

Authority of Council Over Police Is Issue

Hearing on Suspension of Morals Squad by City Council Is Set for Friday

Saved from suspension at the hands of Chief of Police Dillon by a restraining order issued Tuesday by District Judge Hastings, the police morals squad, consisting of Ernest Fee, E. A. Heller, A. P. Paulson and N. A. Searl, Wednesday faced suspension by either Police Commissioner Butler or the city council, according to Chief Dillon.

Dillon said the restraining order applied to him only, and did not mention the police commissioner or the city council.

The city council, by a vote of 5 to 1, asked Dillon to suspend the four men, when Fee failed to appear for a hearing on charges filed by

Police Commissioner Butler Wednesday declared that the commission form of government is a joke.

He expressed himself strongly in favor of the city manager plan. His comment was called forth by the suspension by the city council Tuesday of the police morals squad.

"It's getting so a police officer is afraid to do his work, for fear of being suspended," he declared. "This sort of thing will demoralize the department. It should not be tolerated."

Charles Nejetinsky, 1417 1/2 South Sixteenth street, who accused the men of entering his house without a warrant last March.

Commissioner Koutsky declared the men were suspended and would not be paid for work from September 4 to September 11.

Hearing Friday. The court order fixes September 7 as the date when Chief of Police Dillon shall appear and explain why the men should be suspended at all.

Police Inspector Jack Pisanowski said today that no patrolman who has been a member of the department for more than six months can be suspended by the city council without a hearing. All members of the morals squad have passed their period of probation.

When Fee appeared at the station this morning, he said he returned to Omaha last night, and when he reported for orders, was handed a registered letter, summoning him to appear at yesterday's hearing. He said it was the first knowledge he had of the hearing, and that the city council knew he was out of the city on his vacation.

Fee Not Notified. "None of my superior officers said anything about being suspended," he said. "All I know about it is what I've read."

Fee was preparing this morning to serve a writ of habeas corpus.

The main question involved in the orders issued by the city council Tuesday morning to Chief of Police Dillon, is whether the council has authority over the police department.

This is the opinion of Mayor Dahlman and the city commissioner who decided to have City Attorney Van Dusen represent the council in district court Friday morning, when the case comes up for hearing.

Has Council Jurisdiction? "It is a question of whether the council has jurisdiction over the police department," the mayor said. "It was mentioned that the council appoints the chief of police, who is answerable to the council as well as the police commissioner."

Commissioner Koutsky declared he was satisfied the council acted with its legal rights when it issued the orders to chief of police yesterday to suspend the four men until their hearing is held.

Commissioner Dunn said: "I have no doubt about the council's authority to suspend these men under the circumstances, and I am satisfied that the court will sustain the action of the council. These officers were notified of the hearing and they ignored the notices sent to them."

Commissioner Hummel expressed the opinion that if policemen can refuse to appear for a hearing on charges filed against them, they can refuse to appear at all times.

Comparative Records. Following is the record of arrests and convictions of the police morals squad for July, 1922, under Frank Williams, and for July of this year under Ernest Fee:

Arrests	139
Convictions	124
Forfeited bonds	4
Dismissed	9
July, 1922	
Arrests	213
Convictions	176
Dismissed	85
Suspended sentence	5

Mayor Wants to Know Law on Auto Search

Mayor Dahlman, pursuant to action of the city council Tuesday morning, asked Assistant City Attorney John Moriarty for a written opinion on the constitutionality of police officers stopping and searching automobiles indiscriminately without warrants.

The opinion of Attorney Moriarty will be presented to the council when the hearing is resumed next Monday morning.

At the first session of the hearing Police Commissioner D. B. Butler admitted that he gave orders to his men to search these cars with or without warrants and maintained that he was within his legal rights as police commissioner to issue such orders.

School Survey Planned

Superintendent J. H. Beveridge has appointed a committee to represent each of the eight elementary grades, to work out a plan of minimum essentials for each grade.

These committees will prepare definite data of what an average pupil should accomplish in any given class during a school year or a semester.

A committee on articulation will coordinate the reports of the eight committees. Superintendent Beveridge expects that the work will be completed about February 1.

Driver of Death Car Will Be Prosecuted

In spite of the fact that the inquest into the death of Roy Roche, 2571 Davenport street, fatally injured Sunday when a car in which he was riding, driven by Cashus Paterson, 210 South Forty-first street, crashed into a tree at Park avenue and Pacific street, was dismissed yesterday by Paul Steinwender, deputy county attorney, Dennis O'Brien, city prosecutor, yesterday morning declared that Paterson will be brought into court to answer to a charge of reckless driving.

