

Nebraska.

CITY OF FLORENCE MUST PAY

Supreme Court Upholds Verdict Secured by Katherine Gielen.

FELL OVER BRICKS ON WALK

Missouri Pacific Railroad Ordered to Pay Damages for Striking Wagon in Nemaha County.

(From a Staff Correspondent.)

LINCOLN, Nov. 12.—(Special).—The judgment secured by Katherine Gielen against the city of Florence for \$2,000 secured in the district court of Douglas county is affirmed by the supreme court. The plaintiff admitted that she knew that bricks were scattered along the walks where improvements were being made, but did not know of the eight or ten piles over which she fell and sustained the injuries for which she asked and received judgment.

The court holds that the trial court did not err in allowing the jury to determine the question as to negligence and as to contributory negligence and affirms the judgment of the lower court.

Railroad Must Pay.

The supreme court also affirmed a judgment secured in district court of Nemaha county by Charles R. Whitlow against the Missouri Pacific railroad for damages to a wagon and water tank which was struck by a train at a crossing.

Damages for Mill Dam.

Another appeal from the Nemaha county district court involves damages sustained by E. W. & A. C. Maynard, who own a small dam and mill on the Nemaha river caused by the removal of the dam because it interfered with the development of a water power lighting project nearby. Condemnation proceedings were had and the board of appraisers appointed by the county court assessed the damages at \$3,500 from which the new company appealed. The higher court sustained the findings of the board of appraisers and holds that the proper measure of damages on appeal from condemnation proceedings to remove a mill dam is the difference between the value of the mill property before the removal of the dam and the loss of water power and its value after the removal has taken place. Prospective profits which may in the future be derived are to be taken as elements of damage.

Omaha Garbage Case.

Another case involves the right of the City Garbage company of Omaha to take dead animals found on its streets or alley after entering into a contract with James Whelan to do the work. Whelan sets out that the garbage company is hauling away the dead animals and thus takes from him business which keeps him from making it profitable. The court holds that the plaintiff's right to an injunction to restrain the garbage company from interfering with his business is not clear, but as his contract had expired the court was not clearly wrong in refusing him an injunction for that reason.

WOMEN OF HASTINGS PLAN EARLY POOL HALL CLOSING

LINCOLN, Nov. 12.—(Special).—At the suggestion of the Women's club the city council is preparing an ordinance providing for closing all public billiard and pool halls in this city at 10 p. m. Under the existing ordinance such places are permitted to run until midnight. Boys under 18 years of age are not permitted to play in billiard and pool halls here and there is some likelihood of changing the limit to 11 years.

As a result of the consolidation of the manual and automatic telephone plants here by the Lincoln Telephone and Telegraph company the city council has asked the company to state whether it proposes to operate under the Nebraska Telephone company franchise or the one granted some years ago to the independent company. City Attorney Hartigan has ruled that the old Nebraska company franchise is void for the reason that it is a perpetual grant. The independent franchise provides for the payment of an annual occupation tax based on gross earnings. It the independent company franchise is chosen by the Lincoln owners telephone patrons in nearby towns will insist on the fulfillment of their contracts with the independent company for free connection with Hastings, a service which they now fear the Lincoln company will undertake to discontinue.

The new Hastings building of the Lincoln company is nearing completion and consolidated service is promised as soon as the new plant can be finished. Plans are being made for a social event to mark the opening of the Clark hotel, which the lessee, J. M. Teeling of Watertown, R. D., promises will be ready for occupancy by January 10. The affair will be held under the auspices of either the Chamber of Commerce or a local organization of traveling men.

The forthcoming term of the district court of Adams county, which will open on November 17, will be notable as having the smallest number of divorce cases pending of any term in the last ten years, there being only fourteen out of a total of 115 civil cases. One of the criminal cases pending is that of John K. Kerr of Roseland, Neb., charged with arson in connection with the fire which recently destroyed several of the best business buildings in that town. Kerr is the first man to be tried here on a arson charge in many years. The third annual term of the Hastings public night school opened last night with twenty pupils enrolled.

