## Big Reduction Sale Women's Clothing

Big Reductions on All Ladies' Suits

For tomorrow's selling we offer you any of our \$25.00 and \$27.50 Ladies' Suits made in all this season's labest style and correct models: large variety of cloths, some made with folds and satin and taffeta hands, trimmed with buttons and braid. Values that we have not been able to offer you before this season. In order to make tomorrow a big selling event, we will place these all in one big lot, and offer them at the remarkable low price of

## Big Reductions On Ladies' Coats



Made in this sea-son's latest styles, all colors including black, Come in different lengths, some 52-in. Many garments full lined, and positively could not be bought clsewhere for less than \$17.50. For this special saling event special selling event

t the remarkable low

\$9.95 CLEAN-UP SALE IN OUR MEN'S

## CLOTHING DEPARTMENT

In order to dispose of the broken lines of Men's Suits we have divided them into two lots for Saturday's selling. Suits worth \$18 and \$15, on sale at \$10.75 and ......

In these garments, too, we have a number of broken lines, and offer for Saturday's selling Men's Overcoats in all this season's latest effects and materson's latest effects and materials, worth \$23.50 and \$17.50. 8.75 for \$11.75 and .....

a Week

## At the Theaters

Bress

"A Knight for a Day" at the Boyd. "A Snight for a Day," a musical comedy in two acts; book and lyries by Robert B. Smith; music by Raymond Hubbell, staged by Clus Schlke; under direction of H. H. Fraze. The principals."

Mute. Woodbury, of Mme. Woodbury's seminary for Young Ladi. Elains, Ame. Woodbury daughter...

Marceline, the senior chief inventor of
Marceline's Meat Sauer. Eugene Meulan
Sir Anthony Oliver, Muriel's father...
Muriel Oliver, the of Mine Woodbury's
pupils ... Gertrude Hutcheson
Marce, a Corsican ... James H. Brennan
Jonathan foy, an alleged lawyer, by
profession a waiter ... Bobby Barry
Tille Lay, a servant lady .. Elsie Herbert
Adar, an expressman ... George Stevens

Ofnaha has had the pleasure at one time ever female "clowns," among them Toby aude, Ada Denves, Mabel Hite, Bessle McCoy and others who have written their of fame held aloft by Thespil in these days of musical comedy; but Omata basn't seen any who are more worthy of the calling than Elsle Herbert. If it were not for ; her the present production of "A Knight for a Day" would be rather flat. But Etste is a dear, good girl, and works like a Trojan or a chorus girl trying to make good, and she surely does lift the part she has above the medium line. She is good, and that's all there is to it. Bobby Barry is supposed to be the headliner of the bill, and the part he has probably is not as finished or as satisfactory as way, and does all he can with his opportunities, but he hasn't the same intuitive grasp of a situation nor the faculty for getting a laugh out of a look or a



## Boston's New Hotel

Bids you and your friends a hearty welcome. No pains will be spared to make your next visit a longer one. Excellent cuisir a with service the best, amid surroundings fastidiously appointed. Everything new, attractive and cosy, with prices reasonable

## The Brewster

Cor. Boylston and Washington Sts. TEL. 41440 OXFORD.

Dinner parties before and after the theatre will receive our special attention. Ladies w'en shopping will find it most convenient to have lunchoon here with every known comfort and exclusion.

Ainslie & Grabow Company,

lotels Lenaz, Tuilories & Empire, Bosto New Ocean House, Swampscott Hotel Titchfield, Jamaica, W. L.

Ealf a Block from Marald Square." - HOTEL -COLLINGWOOD On the Block Between 5th Ave. & B'way GTY

offers select accommodations to discriminating people.

ABSOLUTELY FIREPROOF, and affords every facility for the comfort of guests.

Situated in the very heart of the city, in a very quiet neighborhood, convenient to all surface. Subway and elevated railway lines, and in the midst of the shopping and theatre district.

Rooms With Bath \$2 and Up.

Special rates by the month or season.
Restaurant a la Carte.
SETE E. MOSELET, SD.
Formerly of
New Haven House, New Haven, Conn.

