

Nebraska CHANGE LAW OF DECEDENT Supreme Court Holds Law of 1895 is Void.

WIDOWS' RIGHTS INVOLVED County Judges May Not Set Aside Homesteads in Fee Because Not Allowed to Determine Title.

From a Staff Correspondent. LINCOLN, July 9.—(Special Telegram.)—The supreme court today handed down four belated opinions which make a material change in the law of decedents in Nebraska. Judge Root wrote the decision, Chief Justice Reese and Judge Sedgwick dissenting from a portion of it.

The court reaffirms its former decision, rendered several years ago, but goes further and declares invalid a curative act of 1895, which had never before been questioned. The Baker act gave the widow of a deceased person the homestead in fee and authorized the county judge to set aside a homestead for a widow.

That act was held unconstitutional several years ago on the ground that it gave the county judge power to determine title to real estate. The curative act of 1895 was intended to legalize the acts of county judges in setting aside homesteads in fee to widows. The supreme court now holds that the curative act is unconstitutional because such an act cannot cure the defects of an act that is void in itself.

The result is that the law enforced prior to the Baker act is now the law and that widows may only have a life interest in a homestead. After she gets her share the heirs may make title in fee by believing which says that children of a deceased person are not estopped, if they have not ratified such an order of a county judge, from objecting to such an order. They agree with the court that the curative act of 1895 is void and with the majority of the court.

In the case of Draper against Osterman, appeal from Hamilton county, opinion by Judge Root, the decree of the district court is affirmed in all things except as to the subject of contribution, and as to such subject the cause is reversed and remanded for further proceedings. The costs in this court are taxed equally against appellants and appellees.

In the second case involving land title, Hemming against Forrester, appeal from Dawson, opinion by Judge Letton, the cause is reversed and remanded. In the case of Draper against Osterman, appeal from Hamilton, opinion by Judge Barnes, the judgment of the district court is affirmed.

In the case of McFarland against Pack, appeal from Kearney, opinion by Judge Sedgwick, the judgment of the lower court is affirmed. Another Senatorial Candidate. Alfred Sorenson of Omaha, known as the "will-be-senator," filed his receipt with the secretary of state this morning showing that he had paid the \$500 fee to the county clerk of Douglas county, a candidate for United States senator. He is running for the republican nomination.

Barton Files for Auditor. Silas B. Barton, state auditor, has filed his name as a candidate for a second nomination on the republican ticket. Mr. Barton is now serving his first term as auditor from Grand Island. Since becoming state auditor Mr. Barton has paid particular attention to the insurance department of his office, having been a well known fraternal man for many years.

REPUBLICAN COUNTY CONVENTIONS CALLED Phelps, Saunders, Pierce and Stanton Among Those to Be Held Next Week. HOLDREGE, Neb., July 9.—(Special.)—The republican county central committee has decided that its county convention will be a delegate affair and has therefore called precinct caucuses to be held on Monday for the purpose of selecting delegates to attend the county convention on the basis of one for every fifteen votes cast for Presidential Elector O. C. Bell in 1908, thus making a total allotment of ninety-five delegates. The convention will be held in this city July 15, and besides the election of ten delegates to attend the state convention other business of considerable importance will be transacted.

Nebraska Dodge County Republicans Pledge Fealty

County Convention at Fremont Says New Tariff Law Will Meet Nation's Needs.

FREMONT, Neb., July 9.—(Special Telegram.)—Dodge county republicans today adopted resolutions expressing their faith in the party and confidence in its principles and their prospects of vindication at the polls. Bearing on the tariff bill, while admitting that it is not perfect, the resolutions said: "We recall the bitter assaults made on the McKinley and Dingley tariff laws at the times of their enactment, but their sufficient vindication was found in the unparalleled prosperity which followed. "We are extremely skeptical of those reform elements, the most vociferous supporters of whom are democrats. "As a matter of fact the people of Dodge county have every reason to be satisfied with the present tariff law. In the first year of its operation it has produced not only sufficient revenue for the needs of the nation, but has shown a surplus of \$5,000,000 besides. This is a very favorable showing as compared with a deficit of \$55,000,000 the year before."

