

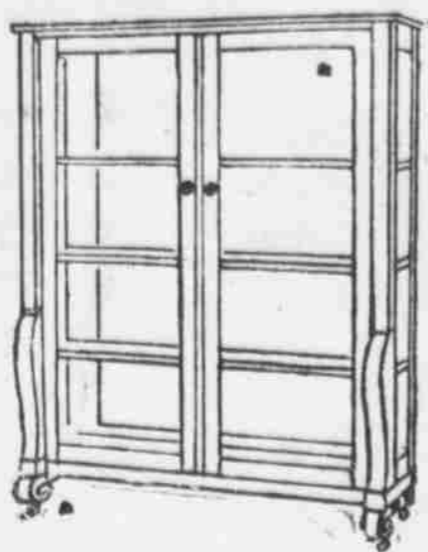
Orchard & Wilhelm Carpet Co.

Furniture—Rugs—Draperies

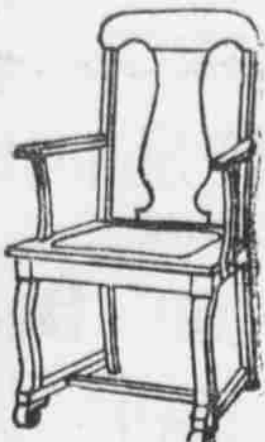


Buffet—60 inches long.....\$49.00
Buffet—54 inches long.....\$37.50
Buffet—48 inches long.....\$33.00

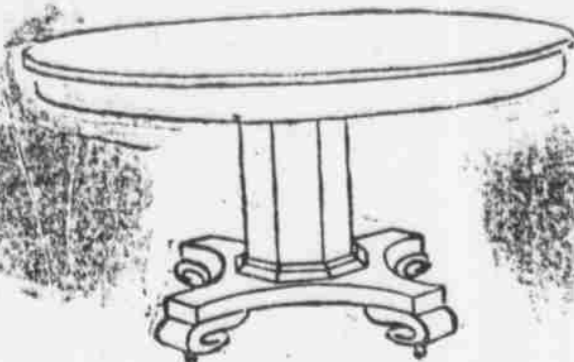
ONE OF OUR POPULAR DESIGN DINING SUITES IN FUMED OAK LIKE ILLUSTRATION. VERY MODERATE IN PRICE.



China Cabinet—46 inches wide, at.....\$33.00
China Cabinet—Single door, 33 inches long.....\$21.00



Dining Chair—With arms, Spanish leather seat, box frame, at.....\$8.00



Dining Table—Round top, 54 inches in diameter.....\$33.00
Dining Table—Round top, 48 inches in diameter.....\$26.00



Dining Chair—Box frame, Spanish leather seat, at.....\$4.50

OMAHA SCHOOL CASE ARGUED

Controversy Over Medical Appropriation in District Court.

MATTER SUBMITTED ON BRIEFS

Opponents Declare Act Broader Than Title and Attempts to Amend Existing Laws in Irregular Manner.

(From a Staff Correspondent.) LINCOLN, Neb., Sept. 30.—(Special.)—Judge Steward of the district court today heard arguments on the application of James S. Stewart of Hastings for an injunction forbidding Silas R. Barton, auditor of the state, from issuing warrants against the \$100,000 appropriation authorized by the last session of the legislature for the construction of another building for the medical college at Omaha. The plaintiff was represented by A. S. Tibbets, while G. S. Hastings and H. H. Baldrige appeared for the auditor. The matter was taken under advisement by the court and will be submitted by the court and will be submitted by the court.

The legislative enactment was attacked on three grounds, alleging that the bill was broader than its title, that it attempts to amend existing laws, and that it confers special privileges in contravention of the state constitution.

Arguments of Lawyers.

Judge Tibbets argued that the act is broader than its title. In that the title describes the act as one appropriating money for a laboratory building, whereas the body of the act states that the proposed structure shall be known as a laboratory building, but may be used for administration and such other purposes as the needs of the medical college may require.

As to the second objection, to the effect that the act attempts to amend existing laws, the attorney pointed out that there is a statute providing that all university buildings must be within four miles of the state capital. The act in controversy necessarily amends this, yet the prior act is not mentioned and is not repealed. It was furthermore claimed by the attorney that it is the purpose of the act to use the new building for instruction according to the allopathic school of medicine, which would be conferring special privileges and discriminating against the homeopaths and eclectics.