COLFAX COUNTY DOESN'T WANT NEW COURT HOUSE

SCHUYLER, Neb., Nov. 12.—(Special Telegram).—A special election was held in Colfax county today submitting the proposition of voting bonds to erect a new court house. Reports from ten precincts out of fourteen defeat the proposition by a majority of 141 votes.

For Children There is Nothing Better.

A cough medicine for children must help their coughs and colds without bad effects on their little stomachs and bowels. Foley's Honey and Tar exactly fills this need. No opiates, no sour stomach, no constipation follows its use. Stuffy colds, wheezy breathing, coughs and croup are all quickly helped, and sweet, refreshing slumber instead of feverish tossing at night. It is easy therefore to understand why an increasing number of bottles of Foley's Honey and Tar Compound is sold yearly.—Advertisement.

Breaks a Bad Cold in a Jiffy! Try It

"Pape's Cold Compound" ends cold and grippe in a few hours.—Don't stay stuffed-up.

You can end grippe and break up a severe cold either in head, chest, body or limbs by taking a dose of "Pape's Cold Compound" every two hours until three doses are taken.

It promptly opens clogged-up nostrils and air passages in the head, stops nasty discharge or nose running, relieves sick headache, dizziness, feverishness, sore throat, sneezing, soreness and stiffness. Don't stay stuffed-up! Quit blowing and sniffing! Ease your throbbing head—nothing else in the world gives such prompt relief as "Pape's Cold Compound," which costs only 25 cents at any drug store. It acts without assistance, tastes nice and causes no inconvenience. Be sure and get the genuine.—Advertisement.

NEWS NOTES FROM YORK AND YORK COUNTY

YORK, Neb., Nov. 12.—(Special).—The 1913 tax list for York county has been completed. It shows a decrease in the valuation of property and an increase in the amount of tax.

Total valuation, 1912.....\$9,199,567.00
Total 1913 tax.....\$24,192.84
Total valuation, 1913.....\$9,157,223.00
Total 1912 tax.....\$22,751.82
Henry Scheele, a farmer living five miles east of Waco, lost seven head of horses last Monday. Several days ago twelve horses broke into a lot where there was a large quantity of ground feed prepared for hogs. Soon after eating the food they became ill. It is believed at this time the other five will die. Mr. Scheele's loss at present is estimated to be \$1,300.

The case of the "State against Frank Gaidiner, formerly manager of York's league hall team, was called in district court, but he did not answer. He is charged with committing an assault to do great bodily injury to Harry Hall, whom he beat over the head last summer with a ball bat, and sent him to the hospital for several weeks. It is said he is detained in Indianapolis, where he is held on another charge of assault. He will have during this term of court, which will be continued until February, to make his appearance before his bond of \$800 is forfeited.

Mrs. Chester A. Fots died Tuesday morning, aged 39 years. She is survived by a husband and five children. The funeral will be held at Shiloh church Thursday morning at 10 o'clock.

Oakland Banker is Dead.

OAKLAND, Neb., Nov. 12.—(Special).—Frederick Renard, one of the pioneers of Burt county, is dead at his home here at the age of 95 years. He was born in Germany and came to Nebraska in 1857, settling at Arlington. He moved to Oakland in 1870 and engaged in the banking and milling business. He was one of the wealthiest men in the county.

Key to the Situation—See Advertising.

Nebraska.

Lively Contest On for Madison Postoffice

MADISON, Neb., Nov. 12.—(Special).—Owing to the near approach of the expiration of Postmaster Secor's commission, there is considerable activity among postoffice candidates. The avowed candidate is Fred H. Davis, Madison's popular mayor, who enjoys the distinction of being a native son of Madison county. Mr. Davis is a lifelong democrat, who has given of his time and means liberally for the party's success and now for the first time seeks an office.

