

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.

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.

The board also takes hold of the matter of lack of cooperation between the police department and the county officers, which has become notorious. It finds that discord exists and is a serious detriment to the public service.

It was entirely by accident that the matter leaked out at this time, through a slip of the tongue made by William Harpham in the presence of Sheriff Hoagland.

Despain as Secretary. Don C. Despain was elected this afternoon as secretary of the Lancaster county republican central committee.

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.

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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 Robinson case is one in which Anna J. Robinson secured judgment against the city for \$1,500 for injuries on a board sidewalk on Davenport street. The supreme court sustained the verdict and it was in the brief in support of a motion for a rehearing that the alleged contempt was committed.

I. J. Dunn, assistant city attorney, when seen at the Jacksonian club last evening, said that he wrote the brief to which the supreme court takes exception, but as it is a fifty-page brief he does not know to what part of the brief the court alludes. Mr. Rose wrote the opinion sustaining the verdict against the city of Omaha for \$1,000 in a damage suit where a Mrs. Robinson fell and broke her shoulder on the sidewalk.

"I said in the brief that the testimony in the case was cold-blooded perjury and I will tell the court so," said Mr. Dunn. "I also wrote that all the witnesses, the judge and the jury knew it was perjured testimony and that any sane man would know it from reading the testimony. The witness told three different states of facts in the case and the record shows it."

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.

The council ordered two more street crossings to be put in, making a total of eleven crossings since last May, besides several other crossings, all of concrete. There has been constructed about 1,000 feet of concrete sidewalk during the summer and fall, besides about 600 feet of two-foot walk connecting Germantown, a suburb, with Ponca.

The St. Paul, Minneapolis and Omaha railway has made some needed improvements in the walks to the depot over their right of way connecting with the new concrete walks. The present council has been dubbed the "sidewalk council." The town has not had the licenses of three saloons as heretofore, yet more improvements than ever before are in evidence.

COURT MERCIFUL TO DEFAULTER Suspends Sentence When Plea of Guilty is Entered. BROKEN BOW, Neb., Oct. 9.—(Special.)—A number of cases on this docket this term were settled out of court and not a trial continued until next term. William E. Willard, who has been under bond for over two years charged with absconding with funds belonging to the county treasurer while employed as a clerk in that department, pleaded guilty to the charge and threw himself on the mercy of the court. Judge Hostetler suspended sentence under the following conditions: That Willard should pay back the money he had taken together with the expenses incurred by the county in bringing him to justice and that for the next seven years he must report at each term to this division of the district court. During that time, should Willard violate the law in any way, he is to be brought to court and sentenced on the original charge. This apparently disposes of a case that from time to time has caused some mild wonderment.

Undesirables Follow Show. HUMBOLDT, Neb., Oct. 9.—(Special.)—A crowd of "undesirables" was on hand for the horse and automobile show this week and several cases of thieving were reported. During the base ball game, when the family of Ambrose Buerstetta was in attendance, a stranger entered their home and was engaged in securing something to eat from the family larder when the ice man appeared. The fellow was followed and placed under arrest, later escaping from the city jail. He was captured, however, at Falls City by Sheriff Fenton, who found considerable stolen property upon his person. Some of this came from the Buerstetta home and some of it has not been identified. While R. K. Davis of the east side barber shop was at supper a wandering barber, to whom he had given work during the horse show, took French leave, carrying away the proceeds of the day's business, and boarding a train for the east. His whereabouts have not been discovered.

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 fringe of the club and a number of the new members. Most of the visitors left on the early morning train.

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.

Year for Stealing Clothing. FREMONT, Neb., Oct. 9.—(Special.)—Judge Hollenbeck this morning sentenced Arthur C. Blaylock to one year in the penitentiary for the larceny of a quantity of clothing and other articles from E. R. Cuddeback's garage in July last. Blaylock

Agents for Globe Wernicke Company Elastic Bookcases. Richard & Wilhelm 414-16-18 South Sixteenth Street

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, extra heavy bevelled mirror, 36x10, an extra good value, now, at each \$22.50

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

Ostermoor Mattress The genuine Ostermoor, delivered anywhere in the United States at factory price, each \$15.00 ROUND OAK STOVES AND BASE BURNERS We are the exclusive Omaha agents for this famous life of stoves, Steel Ranges, Heaters and Base Burners. The Round Oak heater has led in the stove trade for the last twenty-five years, and is today far in the lead.

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.

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. 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 6 p. m. 50 7 p. m. 50

NEW METHODIST CHURCHES IN DAKOTA Reports at Conference at Huron Indicate Church to Be in Flourishing Condition. HURON, S. D., Oct. 9.—(Special.)—Among the churches of interest at the South Dakota Methodist conference, in session here, was an address by Dr. Blake of Chicago, who spoke on the value of the gynecological as a church asset. O. F. Brown and Henry Preston are members of the conference who have died during the year.

Local Weather. OFFICE OF THE WEATHER BUREAU, OMAHA, Oct. 9.—Official record of temperature and precipitation compared with the corresponding period for the last three years: Maximum temperature... 51 66 63 49 Minimum temperature... 45 45 45 33 Mean temperature... 48 54 54 41 Precipitation... 49 00 00 00

Local Weather. OFFICE OF THE WEATHER BUREAU, OMAHA, Oct. 9.—Official record of temperature and precipitation compared with the corresponding period for the last three years: Normal temperature... 58 Deficiency for the day... 10 Total deficiency since March 1, 1909... 120 Normal precipitation... .67 inch Excess for the day... .42 inch Total excess since March 1, 1909... 1.30 inches Deficiency since March 1, 1909... 1.30 inches Deficiency for cor. period, 1909... 1.30 inches Deficiency for cor. period, 1908... 4.6 inches L. A. WELSH, Local Forecaster.

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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

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

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