

COURT RULES OUT ALL SAVE COUNT AGAINST PRIEST

Holds Indictment Fails to State Alleged Disloyal Words Made in German.

Norfolk, Neb., Sept. 27.—(Special Telegram.)—The government rested late this evening in its espionage and sedition case against Rev. Father Windolph, pastor of the Catholic church at Creighton. Court adjourned until 9 o'clock Tuesday morning, when the defense expects to put on its first witness, Werner Hanni, federal secret service operative, finished his testimony today, and notwithstanding the fact the government was unable to introduce the alleged disloyal statements made to the witness by the defendant, Hanni succeeded in stating to the jury that the defendant told him in English that the "United States government was rotten," and that "German government was better than ours."

Only One Count Left. Hanni became the government's only witness in the case against the defendant when the court sustained a motion by the defense to strike out all that part of Hanni's conversation with the defendant that was had in the German language because the indictment did not state it was held in German language and when the court directed the elimination of all other counts except one against Father Windolph because the previous evidence was not substantiated and not sufficient to bring before the jury.

The court also vindicated the moral character of Sister Hortencia, and the defendant by announcing that Mary Donahue Green, who admitted she had written anonymous letters about the two, had herself admitted she knew nothing whatever about the misconduct of Sister Hortencia. The defense claimed that they had sufficient evidence to clear the defendant of all these charges.

The court's ruling left the entire case with but one lone indictment and after a conference with Mr. Saxton District Attorney Allen decided to go on with the prosecution with Agent Hanni's evidence.

The immoral charges came into the case after the defense introduced many anonymous letters which Mary Donahue Green, star witness for the government, admitted she had written to persons connected with the Catholic church. The defense said the letters were introduced to show the "fearful personal enmity" which existed against the defendant.

The government, on the other hand, explained that Mrs. Green wrote the letters to save the honor of herself, Sister Hortencia and the defendant.

Tageblatt Staff Convicted.

Philadelphia, Sept. 27.—The five members of the staff of the Philadelphia Tageblatt, on trial in the federal court here, were found guilty late today of conspiracy to violate the espionage act.

AT THE THEATERS

THIS afternoon witnesses the opening performance of the musical attraction, purposely booked for Ak-Sar-Ben week—Al Reeves and his famous beauty show. Fox and Stewart are the featured comedians. Beautiful Maybelle Gibson is the prima donna. The support includes Eleanor Marshall, Rene Cooper and "your old pal Al" Reeves (himself), and a big beauty chorus. On parade days and nights the curtain will not rise until after the pageants pass the Gayety. Sunday's matinee starts at 3.

"Happiness," which is playing at the Brandeis theater for the last two times today, was produced last season in New York, where it ran the greater part of the year. Jenny, a little messenger for a dressmaking establishment, is the strong pivotal character, who, by her determination and industry, sets an example that upsets the habits and traditions of a bunch of New York's fashionable idlers, and forces them to realize that there is something else to live for than mere self-gratification.

Christie MacDonald and the other features that have made the Orpheum a pleasant place for immense audiences all week, will be seen for the last two times, matinee and night, today. As usual on Saturday night the curtain will go up at 8 o'clock sharp. Derwent Hall Caine comes next week in "The Iron Hand" by Hall Caine. There will be a stellar feature calculated to attract musical people and especially notable. Tina Lerner, the famous Russian pianist, who has been heard in concert and with some of the leading orchestras is making her first Orpheum tour.

There will be two performances today of "The Man They Left Behind," at the Boyd theater, which will be the last of the engagement of this play. This is a romance of patriotism and loyalty. The story holds the interest from the opening to the fall of the last curtain and is a series of climaxes interspersed with scenes in which good clean comedy has full swing.

The Brooklyn Four, singers and funmakers, who have been entertaining at the Empress, will be seen for the last time today. Thiessen's Pets, a dog novelty, has proven to be a treat for the children. The Five Galvins perform some startling feats as novelty cyclists, and Sam and Ada Beverly have a comedy sketch that is very entertaining.

Fiske O'Hara will be seen at the Brandeis theater, for one week commencing Sunday night, September 29. Mr. O'Hara's starring vehicle this year is a new three-act romantic farce, "Marry in Haste," and was written by Anna Nichols, who has provided him with his plays for the last two seasons.

"Ben Hur" will begin its season in New York the last of the month. Samuel Shipman and Aaron Hoffman will write a play to be used by Sam Bernard and Louis Mann next season.

