

RULING ON LIQUOR PROBLEM

Supreme Court Hold Must be Used by

NO TRANSFER OF BILL OF LADING

South Omaha Taxpayers Who Protested Against Action of Council on Special Assessments Win Case.

(From a Staff Correspondent.) LINCOLN, Nov. 20.—(Special.)—Should a person secure a bill of lading for a jug of whisky which the owner refused to take out of the station, then pay all the costs and take the liquor and divide it between three other parties, each contributing a fourth of the expense money, that person is guilty of violating the liquor law, and the transaction is considered a sale of liquor without a license.

Thus has the supreme court decided in the case of Fred Skiles of Holdrege, who did that very thing. He was convicted in the lower court and the supreme court yesterday affirmed the judgment of the lower court.

**New Trial for Henderson.** William Henderson, convicted in Grant county for criminal assault, will be given another trial. The supreme court reversed the judgment of the district court, holding the evidence did not justify the conviction of the lower court. The complaining witness was Emma L. Hites.

**South Omahas Win.** John L. Cahn and others who remonstrated against the levying of special assessments upon their real estate in South Omaha for the purpose of defraying three-fifths of the expense incurred in repaving a part of the Twenty-fourth street, won their suit. The city council was overruled by the city council, but was ignored. The district court found that the owners of 50 per cent of the foot frontage in the paving district had remonstrated against the repaving of the street and that the city council was without jurisdiction to levy the assessments in suit. This judgment is affirmed by the supreme court.

**Lawsuit Over Horse.** In the case of H. Fred Miller against the Burlington Railway company, appealed by the railway company from Cass county, the supreme court affirms the judgment of the district court in favor of Miller for \$1,316.60 damages for the loss of a stallion shipped over the company's lines from Cambria, Ia., to Broken Bow, Neb. When the horse was shipped the value of the animal was fixed at \$100, upon which valuation the freight rate was assessed. When the animal died in transit as a result of fire the owner sued to recover \$1,000 damages. The railroad company claimed that the damages could not exceed the value upon which freight was paid. The supreme court holds that such a limitation is prohibited by the statute of the state in which the animal was transported and the constitution of the state in which delivery was to be made and is therefore void.

**Papillon Times Wins.** In the case of the Papillon Times Printing company against Sarpy county, the judgment of the district court allowing the claim of the newspaper for four publications of the scavenger tax list at the legal rate is affirmed by the supreme court. This is the case in which Carl Herring, the attorney for the newspaper, got to Lincoln too late to make argument. The paper won the case.

The following opinions were handed down by the supreme court: Miller against C. B. & G. Co. Affirmed. Pawcett, J. Johnson against Dahle. Affirmed. Rose, J. Pawcett, J. Thiele against Carey. Reversed and remanded. Rose, J. Chan against City of South Omaha. Affirmed. Root, J. O'Connor against Timmerman. Affirmed. Letton, J. McKinnon against Holden. Affirmed. Barnes, J. Berge against Eager. Affirmed. Letton, J. Tolner against Union Stock Yards company. Affirmed. Barnes, J. The Summit Lumber company against The Corned Beef Company. Affirmed. Pawcett, J. Papillon Times Printing company against Sarpy county. Affirmed. Root, C. J. Trossel against Bayer. Affirmed. Letton, J. Hank of Alma against Hamilton. Affirmed. Root, J. State ex rel. Thompson against Major. Demurrer overruled. Root, J. and Pawcett, J. J. J. dissenting. Reese, C. J. concurring separately. Reese, C. J. concurring in part and dissenting in part. Dean, J. dissenting.

Following are rulings on motions for rehearing: Gross against Jones. Overruled. Westfall against Morthen. Overruled.

PLAN FOR SPORTSMEN'S SHOW

Scheme Projected by Large Hall Men of Western Cities. Manager Gillan of the Omaha Auditorium has returned from St. Joseph where he attended a meeting of the managers of the large halls of the middle west. The object of the meeting was to line up some attractions that would be suitable for large auditoriums. One of the matters discussed was sportsmen's show and a united effort will be made to induce the large manufacturers of sporting goods to prepare an exhibit which will make the four of the principal river cities. Mr. Gillan has invited the managers to hold another meeting in Omaha during the National Corn exposition.

