

YEAST AND SUTTON CASE ON

Alleged Land Frauds Open Session of Federal Court.

GURLEY OBJECTS TO THE CHARGE

Have Presenting Attorney Rush Waded Through Heavy Verbiage in Order to Confuse the Jury.

The United States district court resumed its session Monday morning after a two week vacation, with Judge T. C. Munger on the bench. The case of the United States against Perry A. Yeast and Harry Sutton under indictment for conspiracy to defraud the United States out of large tracts of land in Grant county by means of false, fraudulent and fictitious filings and for conspiracy to suborn perjury in the matter of such filings, was taken up. The alleged date of the conspiracy is during the year 1905.

The jury empaneled to try the case was selected by 11 o'clock and consists of these men:

George A. Anderson of Waverly, A. R. Archibald, Martin Danham, H. A. Snow, Gordon Roth, J. E. George of Omaha; Daniel Nagley of Springfield; Fred Bodwig of West Point; John F. Newell of Beaver Creek; George B. Miller of South Auburn; Benton Mellett of Auburn and William Duggdale of Fawcett City.

The remainder of the petit jury was excused for the present term of court.

The opening statement to the jury was made by United States District Attorney Geiss, followed by the examination of the jurors. Both defendants were in court and upon arraignment entered a plea of not guilty.

Rush Reviews the Indictment.

Assistant Attorney General S. R. Rush, who will have charge of the trial of the case for the government, then made an analytical review of the indictment, stating what the government expected to prove, which was in substance the evidence would show that Perry A. Yeast and Harry Sutton had procured a number of old soldiers from the Quincy (Ill.) Soldiers' home to enter large tracts of land in Grant county, and also that the selection of these lands was left wholly to Yeast and Sutton and that the soldiers had never lived on the land, nor did they ever intend to; that a number of soldiers' widows had been secured to make similar filings with a like understanding and that these widows or at least two of them, had been taken out to the vicinity of the lands about thirty days prior to making final proof and that they were entertained there by the defendants, who paid them \$1 per day while they were there; that the widows and soldiers never brought any personal property to the land, nor did they ever intend to.

The attorneys for the defendants are Messrs. Gurley & Woodrough. In his opening statement to the jury Mr. Gurley charged that Mr. Rush might have made a plain statement of the facts of the case and that Mr. Rush's purpose in going through the heavy verbiage of the indictment which he himself had drawn to mystify the jury. The indictment charges a conspiracy, if any, charged by other persons were equally guilty of the conspiracy, Yeast and Sutton are guilty. We do not have to disprove. Nor the evidence is in.

Last a Week. The trial would occur in that you be kept together in this. But I want to caution you regarding conduct during this trial. You are to converse with any one or let any talk to you about this case. You will not be allowed to discuss the case in any way. The court will protect you. You will not be allowed to discuss the case in any way. The court will protect you. You will not be allowed to discuss the case in any way. The court will protect you.

The admission given the jury by Judge Munger is regarded as significant from the fact that in most of the previous land cases the jurors were kept together constantly during the trials, and were kept under the closest surveillance by the government. But in this case, Judge Munger was still on the stand when a recess was taken at 1 o'clock until Tuesday morning at 10 o'clock.

Two Judges' Witnesses. The only witnesses examined Monday afternoon were Judge W. W. Wood, the presiding judge of the Alliance land office, who testified that he was a register, under the alleged fraudulent filings are to have been made, and Judge John Nease, register of the land office at Broken Bow. The testimony of these witnesses was simply to identify the land office records of their respective offices, which were introduced in evidence. Judge Nease was still on the stand when a recess was taken at 1 o'clock until Tuesday morning at 10 o'clock.

PUMP TO BOOST IRRIGATION. Machine Touted as Means of Revolving Irrigation System and Opening Thousands of Acres. D. C. Deaver in charge of the Land-owners' Information Bureau of the passenger department of the Burlington is in communication with a large Wisconsin company manufacturing a new pump which the company maintains should be able to revolutionize the system of irrigation in many places in the west, especially in Wyoming where oil and coal for fuel may be had at a slight cost.

