Silk Suit Sale at Kilpatrick's

Thursday at 10 a. m. we will sell 57 Silk Shirt Waist Suits and Costumes, worth up to \$45.00, at one uniform price--\$14.95 each. These garments are made of high grade silk, beautifully made and late in style-in our judgment one of the greatest bargains ever offered in the city.

Don't blame us if your tardy arrival in the morning prevents you from getting just the one you have had your eyes on.

Some rare values in Drapery Section while the above sale is in progress, for

200 pairs choice Lace Curtains, a variety of makes, worth up to \$8.00— at, pair	4.98
	2.49
	9 47%

Thomas Kilpatrick & Co.

sizes, from each, \$2.75 to

MAHONEY CASE THROWN OUT

Just a few choice Navajos left-in three

Charge of Oriminal Libel Against E. Rosewater Dismissed by Judge Day.

COUNTY ATTORNEY'S MOTION SUSTAINED

Latter Says There is Nothing to the Case and Court Decides Slabaugh's Judgment is Correct.

Judge Day handed down his oral decision Wednesday morning in the case of the State of Nebraska, T. J. Mahoney ex rel, against Edward Rosewater, charged with criminal libel, in which he sustains the motion of County Attorney Slabaugh to dismiss for want of sufficient evidence to convict and further ordered the dismissal of the case. Judge Day after thoroughly reviewing all the evidence and documents

filed in the case said, "I have examined this case with extreme care. In this case the county attorney is the legal representative of the state. Mr. is injured has nothing to say, nor anything to do with the case whatever, he may or may not testify. The question of the employment of special counsel by Mr. Mahoney at his own expense is not an issue in this case. The county attorney occupies quasi-judicial position and he has stated in his motion to dismiss that a conviction could not be had in this case, in his belief.

Machinery of Court Adequate. "There is no claim in Mr. Mahoney's pe tition to engage special counsel that the county attorney is disqualified. The county attorney has four deputies to assist him and the machinery of the court is adequate to the trial of this or other cases requiring the services of the county attorney's office. Because after having investigated the case at issue the county attorney said that there was no case, is not a legal disqualification. It is for me to say whether the county at-

"I am clearly qualified to appoint special counsel, but it seems to me that there is no necessity for such action in this case and it seems to me also that this is all there is innocent of the charge and in case he to this case. I have arrived at this con- was acquitted, asserted that he would ask clusion, that the prosecution of a case rests forgiveness and return to the Christian with the county attorney, and this conclu- faith. sion has been reached after much careful deliberation.

"The process for the disqualification of a udge or county attorney is impeachment. laying of the cornerstone of the new Pres-The judge has the legal right to dismiss byterian church building in this city took every case before him if, in his judgment, the facts will warrant such action. This is practically true with the authority of the the Methodist church, where the pastor. county attorney in such cases as may come under his official duties. Hence in this case Methodist church and Senator A. E. Cady

the plaintiff Joe Bartley, the embezzling state treasurer. County Attorney W. W. Slabaugh after a thorough investigation came to the conclusion that there was not enough evidence to warrant a conviction and filed a motion to dismiss. This motion was filed during Mr. Rosewater's absence in the east, and wholly unknown to the latter. Upon Mr. Rosewater's return he protested against

the dismissal of the case and urged that it go to trial. In the meanwhile Mr. Mahoney had filed a formal protest with the court against the dismissal of the case and offered to employ special counsel to assist in the prosecution, and asked permission of the day. court to do so. This protest was fortified For Iowa-Fair and warmer Thursday. the party aggrieved. The law does not recognize any party as aggrieved. It is the state that is aggrieved. The man who of the county attorney to dismiss the case tana-Fair Thursday and Friday. The matter after argument has For Wyoming-Fair Th been under abeyance of the court since

> WILBURFORCE IS NOT DEAD Negro Missionary Who Returns to Savagery Will Be Tried for

> > Cannibalism.

that time.