The records of the republican county officers were approved and pleasure was expressed over the prospects of the nomination of G. G. Martin for attorney general of the state. The following delegates were selected to the state convention: H. J. Lee, R. B. Schneider, C. E. Abbott, A. J. Forman, F. L. Burrell, J. C. Nelson, Joseph Roberts, C. Sack, Jürgen Larson, W. S. Sanborn, W. M. Weaver, A. Hanson, W. R. Kelly, P. H. Knowlton, L. H. Meyer.

Before adjourning Grant G. Martin, who is to be a candidate for attorney general, was asked to address the convention and he responded, taking a few moments on state politics. DEMOS REPUDIATE Bryan's Plans

County Convention Turns Down Resolution for Referendum—Delegates Opposed to County Option. FAIRBURY, Neb., July 9.—The democratic county convention which was held in the district court room here was not productive of harmony or compromise. From the beginning it became apparent that those who controlled the wires were not going to allow the convention to declare for the referendum, neither was it their intention to send a delegation to the state convention that would be influenced to vote for Mr. Bryan's idea on the county option question.

A committee was appointed to select the delegates to the state convention against the feeble protest of a few who thought the convention should have something to say about who its delegates were. Later on a few who believed that the oft-repeated declaration of the democratic party in favor of the referendum meant something offered an amendment to the resolutions passed endorsing the referendum, but they were unceremoniously set upon, and the proceedings went through like they were on wheels.

The delegates to the state convention, which meets in Grand Island on July 9, were elected as follows: C. L. E. Blauer, Pleasant; Henry Heitinger, Gibson; V. E. Chamberlain, Richard; J. A. Thissen, Cub Creek; W. H. Barnes, J. C. Hartigan, I. Bonham and R. D. Bussard; George Shortridge, Buckley; William Jacobs, Eureka; E. A. Wunder, Fairbury. The date for the republican county convention has been set for Saturday, July 23.

Optic Nerve Cut by Piece of Steel Peculiar Injury to Ponca Man Hurt by Explosion on Fourth of July. PONCA, Neb., July 9.—(Special.)—The report from the hospital at Ponca regarding Ray Harding, who was injured on the Fourth, is interesting. Dr. Young was called to the city today and an operation was performed, which brought to light a piece of the sheet metal from the case of the handkerchief that exploded, which had been driven through the skull behind the eyeball and severed the optic nerve. The piece was half an inch wide and three-quarters of an inch long, penetrating to the nasal wall on the other side of the eye. The doctors hope now to save the unshined eye.

The wonder is that there were not thirty or forty people killed by the explosion. NEBRASKA STOCKMEN ELECT OFFICERS R. M. Hampton of Alliance is Again Chosen President of the Association. ALLIANCE, Neb., July 9.—(Special.)—The following officers were elected for the ensuing year by the Nebraska Stockgrowers' association: President, R. M. Hampton, Alliance, vice president, Al H. Meisinger, Merriman, secretary-treasurer, Charles C. Jameson, Ellsworth, executive committee, C. H. Tully, Lakeside; E. P. Meyer, Leuk, Ruthie Linn, Lodgepole; E. E. Love, Hyannis; W. M. Fleishman, Bailey; Robert Graham, Alliance; Herman Krause, Longlake; J. H. Monahan, Whitman; E. M. Seagle, Jr., Geraldine; A. R. Modest, Rushville; E. M. Hedred, Orlando; A. G. Davis, Hyamski; Dan E. Hill, Gordon; Robert A. Cook, Lakeside; John Orr, Lewellen.

People's Church for Nebraska City, NEBRASKA CITY, Neb., July 9.—(Special.)—There is a move in foot here to establish what is known as the People's church, because of the action of four of the ministers of this city in regard to the playing of base ball on Sunday and the arresting of the players therefor. The movement is being backed up by many leading citizens and many men. It is the present intention to ask one of the ministers, who refused to take part in the fight, to take charge of the movement, because he favors all healthy out of doors sports. An official of one of the churches involved says he will file charge against the minister who refused to take charge in the prosecution and will ask for his dismissal from the ministry. If that is done it is said the dismissed minister will be placed in charge of the new church. When you have anything to sell or trade, advertise it in The Bee Want Ad columns and get quick results.

Nebraska Application of New Parole Law

Grand Island Man Convicted of Concealing Stolen Property Escapes Term in Penitentiary.

