

Federal Judge Asks Pardon for Sutton Banker

Omaha Attorney, Now at Leavenworth, Is Really Responsible for Failure to Claim in Petition.

On the heels of the incarceration of T. H. Matters, Omaha attorney, in Leavenworth prison to serve five years for violation of the national banking laws in connection with the failure of the First National Bank of Sutton, Neb., federal judge J. W. Woodrough declared yesterday he would endorse the application for pardon received Friday from M. L. Luebben, former president of the bank, now serving five years in the same prison.

"I believe Luebben has suffered enough," said the judge, who sentenced the banker August 7, 1920. Luebben's application for pardon will be forwarded to Washington with endorsements by the judge, the attorney who prosecuted him, Omaha and Lincoln bankers and attorneys and former depositors in the defunct Sutton bank.

Four Reasons Advanced.
In his application for clemency Luebben reviews the events leading up to the failure of the bank, his indictment and arrest, and his imprisonment.

He offers four reasons why he believes he should be pardoned:—
1. Luebben declares he reaped no personal benefit from the actions which led to his imprisonment, that he did not commit them except at the request of T. H. Matters and that he was made penniless when the bank was closed.

Since the closing of the bank in 1914, he declared, he did everything within his power to assist the government, that he was determined to plead guilty at once, but that he did not plead guilty in the beginning at the request of the United States attorneys, who wanted him to testify as a witness.

Wife Broken In Health.
Luebben is past 60 years old, he states in the application, and is absolutely necessary to the support of his family, because his wife has broken in health and is no longer able to bear the burden of supporting herself and their young son.

He further pleads that while the acts committed resulted in the failure of the bank, they were committed without criminal intent and, on the ground of error in judgment and misplaced confidence, which resulted in his ruin as well as the failure of the bank.

If pardoned, he declares, his sole ambition in life, next to supporting his family, will be to pay back to the depositors of the defunct bank the money they lost, pleading that his years are short and he must be allowed to do this soon if he may be successful.

Matters Is Blamed.
Luebben, in his resume of the case, blames the failure of the bank on his appeals to Matters, then attorney for the bank, to aid him in saving the Luebben Baler company, which was hard pressed for funds.

Matters had the reputation of being wealthy, he declared, and could place him in contact with persons who would produce funds to carry the alfalfa baler company.

He allowed Matters to draw on the bank temporarily for several thousand dollars, he declared, and Matters, instead of paying the overdraft, began "kiting" checks for large amounts.

Then one day Matters telephoned him from Omaha to send his certificates of deposits for \$5,500, he declared, and three days later for \$34,000 more made out in the name of George B. Darr, Omaha capitalist.

He sent them, the application continues, with explicit instructions to deliver the certificates only after the money had been deposited in an Omaha bank.

Then came the crash—and the penalty.

Prosecutor Urges Pardon.
Howard Saxton, who was assistant United States district attorney at the time of Luebben's trial, recommends his pardon, closing his letter with the following paragraph:

"He is an old man now, but has a younger wife and boy probably 10 years old. He probably cannot live through his confinement for the full term."

"Hundreds of people in and around Sutton wish clemency could be shown him," writes another endorser of the pardon plea.

Letters recommending pardon are from L. R. Stein, former president of Sutton, now of Hastings; Merton L. Corey, attorney and registrar of the Federal Land Bank of Omaha; F. M. Tyrrell, Jacob Fawcett and R. S. Meckett, Lincoln attorneys.

Endorsed by Depositor.
Homer J. V. Gray, considered a heavy depositor in the Sutton bank at the time of its failure, a witness for the government against Matters, and victim of several of the certificates issued on the bank, likewise urges clemency for Luebben.

Under a blanket recommendation for pardon which states they believe Luebben has been punished in the past seven years all that he can bear, and that further imprisonment probably will make him a physical wreck and prevent his ever being able to help himself or his family, appear these names:

A. J. Sawyer, E. A. Groney, L. B. Howay, H. H. Freeman, E. H. Muldrow, W. W. Hacker, jr., W. H. Sellock, Lincoln bankers; and W. L. Locke, who was foreman of the federal grand jury which returned the indictment against Luebben.