The inquest was dismissed when relatives of the dead man informed the county attorney's office that Roche had asked Paterson to take him down town.

Paterson is at liberty on \$500 bond on the reckless driving charge. Tom Sullivan, 2429 South Twenty-first street, and Mack Garner, Pullman hotel, two other occupants of the car, were arrested after the accident on a charge of drunkenness.

Myth Given Life by Japan's Quake

Superstitious Inhabitants Believe Writings of Monster Fish Cause of Temblors.

Seattle, Wash., Sept. 5.—According to the Rev. Dr. H. H. Gowen, professor of oriental history and languages and institutions in the University of Washington, many Japanese attribute earthquakes to the writings of a "jishin uwo" or earthquake fish, a sea-monster living under ground with its head in the north, where rumblings are comparatively rare, and its tail between Kyoto and Tokio, where the temblors center.

The written annals of Japan began in 645 A. D., related Dr. Gowen, and tradition tells of two earthquakes prior to that time, in 416 A. D. and one, particularly destructive, in 599 A. D. In the period covered by writing, he related the following important disasters:

1185: A great earthquake in Kyoto attributed to the defeat and slaughter of the Taira clan. The surface of the earth was quivering for weeks.

1293: Great earthquake, 23,000 killed in Kamakura alone.

1596: Two great earthquakes, August 30 and September 4, across the main island. Osaka castle and Kyoto badly damaged. Temples and houses throughout the city fell in a moment. Seven hundred ladies of the imperial court were killed.

1642: Earthquakes shook Japan for an entire month. They were attributed to lack of virtue on the part of the emperor, whose abdication was forced.

1703: Great earthquake followed in 1707 by the great eruption of Fuji (Fujiyama). Yedo castle almost destroyed and 37,000 lives lost in Yedo. A tidal wave swept away 100,000 people in three districts.

1854: Earthquake and tidal wave destroyed Shimoda. The Russian freighter Diana lost.

1855: Tokio wrecked by earthquake and fire, 194,000 people perished.

1891: Earthquake over considerable part of main island, especially severe in the neighborhood of Yipl.

1893: Earthquake and eruption in Yuzhi and Kagoshima almost buried in ashes.

\$50,000 Suit Is Filed Against Two Slayers

Sebastian Marchese of Omaha, special administrator of the estate of Albert Girardi, deceased, has filed suit for \$50,000 in district court at Red Oak, Ia., against John Stewart and George Austin, who were convicted of murdering Girardi January 22. Attorneys Clifford Powell of Red Oak, and O'Sullivan and Southard of Omaha, filed the suit.

The petition states that the Girardi estate should be remunerated for the loss of support for his family because he came to his death at the hands of the defendants.

It was alleged that the murder grew out of a quarrel over payment for some liquor which Girardi was selling to Stewart and Austin. Austin is now in prison at Fort Madison, Ia., serving a life term, while Stewart is out on \$12,000 bond.

Policeman Is Burned by Gasoline Spray

Capt. Lyman Wheeler, in charge of the pill box patrol, was severely burned about the face, chest and arms at Central station yesterday morning when a gasoline sprayer, with which he was cleaning the motor of his automobile, exploded.

Peter McCoy, emergency officer, and Frank Lambert, garage mechanic, extinguished the flames.

Wheeler was given emergency treatment at the station and taken to Lord Lister hospital.

Schools Show Marked Gain in Enrollment

Total enrollment of public schools Tuesday was 32,467; opening day last year, 31,191.

Comparisons of high schools follow:

Central High	1922	1923
Omaha Technical High	2,167	2,494
South High	1,016	965
Benson High	114	120
Benson Junior High	218	180
Thirty-four of 53 elementary schools reported increased opening enrollments.		

Roundhouse Workman at Oxford Killed by Engine

Guide Rock, Neb., Sept. 4.—Alva Amack, 24, foreman of the Burlington roundhouse at Oxford, son of Mr. and Mrs. Charles Amack, prominent farmers near Guide Rock, was killed at the roundhouse while on duty. He had been employed at Oxford about eight months. It is not known how the accident occurred, but word reached his parents that an engine had run over him, severing the body about the waist line. The body will be brought here for burial.

