

Nebraska GRAIN CHANGE GAMBLING

Supreme Court Decides Transactions on Board of Trade Unlawful.

RULING IN SUNDERLAND CASE

Decision Also Given that Right to Sign Recall Petition Has Been Legally Regulated by the Legislature.

(From a Staff Correspondent.)
LINCOLN, Oct. 16.—(Special.)—Opinion handed down by the supreme court today indicates in one case that the same rights which are given a voter at an election do not exist in the case of a recall of an elected official. Transactions on the board of trade are held unlawful and the courts have no authority to step in and assist either party.

An action by an agent against a principal to recover for alleged commissions and money advanced for the principal in transactions involving alleged purchases of grain on the Chicago board of trade for future delivery, according to the court, depends whether the intention was that the principal should become the actual buyer of grain through the agency of the commission merchants or whether it was expressly or impliedly agreed to act as the principal's agent in gambling purchases of grain which the principal had no intention of receiving.

The case comes from an appeal from the district court of Douglas county, Sunderland & Saunders, who sought to recover \$5,388.75 from Frank B. Hibbard, alleged to be due them for transactions on the Chicago board of trade through Hibbard, who was made defendant.

Defendant put up, as his defense that the transactions were based on the fluctuations of the market and were purely speculative and gambling transactions in violation of law and contrary to public policy, and therefore could not be collected upon by law.

The district court held against the plaintiffs and the supreme court affirms the action, saying: "In such a case the courts of the state will not aid either party to the transaction."

Contract for Land Holds.

A contract made by a corporation formally executed in its name by its president will, in the absence of proof to the contrary, be assumed to have been authorized by the corporation and the contract made by A. B. Stuckey, president of the Mason City & Fort Dodge Railway company, as its president, for the sale of a tract of land to the Omaha Wool & Storage company, on which it erected a warehouse, stands, and the judgment of the Douglas county district court is therefore affirmed.

Sentence Made Lighter.

The judgment of the Lancaster county district court is modified by the supreme court in the application of John Hudson, sentenced to the penitentiary for seven years for assault upon the person of Anna Weise, a 14-year-old girl. The testimony given by witnesses alleged that besides the criminal acts of the defendant he had received money from other parties in connection with other acts of a like nature. The supreme court holds that on account of the age of the defendant, who was 21 years old at the time of the trial, that the sentence of seven years was excessive and modifies it to three years.

King May Hold Place.

O. J. King, city commissioner of Lincoln, can retain his office to the end of the term for which he was elected, the supreme court holding that a recall petition filed by citizens of Lincoln and rejected by City Clerk Thomas H. Berg did not contain a sufficient number of signatures of legal voters. The city clerk rejected all names on the recall petition which did not appear on the regular voters' register. The court holds that while a man's right to vote is not taken away by his failure to register, the right to sign a recall petition is different from the voting privilege.

Evidence of Death.

Bridget McLaughlin of Holt county can recover from the Woodmen of the World the sum of \$1,900 insurance carried by James W. McLaughlin, her son, and of which she was made the beneficiary in case of death. There is no direct evidence that the young man is dead, but it is held by courts that seven years' absence without tidings may be taken as evidence of death. The lower court held that the evidence introduced in the case of McLaughlin was sufficient to indicate his death and a judgment was rendered for the amount, and the supreme court holds likewise.

To Cure Catarrh Purify the Blood

Reason it Out, Where Does it Start the Mucus From?



Innumerable catarrh sufferers have cured themselves by purifying their blood with S. S. S. Catarrh often invades the entire system before it shows its symptoms. It becomes so chronic and extensive that the stomach, liver, kidneys, bronchial tubes and most of the glands are involved without such serious conditions being realized. Catarrh may be the result of some serious blood trouble of former years, and this is only one of the many peculiar effects of impure blood. Now S. S. S. is its influence upon the mucus secretions, causes those catarrhal secretions to be changed or converted into a substance easily, quickly, and naturally expelled from the body. It so changes this mucus that it is not theropy, clogging stuff that plugs the nose, chokes the throat, causes severe bowel trouble, upsets the stomach and contaminates the food just entering the blood. It is often difficult to convince catarrh sufferers that chronic cough, croup, sneezing, fetid breath and other symptoms are only the local evidence of deep seated trouble. Get a bottle of S. S. S. today and try it. You will get good results, real benefits and be aware of a gradual cleansing up and a check to the progress and dangers of catarrh. Avoid substitutes. S. S. S. is prepared only by the Swift Specific Co., 61 Swift Bldg., Atlanta, Ga. They conduct a medical department for free advice that is worth while consulting.

