## SPEECH BY JOHN MORLEY

British Historian Delivers Oration at Anniversary of Carnegie Institute.

IN TERNATIONAL JURY AWARDS PRIZE

Painting "Across the River," by W. E. Schofield, Wins Gold Medal and Cash Award of \$1,500.

PITTSBURG, Nov. 4.-Not since the opening of Carnegie institute ten years ago has greater variety been inducted into the exercises of the annual founders' day than today, when John Morley, Great Britain's famous historian and parliament leader, made the principal address. Edmund. Aman-Jean, a dean of the International Art jury, spoke in French of the influence of American wealth upon art, and Seth Low, former mayor of New York, delivered an extemporaneous talk well adapted to the occasion.

Andrew Carnegie, founder of the institute, remembered the occasion in an encouraging letter and the report of the secretary, Samuel Hardin Church, indicated prosperity in all departments of the institute. An American artist captured the first honor in the department of fine arts. President W. N. Frew introduced the Right Honorable John Morley, who came from England at the solicitation of the founder, to deliver the principal address of the occasion

Mr. Morley was greeted with prolonged applause and throughout his address was frequently interrupted by expressions of appreciation.

He opened his address on "The Power of Congress," by recounting the capture of Fort Duquesne, the nucleus of the present city of Pittsburg, by General George Forbes, accompanied by General Washington. Referring to the vast immigration to this country, he said:

The persevering absorption and incorporation of all this ceaseless torrent of heterogeneous elements into one united, stable, industrious and pacific state is an achievement that neither the Roman empire nor the Roman church, neither Byzantine empire, nor Russian, nor Charles the Great, nor Charles V, nor Napoleon, ever rivaled or approached.

After referring to the growth of English-

After referring to the growth of Englishspeaking peoples, and the probability that before the end of the century they will compose four-fifths of the human race, Mr. Morley touched upon the growth of liberalism, which he considered in many parts of the world synonymous with progress and number of political and social revolutions due to it. He said toleration in religion was the best fruit of the past four centuries end much of this was due to America. He continued:

Of all the points of social advance in my country, at least, during the last generiton, none is more marked than the change in the position of women, in respect of rights of property, of education, of access to new callings.

After saying "Whether democracy will make for peace, we all have yet to see,"

he continued:

Bright signs shine on the horizons of our time. Strenuous efforts are being made to improve that body of adopted usages and rules which we call international law.

The impatient may call it slow, but it is very real. The Hague tribunal opens anew a door of hope. Already two of the lesser states of Europe have agreed to submit all disputes of whatever kind that may arise between them to its decision. While all of us—in face of the new and extraordinary distribution of the forces of race and nation—taking good care meanwhile to keep our powder dry, let us at least dream of a day to come when mightier states will do something to follow that example.

Mr. Moriey was followed by Ama Jean and Mr. Low, after which President Frew

First Prize-"Across the River," by W. E. Schofield, painting; gold medal and cash award of \$1,500.

Second Prize—"A Rehearsal in the Studio," by Edmund C. Tarbell; silver medal and cash award of \$1,000.

Third Prize—"White and Gold," by Howard G. Cushing, bronze medal and cash award of \$500.

Honorable Mention—"School's Out." by and of any admission fee.

Honorable Mention—"School's Out," by H. M. Walcott; "In an Old Gown," by Martha S. Baker, and "Spring Mood," by George Seuter.

M'KINLEY MONUMENT DESIGN and designers have secured recognition in

for the Memorial.

Meeting of the National Association to Make Final Arrangements

Toward the end of this month the board cations and a very great number of them of trustees of the McKinley National Memorial association will meet in New York to decide upon a design for the national monument which is to be erected in Canton. The charter of the association is perpetual, and the completion of the monument, as well as its future, will remain under the supervision of the trusteen. When the design has been selected, however, the present work of the trustees will be practically complete; the rest of the undertaking will be a purely professional accomplishment. The preliminaries except, of course, the final choice from among the competing architects-have all been finished in a thoroughly American spirit, one that seems to accord with the

Already the site has been selected and purchased. The McKinley monument will stand in a park of twenty-five acres, dominating a wide stretch of typical American landscape. Above the east branch of the Nimishillen river, about a mile and a half out from Canton, rises a bare hill of noble. swelling contour, hard by the Westlawn cemetery, where the body of the president now lies awaiting its final resting place in the mausoleum. The bigness and sweep that are almost everywhere the distinguishing feature of American topography especially impress the visitor here as he as off from the summit upon the city

character of William McKinley,

and its environs. The spot where the monument will be erected is about seventy-five feet above the river. Pelow it extends the smooth boulevard over which Mrs. McKinley is driven every day to her husband's tomb. The site is also reached by the cars of the Canton Akron Street railway-a circumstance that is characteristically American, for access to the monument will be easy for all. Nearly every town in the state is now in connection with Canton by electric railroads. Perhaps nowhere else in the United

