

Second Day of the Great Manufacturers' Stock Sale Saturday

Ladies' Underwear Bargains
For Saturday we have prepared the greatest bargain surprises yet offered. Only a glance at these values is necessary for the recognition of their superior, bargain merit.

Be sure and attend this great sale THE RELIABLE STORE. EXTRAORDINARY OFFERINGS OF WOMEN'S OUTER GARMENTS

Don't Pass These Splendid Men's Furnishing Bargains
MEN'S SHIRTS AND DRAWERS—The entire surplus stock of a well known manufacturer, worth up to \$1 per garment, at 39c, 25c and...

Big Shoe Sale Saturday
A large factory in Rochester, Ind., sells its entire floor stock of Women's Shoes, made to retail at \$2.25 a pair, sizes regular—2 1/2 to 7—

The bargain giving power of our great buying organization has never been more pleasingly demonstrated than in this great sale. Exceptionally high quality and low prices, together with best styles, form a combination that delights those who appreciate real bargains.

Great Clearing Sale of Men's Soft Felt Hats
In order to make room for an immense summer stock of Straw Hats we are making special price reductions on all lines of spring goods Saturday.

Sheet Music Sale
Now is your opportunity to purchase Sheet Music at exceptionally low prices. Saturday we place on sale, in both Music Department and Basement, all the latest hits, in both Vocal and Instrumental, at 8 1/2 per copy.



Ladies' Crown Suits—For which we have the exclusive Omaha agency—handsome in material, elegant in design; sold regularly throughout the United States and Canada at \$35.00 to \$42.00—

Picture Department
We have just come into possession of a large assortment of genuine Pastels. This class of work ranks with oil and water color productions; and a great many judges of such things prefer the Pastel over the other two coloring arts.

The Greatest Grocery, Butter, Cheese, Cracker, Fresh Fruit and Vegetable Department in Omaha.

- List of grocery items and prices: 2 1/2 lb. Best Pure Cane Granulated Sugar \$1.00, 10-lb. sacks best Granulated Commercial 1.00, etc.

50c Veilings Per Yard 12 1/2c

Saturday Extra Specials
LADIES' FANCY NECKWEAR, worth up to 25c, on sale at 12c, etc.

China Department

- List of china items and prices: Crystal Vases, plain or colored, from 12 to 25c, etc.

Read These Drug Prices

- List of drug prices: Violet Toilet Soap 5c, Colgate's and Williams' Shaving Soap 5c, etc.

Four Hosiery Specials

- List of hosiery items and prices: LADIES' HOSE—In fancy embroidered and lace effects, regular 35c, etc.

