

COME EARLY! REMEMBER THE RICHEST PLUMS DROP FIRST

Our 10th Semi-Annual Half Price Suit Sale

WILL START SATURDAY, JULY 13th

SMALL LOTS AND ODDS AND ENDS OF OUR REGULAR STOCK AT EXACTLY ONE-HALF REGULAR PRICES

This announcement is all-sufficient to thousands—to others not acquainted with this store and its methods we can but say these season's end half price sales are the means by which we close out completely all odds and ends; we cast profit making aside to effect a thorough clearance. These tactics enable us to open every season with brand new stock.

HERE'S A GREAT OPPORTUNITY FOR MEN WHO WANT THEIR DOLLARS TO DO DOUBLE DUTY

For every dollar spent here during this sale will get \$2 worth of clothes—perhaps you're doubtful—we'll come in, if it isn't so, you're under no obligations to buy. We'll be glad to see you anyway.

Young Men's Suits at HALF PRICE

Young men are usually pretty well posted on youthful styles—that is one of the reasons for the popularity of this department. When we announce we are going to sell all the broken lots at half price we anticipate a busy day. Remember the early shoppers get the best picking.

Young Men's \$7.50 Suits for—**\$3.75**

Young Men's \$8.50 Suits for—**\$4.25**

Young Men's \$10 Suits for—**\$5.00**

Young Men's \$12 Suits for—**\$6.00**

Young Men's \$14 Suits for—**\$7.50**



Men's Suits that we sold for \$7.50 go for **3.75**

Men's Suits that we sold for \$10.00 go for **5.00**

Men's Suits that we sold for \$12.00 go for **6.00**

Men's Suits that we sold for \$15.00 go for **7.50**

Men's Suits that we sold for \$18.00 go for **9.00**

Men's Suits that we sold for \$20.00 go for **10.00**

Men's Suits that we sold for \$22.50 go for **11.25**

Men's Suits that we sold for \$25.00 go for **12.50**

Men's Suits that we sold for \$30.00 go for **15.00**

Men's Suits that we sold for \$35.00 go for **17.50**

CHILDREN'S SUITS AT HALF THE REGULAR PRICE

BROKEN LINES OF SNAPPY MODELS

We've quite a number of lines from which several of the sizes are missing and cannot be filled—we've decided to sell them at half price rather than to carry them over—they are this season's models—any one who has ever outfitted their boy at this store knows how our boys' clothes are made—they are simply in a class by themselves—yet we are going to sell them as cheap as the ordinary kinds.



Children's \$2.50 Suits for..... **1.25**

Children's \$3.50 Suits for..... **1.75**

Children's \$4.00 Suits for..... **2.00**

Children's \$5.00 Suits for..... **2.50**



RAILROAD VALUE STANDS

Supreme Court Refuses to Order a Redistribution.

O'HEARN SENTENCE IS MODIFIED

Reduced to Life Imprisonment, Warren to Ten Years, but Harrison Clark is to be Hanged on August 30.

LINCOLN, July 12.—(Special.)—The supreme court has refused to issue a writ of mandamus to compel the State Board of Assessment to recompute and distribute the value of railroad property according to average value per mile as asked by Judge Sullivan on behalf of Platte county. The board found the value of the Union Pacific at \$18,000 a mile over the system in Nebraska, but distributed the value according to main and branch lines. Branch lines traverse Platte county, consequently all of the road in that county was not valued at the average of \$18,000 a mile. The court held, Chief Justice Sedgwick writing the opinion:

"When a statute has for nearly forty years been practically construed by the officers whose duty it is to enforce it, and has during that time been several times re-enacted by the legislature in substantially the same terms, such construction will be regarded as adopted by the legislature although the language of the statute would indicate a different meaning."

All States Board of Assessment in Nebraska have valued the main and branch lines separately or at a different value, and this method has been upheld by the court.

Gibson Law Not Invalid.