HUNTINGTON, Ind., Sept. 20 .- Definite information contradicting the reported death of Daniel Flickinger Wilburforce, the African missionary who, after being educated in this country, several months ago renounced the Christian faith and returned to heathenism, have been received here. Wilburforce with several other natives had been arrested by the English commissioner of West Africa charged with

cannibalism. When being taken to headquarters he passed through the town where his adopted family were staying, but was not allowed to see his relatives. He declared that he was

Church Corneratone Laid. ST. PAUL, Neb., Sept. 20 .- (Special.)-The place this afternoon with appropriate ceremonies. The congregation assembled at St. Paul, clear

together with several visiting Presby-

and will cost when finished from \$10,000 to

25-K wedding rings. Edholm, jeweler,

FORECAST OF THE WEATHER

Fair Today and Tomorrow in Nebrasks-Cooler in Northern Portion Today.

WASHINGTON, Sept. 20 .- Forecast of the weather for Thursday and Friday: For Nebraska-Fair Thursday and Fri day; cooler in the northern portion Thurs-

For North and South Dakota-Fair and cooler Thursday. Friday, fair,

Local Record. OFFICE OF THE WEATHER BUREAU Philippines. The matter was taken up OMAHA. Sept. 20.—Official record of tein- with the federal officers and Odell, with perature and precipitation compared with the corresponding day of the last three years: 1905 1904, 1903, 1907 March 1, and comparison with the last two

Normal temperature
Excess for the day
Total excess since March 1, 1905

Reports from Stations at T P. M. nicago, clear Davenport, clear Denver, clear Havre, clear Helena, cloudy ... Huron cloudy ... Rapid City, partly cloudy.

Salt Lake, partly cloudy Valentine, partly cloudy. Williston, clear L. A. WELSH, Local Forecaster,

GRAND OPENING OF AUTUMN NO CARDS

THURSDAY :: FRIDAY :: SATURDAY

RARE TYPES OF ARTISTIC ELEGANCE IN EXQUISITE FRENCH MILLINERY THIS IS THE FASHION EVENT OF THE SEASON DISTINCTIVE, ORIGINAL, EXCLUSIVE

The thoughts of the masters whom all the world recognize as authors of the most charming millinery models have been concentrated in our present displays. Thus it is that the united efforts of the best talent in the great style sources give to our display that distinctive originality and exclusiveness which is so essential in hats for theater wear, receptions and such other formal functions as are uppermost in the minds of Fashion's devotees.

Paris Model Hats, \$15.00, \$17.50, \$20.00, \$25.00

OPENING DAY SPECIAL Pattern Hats at \$7.50, \$10.00 and \$12.50

These are hats copied from the Paris hats, and should sell for double the price we ask. Medium Priced Millinery—Copies of Pattern Hats, \$4.98 It has always been our aim to give the best values possible at this price. This season we come forth with a collection of styles far superior in workmanship and materials than any ever offered here or elsewhere. We

invite your inspection. Tallored Suit Hats at \$3.98 Our assortment of suit hats is the largest and most complete to be found in the city.

For opening day we will offer all our Paris pattern hats at about half their original cost to import. A FEW SPECIALS FOR OPENING DAY \$3.00 Hand-Made Silk Hats. \$1.98 Twenty-five dozen ladies' fine hand-made tucked Japanese silk hats, made on buckram frames. They come in

Hand-Made Silk Velvet Hats, \$1.49 Made of Paon velvets. A limited number will be sold at this price.

Ladies' let Turbans HAYDEN BROS.' MILLINERY DEPARTMENT

MISS BELLE KNOWLTON, Proprietor

Case Against Suspended Methodist (From Staff Correspondent.) Minister is Being Made by Several Members of His Former Congregation.

Up at Falls City.

DEPOSITIONS ARE TAKEN AT TECUMSEN

Last December Blakemore was suspended kindgom. from the ministry by the conference pendng, the same occurring in the church here. The depositions are to be used in Falls City. The church was represented today by Rev. 3. W. Isham of University Place and Rev. W. M. Balch, paster of Trinity church, Lincoln, while Blakemore was represented by Rev. Mr. Evans of Des Moines. A number of the clergymen of the district enroute to onference stopped off in Tecumseh to be present at the taking of the testimony. Rev. Blakemore was also present. All went o Falle City this afternoon

Since being suspended Blakemore has been traveling in the interests of an eastern pub-

OPINIONS BY THE SUPREME COURT Number Handed Down Before Ad-

fournment of Court. LINCOLN, Neb., Sept. 20 - (Special Telegram.)-The supreme court adjourned this vening after handing down the following

Fance vs. Hohnbaum, on hearing former adgment adhered to. McGlinis vs. Johnson company, affirmed. Soehner vs. Grandlodge etc., reversed and remanded. Brownthe judgment of the county attorney must govern. Mr. Gurley, counsel for Mr. Mahoney, said to the court that unless special counsel was appointed to prosecute they themselves wanted the case dismissed.

