New Season at the Local Theaters Now Almost at Hand Warehouse Men to Meet Here Next Week In Pushmen, Omaha, Neb.; Coungmany, Line Week In Pushmen, Omaha, Neb.; Coungmany, Mason City, Inc. Mitchell In Pushmen, Omaha, Neb.; Coungman, Van

public to come again and be amused by a variety of entertalnment. The situation locally shows some change since a year ago. No new theater is to be opened,

but an old one is to pass into new hands and Omaha is to be given the opportunity to watch the progress of another experiment. When the Shuberts take over the Boyd theater on September 1. it will be to establish in Omaha competition in the higher priced amusement. Whether Omaha will give profitable support to two firstclass theaters has not yet been determined. thit it will be settled before the flowers of another spring burst their buds. Vaudeville will return to the exclusive control of the Orpheum, and the American, which was the competing house in this field last season, will be given over to the uses of the resident stock organization. The Brandels, of course, will present the so-called "K. & E." shows and will continue its contract with the Stair & Havlin people, under which the better grade of the popular priced attractions will also be presented. At the Gavety the attractions of the Columbia company will be offered for fourteen performances each week, and at the Krug the burlesque shows will be presented twice every day. This will be the policy of the theaters in Omaha throughout the season, so far as the managers

Opening dates are already being announced. The Brandeis will have for its first attraction Harry Bulger in "The Flirting Princess," on Thursday, August 31, and Friday, September 1. The first show it the Boyd under the new management vill be September 10. Harry Woodruff in "The Prince of Tonight." The Woodward Stock company at the American will open its season on Saturday, September 2. Mr. Woodward is to be in Omaha soon, to make final arrangements for the opening. and will then announce the personnel of his organization. The other houses will open on Sunday, August 27.

When the roads meet at a parting and he time comes to say good bye, memory runs back to the earlier days when we were young and strong and full of hope and endeavor. Now our old friend, "Buf-"alo Bill," says he is on his last tour of America, preparatory to his retirement from the arena. This announcement comes suddenly and sharply, and the American people will bid farewell to Colonel William F. Cody with regret. He has been a historian in giving living moving pictures. such as were never before projected, in a realistic manner, creating in that line a new era in entertainment For thirty years this dauntless American

ENTERTAINER AT THE ROME SUMMER GARDEN.



BILL" SHOW.



Inasmuch as this is practically the windup week for the run of coatless vaudeville this summer at the Gayety, the management announces a bill for the first half of the week, starting this afternoon, that is of sterling worth and generous quantity. Among the many are the premier cyclists. Don and Mae Gordon, who are said to start in their chill causing and goose flesh raising act where all others leave off. They have but recently closed a tour of the big eastern circuits, including New York Hippodrome, the world's largest theater. And what is still more to their credit, they are an Omaha product, at least Don Gordon is, for back in the early '90's he used to bowl along the streets of Omaha on a bicycle, delivering messages for the A. D. T. It was in the alley back of the Gayety that he learned his first stunts on the two-wheeled steed. He has performed all over the world and while at home here visiting his mother on North Seventeenth street, has consented to display his mastery of the bike, assisted by his pretty wife. His father was Archie Gordon, who conducted the Cambridge hotel here years ago L. Hayden Bishop, the western novelty violinist, will actually produce words and music from his beloved Cremona vielin, a product of the seventeenth century in sunny Italy, and valued by Mr. Bishop at \$1,000. Right from the gay cabarets of that dear Paris comes Evelyn Lisle with a string of bubbly songs and sayings. She wears her gorgeous harem skirt, said to be some joy dud. Bert Page will make good

happiness in the privacy of his mountain

ARLINE PALMER, dly Does a Daring Stunt With the Wild West and Far East, the theater with sweetest sounds. Thursday afternoon. The final disburse- The Rome orchestra is the only one in the ment of coatless vaudeville will occur all city either inside or out of doors. Only the fighter, guide to the Grand Duke Alexis, next Sunday when a gain goodbye program | latest and most popular music is presented chosen comrade of Sheridan, Sherman, Custer, Merritt, Crook, Miles, Carr and other will be presented that day only, after and any desired numbers will be glady United States generals of the army, has which the Gayety will be turned over to played any time upon request. Four new gone over the world, carrying with him his painters, electricians, decorators and car- photo plays, distinct and large, are included congress of Indians, cowboys, vaqueros, and cavalry of all nations-teaching his-"The College Girls."

spire the other senses to a full grasp of the type, sang her way into popularity in the and admission is only a dime to adults and Rome summer garden last week. The man- 5 cents to children. Come any time and their review in books, reproduction in agement has re-engaged Miss Morgan in an stay the limit. entirely new act for this week. Tobin and tinuous value; they have the merit of per- Murray, a novelty singing, talking and musical comedy sketch team, will be seen drawing tremedous crowds to Courtland

COME HOME.



