

HE IS FINED \$100

But Their Power Did Not Extend Far, Apparently

Law Nathanson Given a Jail Sentence of 60 Days.

But He Is Put on Good Behavior and Paroled.

SOLD LIQUOR AT \$5 A QUART

Employe Who Was "City Salesman" Made 50 Cents.

Theater Man's Two Autos Held by County Attorney.

Convicted on a liquor charge, Lew Nathanson, well known Topeka and Kansas City theatrical manager, was fined \$100 and sentenced to serve 60 days in the county jail by Judge Robert D. Garver in the first division of the Shawnee county district court this morning.

He was paroled on the jail sentence upon the payment of the fine and costs and warned that leniency would be shown him if he repeated the offense. The county attorney has enjoined his two cars, a Haynes and a Cadillac.

Nathanson was charged with bringing liquor into the state and with maintaining a nuisance in the Gem theater, 508 Kansas avenue. He was arrested about two weeks ago and Glenn Mannel and A. F. Davis, who had worked for him in the theater, were subpoenaed by Hugh Fisher, county attorney.

Davis stated in his affidavit that he had sold liquor for Nathanson at least 24 times but told Hugh Fisher that he could not begin to remember the actual amount he had sold.

Sold at \$5 a Quart. At the hearing this morning, T. E. Cronwell, another witness sworn for the state, said he had one time met Nathanson in a saloon in Kansas City and rode to Topeka with him; that the theater man had a large suitcase with him but that he did not know whether or not it contained liquor.

Davis—better known as "Grip" Davis—said that the liquor was brought into the theater and kept in the safe, in a desk and under some steps. He sold it for \$4 and \$5 a quart, he stated. He said it had been understood that he was to receive fifty cents a quart for all he sold but, later, realizing the risk he was taking, he sold out \$1 a quart, he said, turning the balance over to Nathanson. He said that Nathanson usually came up to Topeka on Saturday nights with the whisky.

Nathanson denied this testimony. He stated that he had occasionally brought whisky from Kansas City "for the boys" at their own request, but could not remember how much he had brought them. He stated that there had been no arrangements made with him to sell it and that he did not know where it was kept. He also stated that he had brought whisky to Topeka for Eli Ulamper. He said he fired Davis and Mannel because they were drinking too much around the theater and that they were in the habit of leaving the empty bottles around the premises.

"After which," he said, "these wild stories were concocted."

Mannel told a different story of how he came to leave Nathanson's employ. He said that "he had scabbed for Nathanson once before when there was trouble" and that when the strike of theater hands came up and Nathanson refused to sign up, he went away on a three days' vacation to avoid complications but that when he returned Nathanson told him he was discharged. Davis contends that he, himself, left the theater man's employ voluntarily.

At the conclusion of the hearing, Judge Garver said that as this was Nathanson's first offense, and while he did not believe the case should be dropped without giving Nathanson a jail sentence, he would parole him upon the payment of the \$100 fine and costs with the understanding that a repetition of the offense would mean confinement in the county jail for the defendant without a further showing by the county attorney.

Calls a Conference. Indianapolis, Ind., Oct. 26.—Frank J. Haynes, president of the United Mine Workers of America, today called a conference of officials of all bituminous districts to meet here Thursday to discuss the refusal of Fuel Administrator Gardner to grant an increase in wages to the miners.

ACCORDIAN PLAITED SKIRT ATTRACTIVE

Altman's send forth this unusually attractive skirt of navy accordian-navigated satin. The two panels are of navy georgette, stenciled in conventional rose design. They are edged with broad bands of satin and chenille fringes.

BUT THEIR POWER DID NOT EXTEND FAR, APPARENTLY

Amsterdam, Oct. 26.—Speaking in the reichstag on Thursday, Dr. W. S. Solf, foreign minister, said that Spanish Minister Villalbar, representing British and Belgian citizens, and Commissioner Van Bree, of the Belgian authorities, had done everything in their power to alleviate the conditions of fugitives and residents in bombarded towns.

HINDY HAS FAILED

Measures To Strengthen Morale of Army Not Lasting.

Increasing Captures Show Lack of Strengthening.

New York, Oct. 26.—Resumption of large captures of prisoners and guns by the allies is demonstrating that measures taken by von Hindenburg to strengthen the falling morale of the German army have had no permanent effect.

A recent German resistance to allied pressure has been sufficiently spirited to make it apparent that stringent measures had been put into effect to reduce the alarming number of field surrenders. It is probable that chief among the deterrent factors was the extension of the characteristic German organization known as "battiefeld police," whose duty has always been to shoot their own troops whose power of resistance had begun to waver.