1315 - 17 - 19 FARNAM ST.

word as does Miss Herbert. Hers is the true gentus for clowning. Of the other principals in the company Miss Hutcheson easily leads. She has a

splendid voice, which is used most effectively in some good songs, and leaves one regretting that she does not sing more. But, why talk of the principals in face of that chorus. It is numerous and pulchritudinous, and not a great many of the girls are old enough to vote, so that it really meets all the reasonable requirements for a chorus. And it can sing and Emile Saelaun, a university student ... it redeems every promise made by the

> they were new. The audience at the Boyd last night seemed to enjoy the affair thoroughly, and especially applauded Miss Herbert and Miss Hutcheson, while Barry came in for a liberal share of approbation. "A Knight for a Day" will stay until after Saturday night, with a matinee on

"The Boy Detective" at the Krug. "A tingling sensation that through the system with a slight shivering. A tremulous excitement. shivering, tingling, throbbing or exquisite

sensation. This is the way Webster attempts to define a thrill, but if he could attend a performance of "The Boy Detective," now at the Krug, he would have an obentitles him to the place, but his work ter than all the learned definitions in the ject lesson in thrills which would be betbooks. Pirates, cowboys, miners, Indians, that of Miss Herbert. He is clever in his detectives, express messengers, villains, heroes, good and bad women, the electrical torture shooting, flogging, these are a few of the effects which are used to produce that peculiar sensation which

Webster speaks of. the gallery to its feet in a mad shrick ing was followed by a social session. of pure joy. He is always on hand just

Two Meals a Day and Warm Bed Are the year 1909 will be \$1 a month instead Over-Entieing These Chilly

usual matinee.

D. G. Cook of Buffalo, Wyo.; F. Fisher of Valentine and W. Wilson of Platte City are at the Merchants.

G. W. Strahl, R. R. Langley, S. T. Evans of Lincoln, Thomas Bell, F. A. Root and A. J. Williams of Lusk are at the Millard. A. E. Coe of Syracuse, W. H. Quillen of Grand Island, William Matthleson of Au-burn and A. J. Walker of Denver are at the Murray.

the Murray.

G. J. Burnes, L. R. Burnes of Hampa. Idaho: H. Warndell of Mobile: J. V. Bopp and W. F. West of Brookings, S. D. are at the lier Grand.

Mrs. E. H. Child's and maid of Los Angeles, J. W. Lacey of Cheyenne, W. E. Sharp of Lincoln, Mr. and Mrs. C. L. Cory and J. H. MacLennan of San Francisco are at the Rome.

J. L. Strohauer of Salt Lake, Mr. and Mrs. E. M. Robinson, Mrs. Helen Reinington of Erwin, S. D.; E. S. Mickey, Mr. and Mrs. G. W. Lewis of Lincoln and Mr. and Mrs. C. H. Lyman of Hooper are at the Hotel Loyal.

## Music

Mr. Sobeski's Song Recital (a) Legende, op. 16, No. (b) Etude, op 10, No. 7.... Miss Meck. Paderewski (a) Cellmene, Bergereites ... Wekerlin
(b) Lisette, Bergereites ... Wekerlin
(c) Malgre ... Pfiffer
(d) Shena Van ... H. H. Beach
(e) Come Into the Garden ... M. T. Salter
Mr. Sobeski,
Arioso from "Rio de Lahore" ... Massenet
Mr. Sobeski, Edward Grieg 

The Schmoller & Mueber hall is a nice place in which to hear an "intimate" recital of planoforte music, or string music, but for a song recital it is a questionable auditorium, from a purely acoustical point of view. It would be maniestly impossible o do full justice, therefore, to the voice and method of Mr. Carl Sobeski, who gave the above program there last night. Mr. Sobeski's voice is capable of large and brilliant effects and it is to be hoped that when he next doth sing a public recital he will see the advisability of se-

curing a larger hall. Mr. Sobeski opened with "Caro Mio Ben," secondly, to prevent the immediate reurrence of the affair.