"If this pump will do what the firm claims it will do it should be able immediately to throw open thousands of acres of valuable land to cultivation," said Mr. Deaver. "The pump has new features by which it is able to lift an enormous amount of water at a small expenditure of power. They claim they can lift twice as much water as four times the same amount of power would lift with any other pump."

"If they can carry out their claims it will be easy to find plenty of land on which to work their pumps. In western Nebraska there are immense stretches of land on which water might be pumped from neighboring streams with just such a pump. They say they can lift water from a depth of seventy-five feet and carry it as high as necessary. The water will not have to be lifted any such height. Some of the greatest fruit lands of the world can be irrigated by such a machine. There are stretches in Wyoming completely surrounded and protected by mountains which would respond rapidly to such irrigation and which from the nature of the soil would be great fruit producing land."

An Early Cash should be covered with clean bandages saturated with Buckner's Arnica Salve. This cures. For sale in Omaha by Dr. C. C. Conroy. Priest Remains Faith. St. Paul, Dec. 30.—Father J. J. O'Connell, pastor of St. Anthony's church, returned the Roman Catholic church and was located in St. Anthony's in the first church in the city last night.

BRANDEIS BOSTON & SONS

TUESDAY'S EXTRA SPECIALS

Men's 50c and 75c NECKTIES at 25c Thousands of up-to-date Ties, in tecks and four-in-hands—all the designs are up to date and every tie is worth from 50c to 75c each—a big special sale Tuesday—your choice—

25c

In Stationery Dept. New Year's Cards Including Post Cards 1c and UP

EMBROIDERIES

Fine lots of embroideries, insertings and bands; the finest qualities of nainsooks, Swisses and cambrics, up to 9 inches wide, at, a yard 7 1/2c

EMBROIDERY EDGINGS—Thousands and thousands of yards of embroidery edgings in new patterns, on bargain square at, a yard 2c

CANDY For New Year's Day

Special New Year's Mixture—Regular 25c Choc-lates and Bon Bons at, per pound 19c Sultana Mixture—French Motta Can—Regular 30c a lb. regular 15c grade, dies—per pound, Buttercups at, per at, a lb. 10c at 10c lb. 15c

SPECIAL NOTICE

We beg to notify you that we have received our own direct importation of high grade white goods. We import direct through our own Paris office and have at all times the newest things at a great saving of price. New Embroidered Swisses, New Embroidered French Mulls, New Embroidered Madras, New Piques—New Poplins, New French Batiste—New Persian Lawns—New Serenette in colors and white—also New Nainsook, Long Cloths and 40-in. Lawns.

The close touch this department maintains with the European market makes it easily the leading white goods section in the west.

Store Closed All Day Wednesday NEW YEAR'S DAY

BRANDEIS BOSTON & SONS OMAHA

ANNOUNCEMENT EXTRAORDINARY!

Great January Sales

LINENS WHITE GOODS MUSLINS, SHEETINGS EMBROIDERIES

Together with the Most Gigantic CLEARING SALE

Ever Known in the West.

BEGINS NEXT THURSDAY

January 2d

at BRANDEIS

REVERSAL AND NEW TRIAL. Decree of Appellate Court in Damage Case of Dr. Charles Rosewater. The decision and mandate of the United States circuit court of appeals in the case of Dr. Charles Rosewater against the Union Pacific and the Illinois Central railroads have been received in Omaha, reversing the verdict of the lower court, which gave the plaintiff \$11,000 damages and ordering a new trial.

Closed ALL DAY Wednesday—New Year's Day BENNETT'S 3 ANNUAL LINEN SALE

BEGINS THURSDAY MORNING JAN. 2, 1908 First Pop Out of Our 1908 Gun—LISTEN!