GRAND ISLAND, Neb., July 9.—(Special.)—By a new proceeding, as far as at least as the local courts are concerned, the application for and granting of parole by the district court of a person convicted on a criminal charge by a jury, a former Lincoln man, was recently granted. Grand Island man escapes term in penitentiary. Last winter a young farmer named Frauen was taking a sealskin coat home to his wife as a present. Boarding the Union Pacific train for Chapman, he left the coat on the car seat for a moment. It was stolen and the coat was later recovered from Parker. One Kennedy was arrested and admitted to the police that he stole the coat and in the confession declared he had sold it to Parker for \$10, retaining how the buttons were torn off at Parker's request, etc. Kennedy was sent over the road for a year. While awaiting trial in the district court, having been bound over from the police court, Parker's name was applied for a new one. A jury of twelve, after listening to the evidence, found Parker guilty of concealing stolen property. The defense was that it was a frame-up by Kennedy and the local police. Judge Hanna overruled the motion for a new trial yesterday and the defense made application under the new law for parole, placing itself prominently on the stand to testify to Parker's former good conduct, among them members of banks where Parker did business, grocers who employed Parker's son, and even the chairman of the council's committee on police and board of health. The parole was granted and the verdict of the jury was thus practically set aside. The police department is not the local police as was declared it was "the worst" ever handed to it. Parker is on parole for seven years, pending good behavior and subject to a bond of \$2,000.

POSTMASTERS' MEETING IN LINCOLN TUESDAY

Preparations of Elaborate Character Made to Entertain Visiting Postmasters. (From a Staff Correspondent.) LINCOLN, July 9.—(Special.)—The coming postmasters' convention at Lincoln will be the largest in point of attendance and interest that has ever been held in the state. Already acceptances have been received from Robert J. Sharp, chief postmaster of Lincoln, and the postmaster of Council Bluffs, outside of the state. Most of the delegation in congress will be here and most of the Nebraska postmasters. Special provision will be made for the women and a large attendance of the wives and sweethearts of the members is assured. Many postmasters will arrive Monday. On Tuesday the convention will be formally opened, the entire day being given over to meetings of different class offices. The main convention will open at 2 p. m. for address of the president of the association and opening exercises for one hour. Postmasters of different class offices will assemble an hour later in their respective meeting places to take up matters pertaining to their own class of office. An automobile ride for the women of the convention will be given afterwards. At 5:30 o'clock all visiting postmasters and their wives will be tendered a theater party by the local newspapers.

On Wednesday the main convention will be opened promptly at 10 a. m. when matters of general interest to the members will be discussed. The afternoon sessions of the convention will commence at 2 p. m. sharp, and printed programs will be followed closely. On Wednesday evening, July 12, the Lincoln Commercial club tenders to the guests of the city a reception and ball at the auditorium. Thursday the program of the convention will be carried out, and an outing provided for the women at the theater and a general good time for all Thursday evening at Capital Beach. The Lincoln Commercial club, the Epworth Lake Park and Capital Beach tender the courtesies to all wearing convention badges during all the time they are in the city.

ALLEGED AUTO THEIF IS TAKEN Man Charged with Stealing Car at Marquette in Custody. GRAND ISLAND, July 9.—(Special.)—Sheriff Dunkle of the county was elected to Marquette county and Her of Merrick county made quite a stir in Marquette yesterday, when they hauled in Billy Crawford on the charge of stealing an automobile. The machine disappeared from a garage at Marquette some time ago. A few days ago Crawford appeared at a Wood river garage with the machine for some repairs. His answer to inquiries was unsatisfactory. It was noticed that the machine had been repainted in another color, and the marshal undertook to put the man under arrest on suspicion, but in an unguarded moment the marshal being unarmed, the fellow jumped with the machine, drove hurriedly west to the Shelton bridge, there abandoned and "spiked" the machine and went westward on the railroad. At this point the sheriff took up the chase and landed the man at Maxwell.

Crawford was at once recognized by Sheriff Dunkle as the negro who some years ago was arrested here for breaking into a trunk, was later arrested at Fairfield and broke jail here while awaiting trial, the deputy taking several shots at him at the time of the breakaway. On the day the trial was being had, Sheriff Hill took the man to central city, in which county he will be tried for burglary.

NEBRASKA NEWS NOTES. GENEVA—At the meeting of the Rebekah lodge last night, Mrs. A. B. Modest, delegate to the state assembly in October. BEATRICE—Messrs. Stoddard and Williams of the Episcopal church, Beatrice, played doubles with Young and Sherwood of Beatrice, the latter winning three to two. HILDRETH—Hildreth did not celebrate the Fourth, but unless present plans miscarry will have a splendid carnival the last of August or first of September. BEATRICE—Messrs. Stoddard and Williams of the Episcopal church, Beatrice, played doubles with Young and Sherwood of Beatrice, the latter winning three to two.