The other numbers of the group showed at Mr. Sobeski had made a very careful charge of real gems to present to his first public audience in Omaha, and he displayed them with the personality and earnestness of one who really loved them. In the French numbers by Wekerlin theinger showed that he was completely at some in the difficult art of surrounding these exquisite "Bergerettes" with real "atmospherer" His French was above suspic ion and the daintiness and delicacy of his voice was well brought out. In the arioso from the "King of Lahore," by Massenet,

The favorite song, "Ich Liebe Dich," of Jeg Elsker Dig." and was well sung. Among the "hits" were Mrs. Beach's Shena Van," Mrs. Salter's "Come Into the Garden," which was re-demanded, and 'Lockruff," by Ruchauf,

Mr. Sobeski's tone production is very interesting and sometimes very puzzling. His method of beginning a tone is frequently accompanied by an undesirable "rising" accompanied by an undesirable "rising" from a lower pitch, and he has a tendency to throw his tones so far back in the mouth that they become dangerously near being "throaty." This is doubtless the thing that accounts for his peculiar pronunciation of the German words in the Schumann songs.

Mr. Sobeski has repose and case of manner which appeal very strongly to an audiner which appeal very strongly to an audience; he has temperament beyond question, and he sings with a style and finish which come not to the singer except by very seriteresting than it is, and that is saying a No. 2. ISTOL. Ramsey against State. Error. Wayne. Affirmed. Calkins, C. Division good deal. His phrasing and his breathcontrol are examples of good work which

The election resulted in the selection the minute he is needed and his trusty of the following officers: George F. West, revolver is threatened with a hot box president to succeed Tom J. Flynn; James from the start to the finish. The com- R. Kelkenney, vice prosident; Dr. A. Matpany is large and play their parts well. thews, chaplain; D. W. Cannon, secretary; Those who enjoy melodrama should come A. V. Dresher, treasurer; Tony Costango, early and avoid the rush, for here it is, worthy inside guard; Joseph Hubanks, pure and undefiled. The company will worthy outside guard; Dr. B. W. Christy remain until Saturday night with the and Dr. M. J. Ford, physicians; Jules Althous, Herman Beselin and J. S. Cross,

of 75 cents as heretofore.





### Imported Hats At \$1.50

The latest shade of Green, Alpine and Crusher Styles. A good \$2.50 value, Saturday we

sell them at . . .

the favorite old love song of Giordani, and Mr. Sobeski sang it "con amore" and with true and faithful regard for the traditieral treatment of that most exquisite of love songs. His mezza voce tones were good, well on the pitch, and supported with a completely adequate breath control. The beautiful number which came second on the program was hopelessly marred by the noisy entrance of a dozen people into the received section, actually during the singing of the artist. Of course, after the usual manner of Omaha criticism, this hould not be mentioned for "fear it would ourt somebody's feelings," but nevertheless attention is called to it, first, to assure Mr. Sobeski that Omaha knows better and does not always do things that way, and,

Mr. Sobeski was full of dramatic fire and Grieg, appeared in new form under the title

### EAGLES ELECT OFFICERS George F. West Succeeds Tom Flynn as President of Local

Local aerie No. 38, Fraternal Order of Eagles, held an election of officers last Johnnie Hoey plays the name part and night for the ensuing year. Five hundred is a boy detective of the sort that brings members attended and the business meet-

trustees. JAIL LOOKS GOOD TO SOME On account of the meeting of the grand aerie in Omaha next August the dues for

# No. 1. I. In an action aided by attachment upon the entry of judgment the attachment lien is merged in that of the judgment, and thereafter the lien is a mere incident to the judgment and ceased to exist when the judgment becomes dormant. Harvey against Gedding, 109, N. M. 220 Z. A proposed sale of real estats under an execution issued on a dormant judgment will be enjoined at the suit of one

COR.14 & DOUGLAS

## You Can Have Kings at Your Feet

If you wear King Quality Shoes. "The Shoe of Shoes for Men." Let us fit you in' a pair tomorrow, \$3.50 . up

## - - A Great Purchase of High Grade Clothing - -

are the best fabrics and the latest styles, and also

\$22.50 to \$32.50 values Saturday, our price is . . .