"The motion of the county attorney is therefore sustained and the case will be dismissed."

"Rosewater Insisted on Trial.

The case in brief, is one wherein T. J. Mahoney instituted a prosecution for criminal libel against Edward Rosewaier for statements as to Mahoney's relations published in The Omaha Bee concerning the plaintiff Jos Bartley, the embessiling the plaintiff Jos Bartley the first Jos Bartley the first Jos Following are rulings upon motions for

rehearing: Gund vs. Ballard, overruled. Escritt vs. Michaelson, allowed. Darr vs. Donovan, overruled. Raley, trustee, vs. Raymond Brother-Clarke company, overruled. McCague Brothers vs. Irey, overruled. Boettcher vs. Lancaster county, overruled. Burleigh vs. Palmer, plaintiff in error, allowed to file briefs instanter.

MURDER CHARGE IS DISMISSED Deathbed Statement of Chief Witness

is Given as Reason. COLUMBUS, Neb., Sept. 20 .- (Special Telegram.)-County Attorney Latham today entered a nolle prosequi in the case of the anslaughter. As soon as the action was from custody.

This case is a peculiar one. harged with the death of a young woman at Humphrey three years ago, who died from the effects of a criminal speration. He left the country and joined the United States army, was assigned to duty in the Twenty-third infantry and went to the with the federal officers and Odell, with last June. Sheriff Carrig, armed with a warrant and requisition papers, brought him here some two months ago, since which time he has been in jail, unable to furnish witness, Wilmer Eyerle, died at Fremont in a hospital, where he had been sick for some time. Shortly before his death he made a statement, which was written down, and while this statement has not been given to the public, yet on the strength

STATE COMMERCIAL CLUB MEETING Executive Committee Session Called

Madison, N. Y.

for Omaha October 5. SHELTON, Neb., Sept. 20.-(Special.)-M. A. Hostetler, president of the State Association of Commercial Clubs, has called the executive committee of that organization to meet in Omaha at the Commercial club rooms October 5, at 10:30 a. m. The question of the next annual meeting of the association to be held in February will be taken up at that time and the place for the meeting selected. The committee will be cleased to hear from any clubs that would like to entertain the next state meeting. If you cannot meet the committee in person, write to the secretary, W. G. Hirons,

Each commercial club organization of the state can join the state association by paying an annual fee of \$2, except organizations in cities of more than 7,000 population shall pay \$10 in annual dues. Each club will be entitled to two votes in the asdelegates as it desires.

The membership of the executive committee of the state association is as follows: President, M. A. Hostetler, Shelton; vice presidents, W. A. Greenwald of Falls City, E. J. McVann of Omaha, J. T. Hauson of Fremont, H. A. Graff of Seward, Pierce; treasurer, O. O. Snyder, O'Neill.

Demented Wanderer Captured. family, with the aid of officers, have been jailed. carrying on a search for him. Although races of his wanderings could often be found he successfully evaded capture. Yesfor him this morning.

BEATRICE, Neb., Sept. 20.—(Special Tele-gram.)—At a meeting of the County Board

passed declaring an emergency existed and authorizing Supervisors Starlen and Harris of districts Nos. 1 and 5 to proceed at once to rebuild and repair twenty-one bridges in Trial of Ray, F. H. Biakemore Will Come their districts, which were either washed away or damaged by the recent floods.

BRYANS START ON WORLD TOUR First Stop Will Be Made in Japanese Empire.

