SCHULTZ TRIAL IS STILL ON Omaha Must Stand

Wallace Sticks to His Testimony on the Speed of Car.

Says He Was Able to Judge the Speed in Several Ways-Testimony is Not Shaken on Cross-Examination.

Rigid cross-examination of William H. Wallace, testifying for the state in the trial against Armour & Co. of Alex Schillt for manslanghter for the death of the late William Krug, failed to shake Wallace's original story in the criminal division of the district court Tuesday morning. Wallace's cross-examination by W. W. Slabaugh, of counsel for the defense, consumed practically the entire morning.

Wallaco adhered to and reiterated his on direct examination that Shuitz was driving his car at a rate of at least twenty miles an hour when it crashed into the cear of the car in which Wallace, Mr. Krug and Mr. McCormick of the Bradford-Kennedy Lumber company, were riding. Witness also insisted that his car was and had been proceeding slowly at the time it was struck by Schultz's ma-

On direct examination Monday afternoon Wallace awore that when his attention was called to the approach of Schultz's car it was bearing down upon him at between twenty and forty miles an hour. This estimate of the speed was based on the brief space of time required for the Schultz car to negotiate the half block between it and the Wallace car, the force of the impact when it struck, the effect on the Wallace car, and the distance the Schults car trav sled after it had systek the Wallace car, some 125 or 150 feet. Mr. Krug was thrown from Wallace's car. When he struck the brick payement his skull was fractured at the base. He was dying when Wallace and Schultz pickel him up and laid hum on the after it had passed out of the control of the

timony. The cross-examination apparently Bemis the amount of the judgment. was an effort to show that Wallace was driving more rapidly than he had said he was driving on direct examination and that Wallace could pot tall definitely that Schultz was exceeding the speed limit. Witness could not make an accurate statement regarding Schultz' speed, but he said that his judgment, which was good because of several years' experience with automobiles, warranted him in saying that the speed of Schults was at least twenty miles an hour. This was five miles an hour faster than the law permits in residence districts and twice as fast as the maximum permitted in the business dis-

WEIGHT TEST TO GET A JOB

Applicants for Government Position Must Be Able to Snoulder a -Large Sack.

Uncle Sam has use for four or five husky fellows to unload mail from the cars at Union depot station which is to be opened on or about December 4. For the purpose of determining an eligible list, a civil serwice examination will be held at the postoffice building November 30. There will be

Drawed in "Black and Yellow" the carton containing Foley's Honey and the muszle of the gun. Tar, the best and safest cough remedy genuine Foley's Honey and Tar in a yel-low earton with bisch letters.

Building Permits.

Fred W. Hanson, 18% Wirt street, frame dwelling, 4,000; Westarrn Real Estate company, Thirty-first and Ames avenue, frame dwelling, \$2,500; A. Lindborg, 78 North Thirtieth street, alterations, \$1,200; Grave-Wharton Construction company, 4118 North Twenty-fifth street, frame dwelling, \$2,000; Martha Costronaki, \$114 Spring street, frame dwelling, \$2,500; Martha Costronaki, \$114 Spring street, frame dwelling, \$2,000; W. C. Sundblad, 1807 South Eighth street, frame dwelling, \$2,000; W. C. Sundblad, 1807 South Eighth street, frame dwelling, \$2,500. Building Permits.

How to Make Better Cough Syrup than You Can Buy

A Family Supply, Saving \$8, and Fully Guaranteed.

A full pint of cough syrup—as much as you could buy for \$2.50—can easily be made at home. You will find nothing that takes hold of an obstinate cough more quickly, usually ending it inside 24 hours. Excellent too, for whooping cough, sore lungs, asthma, hoaraness and other throat troubles. Mis I pint of granulated sugar with 16 pint of warm water, and stir for I minutes. Put I's ounces of Pinex (fifty cents' worth) in a pint bottle; then add the sugar syrup. It keeps perfectly. Take a teaspoonful every one, two or three hours.

This is just laxative enough to help cure a cough. Also stimilistes the appetite, which usually is upget by a cough. The taste is pleasant.

pleasant.

The effect of pine and sugar syrup on the inflamed membranes is well known. Pinex is the most valuable concentrated compound of Norway white pina extract, rich in guisicol and all the natural healing pine elements. Other perparations will not the this formula.

pine elements. Other perparations will not work in this formula.

This Pinex and Sugar Syrup recipe is now used by thousands of housewives throughout the United State and Canada. The pian has been imitated, but the old auccessful formula has never been equaled. A guarantee of absolute satisfaction, or money promptly refunded, goes with this recipe. Your druggist has Pinex or will get it for you. If not, send to The Pinex Co. Ft. Wayne, Ind.—Adv.