In the matter of the application of Julius Reusch of Lincoln, charged with violating the Gibson anti-brewer law, for a writ of habeas corpus, the court has ordered the prisoner discharged, but has not decided the constitutionality of the Gibson act. The court believes that this act was intended to prevent manufacturers, wholesalers or agents from selling or being interested in the sale of intoxicating liquor at retail, and not to prevent an occasional sale of liquor by a retailer in a quantity in excess of an ordinary retail sale. Reusch had sold two barrels of liquor to another saloon keeper. He was not charged with having made a sale at retail, but with having made a sale at wholesale, which the court says is not within the inhibition of the law.

Jay O'Hearn's Sentence Reduced.

The death sentence of Jay O'Hearn has been reduced to life imprisonment; the sentence of Joe Warren, who was convicted of robbery committed at the time O'Hearn fled to ten years and the death sentence of Harrison Clarke, charged with the murder of Joseph Flury, has been confirmed by the supreme court and the time of execution fixed for Friday, August 30. O'Hearn was charged jointly with Ray Nelson, Leo Angus and Joe Warren with murder in the first degree by shooting and killing Neils Lausten on January 20, 1918, while in the attempt to perpetrate a robbery. O'Hearn was tried separately, convicted and his punishment fixed by the jury at death. The other defendants pleaded guilty, but afterwards Angus and Nelson were per-

mitted to enter a plea of guilty to murder in the second degree and were respectively sentenced to imprisonment for life. Warren was acquitted on the charge of murder while attempting to commit robbery, but was later prosecuted and found guilty on a charge of robbery, his sentence being fixed at fifteen years in the penitentiary. His attorneys pleaded that he had already been placed in jeopardy on a charge of murder and robbery and therefore he could not be prosecuted on the robbery charge. The court held:

"An acquittal of a defendant on the charge of the murder of one Lausten held not to be a bar to a prosecution for the crime of robbery of Lausten committed at or about the time of the killing." The court reduced the sentence because Warren was not in the saloon at the time the robbery was committed and was in all probability unarmed, and because of his youth and the belief that the killing of the oldest in years, was the oldest in crime, was the only defendant who was acquitted with the saloon in the part of the city where the crime was committed; that he, with Angus, purchased the revolver with which he was armed and fired and that he was apparently the ringleader, and considering the further fact that the defendant has been arrested at man's estate, it is our opinion that the punishment imposed, taking all the circumstances of the case into consideration, is excessive. Since the defendant acknowledged the crime, the judgment of the district court is affirmed, but the sentence of death heretofore pronounced is set aside and the judgment and sentence of the court is that the defendant shall be imprisoned during life.

Clarke Sentence Affirmed.

Harrison Clarke, Calvin Wain and Clarence Gathright were jointly charged in the district court of Douglas county with the murder of Edward Flury, a street car conductor, while attempting to rob him. Clarke demanded a separate trial, was convicted of murder in the first degree and the jury fixed death as his punishment. The court affirmed this sentence and fixed Friday, August 30, for carrying into execution the judgment and sentence of the district court. The bill of exceptions in this case shows upon its face that it is incomplete and does not contain all of the evidence, and it would be justified in refusing to consider the assignment of error that the verdict is not sustained by the evidence. In view of the fact that this is a capital case and the jury had fixed death as the punishment, the court has read the record, given it careful consideration and is of the opinion that it contains no reversible error. The court says it is fully satisfied that the evidence is sufficient to prove the defendant's guilt beyond the peradventure of a doubt, and that the evidence contains nothing which would justify a modification of the verdict of the trial court.

Judge Barnes wrote the opinion in the Clarke case and Judge Letton the opinion in the O'Hearn and Warren cases.

Kearney vs. Stetson and the Supreme court has declared valid the

action of Governor Sheldon in vetoing an act to appropriate \$85,000 for the erection of a north and south wing at the Kearney Normal school building.