New York Man Killed by Train at Missouri Valley
Missouri Valley, Ia., June 4.—A dead man was found lying on the Northwestern tracks near Missouri Valley with both legs cut off and otherwise mutilated.

"He was apparently about 35 years of age, a garage man by trade and carried good recommendations, from which it was learned that his name was Henry Putters and his home Rochester, N. Y.

Nebraska U. Regents Blame University Provost for Naughty Annual Cartoon

Lincoln, June 4.—(Special.)—The regents of the University of Nebraska refused today to accept the faculty recommendation for censuring students responsible for publishing the Cornhusker, college annual, which was subjected to criticism because of intimate pictures of university girls and alleged risqué jokes.

Instead the regents laid blame for the affair upon Prof. J. H. Lees, university provost, whose duty it was to censor the publication.

The faculty recommended that Jack Landale of Omaha, editor of the Cornhusker; Hugh Carson of Omaha, business manager, and William McCorkle, art editor, be not allowed to graduate with their class, but be given their diplomas privately.

The regents rejected this recommendation and passed resolutions regretting that "the great name of our university has been brought into question and the morbid part of our university life has been stressed by an irresponsible minority."

Lutherans Vote To Keep College Site at Blair

Blair, Neb., June 4.—This city was definitely selected as the permanent location of Dana college at today's session of the United Danish Lutheran church of America in convention here. The five members of the building and plans committee were retained for the coming year.

The campaign for funds will continue. A report was made showing that pledges of \$423,000 had been made not counting \$25,000 received from the sale of buildings in Racine, Wis., and \$25,000 pledged by citizens of Blair. It is planned to secure \$500,000 before building operations start.

The committee has plans for a building to cost \$300,000 and will get bids and has every thing in readiness for the start of construction on building operations can start immediately. It was decided that for every dollar spent in building an equal amount would be placed in the endowment fund.

Saturday was given over to the celebration of the 10th anniversary of the union of the two bodies of the church. In the evening the Dana college chorale sang the "Eternal City" at the large tabernacle on the college grounds.

The convention completed the selection of officers. N. C. Carlson of Royal, Ia., was elected vice president. Rev. M. N. Andreason of Cedar Falls, Ia., having been elected president of the church synod earlier in the week. Rev. A. W. Lund of Minneapolis was elected secretary to succeed Rev. Mr. Andreason.

With Otto Hanson of this city, who was elected treasurer. D. D. Skeer of Racine, Wis., and L. Vedsted of Staplehurst, Neb., the other officers, will comprise the church council.

Nurse Sues Patient For \$306,000 Damages
Mrs. Agnes Moechring, Omaha nurse, brought suit in federal court at Council Bluffs yesterday against Mr. and Mrs. Louis Schulz and Otto Herbond, wealthy farmers of Denison, Ia., asking \$306,000 damages for alleged false arrest.

Walter Childs, attorney bringing the suit, said Moechring went to the Schulz home to nurse. She submitted a bill which the Schulzes paid. Afterward they asserted the bill was too large and had her arrested for larceny, according to Mr. Childs.

They were active in prosecuting the larceny charges against her, but she was cleared of them, he says.

You'll Have to Pay to See The Ak-Sar-Ben Races Now
Persons who occupied free positions on Sixty-fourth street to view the Ak-Sar-Ben races will find these places shut all through the race meet in consequence of action taken yesterday.

Friday an order was granted by District Judge Wakeley prohibiting Sheriff Clark and his deputies from keeping this street closed during the races. This was on application of Clara Merrow, a resident of the street.

Yesterday Judge Wakeley dissolved the order on a showing made by County Attorney Shott that the street had been ordered closed by the county commissioners. Judge Wakeley held that the order of yesterday was void because Mrs. Merrow did not show that she had suffered any personal inconvenience by closing of the street.

Farm Jobs in Nebraska Open to Ex-Servicemen
Some farm jobs throughout the state are waiting applicants at the American Legion headquarters, according to H. C. Hough, adjutant of Douglas county post.

