# CHILDREN'S DAY AT

# FALCONER'S STORE

Mothers who wish to see their little ones look attractive (and what mother does not) will find much to interest them at

# Omaha's Greatest Sale Thursday Morning.

For your convenience we give a few hints where special articles will be displayed.

### At Glove Counter-

Mittens, warm, well-fitting, as low as 5c per pair. Advise buying a better grade. Gloves lined and furtrimmed—others got up for dressy appearance.

#### At Book Counter—

Hundreds of charming things designed to educate or amuse, prices lower than you have ever seen for similar goods. You can spend an hour at this department profitably. You will not be bored.

#### Around the Corner—

Is what is known as our Art Department. We noticed a child's flannel dress, nicely embroidered, was marked Cross the Aisle— \$3.50, our price 98c. Comfortable and sensible for a night dress in cold weather; price less than material cost. Unfortunately we have but a few.

### Hoods—Plain, Fancy—

Lace trimmed, all seasonable, three shillings each. Cannot last long--there is a choice.

#### Kid Booties.

Good goods as low as 29c.

#### Cute Little Jackets—

Made from outing flannel, a leader at 19c.

#### Short Flannel Skirts—

Fond mothers prefer to make these. Cannot do so, however, at 39 cents. Have a much better article at

#### Long Slips, Fair Quality –

29c. Seems low to us, judge ye the value.

#### Embroidered Blankets—

Some slightly soiled, been kept too long. Commence at 59 cents. Have higher priced also.

And look at Crib Blankets, have a few at \$1.98. These are colored. Soft wooly ones at \$2.98. Too little space to tell of values in children's hosiery Stowed Away Upstairsand underwear. Falconer's quality, our price.

#### On Second Floor—

Eiderdown garments, warm and beautiful, \$1.98; were much higher in Falconer's time.

#### Fur Sets—

If children see them, you will buy, \$1.98; most of these were double the price.

## Extra Special Cloth Garments—

For girls of 10 to 12 years of age-too many grades to quote prices.

### Don't Pass Our Basket Dept.—

Aesthetic novelties in pale blue, pale pink, etc., just the thing for little bedrooms-quite inexpensive, tooa few babies' baskets and hampers, now considered a necessity.

### In Upholstery Dept.—

Allow us to mention Dotted Swiss Muslins, suggestive of good taste-will add to the beauty of a well appointed chamber.

We found a lot of Japanese Balls, Mr. Falconer sold them at some price; they have really no intrinsic value -may please a child. Free while they last,

### Mothers Not Forgotten—

Specialties in each department for this sale. Ladies who can wear 51/2 and 53/4 GLOVES will find bargains. Larger sizes not so low, but cheap enough to prove attractive.

## Children are less care during morning hours—come early if you can. Glad to see you, however, at any time.

# Kilpatrick-Koch Dry Goods Co.

ported to the Executive-Some Important Decisions Announced by the Court.

LINCOLN, Nov. 20 .- (Special.)-Two important mandates have been sent out by Clerk Campbell of the supreme court. One in the lower court she recovered \$4,000. It of them is directed to the sheriff of Nanee was claimed that from October 20, 1890, until county, ordering him to proceed with the March 23, 1891, plaintiff's husband had drank execution of Andrew Debney, the wife murexecution of Andrew Debney, the wife murderer. Debney was recently found to be ard, dying from his excesses in April, 1891. insane by a commission, and it seems that The case was appealed to the supreme court the only chance of saving a lunatic from hanging is through executive elemency. The date of execution fixed is between the hours of 10 a. m. and 4. p. m. on the 19th day of January next. No official report of the where proofs showed that the surviving members of 10 a. m. and 4. p. m. on the 19th day of January next. No official report of the where proofs showed that the surviving memfinding of the jury in lunacy has yet reached the governor's office. The only intelligence the death of the head of the family, which death took place while such head was in a of Debney's mental condition comes from deranged and stupid condition superinduced Assistant Superintendent Barber of the Nor- by periods of intoxication extending over a folk asylum. He visited Debney and wrote period of five months, the last of which pe-Governor Holcomb that he believed him to riod was two weeks after any liquor had The other mandate orders the execution of of intextention the principals contributed by