In answer to the argument that this act amends other laws which are not mentioned nor repealed and that it is therefore unconstitutional and void, it was contended by counsel that this is an independent act neither amending nor repealing any other section of the statute, except such portions of the law as may be in direct conflict with the later enactment, which are repealed by implication. It was admitted that acts which purport to amend former enactments must contain such portions of the former enactments and must repeal them. This, however, was declared to be an independent act, insofar as it conflicts with the law requiring all buildings to be within four miles of the capital. It repeals by implication that law so far as it relates to the medical college. It was denied that the act was broader than its title. The title recites that the money is to be appropriated for a laboratory building, and the body of the act provides that the structure shall be known as the laboratory building. It provides further, however, that it may be used for administration and other purposes, but all these are within the general scope of the proposed legislation.

NORTH PLATTE BOOSTER TOUR

Hundred Business Men Make Two Days' Trip to Town West.

NORTH PLATTE, Neb., Sept. 30.—(Special.)—The North Platte Chamber of Commerce ended its excursion to the west last evening upon their return to this city. They left Wednesday morning and went over the Union Pacific to Sidney, making stops at Hershey, Sutherland, Paxton, Ogallala, Brule, Big Springs, Julesburg, Chappell and Lodge Pole on the first day. Large crowds received the North Platte boosters at each place. A special train was chartered and 100 of the business

men of this city visited the different towns along the route. The North Platte band was taken along and a callope whistle was put upon the engine, which was sounded vigorously at each stop. The boosters distributed advertising matter and souvenirs and the band played several pieces.

CUPID BUSY IN WEST POINT

Five Marriages Are Reported from Cuming County During the Week.

WEST POINT, Neb., Sept. 30.—The marriage of John Kreikemeier to Miss Agnes Wiesen was celebrated at the Sacred Heart church at Oleyen, on Wednesday. Rev. Victor End, pastor, celebrating the nuptial mass. Both the contracting parties are members of prominent and wealthy families and will reside on their own farm in Monterey township.

Joseph Kaup of Stuart and Miss Elizabeth Melergard of this city were married by Dean Rueising at St. Mary's church on Wednesday. They were attended by Louis Kaup, Edward Melergard, Rose and Katie Kaup. They will make their future home at Stuart, on their own farm.

George A. Dewitz and Miss Josephine Bryngelson of Wisner were united in marriage on Wednesday. The groom is the son of Mr. and Mrs. F. P. Dewitz and the bride a popular young woman of Wisner and a well known Cuming county school teacher.

County Judge Dewald pronounced the words which united John Holoubek of Howell and Miss Clara Bernasek of West Point in marriage. The groom is a business man of Howell and he and his bride left immediately after the ceremony to make that place their future home.

The marriage is announced at Plainview of John Martin to Miss Mona Kirk, eldest daughter of Mr. and Mrs. T. C. Kirk formerly of this county. The couple will make their home at Plainview where the groom is in business.

J. F. Rosenfield, the celebrated grower of peonies, this week shipped a carload of plants to his new peony farm on the western outskirts of Omaha. This carload, with one shipped last spring makes more than 100,000 plants and will occupy fifteen acres of the forty Mr. Rosenfield intends to devote to the culture of this flower.

Jensen is Charged With the Murder of Frazier at Maxwell

NORTH PLATTE, Neb., Sept. 30.—(Special Telegram.)—Yesterday afternoon

Louis Jensen, an unmarried man, about 3 years old, confessed that he murdered Stephen Frazier, a man 67 years old, who has a wife and family. Sunday morning the two left Maxwell with a team and a spring wagon belonging to Frazier. Jensen expected to buy some horses from Frazier. Sunday evening Jensen returned alone to Maxwell with the team and wagon. Upon inquiry as to where Frazier was, Jensen said he left him at a certain house. Parties interested telephoned to that home, but were informed that neither had been there. It was known that they went to Box Elder canyon and a search was made there for several days for Frazier, but without results. Wednesday evening Jensen was arrested on suspicion, as blood had been found upon the wagon. Yesterday afternoon he told fellow prisoners in jail that he committed the murder and the sheriff was advised and his confession was taken down by a stenographer in the presence of the sheriff, his deputy, county attorney and a brother-in-law of the murdered man.