H. C. Haskins, late candidate for the state legislature on the democratic ticket, is also an aspirant. Mr. Haskins is a respected citizen of Madison and a pioneer of Madison county, and no doubt has many friends who number themselves as patrons of the Madison postoffice.

Another candidate is A. K. Donovan, editor and proprietor of the Madison Star-Mail. He too is a native son of Madison, well known as a young man of thrift and industry, a loyal democrat and one who has recognized claims on his party's patronage.

Now that the political atmosphere has cleared somewhat and several aspirants have made their intentions known, others may take a chance shot at it on the theory, the more the merrier. It is expected in the near future County Chairman Bates will arrange the preliminaries, designate the referees and call time, when the long-anticipated fight will be on in earnest.

NEBRASKA OFFICIALS PICK OUT ROUTE SOUTH

(From a Staff Correspondent.)

LINCOLN, Nov. 12.—(Special).—As an indication that there may be a chance for members of the Nebraska National Guard to distinguish themselves on account of the Mexican situation, George A. McNutt of Kansas City, district passenger agent of the Missouri, Kansas & Texas railroad, was at the state house this morning conferring with Governor Morehead and Adjutant General Hall regarding transportation of the Nebraska troops over that road to Mexico.

After his conference with Governor Morehead he spent some time in the office of the adjutant general and with the staff of the latter went over the plans very thoroughly. General Hall had nothing to give out on the conference and said it was just a little meeting to see what the road had to offer in the way of quick service if it was needed.

News Notes of Arlington.

ARLINGTON, Neb., Nov. 12.—(Special).—A good roads meeting and banquet was held here Tuesday evening. E. R. Gurney, president of the Commercial club, and State Senator Wolf of Fremont were present and spoke on good road building. Lieutenant Governor McKelvie of Lincoln and D. M. Carr of Omaha were also speakers.

Corn husking is in full progress and the yield is good, considering last summer's

Not a bit too early to choose those new quality clothes for Thanksgiving

Wonderfully attractive values in Suits and Overcoats at

\$10-\$15-\$20-\$25 UP TO \$50

BOYS' CLOTHES

Special Value Suits

\$5

Dozens of the choicest patterns, many with extra trousers, either Norfolk or Double Breasted styles, sizes 6 to 16 years; built for service, yet unusually stylish.

Best O'Coat Values

Our leadership is again demonstrated by our extensive showing of Boys' Overcoats—hundreds of garments in good boy-\$3 to \$10

It seems as though all Omaha is buying clothes now for Thanksgiving. Everyone wants to be ready for the great dress-up occasion of the year—don't delay your purchase until the last day or so—step in now and try on some of these new suits or overcoats.

The Suits

Dressy and smart suits for winter wear, in the newest weaves and the newest colors and patterns, specially tailored for men who want the best.

The Overcoats

The correct and proper things in overcoats for both men and young men. Every new style idea is to be found here, coats for "best" wear, and made extra well with that idea in mind.

KING-PECK CO.

"HOME OF QUALITY CLOTHES"

Sixteenth at Howard Street



ORCHARD & WILHELM CO.

announce for MONDAY, NOV. 17th

The GREATEST RUG SALE

ever held in Omaha

Every rug in this immense assortment is priced at

Less Than Wholesale Prices

In order to give everyone ample opportunity for selection this entire lot of rugs

Will be Displayed on the Main Floor Friday and Saturday, the 14th and 15th

Watch newspapers for further particulars.

All records of piano selling surpassed

The success of this co-operative sale has been almost electrifying

THE success of this sale was foretold the day it opened. It started out a success—and has kept it up ever since. The Piano department has been as busy as a bee or any other department, where thousands of things are sold instead of a few. Up to this writing we have sold and delivered just seventeen instruments more than the probable sales for the given time—which means—that the sale will close from a week to two weeks earlier than we had expected. Remember—when three hundred pianos and one hundred player-pianos have been sold—the sale ends. Not another one of these instruments will be sold at these prices, upon these terms, or upon this plan. So come NOW.

