

Nebraska MALONE CONTEST PROPER

Supreme Court Holds County Court Has Jurisdiction. INJUNCTION FOR BONACUM

of Police Richard Resigns After elusion of Hearing and county court or before the city council, these having concurrent jurisdiction. Judge Barnes dissents and holds that the city council has exclusive jurisdiction.

No Relief for Auto Man. Albert Jones, fined \$25 for running an automobile at a speed greater than ten miles an hour in the city of Wayne, gets no relief from the supreme court.

In the case of Heapan against Wendin, from Otoe county, the court has reversed the judgment of the lower court, and the plaintiff is prayed for in his petition. This finding is in favor of a foster son who claimed the right to inherit the same as a natural son.

No Injunction for Bonacum. The supreme court today overruled the application of Bishop Murphy for an injunction to restrain Father Murphy from the use of parish property at Ulysses.

Police Chief Resigns. The findings of the excise board, made public this afternoon, clear Chief of Police Rickard of the charge of affording protection to houses of ill-fame. It holds, however, that the chief used poor judgment in arresting Detective W. A. Bentley under the circumstances.

Despair as Secretary. Don C. Despain was elected this afternoon as secretary of the Lancaster county republican central committee, at a meeting of that body held in the Capitol hotel.

COLLISION RESULTS FATALLY Ten-Year-Old Girl at Cortland the Victim. BEATRICE, Neb., Oct. 9.—(Special Telegram.)—The 10-year-old daughter of Henry Lucke was killed at Cortland last evening. While playing at school she collided with a playmate and received injuries which caused her death an hour later.

Daily Paper at Plattsmouth. PLATTSMOUTH, Neb., Oct. 9.—(Special.)—Colonel P. A. Barrows, editor and manager of the News-Herald Publishing company, commenced the publication of the Evening News this evening, which is a new paper and will be published daily.

Aged Man Traces Suicide. HARVARD, Neb., Oct. 9.—(Special.)—Last evening Francis Smith, living with his son six miles north of this city, attempted to end his life by cutting his throat with a razor. He was taken to the hospital, his daughter-in-law being in Harvard and his son engaged about work near the house.

Nebraska Burnam, Dunn and Rine Cited for Contempt

City Attorney and Lawyers to Answer in Supreme Court for Criticism of Judge Rose.

(From a Staff Correspondent.) LINCOLN, Oct. 9.—(Special Telegram.)—City Attorney H. E. Burnam of Omaha and his two deputies, I. J. Dunn and John Rine, were today cited to appear before the supreme court and defend a charge of contempt of court made against them by the court.

The alleged contempt was committed in a brief filed in the suit of Mr. Robinson against the city of Omaha. The court ordered the brief stricken from the files and suppressed it. It is understood the attorneys, in the brief, make some criticism of Judge Rose, who wrote the opinion in the Robinson case. The hearing in the contempt case was set for November 1.

PONCA IS BUSY IMPROVING City Council Orders Much Work of Betterment Done. PONCA, Neb., Oct. 9.—(Special.)—The city council of Ponca last night passed unanimously an elaborate liquor ordinance for governing the dry town. The town has been dry now for about five months, and the city council last night ordered \$100 of the light and heating bonds to be paid off if the holder of the bonds were willing to accept payment, as the bonds are not due yet.

Severely Hurt by Fall. BEATRICE, Neb., Oct. 9.—(Special Telegram.)—George Hazelton, a contractor of this city, was severely injured at the poor farm yesterday by falling from the scaffolding on which he was working. Three of his ribs were broken and he was badly cut about the head.

Rain Helps Winter Wheat. BEATRICE, Neb., Oct. 9.—(Special Telegram.)—A steady rain has been falling here all day. Farmers report that the moisture will be of great help to the winter wheat.

Nebraska News Notes. GENEVA—Rain has fallen almost all day and last night. HARVARD—A steady rain last night and today brought one inch of water. BEATRICE—A revival in progress at the Christian church, conducted by A. E. Wetmore.

School Folks' Club Dines. FREMONT, Neb., Oct. 9.—(Special.)—The North Nebraska School Folks' club held their annual banquet last evening at the Eno hotel. About sixty were present. The only set speech on the program was by Principal Graff of the Omaha high school on "Seniors." Extensive remarks were made by Superintendent Waterhouse of the city schools, Dan V. Stephens, Judge Dean and a number of a guests of the club and a number of a guests of the club and a number of a guests of the club.