Jensen said that he was anxious to get the team and wagon when they were in Box Elder canyon, south of Maxwell, they stopped to water the team. He said they drank a little liquor, but were not drunk. He said he was handling the shotgun which he took along and that Frazier said he had better take the shells out; that Frazier happened to turn a little to one side and he thought it was a chance to get the team cheap, so he shot him in the back of the head. He left the body there until about 8 o'clock Sunday night, when he went with the team and wagon and loaded the body up and took it to the bank of the river, southeast of Maxwell. He then went to town. The confession was taken down on the typewriter and was read to him and signed by him. He was perfectly cool and composed and related the confession in a matter-of-fact way.

Last evening the deputy sheriff and the coroner went to the place where Jensen said he left the body and found

Ak-Sar-Ben Visitors and Home Folks--attention please--

DO YOU REALIZE THAT RIGHT HERE—IN THE MIDST OF FALL ATTRACTIONS IS A CLOTHING STORE—GREATER THAN, AND TOTALLY UNLIKE, ANY YOU HAVE EVER KNOWN?

A store with a conscience. A store that treats stranger and friend alike. A store that does not discriminate among patrons. It is a net-price store. Its prices are net to King-Swanson. It will not discount them nor pay a commission out of them. It cannot afford to. Its prices are fair to all and lower than ordinary. Some stores' prices are high enough to discount and allow commissions out of. This is not that kind of a store. This store charms you with its beauty as no other does. Its facilities for serving you well are better than any in the West. Its stocks are greater. Its solicitude for your lasting satisfaction is real and deep-seated. It is the largest of its kind in the West. It tries to be, and succeeds in being, the best place on earth to buy the things both you and your boy will wear. We invite you to visit it; buying our clothing is optional with you.

Our Suits and Overcoats

Are made by our tailors, from fabrics selected by us and sold by us under a genuine guarantee to be \$3.00 to \$10.00 lower in price than the same quality of a garment can be sold for by any store buying in the usual way. \$10 Up.

Wonderful \$15 Garments

We sell more at this price than any two stores in town. The reason is easy of explanation. We give a great deal better suit or overcoat for \$15.00 than any other store. Lots of stores get \$20.00 for qualities not nearly so good. We urge you to at least look them over.

We sell the kind of Hats, Furnishings, Shoes, Traveling Goods, Boys, Men's and Young Men's Clothing the people want at prices they are delighted to pay.

OMAHA'S ONLY MODERN CLOTHING STORE

King-Swanson Co.

16th & HOWARD STS.
THE HOME OF QUALITY CLOTHES



Three Big Floors

Artistic Equipment
Beautifully Arranged
Perfectly Lighted
Immense Stocks
New Methods
Satisfying Service

OMAHA SCHOOL CASE ARGUED

Controversy Over Medical Appropriation in District Court.

MATTER SUBMITTED ON BRIEFS

Opponents Declare Act Broader Than Title and Attempts to Amend Existing Laws in Irregular Manner.

(From a Staff Correspondent.) LINCOLN, Neb., Sept. 30.—(Special.)—Judge Steward of the district court today heard arguments on the application of James S. Stewart of Hastings for an injunction forbidding Silas R. Barton, auditor of the state, from issuing warrants against the \$100,000 appropriation authorized by the last session of the legislature for the construction of another building for the medical college at Omaha. The plaintiff was represented by A. S. Tibbets, while G. S. Hastings and H. H. Baldrige appeared for the auditor. The matter was taken under advisement by the court and will be submitted by the court and will be submitted by the court.

The legislative enactment was attacked on three grounds, alleging that the bill was broader than its title, that it attempts to amend existing laws, and that it confers special privileges in contravention of the state constitution.

Arguments of Lawyers.

Judge Tibbets argued that the act is broader than its title. In that the title describes the act as one appropriating money for a laboratory building, whereas the body of the act states that the proposed structure shall be known as a laboratory building, but may be used for administration and such other purposes as the needs of the medical college may require.

As to the second objection, to the effect that the act attempts to amend existing laws, the attorney pointed out that there is a statute providing that all university buildings must be within four miles of the state capital. The act in controversy necessarily amends this, yet the prior act is not mentioned and is not repealed. It was furthermore claimed by the attorney that it is the purpose of the act to use the new building for instruction according to the allopathic school of medicine, which would be conferring special privileges and discriminating against the homeopaths and eclectics.