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Proposal to Limit Issues of Securities

Association of State Railroad Officials Passes Resolution Asking for New Law.

WASHINGTON, Nov. 20.—After electing as its officers those who served during the last year and after the adoption of the reports of its several committees, the convention of the National Association of Railroad Commissioners today adjourned to meet next year in Washington.

One of the important matters considered was a resolution recommending legislation to control and limit the issue of stocks and bonds of railroads engaged in interstate commerce. Spirited discussion was brought about by Mr. Prentiss of Virginia, who desired to know whether state or federal control was contemplated. The resolution, however, left it an open question.

Judge Clements, one of the members of the Interstate Commerce commission made a strong plea for government control. He argued that some states grant charters to railroads and allow them to issue any amount of securities; then when it comes to the valuation of the railroads, such roads insist that they must pay dividends upon watered stock.

The resolution was adopted, as was the report of the legislative committee, which yesterday was discussed at length.

HELPLESS BOY SEES SISTER SUFFOCATE

Mother Tied Him to Prevent His Playing With Matches and House Takes Fire from Stove.

INDIANA HARBOR, Ind., Nov. 20.—While tied to a doorknob to prevent him from playing with fire, Johnnie Korans, 5 years old, today was forced to stand helplessly by and watch his sister, Mary, 1 year old, suffocate in her cradle. The boy was found unconscious, his body stretched toward the cradle as far as the rope would permit and the cuts in his wrist indicated how he had fought to release himself to save his sister. The girl was dead in her cradle. The boy was revived.

Mrs. Mary Korans, the mother, had gone to the railroad tracks to pick up coal. The propensity of Johnnie for playing with matches had caused her to tie him to the doorknob by his wrists. Mrs. Korans forgot to close the drafts on the kitchen range and the stove soon became red hot. The woodwork took fire and the smoke filled the room.

CHANCE TO CEMENT FACTIONS

Leaven of Harmony Working Among Republicans in South Dakota.

MITCHELL, S. D., Nov. 20.—(Special.)—It is evident, according to reports from various parts of the state, that the leaven of harmony between the factions of the republican party is working to the possible cementing of the opposites. J. H. Scriven, the allotting agent for the government on the Rosebud agency, has been traveling through the eastern and central parts of the state for the last month on business connected with his position and he has embraced the opportunity to talk with politicians in both factions to get at the real situation as close as possible. He has traveled the territory from Mitchell to the Black Hills and from Aberdeen to the south state line.

"In whatever part of the state I have been," said Mr. Scriven, "politics in either side of the party is not very much discussed, and I do not remember of talking the situation over with any one man, but what I had to start the political side of the conversation. I have never seen as contented and happy people as our South Dakotans are now. This being an agricultural and stock raising state and every thing we have for sale bringing such high prices conditions could not be otherwise. The people are not talking parties.

"The terms 'progressive' or 'stairway' from any one was hardly mentioned in my trip. I could not find any evidence as a general thing that leads me to believe that the people are dissatisfied with our delegation in congress and especially in there a fine sentiment prevailing for Governor Vessey and the work of the last two legislatures."

ASTOR YACHT STILL MISSING

Anxiety of Friends for Safety of Millionaire Cruising in West Indies Increasing.

NEW YORK, Nov. 20.—Every added hour of uncertainty deepens the anxiety felt for Colonel John Jacob Astor, his son, Vincent, and Richard Peters, a cousin of Mrs. Astor, all of whom have now been out of sight for nearly a fortnight, when the missing yacht Nourmahal was last spoken.

Shipping masters point out that if the Nourmahal was blown out of its course by the late West Indian hurricane it might have great difficulty in making port again, its cruising radius, like that of all yachts, is comparatively small and would soon be exhausted in fighting head winds.

William A. Dobbys, Colonel Astor's secretary in this city, was still without word from the Nourmahal tonight. Though inclined at first to look at the situation with little concern, Mr. Dobbys is now alarmed, as are other friends of Colonel Astor.