Within the past few days, however, the Germans have taken once more to throwing down their arms and deserting their artillery in increasingly large numbers, despite the presence of the "battiefeld police." This is the most disquieting symptom for the kaiser in the present military situation. It is impossible for him to camouflage the fact that the previous surrender movement in his army increased at an alarming rate, once the troops started getting the habit.

Now that the German military morale is again showing signs of demoralization, the kaiser's last hope must begin to disappear. The trust of the militaries in the impregnable defense of the Hindenburg line, and the soldiers can no longer be argued with conviction in Berlin. Had the capitulations ceased for any considerable period of time, the general staff might have made out some kind of a case, that perhaps, would have partly revived German confidence in the army's ability to defend the fatherland. But it is impossible for any such reliance on the army's effectiveness to exist while daily surrenders by the thousand are being made. It is this loss of human fighting material through voluntary desertions by the kaiser's soldiers, that, more than anything else, demonstrates the collapse of Germany's will to win.

SOLDIERS TO VOTE

Those in Cantonnments in U. S. May Cast Ballots.

Election ballots are now being sent to Kansas soldiers in forty-eight camps and cantonnments throughout the country so that they will be able to cast their votes at the election on November 5. Although it is not known definitely, it is expected that approximately 25,000 Kansas boys are in army service and who have not yet been sent overseas, will be entitled to vote. Soldiers who are in France will have no chance to vote, General Pershing having refused to allow politics to interfere with the activities of the men who are already in the fighting zones.

It is expected that at least 10 days will be required to get all of the soldier ballots tabulated and counted and in the event there are close contests for any of the offices, there is a possibility that the winners will not be known until the last of the soldier votes are in.

MINA COOLEY DIES

Well Known Topeka Telephone Operator a Victim of Influenza.

Miss Mina Cooley, 1320 Monroe street, for the last ten years with the independent and the Bell Telephone companies in Topeka, died early this morning following an attack of influenza. At the time of her death she was long distance toll supervisor at the Topeka central office of the Bell company.

Mrs. Jennie Larson, wife of a soldier in France, and a sister of the late Miss Cooley, is in a serious condition with influenza. The mother is recovering from the disease. Another sister, Harry A. Marshall and wife, 1405 Byron ave., Oct. 18, girl—Evelyn Harter, Eufrocine River and wife, 522 East First St., Oct. 18, boy—John, R. R. No. 23, Oct. 18, boy.

Richard King and wife, 712 Western Ave., Oct. 18, girl—Evelyn Harter, Harry A. Marshall and wife, 1405 Byron Ave., Oct. 18, girl—Evelyn Harter, Eufrocine River and wife, 522 East First St., Oct. 18, boy—John, R. R. No. 23, Oct. 18, boy.

KEEP SHIPPING UP

Total for World Is Only 7 Per Cent Less Than at Start of War.

Washington, Oct. 26.—The total world's shipping tonnage, members of the senate military committee were told at their war department conference today, is only 7 per cent less than at the beginning of the war. American tonnage has been more than doubled.

BIRTHS REPORTED

The following births were reported for the week ending October 25: Warren B. Carey and wife, Hoat, Kan., Oct. 8, boy—George Henry. Edward Ray and wife, 1044 Hogeboom St., Oct. 18, boy—Robert Ray. Chester H. Hatton and wife, 1030 Roswell Ave., Oct. 15, boy—Charles Albert. Wm. Carl Hentzler and wife, 1319 Van Buren St., Oct. 15, boy—Wm. Clarence. Geo. J. Holtzester and wife, 200 Knez Ave., Oct. 22, boy—Robert George. Ross Alvie Meade and wife, 172 Roswell Ave., Oct. 19, girl—Phyllis Louise. Richard King and wife, 712 Western Ave., Oct. 18, girl—Evelyn Harter. Harry A. Marshall and wife, 1405 Byron Ave., Oct. 18, girl—Evelyn Harter. Eufrocine River and wife, 522 East First St., Oct. 18, boy—John, R. R. No. 23, Oct. 18, boy.

MOONEY TRIES AGAIN

Convicted Labor Leader Asks Rehearing in Supreme Court.

Washington, Oct. 26.—Thomas J. Mooney, San Francisco labor leader, today petitioned the United States supreme court to review the decision of the California state supreme court, upholding his conviction for murder of the San Francisco preparedness day parade dynamiting.

"IT IS A BLUNDER"

Governor Capper So Looks at President Wilson's Appeal.