"A claim for taxes under the assessed fronce of the property under an assessment for one year, is not the same cause of action as a claim for taxes on the framework of trolleys been extended over a large term of one year, is not the same cause of action as a claim for taxes on the receivable of the property under an assessment for taxes. The same cause of action as a claim for taxes on the receivable of the property to tax and the property under a season of action as a claim for taxes on the receivable of the property to tax and the property of the property to tax and the property of the property to tax and the property of the property of the property to tax and the property of the property of the property to tax and the property of the property of the property to tax and the property of the property of the property of the property of the property to tax and the property of the pro

Rogers, Peet & Co. Overcoats, \$17.50 to \$40

Rogers, Peet & Co \$17.50 to \$30

GOLDBERG & CO'S. WHOLESALE CLOTHING STOCK 712 Broadway DBERG & CO'S. RETAIL CLOTHING STOCK

ON SALE SATURDAY at about one-half the

The climax of the greatest clothing event ever conducted in the west. Tomorrow will be a day of bargain-giving long to be remembered by the men who share in it. To make tomorrow's inducements stronger we offer more bargains and greater values than ever before. Remember it is all high grade up-to-date fall and winter clothing.

Men's \$17.50 S18.00, \$20 Overcoats @ Suits, \$10

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Children's \$2.50 and \$3.50 Knee Pants Suits and Overcoats Overcoats

Norfolks, double breasted Russian etc., in the Base-

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From the F. J. Goldberg stock, latest and 798 prettiest styles on third floor, at

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Single and double breasted suits, fitted Overcoats etc., from J. F. Goldberg

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a committee was appointed to collect evi-

Issues Statement About Thursday Night's Collision.

BOSTON, Nov. 4 .- In connection with the scrimmage between policemen and students of the Massachusetts Institute of Technology last night in which several on each side were injured, Chairman W. H. H. Emmons of the Boston police board, this afternoon stated that an investigation had been begun to ascertain whether the police of the students took the initiative. President Pritchett of the institute to

The responsibility for this unfortunate in-cident does not rest with the students, but with the police and was due mainly to you know, and seeing that the law gov-

Name the Town.

Big Shirt Sale Saturday

2,000 government wool shirts go on sale Saturdaymade expressly for the U. S. government, but refused by reason of late delivery. We bought at auction at about onefourth real value and offer to Omaha men tomorrow;

Men's \$1.25 Wool Shirts at 29c

Gray Wool Shirts-warm and made for good substantial winter wear-all sizes-every shirt in the lot well made and worth up to \$1.25 each-Saturday, your choice......

MEN'S WINTER UNDERWEAR

A big line of sample underwear-bought from two of the foremost underwear mills in the country-all woolnatural gray, silk and wool fleece underwear in all sizes-the right winter weight -worth 50c to \$1.50-at

25c-35c-45c

Men's Munsing Union Underwear-The comfortable, form-fitting underwear that will last throughout the winter and give complete satisfaction \_ 1.50 to 4.50 prices, a suit.....

Men's Shirts at 49c and 75c | Men's Custom Made Shirts Stylish patterns in negligee | The very latest fall fashion shirts, stripes and figures, very neat effects worth up 49c-75c to \$1.50-at...

-negligee, stiff and pleated bosoms—novely patterns that 98c to \$2

BOYS' BUSTER BROWN SWEATERS

We have the exclusive sale of these popular styles-made up in plain and fancy weaves—a big variety 98c to \$2 of bright and pretty colors for little fellows-at ....

## Fashionable Fall Hats

Just the latest and smartest style in high-class headware is what you can always count on at Brandeis-a big assortment. Brandeis Special—The Style Leader. If you wear a Brandels Special, you are in style all

right so far as headwear is concerned-it is the only popular priced hat that carries all the style of a hat costing twice as much. We make it a point to to see that these hats are the latest style and the best goods ever sold

Up-to-date stiff and soft \$1.50\_\$2.50\_\$3

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the lack of judgment and to the brutality erning such things is not evaded in any of their methods.

way .- Pittsburg Post. At a special meeting of the executive committee of the institute this afternoon PENNYROYAL PILLS
Original and Only Genutice.

SAFE. Always reliable. Leading, and Drugster
for CHICHESTER'S. ENGLISH
its MED and Gold nestallic bosse, scaled
with blose ribon. Take no other. Befrase
Deagerous Substitutions and Imitations. Bay of your Drugsist, or send do. in
stamps for Particulars. Teatimonials
and 'Relief for Ladine, 'in letter, by return Mall. 19.040 Testimonials. Sold by
all Drugsists. Chichester Chemical Caturn Malls. 19.040 Testimonials. Sold by
articular this paper. Madison Square PHILA. Pa-

dence about the conduct of the police and ATTEMPT AT JAIL DELIVERY FAILS

Prisoners Had Dug Tunnel Thirty Feet to Outer Wall. SIOUX FALLS, S. D., Nov. 4 .- (Special.)

