

CHARGES FALSE TESTIMONY

Assurance Company Accuses Winner of Suit with Statements.

SAYS JUROR FAVORS POOR MAN

Time of Funeral of Wife is One of the Points of Contest in the Trial for Recovery on Insurance Policy.

Charges that the Northern Assurance company of Detroit lost a \$1,000 lawsuit to Joseph A. Rankin because Rankin willfully gave false testimony and because one of the jurors favored Rankin because he was a poor man are made by the assurance company in connection with an application for a new trial, filed in district court. The suit was tried last spring.

Rankin's wife applied for a \$1,000 policy in the Northern in June, 1910. Only a few days after her application was made she was taken seriously ill and died on June 24. The company's head medical examiner approved the application on June 15, but Mrs. Rankin died before the policy was delivered. The company refused payment. Rankin's attorneys contended the policy was in full force and effect immediately upon approval by the head examiner, regardless of whether or not the policy was delivered.

With all other matters eliminated at the trial, the outcome of the suit depended principally on whether or not Mrs. Rankin was in good health up to the time her application was approved, June 15. The company alleged she was in poor health for months prior to that date and that in her application she falsely stated her health was good. This the company was unable to prove.

Rankin testified his wife was taken seriously ill on June 15, the day after her application was approved and the policy became effective. He fixed the date by the funeral of his mother, who, he said, was buried on June 15. His wife became ill on the way home from the funeral.

Files Affidavits. In support of the motion for new trial with H. Thompson, attorney for the Northern, filed affidavits of the undertaker who directed the funeral, the minister who conducted the services and the newspaper editor who published the story of the funeral, all to the effect that it was held June 16, two days before the application was approved. If Mrs. Rankin became ill on the day of the funeral her illness began before her policy was in force. Thompson filed his own affidavit, charging Rankin with giving false testimony regarding the time of funeral and the beginning of his wife's illness.

Thompson also filed an affidavit of R. W. Emmerson, one of the jurors, which says that another juror named Charles Benjamin found the evidence was completed said:

"I am a poor man and the plaintiff is a poor man. I am going to treat him the way I would want to be treated. I will find a verdict for the poor man. It won't take me five minutes to find a verdict."

The new trial motion probably will be argued next Saturday.

Road Expert to Talk Here Friday Night

J. F. Dodge, superintendent of road construction of the United States Department of Agriculture, will give a stereopticon lecture at the Commercial club tonight on road building, maintenance and improvement. A movement to create a state highway commission probably will be started at the meeting. The members of the Douglas county delegation who are to make talks at the meeting of the public affairs committee at the club this noon will attend the evening lecture in a body.

ST. PATRICK'S CHURCH CHOIR IN SACRED CONCERT SUNDAY

The choir of St. Patrick's church, assisted by some of the best talent in the city, will give a sacred concert in the new church at Fourteenth and Castellar streets Sunday afternoon at 3 o'clock. The spacious new church with its long aisles and vaulted ceiling together with the sweet-toned pipe organ, make a beautiful setting for the artistic program which has been prepared, and when such well-known names as Sigmund Landberg, Henry Cox, Harry V. Burkley, John McCree, Mrs. Leo Hoffman, Miss Agnes Wickham and Miss Mary McShane with Miss Margaret Judge, Mrs. Henry Cox and Miss Ruth Flynn as accompanists, a musical feast is assured.

MISTREATS GIRL WHO IS HANDCUFFED TO BED

Handcuffing Sophie Hirsch, 19 years of age, to the bed in his room at 127 North Seventeenth street, where he kept her a prisoner for three days, Charles Gerrin was arrested last night by Detectives Dunn and Kennedy. He was given ninety days in the county jail on a vagrancy charge.

His Stomach Troubles Over.