WINDOW "C" We have the best clothing bargain to Here is an overcoat bargain that should appeal to any man that offer, as we are always looking for wants an overcoat at a low figure bargains to offer our customersand still get double value. We have Tomorrow we place on sale 275 fine 105 odd coats in black, brown and suits and overcoats-the very latest fancy patterns, in long or threestyles and patterns and regular quarter length coats; they are reg-\$12.50 to \$15.00 values, Saturday ular \$8.50 to \$10 values. Saturday

Our buyer and spot cash purchased the entire sample line of

Suits and Overcoats from Eisendrath & Co., Chicago, at about 55 cen's on the dollar. Eisendrath's make the Sophomore Clothes; they are strictly Journeymen Tailored, are the finest clothes that capital, experience and a well drilled organization can produce. No tailor can make better clothes at \$35 to \$45. It's only natural to say they

\$7.45 \$4.95

Buys a pair of shoes at this store that we

\$2.50 guarantee will give you satisfaction in every particular. They are samples and that means they are a little nicer made than usual. All leathers, styles and toes. If they were bought regular they'd sell for \$3.50

75 Plush-Lined, Fur-trimmed Overcoats from the Specialty Fur Coat Co. N. Yn on sale at about a third off. \$30 to \$32.50 values, Saturday

\$19.85

See Window "C."

### Read and Act on these Special Saturday Bargains.

Men's Worsted	Pants
\$2.50 Worsted	and Cassimere Pants\$1.45
	Sox19¢
\$1.50 and \$2.0	0 Wool Sweater Coats 98c
75c and \$1 all	wool Caps, Fur in bands 50c
Fleece and W	ool Underwear \$2.50 to 50c

### Supreme Court Syllabi.

15618. Allen against Rushford. Douglas. Affirmed. Duffie, C.

of standing hay at the agreed price of \$4.50 per ton, the hay to be weighed and paid for before taken from the farm. The paid for before taken from the farm. The defendant took possession, cut and stacked the hay and baled and hauled away six loads thereof. Held, that title to the entire crop passed to the defendant.

2. When the sixth load was being weighed the defendant questioned the correctness of the scales, which it was agreed should be used, and refused to take away or pay for the hay remaining in the field, claiming that the plaintiff refused to allow the hay to be weighed elsewhere. Held, that the evidence sufficiently supported the plaintiff's contention that she offered to accept railroad weights or to have the scales of which defendant complained inspected and corrected if out of order, by a party named by the defendant.

There is evidence that the hay would

Lopeman against Colburn. Appeal k. Affirmed. Root, C. Division all students would do well to emulate.

Miss Marie Meck, a young planist of much promise, played her plano forte numbers with splendid technical showing and much taste.

Madame Borglum played the accompaniments in her usual characteristic style.

and delivery of the deed, is not an unconditional acceptance so as to bind the vendor.

3. "Courts of equity will not always enforce a specific performance of a contract. Such applications are addressed to the sound legal discretion of the court, and it will be governed to a Freat extent by the facts and merits of each case." Morgan against Hardy, 16 Neb., 427.

1632. Hayman against Rownd. Appeal, Hall Reversed and remanded with instructions. Epperson, C. Division No. 1.

1. A court of equity will restrain the committing of waste threatened by a tenant for years and his agents or employes.

2. Waste is a destruction or material alteration or detericration of the freehold or of the improvements forming a material part thereof by any person rightfully in possession but who has not the fee title, or the full estate.

3. A tenant is guilty of waste who drills holes into a brick wall, and drives wooden pegs therein for the purpose of attaching a sign, when such use would cause the brick in that part of the wall to become loose or misplaced.