This validates vetoes of acts appropriating a total of \$235,000, including a building at Beatrice and one at Omaha, and the wolf bounty claims and all other vetoes filed after the legislature adjourned. An application for a writ of mandamus filed by John F. Crocker to compel Secretary of State George C. Junkin to authenticate the act passed by the legislature appropriating funds for the normal school building. It was alleged the governor did not approve the bill nor did he file it with his objections in the office of the secretary of state within five days after the adjournment of the legislature and by reason of this the enactment became a valid law. In computing time to ascertain how long the governor had retained veto bills in his possession it was necessary to show when the legislature adjourned. Part of the records showed that it adjourned at noon on April 10. Other portions of the legislative records showed that the legislature was in session as late as April 4. The court admitted parol evidence in regard to the date of adjournment and this evidence showed that the governor did not retain the bill longer than five days. The court holds that where the evidence furnished by the journal of the legislature in authenticating a bill is contradictory as to the actual time of its final adjournment, so that it is impossible to tell with certainty upon what day the legislature adjourned sine die, recourse may be had to other competent evidence to show the actual facts and apply the evidence which the journal fails to set forth. The governor respects approval or veto of bills, acts as a part of the lawmaking power and may approve or reject within the time limited by the constitution as long as bills remain in his possession or under his control.

The governor had offered to file the Kearney Normal bill with the secretary of state at midnight, April 10, and called up the secretary of state by telephone for that purpose. The secretary did not go to his office, but said he would consider the bill filed as of that date. The court holds that this does not take the place of the actual filing if the bill remained in the governor's possession subject in all respects to his control.

Cobby Case Reversed.

On rehearing the former opinion of the supreme court in the case of J. E. Cobby against the State Journal Company is vacated and the verdict of the district court affirmed. Cobby brought an action for malicious prosecution against the State Journal Company in the district court of Gage county, alleging that the company had maliciously prosecuted a civil suit to prevent his receiving pay from the state for a certain number of copies of the Cobby statute, which held up for a time Mr. Cobby's claim in the courts. The court holds that both malice and probable cause must exist in order to justify an action for malicious prosecution. The petition of the plaintiff has been examined and the court holds that it does not state a cause of action against the defendant for maliciously combining and conspiring together to injure the plaintiff's business. Judge Letton dissents as to the latter proposition.

Rolling on Liquor Law.

"In a suit by a married woman in behalf of herself and minor children, under the statute relative to the sale of intoxicating liquor for damages due to the inebriation of the husband and father, the gist of the action is the loss of the means of support and not any personal injuries he may have suffered as a result of the intoxication." So the supreme court held in the case brought by Elizabeth J. Nelson and her children against James Nevels and August G. Stephens in a case for damages coming up from Platte county. The plaintiff was awarded damages to the amount of \$270 by the lower court and this is affirmed. The defendants objected to the holding of the lower court that the gist of the case was the damage done the woman and chil-

children by reason of the inebriation of the husband.

Believe Barker Sane.

Witnesses from Webster county, the former neighbors of Frank Barker, testified today in the district court, but not one thought that the condemned murderer was insane. The arguments will begin tomorrow morning at 9 o'clock and after that the case will go to the jury. Dr. Young of the Norfolk asylum and Dr. Kern of the Hastings asylum today declared that Barker was sane. Arthur B. Wolcott, a butcher of Inavale, considered Barker sane. The latter worked for Wolcott for about twelve years previous to the murder. The witness never heard of the epileptic fits. Sheriff McCall, Wade Kountze, a farmer; A. F. Hartwell, a merchant; County Commissioner Sawyer and Charles Hunter testified that Barker did not possess an unusual mind. Kountze declared that Barker was the best cornhusker and horseman in Webster county.

This evening the attorneys wrangled for a long time concerning the length of the arguments. Details were finally arranged and the case was adjourned until tomorrow.

Capital City Briefs.

The Interurban signed a contract with the Citizens railway, allowing the latter to use the Interurban line almost to the state fair grounds. The Citizens company will cooperate with the traction company. Floyd Burke, the 4-year-old son of Mr. and Mrs. Fred Burke, was killed this morning. He fell under the wheels of a lumber wagon and died soon after the accident.

Otoe County's Assessment.

NEBRASKA CITY, July 12.—(Special.)—The county assessor has completed his work, with the exception of the railroad assessment, and shows that the total taxable value of the county is \$113,375, or a \$21,550 over last year. The gain land was \$17,387, on lots, \$7,217, and on personal property, \$10,952. The assessable property of Nebraska City is \$27,034, or a gain of \$2,670. According to these figures the actual value of the real and personal property in the city is \$4,555,170, against last year's \$4,496,830. The total value of the real and personal property of Otoe county is \$28,567,834, and that is exclusive of the railroads, which will add at least \$4,000,000 more. This is an increase for the last year of \$67,530.

