

## Nebraska

## NEW TRIAL FOR MRS. DAVIS

Woman Who Killed Ira Churchill Has Another Chance.

## INSTRUCTIONS TO JURY WRONG

Court Ordered the Panel Not to Consider the Defense of Insanity—  
Other Decision of the Supreme Court.

LINCOLN, Neb., Nov. 29.—(Special Telegram.)—Mrs. Maggie Davis, convicted of murder in Cedar county and sentenced to prison for life, was granted a new trial by the supreme court. Mrs. Davis killed Ira Churchill because of his failure to marry her after wronging her. The supreme court holds that the instructions of the trial court had the effect of taking from the jury consideration of the defense of insanity, a right guaranteed her under the laws.

Opinions in the following cases were filed by the supreme court today:

State against Melli; finding for plaintiff; decree accordingly; Root, J., Fawcett, J., and Reese, C. J., dissenting.

McCarthy against Benedict on motion for rehearing; motion overruled; Sedgewick, J.

Bennett against Baum; plaintiff given leave to amend petition within forty days so as to sustain findings of referee. If so amended judgment of district court modified and affirmed, each party to pay his own costs in this court; Root, J.

H. F. Cady Lumber company against Reed; affirmed.

Hart and J. O'Grady against Chicago, Burlington & Quincy railroad; reversed and remanded; Root, J.

Kryzdz against Adams; reversed and remanded; Root, J.

Kramer against Bankers' Surety company; reversed and remanded; Letten, J.

Sabin against Cameron; if within fifty days plaintiff files a remittitur of \$98.50 with 7 per cent interest from July 1, 1906, judgment of district court to be affirmed, each party to pay his own costs in this court. If such remittitur is not filed, judgment of district court to be reversed and cause remanded; Root, J.

Wilson against Wilson; reversed and remanded with instructions; Root, J.

Boil against Getchell; reversed and remanded with directions; Root, J.

Wilson vs. Wilson; reversed and remanded per curiam.

Grunther vs. Bank of Monroe; affirmed; Reese, C. J.; Root, Barnes and Rose, J., dissent.

Stanlake vs. State. On motion of administrator to revive, motion overruled. Per curiam.

Elkhorn Drainage Case Remanded. Morehouse vs. Elkhorn River Drainage District; reversed and remanded. Sedgewick, J.

Maxwell vs. Rehderoff; reversed and remanded with directions to cancel the license. Root, J.; Sedgewick, J., dissenting.

Lewis vs. State; reversed and remanded. Root, J.; Reese, C. J.; Fawcett and Sedgewick, J., concurring separately. Barnes and Letten, J., dissenting.

In re possession of Shank, Shank vs. Lee; judgment of district court reversed with directions to that court to remand cause to village board with instructions to revoke and cancel license if issued. Reese, C. J.

In re possession of Shue, Shue vs. Lee; reversed and remanded with directions to district court to reverse decision of board of trustees and order them to revoke and cancel the license, and if a license has been issued, revoke and cancel same. Reese, C. J.

State ex rel. Graham vs. Bfarr; judgment of district court reversed and cause dismissed at relator's costs. Fawcett, J.

Smith vs. Potter; reversed and remanded; Letten, J.

Fleig vs. State; reversed and remanded. Sedgewick, J.

Motions for Rehearing. Following rulings on motions for rehearing: Chapin vs. Village of College View; overruled.

State ex rel. Butte vs. Village of College View; overruled.

McCarthy vs. Benedict; overruled.

First National Bank of Omaha vs. Cooper; overruled.

Anderson vs. Nielsen; overruled.

Southern Realty Co. vs. Hannon; overruled.

Rosback vs. Micks; overruled.

Central City Band TO GIVE MINSTREL SHOW

CENTRAL CITY, Neb., Nov. 29.—December 15 is the date which has been definitely determined upon for the holding of the home talent minstrel entertainment to be staged at the Grand Opera house under the auspices of the Central City Military band. Already most of the characters have been assigned and are working at their parts under the direction of Perry Anthony, who has successfully trained other home talent troupes for productions presented here. The minstrel production will embrace over twenty-five characters and some of the latest songs will be presented. The band will also give an elaborate concert on the evening of Christmas day. A well known pianist and also a violinist, both from the state university of music, will assist in the concert.