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HOUSE, HOTEL AND OFFICE FURNISHERS RICHARD & WILHELM 414-16-18 South Sixteenth Street

Tomorrow the beginning of the Second Week of Our BIG JULY SPECIAL FURNITURE SALE

You'll find the assortment just as complete as the opening day. We purchased for this sale several carloads of manufacturers' samples and surplus stock. In many instances there are quantities of the same pattern. We offer our purchases at Twenty-five to Fifty per cent less than regular. Now is the best time to buy. Here we quote some of the bargains.



Buffet. (Like illustration.) Made of best quarter-sawn white oak, golden polish finish. Has carved claw feet. Large linen drawer. Has two small top drawers, one lined for silver. Top is 44-in. long by 19-in. deep. Has a pattern French beveled mirror 42-in. long. Regular selling price for this buffet is \$300.—July sale price \$222

- Early English Buffet, regular price \$87.—July sale price \$62.00
Early English Buffet, regular price \$63.—July sale price \$45.00
Early English China Cabinet, regular price \$56.00.—July sale price \$42.00
Golden Oak China Cabinet, regular price \$75.00.—July sale price \$39.00
Dining Chairs, leather seat, regular price \$5.50.—July sale price \$3.00
Arm Chair to match, regular price \$9.50.—July sale price \$5.50
Early English Dining Chair, leather seat and back, regular price \$5.00.—July sale price \$3.00
Arm Chair to match, regular price \$7.50.—July sale price \$4.50
Early English Dining Chair, leather seat, wood carved back, regular price \$6.50.—July sale price \$3.75
Arm Chair to match, regular price \$10.50.—July sale price \$6.00
Early English Dining Chair, wood seat and wood oak, regular price \$3.25.—July sale price \$1.75
Golden Oak Dining Chair, leather seat, scroll wood back, regular price \$12.50.—July sale price \$6.25
Arm Chair to match, regular price \$13.50.—July sale price \$8.25
Golden Oak Dining Chair, wood and leather seat, regular \$4.50.—July sale price \$3.25
Arm Chair to match, regular price \$3.50.—July sale price \$2.50
\$38.00 Mahogany Leather Divan.—July sale price \$24.00
\$52.50 three-piece Parlor Suite, upholstered in velvet.—\$33.50
\$65.00 three-piece Mahogany Suite, leather upholstered.—July sale price \$36.00
\$42.50 large Arm Rocker, leather upholstered seat and back.—\$28.50
\$35.00 Golden Oak Rocker, leather upholstered back and seat.—\$22.50

- Golden Oak Sideboard, reg. price \$97.50.—July sale price \$79.00
Golden Oak Buffet, regular price \$58.—July sale price \$45.00
Golden Oak Buffet, regular price \$40.—July sale price \$32.00
Golden Oak Buffet, regular price \$52.—July sale price \$39.00
Golden Oak Buffet, regular price \$40.—July sale price \$31.00
Golden Oak Buffet, regular price \$27.—July sale price \$20.00
Combination China Cabinet and Buffet, regular price \$45.00.—July sale price \$28.50
Combination China Cabinet and Buffet, regular price \$50.00.—July sale price \$34.00
Combination China Cabinet and Buffet, regular price \$50.00.—July sale price \$33.00
Three-piece Mahogany Suite, consisting of dressers, dressing table and chiffonier, trimmed with glass knobs, regular price \$220.00.—July sale price \$165.00
Mahogany Dressing Table, regular price \$97.50.—July sale price \$60.00
Mahogany Dressing Table, regular price \$26.00.—July sale price \$21.00
Mahogany Dressing Table, regular price \$36.00.—July sale price \$16.00
Mahogany Dressing Table, regular price \$25.00.—July sale price \$12.50
Mahogany Chiffonier, reg. price \$39.00.—July sale price \$26.00
Mahogany Chiffonier, reg. price \$22.00.—July sale price \$16.00
Mahogany Chiffonier, reg. price \$28.00.—July sale price \$18.00
Mahogany Chiffonier, reg. price \$32.00.—July sale price \$21.00
Mahogany Highboy, regular price \$110.—July sale price \$70.00
Mahogany Library Table, reg. price \$45.—July sale price \$29.00
Mahogany Library Table, reg. price \$68.—July sale price \$45.00
Mahogany Library Table, reg. price \$60.—July sale price \$39.50
Mahogany Library Table, reg. price \$40.—July sale price \$25.00
Mahogany Library Table, reg. price \$42.—July sale price \$30.00
Mahogany Library Table, reg. price \$70.—July sale price \$54.00
Oak Library Table, reg. price \$52.—July sale price \$38.00
Oak Library Table, reg. price \$35.—July sale price \$27.00
Two-piece Mahogany Suite, loose cushion, upholstered silk velour, regular price \$120.00.—July sale price \$90.00
\$22.50 Golden Oak Divan, leather upholstered seat.—July sale price \$15.00
\$50.00 three-piece Golden Oak Suite, leather upholstered.—July sale price \$32.00
\$150.00 Sideboard.—July sale price \$100.00
\$135.00 Sideboard.—July sale price \$90.00
\$150.00 Mahogany China Cabinet, solid mahogany.—\$95.00
\$175.00 Mahogany China Cabinet, solid mahogany.—\$87.50

