

CAPTAIN VON PAPAN LEAVES FOR HOME

Recalled German Attache Denies that He Violated Any Rules of Diplomatic Etiquette.

GLAD TO GET INTO BATTLE

NEW YORK, Dec. 22.—Captain Franz Von Papan, Germany's recalled military attache, left New York for Rotterdam today on the steamship Noordam, bearing a safe conduct to Germany from the entente allies.

"In leaving this country, where I have received so many proofs of kindness and hospitality from Americans and others, I regret it is my duty to thank all those who did not permit their friendly personal feelings to be poisoned by the hatred created by the war among the nations.

"My thoughts turn back today expressly to those unforgettable days when I had the honor and good fortune to spend some time with the expedition of General von Helldorf where I learned to admire the splendid soldierly quality and devotion to duty of the United States army.

"Personally speaking, no greater satisfaction could be given to me than the fulfillment of my ardent desire to be called home where old friends are far more urgently needed than here.

History With Violent Hit.

"I leave my post without any feeling of bitterness, because I know too well that the history of the past will be written in all impartiality and that the cause of the United States is just and will prevail at last.

"The New World which certainly is not open to the suspicion of harboring friendly feeling for any country, stated very fairly, when discussing my recall, how that the matter is settled and that the United States government has no charges against Captain Von Papan and Captain von Helldorf, who are returned to their respective countries as officers.

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PASTOR WHO PERFORMED WILSON WEDDING CEREMONY—At the right is Rev. Dr. Herbert Scott Smith. At the left is one of the wedding gifts received by Mrs. Wilson—a replica statue of the great Pocahontas monument erected on an island in the James river by the National Pocahontas Society.



DOUBLE LEASE OF LAND IS LEGALIZED

Federal Court Rules Surface and Lower Strata Can Be Separately Rented.

OIL CASE FROM OKLAHOMA

ST. LOUIS, Dec. 22.—An opinion regarding the leasing of land was handed down in the United States circuit court of appeals here today.

The opinion legalizes the granting of two different leases on the same piece of land, one for the surface and the other for lower strata.

The opinion upholds the seizure by the Midland Oil and Drilling company of half an acre of land from the leasehold of O. Kammerer, a farmer of Nowata county, Oklahoma, to enable the oil company to develop its leasehold in the oil and natural gas deposits beneath the land.

Company Seizes Land. On June 1, 1913, John S. Woodward, a Cherokee Indian leased forty acres of land which he owned to Kammerer for agricultural purposes for five years at \$20 a year. Later he leased the oil and gas rights in the land to the Midland company. The oil company invaded Kammerer's farm, seized half an acre of land on which to install a drill and began operations.

Kammerer obtained an injunction against the oil company, but this was dissolved by the United States district court for the eastern division of Oklahoma. Today's decision affirmed the order dissolving the injunction. The opinion was written by Judge Smith and was concurred in by Judge Adams. Presiding Judge Sanborn dissented from their views.

Judges Divide. Judge Smith and Adams hold that the owner of the land has complete dominion over every part of it, from the sky above to the center of the earth beneath it. He has not only the right to dispose of it in vertical sections, but also in horizontal sections. Therefore, it is said, if the owner, after leasing the top strata of his ground for agricultural purposes, discovers that in the underlying strata are deposits valuable to himself, he is at liberty to dispose of that strata, in respect to the other lease.

Women Lawyers Will Defend Girls

CHICAGO, Dec. 22.—Thirty women lawyers of Chicago have formed the Public Defenders' League for Girls, it was announced today, for the purpose of preventing any girl from being sent to jail or prison for a first offense. Members of the league will ask Chief Justice Olson of the municipal court to create a special girls' court, and appoint a woman as judge. The women attorneys have agreed to give one day a month to the proposed special court defending young women offenders free.