Babies Strangled by croup, coughs or colds are instantly relieved and quickly cured with Dr. King's New Discovery. 50c and \$1.00. For sale by Beaton Drug Co.

## HEALTHY MOTHERS

Women who bear children and remain healthy are those who prepare their systems in advance of baby's coming. Unless the mother aids nature in its pre-natal work the crisis finds her system unequal to the demands made upon it, and she is often left with weakened health or chronic ailments. No remedy is so truly a help to nature as Mother's Friend, and no expectant mother should fail to use it. It relieves the pain and discomfort caused by the strain on the ligaments, makes pliant and elastic those fibres and muscles which nature is expanding, prevents numbness of limbs, and soothes the inflammation of breast glands. The system being thus prepared by Mother's Friend dispels the fear that the crisis may not be safely met. Mother's Friend assures a speedy and complete recovery for the mother, and she is left a healthy woman to enjoy the rearing of her child. Mother's Friend is sold at drug stores. Write for our free book for expectant mothers which contains much valuable information, and many suggestions of a helpful nature.

BRADFIELD REGULATOR CO. Atlanta, Ga.

## Celebrate Golden Wedding



MR. AND MRS. J. F. KING OF BEATRICE.

## Japanese Section Boss Accused of Kidnaping Girl

GRAND ISLAND, Neb., Nov. 29.—(Special Telegram.)—Flosie Gardner, aged 13 years, daughter of Mr. and Mrs. Lee Gardner of Dunsmuir, Neb., and a Japanese man by the name of Izumi are in the custody of the police, having been arrested at the Bouquet hotel at 11 o'clock this morning. They arrived last night and are said to have eloped. The father of the girl has been notified and is expected tonight.

## Thomas Hall Takes Office of Railroad Commissioner

(From a Staff Correspondent.)  
LINCOLN, Neb., Nov. 29.—(Special Telegram.)—The last democrat in state office left the state house today to join the ranks of private citizenship. This was John Fufee, who since the death of Railway Commissioner Cowell has been filling the place as a result of appointment by ex-Governor Shallenberger. Thomas Hall, the man who defeated C. E. Harman of Holdrege for the office assuming his place and compelled the democrat to vacate the commissionership. Hall's decision to assume his official duties came as a result of advice given him by attorneys.

## LOUIS LAMPHER RUNS AMUCK IN TOWN OF ALDA

GRAND ISLAND, Neb., Nov. 29.—(Special Telegram.)—Louis Lampher, a farm hand working near Alda, went into that village tonight, according to a special request, and entering a barber shop, asked an employe named Hess to take a drink. Lampher is said to have been under the influence of liquor, and Hess refused. Lampher went out of the shop, but returned ten minutes later with a revolver, renewed the request, and when Hess again refused, snapped the trigger. The weapon failed to explode and a struggle ensued, two shots being fired during its progress, but going wild. Lampher was soon overcome.

## COURSING PROMOTER ACCUSED OF FRAUD

GRAND ISLAND, Neb., Nov. 29.—(Special Telegram.)—An echo of the recent coursing meet in this city was heard in the county court yesterday when complaint was entered by George Guenther against "Bud" Owens on the charge of wrongfully converting the sum of \$50 collected as funds for the meet. The attendance on one of the days was only 400, while on the other two it was nearer 300, and the promoters faced a financial loss as it was, owing to the small public patronage. When in addition, as alleged, not all of the funds collected were turned in, the other promoters were not in a tempering mood. Owens, however, furnished a \$1,000 bond for his appearance and, it is stated, will square the matter up.

## ALDA COUPLE CELEBRATE GOLDEN WEDDING

GRAND ISLAND, Neb., Nov. 29.—(Special Telegram.)—Mr. and Mrs. B. Knox of Alda celebrated their golden wedding anniversary today in the court of their children and grandchildren and many friends. There are nine children and thirty-one grandchildren and all were present excepting one of the children, distance not permitting his attendance. Mr. and Mrs. B. Knox lived on their farm near Alda for many years and he was at one time the representative of his district on the county board. He is a prominent democrat and has attended as a delegate many of the state conventions.