Canadian Soldiers Given Big Welcome By English People

HALIFAX, Eng., Oct. 16.—(Via London.)—Beginning before dawn today from stations within a radius of ten miles Canadian troops have been pouring into camps prepared for them on the rolling Salisbury plains near here.

First came a long transport train, composed of wagons drawn by traction engines, then the motor trucks, and lastly the commandeered London motor buses. The cavalry and artillery followed, and most of these units now are in camp, but only a few infantry regiments so far have arrived.

Long before dawn the sleepy old village awakened over the country were awakened by the clang of hoofs on the hard roads.

Those who listened heard a strange melody. The notes of "It's a Long, Long Way to Tipperary," mingled with the Spanish-American war favorite, "There'll Be a Hot Time in the Old Town Tonight," and other American ragtime, resounded in the quiet English dale.

About the roads the troops everywhere were received with enthusiasm. The people, expecting a wild west display, however, were disappointed, for with the exception of the sombreros worn by cavalry, the uniforms of the Canadians are much the same as those of the English troops.

Several English territorial regiments have been engaged in preparing the Canadian camps and acting as convoy corps. The greatest contrast between these forces and the Canadians is the difference in physique, the Canadians being on an average much larger and stronger looking than the English.

Merchant Vessel Captured by Yacht Under an American

SAN FRANCISCO, Oct. 16.—The Pacific Commercial Advertiser of Honolulu, copies of which came to hand here today, relates how the Duc de Montpenser, who has offered his services to the British admiralty, captured the German merchantman Hamamel, of nearly 4,000 tons register, while scouting off Sing Tau in his yacht, the Mekong, which was commanded at the time by Captain Henry E. Morton, an American citizen, formerly a master in the service of the Pacific Mail Steamship company.

"On August 5, while lying in the harbor at Yokohama," the duke is quoted as having said, "I decided to turn my yacht over to the British government. After a conference with Sir James Cunningham Green, the British ambassador to Japan, my offer was accepted, and the British flag hoisted. Four rapid-fire guns were mounted, and in the command of Captain Morton we were ordered to join the British fleet, which was then mobilizing at Wei Hai Wei. In the meantime we were to keep an eye open for German merchantmen. While scouting off Sing Tau we sighted the Hamamel. It refused to stop when we signaled, but a couple of shots across its bows convinced those on board that we meant business and it heeled to.

"The officers of the Hamamel made no resistance and we put a prize crew on board and took it into Wei Hai Wei, where it is now held a prize."
Captain Morton has resigned.

Russian Defense of Warsaw Indicates Germans Thwarted

PETROGRAD, Oct. 15.—The official decision to defend the city of Warsaw, made public here, is regarded as important in two ways. First, it indicates that the Germans have been thwarted in their attempts to straighten their front along a north and south line, so that it would extend from Ostrolenka, sixty miles west of Warsaw, through Sandomir into Galicia, and, second, the Germans have been obstructed in their plan to use Warsaw as winter quarters.

With the exception of an engagement south of Przemysl, where the Russian left wings reported as having been successful in repulsing the advancing Austrians and Germans, activity at other points on the line appears to have been suspended.

German troops are now around Posen and Jurburg, a short distance from the Russian frontier in the northern part of East Prussia. The Russians at present are making an effort to advance further east than the boundary of East Prussia. Here the fighting has ceased, while along the southern limits of East Prussia there are few troops of either army until the German river is reached. Here the Germans are endeavoring to advance along the left bank of this stream to avoid the strong fortress of Gorgolevok on the right bank.

Russian experts are of the opinion that the German plan is to attempt to carry the war into East Galicia and the Lemberg district. This is indicated by the German abandonment of the attempt to advance eastward into Russia in favor of the project of striking southward.

WOLVES FROM MOUNTAINS DESCEND ON WAR CAMPS

ROME, Oct. 16.—A dispatch from Cetina says: "A close watch at night is necessary at the military camps, not only because of the fear of the enemy, but on account of the dread of wolves, which, when the first snow covered the mountain tops, began to descend, attacking the living if they cannot find dead."

Irvington.