"It seems the fellows like to remain in the city," Mr. Hough stated. "But we're taking care of them in fine shape."

Clarks had 60 cents when arrested. Detectives uncovered stolen accessories in two places in Florence and Millard, both of which they attribute to this trio.

A. E. F. Romance Culminates in Marriage Here

She Was Canteen Worker and He a Machine Gunner—They Met in a Pretty French Town.

Culminating an American expeditionary force romance, Miss Eugenie Marx of Mobile, Ala., and Melvern D. Metcalfe of Sioux Falls, S. D., were married in Omaha Friday night. The two met in Beaune, Cote d'Or, France, where the southern girl was in canteen work and Mr. Metcalfe was with the 127th machine gun battalion. He went over with the Sixth Nebraska and attended the

American Expeditionary Forces' university at Beaune after the armistice. Formerly Editor.

Metcalfe is a Nebraskan and formerly edited a newspaper at Tobias, Neb. He is now an instructor in the Sioux Falls high school. A brother, W. H. Metcalfe, lives at 2425 Spenser street.

Miss Marx, a kindergarten instructor, visited in Omaha last summer, at which time the friendship begun in the pretty little French town was renewed. She was en route from a visit in Hollywood, Cal., when Mr. Metcalfe persuaded her to come via Omaha and be married, instead.

Rounds Up—Winners.
The couple appeared at the office of Justice of the Peace L. N. Bunce in the Baird building last night, shortly after Miss Marx' arrival, without the necessary two witnesses.

The judge scurried out and brought in Mrs. Flora Donnell and Arthur Bingham, garage owner next door, to witness the ceremony. Mr. and Mrs. Metcalfe are at the Conant hotel.

Shantung Stand Turned Chinese Against America
Such is Charge of Miss Ruth Paxson, Omaha Woman Who Has Spent Last 10 Years in China.

Woodrow Wilson's stand on the Shantung question while president broke China's trust in America, according to Miss Ruth Paxson, Omaha woman who returned Friday night from 10 years' missionary work in China to visit her sisters, Miss Susan Paxson of Central High school faculty and Mrs. Charles W. Hayes, 3123 Pacific street.

The Chinese contend Shantung is the same as Belgium or Poland, she explained, comparing the Japanese militaristic campaign in the far east with the former German machine.

Miss Paxson intends to return to China in a few months. She is the first visitor home in four years. She went to China as a national Y. W. C. A. secretary, later became associated with Sherwood Eddy, noted world missionary, and for the last few years has been in native Chinese missionary movements.

Miss Paxson will speak at a luncheon Thursday at 1 in the Y. M. C. A. to all the women's missionary federations in Omaha. She declares the Chinese continue friendly to America, though, and would stand with the United States in the event of any break in relations in the east.

Ex-Newspaperman Of Omaha Is Killed

Birmingham, June 4.—V. O. Hodges of Lincoln, Neb., assistant city editor of the Birmingham News, was killed Friday in the crash of an airplane in which he was returning to Birmingham after covering an assignment at Jasper.

Douglas H. Davis, former army flier, the pilot, was not seriously injured. The machine smashed into a tree in landing after the engine had failed.

Hodges' wife and father live in Lincoln. He formerly was connected with several western newspapers.

V. O. Hodges was well known among newspaper men of Nebraska, having been employed at various times on papers in the state. He was for three years connected with the Lincoln Daily Star, still later on the North Platte Telegram, and his last work in the state was in Omaha. During the early part of the war he was night telegraph editor of The Omaha Bee, later becoming day telegraph editor of the same paper.

He was born and raised in Lincoln, where his father, one brother and two sisters now make their home. Aside from his parents he is survived by his wife and one child. Mrs. Hodges formerly was Miss Bertha Davis of Lincoln.

Farmer Near Anita Is Electrocuted in Home
Atlantic, Ia., June 4.—(Special Telegram.)—Frank R. Howard, 40, met instant death by electrocution at his home two miles east of Anita. A heavy current passing through the wires in the house from a defective transformer in the highway nearby was the cause of the accident. Howard went to the kitchen and turned on the current to operate a washing machine. His feet touched some water and the heavy current passed through his body.