LINCOLN, Sept. 30 - (Special, - W. J. Bryan, Mrs. Bryan and son and daughter will leave in the morning for San Frincisco, from which place they will start on their tour of the world. They stop first at Japan, TECUMSEH, Neb., Sept. 30.—(Special Tel-egram.)—Rev. F. H. Blakemore, now of where the party will be met by a young Weeping Water, but formerly paster of the Japanese who formerly made his hom Tecumseh Methodist Episcopal chupch, is with the Bryan family, while he attended to be given a trial before the Nebraska conerence, which will convene in Falls City a private school in Japan. This young man will be their guide through the flowery

The suit brought by A. W. Field, Judge ing a trial on serious charges brought by A. S. Tibbetts and J. B. Strode against nembers of his congregation. The affair the Western Indemnity company in aused a great stir in the church here. To- Chicago yesterday, as told in the Associated day a dozen depositions were taken before press reports, was news to the plaintiffs. the moderator, Rev. L. Morrison of Steri- Judge Strode said an attorney had been here recently and secured the power of attorney from the three plaintiffs merely to vote for them at the annual meeting. He did not know the company was even being investigated. The company formerly was a Masonic insurance company.

Mrs. Julia Maley of South Omaha, a patient in the insane asylum, was injured. probably fatally, at the supper hour last evening. She was out in the yard and suddenly ran for the fire escape on the uilding, ascending about thirty feet and then jumped off. Her back was broken and physicians say she cannot recover She had been at the asylum about two

YOUNG MAN BADLY WANTED Unless Frank Raymond Reports at

Lincoln Uncle Will Get Him. LINCOLN, Sept. 20 .- (Special Telegram.)-Somewhere in Omaha Frank Raymond, a Lincoln boy, who will be a deserter from the United States army unless he is apprehended and brought back here by night. is hiding.

With him is Miss Johanna Koerner, a Lincoln girl, and probably by this time they have been married.

Raymond is the son of Mrs. P. V. M. Raymond, one of Lincoln's most prominen club women, and he was recently arrested for forging his mother's endorsement to a check. He was induced by relatives to tentlary. He was to have reported for duty this morning, but instead a telephone message was received from Miss Koerner that the two were in Omaha.

Detective James Malone has gone to Omaha after the young man and will make strenuous efforts to locate him, in order to prevent him from becoming a deserter. The recruiting officer has given the authorities until tonight to apprehend him. A marriage license was issue dto the couple at Council Bluffs yesterday.

ONE OF NEBRASKA'S OLD-TIMERS Oldest Settler in State Passes Away at Niobrara.

NORFOLK, Neb., Sept. 20 .- (Special.) "Uncle Bill" Lamont, said to have been the oldest among Nebraska pioneers, is dead at Niebrara from disability incident to old age. His patent to land in Nebraska bore the signature, it is said, of President Ancountry was filled with Indians and antelope. Every business house in Niobrara was closed during the funeral of the old State against William Odell, charged with settler and his remains were laid to rest in Leau Qui Court cemetery, near that place. dismissed Sheriff Carrig discharged Odell During his last illness Mr. Lamont was cared for by citizens of the city.

"Uncle Bill" Lamont was known all over the Niobrara and Missouri river co-An eccentric old character, his stories of the "airly days, when they used to be so happy and so pore," were always listened to with equally eager interest by business man and toddling tot.

He remembered well the Wiseman horror, which occurred many years ago in the others, was transferred to San Francisco Niobrara country, and he used to tell, among his stories, many other tales that made the hair of the younger generation stand on end.

> GRANDCHILD CLAIMS THE ESTATE Suit to Break Will of Mrs. Ellen

Wilson of Tecumseh. TECUMSEH, Neb., Sept. 26.-(Special Telegram.)-An important case was begun the county court before Judge James of it the case was dismissed. The case has Livingston in this city today. Mrs. Carrie cost Platte county several hundred dollars.

Oden expects to join his regiment in a few ceedings to break the will of Mrs. Ellen days. They are now stationed at Fort Wilson, deceased widow of the late Judge John A. Wilson of this county. It seems that the Wilson estate, valued at \$20,000. was left principally to be held for a son, John Wilson, jr. This son ran away from home twenty-five years ago, and although the parents had left no stone unturned to find him they died believing him to be alive. But \$1,000 was left to Mrs. Moliring, who is the only living granddaughter and the next in line for the inheritance. Most of the property was to go to more remote relatives in case the son did not show up and claim it. A number of witnesses were examined in the case and prominent legal talent has been retained on both sides. The case will continue tomorrow and is very in-

Mother Hears of Son's Death.