Mrs. Sundall was an Omaha visitor Thursday.
Mrs. Spring entertained friends from Kennard this week.
Mrs. A. C. Dein visited friends in Omaha Wednesday and Thursday.
Mr. Dick Hibbard left Sunday for Lincoln, where he will attend school.
Mrs. Hiller was taken to the hospital Wednesday and was operated on Thursday.
A bazaar and supper will be given at the Christ church Tuesday, October 20. Everybody welcome.
Mrs. Charley Vental and daughter, Iris, spent Saturday and Sunday with Mrs. Chatman at Benson.
Mr. and Mrs. Roy Magee, Mr. and Mrs. Charley Vental and Mrs. Kitchen were Omaha visitors Wednesday.
Vera, the 2-year-old daughter of Mr. and Mrs. Jim Hartin, passed away Thursday morning and was buried Friday.
Mr. and Mrs. Ray Stevens of Dunning, Neb., who have been visiting relatives around here, returned home Monday.
Mrs. Alfred Rasmussen and children of Osmond, Neb., visited the first part of the week at the Rasmussen home.
Miss Fettle of Fremont is operator at the Irvington depot in Mr. Chatman's place, Mr. Chatman being in the hospital.



"The Home of the Overcoat"

Lots of stores can claim to be "The Home of the Overcoat." Claiming is easy, but it took this store to **prove** it. And we did. The proof consists of a stock that's the greatest in the west—and values that are exceedingly high. Our newly enlarged daylight Overcoat section is as large in itself as the average clothing store.

The Styles We're Ready to Show Saturday

They include, first of all, nothing but good styles, up-to-date ideas—poor styles or fabrics never pass our buying care. We've a huge assortment of Balmacaans, a great lot of Semi-fitted Coats, many Storm Coats and Ulsters and splendid lines of Shawl Collar Coats. As a matter of fact, no man could have an Overcoat idea that could not be realized here at the Overcoat store where you are sure to *Suit yourself*.

Balmacaans \$10 to \$35 **Dress O'Coats \$10 to \$50** **Shawl Collar O'Coats \$15 to \$35**

Let Us Point Out Some Sensible Reasons for Buying Your Suits of This Store

The first reason is value—we're famous for supplying it. The next is style—you're as sure to get that here as you're sure of night following day. You get good service and courteous treatment here, too—all of which is summed in the slogan—Where you are sure to *Suit yourself*.

The Apex of Value \$10, \$15, \$20, \$25 in Quality Suits . . .

Suits that are good enough for the most particular fellows to wear or they wouldn't be good enough for us to sell. We're ready with unusual assortments of Tartan Plaids, Roman Stripes, Chalk Stripes, Glen Urquhart Plaids, Small Checks and Overplaid. Anything and everything that is good style.

America's Very Finest Hand Tailored Suits, Here at . . . \$30, \$35, \$40

Pay your tailor a bonus of \$20 over the price we ask and you won't duplicate the style, rich fabrics and perfect fit that are a part of these Quality Suits. They are the type of clothes which never fail to suit the most exacting.

Choose Fall Underwear Here

Heavier Underwear or a doctor bill, which shall it be? We are splendidly prepared to care for you if it's Underwear. Vassar Quality Union Suits . . . \$1.50 to \$5.00 Ritesize, perfect fitting, Union Suit \$1.00 to \$2.50 Duofold Union Suits . . . \$3.00 to \$5.00 Corwith Union Suits . . . \$1.00 to \$1.50

Clever New Shirts, Ready

There's a "like to own" feeling comes over a fellow when he inspects our new shirt displays. \$1.00, \$1.50 \$2.00 up to \$5

Sweaters **Gloves**
Every good and desirable style in all colors and sizes. We'll fit your hand with gloves that can't help but satisfy.
\$1.50 to \$10 **\$1.15 and All Better Grades**

Mackinaw Coats Boys' Extra Value Suits

We're headquarters for these practical, sensible Overcoats. They were built especially for active fellows who want a coat for service. \$5, \$6, \$7.50, \$10, \$12

Not only is extra value evidenced in every suit, but you'll see extra style. True Boyish styles that lift the wearer out of the ordinary class. They are the clothes for your boy, and are even less expensive than the commonplace sorts. \$3, \$4, \$5, \$6, \$7.50, \$10

KING-PECK CO

16th at HOWARD

WHERE YOU ARE SURE TO *Suit yourself*

FRATERNITY BANQUET JUDGE

Chief Justice Tendered Reception and Dinner by Phi Delta Phi.

Counties Called on Carpet for Fees for Care of Insane Sent Off. **Claims to Negotiate with State.**

(From a Staff Correspondent.)
LINCOLN, Oct. 16.—(Special.)—Chief Justice M. E. Reese of the supreme court and Dean Hastings of the University of Nebraska were tendered a reception and banquet by the Phi Delta Phi legal fraternity last night. About forty guests sat down to the table and speeches were made by Judge Reese, Dean Hastings, H. H. Wilson, Shelby White of Omaha and Raymond Smith.
The occasion was a nonpartisan affair, Judge Reese being a nonpartisan candidate for re-election to the office of chief justice of the supreme court, and the banquet was given as a testimonial to the good feeling which prevails in the fraternity toward the chief justice.