No member of the family was present when Howard was killed. His body was found a few minutes later by his small son. The family were preparing for a church picnic which was to have been held at the Howard home. Howard had lived in this community for years and was well-known. He leaves a wife and three children. A daughter, Edith, was married a week ago to Ralph Oathout.

Wheel High Chair \$785
Is easy to move about from place to place. Made of golden oak with lift-over tray as shown.

Kroehler Duofold \$4875
Developer opens to full size bed. Fumed oak and is upholstered with imitation Spanish brown leather.

Complete 9875 Da-Bed Suite Complete 9875
Choice of Tapestry, blue or Figured Mulberry Velour
This Da-Bed suite comprises chair, rocker and couch all designed to match perfectly. Frames are all mahogany and upholstery may be had in choice of tapestry or blue or figured mulberry velour. The couch is easily converted into a bed at night.

COLUMBIA Grafonolas
Our prices on Columbia Grafonolas are back to a pre-war basis. As a special example of this fact, we quote the popular type 3-2 cabinet model, which was formerly sold at \$125.00, now at \$85.00. Easy payments without interest.

HOW IRON STARVATION OF THE BLOOD RUINS A WOMAN'S HEALTH—AND MAY MAKE HER WRINKLED, ACED AND CAREWORN, GIVING HER FACE A PALE, HAGGARD, SICKLY APPEARANCE.
For want of iron you may practically be a woman 20 to 35 weak, "downhearted" and "all fagged out." You may be in such a highly nervous irritable state that you "go all to pieces" at the slightest provocation, and at 60 or 65 with good health and plenty of iron in your blood, you may still be young and attractive and full of life as to forty detection of your real age.
The youngest woman that is most sought after—there is an indescribably alluring fascination in the rosy cheeks, the inviting lips and sparkling eyes of a blood filled with iron. You may be afflicted with iron starvation of the blood and not know it, just as thousands of other women are.
It is said that about one person in three in America today suffers more or less from iron deficiency—lack of nourishment, which is caused not by lack of food, but in many cases by lack of sufficient iron in the blood to enable you to get the strength and nourishment out of your food.
Indoor life, over-eating and modern methods of cooking are sapping the iron from the blood of hundreds of thousands of women. Our forefathers, to whom history refers as a nation of red-blooded Americans, ate the husks of grains and the skins and peels of vegetables and other

18th and Dodge Site Chosen by Elks for Home

Location Favored by Big Vote of Members—Consideration Set at \$330,000, of Which Lodge to Pay \$125,000.

Eighteenth and Dodge streets will be the site for the new \$1,000,000 club house of the Omaha lodge of Elks. After much oratory at the lodge meeting Friday night, the southwest corner at this intersection was selected by ballot.

*Here's the way the votes fell when cast: Eighteenth and Dodge, 268; Sixteenth and Jackson, 78; Nineteenth and Douglas, 42; Seventeenth and Howard, 11; Twentieth and Farnam, 11; Nineteenth and Farnam, 10; scattering, 11.

It is said the site will be bought for \$125,000, although the owner asks \$330,000, of which \$205,000 has been subscribed by owners of adjoining property and those who would profit by erection of the fine club house there as an inducement to locate the building on that site.

The meeting opened at 8:30 but the vote was not taken until after midnight. While this vote is supposed to be binding, it was stated "There'll be something doing before long; this won't decide the question."

Persia Woman Killed in Automobile Accident
Persia, Ia., June 4.—Mrs. N. C. Hill, a young married woman living two miles west of Persia, died from her injuries received in an auto accident near Portsmouth.

Mr. and Mrs. Hill, accompanied by Miss Pitt, daughter of Roddy Pitt, and young son of Mr. and Mrs. Bert Mer, were driving over a piece of road where some repairs had been made. It is said that an open ditch had been left in the road where a culvert was to be placed, and the machine ran into the ditch.