noon. Three of the commission, Attorneys Watson, McIntosh and Websier, have been Watson, McIntosh and Websier, have been in session in the senate chamber during the past two days. The successful applicants are: W. H. Bofferman, J. C. Dort, F. B. Huffey, Benton Hendrick, W. G. Hoover, D. J. Constantine and William A. Meserve.

The supreme court today rendered a decision in the celebrated Berge-Lansing case, an appeal from the district court of Lancaster court. Nearly two years ago, Lausing was

county. Nearly two years ago Lansing was the republican candidate for county judge and Berge ran on the democrat-populist

LET OUT THE SALOON KEEPER.

Commissioner Ryan today handed down an opinion of especial interest to lawyers and liquer dealers. J. J. Patterson & Co. of Wymere, and William Dolan, saloon keeper, and their bondsmen, were sued for damages by Rosa McLaughlin for the loss of the support of her husband for berself and children. business and had become an habitual drunkbeen sold him, and that to some of the fits The other mandate orders the execution of James B. Walker on the same day and hour. The claim is made that Walker, who was convicted of murder in Dawcon county, is also insane. It is thought a similar effort will be made to save him from the gallows.

The commission to examine applicants for admission to the bar reported late this afternoon. Three of the commission. Attorneys cation was furnished by other parties, the dealer furnishing the first drink is equally liable with the others; also that in an ac-tion of this kind, where there had been introduced evidence showing that one sale was of Hauld not intoxicating, it was error to instruct the jury that where it is shown that the person was sold or furnished liquor

at a saloon, the presumption is that such liquor was intoxicating. The findings were reversed and the case remanded OMAHA CANAL CASE.

In the Omaha canal case, state ex rel.

COMMUTATION THEIR HOPE

Cases of Debney and Walker Passed Up by the Supreme Court.

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Cases of the trust thus impose the remedy

Pfluger against State. Error from Cum-name county. Affirmed. Opinion by Judge

Pfluger against State. Error from Cuming county. Afflrmed. Opinion by Judge Post.

It is not error for the trial court in a prosecution for a felony to order the improvement of the series of the county of the cou

property.

2. Under the above circumstances an injunction will lie to restrain a sale being made by the city of any of the abutting property aforesaid, and against the collection from any owner of such adjacent property of the cost of improving or of keeping in repair any portion of said street.

ments.

10. Corporations both municipal and prior implied, as an incident to their

general corporate powers, adopt and use a 11. Larsen against Dickey, 39 Nebraska, 483, and Dickey against Paterson, 63 N. W., 244, distinguished. APPLICATION OF USURY LAW.

APPLICATION OF USURY LAW.

The Norfolk National bank against Schwenck & Co. Error from Madison county. Reversed and remanded. Opinion by Chief Justice Norval.

An action against a national bank to receiver the penalty provided in section 5.198 of the Revised Statutes of the United States for knowingly taking and receiving usurious interest must be brought in two years from the time the usurious transaction occurred. he time the usurious transaction occurred. First National bank of Dorchester against Smith. 35 Nebraska, 193. 2. Following the decisions of the supreme court of the United States, it was held that court of the United States, it was held that usurious interest paid a national bank on a note cannot be applied by way of set off or payment against the principal sum due in any suit by the bank upon such note.

3. Where a national bank knowingly charges usurious interest upon a loan of money which is included in the note, in an action to enforce the contract the entire interest is forfeited. Where llegal interest has been paid to a national bank the borrower may recover double the amount of interest actually paid if the action is brought within two years after such payment is made.

Ford against State. Error from Douglas county. Affirmed. Opinion by Chief Justice Norval.