Court Issues Order in Rock Island Case

NEW YORK, Oct. 16.—The state supreme court issued an order today directing the Chicago, Rock Island & Pacific Railroad company to show cause why a receiver should not be appointed to take charge of properties not already pledged and institute action to recover from the railroad's directors an amount of damages alleged to have been caused the railroad and its creditors.

DEATH RECORD

J. S. Childs.
YORK, Neb., Oct. 16.—(Special.)—J. S. Childs, director of the City National bank and the father of H. M. Childs, the bank's president, and L. W. Childs, assistant cashier, died Thursday afternoon. He was 81 years of age and had been very feeble for the last month.

PRISONER MAKES ESCAPE FROM JAIL AT STANTON

STANTON, Neb., Oct. 16.—(Special.)—R. Clarton, the convicted auto thief, who has been in jail here since Sunday, broke jail Wednesday night and disappeared. Sheriff Stucker took the prisoner to Pender Wednesday and Judge Graves gave him a sentence of from one to seven years. Sheriff Stucker was to take him to Lincoln yesterday morning. Clarton took a piece of gas pipe and bent it so as to make a wrench. He was shut in the jail corridor because of the cold. Clarton took the bars off the bolts that held the door and pushed open the door.

EQUAL SUFFRAGE ENDORSED BY WOMAN'S FEDERATION

PAWNEE CITY, Neb., Oct. 16.—(Special.)—Equal suffrage was endorsed by a practically unanimous vote of the Nebraska Federation of Women's Clubs at the close of an address by Miss Lattie Stearns of Wisconsin, director of the General Federation of Women's Clubs.

COURT ISSUES ORDER IN ROCK ISLAND CASE

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Saturday--Free Souvenir Sample Day At the Sherman & McConnell Drug Stores

To celebrate our Silver Anniversary we shall distribute 15,000 free samples of useful Toilet and Medicinal Articles at our drug stores on Saturday, Oct. 17th, 1914, commencing at 8 A. M. and continuing as long as the samples last. These are packed in neat paper boxes with handles. Free Tasting sample Candy for all children Saturday. WATCH FOR OUR FORTHCOMING FREE SOUVENIR DAYS.

25c Dr. Victor's Foot Comfort	14c
50c Dr. Charles' Flesh Food	24c
25c Castoria (genuine)	21c
25c Cuticura Soap	17c
11.00 Caldwell's Bypur Pepsin	89c
50c Carmen's Powder	29c
50c Canthrox	14c
50c Doan's Kidney Pills	34c
11.00 Duffy's Malt	83c
25c Frostilla	14c
50c Pebecco Tooth Paste	39c
Horlick's Malted Milk, hospital size	\$2.00
25c Pond's Vanishing Cream	14c
50c Bypur Figs	29c
50c Sempre Glycerine	29c
50c Viola Cream	29c
25c 4711 White Rose Soap	12c
25c Woodbury's Facial Soap	14c
11.00 Hyomel, complete	83c
Hind's Honey and Almond Cream for	39c
25c Lyon's Tooth Powder	14c
25c Macassar Talcum	12c
50c Mentholatum	29c
25c Mennen's Talcum, 4 kinds	18c
11.00 Oriental Cream (Gourard's)	89c
50c Pebecco's Tooth Paste	39c
50c Pebecco's Tooth Paste	39c
50c Pebecco's Tooth Paste	39c
11.00 Pinkham's Compound	89c
25c Packer's Tar Soap	14c
75c Jad Salts for	54c
11.00 Listerine for	89c
50c Lee's Rhubarb Laxative	24c
25c Carter's Liver Pills for	12c
50c Sal Hepatica for	21c

IVORY SOAP

Wool or Fairy
5 cakes Saturday for 19c

Rubber Goods

Good Bull Syringe 25c
Household Rubber 25c
Rubber 25c
Gloves . . . 39c
Two-quart Fountain Syringe 46c
Atomizer 25c
50c to 81c Rubber Ice Bags from 25c to \$1.25
1-qt. Water Jar . . . 49c
Nearly 1,000 articles in the Rubber Goods line. Experienced salesladies in this department.

CUT OUT THIS COUPON

Bring it up—it is good for ONE NEW TREATMENT Printed in English. We shall have some printed in German in a few days.

Sherman & McConnell Drug Co.

PHROPHETORS OF THE FOUR OMAHA RECALL STORES.
Sherman & McConnell Drug Co., Cor. 16th and Dodge. Owl Drug Co., Cor. 16th and Harney.
Loyal Pharmacy, Hotel Loyal Block. The Harvard Pharmacy, Cor. 24th and Farnam.