

A Diamond Ring For Her Christmas Gift

At \$10, \$15, \$20, \$25, \$30, \$40, \$50, \$65, \$75, \$100, \$200 and up to \$600. Any amount you wish to spend. And the least expensive to the most costly you will get a gem stone, Blue White and perfect in every detail. The size only making the difference in price.

If your Christmas Diamond comes from here you may be sure that the quality is the best obtainable.

Come and Look Without Any Obligation to Buy



CHRISTMAS SHOES

There are many that look at the beautiful velvet, brown or black. Our splendid assortment of Patent Colt dressy boots and the pretty Quers Cloth Button boot. Our Satin top and Velvet vamped boots for ladies which are a dream of beauty, and sigh for any of the above for Xmas presents.

Our line of Satin pumps or Dull Kid, the latest creation, styles that have been brought out since fall goods were placed on the market, are very suitable.

The children may be remembered with beautiful serviceable shoes that will make them glad and at prices within the reach of all.

HODGE & HAWKES

—OPEN—

Fifteen hours tomorrow.
Shop early and late.
SPECIAL DAY

HORNADAY'S
514 Main St.

AMUSEMENTS.

Peck's Bad Boy.
Every performer who takes part in "Peck's Bad Boy," as it will be presented at the Grand tomorrow, matinee and evening, is a particularly versatile player. Each person in the cast is absolutely necessary to the working out of the general story-scheme of the play, and in addition, each member of the cast is called upon to contribute some kind of an interpolated specialty. These perform-

ers are, for the most part, recruits from the ranks of vaudeville where many of them have been prominent for years.

The specialties contributed during the action of the play are funny and musical. A number of the artists are handsome girls who, dressed in their expensive gowns, make the stage resplendent during the time they are working.

Hamlin Concert.
"Not in several seasons has Mr. Hamlin sung with so much vocal smoothness, certainty and beauty," declared the Chicago Tribune, referring to the well known tenor, who sings here next Monday. "He has a rare gift in the power to establish almost instantaneously an atmosphere for the song he is to sing. The gift is a precious one, and to it is attributable much of the marked impression Mr. Hamlin's work makes."

Local music-lovers are looking forward to the tenor's engagement with more than ordinary interest. Mr. Hamlin's place is high in the music world, and a treat far above the average may safely be anticipated. Mr. Hamlin appears here at the

Grand Opera House under the direction of J. E. Baker and the patronage of the Monday Music Club. Seats for all parts of the house are on sale at the box office Saturday morning at 10 o'clock.

Dodge's Theatre.
This is Biograph night at Dodge's. Get busy and take in a fine show. "Saved From Himself" is one of those human interest pictures that hold the attention from start to finish and "The Chief's Daughter" is a dramatic incident during the life of Daniel Boone that will thrill you. It is a pioneer picture and is displayed with realistic taste and is intensely exciting. Another picture is the engineering feat showing the great New York water supply. In all that is best Dodge's is in the front rank. High class music, both vocal and instrumental, added to the always fine pictures, make this picture house one of popularity. Two shows, 7:45 and 9.

Without opiates or harmful drugs of any kind Foley's Honey and Tar Compound stops coughs and cures colds. Do not accept any substitute. Wilkinson & Co.

VERDICT ORDERED BY THE COURT

Defendant's Motion in Personal Damage Suit Brought by Boughman Was Sustained by Court.

INTERESTING OPINION

Negligence Was Not Placed on Motorman of Warsaw Interurban Car Which Struck Sleeper.

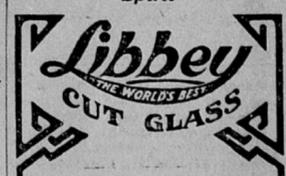
The motion for an instructed verdict for the defendant in the case of Horace C. Boughman by his next friend, Jennie Watkins vs. Keokuk and Western Illinois Electric Company was sustained by Judge W. S. Hamilton in the district court this morning at 9 o'clock. The case was one for damages in the sum of \$2,000, the plaintiff being injured by the Warsaw Interurban car while sleeping on the tracks near McCready's Crossing. Judge Hamilton handed down a very interesting opinion in the case which follows:

The defendant operates a line of interurban cars between Warsaw and Keokuk. About two miles north from Warsaw there is a crossing called McCready's crossing, a place where defendant's cars were wont to stop to take on or put off passengers.