15342. Sarah Hadsail against Chas. Hadsall. Appeal, Saunders. Affirmed Duffle, C. Division No. 1.

1. The allowance made by the Probate Court to the widow of her deceased husband is a debt against the estate which must be paid from the assets thereof. The allowance cannot be satisfied or made out of the homeastend left by the deceased.

1534. Clarke against Lyon. Appeal, Lancaster. Affirmed. Calkins, C. Division No. 2.

1. Where the court of a sister state has

Two Meals a Day and Wafm Bed Are
Over-Enticing These Chilly
Days.

Two meals a day and a warm place to
live are most desirable essentials of life
in Omaha during the present cold weather,
and they are often sought nowadays, even
if the place be none other than the police
station or county jail. Christopher Foley,
an unkempt and prematurely aged individual, whose chief occupation is begging
on the street whenever he has the misfortune to be out of jail for a few days,
faced Judge Crawford in police court Friday morning and meekly told him that
he had the beg, as trouble with his leg, of
which he did not seem to care to ascertain the nature, prevented him from workling. Thirty days in the county jail, with
a much-needed bath, medical and tonsorial
attention included, was given the man, and
he left the court room feeling happier than
when he entered it.

PERSONAL PARAGRAPHS

Frank Fowler of Fremont was in Omaha
Friday and left for Chicago.

James W. Orr, a profinent railroad attorney of Atchison, Kan. is registered at
line Paxton.

D. G. Cook of Buffalo, Wyo.; F. Fisher
of Valenthin and W. Wilson of Platte City
ser at the Merchants.

prive the parent of his right to their custody.

6. While the unfilness which deprives a parent of his natural right to the custody of his children must be positive and not comparative, the degree thereof most be considered in relation to the attending circumstances, such as the concern he has shown for them in the past the suitability of his domestic surroundings to receive them and the question of their general welfare.

1855. Lincoln Upholstering company against Baker et al. Appeal from Lancaster. Affirmed. Duffle, C. Division No. 1.

1. In an action aided by attacament upon the entry of judgment the Litach-

who acquired title to the property dur-

had, is absolutely void.

2. A judgment entered against the defendant for the costs made in an action, after the plaintiff has accepted payment in full of the claim on which the action was brought, is erroneous if not void.

3. A void judgment is, in legal effect, nothing. All acts performed under it, and all claims following out of it, are void. Such a judgment may be vacated at any time on motion made for that purpose by an interested party, and section 82 of our code has no reference to a void judgment. 15262 Dennison against The Daily News Publishing company. Appeal from Douglas. Reversed and remanded. Epperson, C. Divsions Nos. 1 and 2.

1. In a civil action to recover damages for libel it is proper to produce evidence showing the relations existing between the plaintiff and the author of the alleged libel for the purpose of proving that the plaintiff was the person referred to, when his name does not appear in the article and defendant does not admit that he is the one referred to.

and derendant does not admit that he is
the one referred to.

2. Neither the grief experienced by the
plaintiff's wife upon reading an alleged
libelous article regarding the plaintiff,
nor the influence of her grief upon the
plaintiff's mind are elements of damage
recoverable in action for libel.

3. In a civil action for libel in this state
wherein punitive damages are not recoverable, evidence of defendant's refusal to
publish a retraction, nor evidence that
others who had also published the alleged
libel had published a retraction, is admissible for the purpose of enhancing the
plaintiff's recovery.

4. In such case the editor of defendant's paper in which the alleged libel
was published should not be required,
upon objection, to testify as to whom he
considered" and "supposed" the article
referred.

15378. Schley against Michael Horan et 15378. Schley against Michael Horan et al. Appeal from Colfax. Affirmed. Faw-cett. C. Division No. 2.

1. Where it appears that a son, for nine years prior to his majority, worked in iron mills and turned his entire earnings over to his parents, and after reaching his majority, faithfully worked for and upon the farm of his parents for a period of more than twenty years, without other compensation than his support; and a few years prior to her death the mother, who is then the sole surviving parent, of her own voli-

tion, deeds her entire estate, consisting of a farm of 129 acres, to such son, and it is sought to a farm of 129 acres, to such son, and it is sought by a sister of such son, who during substantially all of said years had been a married woman, living with her husband, separate and apart from her parents, to set aside said deed on the ground of want of mental capacity on the part of the mother to make the same, such want of mental capacity must be established by clear and satisfactory evidence. The fact that the mother at the time of executing said deed was over 80 years of age, and the further fact that during the later years of her life she made in an action, after the plaintiff has accepted payment in full of the claim on which the action was brought, is erroneous if not void.