NORFOLK, Neb., Sept. 20 .- Today for the first time since the murder at Sacramento, Mrs. Charles Lodge of this city heard the story of the killing of her son, John Lodge, the former Norfolk man, later a wealthy race horse owner, who was shot without provocation on the race track in the California city over a week ago. Charles sociation meeting, but can send as many Lodge and Sam Lodge, father and brother, have returned from California, where they went to bury the dead man. An intoxicated deputised town marshal murdered John Lodge because the officer believed Lodge had applied an epithet to him which he resented. Lodge and another man passed the officer and the other man remarked George F. Milbourn of Minden, G. B. Davr that some one ought to take the officer's of Lexington; secretary, W. G. Hirons, gun from him, because he was flashing it dangerously. The deputy officer assailed Lodge. Lodge warded off the blow and grabbed the deputy's hand, calling for help ALBION, Neb., Sept. 20.—(Special.)—A from the crowd in taking the gun away. young man by the name of Willard Carpenter, aged 19, after showing some indica- wrested his hand free and Lodge dropped tions of insanity, mysteriously disappeared dead with a bullet in his stomach. The from his home near Beigrade, Nance crowd nearly lynched the deputy, pounding county, on August 21. Since that time the him to a pulp, but he was arrested and

Convicted of Defrauding Woman. NEBRASKA CITY, Sept. 20 .- (Special.)terday he made his appearance at the farm Richard Mason was found guilty by a jury of Mr. Reynoldsons on Plum creek, this in the district court yesterday afternoon on county. By strategy Mr. Reynoldsons a charge of obtaining money on false pre-brought him to Albion and turned him over tenses. Miss Gillick is the complaining witto the sheriff. He is one of the most pitiful ness. The girl alleged that Mason, who objects ever seen. Since leaving home he was her sweetheart, had induced her to has lived out of doors, day and night. He lend him about \$360 on different occasions, has subsisted almost entirely on green corn which money he promised to lend to farmthat he gathered in the fields. When found ers at a high rate of interest. When Mason he was without a hat and almost without failed to show the collateral for the money clothing. During the hard rains of the Miss Gillick had him arrested on the charge past week he has been wandering through of which he was convicted. He will receive ornfields in this candition. He imagines sentence next week. The case of the State that he is being hunted by parties who are against Martin O'Neal was called for trial trying to kill him, and at times he is very this morning. O'Neal is charged with crimviolent. The sheriff of Nance county came inal assault. Miss Sylvia Straw is the complaining witness. O'Neal lives in South

GET IN THE Fall Watch Our Opening for New Saturday the Sales This Ring Rooms Week

Unique Souvenirs to All

OPEN

FOR BUSINESS

IN OUR NEW STORE SOUTH SIXTEENTH ST.

The numbers are four fourteen, four sixteen and four eighteen, next to Howard Street.

> Lower prices than ours must mean lesser values.

Orchard & Wilhelm Carpet Co.

The supremacy of the Radiant Home Stoves remains unquestioned. They save more fuel-they give a stronger, steadier heat - they last longer-than any stoves on the market.

RADIANT HOME BASE BURNERS \$29.75 UP.



14th and Farnam Streets.

in this city September 27 and continues until October 2, Bishop Hamilton presiding. News of Nebraska.

PLATTSMOUTH-John W. Tucker of Nebraska City and Miss Sarah E. Rigg of Union were married in this city today. The ceremony was performed by Judge Travis SCHUVLER-The pupils and the teachers

of the Schuyler high school gave a fare-well reception to the students who will de-part this week to the university and var-lous business colleges. BEATRICE—Yesterday at high noon, at the home of Mr. and Mrs. G. L. Cole, oc-curred the marriage of their youngest daughter, Miss Josephine, to John D. Har-ley of Lincoln, Rev. W. A. Mulligan offi-

OSCEOLA—On account of the hard rains and the bad condition of the roads the management of the Polk county fair called off the fair for one day. The fair began in full blast today and will continue for the REATRICE.