Brown University Team Starts West

PROVIDENCE, R. I., Dec. 22.—The Brown university football squad of twenty-one players started for the Pacific coast today to open the 1916 football season with a game against the Washington State college at Pasadena, Cal., on New Year's day. The players expected to reach Pasadena next Monday and will devote four days to practice. Stops will be made at Chicago and Albuquerque, on the way west.

That Christmasy Appearance Of Your Gifts

Can always be secured if you choose the proper wrappings

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BRITONS ABANDON SICK AND WOUNDED

Berlin Report Says So-Called Orderly Retreat Was Head-Over-Heels Flight.

PANIC REIGNS AT SALONIKI

BERLIN, Dec. 22.—(By Wireless to Bayville.)—Advises received here from Constantinople reiterate the assertion that the British forces which quit the Dardanelles retired in great disorder.

"According to Constantinople reports," according to the Overseas News agency, "the British left their sick and wounded behind. The retreat, which they pretend was carried out systematically, in reality was a head-over-heels flight."

Panic Reigns at Saloniki. The Overseas News Agency says: "Private reports from Saloniki indicate that a state of panic reigns there. The Greeks are hostile to the English, who behave arrogantly. The French and British are on bad terms."

"Nearly fifty members of the Serbian Parliament are living in a hotel there. They have formed a provisional Parliament and play cards during the night while Serbian refugees are starving in the streets. The people of Saloniki are anxiously awaiting liberation by the central powers."

Turks Win in Caucasus. CONSTANTINOPLE, Dec. 22.—(Via London.)—The Turkish war office has given out the following statement: "There was local fighting on the Irak front (in Mesopotamia) at Kut-el-Amar. A hostile attack against the tenth sector on the Caucasus front was repulsed."

On the Dardanelles front hostile ships violently bombarded until late in the evening different camps in order to destroy the booty abandoned by the enemy. The bombardment failed to achieve its purpose. Hostile attacks at Seddul Bahr repeatedly were repulsed."

"The counting of the war material and military equipment left behind by the enemy at Ari Burnu and Anafarta has not yet been completed. Among the booty near Ari Burnu were two heavy guns, one Schneider field gun, a great quantity of ammunition, especially cartridges, rifles, a great number of mules, ammunition carts and tents filled with provisions and telephone material."

The "booty abandoned by the enemy" referred to in the above statement is the war material which the Turks claim the British forces left behind in their withdrawal from the northern coast of the Gallipoli peninsula.

ADVANCE IN RATES BEFORE OFFICIALS OF FIVE STATES

(Continued from Page One.)

Commissioners and their attorneys are not a unit on whether an appeal will be made before they do anything they will go into all the legal phases of this question.

What May Be Done. If it is decided that an appeal be taken the case will go direct to the United States supreme court. At the time of starting proceedings an injunction will be applied for restraining the railroads from putting into effect the new tariffs increasing the passenger rates.

Some of the attorneys for the commission are positive that an appeal can be taken, while others are just as positive that one would not be considered by the supreme court.

In support of their contention the at-

torneys who are fearful that an appeal would be thrown out of court take the position that if the decision had been against the railroads there would be no question about their rights to appeal. On the other hand, they maintain that each state being a part of the United States and the Interstate Commerce commission a creature of the United States government, a state or its officers would not have the legal authority to step in and attempt to overthrow a decision by this commission. The contention is that the authority of the Interstate Commerce commission exceeds that of any state railway commission, and that therefore there could not be an appeal.

Bandits Executed in City of Mexico

GALVESTON, Tex., Dec. 22.—Six members of the bandit gang recently captured in Mexico City were publicly executed today, according to a message received by Juan T. Burns, Mexican consul here. Four others condemned to death were given a respite at the last moment. Five women arrested with the gang have been given long prison terms, the message says. The bandits had been able to avoid capture for some time by means of forged documents, which made the police believe they were army officers.

Today's message says that an official announcement regarding the government's policy toward the redemption of outstanding notes by banks will be published shortly.

Our Last Suggestion Before Christmas

We have the finest line of Seal and Walrus "Fitted" Traveling Bags and Suitcases in Omaha. They would make a present so different and so acceptable.