Two Humboldt Weddings. HUMBOLDT, Neb., Nov. 29.—(Special Telegram.)—Mr. William Noa and Miss Julia A. De Weese will be married at noon on Thanksgiving day at the home of the bride's parents, Mr. and Mrs. H. C. De Weese, a few miles out.

Mr. Fred Lutley and Miss Ida Schenk were married at Falls City Wednesday afternoon, November 29. Mr. Chris Beutler and wife taking them over in their auto. A big reception has been planned for them at the home of the bride's parents this evening in which eight friends will participate.

Persistent Advertising is the Road to Big Returns.

## Merrick Candidates File Expense Bills

CENTRAL CITY, Neb., Nov. 29.—(Special Telegram.)—The time for filing candidates' and committees' campaign expenses has expired, and the filings in the county clerk's office shows that there have been no violations in Merrick county. E. W. Badger, treasurer of the republican county central committee, certifies to the collection of \$98 for campaign expenses, about \$25 being secured by private contributions of \$1 each about Central City, and the balance being the assessments levied on the county candidates. Of this amount \$50 was distributed among the precinct committees for making polls and distributing literature. \$3.50 was spent for printing, \$20.50 was disbursed for hall rent, band hire and other expenses connected with the Aldrich meeting, and the balance of \$8 remains in the treasury.

The democratic committee collected \$57.50 from the congressional, judicial and county candidates and spent all of it for printing, hall rent and auto hire on their booster trip.

John McLean, elected county treasurer, spent \$46.64, while his opponent, Lora Aund, spent \$5.11. Frank Naah, elected county clerk, spent \$22, and his defeated opponent, Peter Hengen, spent \$7.50. John Forstner, who had no opposition for clerk of the district court, spent \$11.50, contributing \$5 to the republican committee and \$6.50 to the democratic.

County Judge Lewis Peterson makes oath that he spent \$25.10 for campaign expenses. Margaret McCutcheon, elected county superintendent, spent \$51.55, which included a contribution to the committee, traveling expenses and printing. Her opponent, Miss Kelley, spent \$14.50. Frank Seidler, the successful republican candidate for sheriff, spent \$26.40, which included a contribution of \$15 for the campaign committee and most of the balance was spent for car fare and livery hire. His opponent, W. H. Disney, spent \$24.61. William Hays, elected county surveyor, spent nothing to secure his nomination.

## MRS. ANNA WESTBERG DIES AT STROMSBURG

STROMSBURG, Neb., Nov. 29.—(Special Telegram.)—Mrs. Anna Westberg, who died Friday in this city, was born in the province of Skona, Esphult Soeken, Sweden, seventy-five years ago. She was married in March, 1880, to Nels Westberg. In 1887 her husband and oldest son immigrated to America and located at Moline, Ill., and the following year she with four younger children started on the voyage to join her husband and their father in making this trip. They lived in Moline for seven years, where Mr. Westberg was an employee of the John Deere Plow company. In March, 1914, they moved to Nebraska, locating on a farm six miles north of Stromsburg, which was yet owned by the deceased.

In November, 1886, her husband died, leaving the widow and children to continue the clearing up and making of the home. She remained on the farm eleven years, and in 1897 moved from the farm and located in Stromsburg, where she has since resided.

To this union ten children were born, of which four preceded their mother, three of the daughters having been mentioned, and five years ago another daughter, Mrs. Bettie Johnson, died at her home in Denver, Colo. Six children survive—John N. Westberg of Omaha, Oliver Westberg of Osceola, David Westberg of Aurora, Ore.; Mrs. E. P. Williams of Fort Collins, Colo.; Mrs. C. V. Nelson of Stromsburg and Mrs. J. A. Burnette of Salida, Colo.