3. A void judgment is, in legal effect, nothing. All acts performed under it, and all claims following out of it, are void. Such a judgment may be vacated at any time on mother may be evacated at any time of mother may be an an action, and the further fact that durin tion, deeds her entire estate, consisting of

rty in controversy.

3. Evidence examined and set out in the FOES THEN, BUT FRIENDS NOW

Meet in Peace. Captain E. M. Levey of New York, former resident of New Orleans and a coptain in the Fourteenth Louisiana infantry, confede ate army, during the civil war, is

Soldiers of South and North Who

Faced Each Other in War

While in the postoffice Friday morning Captain Levey, noticing the Grand Army button on one of the old veterans employed the party and upon being introduced to Captain Levey it developed that one was a member of General Lee's army of northern Virginia and the other as a member of the army of the Potomac had faced each other

ings from men whom I fought for four to

opinion held insufficient to show any fraud is at 2712 South Thirty-ninth street, and or undue influence on the part of the defendant in obtaining the deed to the propblocks away. The direction in which the wind was blowing and the efforts of the opinion held sufficient to sustain the find-ings and decree of the district court. firemen were all that prevented a number of other homes from suffering a like fate. of other homes from suffering a like fate. A dog belonging to the Boyer family and kept in the house during the night is supposed to have upset a burning lamp

after the members of the family retired. The barking of the dog aroused the occupants after the flames had gained the fire proved fruitless, and the two cor panies of the fire department which swered the alarm confined their efforts to saving adjacent buildings, as it was seen that a bucket brigade, the only possible method of getting water on to the Boyer house, could not combat the fire. The house and contents, valued at \$1,500 about the building, began to talk about the and \$700, respectively, were a total loss. old war days. Another old veteran joined The home was insured for \$1.000 and the personal property for \$650.

"How will you have your eggs?" asked "How will you have your eggs?" asked the girl behind the lunch counter.

"With as brief an interval of time," answered the absent-minded professor, "as possible intervening between the deposition of the oval spheroid in the midificated receptacle by the female representative of the common or barnyard variety of domestic fowl and the subsequent appearance of the same in the marts of commerce where congregate them—"

"All right," interrupted the girl. "I think All right," interrupted the girl, "I think understand. Scramble three!"—Chicago "All right."

## OUR "Christmas Chimes

Are the most popular Novelty ever introduced, and are made to fit on the top of Christmas trees.



They consist of

6 Beautiful Angels, .

3 Candlesticks,

while above all shines the Star of Bethlehem. Our "Christmas-Chimes" are 10 inches high and made of fine nickel-plated metal and are so con-

3 Tuned Bells and a Turbine,

structed that when the candles are lighted the Turbine goes round and the Bells begin to play. The effect is something wonderful, adding immensely to the solemnity of Christmas, and young and old feel a thrill of joy and surprise when entering into the presence of a lighted Christmas Tree beholding the silver-like Angels, while sweet music

sounds through the room, heralding the birth of

Christ. 'Our "Christmas-Chimes" can also stand by themselves, so that parties who do not desire to go to the trouble of fixing up a Christmas Tree can place one or more on a table and arrange

presents, flowers, etc., around them with the same wonderful effect. As our "Christmas-Chimes" are unbreakable they can be used the whole year round on many other occasions, as balls, parties, birthdays and other festivities, when they always will

bring joy to the participants. We offer these beautiful "Christmas-Chimes" to our subscribers for only 50 cents. Out-oftown subscribers add 11 cents for postage and we will send them by mail.

THE OMAHA BEE, 1702 Farnam Street, Omaha, Neb.