

ONE SAYS 'TIS, T'OTHER 'TISN'T, IN RE 2.75 BEER

Pittsburgh Judge Rules Light Beer Is Intoxicating, While New Orleans Bench Decides Otherwise.

Pittsburgh, Pa., July 15.—The government won its first point today in its fight against the sale of beer containing 2 3/4 per cent alcohol when Judge W. H. S. Thomson in United States district court overruled demurrers of officers and directors of the Pittsburgh and Independent Brewing companies to charges of violation of the war-time prohibition law. Each of the defendants, 19 in all, was held in \$1,000 bail for the November term of court.

Judge Thomson's decision followed arguments by counsel representing the 11 officers of the Pittsburgh Brewing company in support of their demurrers to charges of a test suit brought by United States Attorney R. L. Crawford, charging violation of the dry act by sale of beer containing more than one-half of one per cent of alcohol to a local saloon keeper. Judge Thomson said his ruling applied also to demurrers filed this morning by eight directors of the Independent Brewing company to a similar suit started Saturday.

Demurrer Sustained. New Orleans, La., July 15.—Federal Judge Foster today sustained a demurrer filed by officials of the American Brewing company to an indictment charging that the manufacture of beer of more than one-half of one per cent of alcoholic content was in violation of the war-time prohibition act.

The demurrer contended that only

Omaha Officer With American Troops in Russia Has Returned



Albert E. May

Albert E. May, former Omaha attorney, returned to Omaha yesterday from Russia, where he was stationed with the American Expeditionary Force. He was a first lieutenant and served with his company in Russia 10 months.

Lieutenant May denied that there had been any mutiny on the part of American troops in Siberia, as was reported.

Intoxicating beer was prohibited and that 2 3/4 per cent alcohol beer was not intoxicating. In his opinion, Judge Foster said the commissioner of internal revenue "had no right to state that beer of more than one-half of one per cent could not be manufactured," but made no ruling as to whether 2 3/4 per cent beer was in fact intoxicating.

Beaten by Officers; Yankee Soldiers Say

(Continued From Page One.)

a corporal in Company G, 38th infantry, said while at the "brig" he was knocked down by an officer and one of his teeth knocked out when he refused to surrender his money belt.

"Once, when I was scrubbing a floor, a sergeant swung a club at my head over five seconds," testified Goldberg.

Paul Boggs of Baldwin, N. Y., 318th field signal battalion, said men at the farm were often so hungry that they were "glad to eat dirty potato peelings." He said that he dipped a tin cup in a swill barrel so to get some grease that he would eat "with a relish."

"Instead of giving a command, it was generally given with a club," asserted Boggs, who said he saw at least 50 men beaten.

Beaten Up Often. Alvin Bates, Brooklyn, who was with the headquarters troops, second army, said whenever "there was a formation, a man was beaten up every five minutes," at the prison farm. He and Boggs said that a Pole serving in the American army, was brutally beaten, and soon afterward the prisoner cut his throat with a razor.

"Medical inspection was a farce," said Bates, referring to the farm. "You went in one door and were kicked out another."

George L. Pallitto, Newark, N. J., private in Company M, 113th infantry, told of many cruelties in the prison in France, and admitted that he was absent without leave, for which he was sentenced.

One Injured When Truck Collides With Automobile

Shenandoah, Ia., July 15.—(Special.)—Mrs. Jerry Spargur of Villisca, Ia., who was thrown from a truck when it collided with an automobile driven by Mrs. H. G. Loonan, was the only one of the 10 occupants who suffered injuries. A seven-month-old baby, Mrs. Spargur was holding in her arms, was uninjured.

START DEFENSE OF EMERSON ON MURDER CHARGE

Attorneys for Defendant Introduce Chain of Witnesses to Detail Movements During Day.

Mt. Airy, Ia., July 15.—(Special Telegram.)—Attorneys for Roy Emerson, charged with the murder of his mother in Creston on the afternoon of May 6, are attempting to prove by a chain of witnesses that the circumstantial evidence introduced by the state does not prove his guilt as he did not leave the presence of customers and friends long enough during the afternoon to commit the murder.

W. R. McDonald, janitor of the building into a few weeks before the tragedy, testified that he frequently while sweeping saw blood on the floor of the workroom. He also told of Mrs. Emerson threatening suicide about 18 months before her death following a quarrel with her husband.

Mrs. Lon Pollack of Des Moines, a sister of Charles Emerson, testified to Mrs. Emerson's statement following the funeral of her husband. She quoted her as saying: "I wish it had been me left out there instead of Charles. It would have been much better. There is no place left in life for me."

Her husband substantiated her statements.

In tracing Roy Emerson's movements on the afternoon of the tragedy the first witness called was W. D. Waidham, manager of a cigar store. He testified that Emerson left his store at 2 p. m. George Wells, manager of a restaurant told of talking with Emerson shortly after 2 p. m.