In answer to the argument that this act amends other laws which are not mentioned nor repealed and that it is therefore unconstitutional and void, it was contended by counsel that this is an independent act neither amending nor repealing any other section of the statute, except such portions of the law as may be in direct conflict with the later enactment, which are repealed by implication. It was admitted that acts which purport to amend former enactments must contain such portions of the former enactments and must repeal them. This, however, was declared to be an independent act, insofar as it conflicts with the law requiring all buildings to be within four miles of the capital. It repeals by implication that law so far as it relates to the medical college. It was denied that the act was broader than its title. The title recites that the money is to be appropriated for a laboratory building, and the body of the act provides that the structure shall be known as the laboratory building. It provides further, however, that it may be used for administration and other purposes, but all these are within the general scope of the proposed legislation.

NORTH PLATTE BOOSTER TOUR

Hundred Business Men Make Two Days' Trip to Town West.

NORTH PLATTE, Neb., Sept. 30.—(Special.)—The North Platte Chamber of Commerce ended its excursion to the west last evening upon their return to this city. They left Wednesday morning and went over the Union Pacific to Sidney, making stops at Hershey, Sutherland, Paxton, Ogallala, Brule, Big Springs, Julesburg, Chappell and Lodge Pole on the first day. Large crowds received the North Platte boosters at each place. A special train was chartered and 100 of the business

men of this city visited the different towns along the route. The North Platte band was taken along and a callope whistle was put upon the engine, which was sounded vigorously at each stop. The boosters distributed advertising matter and souvenirs and the band played several pieces.

CUPID BUSY IN WEST POINT

Five Marriages Are Reported from Cuming County During the Week.

WEST POINT, Neb., Sept. 30.—The marriage of John Kreikemeier to Miss Agnes Wiesen was celebrated at the Sacred Heart church at Oleyen, on Wednesday. Rev. Victor End, pastor, celebrating the nuptial mass. Both the contracting parties are members of prominent and wealthy families and will reside on their own farm in Monterey township.

Joseph Kaup of Stuart and Miss Elizabeth Melergard of this city were married by Dean Rueising at St. Mary's church on Wednesday. They were attended by Louis Kaup, Edward Melergard, Rose and Katie Kaup. They will make their future home at Stuart, on their own farm.

George A. Dewitz and Miss Josephine Bryngelson of Wisner were united in marriage on Wednesday. The groom is the son of Mr. and Mrs. F. P. Dewitz and the bride a popular young woman of Wisner and a well known Cuming county school teacher.

County Judge Dewald pronounced the words which united John Holoubek of Howell and Miss Clara Bernasek of West Point in marriage. The groom is a business man of Howell and he and his bride left immediately after the ceremony to make that place their future home.

The marriage is announced at Plainview of John Martin to Miss Mona Kirk, eldest daughter of Mr. and Mrs. T. C. Kirk formerly of this county. The couple will make their home at Plainview where the groom is in business.

J. F. Rosenfield, the celebrated grower of peonies, this week shipped a carload of plants to his new peony farm on the western outskirts of Omaha. This carload, with one shipped last spring makes more than 100,000 plants and will occupy fifteen acres of the forty Mr. Rosenfield intends to devote to the culture of this flower.

Jensen is Charged With the Murder of Frazier at Maxwell

NORTH PLATTE, Neb., Sept. 30.—(Special Telegram.)—Yesterday afternoon

Louis Jensen, an unmarried man, about 3 years old, confessed that he murdered Stephen Frazier, a man 67 years old, who has a wife and family. Sunday morning the two left Maxwell with a team and a spring wagon belonging to Frazier. Jensen expected to buy some horses from Frazier. Sunday evening Jensen returned alone to Maxwell with the team and wagon. Upon inquiry as to where Frazier was, Jensen said he left him at a certain house. Parties interested telephoned to that home, but were informed that neither had been there. It was known that they went to Box Elder canyon and a search was made there for several days for Frazier, but without results. Wednesday evening Jensen was arrested on suspicion, as blood had been found upon the wagon. Yesterday afternoon he told fellow prisoners in jail that he committed the murder and the sheriff was advised and his confession was taken down by a stenographer in the presence of the sheriff, his deputy, county attorney and a brother-in-law of the murdered man.