-Another attempt at wholesale jail delivery in this city was this evening detected and frustrated. The leader in the attempt was J. H. Wilson, a noted forger, who on September 30 last, together with a prisoner named Ryan, made his escape from the county jail, after striking Jailer Crooks a violent blow with a piece of gas pipe. Both men were recaptured and since that time every effort has been made to prevent similar attempts. Shortly before the supper hour tonight, while Japitor Dow was cleaning the outside windows of the jail building, he heard a scratching. The officers were informed and investigation disclosed a tunnel about thirty feet in length which had been dug under the jail building to the outer wall. Wilson and those implicated with him, had in some steel and cement floor in the bath room running the tunnel from this point. Some of the dirt had been piled behind objects the remainder has not been discovered Had the attempt not been discovered when chemical changes. Costs but a it was it is probable all of the fifteen prisoners in that part of the county jail would rifle. have disappeared before a morrow morn

Stranger-You seem to have a good deal of crime in your city. Have you no police Native-Yes, we have a good one, but

EXERCISE YOUR SKIN -keep up its activity, and aid its natural changes, not by expensive Turkish baths, but by manner yet a mystery, cut a hole through HAND SAPOLIO, the only soap that liberates the activities in the bathroom, but what was done with of the pores without working

MEN AND WOMER.



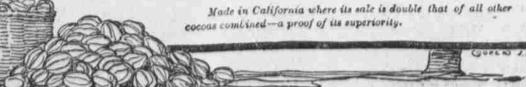
## GROUND CHOCOLATE

The people who have to work need all the help they can get from the nerve tissues of body and brain.

It doesn't matter whether you work with your head or with your hands, if your work is worth while doing, you require health and strength to do it.

Ghirardelli's Ground Chocolate contains all the nutriment in the cocoa bean, (and cocoa outranks nearly every other food in nourishing value). And more than this, it has the strength and flavor of the best Breakfast Cocoa and the mellowness of sweet cake chocolate together with a delicious flavor of its own. It being in condensed form is stronger and more convenient than cake chocolate for beverages as well as baking.

Look for the patented hermetically sealed cans used only by Ghirardelli. All others are imitations.



the president of the Boston Moclety of Architects.-Brooklyn Eagle. SUPREME COURT SYLLABI

sociation again went to work in the same

thoroughgoing fashion to attract to its

services the best artistic talent available.

There was, of course, 'no occasion to go outside of this country for artistic skill.

American architects, sculptors, painters

the world of art. At the same cime, the

world in order to be sure that the best

might be secured wheresoever it should

originate. More than 500 artists resident in

this and other lands asked for the specifi-

went into the preliminary competition last

Out of this competition were oftosen the

en architects or firms of architects whose

designs are to be considered this month.

Among them are some of the mest distin-

guished this country has produced. The

and Arthur Dillon, New York: Guy Lowell

Boston; H. Van Buren MacGonfgle, New

New York; Cass Gilbert, New

Wyatt & Nolting, Laltimore;

York; A. R. Ross, New York; A. W. Brun-

Earres & Young, St. Louis; D. H. Burn-

ham, Chicago; Carrere & Hastings, New

York. The designs they have prepared are

to be passed upon by an expert jury of

award, on which are Walter Copk, a dis-

tinguished New York architect: Daniel

Chester French, one of the leading Ameri-

can sculptors, and Robert Swain Peabody,

mplete list in as follows: E. P. Casey

competition was thrown open to the entire

The following opinions will be officially 13040, Pollard against McKenney, Renanded with instructions. Error from Nemaha. Sedgwick, J.

A decree establishing a constructive trust should not be limited to a cancellation of the conveyance whereby the constructive trustee acquired title to the land; the trust should be ascertained and en-

forced.

13292 Chicago, Burlington & Quincy Railway Company against County of Cass. Affirmed. Bedgwick, J. 1. "A right, question of fact distinctly put in issue and directly determined by a court of competent jurisdiction as a ground of recovery, cannot be disputed in a subsequent suit between the same parties or their privies; and this even though the second suit is for a different cause of action." State against Broatch, Neb., 24 N. W. Rep., 1018.

hep., 1016.
A claim for taxes under the assess-nt for one year, is not the same cause action as a claim for taxes on the ac property under an assessment for

open to the public without the imposition of any admission fee.

1. A common carrier of goods is required to provide facilities for and to receive and ship goods tendered at its station on pay-Proceeding in this effective manner and ment or tender of the usual tariff rates, and has no right to discriminate or favor having the definite assurance of so much one shipper over another in rates or facilmoney to spend, the committee et the as-

ities.