Visitors at Office.

Harold Giben, a former Emerson employee who had just been discharged from the army, told of visiting Emerson in the undertaking parlors from 2:30 to 3 p. m. He was accompanied by his father and visited with Roy Emerson and his mother. He saw Mrs. Cora Foster pass the building and was present when Roy Emerson came in. They left Roy Emerson alone in the office.

Roy Patterson told of talking to Emerson about a funeral in the office about 2:30 or 3 o'clock. Mrs. Cora Foster told of waiting 15 minutes for Emerson when she passed at 2:40 enroute to the postoffice. She said several men were in the office. When she returned she says no one was in the office.

Ralph Tallman told of visiting Emerson in the office shortly before 4 p. m. He said Emerson was alone at the time. Duane's visit he saw William Matlock came in. William Bonus testified that he was with Emerson in the office from 4 o'clock until 5 p. m. He said he did not see Mrs. Emerson during his visit.

Visit at Apartment.

Mr. and Mrs. Shinn testified to visiting the Emerson apartments the night of the tragedy to extend condolences. They testified they stayed with Emerson from 10 o'clock until 1:30. During their visit they told of Matlock and Dr. Orlo Coakley visiting the apartment.

They testified that Emerson and the two visitors went into a bedroom and were followed by Mrs. Roy Emerson who came out in about 20 minutes and requested that someone take Dr. Coakley away. They said Frank Flummer took him away.

They refused to say the doctor was intoxicated as was said by a normal condition. When he entered the room they testified he knew neither of them although they are neighbors and well acquainted.

Before leaving the house, they said, the doctor recognized them.

The prosecution rested its case following the refusal of the court to allow Dr. H. M. Stanley to testify in regard to alleged blood stains in the clothes worn by Roy Emerson on the day of the tragedy.

Overrule Defense Motions.

Motions by the defense to strike all evidence regarding the suit of clothes for the direct verdict of acquittal and a motion for the state to elect on which of the two forms of death charged in the indictment the state would base their case, were overruled by the court. The indictment charges that Mrs. Emerson came to her death either by a blow on the head or by a fall down the elevator shaft.

Mrs. Louis Ulrich, wife of a restaurant keeper, with apartments in the Coakley part of the building, was the first witness called by the defense. She testified that she lived across the hall from the Emerson building and that the door of their apartment was open on the day of the tragedy except between 3 and 4 p. m. She said her husband was sleeping and that she heard no unusual noise or commotion in the Emerson building. On cross-examination she admitted that delivery wagons in the alleyway made considerable noise and that a printing office next door also made considerable noise.

Mrs. George Hawker testified that she had been acquainted with Mrs. Emerson for a number of years and that during the spring while walking to a lodge meeting Mrs. Emerson complained of having dizzy spells.

Mrs. Walter Huntington, living on a farm near Creston, testified that she was an intimate friend of Mrs. Emerson who frequently visited her on the farm. She told of her frequent dizzy spells and said she was inclined to fret and worry equally over large and small affairs. She says Mrs. Emerson in her presence had threatened to commit suicide.

Williams Tries to Defend Action of Banking Board

Washington, July 15.—Resuming his testimony today before the senate banking committee, John Skelton Williams, comptroller of the currency, defended the administration of his office and accused Wade Cooper, a Washington banker, of having circulated "untrue, false and damaging statements" against him and his office.

The comptroller defended his action in sending to bankers a memorandum attacking Mr. Cooper. Pressed by Chairman McLean for his motives in doing this, Mr. Williams said it was to counteract statements circulated by Mr. Cooper and to inform the public and stockholders relative to the management of banks operated by Mr. Cooper and his brother.

Rape of Korea by Japanese Charged by Church Council

(Continued From Page One.)

or wounded by hundreds. In other instances native high school students of both sexes who had joined the processions in behalf of Korean liberty were imprisoned and tortured. The stripping and beating of girl demonstrators and the brutal treatment of Korean women by Japanese soldiers were frequent, while bands of armed Japanese thugs were turned loose upon the Korean crowds.

"From March 1 to April 11, 361 Koreans were known to have been killed and 860 wounded. The indignities to a few foreign missionaries and especially the arrest and imprisonment of the Rev. Eli M. Mowry, are already well known in America. The latest reports are to the effect that the arrest and torture of suspected persons by the police were continuing and that a reign of terror prevailed.

Engaging Serious Attention.

"That the forbearing policy of the federal council's commission has met with an appreciative response from the Japanese government is evident from the following cablegram just received from the Hon. Takashi Hara, premier of the imperial cabinet:

"I desire to assure you that the report of abuses committed by agents of the Japanese government in Korea has been engaging my most serious attention. I am fully prepared to look squarely at actual facts. As I have declared on various occasions, the regime of administration inaugurated in Korea at the time of annexation, nearly 10 years ago, calls for substantial modification to meet the altered conditions of things. A comprehensive plan of reorganization with this object in view has already been on the tapis.