Jensen said that he was anxious to get the team and wagon when they were in Box Elder canyon, south of Maxwell, they stopped to water the team. He said they drank a little liquor, but were not drunk. He said he was handling the shotgun which he took along and that Frazier said he had better take the shells out; that Frazier happened to turn a little to one side and he thought it was a chance to get the team cheap, so he shot him in the back of the head. He left the body there until about 8 o'clock Sunday night, when he went with the team and wagon and loaded the body up and took it to the bank of the river, southeast of Maxwell. He then went to town. The confession was taken down on the typewriter and was read to him and signed by him. He was perfectly cool and composed and related the confession in a matter-of-fact way.

Last evening the deputy sheriff and the coroner went to the place where Jensen said he left the body and found

Bank Deposits Increase in State

(From a Staff Correspondent.)

LINCOLN, Neb., Sept. 30.—(Special.)—Secretary Royce of the State Banking board has compiled an abstract of the condition of incorporated and savings banks at the close of business, August 31. The total number of banks included is 62 and the average reserve, 33.4 per cent.

Secretary Royce, commenting on the abstract, said: "This report shows a very healthy and satisfactory condition of the banks of the state. The average reserve in available funds is nearly 34 per cent.

"Deposits have increased over \$5,000,000 since the report of June 1, 1911, and an increase of a little over \$300,000 since a year ago.

"The high water mark for deposits in the state banks of Nebraska was reached February 12, 1910, the report for that date showed deposits amounting to \$78,000,000.

"There is a gain of four in the number of banks reporting June 1, 1911, and a gain of two since a year ago."

The abstract follows:

RESOURCES.	
Loans.....	\$61,337,313.03
Overdrafts.....	490,336.64
Bonds, securities, judgments, etc.....	607,616.40
Due from banks and bankers.....	39,924,939.62
Banking houses, furniture and fixtures.....	2,574,918.64
Other real estate.....	208,212.90
Expenses and taxes paid.....	1,045,362.94
Cash.....	4,429,016.95
Other assets.....	44,592.51
Total.....	\$93,681,357.19
LIABILITIES.	
Capital stock paid in.....	\$12,708,940.00
Surplus funds.....	2,639,102.50
Undivided profits.....	2,309,144.53
Dividends unpaid.....	12,859.37
Individual deposits.....	\$40,298,378.44
Deposits in certificates of deposit.....	6,584,090.03
Time certificates of deposit.....	26,772,641.19
Due to banks and bankers.....	1,958,738.95
Redeemable.....	75,590,848.41
Bills payable.....	26,715.00
Guaranty funds.....	209,166.93
Total.....	173,141.59
Total.....	\$93,681,357.19

SILK THIEVES TO BE TAKEN TO CEDAR RAPIDS FOR TRIAL

(From a Staff Correspondent.)

LINCOLN, Neb., Sept. 30.—(Special.)—Polsky and Neumann, the two men arrested in this city for stealing silk, who were taken to Omaha to be identified as operators of various businesses in that city are to be taken to Cedar Rapids, Ia., on the charge of grand larceny. Governor Aldrich today honored a requisition from the governor of Iowa for their return.

An affidavit accompanying the requisition alleges that the two men came into the store at Cedar Rapids and represented that they had opened a store at Sioux City and desired to buy blankets. They each talked to salesmen in different parts of the room and when one was called away for a few minutes the one to whom this salesman had been talking slipped \$200 worth of silk into a suit case, which he had. Both later made their getaway, taking the suit case with them.

DODGE COUNTY BOARD WILL TRY FOR NEW JAIL

FREMONT, Neb., Sept. 30.—(Special.)—The Dodge county board at a special meeting yesterday afternoon voted to submit to the voters at the November election the proposition to issue bonds for \$40,000 for a new jail. The present jail was built about thirty-five years ago. Its sanitary condition has been poor for years and it is not arranged so that prisoners awaiting trial for petty offenses or men sent up for short terms can be segregated from professionals

and does not contain suitable cells for women prisoners.

KELLER SPEAKS AT BEATRICE

Omaha Man to Make Address on Commission Form Monday Evening.

BEATRICE, Neb., Sept. 30.—(Special.)—C. E. Keller of Omaha will address a public meeting at the Paddock opera house on Monday evening, October 2, upon the commission form of government. The voters of Beatrice will pass upon the question of adopting the commission plan next Wednesday, October 4. The socialists, and particularly those holding office under Beatrice's socialist mayor, oppose the adoption of the plan, and a strong effort will be made next Wednesday to defeat the move to adopt the plan.