Grave Mistake To Divide Nation on Politics Now.

AN UNCONDITIONAL SURRENDER

Capper Gives Sentiment of Kansas to Defense Society.

He Says Kaiserism Must Be Crushed To Insure Peace.

Governor Capper, when asked this afternoon if he had any comment to make on the appeal made by President Wilson Friday to the people of the United States to return a Democratic congress as an indication of their faith in his administration said:

"I think the president's appeal was one of the most unfortunate blunders he could have made. At this time when every one is doing everything possible to help win the war, I think it a very grave mistake for the president to make a statement that can accomplish nothing except divide the country and cause the people to feel that he does not want a larger part of them to have a hand in handling the affairs of the nation in this crisis."

When asked about statements that a number of Republicans are making that the Republicans are furnishing the majority vote and the unity of the wealth to fight the war and are therefore entitled to share in the responsibility of its conduct, the governor replied:

"All Must Pull Together. It is true, I suppose that the Republicans are doing these things, but I do not look at it in that light. Regardless of the politics of the men in the army or the dollars in the treasury, this is a time when all must pull together, and certainly President Wilson's appeal for a partyless congress is not going to make people pull together any more than they have in the past. I am of the opinion such an appeal will not promote the unity of command deemed so essential, nor do I believe it will enable the people to place more confidence in the president or to feel that they should keep politics adjoined when he has so openly invited a political fight."

For Unconditional Surrender. In reply to a telegram from the chairman of the board of trustees of the American defense society, asking whether or not he is for unconditional surrender by Germany, Governor Capper sent the following message to New York today:

Charles Stewart Davison, American Defense Society, New York. Most assuredly I stand against any peace with Germany not based upon unconditional surrender, and in taking this stand I speak for at least ninety-nine per cent of the people of Kansas. Kaiserism must be absolutely crushed if we are to have permanent peace.

ARTHUR CAPPER, Governor. The question asked the governor is being asked of every candidate for the United States senate and house of representatives, Davison said.

FOR A NEW TREATY

Swiss Minister Will Return to U. S. To Talk of Agreement.

Washington, Oct. 26.—Swiss Minister Suter will return to the United States within a week. It was learned today. He will begin negotiations with the war trade board at once regarding a commercial treaty by which the allies will supply needed foodstuffs and certain materials to Switzerland.

Switzerland is now getting these necessities under the provisions of an agreement which expired September 30, but the allied governments have permitted arrangements to continue pending completion of the new treaty. Allied representatives sit with war trade board representatives in the deliberations.

Germany has always exerted strong pressure on Switzerland to get badly needed war materials and the chief concern of the allies has been to safeguard their commercial agreements so that no allied exports to Switzerland could be used to release other supplies for Germany.

WHAT'S IN A NAME?

Negro Wanting to Marry Fails to See Use for Them.

An ancient negro entered the office of Ralph H. Gaw, probate judge, this morning and asked for a marriage license. The word was all roses while the clerk was opening the license book and getting her pen, but when she asked the old man his name a snag was encountered. The only part of it he could think of was "Wash" and remembered the rest of it only when Judge Gaw suggested "Washington."

But when he came to the name of the lady he was "stumped" for good. She was called "Mack" he said, but the rest of it he didn't know. And, commenting on the uselessness of many names, he was sent out to get the necessary additional information.

FLU SPREADS IN FRANCE

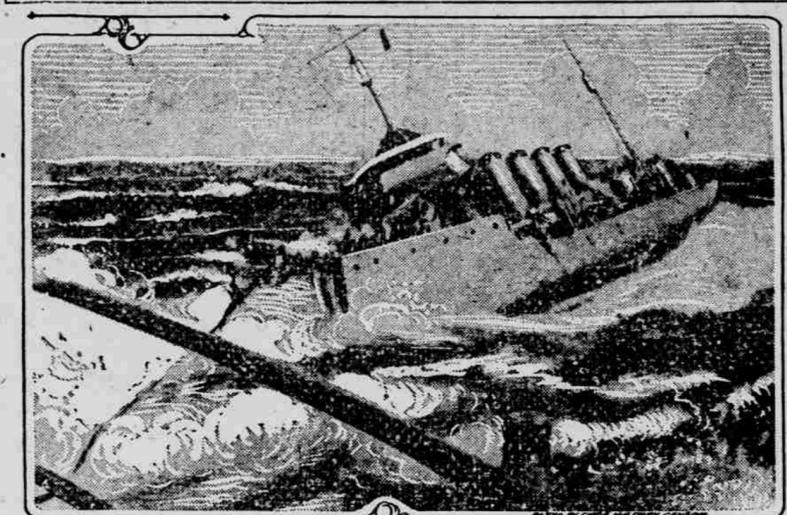
1,944 Deaths Reported in the Paris Region Along.