Expense of Bemis' Suit for Damages

OVER FORTY MILES AN HOUR Judge Munger Decides the City and Not Armour & Co., Responsible for Accident.

> Tottering billboards are costly advertising mediums in these days of modern pubficity methods-costly to the extent of \$15,000 in the case of the city of Omaha

Judge Munger of the federal court ren dered an opinion Tuesday morning in which he decides the Omaha-Armour litigation in favor of the defendant, which tersely stated, means an \$18,000 loss to the city. A dozen years or so ago, the Armour people erected a billboard for advertising proses on Farnam street, west of Tell Elighteenth street. Later the billboard was sold to the real estate firm of Harrison & Morton. Still later, George P. Bemis was walking east on Farnam street one blustering April day, and the billboard blew over, striking him with such serious physical effect that he brought suit against the city for damages. In the district court of Douglas county, Bemis won his case, a higher court affirmed the judgnent and the damage was paid.

Then, by way of redress, the city brought suit in the federal court against Armour & Co., charging that inasmuch as Armour & Co., originally erected the billboard, responsibilty continued throughout the exstence of the board as an advertising medium, despite the transfer of ownership to Harrison & Morton.

Judge Munger holds that Armour & Co. are not liable, inaminuch as the board at the time they erected it and at the time they sold it to Harrison & Morton was not so unsteady as to be a menace to public safety, and that its shaky condition came about as the result of the ravages of time original owners. Therefore a motion to Slabaugh's cross-examination developed relieve the defendants of responsibility was practically no changes in Wallace's tes- sustained. The city has already paid

Six-Year-Old Girl Shoots Her Brother. Imitating Elders

Playfully Raises Small Rifle and Points it at Baby, When it is Discharged.

With scarcely sufficient strength to hold the gun aloft in imitation of her older ney, member of the board of governors, prothers and with no knowledge of its sitting in an exposed position up in front. manipulation, the 6-year-old daughter of All present enjoyed it but the man sung George Eckerich shot and fatally wounded at. her 3-year-old brother. The tragedy occurred at 9:30 Sunday morning while the 12. Her dancing and particularly the children were playing alone at their home, dancing of Mildred House, a child of like a farm ten miles northwest of Neola, Ia. age, aroused the greatest applause of the The weapon was a .22 caliber rifle, and the evening. bullet struck the baby in the forehead, penetrating the brain, and inflicted a the Den show was delivered and when yesterday afternoon.

The Eckerich boys had used the gun so educational test, but the applicants, in shoot a coon, but it had proved of little and the effect was more funny than the erder to be rated as eligible, must demon- value. They had brought it into the house original would have been. strate ability to shoulder a weight of 125 and threw it down and went to their work pounds and they must do it easily and in the feed lots. For a short time the were the singing of the Elks' quartet, without grouns. These jobs carry a monthly oblidren were entirely alone in the house which includes Messrs. Haverstock, Gerke, palary of 10. Application blanks may be and one of the elder members came into Lewis and Rigdon, and the Swedish char-charles done also divide services secretary, the room just in time to see the little girl acterizations of Ed Thompson, B. C. Omaha federal building.

Omaha federal building. brother and hear her say, "Now I'm going remarked a few remarks. Fred Paffenrath to shoot you," instantly followed by the talked a little and Gus Renze, greatly to Met "foot ball colors," but the color of shot. The baby was only a few feet from his chagrin, was forced into the lime-

for all coughs and colds. Do not accept little fellow's life and an eperation has speakers a lesson in brevity. A really a substitute, but see that you get the been performed, in which pieces of splin- good thing was the "McCullough's Mad but the bullet was buried too deeply to be

More Settlers Are Needed in Nebraska

So Declares William Colfax of Bassett, Who Says that Crops Are Splendid This Year.

"Nebraska needs settlers more than it needs money," said William Colfax of Bassett at the Merchants Tuesday. "More than buyers subdividing them into quarter sections and putting them on the market.

"Land values in our section have advanced about 30 per cent during the last year, but we need more people to work the farms. The state has plenty of money to handle its land and crops, but is short of settlers to do the work. While it is filling up fast there is room for many more. Our firm has closed deals on \$279,000 worth of Nebraska land during the last seven weeks.

TWO STRANGE PRISONERS ARE

Max Reynolds and Christ Iverson Show Signs of Odd Mental State at Station. An insanity commission is to be appointed to examine Max Reynolds and Christ Iver-

son, prisoners at the police station.

tion against the police. Iverson has been in Jall since Saturday. when he was arrested for attempting to disrobe on Farnam street near Fourteenth upon him when arrested it was learned that his home is in Mexico. It could not be learned where Reynolds lives other Sixteenth street.