DON AND MAE GORDAN.

at every performance, his assertion that Fields in "The Lady from Paris," an onehe hasn't a bone in his entire blessed an- act play, mostly of up-to-date comedy song atomy. Of course there will be an entire hits. For good mean o, the management change of moving pictures and as usual has re-engaged Mr. Alexander Barthold. the big pipe organ's dulcet tones will fill who will introduce some classical vocal selections ranging from operatic selections A bill equally as strong is being prepared, to sentimental ballads. Mr. Barthold will for the last half of the week, starting also sing several new illustrated songs. petlayers to prepare the house for its in the entertainment each evening. A new regular opening Sunday matinee, August 27, entrance on Jackson street, just east of with the big spectacular extravaganza, Sixteenth street, has now been completed. This makes three entrances, one on Fifteenth street, and the third through the Miss O'Lide Morgan, stunning in a scar- Rome hotel vineyard. The programs are let gown of the most pronounced harem given continuously from 7 to 11 p. m. daily

The American Band of Providence is and heard in their one-act side splitting Beach. Two concerts will be given tocomedy, entitled, "Dooley's Reception," day-the afternoon starting promptly at The third act on the bill is Miss Evelyn 3:00 o'clock and the evening at 8:15. The

"There is nothing in Magna Charta,

formerly of the University of Missouri.

ERNST FREUND, University of Chicago

E. A. GILMORE, University of Wisconsin

FREDERICK GREEN. University of I

ANDREW A. BRUCE, University of North

cluding Friday night, August 18, with a special Wednesday afternoon concert. The American band this year is unde the leadership of Warren R. Fales, well and favorably known in the east. With each concert the band is becoming more popular and those who were at the beach Friday night and Saturday left for home with one idea in view, and that was that by all odds the present organization is by far and away the best brass band which has come to Omaha in many a day. This band served with the Providence troops in the Civil war and has been in continuous existence for over half a century. The programs have been arranged to not only please those who appreciate the work of the masters, but se who prefer the gentle heart-songs. The soloists of the band are all past masters on each and every instrument they play, especial credit being given

Mr. Bowen R. Church, cities last season and constructed four new theatres. Extensive additions and improvements are now under consideration. Mr. Meyerfeld and his colleagues have confidence in vaudeville as the stable form of theatrical entertainment and as a result are gradually acquiring ownership of the theatres in the different cities in which they operate.

Max Spiegel's "College Girls" of 1911 open the season for the Gayety Theatre, week of Sunday, August 27. This musical extravaganza is but the fore-runner of thirty-seven more organizations of the same general make-up that will be seen at the Gayety from week to week. All of the companies will play a matinee daily and also on Saturday night, which was not the case last season.

CORNET SOLOIST WITH THE AMERICAN BAND.



Who is Delighting His Hearers at Court-land Beach.

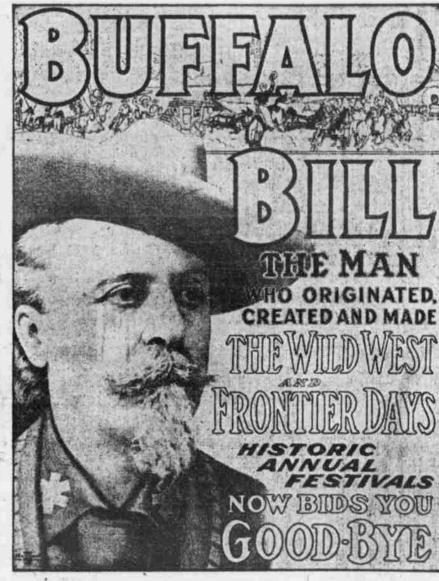
Days' Session at the Commercial Club Rooms.

