

WARE CASE READY FOR JURY

Long Trial of South Dakota Preacher Almost at an End.

RUSH WILL CLOSE THIS MORNING

Defendant's Counsel Declare He Made a Contract Which Had for Its Purpose Fraud in Land Deals.

The beginning of the end of the Ware trial is in sight, and the case will go to the jury Friday upon the completion of Mr. Rush's closing argument for the government.

The defense occupied the entire morning of Thursday in the argument, which was opened by Attorney Henry Frawley of Deadwood, S. D. Mr. Frawley spoke an hour and a half. His main contention was that the government's indictment against Dr. Ware and Lambert and asserted that not a single bona fide entry of land had been proven under the indictment. He maintained that the old soldiers had undertaken to exercise their rights by filing because they were poor. Yet it had not been shown by the government that Mr. Ware had ever paid or authorized to be paid or offered to pay \$100 or any other sum for any of these filings after the entrymen had proved up.

Mahoney Pleads for Ware.

Mr. Mahoney followed Mr. Frawley and spoke for an hour and a half. He stated in effect that the meat in the cocoon of this entire matter was, "What is the law?" He analyzed the whole case in words of conspiracy, contract and agreement and held that the only semblance to either was the conversation held between Dr. Ware and Lambert in August or October, 1902. An indictment, he said, was no evidence. Neither were any specific overt acts proven as in completion of any alleged contract or conversation. If, however, there was one overt act committed in accordance with the agreement alleged by Lambert to have been made with Dr. Ware, whereby the sum of \$100 was to be paid for a title to the land, then Dr. Ware was guilty. But there was no evidence except Lambert's unsupported statement that any such agreement had been entered into.

Rush Has the Floor.

Mr. Rush began his closing argument for the government at 2:40 Thursday afternoon. He said the effort of the defense has been to beg the jury by trying to show that Lambert is the principal figure in this case. He continued:

"During this argument between Lambert and Ware thirty homesteads were sought to be entered, involving nearly 20,000 acres of land inside the U. B. I. enclosure by fraudulent means, and these means were furnished by Dr. Ware. They continued for years, but in Lambert and Ware alone they would not have lasted over night. A cattle baron was needed to give it potential force. If you are to go on the theory that only the poor friendless homesteader is to be punished and the cattle baron to go free, when will justice be done? We have shown from Lambert's accounts, which are not disputed by Ware, that considerable money passed between them."

"Why did Lambert go away? He knew a day of wrath was near at hand. Lambert was Ware's man. Remember we have put Lambert where he belongs. There is no escape for him. The connection of Ware with the conspiracy is further shown in the conference between Blue and Ware at Deadwood when in their heart to heart talk Ware advised him to cut loose from the cattle company."

Mr. Rush had not concluded his argument at 5 o'clock, and a recess was taken to Friday morning. At the close of Mr. Rush's talk Judge Munger will give his charge to the jury.

NO ACTION ON FEEDING COST

County Board Still Fails to Come to Final Showdown on Resolutions.

No agreement has yet been reached by the county commissioners on the various resolutions relating to the cost of feeding prisoners in the county jail. A long conference was held Wednesday afternoon, but no definite result was reached. When an adjournment of the committee of the whole was taken it was until Friday morning, when the commissioners will make another attempt to agree on a resolution that all can vote for Saturday morning when the board meets.

DIAMONDS—Frenzer, 15th and Dodge.

BRANDEIS BOSTON STORE & SONS

REMNANT DAY SPECIALS

SILK SALE

THOUSANDS HAVE ADMIRER THEM IN THE WINDOW All silk bright plaids, neat shirt waist silks, satin foulards, colored taffetas, 24 inch double warp surrah, 36 inch changeable pean de cygne and big lot yard wide lining silks in black as well as many changeable combinations— 29c

New Lots of Silk Samples—Bright colors for ties, trim mings, etc. many in very finest quality of 5c-10c-15c-25c silk, according to length of piece, each.

Fine Velvet Sample Pieces—For collars, girdles, millinery purposes, etc., fine silk velvets in black and all colors, each 15c-19c-25c

BIGGER BARGAINS THAN EVER IN DRESS GOODS 25c yd

We have brought forward to the two large bargain squares at front of main store every remnant, black or colored, the best we have been selling up to \$1.50 yard, for coats, skirts and entire dresses, and priced specially for Friday at—yard 25c

IN THE ANNEX. Remnants all wool Dress Goods, Travelers' imported sample Dress goods, many alike, for children's dresses and waists, choice at, each 10c

IN THE BASEMENT. French Organdies, 25c grade, at—yard 3c

Remnants WASH GOODS in the Basement

Fine Dress Gingham, neat stripes and checks for spring wear, at, yard 8c

Now lot Farmers' Satin, highest grade of mercerized satin in black and all colors, value off the bolt 40c—yard 15c

IN THE AFTERNOON ONLY We will sell good styles—dress and apron gingham—all useful lengths and worth 10c yard—Friday afternoon, at yard 3c

Carpet Remnants Suitable for Rugs

Fine Axminster and velvet rugs, all fringed—11-4 and 11-2 yards long, each with 1.50 98c

Remnants in LINEN DEPARTMENT A new lot of fine mercerized table damask, in mill ends of 1 1/2 to 5 yards lengths. This is an extra good lot and worth up to 75c—Friday 25c yard.