Paris, Oct. 26.—The Spanish influenza epidemic continues to spread here. Municipal statistics of the past week show 1,944 deaths in the Paris region, of which 880 were officially attributed to influenza, against 1,445 deaths from all causes the preceding week. The normal death rate for the same period last year was 721.

The military authorities have placed a number of physicians at the disposal of the public. The newspapers are publishing lists of remedies and preventives.

Express train service has been curtailed owing to the fact that 30 per cent of the engineers are afflicted.

WITH THE AMERICAN SAILOR BOYS ON THE HIGH SEAS



Towing temporarily disabled destroyer to port.

Our navy is silent as to its work in fighting the U-boats on the high seas, as is the British navy. But that silence indicates the navy is busy. The photo, taken from an American destroyer, shows an American destroyer partially disabled being towed into port. The photo was passed by the chief military censor. The details of the probable battle with the submarine, of course, are not given.

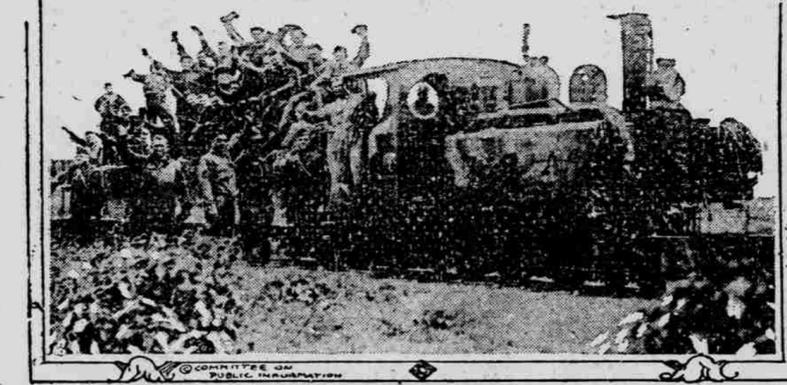
BRITISH TROOPER AND HORSE ANSWER GERMANS' CHALLENGE



Hun shell exploding near British cavalryman and horse.

The cavalry of the allied forces is playing an important part in chasing the fleeing Germans through broken country. Many of the cavalry mounts of the allies have written chapters in the history of the war. Their stamina and almost human intelligence is wonderful. This photo shows a British trooper and his horse. He was ready to mount in pursuit of the Hun when a shell exploded nearby as a challenge. Horse and rider are answering it. Both are eager to get into the fray.

U. S. ENGINEERS HOPE TO LAY RAILROAD INTO BERLIN



U. S. railway engineers' supply train.

This American official photo shows a group of U. S. railroad engineers with the American army. Twenty-sixth division, on a supply train somewhere in France, judging by the actions of the boys abroad they probably feel that some day soon they'll lay a road for the troops right into Berlin. Notice the name of the road on the engine. It's the United States Railroad.

THE GUN THAT FIRED THE FIRST SHOT AT THE GERMANS



This American official photo was taken for technical purposes by the government. It shows the gun that fired the opening shot of the war for the United States. Inscriptions on the gun state that the first shot at the Hun was fired October 23, 1917, at 10 a. m., by Sergeant Arch. South Bend, Ind., chief of the gun section. Corporal Braley of Cincinnati, O., was the gunner.

FIVE COME BACK TAKE A BIG PART

General March Announces Return of Commanders Here.

They Have Been in France at Troops' Head.

Four Minute Men Will Push 7-in-1 Drive.

New Plan of Campaign Has Been Devised.

Washington, Oct. 26.—General March today announced that five American corps and division commanders who have been actively engaged in France are returning home on the recommendation of General Pershing, to take important assignments here. They are Major General Omar Bundy, who organized and commanded the fifth army corps and who will go to command Camp Pike, Arkansas; Clarence R. Edwards, who took to France the 26th (New England National Guard) division and who will be assigned to command Camp Crook, Virginia; John E. McMahon, who commanded the fifth (regular) division and later the second army corps, new assignment not announced; and Beaumont B. Buck, recently awarded the distinguished service cross for gallantry in action, at which time he was wounded, new assignment not announced. Major General George B. Duncan, who commanded the 77th (New York National Guard) division will not be returned to the United States as previously announced. General March said General Duncan had recovered his health and will be returned to active duty.