Alleged errors in overruling challenges to jurors for cause will not be reviewed by the

Alleged errors in overruling challenges to jurors for cause will not be reviewed by the appellate court where they were not called to the attention of the trial court in the motion for a new trial.

2. Where objection to the materiality or relevancy of testimony is not made when offered and before it has gone to the jury ordinarily it should be deemed waived.

3. It is not reversible error to exclude testimony, where the fact attempted to be proved has been fully established by uncontradicted evidence.

4. Where a question is asked a witness in the examination in chief, to which objection is made and sustained by the court, in order to obtain a review of the ruling the

question to be argued to the jury.

7. In a prosecution for larceny as bailee, an instruction which fails to charge that the original taking of the property must be felonious was not for that reason erroneous. The gist of the offense in such a prosecution is the conversion of the property without the knowledge and consent of the owner thereof with the interest. owner thereof with the intent to stea

the same.

8. Heid: That the charge of the court to the effect that every same person is presumed to intend the natural and probable consequences of his voluntary acts was not only abstractly correct, but was applicable to the case made by the evidence.

9. Held that the sixth instruction correctly stated the rule relating to the defense of intoxication.

10. It is a well settled rule that instructions should be construed together, and if, when considered as a whole, they properly state the law, it is sufficient.

11. The supreme court will not reverse a case for the refusing of an instruction, where the substance thereof has been given in other instructions.

n other instructions.

12. Evidence examined and held sufficient to sustain a conviction of larceny as bailee.

WILCOX NOT IN CONTEMPT. Wileon against State. Error from Doug-as county. Reversed and remanded. opinion by Chief Justice Norval.
A witness in attendance upon a court, who on being ordered to be sworn or af-irmed, contumaciously refuses, is guilty of contempt of court, and is punishable herefor.

who on being ordered to be sworn or affirmed, contumaciously refuses, is guilty of a contempt of court, and is punishable therefor.

2. But it is not a contempt of court for a witness to decline merely to be sworn, but he must also refuse to be affirmed, and the record must disclose.

3. A witness who contumaciously refuses to answer any legal and proper question asked him is guilty of a contempt.

4. When a witness is committed for contempt for refusing to testify, the question asked and refused to be answered must be stated in the order of commitment.

Dolen against McLaughlin. Error from Gage county. Reversed, Opinion by Commissioner Ryan.

Where in a petition it was alleged, and the proofs therewith corresponded, against two licensed saloon keepers and the sureties on their bonds, that the surviving members of a family had been deprived of their means of support by the death took place while such head of the family was in a deranged and stupid state, superinduced by periods of intoxication, at intervals extending over a period of five months' time, the last of which period of intoxication had been two weeks after any liquor had been sold, and that to some of the fits of intoxication the principals contributed by sales of liquor, held, a misleading error to instruct the jury that "where several inquor dealers furnish intoxicating liquors, the use of which results in intoxication and damage, each dealer is equally liable, and that, in case one dealer furnishes the first draught while the user thereof is perfectly sober, and the liquor dealers and the sureties on their bonds for loss of support caused by the death of the head of the family alleged to have been brought about by intoxicating liquors sold by such dealers, where there had been introduced evidence tending to show that at least one sale was of a liquid not intoxicating. It was erroneous to instruct the jury that "where there had been introduced evidence tending to show that at least one sale was of a liquid not intoxication. Fire of the presumption

Ragan.
The apparent authority of an agent which will bind his principal is such authority as the agent appears to have by reason of the actual authority which he has. Obernes against Burke, 30 Neb.

2. Evidence examined and held to sustain the finding of the jury, that the contract made the basis of the defendant's counter chaim was made with defendant by pisin-tiff's agent, and that the making of such contract was within the scope of the agent's authority.

as fragrant os violets.

the Death Penalty at Minneapolis at an Early Day Next Month.