The afternoon of August 13, 1909, was clear. On that afternoon plaintiff had walked up the track from Warsaw. He stopped at a point thirty feet north of this crossing, intending, he says, to wait there for a car to Keokuk. At this point, thirty feet north of the crossing he sat down upon the east rail of the track with his feet outside of the rail, and went to sleep in this position. He states that he does not know whether or not he continued in this position. From this point toward Warsaw the view of the track was unobstructed. East of the crossing the track bends towards the north and plaintiff placed himself on the east rail of this bend. At a distance of one hundred and fifty feet, Zimmer, the motorman of the defendant's car, approaching from Warsaw, saw an object on the rail which he thought was a chicken, chickens being frequently seen in this locality. He testified that there were weeds on the outside of the rails and between the ties at this place. When the car had approached within thirty-five feet of the object he then saw that it was a man lying outside the rail, between the ties, with his head against the rail, his feet towards the east. The car struck the plaintiff and he was injured. Zimmer was placed on the stand by the plaintiff, but was not asked by the plaintiff what steps he took, if any, to stop the car. Plaintiff contends that as the car was wont to stop at this crossing, it was the duty of the defendant motorman to be on the lookout for passengers; but even if this is so there was no such duty towards one in the place and position in which plaintiff was. As said by the court in Ayres vs. Wabash Railway Company, 88 Southwestern, page 610: "If this man had been walking or standing on the track, he could have been seen by the engineer in time, at least, for a danger signal to have been given; but, lying as he was on the west side of the track, he was not as conspicuous as a person walking or standing would have been."

The engineer was not chargeable with notice that a man was liable to be found lying on the track, and therefore the fact that the engine struck the plaintiff in that position is not in itself sufficient to justify the inference either that the engineer saw him or that he failed to use ordinary care to discover him in time. The plaintiff's testimony, aside from that of the engineer, does not undertake to expressly show his attitude. He sat down on the west end of the cross tie, and there the stupefaction of intoxication overcame him, and there the

Duncan-Schell Furn. Co.
The Store of the Christmas Spirit



With Libbey Cut glass there is no element of doubt. All the world knows that it is "the world's best." It is literally true that as much cannot be said of any other type of gift.

Having the sole right to sell Libbey Cut Glass in this city, our stock is an exceptionally large one.



plaintiff's leaves the result to inference. The natural inference is that he fell into a recumbent position. It is the opinion of the court that this case falls clearly within that class of cases in which the defendant owed the plaintiff no duty except to use reasonable care to avoid injury to him after its motorman had discovered that the plaintiff by his negligent acts had placed himself in a condition of peril. With this view of the law, it is the duty of the court, a motion now having been made to direct a verdict, to inquire whether there are any facts in evidence to show that the defendant was negligent after it discovered that the plaintiff by his negligent act, has placed himself in a position of peril. I find in this case no evidence showing, or tending to show that the defendant could have by the exercise of ordinary care avoided injuring the plaintiff after it had discovered plaintiff in a position of peril.

Giving the humanitarian doctrine the broadest latitude I am of opinion that its application should at all times be tempered with reason. Defendant's motion for a directed verdict is sustained.

Foley Kidney Pills
Tonic in action, quick in results. Will cure any case of kidney or bladder disorder not beyond the reach of medicine. No need to say more. Wilkinson & Co.

WANT SPECULATION IN TICKETS A CRIME

National League Would Have Legislation in State in Which They Have Clubs.

[United Press Leased Wire Service.] NEW YORK, Dec. 15.—Magnates of the National league said today they would use all their efforts to have the states in which National league clubs play pass laws which will make it a crime to speculate in baseball tickets.

This in effect, is the only answer to the resolution which passed by the American league, which many at first thought presaged a war between the two major leagues.

The National league magnates, at their final meeting yesterday, refused to take any action on the American league resolution. They did, however, offer a reward of \$100 for the arrest and conviction of every person guilty of making a pool or bet on a game of baseball.

It was asserted that the schedule next year will call for 154 games, beginning April 11 and ending October 6.

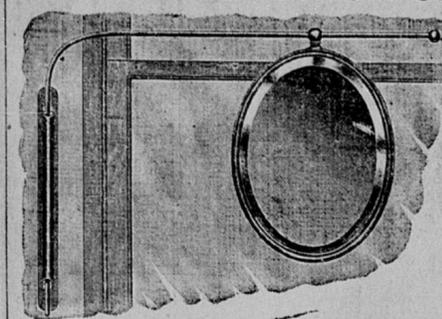
Harmon Declines.
[United Press Leased Wire Service.] WASHINGTON, Dec. 15.—Governor Harmon of Ohio, and Governor Marshall of Indiana, have declined invitations to the "Jackson day" banquet here January 8, for a convalescence of democratic presidential possibilities. Speaker Clark, Alton B. Parker and Representative Underwood have promised to speak.

Headaches

Impair Mental Faculties and should not be allowed to become chronic. Whether caused by heat or cold, stomach disorders or nervousness

Hicks' CAPUDINE
is the best remedy to take. It's liquid—effects immediate—pleasant to take. 10c, 25c and 50c at drug stores.

Christmas Gifts For Him



Search-light Shaving and Dressing Mirror

Adjustable to any angle

\$2.00 to \$3.00

McGRATH BROS. DRUG CO.
Corner Fifth & Main Sts.

