abel C. King in her suit against the Physicians' Casualty Association of America, to recover on a membership of her husband, Walter S. King.

Wakefield Case Reversed. Brothers were pitted against each other in the case of Charles Wakefield against George M. Wakefield, in which the supreme court affirmed the judgment of the Douglas county district court, holding that money deposited for the purpose of buying and selling grain on margins could not be recovered. About \$3,000 was involved.

Hastings Elevator Destroyed by Fire

HASTINGS, Neb., Jan. 29.—(Special Telegram.)—Fire last night destroyed the great elevator of the Hastings Milling company containing about 12,000 bushels of wheat. The loss is estimated at about \$25,000, insured. The plant is owned by J. C. Hedge and C. E. Dinsmoor. The cause of the fire is unknown.

ACCIDENT FATAL TO A. W. GRUNDMANN OF COOK

TECUMSEH, Neb., Jan. 29.—(Special.)—As the result of being struck with parts of an exploding gasoline engine, August W. Grundmann, who lived several miles northwest of Cook, was killed. Just how the accident happened will never be known, as Mr. Grundmann was working alone, using the engine to drive a feed chopper. His brother heard his outcry for help from the house and hurried to his assistance, but the man was unconscious, and, although he lived for three days, he did not regain consciousness. His head was crushed by being hit with some part of the machine and the belt had struck him. Mr. Grundmann was born three miles east of Cook, July 1, 1880. He is survived by his parents, Mr. and Mrs. Wilhelm Grundmann, a brother and five sisters. Mr. Grundmann was soon to marry Miss Elizabeth Prussing, who lives near Syracuse.

SISTER AND HOUSEKEEPER OF PRIEST FATALLY BURNED

WEST POINT, Neb., Jan. 29.—(Special.)—The funeral of Miss Elizabeth Schoof took place today at Monterey, the body being interred in St. Boniface's cemetery. Miss Schoof was the sister and housekeeper of Rev. Henry Schoof, rector of the Monterey parish. She arose at 6:30 a. m. and proceeded to light the gasoline lamp in the kitchen. By some unknown means the fuel became ignited, setting fire to her clothing. Her screams aroused her brother, the priest, who was yet in bed. He rushed from his room and endeavored to smother the flames, but in vain. She was 57 years of age and had acted as housekeeper for her brother for the last twenty years.

Chamberlain in Spokane Jail. TECUMSEH, Neb., Jan. 29.—(Special.)—Newspaper reports from Spokane, Wash., are to the effect that Charles M. Chamberlain, cashier of the failed Chamberlain banking house of Tecumseh, is finally in jail. Being unable to continue the expense of a special deputy sheriff to guard him at the Sacred Heart hospital, at Spokane, and not being able to secure the \$5,000 bonds while awaiting trial on a charge of forgery, Sheriff Le Roy Waller has taken Chamberlain to the county jail. The prisoner claims he is sick.

How to Cure a Hoarse Cough. "Coughs that hang on" demand treatment. Stop and think! Reason and common sense tell you that it is folly to "grin and bear it." Those racking, irritating coughs that wrench the body and cause soreness and pains in the lungs yield more quickly to Foley's Honey and Tar than to any other treatment. Forty years' record of successful cures proves this. For coughs, colds, croup and other distressing ailments of throat, chest, lungs, larynx and bronchial tubes, you can find nothing that will compare with this reliable remedy. Sold by all dealers.—Advertisement.

Nebraska

Wahoo Pioneer's Son Given Vienna Post

(From a Staff Correspondent.) WASHINGTON, Jan. 29.—(Special Telegram.)—Theron H. Steen, son of Captain John Steen of Wahoo, one of the pioneers of Nebraska, who has been connected with the Indian bureau in Washington for the last two years, has been appointed to a position in the clerical force of the United States embassy at Vienna by Secretary Bryan. Mr. Steen will sail in a few days for his new post, via Gibraltar.

CLAYTON DENIES THE CRIME

On Witness Stand at North Platte Stepfather Gives Story of Happenings at Time.

ADMITS TELLING MANY LIES

NORTH PLATTE, Neb., Jan. 29.—(Special Telegram.)—Charles Clayton, stepfather of Roy Roberts, on trial here for the murder of Vernon Connitt, told what he knew of the incidents surrounding the murder of Connitt on the witness stand today. He admitted that he had told the officials that Roberts and Connitt got into a fight and that Roberts struck Connitt on the neck and broke it, and that later he had said Roberts shot Connitt. These statements, he declared under oath, were lies told at the instance of his wife, Roberts' mother, to shield the young man.

Two Men in Company. Clayton testified that on the Sunday after Mrs. Connitt left to visit her sister in Iowa Roberts and Connitt left together in Connitt's outfit, and this was the last Clayton ever saw the victim alive.

A week later Roberts came back, wearing new clothes and possessing considerable money. He said Connitt had gone to South Dakota teaming.

John Jones, a youth working at the same farm where Clayton was employed, corroborated the story of Clayton.

Clayton on cross-examination admitted he had been convicted of cattle stealing and had been paroled.

Mrs. Clark of Stella Dies Suddenly at Rochester, Minn.

STELLA, Neb., Jan. 29.—(Special Telegram.)—Mrs. I. W. Harris died suddenly at 8 o'clock last night at Rochester, Minn., to which place she had gone for a minor operation. Perhaps no woman of this community was wider known, none so loved or had so many good deeds to her credit.