2. But this general principle is subject to the modification that if the carrier has furnished itself with cars sufficient to carry the freight which may reasonably be expected to be offered for carriage, taking into consideration the fact that at certain seasons more cars are needed, it has exercised due diligence in that regard, and where through causes which are not within its control it annot supply the cars temporarily made nocessary by unusual demand therefor, it is entitled to apportion the same in a fair and equitable manner among its patrons and cannot be compelled to provide one shipper with cars to the exclusion of others.

3. Under the facts set forth in the opinion, held, that no unjust discrimination has been proved and that the relator is not entitled to the writ of mandamus prayed for.

13561. Campbeli, receiver, against Tracy. 13561, Campbell, receiver, against Tracy,

Error from Johnson. Reversed. Letton, C.
The decision in this case is governed by
the principles announced in Campbell, receiver, against Moyes, Norman and Com-

The decision in this case is governed by the principles announced in Campbell, receiver, against Moyes, Norman and Company, which is followed.

13572. Eddy against City of Omaha. Appeal from Douglas. Remanded with instructions. Letton, C.

1. Where the amount of an apparent tax lien not included in a decree has been deducted from the appraised value of the debtor's interest by the appraisers, and the purchaser, assuming that the taxes were valid, takes advantage of the deduction thereof, he will be presumed to have agreed with the judgment debtor that he will pay the taxes so deducted, and will not be heard to deny their validity in an equitable proceeding seeking to enjoin their collection.

2. Where a purchaser of lands which are subject to an apparent lien for special assessments procures the title to the premises by a conveyance which recites that they are subject to the specific lien of the special assessments, which with interest thereon the purchaser assumes and agrees to pay as a part of the consideration thereof, he will not be permitted in a court of equity to set aside the tax as invalid.

3. The provisions of a statute and ordinance requiring thirty days' notice to be given property owners to designate the material which they desire used in repaying are mandatory and jurisdictions!

4. Where the charter and the ordinances of a city require notice to be given to property owners for thirty days to designate mandatory and jurisdictions!

4. Where the charter and the ordinances of a city require notice to be given to property owners for thirty days to designate mandatory and incistending to show a waiver of the fallure to give notice, it should plead the waiver in its answer, and no waiver having been pleaded the facts are outside of the issues in the case.

13566. State ex rel Prout against Northwestern Trust Company. Original. Demourar sustained, judgment of outser. Sedgwick, J.

1. If the organization and its plan of doing business involve receiving from each

Sedgwick, J.

1. If the organization and its plan of doing business involve receiving from each of its members a stated sum at stated intervals until a specified amount is received from such members, and investing this money in property for the benefit of its members, it is an installment investiment company within the meaning of Chapter 29. Laws of 1903, Compiled Statutes, Chapter 16. Sections 216-217, Cabbay's Annotated Statutes, Sections 2649-6550.

2. It is competent for the legislature to provide for publicity of the condition and business methods of such corporations, and to make reasonable classification of corporations, companies and individuals for that purpose.

versible error in receiving and rejecting evidence.

5. Evidence is relevant which shows that the accused has threatened to assault a witness;—has endeavored to prevail or has endeavored to induce him to testify a faisely, or has concealed the whereabouts of such witness from the prosecution, and such conduct on the part of an accused person is an incriminating circumstace to be weighted by the jury in determining the question of his guilt.

6. In a prosecution for statutory rape, frequent acts of improper familiarity between the parties implicated may be received in evidence to prove their adulterous disposition toward each other.

7. S. Record examination, to a hostile or reduced the examination, to a hostile or reduction to heaving and held, that defendant's application and held that defendant's application and held that d

court had not appointed such counsel for that purpose.

11. Held, that a general objection to the appearance of such counsel made during the trial in connection with the examination of a witness and without any showing to support it was properly overruled.

12. The fact that a single clause of an instruction is incomplete is not sufficient ground for a leversal, if, when the whole paragraph is read and construct together, its meaning is clear and certain, and it appears from the record that the jury could not have been misled thereby.

12. Evidence reviewed and held, sufficient to sustain the verdict.

Story of Ganymede's Birth. A professor in a western college, while giving an examination in mythology in a country school, called upon a bright lookng girl and asked the following question: Who was Ganymede?"

Promptly came the answer: "Ganymede was the son of Olympus and an eagle." The class teacher blushed for her pupil and exclaimed: Why, Elizabeth! Where did you learn that?" "Indeed, it says so in the book," replied

The professor then asked the girl to find the place and read the paragraph aloud. whereupon the class was both astonished and delighted to learn that Ganymede was borne to Olympus by an eagle.-Lippin cott's Magazine.

Doing as Londoners Do. An American just returned from a visit

to London has a strange story to tell of

night gave out a statement in which he

it's pretty busy superintending wrestling matches and boxing contests and the like,



GHIRARDELLI'S 4