Mr. Dyspeptic would you not like to feel that your stomach troubles were over, that you could eat any kind of food you desired without injury? That may seem so unlikely to you that you do not even hope for an ending of your trouble, but permit us to assure you that it is not altogether impossible. If others can be cured permanently, and thousands have been, why not you? John R. Barker of Battle Creek, Mich., is one of them. He says: "I was troubled with heartburn, indigestion and liver complaint until I used Chamberlain's Tablets, then my trouble was over." Sold by all dealers.

SEPARATE MAINTENANCE ASKED BY MRS. KNEETER

Mrs. Mamie Knester has started suit for separate maintenance against Louis Knester, proprietor of a ladies' tailoring establishment. The Knesters were married in Austria in 1900. Mrs. Knester charges that last month her husband was cruel and that for some time prior thereto he abused her. His business, she says, is worth \$5,000 to \$6,000 and pays him \$200 to \$300 a month. She asks separate maintenance for herself and their two children.

Money Continues to Come In for the New Hotel Project

Subscriptions continue to come in for the new hotel project and at yesterday's meeting at the Commercial club the committee was able to report a total of \$161,300 to date. The following is the list. Omaha & Council Bluffs Street Railway company, \$25,000; United States National bank, \$20,000; Omaha National bank, \$10,000; Gordon W. Watters, \$10,000; M. E. Smith & Co., \$10,000; K. C. Greish, \$10,000; Trustees under the will of Guy C. Barton, \$10,000; H. C. Brewing company, \$10,000; Hayden, \$10,000; The C. B. Nash company, \$10,000; C. J. Stohr, \$10,000; McGarrigle investment company, \$5,000; Charles H. Brown, \$5,000; W. W. Magrath, \$5,000; W. W. Magrath, \$5,000; The Byron Reed company, \$5,000; F. W. Wood, \$5,000; Virginia C. Hanson, \$5,000; Mary France, \$5,000; Margaret P. Kennedy, \$5,000; LeVassler company, \$5,000; Foster-Barker company, \$5,000; D. C. Patterson, \$5,000; H. C. Greish, \$5,000; John N. Fronzer, \$5,000; H. M. Christie, \$5,000; S. C. Gray, \$5,000; Harry A. Tukey, \$5,000; W. Farnam South, \$5,000; Hastings Hayden, \$5,000; C. G. Carberg, \$5,000; Charles W. Martin, \$5,000; A. A. Grimme, \$5,000; John W. Robbins, \$5,000; Harrison & Morton, \$5,000; Payne & Slater Co., \$5,000; J. H. Brandt, \$5,000; Martin Bros. & Co., \$5,000; Ringway Bros., \$5,000; Isaac A. Coles, \$5,000; D. C. Olson, \$5,000; C. C. and J. T. George, \$5,000; Total, \$161,300.

Anti-Saloon League Re-Elects Its Officers

At a meeting of the board of trustees of the Anti-Saloon league of Nebraska held at Lincoln Wednesday, the following officers, committee men and trustees were elected: S. K. Warrick, president; J. M. Gulle, vice president and treasurer; J. W. Hilton, secretary; H. F. Carson, state superintendent; F. A. High, superintendent of Omaha district; Thomas Darnall, attorney. Headquarters Committee—J. M. Gulle, Lincoln; H. J. Grove, Omaha; J. W. Hilton, Lincoln; U. S. Rohrer, Hastings; George Sutherland, Grand Island; E. P. Wright, Friend; S. K. Warrick, Scott's Bluff. Trustees—J. M. Gulle, Lincoln; Nathaniel McEiffin, Omaha; George F. Williams, Columbus. Thomas Darnall was elected as an advisory member of the board of trustees. It was unanimously voted to immediately organize the state for the purpose of securing constitutional prohibition of the liquor traffic through the initiative and referendum. The following resolutions were unanimously adopted:

Whereas, H. F. Carson has faithfully and efficiently served this league as state superintendent for more than one year, and

Whereas, the work and general conditions of the league have steadily improved under his management, now therefore, Be it Resolved, That we heartily commend the condition of the league, its people of Nebraska and request for him an open door to the churches and all kindred organizations in our state and county in cooperation with him and his co-laborers in the accomplishment of the purposes for which the Anti-Saloon league of Nebraska exists.