Suit Over School Money.

BEATRICE, Neb., July 12.—(Special Telegram.)—L. M. Pemberton has brought mandamus proceedings against County Treasurer Barnard, asking that he be required to reappropriate the school funds of the several districts in order that the Beatrice district may receive \$1,300 claimed to be due it from Gage county. Next Monday is set for answer day.

Boys Arrested for Swindling.

BEATRICE, Neb., July 12.—(Special Telegram.)—Abel and Nicholas Reimer, sons of N. B. Reimer of Jansen, have been arrested by Postoffice Inspector Thompson, charged with using the mail to obtain money under false pretenses. They will be brought before Commissioner Cobby of this city for trial. They are charged with sending jewelry to Sears & Roebuck, claiming that they purchased it of the

firm and demanding their money back. After sending the money claimed to be due the boys the company discovered that the jewelry had not been purchased at their establishment. The matter was reported to the government officials and resulted in their arrest.

SLOAN RECOVERS HIS SENSES

Murderer at Grand Island Brought Out of Unconscious Condition by Treatment.

GRAND ISLAND, Neb., July 12.—(Special.)—After being in practically an unconscious condition for thirty-six hours, W. J. Sloan, the self-confessed murderer of Frank Hermann, this afternoon suddenly revived and asked what had happened. The county physician, who visited him after dinner, reported his condition worse, if anything, and for an hour before an attendant had constantly to be near him to hold him. He was a few minutes later sitting on his cot and smoking and complained of hunger. When asked what he had taken he replied that he had taken nothing and denied eating the four plugs of navy twist tobacco it was supposed he swallowed. He was evidently sincere about it and the attaches of the jail seemed inclined to believe him, though they cannot find out what caused his epileptic condition. Dr. McGrath, the county physician, and Dr. Butherford, the coroner, both of whom were called in the case, unite in the declaration that the man had, intentionally or accidentally, taken poison. Sloan had been moved from the wing in which the cages are located to the open department, at the other end of the jail, during his seizure. All are agreed that the man could not have feigned the condition.

Young Man Commits Suicide.

PAWNEE CITY, Neb., July 12.—(Special Telegram.)—Herbert Spies, a young German farmer, killed himself today. Spies was unmarried and was living with his mother about ten miles northwest of this city, having rented his own farm of 130 acres. He had been working in the corn field during the morning. Coming to the house at the noon hour he asked his brother for the shotgun. He was told there was no ammunition. The mother and brother sat down to dinner. The brother, hearing a noise as of a struggle, went out and found Herman with his throat cut and in a dying condition.

Tecumseh Mill to Start Up.

TECUMSEH, Neb., July 12.—(Special.)—The Tecumseh Mill and Elevator company, G. E. Hotchkiss, manager, has this week sold a one-half interest in what is known as the Hill mill in this city to F. N. Wilkinson of St. Joseph, Mich. Mr. Wilkinson is secretary and manager of the Twin City mills of his home city and is a miller of wide experience. He will take charge of the sale of the product of the mill here in the eastern market, continuing his residence in St. Joseph. The mill property, which has stood idle for some time, will be opened and put into operation as soon as possible.

Powers Candidate for Judge.

YORK, Neb., July 12.—(Special.)—Judge F. C. Powers of York is a candidate for the office of justice of this judicial district. As a practicing lawyer he is well known in eastern Nebraska. Mr. Powers has lived nearly all of his active years in York.

Bull Tossed Heavy Man.

NORFOLK, Neb., July 11.—(Special Telegram.)—David Brewer, aged 67, a Madison county pioneer, was gored by a vicious bull and tossed over a fence yesterday. No serious results are anticipated. Brewer is six feet tall and weighs over 300 pounds.

Fix Dates for Celebration.

BEATRICE, Neb., July 13.—(Special.)—The executive committee having in charge the semi-centennial celebration met last night and fixed September 24, 25, 26 and 27 as the dates for the big event. It will be

known as the Beatrice Golden Anniversary, and it is the intention of the business men of Beatrice to make it the biggest affair of the kind ever attempted in the state.