BEATRICE—Today at noon John J. Witt-mer and Miss Louise Kerber, both of Bern, Kan., were united in marriage. The wed-ding occurred at the home of the bride's sister, Mrs. William Brenker, Rev. Edwin Booth, fr., officiating. BEATRICE-Yesterday Horace Langdon

BEATRICE—Yesterday Horace Langdon of this city entered into a contract with W. W. Crockett of Tecumseh, an inventor of a new kind of lawnmower, to manufacture the machines. Mr. Langdon is proprietor of the Beatrice iron works.

DAVENPORT—Rev. J. W. Poet, pastor of the English Lutheran church at this place the last two years left for Chicago, accompanied by his family, today, stopping en route at Stella, Neb., to visit a son. Rev. Poot accepted a position as special evangelist.

SCHUYLER—The Colfax county Board of Insanity found John B. Woodward a fit subject to be treated as an inebriate at the hospital for the insane under the dipsomaniac law. He was brought before the board upon complaint of John Nichola, a relative of his.

relative of his.

BEATRICE—The Beatrice fire department has rented the Auditorium for a year and is planning for some good entertainments the coming fall and winter. The members of the department intend to make the state meeting to be held here in January the best ever held in the state.

PLATTSMOUTH—John W. Welsh of this city has a valuable relic of the war of 1812 in the form of a supplement of the New York Gasette, dated February 2, 1815, which contains the first official report of hte sign-

ontains the first official report of his sign-ng of the peace treaty between the United tales and the British governments. BEATRICE—Fire yesterday afternoon destroyed about fifteen tons of hay on the farm of Nathan Blakely, located near the city. The stack was adjacent to the barn, which was saved with difficulty. The fire is supposed to have been started by a tramp, who was seen about the barn a short time before the fire broke out.

Many Bridges Need Repairs.

SEATRICE, Neb., Sept. 20.—(Special Teleman)—At a meeting of the County Board

Supervisors today a resolution was

Omaha.

Omaha.

Methodist Conference at Minden.

MINDEN, Neb., Sept. 20.—(Special.)—The Space is being rapidly sold out and an unusually good exhibit is probable. Prof. Smith of Lincoln, one of the best judges of livestock in the state, will be

here one of the days to act as judge. The admission to all parts of the show will be free owing to the expenses of the show being defrayed by the merchants of the

BEATRICE-The stockholders of the Bea-BEATRICE—The stockholders of the Hea-trice Chautauqua association held a meet-ing last night and elected these directors: For a term of three years, J. H. Penner, S. Rinaker, C. L. Reed, term of two years, R. R. Kyd. F. B. Sheldon, A. W. Nickell. The treasurer's report showed a balance on hand of \$1,573.91, a net gain over last year of two.

BEATRICE—The republican nominees for county offices have filed a statement with the county clerk of their expenses in securing their nominations, as follows: J. A. Barnard, treasurer, \$20.36; B. H. Conlee, clerk, \$25.22; H. E. Spafford, judge, \$44.62; A. J. Trude, sheriff, \$10; J. Q. Reed, coroner, \$4.75. Miss Anna Day, nominee for county superintendent, and A. J. Pethoud, nominee for county surveyor, did not spend a cent to secure their nominations.

for county surveyor, did not spend a cent to secure their nominations.

STOCKVILLE—This is the first day of the ninteenth annual Frontier county fair. A nice line of agriculturial products is being placed in Floral hall. Most of the stalls for horses and hogs have been spoken for and this stock will arrive this afternoon and early tomorrow. The rain of yesterday was followed by a light frost last evening but today is clear and warm with a light wind. The race track is in good condition and the horsemen are happy. Prof. Andrews of Omaha is on hand again with his balloon. Hall games have been arranged between Ehistis and Maywood to be played on the grounds Thursday.

BEATRICE—The officers and directors of the Gage County Society of Agriculture held a meeting yesterday and arranged to hold a county fair at the Beatrice Driving park October 10-15. Class superintendents were appointed and H. V. Riesen chosen as general manager, with W. A. Penner as general manager, with W. A. Penner as treasurer. The following board of managers was elected: F. E. Kimball, W. W. Scott, F. W. Mumford, W. W. Duncan, Gerhardt Reimer. It is intended by the management to make the coming fair an exhibit of the products of Gage county. High class attractions will be provided each day for the instruction and amusement of the people.