Vanderlip Bank to Merge With Another Coast Bank

Los Angeles, Sept. 5.—Frank A. Vanderlip and his associates in control of the Commonwealth Trust company of Los Angeles, have agreed to a merger with the Bank of America,

also of this city, it was announced today by Ora E. Monnette and J. L. Williams, president and vice president of the latter organization. The merger will take effect September 21, the announcement said.

Bee Want Ads produce results.

Coast Rice to Japan.

San Francisco, Sept. 5.—The entire rice crop of California is being held for Japanese relief, and there will be no profiteering during the emergency period, according to an announcement made here last night by Harry M. Crech, attorney for the Rice Growers' association of California.

"The Rice Growers' association of California today holds less than half a million bags of rice, practically the entire available supply in California," said Mr. Crech. "We have had many offers today to sell any or all of this

rice to brokers, but we do not intend to sell a bag."

"Rice adaptable to the use of Japan is grown in only three places outside of Japan—Korea, Formosa and California," Mr. Crech said.

Owsley Sees Poincare

Paris, Sept. 5.—Premier Poincare today received Col. Alvin Owsley, national commander of the American Legion, who called to pay his respects.

Thursday—Continuing Our Mammoth September Sale

THE BRANDEIS STORE

STORE HOURS: 9 A. M. TO 6 P. M.

Specials in Drugs and Toilet Goods

- 50c Mulsified Shampoo, special, 35c
- 50c Glazo for, 33c
- 30c Mufti Cleaner, special, 19c
- 50c Dagget and Ramsdell's Cold Cream, special at, 33c
- 25c Mavis Talcum, special, 15c
- 30c Kolynos Tooth Paste, 19c
- Johnson and Johnson Shaving Cream at, special, 17c
- 1.00 Pinaud's Eau de Quinine for, 69c
- 1.25 Pauls Henna Hair Dye, 89c
- 65c Kotex for 45c
- 2.25 Ambre Royale Face Powder, 1.39
- 75c Mad Cap Rouge, special, 49c
- 25c Listerine, special at, 17c
- 25c Cuticura Soap, special, 18c

Women's and Children's Knit Underwear

Children's Sleepers 66c

In part wool and cotton merino; all come with wool feet; a wonderful value. Sizes 0, 1, 2, 3, 4.

Women's Vests and Pants and Tights—Mercerized, heavyweight; some are part wool and fleece lined; they come in natural and silver gray, also full bleach; 85c to \$1.25 qualities; 59c special at

Girls' and Boys' Union Suits—In medium weight and heavy fleece lined, with tape on bottom; knee and ankle lengths; high or low neck; drop closed seats; about 50 dozen; wonderful values; priced at 69c

the neck; regular value 2.39; 1.98 specially priced.

Thursday Is Baby Day

Thursday is coming to mean more and more to mothers who are watching our special offerings for the infants on that day each week. This week we offer the following three items:

Sweaters

Knit of very fine quality yarn and finished with a dainty edge of silk crochet, in either pink or blue, cozy little wraps that fit the tiny babe and up to 1 year, made especially soft about

Soft Little Crocheted Booties

In the popular knee length. Colors of pink or blue, and heavy enough for the fall or winter baby. Regular value 50c; 35c special, only

Little Diaper Panties

A boon to the mother just teaching baby the nursery chair habit. They are cut to serve as diapers and yet are convenient as panties. Regular price 98c; 79c special price

Big Savings on Rugs and Floor Coverings



Velvet Rugs

55.00 Axminster Rugs—Size 8-3 x10-6; choice Seamless Axminsters with deep rich nap; some slightly imperfect; a variety of patterns and colorings to choose from; specially priced at 44.75

Inlaid Linoleum

2.20 Inlaid Linoleum—Straight line, inlaid for kitchens, bath rooms; extra heavy; colors go through to back; many light patterns; specially priced, at 1.66

Thursday—An Important Sale of Women's and Misses' New Fall Dresses

500 Individually Selected New Fall Dresses—Representing the newest autumn fashions in dresses of the better kind. For the women who desire to save on fall dresses, this is an event of great importance. Only because of the tremendous buying power of The Brandeis Store are we able to offer values like these at the beginning of a new season.

Styles and Sizes for Women and Misses. 34 to 46

Dresses that Sell Regularly From 49.75 to 75.00

A low price in no way indicative of the real value of these dresses. Every one is characterized by an exclusiveness of style and a fineness of finish found only in dresses of the highest quality. Many of these gowns are just one and two of a kind.