"In view, however, of the recent improvement in the situation, the contemplated reform can now be, in my estimation, safely introduced and will be carried into effect as soon as the legal requirements of procedure to make them definite shall have been completed."

The commission also makes public part of a cablegram from Viscount Uchida, minister of foreign affairs, in Tokio, wherein he confirms the assurances of Premier Hara that the latter is striving to remedy the Korean trouble. The message thanks the Americans for their "cordial and friendly spirit," and asks for a continuance of their "sane and moderate attitude."

Keen Bidding for Drug Store in Medical Building

Keen bidding is going on between druggists to see who will be the occupant of the drug store in the new doctors' building which is to be erected at Seventeenth and Dodge streets, as this will be a very desirable location.

Eleven floors of the new building have already been spoken for and it is now certain that the medical association will have little difficulty in renting all the space to dentists and doctors.

The decision of the doctors to make Omaha a real medical center is proving very popular with the profession as they now see the idea will work out all right. All are taking interest in the plans being prepared by Architects Kimball and McDonald, especially in the plans which will make this essentially a medical building.

Hayden Bros. will use the basement and first and second floors.

Crew of Balloon Victory Returns to Fort Omaha

Lt. William E. Huffman and Lt. William E. Connolly, the crew of Fort Omaha racing balloon, the "Victory," returned to Omaha yesterday, safe and sound. The "Victory" balloon encountered so many cross currents and electric storms that "they really didn't know where they were half the time," according to Lieutenant Huffman.

"At one time we were well into the state of Minnesota," said Lieutenant Huffman, "but we struck a cross current that took us clear back to Waterloo, Ia."

Harry Wolf Buys Common Stock In Big Office Building

Harry Wolf has bought for the H. A. Wolf Co., of the Saunders Investment Co., their entire holding of the common stock in the Saunders-Kennedy Building Co. With this purchase the H. A. Wolf Co. comes into possession of all the common stock of the Saunders-Kennedy building, as it has previously bought the stock of Mr. and Mrs. John L. Kennedy. Mr. Wolf plans to eventually move into the building.

MEMBER FEDERAL RESERVE SYSTEM

By fire and sword the world has been awakened to a new and better way. Nothing remains quite as it was yesterday.

A New Era

This new day calls for new methods—new standards of service and helpfulness. And banks and bankers are not exempted.

Here, we believe, we have caught the spirit of the times. We endeavor to meet the most exacting demands of our patrons.

The Omaha National Bank

Farnam at 17th Street.
Capital and Surplus, \$2,000,000.

COFFEE DRINKERS TAKE NOTICE!

There's No Increase
In The Price of

INSTANT POSTUM

But there's apt to be an increase in your comfort and health if you change from Coffee to Postum

"There's a Reason"

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

There's a Reason

'ROPE BURGLAR' IS GIVEN TERM IN FEDERAL PRISON

Man With Several Aliases Pleads Guilty to Charge of Attempt to Rob Post-offices.

Adam Moore, alias Frank White, alias Frank Alexander, ex-convict, known as the famous "rope burglar," was arraigned in federal court yesterday on a charge of attempting to rob the Walnut Hill and No. 9 postoffice stations. He pleaded guilty and was sentenced to 15 months in the federal prison at Leavenworth, Kas.

Moore was released from the state penitentiary last Thursday and was immediately taken into custody by government officers. He was sent to prison from Omaha in 1916 for committing over 130 hold-ups and robberies.

It was his custom to enter a house on place of business, tie the owner to a chair, and then walk off with whatever he found of value. He was never without a rope, and although he was carrying a gun when he was finally captured, he had never used it.

Moore was first sent to the penitentiary in 1914, after committing a series of robberies. He was paroled a year later, with recommendations and papers attesting to his good behavior while confined in prison, committed a series of daring robberies which drove the police frantic.

Ford Favors Another War if League Fails

(Continued From Page One.)

but inspired apparently by his utterances. Mr. Ford admitted that he still considered war of aggression as murder, and professional soldiers, not even excepting General Grant and General Pershing, as murderers.

His reiterated that to him history was so much "bunk" and an admission that on many subjects he was ignorant, although he did not consider himself an "ignorant idealist," as charged by the Tribune in the alleged libelous editorial of June 23, 1916, headed "Ford Is An Anarchist."

He stated that when a war is unavoidable that description is the fairest method of obtaining an army.

The witness said he did not know the cause of the war of 1812 between Great Britain and the United States, but said that slavery caused the civil war and thought the war with Spain was to free Cuba. He did not recall that the sinking of the Maine precipitated matters.

"I have read quite a little history," said the witness.

"And you consider it bunk?" asked Mr. Stevenson.