Be Want Ads Produce Results

Stunning Black Fibre Reed Chair as Shown
The illustration shown to the left will give you but a vague idea of the artistic appearance that this stunning black fibre chair presents. The attractive extreme upholstery is another feature that will appeal to those in search for a chair that possesses artistic appearance as well as durable construction. Observe the loose cushioned seat and the comfortable roll arms possessed by this design. It is an exceptional value at the price quoted.

\$2350

Overstuffed Parlor Suite 3 Pieces For \$18750

Ivory Enamel Crib \$1275
Made by Simmons with safety sliding side which protects the babe and is made of comfort to the mother.

Wheel High Chair \$785
Is easy to move about from place to place. Made of golden oak with lift-over tray as shown.

Complete 9875 Da-Bed Suite Complete 9875
Choice of Tapestry, blue or Figured Mulberry Velour
This Da-Bed suite comprises chair, rocker and couch all designed to match perfectly. Frames are all mahogany and upholstery may be had in choice of tapestry or blue or figured mulberry velour. The couch is easily converted into a bed at night.

A Simmons Bed \$1075
This white enamel bed, made by the Simmons factory is constructed in a pleasing design of excellent materials and will give unlimited service.

Very Handsome William and Mary 5-Piece Dining Set of Jacobean Oak \$8750
You will look far and wide before you find the equal of this very attractive, substantial and well finished dining room suite at this price. It is designed after the William and Mary Period in Jacobean finish. Comprises table and four chairs to match.
—Just as shown in the illustration. It is a value that is very unusual at the price we quote.....

\$8750

Genuine Reed Sleeper \$3650
Every mother who contemplates the purchase of a baby carriage will be interested in this one because it insures comfort to the little tot and has all other features that you could demand.

Corduroy lined, has rubber tired wooden wheels, reversible seat, comes in natural or rich brown finish. Strong tubular steel supports, sliding adjustable hood with corduroy draft curtain.

Porceliron Top Kitchen Cabinet A Wonderful Value \$5975
Here is a kitchen cabinet that will save you many steps in the preparation of your meals. You can buy kitchen cabinets for less money than this, but you cannot buy one elsewhere as good as this one at \$59.75. It has a Porceliron top and easy filling flour bin, metal racks, swinging glass sugar jar and many other conveniences that are found in higher priced cabinets. Truly a wonderful value at the Hartman price.

Golden Oak Buffet \$4675
A mission designed Golden Oak Buffet, drawer space for all utensils, linens and other kitchen necessities. Mirror across the top.

Fibre Reed Rocker \$1175
Comfort is one of the greatest pleasures in life. This well constructed fibre reed rocker, comes in the beautiful brown finish.

Very Handsome 54-In. Table, Extends to 6 Feet. Chairs Are Upholstered in Genuine Blue Leather \$8750

Golden Oak Buffet \$4675

Fibre Reed Rocker \$1175

TWO RUG SPECIALS
8x10 ft. Grass Rugs, at \$6.75
9x12 ft. Fancy Border Grass Rugs, \$8.25

Overstuffed Parlor Suite 3 Pieces For \$18750

Very Handsome William and Mary 5-Piece Dining Set of Jacobean Oak \$8750

Stunning Black Fibre Reed Chair as Shown \$2350

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A Simmons Bed \$1075

COLUMBIA Grafonolas

Be Want Ads Produce Results

Food Centers
BETTER THINGS TO EAT
1814-16-18 Farnam Street AT IANITE 4603.
THE SANITARY MARKET
Delicatessen Dept. Picnic Lunches
Every variety of luncheon meats, salads and dressings prepared in our own kitchens.

Stunning Black Fibre Reed Chair as Shown \$2350

Porceliron Top Kitchen Cabinet A Wonderful Value \$5975

Genuine Reed Sleeper \$3650

Overstuffed Parlor Suite 3 Pieces For \$18750

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A Simmons Bed \$1075

COLUMBIA Grafonolas

Let Hartman Feather Your Nest
Hartman's
Sixteenth—Between Harney and Howard