Florence Nash is to appear in a play called "Remnant," under the management of Charles Emerson

Cook. Marie Lohr has been successful in the play in London.

Julie Opp is to appear in a big allegorical spectacle called "Freedom," of which, with Lee Shubert, she is also the producer. The play portrays the development of the spirit of national freedom from the time of Alfred the Great to the present and requires a company of 1,000. The purpose of the production is to raise money for the disabled military and naval officers of the English-speaking peoples.

Sugar Prices Advance To 11 Cents Per Pound

The retail price of white sugar has been advanced from 9½ to 11 cents a pound, effective at once. The advance is authorized by the food administration and is for the purpose of equalizing prices for the country over.

Food administration officials are of the opinion that the new sugar prices will maintain for an indefinite period. Cuban sugar coming onto the market is not expected to bring about any reduction. The new price was made after the Cuban stocks were taken into consideration.

It is expected that the best sugar of this year's crop will commence to move out of the factories within the next 30 days, but these stocks are not expected to have any bearing on prices.

Food administration officials assert that in the Atlantic coast country the 11 cent price became effective six weeks ago, but the advance in the central west was held off on account of the sugar supply having been bought at old and lower prices.

Stockman Claims Damages On Ground of Poor Service

Smith E. Winchell filed suit against the Union Stock Yards company in district court Friday, alleging in his petition that the company is indebted to him for \$938.62.

Winchell alleges he shipped 88 head of cattle to the Union Stock Yards company and the cattle were found suffering with scabies, ordered "dipped" and owing to alleged poor facilities of the company the stock was two days late in delivery. He alleges that he lost \$1 a 100-weight by the delay.

WAR PUZZLES



THE ITALIAN BATTLESHIP "BENEDETTO BRIN"

Blown up by internal explosion, and 300 of crew killed, three years ago today, September 28, 1915. Find a cabin boy.

YESTERDAY'S ANSWER
Top side down in money bag.

Find Jobs and Rooms for Many Women Past Month

Two hundred and twenty women and girls have been placed in positions in the last 30 days by the Women's Employment bureau of the Chamber of Commerce, managed by Mrs. Mabel Walker. This is the record for the first 30 days of the bureau's existence.

Many of the employees are from out of town. Mrs. Walker says there is no difficulty in housing them. Dozens of women called up and registered their vacant rooms, in response made last Sunday from the pulpits of all the city churches.

SOUTH SIDE

HOLD INQUEST OVER MAN WHO WAS MURDERED

Authorities Strive to Solve Mystery of Death of the South Side Barber.

Inquest over the body of J. H. Gilbert, who was found murdered in the weeds near a 100-foot declivity on O street between South Twentieth and Twenty-first streets Thursday morning, will be held in the brewer undertaking establishment, 4731 South Twenty-fourth street, at 3 o'clock this afternoon.

While the murder is still a mystery, the police are following up some substantial clues. No arrests have been made and the police are giving out no information.

Gilbert was 30 years old, a member of the local barber's union and had worked at his trade in Sutton, Neb., for seven years before coming to Omaha. He has brothers and sisters living in Macedonia, Ia.

If You're Sick, Phone; Don't Send Germs to Your Exemption Board

Local Draft Board No. 2 has received information that some questionnaires are held in homes where there are contagious diseases. Judge

South Side Brevities

Mr. Theresa Wardean motored to Sioux City, Ia., this week.

Mr. and Mrs. William Conboy are visiting friends at Gretna, Neb.

J. M. Fitzgerald has returned home from a visit of a month in Duluth, Minn.

Miss Margaret Davis left this week for Chadron, Neb., where she will teach school.

Mary Maloney has returned from St. Joseph, Mo., where she visited relatives for two weeks.

Mrs. Augusta King of Dunlap, Ia., is the guest of her sister, Mrs. D. J. Farrell, 2517 G street.

D. C. Sullivan, general auditor of the ordinance department of the government, visited this week with his parents, Mr. and Mrs. Patrick Sullivan, South Twenty-second and U streets.

Miss Sonia King left this week for New York City. She will leave there soon for overseas service as a canteen worker. Miss King was accompanied to New York by her sister, Miss Hally King.

Mrs. J. J. Mahoney and daughter, Ellen, were called to Great Lakes, Ill., this week by the serious illness of Mrs. Mahoney's son, Francis, who was taken sick with Spanish influenza, which has developed into pneumonia.