"It is bunk to me."

While the testimony was proceeding the "Flag of Humanity" was kicked under a table, where it remained in a dusty and neglected heap.

Counsel for the Tribune, inspired by Mr. Ford's statement that "flags were something to rally round," and that there had been a flag under which the whole world might live in peace, have been trying to get this flag ever since the trial started. Two months ago, Mr. Ford said that he had never seen it before.

Mr. Ford characterized a war of aggression as one where one country wanted to burglarize another.

"Perhaps the Kaiser wanted to do that," illustrated the witness. "An army might be used to burglarize Mexico—take their natural resources, I mean. Anything above a defensive army could be used only for that."

"Isn't it true that you opposed even the army that we had?" asked Mr. Stevenson.

"No, it isn't."

Shantung Bait to Japs; Senator Norris Charges

(Continued From Page One.)

eral treaty of peace and that Japan never would give up the peninsula unless forced to do so by war.

In the end the senate adopted without a record vote a resolution by Senator Lodge asking the president for any available information about a secret treaty alleged to have been negotiated between Japan and Germany in 1918 embodying a plan for Russian rehabilitation and promising Japan's indirect protection of German interests at the Versailles negotiations.

Sweeping Request.

A sweeping request for information about the conversations at Versailles also was sent to the White

House by the foreign relations committee, which adopted a resolution by Senator Johnson, republican, California, calling for all proposed drafts for a league covenant, for reports of the arguments relative to the league, and for "all data bearing upon or used in connection with the treaty of peace."

At its meeting the committee began the reading of the treaty, covering in less than two hours about one-fifth of its sections, but passing over for future consideration the league covenant, the boundaries of Germany, and many minor provisions. The reading will continue at a long session tomorrow, the senate having adjourned until Thursday so the committee would not be interrupted in its work.

There was no discussion of President Wilson's offer to consult with the committee on doubtful points of the treaty, nor was any attempt made to have the committee open

its doors to the public. It was said these questions might not come to a head for several days after the reading of the document was finished. There was growing conviction, however, that should the president see the committee it will be at the White House and not at the committee room.

Senator Lodge's charge that Japan's support of the league had been purchased by the Shantung agreement was coupled with a warning that Japan was following in the footsteps of Germany as an empire builder.

"There's another great power being built up on the other side of the Pacific," said the foreign relations chairman. "We are asked to put our name at the bottom of that robbery of China—handing over control practically of that great province to Japan. I do not want to see my country's name at the bottom of such a thing."

Thompson-Belden & Co. Established 1886 The Fashion Center for Women

--for MEN

These Specials

\$1.50 Athletic Suits, \$1.25

These Athletic Union Suits are an unquestionable bargain. Sizes 34 to 50.

Fibre Hose for 45c

First quality hose, Eifel make, in seven colors. For Wednesday only.

To the Left as You Enter.

White Goods

Specials...

65c white imported Madras Skirting for 50c a yard.

75c white Irish poplin, 27 inches wide, 59c a yard.

35c white Persian lawn 32 inches wide, 25c a yard.

35c white India linen, 32 inches wide, 25c a yard.

The Basement

Offers

A most attractive collection of aprons, house dresses, and gingham dresses for street wear. Also children's dresses, kimonos, sun hats, and sweeping caps.

Every woman will appreciate these opportunities to economize by visiting the Basement Store.

White lisle hose 85c.

White silk hose \$1.

Very sheer and fine white silk hose \$1.25.

Pure thread white silk hose with lisle top and soles, \$1.50 and \$2 a pair.

Office Aprons

Black sateen office aprons in small sizes, 75c.

Skirt aprons \$1.35.

White lisle hose 85c.

White silk hose \$1.

Very sheer and fine white silk hose \$1.25.

Pure thread white silk hose with lisle top and soles, \$1.50 and \$2 a pair.

Office Aprons

Black sateen office aprons in small sizes, 75c.

Skirt aprons \$1.35.

White lisle hose 85c.

White silk hose \$1.

Very sheer and fine white silk hose \$1.25.

Pure thread white silk hose with lisle top and soles, \$1.50 and \$2 a pair.

Office Aprons

Black sateen office aprons in small sizes, 75c.

Skirt aprons \$1.35.

White lisle hose 85c.

White silk hose \$1.

Very sheer and fine white silk hose \$1.25.

Pure thread white silk hose with lisle top and soles, \$1.50 and \$2 a pair.

Office Aprons

Black sateen office aprons in small sizes, 75c.

Skirt aprons \$1.35.

White lisle hose 85c.

White silk hose \$1.

Very sheer and fine white silk hose \$1.25.

Pure thread white silk hose with lisle top and soles, \$1.50 and \$2 a pair.

Office Aprons

Black sateen office aprons in small sizes, 75c.

Skirt aprons \$1.35.

White l