When the Central Warehousemen's club olds its semi-annual session here on Monday and Tuesday morning in the Commercal club everything that pertains to the business of the warehousemen will be disussed pro and con. There are about 100 that at least fifty of them will attend. The central club recruits its members from all of the central states in the union and is composed of nearly all of the larger mpanies in all the big cities.

Invitations to the meeting have been sent Fransfer company, Cedar Rapids, Ia.; Calder Storage and Transfer company, to the truly wonderful cornet solos of Growers' association, Council Bluffs, In.; Denver Storage and Warehouse company. Denver, Colo.; Denver Transit and Ware-The near approach of the opening of the house company, Denver, Colo; D. H. Falke, season at the Orpheum is evidenced in Denver, Colo.; Peck Delivery company, activity within the prett theater. Dec- Denver, Colo.; Turner Moving and Storage orators, scenic artists, carpet men and company, Denver, Colo.; Welker Transfer other artisans are pushing their work and Moving company, Denver, Colo.; Blue to completion for the opening, Sunday, Line Transfer and Storage company, Des August 27, John and Emmy Ray will Moines, In.; Hawkeye company, Des Moines, top the opening bill. It has been seven Ia.; Merchants Transfer company, Des passed through Omaha en route to San Mo.; Adams Transfer and Storage company, said he secured many European novelities, Moore Transfer and Storage company, that the bills for the coming season would for the most part be company, Kansas City, Mo.; Terminal Warehouse company, St. Louis, Mo.; Hastings' Van and Storage company, Hastings, Neb.; Norfolk van and Storage company, Norfolk, Neb.; Lincoln Circuit added to its chain three new Implement Transfer company, Lincoln, Neb., and F. S. Knapp, Fremont, Neb.

H. Bushman, Omaha, Neb.; Counsman-Van Bugh Co., Omaha, Neb.; Expressmen's Central Association to Hold Two Delivery company, Omaha, Neb.; Merchants Storage company, Omaha, Neb.; Omaha Warehouse company, Omaha, Neb.: Pacific Storage and Warehouse company, Omaha. Neb.: O. K. Transfer and Storage company, Oklahoma City, Okl.; Redmann's Van & Storage Co., Salt Lake City, Utah; Brown Transfer and Storage company, St. Joseph, Mo.; Empire Transfer and Storage company, St. Joseph, Mo., Central Warehouse company, St. Paul, Minn.; Fidelity storage and Transfer company, St. Paul, Minn.; Vaughn Implement company, Wacerloo, la.; Great Western Storage company, Waterloo, Ia.; White Line Transfer company, Fort Dodge, Ia.; E. Gagitt & Son, Ottumwa, Ia.: Ewaert & Hichter, Davento the following members: Cedar Rapids port, Ia.; Schick Bros., Davenpert, Ia.; Schick Express and Transfer company, Davenport, Ia.; Merchants Transfer com-Cedar Rapids, la.; Council Bluffs Grape Growers' association Council Bluffs to Co., Minneapolis, Minn.; The Colonial Storage company, Minneapolis, Minn.; Guarantee Storage company, Minneapolis, Minn ; Transcontinental Freight company, Chicago, Ill.; Northern Coal and Storage company, Duluth, Minn.; Duffy Moving and Storage company, Denver, Colo.; Clagett-Storage and Transfer company, Kansas City, Mo.; Globe Storage and Moving company, Kansas City, Mo.; K. & M. Storage Co., Kansas City, Mo.; Brine Transfer and years since the Rays appeared in Omaha. Moines, In.; White Line Forwarding and Storage company, Wichita. Kan.; Merchants Transfer company, Springfield, III.; M. Meyerfeld, president of the Orpheum Storage company, Des Moines, Ia.; Fort Chants Transfer company, Springfield, Iii.; Crucker Warehouse company, Kansas of this month, acrompanied by General Dodge, Ia.; Joplin Transfer company, Jopeans, Della, Carrison Van and Storage company, Della, Carrison Van and Manager Beck, returned from Europe lin, Mo.; J. L. Bolles Co., Kansas City, pany, Dallas, Tex.; Cummings' Storage company, Canton, O.; Western Transfer ough Omaha en route to San Moria and Company, El Paso, Tex.; St. Joseph Trans-In talking about the coming Kansas City, Mor; A. B. C. Storage and fer company, St. Joseph, Mor; Dougherty & Francisco. In talking about the country of the rest of the company of the company

OMAHA ONE DAY ONLY MONDAY, AUG. 14 **GROUNDS 21ST AND PAUL STREETS**



MYERS & DILLON DRUG CO.'S STORE, 16th and Farnam Sts. NOTE—Do not fail to read the latest and most exciting book ever written "Thrilling Lives of Buffalo Bill and Pawnes Bill," by Frank Winch. Price \$1.00 On sale at THE SHOW GROUNDS, or may be ordered at all book stores.