In making these announcements General March stressed the fact that all of the officers ordered home had done splendid work at the front and proved their ability on every occasion. He indicated that they were all men of more advanced years upon whom the strain of active campaigning bore heavily.

RED CROSS NEEDS

Topeka Is Short on Towel and Sheet Quota.

The Red Cross workers here announce that towels and sheets for the use of American sick and injured in the Red Cross hospitals in the war zones are sorely needed. Topeka's quota is less than half supplied.

It is suggested that 200 households in Topeka spare one sheet each and 300 other households spare a couple of towels each. The size matters not. It is important that the donations be hurried as Topeka's shipment must go forward next week, even if short in allotment.

Remember your gift is not for a Belgian or a Frenchman, but for one of our own boys who has no sheet on his bed.

The Red Cross headquarters at Crosby Brothers will gladly receive your donation. Should the pieces be tagged so much labor and time will be saved.

WILL SUBSCRIBE FUND

United War Work Leader Talks of Coming Campaign.

Chicago, Oct. 26.—Whether peace comes immediately or not, the \$170,000,000 asked for in the United War Work fund must be raised ever-substantially according to Dr. John R. Mott, international secretary of the Y. M. C. A., and director of the campaign. Dr. Mott, addressing 1,500 leaders in the work here today.

"When the budgets for the joint war work were assembled," said Dr. Mott, "it was not anticipated that our overseas forces would number more than 2,000,000 men. Yet we are now planning for an army of between 4,000,000 and 5,000,000 by next summer, and their wants must be anticipated."

"The period of demobilization will be a period of demoralization if we are not alert to our duty to the men. The reason to believe that this period will extend at least fifteen months after the conflict ceases."

DRAFT APPEALS PILE UP

First District Board Expects To Handle 45,000 Cases.

Twelve new girls were added to the clerical force of the first district appeal board today, Chairman L. L. Kliene announced.

The additional clerical force is needed to handle the large number of cases that are piling up before the board and to enable the board to overcome the additional complications that the new questionnaires have brought about.

The district board now has 15,000 cases on hand to dispose of and approximately 30,000 additional ones are expected within a short time. If possible, the board hopes to dispose of the entire 45,000 cases within the next 100 days.

LOSE MUCH TERRITORY

Germans Have Given Up 7,000 Square Miles Since July 18—March.

Washington, Oct. 26.—Summarizing the situation of the western battle front today, General March said the Germans have evacuated or been driven out of 7,000 square miles of Belgian and French territory since July 18; that 400 square miles have been freed during the past week and that all the coal fields in northern France have been reconquered except for a five-mile tract where the allies' advance now is being pressed near the Belgian border.

Kansas Man Is Wounded.

Washington, Oct. 26.—The name of E. O. Tracy, of Bedford, Kan., appears in today's casualty lists as wounded slightly in action, previously reported missing.

NOW IT IS THE VICE PRESIDENT WHO ASKS VOTE

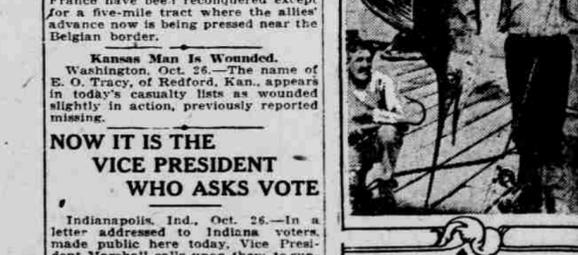
Indianapolis, Ind., Oct. 26.—In a letter addressed to Indiana voters, made public here today, Vice President Marshall calls upon them to support the president by election of Democratic congressmen on November 5. The letter asks:

"Do you want the election celebrated in Paris and London where Wilson is honored, or in Berlin and Vienna, where he is hated today? Vice President Marshall calls upon them to support the president by election of Democratic congressmen on November 5. The letter asks:

"Do you want the election celebrated in Paris and London where Wilson is honored, or in Berlin and Vienna, where he is hated today? Vice President Marshall calls upon them to support the president by election of Democratic congressmen on November 5. The letter asks:

"Do you believe that 16,000,000 men have been agonized, sacrificed and died that you and I should now put in our time discussing views which fundamentally divided us?"

SETS RECORD FOR LIGHT LINE HAUL



Commodore James W. Jump and record catch.

A world's record was set by Commodore James W. Jump of Los Angeles when he captured a 64-pound marlin sword fish in twenty-eight minutes, fishing with light tackle. The catch was made off the southern California coast.