Success due wholly to this mutual plan

Co-operation and concentration did it. The plan has done it all. You got a good, durable piano, worth three hundred and fifty dollars of any body's money, for two hundred and forty-eight dollars and seventy-five cents. This was a saving of one hundred and one dollars and twenty-five cents—to begin with.

You paid five dollars when you selected your piano, leaving two hundred and forty-three dollars and seventy-five cents to be paid. To pay this balance you were allowed one hundred and ninety-five weeks time. This made the payments amount to only one dollar and twenty-five cents a week. You could take the full time—one hundred and ninety-five weeks—or not, just as you wished.

If you paid in shorter time, you earned and were paid a cash dividend of fifteen cents a week. After the balance of two hundred and forty-three dollars and seventy-five cents was paid, there was then no further interest or payment of any kind to be met.

You could get your money back after a thirty days' trial, if you wished. If you kept the piano you could exchange it without loss at any time up to within one year from the day you bought it. And all unpaid payments were voluntarily cancelled in the event of your death while you were still paying for the instrument.

Besides this you got the protection of a joint guarantee, signed by both the manufacturers and ourselves, protecting you absolutely for five years.

What more could have been given? What more wished? Could you have suggested any further privileges or conditions that would have been of advantage to you.

Player pianos also on same plan

One Hundred player-pianos are also being sold on this co-operative plan. The usual price of these player-pianos is five hundred and fifty dollars each. The co-operative price is three hundred and ninety-five dollars, with NO INTEREST to be added. The player-piano will also be delivered immediately upon the payment of five dollars. The payments are two dollars a week—giving you one hundred and ninety-five weeks' time in which to make the payments—the same as on the piano. The same unconditional guarantee that is given on the piano is given on the player-piano. You can also get your money back at any time within thirty days. You get the same privilege of exchanging within a year, as that given with the piano. All of the unpaid balances will be voluntarily cancelled in event of death.

Also a player-piano bench and nine rolls of music (your own selection) are included without extra charge.

We attribute the success of our Player Department largely to the fact that we have been careful to select only such Player-Pianos that would not only give satisfaction to the purchaser, but that would lend prestige to this department of our business.

We believe that we have sold more Player-Pianos than any other piano concern in this section of the country, and in this great Co-operative Sale we have been careful to select only such Player-Pianos that can be sold upon, not only the manufacturer's guarantee, but OUR GUARANTEE.

All of the features of the co-operative plan are carried out in offering the player-pianos, with the single exception that the terms on the player-piano are two dollars a week instead of—as on the piano—one dollar and twenty-five cents a week.

ORKIN BROTHERS

Copyright, 1912, by Stone & McCarrick, Inc.

The various makes of pianos for this great co-operative sale were personally selected by Mr. M. M. Robinson and upon arrival are being tested and inspected by Prof. Jean Gilbert Jones.



Copyright, 1912, by Stone & McCarrick, Inc.

How to obtain one of these pianos by our co-operative plan

To take advantage of this unusual sale, all you have to do is to send or bring in five dollars, for which we will give you a receipt.

This five dollars is credited to your account on the co-operative books—leaving two hundred and forty-three dollars and seventy-five cents to be paid.

The co-operative plan then allows one hundred and ninety-five weeks' time in which to pay this amount—at the rate of one dollar and twenty-five cents a week. There are no further payments of any kind to be met.

You can select a piano at once—tomorrow—next day—next week or any other time convenient to you. It will be delivered immediately—next week or next month. The time you select your piano and the date of delivery is wholly optional with you.

If not convenient for you to personally select your piano we will make the selection for you under your instructions, with the understanding that, if at the end of thirty days' trial the piano is not satisfactory, we will refund your money.