MINNEAPOLIS, Nov. 20.-The last hope that remained to Harry Hayward for his life was wrested from him when the supreme court this morning handed down a long opinion, affirming the action of the lower court in denying him a new trial. The court is unanimous in its opinion save in one finding, as to the admissibility of Mrs. Hazeltine's evidence, as to which Chief Justice Start dissents. The court finds no error in the conduct of the trial and declares that the trial judge was justified in excluding testimony as to the sanity of Adry Hayward while on the stand when no foundation had been laid as to his previous mental condition. It was also proper to exclude the evidence as to the insulty of the family under the circumstances. The distinction between insulty as a direct issue and as a collateral one affecting the computency of a witness is

Harry Hayward turned pale when the decision was announced to him, but would say nothing more than "It was just what I expected." He is apparently we hout hope. County Attorney Nye, to when Governor Clough has referred the fixing of the date of execution, will name December 6 as the

PACKING HOUSE WEEKLY OUTPUT. Movement Henvier Than When Last

Reported.
CINCINNATI, Nov. 20.—(Special Telegram.)—Tomorrow's Price Current will say: The movement of hogs has been liberal, although not equal to the large marketing for the corresponding time last year. The western packing indicates a total of 510,000. against 390,000 the preceding week and 595,-000 last year. From November 1 the total is 1,215,000, against 1,265,000 last year. Prominent places compare as follows:

Milwaukee ....

The best salve in the world for cuts, bruises, sores, ulcers, salt rheum, fever sores, tetter, chapped hands, chilbians, corns, and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give per-fect satisfaction or money refunded. Price 25

cents per box. For sale by Kuhn & Co. Taken Under Advisement. Judge Berka stated Tuesday to the attor-

ney for Jerome K. Coulter that he would reduce the bond of \$25,000, under which Coulter is now held, to \$20,000, provided that he would at once accure responsible signers. The attorney stated to the judge that the proposition was impossible, and requested that the amount be reduced to \$10,000, in which case he stated that he could The case was taken under ad

If your children are subject to croup watch for the first symptom of the disease—hoarse-ness. If Chamberlain's Cough Remedy is given as soon as the child becomes hoarse it will prevent the attack. Even after the I like my wife to use Pozzoni's Complexion
Powder because it improves her looks and is

If it is also invaluable for colds and whooping

#### PLEASANTLY PICTURES



AND THEY'RE SOLID SILVER-

Everything you buy of un is absolutely guaranteed-the price is always the samethe lowest- marked in plain figures-and BUY HER AN ASTRACHAN CAPEthe nail files are \$1.25, so are the shoe hooks. Lots of late noveities in solid stiver, besides- very stylish. Just stand on the corner Suspenders with silver buckles and mount- once and watch the ladies go by who have silver pocket knives at \$1.00. Of course, we 100 wide. Skinner's satin lined and a big

Mandelberg. JEWELER, N. E. Cor. 16th & Farnam



storm collar. Where can you beat that for less than \$35.00.

G. E. Shukert, 15th and Harney.



When it costs so little to be comforted. They don't run into money and they are and lined with sateen. The comforts filled ings as low as \$5.00. New designs in solid one on. They are the thing-\$21.00 buys a selling for \$4.50 have been cut down to \$3.25, handsome astrachan cape 30 inches long by because there are only a few left. There is not haif as good a bargain in Omaha.

Hedgcock & Odell,



that new 50c song of ours-although a tramp \$1.25 and \$1.60 are filled with white cotton does suggest "Paying Toll"-but it also reminds one of that beautiful tramp, tramp, with down and sateen lined that we've been tramp, written in commemoration of Omaha's greatest festivities, the "Knights of Ak-Sar-Ben March." It should be sent away to every friend as a splendid advertisement of Omaha, and the music of the march will be a constant reminder of this great event.

A. Hospe, jr. 208-210 N. 16th-North of New P. O. Music and Art. 1513 Douglas St. Street. Company.



Drexel Shoe