These bags and suitcases contain a full set of beautiful toilet and manicure articles. Any woman would be proud to own one of them.

Special Price Reductions

Table with columns: 'FITTED' SUITCASES, 'FITTED' BAGS, Old Price, New Price. Lists various items and their reduced prices.

FRELING & STEINLE

"Omaha's Best Baggage Builders" 1803 FARNAM ST.

The Store of the Town A Giveable Gift—A SWEATER \$3.50 TO \$8.50 Browning, King & Co.

The Store of the Town A Suggestion—PULLMAN SLIPPERS \$1.50 and \$2.50 Browning, King & Co.

Victrola XI Haven't You? Selling at \$100. You've shopped, inspected, thought over matters,—called for the opinions of others—and now at the very last moment You've Made Up Your Mind To Buy a Victor Victrola Haven't You? Now that you have decided to gladden the hearts of all the members of your household with a Victrola on Christmas day, you are asking yourself: "What size Victrola would prove proper in my home?" And if you leave the matter to our sincere judgment we will advise you to buy a large, massive appearing Victrola XI. We say this because so many people are buying "Victrola XI's" at \$100—it's a large size, in the ever familiar "Victrola" shape, possesses every feature of the very highest priced Victrolas, and will please and entertain you for a lifetime. There's a Victrola at \$15, \$25, \$40, \$50, \$75, \$100, \$150, \$200, \$250, \$350 and we have the whole family right upon our floors—150 instruments. --MICKEL'S-- Nebraska Cycle Co. Corner Fifteenth and Harney Streets, Omaha. Also at 334 Broadway, Council Bluffs, Iowa. "Last Minute" Mail Orders Promptly Filled.

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4 Sherman & McConnell Stores

Candies Liggett's and others

4 Sherman & McConnell Stores

Thermos Bottles 89c up

4 Sherman & McConnell Stores

Fine Box Paper 25c to \$3.00

4 Sherman & McConnell Stores

Razors Safety and old style

4 Sherman & McConnell Stores

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4 Sherman & McConnell Stores

Hair Brushes

4 Sherman & McConnell Stores

Hand Mirrors

4 Sherman & McConnell Stores

Fine Toilet Soaps

4 Sherman & McConnell Stores

Bargains in practically new articles in "For Sale" column; read it.

Lloyd Bingham of Ford Peace Party Dies of Pneumonia

CHRISTIANIA, Norway, Dec. 22.—(Via London.)—Lloyd Bingham, a member of the Ford peace party, died today of pneumonia. He was the husband of Amelia Bingham, the American actress.

NEW YORK, Dec. 22.—Lloyd Melville Bingham, who died at Christiania today, acted as master of ceremonies at the revival of the Ford party from New York. Mr. Bingham introduced Mr. Ford and other members of the party to the crowd on the pier, made various impromptu speeches and led the cheering and singing.

For a number of years he had acted as manager for his wife, Amelia Bingham, who is now in Austin, Tex. He was 39 years old.

Pardon for Thomas Stripling Delayed

ATLANTA, Ga., Dec. 22.—Thomas Edgar Stripling, who was sentenced to life imprisonment in 1907, escaped from jail and during the four-year period of freedom became chief of police of Danville, Va., probably will not receive his expected Christmas pardon from Governor Harris.

Four Deaths at Shenandoah

SHENANDOAH, Va., Dec. 22.—(Special.)—The passing away of Mrs. Stanley Parrish, Mrs. Martha Fender and Alice Harbette Harling, the little daughter of Mr. and Mrs. Fred Harling, add three more to the number that has succumbed to Shenandoah recently. Pneumonia was the cause of the death of the little 1-year-old girl. Mrs. Parrish, who was a young mother of 19 years, died soon after her infant daughter's death. Mrs. Fender was 65 years of age and was the mother of Mrs. Earl Folsom, Mrs. Glenn Beach, Martin and Marie Fender.