The case against Lawrence Wilson, charged with a statutory offense alleged to have been committed more than three years ago, was called before Justice Ellis yesterday and dismissed because the complaining witness did not appear.

W. H. Dick, the rural mail carrier out of Firth, Neb., was seriously injured a few days ago in a runaway. He sustained a broken arm, one of his hands was badly mangled and he was severely bruised about the body. It will be some weeks before he is able to assume his duties.

A reception was given the city teachers last evening in the Methodist church by the young people of the congregation. There were about 300 present. Punch and wafers were served during the evening. Five head of horses were killed a few

miles west of Diller the other day by being struck by a Burlington train.

THOUSANDS VISIT ORD TO SEE SIGNS OF FAIR

ORD, Neb., Sept. 30.—(Special.)—The ninth annual fair of the Loup Valley Agricultural society is by far the greatest of the kind ever held in Valley county. For the first time races have been put on and the heavy purses put up have been the principal drawing card.

Today's was a record breaking crowd, there being fully 8,000 people on the grounds in the afternoon. This attendance was made possible by a special train of seven coaches coming from Grand Island, twenty-eight automobile loads of boosters from Loup City, a like number from Sargent and about fifteen from Greeley.

Today's was a record breaking crowd, there being fully 8,000 people on the grounds in the afternoon. This attendance was made possible by a special train of seven coaches coming from Grand Island, twenty-eight automobile loads of boosters from Loup City, a like number from Sargent and about fifteen from Greeley.

YORK, Neb., Sept. 30.—Claude Call and Miss Birdie Fay Dodge were married on Wednesday evening by Rev. A. F. Richey. Both parties came from Merna.

Peterseu-Yanson. YORK, Neb., Sept. 30.—On September 27 occurred the marriage of Carl Peterseu and Miss Sylvia Yanson. The ceremony took place at the home of the bride's mother, Rev. A. G. Bennett officiating.

Low prices on good stoves. Home Furniture company.

See Theodore Vogt, the tailor, for all made-up overcoats from \$18 to \$25.

FOR RENT, REASONABLE.—Building, 628 N. 24th St., good location for any business, suitable for office or small store. Apply Omaha Bee office, 213 N. 8th.

HOW FAT WOMEN CAN REDUCE THEIR WAISTS.

Fat shows a preference for the abdomen, chin, ankles, hips, etc.—the quiet spots—just the places where it can show the most, or worst. What is to be done—exercise and diet—are they the only alternative? On the contrary, they seldom do the work.

A better plan for reducing the fat is to use the Marmola Prescription Tablet. One of these after meals and at bedtime will produce the requisite reduction without bother, delay or harm. In a few weeks you can be losing a pound of fat a day. It will drop off, as it were, disappear as quietly as it came; remove uniformly without causing even a suspicion of a wrinkle or distress. Marmola's fat and diet as usual; deny yourself nothing. It is no required, if Marmola Tablets are used.

Get off two inches of waist line before the month's end, it can be done—cheaply, safely. The Marmola Tablet is non-injurious (it being made after the famous fashionable formula—1/2 oz. Marmola, 1/2 oz. E. K. Cascara Aromatic, 3/4 oz. Peppermint Water), and it costs only seventy-five cents. The large case, of any druggist, or direct from Marmola Co., 522 Farnam Bldg., Detroit, Mich.—Adv.

Get off two inches of waist line before the month's end, it can be done—cheaply, safely. The Marmola Tablet is non-injurious (it being made after the famous fashionable formula—1/2 oz. Marmola, 1/2 oz. E. K. Cascara Aromatic, 3/4 oz. Peppermint Water), and it costs only seventy-five cents. The large case, of any druggist, or direct from Marmola Co., 522 Farnam Bldg., Detroit, Mich.—Adv.

Get off two inches of waist line before the month's end, it can be done—cheaply, safely. The Marmola Tablet is non-injurious (it being made after the famous fashionable formula—1/2 oz. Marmola, 1/2 oz. E. K. Cascara Aromatic, 3/4 oz. Peppermint Water), and it costs only seventy-five cents. The large case, of any druggist, or direct from Marmola Co., 522 Farnam Bldg., Detroit, Mich.—Adv.

Refreshments for His Lordship



T. HELYERSEIGH AND HIS ATTENDANTS.