NEW YEAR'S GIFT IDEAS FOR MEN

Reefers and Mufflers. Men's Holiday SHIRTS. N. w. Year Gift SUNDERS at Half Price. Inventory Ready-to-Wear SUITS COATS COSTUMES

NEW YEAR'S SLIPPERS. Tailored Suits, 50% Discount. Caracul Coats, 50% Discount. Dress Skirts, 33 1/2% Discount. Demi-Costumes, 33 1/2% Discount. Bath Robes, 33 1/2% Discount. Broadcloth Coats, 33 1/2% Discount.

Bennett's Big Grocery. NEW YEAR'S SPECIAL LIST. 20% Discount On All HEATING STOVES, CHAFING DISHES, COFFEE MACHINES, FIVE O'CLOCK TEAS and CARVERS. FREE - 15c Pattern with Ladies' Home 20c Journal Winter Quarterly

Real Winter Is Here Better be well shod A message to women Drexel Shoe Co. 1419 Farnam St.

Courtney's OMAHA'S PURE FOOD CENTER New Year's Day is Feast Day and Courtney's have made special preparations to supply your wants for this day.

Courtney & Co. 17th and Douglas Streets. Telephone Douglas 647. Private Exchange Connects All Depts. The Twentieth Century Farmer Best Farm Paper—Subscribe Now.

Tuesday's Bargain Bulletin

This Store Will Close All Day Wednesday HAYDEN'S THE RELIABLE STORE This Store Will Close All Day Wednesday

GRAND 5c EMBROIDERY SALE

Embroideries in this lot worth to \$50, most of them have both narrow and wide insertings to match; nothing squaring this lot ever seen in Omaha before at such prices. per yard.

DRESS GOODS SALE

FROM 9 TO 11 A. M.—We will sell 100 pieces of Priestley's Genuine netting, worth \$2.50, \$3.00 and \$4.00 grade, one pattern to customer, at yard.

Tuesday in Our Great Domestic Room

Be sure and attend our famous holiday sales. FROM 9 TO 10 A. M. we will sell 2,000 yards of Thirtynine yard wide Bleached Muslin—regular price 10c yard—not over twelve yards to customer, yard.

Nuts, Oranges, Fruits and Groceries for New Year's Day.

The best Fancy Mixed Nuts, nothing finer, per pound. Extra fine large Highland Navel Oranges, sweet and juicy, 100 size, dozen, 25c.

No Need to "Try, Try Again" if You Try HAYDEN'S First

Small Offices and Good Service

We can offer you a selection of several small offices, ranging in price from \$10.00 to \$20.00 per month. These offices are finished in hard wood and have been newly decorated.

The Bee Building

has an organization built upon many years of experience. It has its own electric lighting plant and maintains a corps of competent engineers and mechanics to keep the mechanical and electrical service of the building in good order.

Now is a good time to see if we have what you want in the way of office accommodations.

For office space apply to R. W. Baker, Sup't. Room 418. Bee Building.

DR. BRADBURY, Dentist, 18 Years same location 1806 FARNAM ST., OMAHA. Phone Douglas 1766. Extracting 25c Porcelain Fills . . . \$1 up Crowns \$2.50 up Bridge Work . . . \$2.50 up Plates \$2.00 up

ELECTRIC LIGHT IN THE PARLOR

may be placed to set off to full advantage all the decorations. You cannot use art glass or fringed shades with any other light to any advantage. Electric light will not smoke up your ceilings, or dirty your curtains.

Reduced Rates Investigate Omaha Electric Light & Power Co. Y. M. C. A. BLDG. TEL. DOUG. 1062.

She got the position although one of a score or more applicants who came in response to A Want Ad in The Bee Employers who want competent office help will find this the easiest way to fill vacancies. Any intelligent stenographer, or clerk, who wants a positive watch on the Want Ads. Telephone 238.