ORATORY FOR HIGH SCHOOL From This Time Forward Debating

Contests Will Be One of the Chief Activities.

City and Des Moines will hold the annual E. B. Quackenbush of Nemaha, John debates with Dmaha, and arguments are Gerdes of Richardson and W. Z. Taylor being arranged between the Omaha boys of Culbertson are the only other candidates NEAPOLITAN ICEand the debaters of Sioux City, Engle- for the speakership so far mentione wood High school, Chicago, South Omaha prominently.

and Council Bluffs. The debating squad of the year consists | Every family has need of a good, reliable Avery and Marold Landbryou.

GOVERNORS AND CREW FEAST Action Postponed

Annual Dinner Given to Men Who Represented Mr. Halley,

QUIPS AND JOKES ARE PLENTY

Few Escape Merry Jests and Many Reminders Are Given of Good Times at Ak-Sar-Ben

Memories of last summer's "show" at he Den crowded thick and fast last evening at the annual dinner by the board of governors at Hotel Rome, to the working initiation crew of Ak-Bar-Ben. For the quartet led by Oscar Lieben sang early proceedings, "How To Put On a

the refrain of which runs: First write your ads with a big four-Tell 'em we guarantee to make 'em all blush. Say the play was much too tough for

Give 'em a peach of a Salome dance.

Hire forty girls and a few cheap boys.

Flash lots of tights and make a big noise,
Lots of giad rags and a few bum gags

When you put on a show."

(Last line legato.)

Add again that song about hunting for a penny's worth of comet with S. S. Hamiton in the solo part. All who went to the Den last summer know the song:

"Riding comets is my pastime.
A million miles an hour is fast time.
I've chassed rainbows till I've lost time.
But when I asked my pa and ms.
Both said to stop in Omaha.
Here ends the tale of Halley's comet."

Few Sly Pakes. Your old friend, the merry quip and eke the arry persiglage were much in evidence last night at the Rome. For instance, Oscar Lieben and Lloyd Ingraham of "Devil" and dramatic school fame, were doing their Dutch dialogue which, by the way nakes Weter and Fields seem cheap, and Oscar purporting to be a congressman: 'What, don't you know that?"

No, I don't know that." "And you a congressman?" "Why, a congressman don't have to know anything. Look at Lobeck!"

President C. H. Pickens was called out H. J. Penfold read a letter expressing his elevator pumps were authorized. regrets and his appreciation of the work all summer of the working crew. This was the most serious note struck during the evening. True, William Wappich was in earnest when he proposed a monthly meeting of all persons present, a proposition which will be put through.

The Light Fantastic. But there was nothing sombre about the dancing of two little girls, pupils of the Chambers academy - nothing funereal when one of them sang at Charles Court-

The singer was Miss Hazel Fowler, aged

Early in the evening many a line from wound that permitted little hope of recov- Lloyd Ingraham couldn't remember what ery, although the child was still alive came next, years of professional experience stood him in good stead. "What's the next line?" he would in-

earlier in the morning in an attempt to quire of Oscar Lieben in thunderous tones,

Two pronounced hits of the evening light. The Ak-Sar-Ben quartet sang a Surgeons are endeavoring to save the little ditty and Charles Black gave other tered bone have been taken from the brain, Scene," done by S. S. Hamilton, with the whole house darkened, and the orchestra. -Dimmick's, of course-playing crossing-

Woman Dies from Drinking Carbolic Gertrude M. Hughes, Omaha

the-ice music.

Mrs. Al Wright, Who Swallowed Day H. Pierson, Kansas City, Mo Julia H. Corder, Wallace, Ida. . . . Quantity of Acid After Quarrel, Succumbs.

Mrs. R. Wright, who drank carbelle acid with suicidal Intent Monday night at 4,600 acres of hay land under my control her home, 618 North Fourteenth street, was not cut this year because we could died Tuesday morning at St. Joseph hosnot get men enough to do the work. Ne- pital. It is reported the woman engaged braska is most prosperous and ranches in in an argument with her brother, Wheeler the state are changing hands fast, the Briggs, regarding his attention to a certain woman, and swallowed the acid just as her husband entered the room.

CAUTION ACT AS TO DISEASE TABLED FOR ANOTHER WEEK

Holovtchiner's Resolution Docs THE LIQUOR DRINKER Not Pass the Board of Education -Other Proceedings.