The Workmen's Compensation Act-Its Constitutionality of the United States, an opinion on this upon explicit constitutional provisions, or to deprive the states of the power to so TC. H. HUBERICH, Leland Stanford, jr

not Turkey), and also a number of states garded as occurring, not to the individual, but to the business; and the loss should fall, not upon the individual, but upon the extended to organized industry upon the land. Provision is made so that the workman, meeting with an accident, receives automatically, and without lawsuit, a certain fixed compensation unless the accident is clearly due to his gross carelessness or to his deliberate intent. Such a law, carefully guarded and applied only to certain enumerated occupations designated as especaially dangerous, was passed by the last legislature of New York, and was welcomed alike by employers and employed with but few exceptions. When brought before the court of appeals of the state of New York, it was unanimously declared took the property of the employers without due process of law. We reported this decision and the grounds on which it was based in The Outlook for April 8. We stated editorially in The Outlook of the ste and carefully guarded as that emnext issue, April 15, reasons why we bodied in the law of New York is entirely Appeals ought not to be law-because it was not consonant with the principles of justice or the facts of life. In the issue provision of the constitution, that property cannot be taken Without due process of law, to its origin in the Magna Charta, and stated the grounds of our judgment, that the decision of the court of appeals was not required by that principle as rejected as unsound.* historically interpreted, and was in accordance neither with the letter nor with the spirit of the constitution, nor with the decisions of the supreme court of the

it clear to our minds (and, we hope, will used all possible care in selecting and sumake it clear to the minds both of our pervising his servant, the negligence legal and of our lay readers) that this that servant resulting in injury to another decision of the court of appeals of the servant is, as far as the employer is constate of New York is not in accordance cerned, as much an accident as any other with the best legal authorities in the United resulting from imperfections in his machin-States. The gentlemen who have signed ery or plant which the employer can by no the saddle, through Samson's tireless acthis document need no introduction to our possible care avoid. Conceding, as the tivity, has promised to give the knights legal freaders. To our lay readers they court of appeals does, that the legisla- of Nebraska's great king a special speech surely need no other introduction than that ture may abrogate the defenses both of at the initiatory exercises Monday night and have a coupon attached which if prewhich is afforded by the names of the common employment and of contributory and also to put on some sort of a special sented at the Den countersigned by the universities to whose law departments they negligence, it is inconsistent to hold that "stunt." belong. They are all experts in political the legislature cannot create the liability and constitutional law. They include a which was proposed to be created by the be kept a secret, it having been planned Den. large proportion of those who are teaching act. It would be difficult to get in any way, of the effect of the guaranty of due pro- three organizations that will be enter- Bee Booklovers' Contest. See an-

With one exception, Switzerland, all the subject more authoritative. We think that upon the established interpretation of the amend their laws as to make them conplanatory preamble, is as follows:

tory in a way never before attempted.

When made throught the eye they are more

lasting than in any other manner, and in-

subject. Scenes thus witnessed render

painting or revival in discussion of con-

manency attached to the original negative,

and, like the camera, "cannot lie" or ex-

aggerate, as might a simple description;

for "seeing is believing."

not traceable to fault or negligence.

schools and universities of the country, thing in the state constitution, and another who have devoted years of study to the thing in the federal constitution, and it principles of American constitutions, be- cannot mean in the federal constitution lieve that a compensation plan as moder- either a variable wty of more perfect jusconstitutional, and they regard it as their duty to inform the public that there is which is necessarily and to a large extent professional opinion entitled to consideraof the 3th of April we traced back the tion which differs from that expressed by the court of appeals of New York, and which may and should be urged upon the courts of other jurisdictions.