News of Nebraska.

PLATTSMOUTH—Frank Neuman, son of Carl Neuman of Denver, was buried Thursday.

BEATRICE—The circuit races will be held next week at Wynona. The dates are July 16 to 19.

PLATTSMOUTH—The democratic committee of Cass county has been called to meet in this city Saturday, July 20.

PLATTSMOUTH—Julius Pepperberg is said to have lost 4,000 pounds of fine tobacco by the recent flood, which he valued at \$1,500.

BEATRICE—Miss Linda Elizabeth Leech died at her home in this city last evening after an illness of two months of heart trouble.

BEATRICE—Mr. Christopher G. Johnston and Miss Lucy Irene Weaver were married Wednesday afternoon at the bride's home near Holmesville.

YORK—Rev. M. B. Head, pastor of the Methodist Episcopal church, united in marriage Henry T. Lantz and Miss Mabel B. Monson of York.

BEATRICE—Although having been organized but three months, the membership of the Mary Young Men's Christian association numbers 214.

CALLAWAY—Ellen, the 4-year-old daughter of Mr. and Mrs. V. A. Vangoren of this city, was playing with a lawn mower and lost a finger.

BEATRICE—Joseph Shubowski died yesterday at his home in West Beatrice after an illness of about a year of consumption. He was 21 years of age.

PLATTSMOUTH—Canon H. B. Burgess united in marriage Earl C. Ryan, aged 22 years, and Miss Bertha M. Sestons, aged 19 years, both of Irwin, Ia.

PLATTSMOUTH—The farmers in this vicinity are busy this week harvesting their fall wheat crop, which is reported to be of a good quality and a fairly good yield.

BEATRICE—The siffafts which were mowed is almost ready to cut again and by the time wheat is taken care of the farmers will be putting in the second crop of alfalfa.

WILCOX—The funeral of George, the youngest son of Mr. and Mrs. J. J. Tillman, occurred yesterday. He died in Kansas City Tuesday while undergoing an operation for appendicitis.

STURBECKA CITY—Touletia lodge, Sons of Herman, has been progressing lively during the last few months and now claims to be the banner lodge in the state. It now

numbers 202 members, with many more "on the road."

NEBRASKA CITY—Al McCord, an employe of the Nebraska City Brick company's plant, was struck this afternoon by a broken belt and quite severely injured. He will recover, but will be confined to the house for some time.

BEATRICE—Yesterday afternoon at the Christian parsonage, Rev. J. E. Davis officiating, was solemnized the marriage of Mr. Alfred Ruttenthaler and Miss Maude Davis. They will make their home on farm five miles east of this city.

BLICE HILL—W. H. Manifold of Fullerton, who was recently elected by the school board as superintendent, has resigned. The reason he gave for his resignation was the offer of a position in an Iowa school at a raise of \$200.

BEATRICE—A petition has been in circulation for the last few days endorsing L. A. Pemberton of this city for the office of district judge. Mr. Pemberton has represented Gage county in the senate and is one of the oldest members of the Gage county bar.

BEATRICE—F. H. Dobbs, a pioneer Nebraskan who located in this section in 1852, suffered a stroke of paralysis yesterday.

(Continued on Twelfth Page.)

Clocks Cleaned...

We will call for clean and regulate your Clock and return it to you guaranteed for one year for

\$1.25

Remember this is the Expert Repair Store of Omaha.

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DURING JULY

We keep a large force of Cutters and Tailors busy—by including an extra pair of Trousers with every order—for the price of a suit alone.

Suit and Extra Trousers \$25 to \$40

There's little profit in it for us, but it cleans up the surplus stock—and assures to you your next order for garments.

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Blue Serge Suits and Trousers, \$25

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Wise Campers
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Delicious
Nutritious
"There's a Reason."

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Buy a 1906 model Columbia Graphophone with improved D reproducer, extra sensitive recorder, handsome oak cabinet, with carrying cover to match, and 14-inch brass horn, also 6 of the famous Columbia X P Cylinder records, and two blank cylinders for making your records at home.

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