The resolution brought before the Board of Education by Dr. Holovtchiner to have daily examinations by all teachers to as-HELD FOR INSANITY BOARD certain from the children whether or not there is any infectious diseases in their went through various vicissitudes in the public schools, so that as soon as a

desks and chairs for Columbian school,

than his statement that he lived on North KUHL OUT AFTER THE VOTES to its full capacity during recent months

House Pays Visit to Omaka. John Ruhl of Handolph, recently re-

was in Omaha yesterday, and while he did accommodations can be secured as at the Debating at the Omaha High school has not say he was here viter votes for the parent or head Institute in this city .- Adv. started for the year, and from now on will speakership, his candiduty is well under be one of the chief activities. A prelim- way. Mr. Kuhl was the democrat who inary debate was held in which nine boys two years ago in caucus of the house were chosen to represent the school as a moved that a committee of one from each congressional district, with the speaker, Debates with various cities are being name the house committees. This was planned by E. O. Anderson, head of the amended to make the committee two from debating department. Lincoln, Kansas each district, with the speaker,

of George Grimes. Fred Rypins, Pullip liniment. For sprains, bruises, soreness of Johnson. Ned Alderson. Edwin Landale, the muscles and rheumatic pains there is P. E. Fratt, W. E. Shellington, James Van none better than Chamberlain's. Soid by all druggists.

on Jackson Street Track Proposition

Property Owners and Councilmen Row Over the Advisability of the Proposed Extensions.

More excited protests and arguments between differing property holders on Jackson street and Fourteenth street resulted Monday afternoon at the city council committee meeting in putting over for another week the proposition to extend the tracks of the Union Pacific railroad up Jackson There are several petitions in the case on both sides and the council has been discussing it for several months.

"The boulevards in Omaha are a loke," said John L. Kennedy, favoring the extension, in answer to a statement that Jackson street was a link in the driveways. "This isn't a city, it's a country town, and we will never have a real city with boolevards that are a pleasure and parks that are not a disgrace until business interests are built up by public spirit.

Goodley F. Brucker, president of the ouncil, gave Mr. Kenunedy a severe re oloder for decrying Omaha. Mrs. Margaret Nagl, owner of the Lange hotel, spoke twice to say that her property would be almost entirely destroyed if the ratiroad comes up Jackson. Others who spoke against It were Hal McCord, Frank Colpetzer and J. A. C. Kennedy. Following Mr. Kennedy, W. Whittaker of the Union Pacific spoke for the railroad and referred rather sarcastically to the opinions on th practical railroading questions involved that

were expressed by other lawyers, Rome Miller, also against the proposi tion, followed Mr. Whittaker and severa ouncilmen took a whirl at the genera neated dispute. The postponement was they sprang the following little wheere, made over the protest of several of those interested, including Clark Powell, and over the votes of three councilmen, Brucker, Johnson and Schroeder.

To review the reports of the appraising committee on damages in construction of the Florence boulevard at Grand avenue the council will take a trip and look over of town suddenly yesterday afternoon and the ground. Further expenditures for new

CITY WATER REVEALS FEW LONELY MICROBES

Number of Germs to the Centimeter is Growing Smaller Week After Week.

The city water of Omnha is getting so unhealthy for the microbes that only nine onely little germs can be found in a cubic centimeter. That is only a few more than 1,000 bugs to the cubic foot. Think of Desolate wastes of limpid Missouri aqua muddla with only 100 or so of the friendly little visitors at a mouthful!

Dr. Langfeld, who was called upon by the city council to give them a report of his regular bacteriological examination and then after one report was indignantly requested to come in person and explain his scientific terms, said that the chemical treatment of the Omaha water supply is becoming so cruelly efficacious that consumers are beginning to taste carbolic acid and the bacteria are being slaughtered Several complaints have been made to the authorities because of a curbolic flavor in the water and the bacteriologist said that the treatment might be made a bit less thorough

There was a time recently when there were as many as 360 germs to the cubic centimenter, that is 360 dead ones, as Dr. Langfeld never counts the pathetic little corpses. The law allows 100 and now that the number is one one-tenth of that the bad water scare is over.

A Total Eclipse of the function of stomach, liver, kidneys vols is anickly disc Electric Bitters. Soc. For sale by Beaton

Drug Co. Marriage Licenses. The following marriage licenses have been issued: Name and Residence. Philip H. Welch, Cherokee, la Nell Pellock, Omaha...... Edward C. Whitman, Omaha. Margaretta C. Finn, Omaha. George H. McNell, South Omaha. Lila M. Jewell, South Omaha... Harry B. Salyards, Omaha. Lillie Mattsson, East Omaha. John Howe, Schuyler, Neb. Lucile Lucke, Schuyler, Neb. Frank Scholz, South Omaha Maude Brown, South Omaha Washington L. Carlisle, Omaha. Mary Henderson, Omaha. Paul M. Barnes, St. Joseph, Mo. Florence E. Poff, Omaha..... Clyde W. Sears, Lyons, Neb..... Lillian L. Anderson, Lyons, Neb

AND HIS BUSINES

Fred G. Jones, Hamlin, Ia...... Ethel A. Randolph, Audubon, Ia.