They unite in the following statement of reasons why the New York view should be

1. There is no controlling difference in constitutional principles between the abrogation of the fellow-servant doctrine and the liability of the employer for an accident which is due to a risk inherent to Hotel Men Will Also Join the Merry We give below a document which makes the trade. For, where the employer has

that branch of law in the United States. 2. The decision takes an untenable view

nations of Europe (including Russia but with the lawyers and courts of other constitution, or upon the principles implied form to the wishes of the citizens as they states in the union it will carry greater in the spirit and history of our institu- may deem best for the public welfare, weight than the decision of the court of tions. The new principle of workmen's without bringing them into conflict with ISIDOR LOEB, University of Missouri. in this union, have passed what is known appeals of the state of New York. In the compensation is not opposed to any explicit the supreme law of the land. Of course, it ROSCOE POUND, Harvard University. as workman's compensation laws. These light of this signed statement and of what provision, nor to any previous judicial de- is impossible to forecast the character or HENRY SCHOFIELD, Northwestern Unilaws differ in their method, but agree in The Outlook has hitherto said editorially cision interpreting the constitution. The extent of these changes, but in view of the their fundamental principle. They recog- on this subject we do not hesitate to af- case concededly presented a new problem. fact that from the day Magna Charta was H. M. TOWNER, University of Iowa. nize the truth that in modern, highly firm our conviction that the decision of It is submitted that a court should not signed to the present moment amendments W. W. WILLOUGHBY, Johns Hopkins organized industries an accident to an in- the court of appeals of New York state read into the fundamental law of the state to the structure of the law have been made dividual workman, like an accident to the on this subject is in accordance neither any limitations that stand in the way of with increasing frequency, it is impossible machinery which he uses, should be re- with facts of life, with the principles of the progress of the law toward better so- to suppose that they will not continue justice, with the historical development of cial justice within the limits of established and the law be forced to adapt itself to is erroneous and much to be regretted, and law, with the analogies which may fairly institutions. The constitution commits the new conditions of society, and particularly substantially agrees with both the grounds be traced in the decisions of the supreme lawmaking and the law-changing power to to the new relations between employers of criticism suggested. His name, howusiness. This principle, which has always court of the United States, nor with the the legislature, and not to the people. The and employes as they arise." (169 U. S., ever, is not included in the list simply been recognized in maritime law, is thus legal opinion of the best legal authorities implied guaranties and the guaranty of 387.) in the nation. The statement, with an ex- due process should be confined to principles which the courts regard as essential rightly construed as a broad charter of The decision of the court of appeals of to justice, to liberty, and to the institu- public right and law, which ought to ex-New York, declaring the workman's com- tion of property. No principle which we clude the best ideas of all systems and pensation act of that state unconstitu- should be willing to see introduced by con- of every age; and as it was the charactertional, while of no binding force in other stitutional amendment should be held con- istic principle of the common law to draw states, is apt to be regarded by those who trary to due process; for, otherwise, due its inspiration from every fountain of jusare not in a position to form an independ- process ceases to be the permanent and tice, we are not to assume that the sources ent opinion as an authority for the entire essential principle that it was intended to of its supply have been exhausted. On the country adverse to any mandatory scheme be. A court which condemns a rule of contrary, we should expect that the new requiring an employer to pay compensa- law as contrary to due process should not and various experiences of our own situation to employes for injuries suffered in suggest a remedy by an appeal to the tion and system will mold and shape it the course of their employment which are people; for such a suggestion creates the into new and not less useful forms." (110 impression that the principle of due pro- U. S., 531.) The undersigned, teachers of constitu- cess is one susceptible of improvement. PERCY BORDWELL, University of Iowa, tional law in some of the principal law Due process of law should not mean one

> "The constitution of the United States, inflexible and exceedingly difficult of JAMES PARKER HALL, University of amendment, should not be so construed as

Feast Provided for the

Cannibals.

Cody Monday night. For the knight of

Just what the special stunt is like is to

by Samson to come as a glad surprise.

supreme court of the United States.

be made up of the hotel men that assem-Knights of the King ble here from surrounding points to catch to Hear Colonel Cody morning for the Northwestern hotel men's at the Den Monday number, although not definitely known, is face to come out and help entertain the

tice. To quote from the opinions of the FRANK J. GOODNOW, Columbia Univer-

visitors. The other organizations to be entertained tral Warehouse Men and the Travelers' Protective association posts of Omaha. Council Bluffs and South Omaha. that "fast appearance" of Colonel W. F.