SUPREME COURT SYLLABI

14596. State ex rel Coney against Hyland. Original. Peremptory writ of mandamus issued. Let the writ be denied. 1. The title to a public office will not be tried in a mandamus proceeding. 2. Mandamus will lie to compel an officer whose term has expired to deliver to the person elected to succeed him, who holds the certificate of election and has duly qualified by taking the oath of office and by the filing and approval of his books, papers, money and other property belonging to the office. Such a prima facie right to the office is sufficient ground for the issuance of the writ, even when it is claimed the relator was not eligible to the office at the time of the election. 14597. Bush against Brown. Appeal from Hayes county. Affirmed. Albert, C. Division No. 2. This is a companion case to Bush against Griffin et al., No. 14541, decided at this sitting, and is governed by the same rule. 14598. Gering against School District No. 28. Error from Cass county. Reversed and remanded. Albert, C. Division No. 2. 1. A compromise whereby one party agrees to pay and the other to receive a certain sum in satisfaction of a doubtful claim, rests upon a sufficient consideration. 2. But if the claimant, knowing that his claim is groundless, forces the other party to a compromise by a threat of suit, there is no consideration and the compromise will not be enforced. 3. Forfeiture to prosecute proceedings for the reversal of a judgment is a sufficient consideration for a compromise, and unless the ground of the claimant in pressing his claim is put in issue, whether he intended to prosecute such proceedings is immaterial. 4. One of the essentials of a judgment offered in support of a technical plea in bar is, that it was rendered in a suit involving the same subject matter as that in which the plea is interposed, and, lacking this element, is not available in support of such plea. 5. Where the second action is on a different claim or demand, the judgment in the former operates as an estoppel only as to those matters in dispute upon the determination of which the judgment was rendered. 6. In such cases the rule is that if there is any uncertainty in the record as to the issues actually tried or adjudicated in the former suit, the whole subject matter of the action will be at large, unless the uncertainty is removed by extrinsic evidence, and the burden of proof is upon the party relying upon the estoppel to show the question raised in the present suit was litigated and determined in that in which the judgment was rendered. 7. In an action upon the promise of a composition to pay a certain amount in composition of a doubtful claim, one of the defenses was that the claimant secured the promise by a resolution of the court, and there is evidence tending to support such a resolution in the vicinity of his reputation or otherwise was properly received. 8. A resolution of the court made at a meeting where such resolution was adopted, tending to show that they were intimidated and for that reason left the meeting and refrained from voting on the resolution, are properly receivable in evidence as a part of the res gestae. 14599. Willis against Willis. Appeal from Harlan county. Affirmed. Albert, C. Division No. 2. 1. While our law defines marriage as a civil contract, it differs from all other contracts in its consequences to the body politic and for that reason in dealing with it, the state never stands indifferent, but is always a party whose interest must be taken into account. 2. A marriage, where one of the parties is under the age of consent, but who is not a minor, is not void, but merely voidable until annulled by a court of competent jurisdiction, is valid and a compromise by a threat of suit, there is no consideration and the compromise will not be enforced. 3. 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A principal who ratifies a contract of his agent is thereafter, in the absence of fraud, estopped from denying the authority of the agent to enter into the contract. 2. Where the vendee of real estate is willing to accept the deed of the vendor, the courts will not refuse to compel a specific performance of a contract because of a technical defect in the deed. 14603. Referred against Robert. Error. OTC. Reversed and remanded. Oldham, C. Division No. 1. 1. When no other place is specified in a contract for the tender of the money, the tender should be made at the place of the contract, but an unconditional refusal to accept the tender at any place waives the necessity for a technical tender at the place of the contract. 2. Where a tender of money is made, the property in condition to make the tender, the tender is not complete until the property is delivered to the party to whom it is tendered, and until such delivery the tender is subject to withdrawal. 3. Affidavits found in the files of the case or attached to the transcript cannot be considered as having been used in support of a motion for new trial unless they are included in and shown by the certificate of the clerk to be the affidavits actually used in support of a motion for new trial. 14604. Keeland against Weigley. Error. C. Division No. 1. 1. Evidence examined and held to sustain the conclusions of the trial court. 14605. Dempsey against Stout. Error. Douglas, Affirmed. Sedgwick, C. J. 1. A complaint which alleges that the defendant has used, or does not use, solely for his own use, as his own property, tobacco and a paper commonly known as cigarette, and that the defendant has sold tobacco within said paper and did proceed to roll the same into form as a cigarette, and that the defendant has sold the "manufacture" of cigarettes within the meaning of the statute. 14606. State ex rel Bishop against Dunn. Appeal. Lancaster. Reversed; writ denied; case dismissed. Barnes, J. 1. A delivery of a chattel should be construed together and their provisions harmonized, if possible, and where the conflict between them relates to an immaterial matter, such as the name or title by which an officer shall be designated, such discrepancies will be disregarded by the courts. 2. The city council of a city of the first class as a legislative body has the power by ordinance to establish and adopt rules for its own government in matters relating to its own use, does not constitute a part of the public law, and such rules, when adopted, will not be set aside by the courts unless they are directly or by necessary implication in conflict with some provision of the statutes. 3. Mandamus will not lie to compel the

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For BOYS and GIRLS From SIX to SIXTY John Mackintosh the Toffee King MACKINTOSH'S TOFFEE The Old English Candy

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