Ak-Sar-Ben Hustlers Given Gold Medals

W. R. Stryker, Harry E. Mahaffey, W. O. Benford and Ed O'Brien were given gold medals at a meeting of the Ak-Sar-Ben hustling committee at the Commercial club Wednesday noon for being the leaders in the year's campaign for more members in the Knights of Ak-Sar-Ben. President Charles Pickens presided at the meeting and presented the medals. Stryker and Mahaffey were the leaders in the hustling committee, securing 252 of the 500 members secured by the committee. O'Brien and Benford secured 188 members, receiving the second prize medals. The prize winners made speeches in response to talks of commendation by President Pickens and Board Members Charles Black and W. D. Hoster. W. S. Stryker gave Secretary Dad Weaver a large part of the credit for Ak-Sar-Ben's record of 1,200 members for 1912.

Venerable Carpenter Expires at His Post

"I don't want to be shown any favors," declared Daniel Way, aged 72 years, while employed yesterday as a carpenter at the Cadash Packing company's plant, when his foreman suggested that he would put him on another job where he would not be exposed to the weather. W. Groff, the foreman, realized that the weather was severe for the old man, and he dispatched John Purty, the gang boss, to give the aged carpenter a job inside, before he could reach the place where Way was working on the hog chutes the old man was seized with heart failure and expired shortly afterward, or at 11:30 o'clock. Dr. R. Riley was called, but it was too late. The body was taken in charge by Deputy Coroner Larkin.

County is Rushing Work on Bridges

The new 100-foot steel bridge over the Papito at Bennington will be completed within ten days, according to County Commissioner A. C. Harte, chairman of the roads and bridges committee, who has returned from a tour of county roads. Work then will be commenced on the 300-foot steel bridge over the 28th and 29th streets. Both these bridges replace wooden structures carried out by the flood last spring. The Bennington bridge cost about \$2,000 and the Elk City bridge will cost approximately \$7,000. The L street bridge west of South Omaha will be finished by the middle of next week. Harte says the roads are in good condition.

Omaha's Great Christmas Buying Center OFFERS THE LARGEST VARIETIES OF PRACTICAL AND BEAUTIFUL GIFTS SANTA CLAUS is in TOYLAND Every Day He wants to meet every boy and girl in Brandeis Wonderland of Toys in the basement. An immense floor devoted to the fascinating Christmas things for the little ones. Newest Toys, Newest Dolls, Newest Games Combination Blackboard and Writing Desks, Also Slate Boards on easels in mission wood and mahogany finish, at each 25c up to \$3.95 Rubber Tired Automobiles 1913 models, at \$2.50 to \$25 Toy Pianos—Upright and Baby Grand styles, at 25c to \$10 Empty Holly Boxes—All kinds and all sizes at, each... 5c Archarena Combination Game Boards—From 20 to 100 different games can be played, at 98c up to \$4.95 See the new Cabriolets, Automobiles, Velocipedes, Coaster Wagons, Tricycles, Hand Cars, Cyclobiles, Etc.—the largest line in Omaha. Doll Wardrobes—Here are Fur Sets, Toilet Sets, Combs, Brushes, Jewelry, Dresses, Shoes, Stockings, Fans, Parasols, Gloves, Hats, Etc. Doll Heads—Unbreakable and bisque Doll Heads in every wanted size for any doll body. Simplex Typewriters will delight any boy or girl. Letters, post cards or business cards can be written. Three sizes, at each, \$1, \$2 and \$3