THE WORLD'S MARKETS

Wheat Blockade.
WINNIPEG, Dec. 15.—Reports from all over Saskatchewan indicate that the wheat blockade may entail great suffering. At Morse, 50,000 bushels of grain are piled in the streets and thousands more is standing unloaded in wagons, while farmers today fought pitched battles for the privilege of marketing their grain. Mounted police had to be called out to preserve order. Many of those at Morse, unable to dispose of wheat valued at hundreds of dollars, are in dire need of the necessities of life.

Daily Range of Prices.
CHICAGO, Ill., Dec. 15.—

	Open.	High.	Low.	Close.
WHEAT—				
May	97 1/2	99	97 1/2	99
July	94 1/2	95 1/2	94	95 1/2
CORN—				
May	63 1/2	64 1/2	63 1/2	64
July	63 1/2	64	63 1/2	64
OATS—				
May	48 1/2	48 1/2	48 1/2	48 1/2
July	45 1/2	45 1/2	45 1/2	45 1/2
PORK—				
Jan.	15.55	15.70	15.55	15.55
May	16.05	16.16	15.90	16.00
LARD—				
Jan.	9.05	9.15	9.02	9.10
May	9.30	9.40	9.20	9.35
RIBS—				
Jan.	8.22	8.27	8.22	8.22
May	8.47	8.57	8.47	8.52

Chicago Cash Grain.
CHICAGO, Dec. 15.—Wheat—No. 2 red 95@96c; No. 3 red 92@95c; No. 2 hard 97@1.01; No. 3 hard 94@98c. No. 3 spring, old 95@1.01; new, \$1@1.03.
Corn—No. 2 white —; No. 2 yellow —; No. 3 60c; No. 3 white 60@60 1/2c; No. 3 yellow, old 70c; new 60 1/2@61c; No. 4 57 1/2@58 1/2c; No. 4 white 58@58 1/2c; No. 4 yellow 58@59c.
Oats—No. 3 white 47 1/2@48c; No. 4 white 46@48c; standard 47 1/2@48 1/2c.

Chicago Live Stock.
CHICAGO, Dec. 15.—Hogs—Receipts 26,000; market dull, mixed and butchers \$5.85@6.30; good heavy, \$6.10@6.35; rough heavy \$5.95@6.10; light, \$5.60@6.15; pigs, \$5.70.
Cattle—Receipts 21,500; market steady. Beeves, \$4.55@8.90; cows and heifers, \$1.90@5.75; stockers and feeders, \$3.25@5.80; Texans, \$4.10@5.75; calves, \$5.50@8.00.
Sheep—Receipts 11,000; market weak. Native, \$2.50@4.10; western, \$2.75@4.10; lambs, \$4.25@6.10; western, \$4.25@6.10.

Omaha Live Stock.
OMAHA, Dec. 15.—Cattle receipts 600; market slow and weak; steers, \$7.00@8.10; cows and heifers, \$5.25@5.40; stockers and feeders, \$5.25@6.00; calves, \$3.25@7.50; bulls and stags \$3.00@5.00.
Hog receipts 10,800; market steady, \$5.50@6.15.
Sheep receipts 3,600; market steady yearlings \$4.25@4.90; wethers \$3.75@4.00; lambs, \$5.50@5.85; ewes \$3.35@3.60.

Kansas City Live Stock.
KANSAS CITY, Dec. 15.—Cattle receipts 500; market steady. Steers \$5.25@8.75; cows and heifers, \$2.75@7.00; stockers and feeders, \$3.75@5.90; calves, \$4.50@8.00.
Hog receipts 13,000; market steady; bulk, \$5.80@6.20; heavy, \$6.15@6.25; medium \$6.00@6.25; light \$5.75@6.10.
Sheep receipts 11,000; market steady. Lambs, \$4.50@6.00; ewes, \$2.25@4.00; wethers \$3.40@5.90.

East St. Louis Live Stock.
EAST ST. LOUIS, Ill., Dec. 15.—Cattle—Receipts 500; market steady. Texas—Receipts 300; market steady. Native beef steers \$4.50@9.25; cows and heifers \$3.75@7.00; stockers and feeders \$3.25@5.25; Texas steers, \$3.75@6.25; cows and heifers \$3.00@4.75; calves, car lots, \$4.50@7.50.
Hogs—Receipts 10,500; market 5c higher; mixed and butchers \$5.55@6.40; good to heavy, \$6.25@6.40; rough, \$5.85@6.10; light \$5.55@6.20; bulk \$5.55@6.20; pigs, \$4.50@5.50.
Sheep—Receipts 2,300; market steady. Sheep and muttons \$3.25@3.90; lambs \$4.25@6.10.

Chicago Produce.
CHICAGO, Dec. 15.—Butter—Extras 33c; firsts, 31c; dairy extras 31c; dairy firsts 28c.