## BEATRICE COUPLE IS MARRIED FIFTY YEARS

Mr. and Mrs. James F. King of Beatrice celebrated their golden wedding November 29, at their home, surrounded by several scores of friends who gathered to offer congratulations to the aged couple. The couple was married November 29, 1861, in McGregor, Ia., and during the greater part of the fifty years following that event, have lived in Beatrice, where Mr. King has been engaged in the general merchandise business.

For four years Mr. King held the office of county treasurer in Gage county and there is perhaps no one better known in that part of the state. One son, Will F. King, manager of the Bowles Live Stock Commission company of South Omaha, is the only child.

## ALLIANCE COOK ATTACKS EMPLOYER WITH KNIFE

ALLIANCE, Neb., Nov. 29.—(Special Telegram.)—George Post, lessee of the Alliance hotel and restaurant, sustained severe injuries last night as the result of an argument which arose between him and his cook, the latter using a kitchen knife in a most effective way. Charges of assault with intent to kill have been filed against the cook.

Nebraska Stockmen at Chicago. CHICAGO, Ill., Nov. 29.—(Special Telegram.)—Among the exhibitors at the International Live Stock exposition, which opens Saturday, will be the following from Nebraska: Cattle—Rapp Bros., St. Edwards, H. Rees & Son, Pilger, Harrison & Harrison, Indianapolis; University of Nebraska, Lin-

coln; Frank Davis & Son, Holbrook, Sheep—Robert Taylor, Abbott, Horses—T. B. Bowman & Sons, Boons.

Alliance Man Shoots Himself. ALLIANCE, Neb., Nov. 29.—(Special Telegram.)—Despondent over troubles of a domestic nature Dick Sisco, a resident of this city, committed suicide last night at his residence in West Lawn by shooting himself with a revolver.



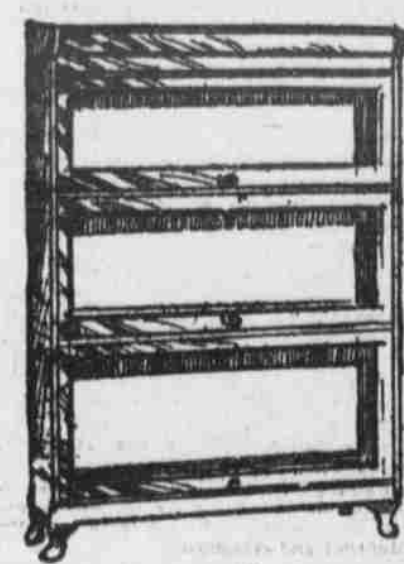
## Such Furniture as Sheraton Would Buy

WE take pride in the fitness of the furniture we are offering this fall. We are proud of it because we know it is the kind that Sheraton or any of the master designers of other days would buy were they here now. It has beauty, durability, and lowness of price that recommend it to everybody. It is impressive, and we are certain that nowhere you will find furniture with such fitness for your home at such little prices.

Some very fascinating Christmas suggestions are in this large stock. You can make no better present than an odd piece of furniture—a Morris chair for father, or a comfortable, overstuffed, roomy rocker for mama. Inspect this stock before making your Christmas purchases.

- \$33.00 Mahogany Desk—Very handsome article; graceful French legs; large drawers; new brass writing bed supports. \$25.00
- \$50.00 Mahogany Desk—Grand article; heavy legs; solid, thick writing bed; new brass arm supports. \$40.00
- Solid Mahogany Tea Tray—Pretty design, with graceful, French lines; very handsomely finished. \$7.00
- Drop-Leaf Tea Table—Solid mahogany; one spacious drawer; substantial and beautiful article. \$20.00
- \$11.00 Desk—Mahogany; beautiful inlay; roomy compartments; solid writing bed. \$9.00
- \$32.00 Wing Chair—Solid mahogany frame upholstered in green denim; roomy and comfortable. \$24.00
- \$17.50 Marble Pedestals—Italian marble; fluted; especially fine; beautiful. \$13.50
- \$15.50 Ladies' Oak Desk—One large drawer; roomy compartments; choicest patterns; very best construction. \$12.00
- Ladies' Desk Chair—Beautiful oak, solidly made; strong seat and back; very serviceable. \$4.75
- \$30.00 Ladies' Oak Desk—Heavy scroll; Colonial design; very handsome; strong made; excellent article. \$25.00
- Oak Cellarette—Made for beauty and service; excellent arrangement of compartments; durable. \$14.50
- Telephone Stand and Chair—Constructed of pretty oak; heavy lines; very durable and serviceable. \$5.50
- \$44.00 Mahogany Cellarette—Large drawer; cabinet arrangement; thick wood; very excellent article. \$35.00
- Silk Lamp Shades—Size, 16 inches; gold galeon; beautiful; imported from France. \$8.00
- Silk Lamp Shade—French importation; silk lining; beaded fringe; gold galeon. \$6.50