New Bank at Geneva. GENEVA, Neb., Oct. 9.—(Special.)—Geneva is to have its third bank, one being incorporated with paid up capital of \$25,000. A number of business men of the corporation with the following officers: President, Peter Youngers; J. P. Davis, vice president; Floyd Seybold, cashier; Peter Youngers, A. J. Brown, M. Pangle, J. H. Hitch, J. K. Waring, O. P. Chapman and Charles Buehrer, board of directors.

Agents for Globe Wernicke Company Elastic Bookcases

Shirt Waist Boxes Matting covered. 28 inches long, matting covered, \$3.35 32 inches long, matting covered, \$4.25 42 inches long, matting covered, \$6.50 Couch Covers—60 inches wide, 3 yards long, reversible covers; special, at \$3.95 Window Shades—We have the best, use only Hartshorn rollers. Shades made by us mean the best.

Bissell's Carpet Sweepers Gold Medal Sweepers—Have one sent out on one week's trial; if not satisfactory it can be returned. \$3.25

Wilton Velvet Rugs \$24.50 for 9x12 seamless Wilton Velvet Rug. Made from the best quality of worsted yarns, all new fall patterns, a splendid line of coloring both in floral or oriental patterns.

Buffets (Like Illustration) Made of choicest quarter sawed white oak, hand polished, golden finish. In a very pretty design, trimmed with wood knobs, one drawer lined for silver, has double door cabinet, one large linen drawer; top is 19 inches wide by 46 inches long, 2-inch beveled mirror, 36x10, an extra good value, now, at each \$22.50

Ostermoor Mattress The genuine Ostermoor, delivered anywhere in the United States at factory price, each \$15.00

Richard & Wilhelm 414-16-18 South Sixteenth Street Lace Curtains

The most complete line of lace curtains to be found anywhere is in our drapery department, most artistic styles, most service-nets, longest assortment, and always at the lowest prices, taking quality into consideration. Cluny Curtains on French net, 45 inches wide, 2 1/2 yards long, real linen cluny lace edge—per pair \$1.95 Cluny Curtains with insertion and edge on heavy French net; at, per pair \$3.75 Novelty Net Curtains, Marie Antoinette design, the newest styles for libraries, per pair \$3.50 Duchess Lace Curtains, in Arabian color, the newest line of curtains this season, per pair \$8.75 PORTIERES—A complete line in all colors at the right prices—\$3.75 Bordered Curtains, in all colors—reds, greens, browns—great values \$3.75

China Cabinet Special Made of quarter sawed oak, golden finish, has full bent glass ends, top is 38 inches wide, 14 inches deep, 68 inches high, price \$16.50 Dining Table Pedestal design, with round quarter sawed pedestal base, carved legs, top and rim is genuine quarter sawed white oak, round top 44 inches in diameter, highly polished golden finish, 6-foot extension \$22.00

Leather Couch—(Like Illustration) This couch is constructed in a thorough manner, upholstered in the best quality of leather, seamed diamond tufted top, ruffle puff sides, springs are the best steel tempered, tied down with eight knots of Italian hemp twine, has broad oak frame, with carved clawed feet, a \$50.00 value, special, at each \$39.00

ROUND OAK STOVES AND BASE BURNERS In the Round Oak Base Burner we have 40 per cent more radiating surface than any other base burner. Round Oak Base Burners are made in 14, 15 and 16-inch fire bowls, and the greatest radiators and most economical hard coal stoves made. Don't fail to see this fuel saver before buying your stove this fall.

Agents for Hoosier Kitchen Cabinets. Visit Our Bric-a-brac Department

for wedding gifts, prizes of all kinds, candle sticks, candle shades for dinner and lunch decorating, electric lamps, Colport China, English Rock Crystal Cut Glass, Jardinieres, Fern dishes, desk sets, Bronzine vases, statuary and a complete line of high class smokers' articles, at lower prices than the same class of art wares sold elsewhere.

Linoleum We are the Omaha selling agents for the Rixdorfer Parkett linoleum, the only wood effects that are true to nature, made from pure linseed oil and cork seasoned from nine to twelve months before being shipped to this country. It can be waxed the same as a wood floor, therefore making a very desirable floor covering at much less price than a hardwood floor. Entire new line of new patterns now on show on our second floor.