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Gifts of Jewelry and Silverware Heavy Sterling Silver Friendship Bracelets, at 25c and \$50c Sterling Sewing Sets, specially priced at each \$1 Beautiful, new line Heavy Sterling Silver Hat Pins, hand engraved, at \$50c \$1 Opera Chains, set with all color stones, special at \$50c \$2 Lapel Chains, gold filled, guaranteed 10 years, special at \$1 \$3 Strands Indestructible Pearl Beads, special at \$1 75c Gold Front Tie Clips, 50c \$1 LaValliers, sterling pendant set with white stones, each in white velvet lined box, at \$50c

SLIPPERS AND SHOES In the Basement—New Store Crochet Slippers for Children—Pink, blue and red with lamb's wool soles, all sizes at, pair... 25c Women's and Men's Velvet Slippers—Carpet soles, warm, comfortable and serviceable, pair... 15c Quilted Satin Slippers, also felt fur trimmed slippers all colors, all sizes for women, at... 98c Infants' Soft Sole Shoes—All colors and all sizes, pair... 25c Jersey Leggings for Women and Children—All sizes, pair... 49c Odds and Ends Women's Dress Slippers at, pair... 50c Women's Satin Slippers with chiffon pom pom all colors, all sizes, at... \$1.25

SENSATIONAL BASEMENT SALE ODD LOTS MEN'S and BOYS' SUITS and OVERCOATS Men's Overcoats—Faultlessly tailored from serviceable mixtures and tweeds in black, brown and gray colors; medium and long lengths, with velvet and convertible collars—overcoats worth \$10, \$12.50 and \$15, on sale at \$8.50 Boys' Serviceable Suits—New styles in worsteds, chevots, brown and blue mixtures—suits have double taped seams and lined throughout—\$4 to \$5 values, on sale at \$2.75 Practical Suits for Men in rich, blue serges, all wool tweeds, worsteds and chevots—conservative styles in attractive patterns—worth \$10, \$12.50 and \$15, at \$8.50 Boys' Warm Russian Overcoats, made from serviceable blue, grey and brown mixtures, in ages 2 to 7 years—snug fitting collars—values to \$3.50, on sale at \$1.50 Men's and Boys' Sample Sweater Coats—All colors and styles; \$1 and \$1.50 values at 50c and .98c Men's and Boys' Sample Gloves and Mittens—Values to \$1.25, at 15c, 50c and .75c Men's Extra Heavy Pleece Shirts and Drawers at .35c Men's Jersey Over-shirts at .49c Men's Union Suits, at each .98c Men's \$1.50 Wool Undershirts and Drawers at .75c

ADVANCE NOTICE OF A SPECIAL SALE SATURDAY Women's Winter Cloaks Bought at a Great Reduction From an Overstocked New York Maker. Who was forced on account of continued mild weather to dispose of his stock at a loss. We bought his entire surplus stock. Hundreds of chinchillas, plushes, caraculs, etc. ALL THE CLOAKS worth \$12, \$6.50 Sat. ALL THE CLOAKS worth \$15, \$8.50 Sat. ALL THE CLOAKS worth \$20, \$10 Sat. ALL THE CLOAKS worth \$30, \$15 Sat.

Clearing Away All of the Remnants TO MAKE ROOM FOR CHRISTMAS GOODS ON THE MAIN FLOOR Three Cases Imported Samples of Dress Goods—54-inch wide materials in pieces that match; up to 7 lengths of one kind; mostly one-yard lengths, at each... 25c, 35c and 49c Dress patterns of fancy suitings—For the full pattern... \$1.95 Dress Goods in medium weights, coatings and broadcloths at reduced prices. 54-inch Navy Blue Wide Wale Whipcords, at per yard... 68c French and German Val Laces and Insertions, Platt vals, dainty imitation cluny, Armentan and crochet laces, linen torchons, etc.; worth up to 1 1/2c a yard, at, yard... 5c Thousands of Remnants All Kinds of Laces, allover, edges, insertions, bands, galloons, medallions, etc., at each... 10c and 25c Net and Shadow Lace Pleatings—Fifty dainty designs to select from in white, ceru and black; worth up to 50c a yard, at, yard... 25c

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