Dresses for every occasion—for Tea, for Business, for Afternoon Wear, for Dinner, for Street, for Informal and Formal Wear.

A Diversity of Models—A Dress for Every Taste and Type

Fashioned of Such Materials as: Satin, Canton Crepe, Satin, Jacqueline Crepe, Crepe Moonglo, Crepe Elizabeth, Poiret Twill, Charmeuse, Chiffon Velvet, Canton Crepe, Crepe de Chine

Beaded Ornaments, Rich Lace Trimmings, New Paneling, Circular Ruffles and Flounces, Smart Collars, Novel Cuffs on Long or Short Sleeves, Rich Embroidery, Pleated Panels and Girdles

Interesting Apparel Items

Selected at random from our second floor in Omaha's greatest sale of Ready-to-Wear. Remember, there are hundreds of others.

White Silk Skirts—In pleated and straight line models; formerly sold from 9.95 to 15.00; special, 3.95

Odd Summer Silk Dresses—While they last; in sizes for women and misses, 5.00

Gingham Dresses for Girls—Sizes 6 to 14; formerly priced from 1.49 to 1.98; special, per dress, 88c

500 Sample Fur-trimmed Coats—Made to retail from 49.75 to 75.00; beautiful high pile fabric Coats, with luxurious collars, including wolf, fox, squirrel, opossum, beaver, special, 45.00

Wool Fibre and Silk Sweaters—Made to retail from 10.00 to 18.50; special, 5.98

New Fall Tailored Suits—For women and misses; special at, 25.00

500 Sample Silk Blouses—Of the better grade, 10.00 to 28.00 values; 7.98 special,

House Furnishings

Bread Boxes—Enamelled with tin, with hinged cover; special, 89c

Three-Piece Sance Pan Set—Made of aluminum, consisting of 1, 1 1/2, and 2 quart; handled sauce pans; special, set, 69c

White Borax Naphtha Soap—10 bars, 14c

Visit Our Newly Enlarged RADIO DEPARTMENT

B. Metal Loud Talking Crystal; special, 50c

B. Batteries; large size; special at, 3.00

Ingersoll Watches

2.00 Value; 1.00

Guaranteed for One Year. Limit of One to a Customer.

500 Boys' Blouses

Thursday at a Greatly Reduced Price

A beautiful assortment of high-grade Blouses; made of fine count percales; cut full size; faced sleeves; cuffs and collar attached. Guaranteed fast color fabrics; in neat checks and stripes; sizes 6 to 16; 95c values; special, 68c each,

Men's Athletic Union Suits

Odd and Slightly Soiled Garments

Last call; clean-up sale of men's and young men's Athletic Union Suits; in sizes 34 to 44; all good, perfect-fitting suits; some are slightly soiled from handling; many men wear this kind of underwear all season; specially priced, 48c Per Suit

Thursday—Specials in Standard Needed Notions

Spool Silk 50 Yard Spools Special, 3c

Lorraine Dress Shields—Size 2, 3 and 4; sell regularly at 29c; will fit dresses or blouses; special, per pair, 19c

Mutual Hook and Eye Tape—White or black; for brassieres, dress linings; handy to have in sewing baskets; regular 25c, yd. Singer Sewing Machine Oil—Best brand 9c

Boyle Machine Belts—Full size; regularly 35c each; special, 23c

Ant Lydia's Carpet and Button Thread—9c

Puritan Sanitary Apron—Rubberized; large size; regularly 69c; special, 39c

Zola Suede Powder—For all colors of suede shoes; high-grade cleaner; regularly 25c can; special, per can, 16c

Five Low Priced Specials in Household Linens

500 Crocheted Bed Spreads Special Each, 1.00

500 Crochet Bed Spreads; snowy white, hemmed ends; for single bed or cots.

Fine Linen Napkins—All hemmed ready for use, 22 inches long; a real value; specially priced 8.25 per dozen, Large Size Bath Towels—With blue borders. These are known as the Yo-U-Glo Towels; that means to keep the skin in perfect condition; special, 29c each,

Table Damask

38c

Linen finish; fine for every day use or for restaurant use; will really launder well. Basement—South

Fringed Napkins and Doilies

10c and 15c

14-inch Fringed Napkins; all lined; special price, 3.50 per dozen, Main Floor—South