Nairn's Linoleum Made in a beautiful line of tile patterns, both in printed and inlaid. A splendid selection of printed linoleum. Two yards wide, at, per square yard 50c Four yards wide, at, per square yard 65c Inlaid Linoleum Two yards wide, at, per square yard \$1.35 Dining Chair (Like Illustration) Full box frame, quarter sawed golden oak, polished finish, seat upholstered in genuine leather, special, each \$2.85

work around the farm. The boys have been very successful this year with their crops. In about the same amount of corn. PERU—The death of Samuel Snowden, the infant son of Mr. and Mrs. Harley Snowden of this place, occurred yesterday. Mr. Snowden is a prominent citizen of Peru. He moved here from Dunbar two years ago.

WEST POINT—The death of Frederick Pieper, whose funeral occurred on Friday morning, was held at the home of his mother, Mrs. Pieper, in this city. Mr. Pieper was a native of Germany and had reached the age of 70 years.

WEST POINT—Miss Ella Schwartz, while driving a hay rake on the home farm in Iowa, was killed by a runaway horse. She was thrown from the machine, remaining unconscious for over three days. Her condition, while serious is not necessarily hopeless.

BEATRICE—The Crabtree Forensic club met last evening and elected these officers: James Rothenberger, president; Warren Burgess, vice president; Alfred Wright, secretary; William G. Gorman, treasurer; Harold Mattson, press correspondent.

WEST POINT—The farm of Mr. and Mrs. J. H. Smith, north of the city, was the scene of a pretty home adding yesterday, when their daughter, Miss Smith, was married to Mr. Gorman. The ceremony was performed by Rev. G. H. Henkin, pastor of the Evangelical church.

BEATRICE—Hattery A. Beatrice light artillery, was mustered in here last evening by Adjutant General John C. Hartigan. The organization has a membership of thirty-two. E. J. Shinn and H. T. Weston are the lieutenants. Dr. J. I. McGillivray was chosen lieutenant surgeon. A smoker was held at the close of the meeting.

BEATRICE—Shortly after 7 o'clock Friday evening, a string of fire was thrown on a flying switch missed the front wheel, crashed into the caboose on the local freight train. A fire started in the engine, and Gorman suffered a broken leg below the knee and the engine and caboose were damaged so that they were taken to Grand Island and another outfit sent back to pull the train to the end of the district.

PERU—The funeral of Mrs. Emily A. Conley occurred yesterday, she remains having been brought from San Francisco, Cal. for interment. She was well known in northeast Nebraska, where her husband, the late Rev. H. W. Conley, was a prominent Methodist minister. He leaves two children, Mrs. Donahoe Dillon of San Francisco and Mrs. E. E. Cobb of Emerson.

WEST POINT—The democrats of West Point have nominated the name of G. Gorman assessor for the city of West Point. Mr. Malchow has served very acceptably in that capacity for many years. In city politics, both county and municipal, he has been a leader and prevails in West Point. City Marshal A. G. Sexton and M. A. Feehan were nominated for constables.

PERU—The Agricultural society met last evening and elected the following officers: President, D. H. Weber; secretary, Lenore Muehlstein; treasurer, Letta Day; Prof. C. W. Weeks, the adviser of the association, is making arrangements for the club to go in a body to the Omaha Corn exposition. The club has a large number of members

in all parts of the state. It is the purpose of the club to better the instruction in agriculture in the public schools of Nebraska. WEST POINT—One of the largest weddings ever held in Cuming county was that given at the farm home of Charles Metzer, the largest land owner in the county, in Monterey precinct. His daughter, Miss Lizie, was united in marriage to William F. Batenhorst by Rev. H. Schoof, rector of St. Boniface church, Monterey. The parties are the children of old and wealthy pioneers and were born and brought up in this community. The exhibit brought in so far consist of some good specimens of corn raised in Buffalo county.

Your complaint as well as your temper is rendered miserable by a disordered liver. By taking Chamberlain's Stomach and Liver Tablets you can improve both. Sold by all druggists.

Grant Bond Case Will Reach Crisis Monday Evening Plaintiff Has to Finish Introduction of a Little Rebuttal Evidence.