Absolute Importance of His Brain Being Cleared Up.

It is frequently very important that a person under the influence of alcoholic stimsible. Business affairs may be neglected Monday night and was finally tabled for or social engagements forgotten during the another week. The resolution which was period of drunkeness, and it often devolves presented at a previous meeting was to eatablish a system of inquiry by the teachers assist him to possession of an unclouded brain and clear intellect and see to it that child came from a home where there was his appearance is at least respectable. Exdisease the teacher could take some steps perience has taught that no institute exto prevent the spread of infection. The tant other than the Neal Institute in mbers of the board, excepting one or Omaha at 1862 South 19th St. has ever been two, seemed rather inclined to favor the successful in treating drunkeness in less scheme, but further discussion was de- than four weeks time. It makes no difference how long a man has been drinking. A resolution was introduced by Member how much or how little be drinks, or what Lindsay and passed which gave the up. he drinks, the Neal treatment has never proval of the board to the regular policy failed to cure in three days' time and withof the management of the high school out the use of dangerous hypodermic inlunch counter in restricting it to the ex- jections or injurious drugs. Just bear in clusive use of teachers and pupils. Several mind that there is no such thing as a From papers and letters found orders were made for new furniture, in- "secret cure" for drunkeness, and you are cluding new chairs for the high school and taking a great risk in administering these

The Institute in this city has been taxed and to take care of its increasing number County Member of the of patients, a branch Neal Institute has been established at Grand Island, Neb., in charge of Dr. Wm. F. Dugan who is recognized as one of the leading physicians of elected to the bouse from Cedar county, this state, where the same treatment and

MR D. J. MARTEL

of the MARKER-MARTEL PHOTO CO. OPEN SUNDAYS

CREAM ROLLS Quarts, 46c; Pints, 20c, it delivered, 50c and 30c. We have had so many culls for our own make of Strictly Pure ICE-CREAM, we have equipped ourselves to furnish as above. Take home a reli with you You will find it delicte

FAT FOLKS FAVOR

Eoms Mixture That Takes Off the Fat
Bapisty—Crunes He Wrinkles—Ho
Siomach Ris and Requires Weither
Dieting or Exercise.
Too much fat is both uncomfortable and
dangerous, but usually fleshy people prefer

Too much fat is both uncomfortable and dangerous, but usually fleshy people prefer to put up with its inconvenience rather than punish themselver with the tirescope exercising usually prescribed, or endanger their health by taking the so-called "cures" and natent fat "reslucers."

This self-sacraftee of comfort and health to overabundant fat is entirely unnecessary, however, as Mrs. Luella Bigger tells us there is a bome receipt that is far superior in every way to anything money will buy for reducing superfluos flesh it is said this simple mixture will take the fat off a man or woman at the rate of at least a couple of pounds a week without ever causing wrinkles. Moreover it does not disturb the stomach, but is a good think for the system, clearing away plunies, and best of all, it does not interfere with the diet. You can use it and at the same time eat whatever you like. This receipt is as Fluid Extract Cascara Aromatic and 3 1-2 ounces of Peppermint Water. Get these infollows:—1-2 ounce Marmola: 1-7 ounce gredients at any drug store, mix them together at home and take one teaspoonful after each meal and at bedtime.

Mrs Bigger, as is well known, is a famous beauty expert, and whatever she recommends is sure to be found eminently satisfactory.—Adv.

satisfactory.-Adv.





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ALL DRUGGISTS. Cresolege Anti-They are simple, effective and antiseptic. Of your druggistor from us, 10c in stamps. Vapo Cresolene Co. 42 Corifordt St., N. Y.

The Day Before the Big Feed

holds some anticipated pleasure for most men. Of course the vital and important part is a mighty fine and plentiful supply of a good

Old Fashioned Thanksgiving Dinner

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But don't be an old fashioned man at the old fash ioned dinner. Spruce up some-wear a new tie, shirt, gloves, hat, suit or an overcoat.

We're bound to say, "Come Here."





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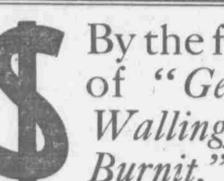
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