GREAT MATTING SALE We announce the greatest matting sale in Omaha's history to take place Monday, July 18th. Watch papers, for further particulars.

WHEAT RISES THREE CENTS Government Report on Spring Crop Sends Options Upward.

NEW BUYING ORDERS ON HAND Scattered Leases Who Had Loaded Up on Private Advances Sell and Prices Then React One Cent.

CHICAGO, July 9.—Traders in wheat, excited by yesterday's sensational crop figures, which showed conditions in the spring wheat country to be the worst in ten years, bid prices for all options up 3/4 to 5/8 cents at the opening today.

WASHINGTON, July 9.—The crop growth of the United States on July 1 was lower than at any time during the last ten years, according to a crop report of the Department of Agriculture issued today. The report says: "The general average condition of crop growth in the United States on July 1 was 45 per cent lower than on July 1, 1909; 15 per cent lower than July 1, 1908, and 24 per cent lower than the ten-year average condition on July 1."

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falling over Colorado today and a continuation of the conditions is promised for tomorrow, refreshing provisions that have been parched by seven weeks of dry weather. The thermometer, which has been close to the 90s at midday for several weeks stood at 82 at noon today.

WASHINGTON, July 9.—For the next thirty-six hours at least there will be no break in the heat wave over the eastern section of the country. Hot nights are predicted everywhere except in the lake region. A cooler area now in the mountain states is moving east. Indications are the weather will continue generally fair today and tomorrow throughout the country.

WASHINGTON, July 9.—The tropical heat wave continued with extreme intensity today and with no relief in sight. So far today three persons have succumbed to the torrid air and there have been numerous prostrations. The temperature at 9 o'clock was 99 degrees and still rising with the high humidity percentage of 61 accentuating the distress.

WASHINGTON, July 9.—The season's heat record of 94 degrees attained yesterday was equaled today. A number of prostrations occurred.

MILWAUKEE, July 9.—Twenty-five cases of insanity in the last two weeks, breaking all local records, were before the probate court of Milwaukee county. That the intense heat had a direct effect on the cases is the belief of County Judge J. C. Karel.

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Coat and Pants TO ORDER \$17.50

Reduced from \$28 and \$35 EXTRA PANTS \$5. This sale includes our \$25 and \$28 two piece Suits, Cool Grey, Blue Serge, Home-suits and Crashes in abundance. Every garment guaranteed perfect in fit and style.

MacCarthy-Wilson Tailoring Co. 304-308 South Sixteenth St. Near Farnam.

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POLITICAL ANNOUNCEMENTS. YOUR VOTE SOLICITED JOHN YIRAK Republican Candidate For County Commissioner, Second District.

"I BELIEVE PE-RU-NA SAVED MY LIFE." Mrs. Charles Anspaugh, of Cromwell, Ind., says: "Peruna has been a godsend to me. I can feel safe in saying that it saved my life, as I was all run down and was just miserable when I commenced taking your Peruna, but am on the road to recovery now. I cannot thank you too much." ADDISON WALT

Advertisement for MacCarthy-Wilson Tailoring Co. featuring a coat and pants sale for \$17.50, political announcements for John Yirak, and a testimonial for Peruna medicine.