The U. S. Grant, Jr., bond trial will reach a crisis tomorrow morning when the plaintiff has finished introduction of a little rebuttal evidence. The defense will then move for a peremptory verdict if they wish. If the ruling of the court is the defense's way, and there is some chance of this, then it is all over with Mr. Grant. On the other hand, if the plaintiff is allowed to go on and argue the case with the jury deciding in the regular way, then Mr. Grant has a good show for a verdict.

The defense was interested in this point as bearing on the question of the bringing of the bonds here through F. H. Stowe, formerly of the Independent Telephone company. Testimony by Mr. Grant was that Mr. Stowe said he was considering buying the bonds and that he heard from Stowe that these bonds were his, Grant's. The evidence brought out by the defense did not seem to support, to any great extent, its charge of trickery in procuring the bonds to be brought to this jurisdiction.

O. C. Dragna took the stand in the morning and testified on direct examination that he bought direct title in the bonds from Mr. Grant and denied understanding that he was to act as Mr. Grant's agent in their recovery for Mr. Grant. He also asserted that he had secured title by buying from Taber.

The Weather.

WASHINGTON, Oct. 9.—Forecast of the weather for Sunday and Monday: For Nebraska—Partly cloudy Sunday with rain in the east portion; Monday, fair. For Kansas—Partly cloudy and warmer Sunday; Monday, fair. For Iowa—Showers Sunday; Monday, partly cloudy. For Missouri—Partly cloudy Sunday and Monday. For Colorado, Wyoming—Generally fair Sunday and Monday. For South Dakota—Fair in west with showers and warmer in east portions Sunday; Monday partly cloudy.

Temperature at Omaha yesterday: Hour. Deg. 5 a. m. 50 6 a. m. 50 7 a. m. 50 8 a. m. 50 9 a. m. 50 10 a. m. 50 11 a. m. 50 12 m. 50 1 p. m. 50 2 p. m. 50 3 p. m. 50 4 p. m. 50 5 p. m. 50 7 p. m. 50

OFFICE OF THE WEATHER BUREAU, OMAHA, Oct. 9.—Official record of temperature and precipitation compared with the corresponding period for the last three years: 1908, 1907, 1906. Maximum temperature... 51 66 63 49 Total deficiency since March 1... 45 42 45 23 Mean temperature... 45 54 56 41 Minimum temperature... 22 20 20 14 Precipitation... 49 50 50 50 Temperature and precipitation departures from the normal at Omaha since March 1, and compared with the last two years: Normal temperature... 58 Deficiency for the day... 10 Total deficiency since March 1... 120 Normal precipitation... 67 inch Excess for the day... 42 inch Total excess since March 1... 24 inches Deficiency since March 1, 1908... 1.30 inches Deficiency for cor. period, 1907... 2.29 inches Deficiency for cor. period, 1906... 4.6 inches L. A. WELSH, Local Forecaster.

already been secured. During the year churches have been erected at White Lake and Pukwana and also at Farwell, just across the South Dakota line in Iowa. At Dallas, a \$4,000 church is in course of erection and it is likely that a new church will be built at Wakarusa within the next few months. A \$3,000 church was dedicated at Valley Springs, and the Sioux Falls church has completed a parsonage at a cost of about \$3,000. A church debt of \$5,000 at Madison has been paid. The membership of this church, under the pastorate of Rev. A. D. Thibodeau, has been nearly \$2,000, and one of the finest church buildings in the state has been erected. At Lake Preston a \$6,000 church has been erected and the parsonage improved, to the amount of several thousand dollars. A parsonage has also been built at White Rock.

Murphy Case Delayed. PITTSBURGH, Pa., Oct. 9.—The action on the Pfeffer case in which President Charles W. Murphy was fined \$50 for his alleged tampering with Pitcher Pfeffer of the Toronto club, will be taken up by the National Base Ball commission in Detroit. The commission did not meet this morning.

Gumpton means "common sense" when needed most. Under no circumstances is it needed more than in the selection of right food. The one reliable food which supplies material for rebuilding the important gray substance of brain and nerve cells, is Grape-Nuts. This food is made of wheat and barley by a process which changes the starchy part of the grains into predigested food material so that it is quickly absorbed and promptly begins repairing and building up waste tissue throughout the body. Grape-Nuts is a "common sense" food. "There's a Reason" Read "The Road to Wellville" in pkgs. POSTUM CEREAL CO., LTD. Battle Creek, Mich., U. S. A.