## Sectional Bookcase for \$13.00



This magnificent sectional bookcase, either a Gunn or Macey, in golden oak, imitation mahogany or fumed oak is priced at only \$13.00. It is a rare bargain, and think what an excellent gift for Christmas it will make. The artistic lines along which it is built and the detailed construction mark it as a selection for a practical and pleasing present.

- Mahogany Tea Tray—Beautiful inlay, solid glass top, handsome article, very fine model. \$14.00
- Solid Mahogany Fern Stand—Removable brass receptacle; very well made; exceptional value. \$12.50
- \$35.00 Solid Mahogany Chair—Upholstered in panne plush; comfortable; strong made. \$25.00
- \$62.00 Wing Rocker—Upholstered in blue denim; solid mahogany frame; a chair of service and great comfort. \$35.00
- Hall Table—Solid mahogany; Colonial replica; heavy base; strong and handsome. \$48.00
- Solid Mahogany Arm Rocker—Green denim seat; high back; roomy and strong. \$9.50
- \$30.00 Reception Chair—Solid mahogany; pretty green denim seat and back; roomy. \$20.00
- \$70.00 Davenport—Solid mahogany frame; upholstered in green denim; handsomely constructed. \$58.00
- \$47.00 Bed Davenport—Solid oak frame; upholstered in green denim; double service and double value; strong. \$30.00
- \$18.00 Mahogany Tip-Up Table—Large size; full of excellent value; thoroughly made. \$14.00

Our Store Will Be Closed All Day Thanksgiving Day

Remember, good furniture may be cheap, but "cheap" furniture cannot be good.

## Miller, Stewart &amp; Beaton Co.

The Tag-Policy House.

413-15-17 South Sixteenth Street.

Established, 1884.

**7%** Guaranteed on Home Builders Shares  
Phones, D 3867; A 3867.  
309 South Seventeenth Street, Omaha

RATE ON CALL MONEY RISES TO FIVE PER CENT

NEW YORK, Nov. 29.—Call money loaned at 5 per cent at midday today. This is the highest rate of the year and is ascribed to the demand incidental to December interest and dividend disbursements.

## PROFESSOR OSLER IS RIGHT; YOUTH ALWAYS SUCCEEDS AGE

Gray Hair First Sign of Age. Harmless Remedy Restores Natural Color.

Osler isn't the only man who turns down old age. In the business world the "young man" is always the one who picks the plums. It is an age of "new thought," "new talent," etc., and the old man is passed by in the race. One of the first signs of coming age is the appearance of gray hairs. When you see them, act promptly. Wyeth's Sage and Sulphur Hair Remedy will correct this sign, which so often deceives people into thinking that age is really upon them. It is a well-known fact that Sage and Sulphur will darken the hair.

Wyeth's Sage and Sulphur combines the old-time remedies with other agents, which remove dandruff and promote the growth of the hair. The manufacturers of this remedy authorize the druggists to sell it under guarantee that the money will be refunded if it fails to do exactly as represented. Don't look old before your time. Get a bottle of Wyeth's Sage and Sulphur today, and see what an improvement it will make in the appearance of your hair. This preparation is offered to the public at fifty cents a bottle, and is recommended and sold by all druggists. Sherman & McConnell Drug Co., Cor. 16th and Dodge, Cor. 16th and Harney, Cor. 14th and Farnam, 201-9 N. 16th St., Royal Hotel.

## Best Sport News in The Bee