Mrs. Harris came here at an early day and went through all the hardships incident to the pioneer life connected with the settlement of the country. A gentle, yet progressive nature, she kept abreast of the times as president of the local Woman's club for many years and she led the way in the mental, moral and charitable work of the community.

She is survived by her husband, I. W. Harris, vice president of the State Bank of Stella and of the State Bank of Omaha, and by six children, Mrs. R. A. Clark, Misses Olive and Lucille Harris and Guy Harris, all of Stella, and George and Burt Harris of North Yakima, Wash.

MAN WHO SHOT SELF AT GRAND ISLAND IS DEAD

GRAND ISLAND, Neb., Jan. 29.—(Special Telegram.)—Joseph Kimbrough of Evansville, Ind., who shot himself on Monday with suicidal intent, died this morning.

Notes from Sutherland.

SUTHERLAND, Neb., Jan. 29.—(Special.)—The local Women's Improvement club, an organization of an "uplift" nature, is arranging to open a rest room for women in a building on one of the principal streets of the town. A circulating library is also to be installed.

The Modern Woodmen and Royal Neighbors camps held joint installation of officers at Odd Fellows' hall Saturday night. A program and lunch followed the work.

There is to be resumption of mail service on the former star route from Sutherland to Forks postoffice. Service was discontinued several months ago owing to unsatisfactory bids for carrying the mail.

Institute at Dunbar.

DUNBAR, Neb., Jan. 29.—(Special.)—The Olose County Farmers' institute will be held here on February 3 and 4. A number of prominent speakers from over the state will be present to deliver addresses and a large number of premiums are being offered.

Nebraska

STILL TALK WOLF BOUNTIES

Broome's Measure Aimed at the Pests of the Western Plain Given Lease of Life.

RAILROAD BILL "SUSPECTED"

(From a Staff Correspondent.) LINCOLN, Jan. 29.—(Special.)—The committee on live stock and grazing, which appears to have fallen heir to all the matters which were formerly turned over to the national committee, now abashed, has had turned over to it Broome's bill providing for the payment of wolf bounties by counties. The house yesterday indefinitely postponed the bill, but Broome made an eloquent plea for another chance and the house gave permission for the bill to come back for further consideration.

With Richmond of Douglas in the chair the committee of the whole took up and reported for passage H. R. 114, which provides for building bridges. An amendment which brought out a great deal of discussion at a former session, making fifteen-ton bridges the minimum weight instead of twenty-ton structures, was again the bone of contention. The committee having the bill in charge fixed it up by providing that all wooden bridges should be of fifteen-ton capacity and all others twenty tons and that in repairing wooden bridges three-inch plank should be used.

Watchdogs Active. Some of the watchdogs in the house thought they scented a hot trail this morning when Miner's bill came up, giving the Northwestern Railway company the right to acquire a forty-acre tract of school land near Long Pine, which it had under lease, which was about to expire and upon which it had considerable improvements in the way of buildings and trackage. Oysterman thought it was a scheme to give the railroad company a chance to get a lot of land along its right-of-way. Miner was out at the time the discussion came up and so Nichols of Madison explained the features of the bill. During the discussion, Miner came in and asked that the bill go back to the railroad committee and permission was given.

Close Season on Quail. Considerable time was spent H. R. 96, providing that no quail could be killed in the state for five years and give all the year round protection to plover, doves, swan, white crane, Chinese pheasants and other game birds brought into the state for propagation purposes. Chambers of Douglas attempted to get the bill indefinitely postponed, but was unsuccessful and the bill was sent to third reading. Moseley of Lancaster tried to amend the bill, which calls for a fine of \$25 for killing out of season and put it back to the old amount of \$5, but was unsuccessful. The extra money will go to pay for extra game wardens to enforce the law.

County High Schools. House roll No. 5, the Hoffmeister bill requiring county boards to establish county high schools, was recommended for passage in spite of its being vigorously attacked by Mr. Trumble and others. It was explained by the bill's friends that it carries no penalty and so if the board should fail to carry out the law in a county where no such school is desired there will be no harm done.

Another bill approved by the committee of the whole was House roll No. 104, by Gornaly, providing that where county aid is given to fairs the money so appropriated shall be used first to pay premiums.

Speaker Jackson announced that he was signing house rolls Nos. 60 and 61, the legislative appropriation bills for salaries and expenses. These are the first bills to go to the governor.

SCHUYLER GIVES FAREWELL RECEPTION TO A PRIEST

SCHUYLER, Neb., Jan. 29.—(Special.)—A farewell reception for Rev. Father Tomaneck was held Thursday evening. The basement of the fine new church, recently completed by St. Mary's parish, which stands as a monument to the energy and success of Father Tomaneck, was crowded by the many friends which he has made during his fourteen months' work at Schuyler. An interesting program consisting of music and speeches was provided. The addresses were given in Bohemian, but so many were in attendance who were not members of Father Tomaneck's parish and who were not Bohemians, that each speaker repeated his remarks in English. Father Tomaneck will take another charge at Warzaw, Neb.

If you have a "Sunshiny Room" let people know about it in this column of Bee Want Ads.

England is Buying Butter in Chicago

CHICAGO, Jan. 29.—Europe has turned to the United States for butter, it was learned today. Chicago dealers shipped two carloads to England, by way of Canada, and are negotiating for additional large sales to the warring nations.



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