Mr. and Mrs. Chris Korbmaker, 3726 South Twenty-fourth street, left yesterday for Milwaukee, Wis., where they were called by the serious illness of their son, Teddy, who is in a government hospital there.

Many Limited Service Men Would Build Airships

Lieutenant T. D. Boole of the bureau of aircraft production of the air service, spent Friday in Omaha receiving applications from limited service men for positions in the various factories

Isaacson is Soon Moved from Illinois to Georgia

J. J. Isaacson, former superintendent of public recreation, has been transferred from Camp Grant, Ill., to Camp Hancock, Ga.

Mayor Smith has received from Louis Storz a postal card from overseas, stating that the writer is on his way to Berlin, but has not yet reached his final destination.

Parker Goes to Crete to Install Community Work

J. M. Parker, director of the war camp community service in Omaha, went to Crete Friday morning to make plans for installing the work of the community service there. Orders received from headquarters state that Doane college, in Crete, has a student army training corps, for whose benefit this recreational work is to be instituted.

Resident of Omaha for 54 Years Is Called by Death

Peder Pedersen, a resident of Omaha for the last 54 years, died yesterday at the home of his daughter, Mrs. Louis Johnson at the age of 85 years.

He was born in Denmark and drove oxen over the trails between Omaha and Virginia City, Mont., in 1864. Later he became a carriage builder in this city. He is survived by two sons and one daughter, J. C. Pedersen and N. A. Pedersen of Millard and Mrs. Louis Johnson, 2430 Burt street, from whose home the funeral will be held Sunday afternoon at 2 o'clock with interment at Forest Lawn cemetery.

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To any doctor or chemist who can prove that there is a better vanishing or cold cream on the market regardless of price.

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To the ladies of the community, no matter how rich or poor, in order to introduce my vanishing and cold cream I will give you a full half pound jar for 50¢. In addition to this I will give you 25¢ worth of my ocidental perfume free of charge. Ask your druggist for it—if he can't supply you call us and we will tell you where to procure it. If he tells you he has something better, he is not telling the truth.

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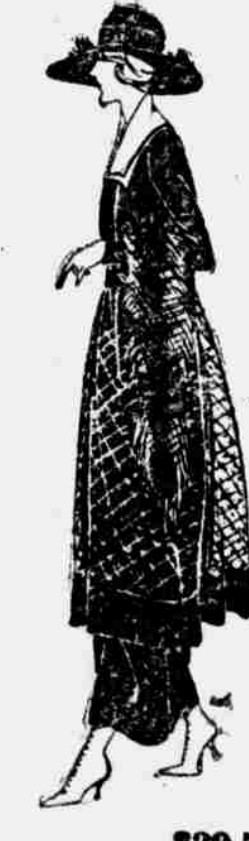
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\$45



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\$29.75

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Offering a wide range of selection in many pleasing styles, including both fur trimmed and tailored modes—in all the seasonable materials. Priced

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\$25 and \$45

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In new modes—quite as attractive as they are practical are these Serge and Jersey Dresses priced very reasonably at

\$29.75

Other Dresses Priced Up to \$95

Second Floor

This Special Sale of Men's & Young Men's SUITS & OVERCOATS

Is a Merchandising Master Stroke

WITH a degree of pride that is pardonable we say with all confidence that this sale presents the very best Suits and Overcoats that can be bought anywhere in America today at **\$17.50**

THIS is a prepared event. When you see the finished garments you will agree that nothing short of merchandising wizardry could have accomplished the well-nigh impossible, as we have succeeded in doing.

First, it was a game of working far ahead. Second, it meant confidence in our own judgment that woollens were going to be sky high. Third, being able to invest thousands upon thousands of dollars in high-grade woollens, many of which have only recently been made up.

WE have warned you repeatedly of the importance of supplying your clothes requirements. We now say most emphatically that you are allowing the opportunity of a lifetime to go unheeded unless you get one or two of these Suits and Overcoats.

ALL the best wool fabrics, such as fancy chevots, tweeds, worsteds and serges—woolen fabrics which are disappearing from the market. Smartest models for Fall and Winter season 1918—good looking styles for both young men and those who require something of a more conservative nature.

Splendid workmanship, in fact Suits which are made according to the rigid specifications we demand in higher price garments. Choose tomorrow—a Suit or an Overcoat—get one of each, at...**\$17.50**

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