Fifty thousand inserts are being sent out to Omaha jobbers for them to put into Dresher The Tailor's, 1515 Farnam Street, their country correspondence. The inserts bear approximate Ak-Sar-Ben advertising in the Pompelan Room of the Brandeis jobber will admit the hearer to the de- Auto A-2225 for a wagon. lights of an evening's entertainment at the

A \$900 piano player goes in the new A fourth group has been added to the gave by a decision of the supreme court cess. Constitutional limitations rest either tained at the Den Monday night. It will nouncement Sunday, August 13.

WILLIAM CAREY JONES, University of California.

University.

*Prof. Haynes of Cornell university con curs in the conclusion that the decision because he is not ready to subscribe to certain sentences in the latter part of the second section.-The Editors.

Dresher Bros. Engage Special Repair Force

Many Winter Garments Already Coming in Make More Workers Necessary.

Hundreds of Omahans, and even those

living in "outside" towns, are taking advantage of Dresher Bros.' offer to store away winter clothes after cleaning and repairing them; the garments at the same time to be insured against fire and burglary at Dresher's expense.

The inrush of work has made a large additional repair force necessary; most a special train out of Omaha Tuesday patrons wanting their winter clothes thoroughly dry cleaned; then relined; equipconvention at Grand Forks, N. D. The ped with velvet collars and cuffs in many cases, and in some cases Dresher experts large, and Samson wants every local boni- are even called upon to completely change the style of a garment.

All this can be done to the best advantage if the repair force has plenty of time are the Transmississippi golfers, the Cen- at its disposal; therefore, the advisability of getting your work in now before the cold season rush is on.

Leave your work at Dresher Bros.' esablishment at 2211-2213 Farnam St., at or at Dresher's up-town receiving station

Or better still, phone Tyler 1300 or If you live out of town send in your work by express; Dreshers pay charges one way when work amounts to \$3 or

Remember, winter is not so very far

STARTING AT 1 P. M. TODAY Coatless Vaudeville HUM DINGER SHOW CLOSING WEEK YEA. A BIP SNORTER

Runs Like This Until Thursday:-THE SENSATIONAL CYCLISTS, DON & MAE GORDON From N. Y. Bippodrome Stunts That Start Chills & Gooseflesh Prof. Hayden \$1,000 Cremona Talking Bishop & His \$1,000 Cremona Talking Imitations, Classical & Popular Airs

The Paris-Evelyn LISLE in Gorgeous ian Girl Skirt Sings With Chic, Frenchy Abandon Supple BERT PAGE The Inside-Supple DERI FAUL Out Rid In Comparison a Corkserew is Straight

The Gayety's Own Distinctive MOVING PICTURES Largest, Clearest, Best West. Another All New Show Thurs. Big Special Good-bye Coatless Show All Next Sun., Aug. 20.

Come Any Time; Stay As Long As You Like DAILY 1 TO 51 10C. KIDS Regular season opens Sun. Mat., Aug. 27, with "The College Girls." Seat Sale Starts Monday, Aug. 21,

ROME SUMMER GARDEN Vaudeville and Photo Plays Dine Out Doors COOLEST PLACE IN OMAWA CHESTRA EVERY EVENING Admission 10 Cents



Courtland Beach

TODAY AT 3:00 TONIGHT AT 8:15

BIG FESTIVAL OF BAND MUSIC GIVEN BY THE

AMERICAN BAND

OF PROVIDENCE, R. L.

Warren R. Fales, Director. Bowen R. Church, Cornet Soloist Positively Greatest Concert Band Entour.

Don't Pail to See PASSION PLAY By Moving Pictures

LAKE MANAWA

Sunday Evening, Aug. 13, 1911. Three thousand feet of films, correctly and heautifully colored, taken at an expense of \$55,000 at the latest of the famous plays at Oberammergau.

Many Other Attractions

BASE BALL OMAHA vs. ST. JOSEPH **ROURKE PARK**

Aug. 12-13-14 Sunday Aug. 13—Two Games First Game Called 2:30 Monday Aug. 14—Ladies' Day GAMES CALLED 3:45 Car Leaves 15th and Farnam at 3:30

Better than any and less than

a penny

FOR COUNTY TREASURER. W. G. URE

TOTAL PROPERTY.