GERMAN BUDGETS ARE BIG

Kaiser's Government Proposes to Spend Over Three Hundred Millions on Army and Navy.

BERLIN, Nov. 20.—The naval budget estimates of 445,000,000 marks for 1910, the largest in the history of Germany, have been received in silence by the newspapers, a discussion of them at the present being regarded as inopportune. It is regarded, however, that the details of the new budget will be examined critically when they are published next week.

While there will be no modifications in the large ship building program, the naval attaches stationed here are awaiting with interest information as to what part of the 171,000,000 marks for new construction will be spent on torpedo boats submarines, etc.

DINING ROOM FURNITURE FOR THANKSGIVING DAY. All interest is now centered on the dining room—for feast day is near. We've prepared a number of special offerings in Dining Room Furniture that will make many people really thankful that the Hartman store is located in Omaha. In addition to these very special offerings in Dining Room Furniture, you'll find some really extraordinary values in many other lines—Heating Stoves especially. Study these reduced-in-price specials. They're exceptional values—every one of them. You can't duplicate them anywhere—we positively know that they can't even be equaled anywhere in Omaha. And credit is cheerfully extended—with terms of payment arranged to suit your convenience.

Free Premiums on all Purchases From Now Till January 1, 1910. \$25.00 Beautiful Brass Mantle Clock. \$50.00 Weathered Oak Lamp for Gas or Electricity. \$100.00 26 Pieces Wm. A. Rogers Guaranteed Silverware. Satisfaction Guaranteed or Money Refunded. Solid Oak Buffets. Extra Large Base Burner. Pedestal Extension Table. 1414-16-18 Douglas Street HARTMAN'S 1414-16-18 Douglas Street.

No Attempt to Develop Claims

Expert Who Inspected Coal Land Filings in Alaska Testifies in Hearing.

SEATTLE, Nov. 20.—At a hearing before Special Commissioner William J. McGee today the government began the introduction of evidence to show that no development work had been done on Cunningham coal claims in Alaska. These are the claims involved in the Glavis-Ballinger controversy.

WOOL MEN MEET AT OGDEN

Officers of National Association Complete Arrangements for Gathering.

CHEYENNE, Wyo., Nov. 20.—(Special.)—Officers of the National Wool Growers' association, with headquarters here, have returned from Ogden, Utah, where arrangements were completed for the forty-sixth annual convention of the National Wool Growers' association, which will be held in that city on January 6, 7 and 8, 1910. Present indications point to its being the largest gathering of flockmasters ever held in this country. Ogden is making preparations for a large crowd.

PUMPKIN PIE FOR THE GODS

Recipe for the Brand of Joy Grandmother Used to Make.

There are those who do not like pumpkin pie. The cause may be in their natural depravity or in an unfortunate lack of education or in the fact that they never ate a real pumpkin pie. In the younger generation this last pitiful reason is most likely the one really operative.

Secretary Ballinger Says All Charges Are False

WASHINGTON, Nov. 20.—Replying to charges made in a magazine publication Secretary Ballinger of the interior department today took occasion to deny many of the reports which recently have been circulated concerning the conduct of his department and to explain others.

HIGH FLIGHTS BY AEROPLANES

Latham Makes Record of 1,405 Feet in Contest for Wellier Prize at Bouy.

BOUY, France, Nov. 20.—Competing for the Wellier prize for heavier-than-air machines, Hubert Latham today in a monoplane ascended a distance of 1,405 feet and M. Paulhan in a biplane 1,181 feet. Both these heights are world's records. Paulhan previously held the honor at 907 feet, the flight having been made at Sandowne, England.

Cripple Proves Hero of Fire at County Hospital

Workshop he found the place lit with flames. Although crippled, the pioneer managed to make his way upstairs, gave an alarm and then returned to his little den.

Woman's Power Over Man. Woman's most glorious endowment is the power to awaken and hold the pure and honest love of a man. When she loses it and still loves on, no one in the wide world can know the heart agony she endures. The woman who suffers from weakness and derangement of her special womanly organism soon loses the power to sway the heart of a man. Her general health suffers and she loses her good looks, her attractiveness, her amiability and her power and prestige as a woman.

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