Embroideries and Laces

New lots of Embroideries on bargain tables—medium widths of edging and insertions, in 1c-3c-10c Laces and Insertings, in white and cream—suitable for all kinds of underwear and dresses, etc., etc. 3c 1/2 5c

FRIDAY SPECIAL OFFERS IN OUR Sale of SILK PETTICOATS

These Ladies' Petticoats are nearly all samples—they are cut full, elaborately trimmed and show a splendid variety of colors. Ladies' \$8 Silk Petticoats go at 3.98 Ladies' \$10 and \$12 Silk Petticoats go at 4.98 Ladies' beautiful \$15 Silk Petticoats go at 6.98

Cluny Patterns & Braids. We wish to announce that we have a new and full line of Cluny Patterns and Braids. Remember this is the new work and is the coming new fad—Much nicer than Battenberg work and much newer. We are the only ones at present in the city who are showing this new work, in charge of Mrs. L. Braun. Come in and let us show you the work. Stamping done to order. All new patterns. Agency for Pictorial Review Patterns. Jos, F. Bilz 322 So. 16th Street.

TAFT'S DENTAL ROOMS. 1517 Douglas St.

Globe-Wernicke 'ELASTIC' CABINET. A system of units. It provides at a low cost the greatest variety of the best filing devices for taking care of all kinds of business papers. In one cabinet you can combine few or many letter files, card index files, document files, or other files, drawers, shelves, pigeon hole boxes, etc., as wanted, and you can add to them when desired. Catalogue 803 gives full information if you can't call. ORHARD & WILHELM CARPET COMPANY.

THE NORTH-WESTERN LINE Five Fast Trains DAILY TO Chicago and the East via the CHICAGO & NORTH-WESTERN RAILWAY over the only double track railway between the Missouri River and Chicago. This complete service includes Pullman drawing room and private compartment sleeping cars, parlor cars, composite observation cars with library and buffet-smoking apartment, free reclining chair cars, standard day coaches and dining cars (a la carte service.) Tickets and full information on application to ticket office 1401 and 1403 Farnam St., OMAHA, NEB.

OMAHA WEATHER FORECAST—Friday, Fair and Warmer. BENNETT'S Green Trading Stamps Every Time Extraordinary Purchase of Ladies' Cloaks Our spot cash offer for the entire stock of Cloaks held by the Chicago Novelty Cloak Company has been accepted and the 250 Cloaks have arrived, via American Express, to be on sale FRIDAY MORNING Here's a Fac Simile of the Telegram Accepting Our Offer: The Western Union Telegraph Company. RECEIVED AT BOARD OF TRADE OFFICE. Jan. 24, 1906. 21 OM BA M 27 THE BENNETT COMPANY. Cf—CHICAGO, Ill., Jan. 24, 1906. Have accepted your offer for two hundred fifty ladies cloaks. You ought to do well with them. They are the cheapest lot we have ever sold. CHICAGO NOVELTY CLOAK CO. The colors of the Cloaks are black, tan, navy, red, green, castor, brown and mixtures. Seventy-five Coats, worth \$12.50, for \$ 4.95 Fifty Coats, worth \$18.50, for \$ 9.90 Twenty-five Coats, worth \$20 to \$25, for \$12.50 Twenty-five Coats, worth \$25 to \$35, for \$15.00 This is the most sensational offer of Ladies' Cloaks ever made in Omaha. The Coats will be on sale at 8 a. m. Friday. REMNANTS FOR FRIDAY ALL THE SHORT LENGTHS OF TABLE LINEN FRIDAY ONE-THIRD OFF REGULAR PRICE. REMNANTS OF WHITE GOODS. All the short lengths of our Persian Lawn, Opera Batiste, Fine Organdies, Paris Mull and White Waisting, worth to \$1.00 25c yard, Friday, while they last—a yard 12c All the short lengths of our Nainsook, Long Cloths, Check Dimities, India Linons and White Waisting, worth to 39c yard, Friday only at—a yard 12c All the short lengths of our Flannels, Flannellets, Outing Flannels, worth to 25c yard, Friday at—a yard 5c SPECIAL NECKWEAR SALE, 2c Ladies' Wash Stocks and Turnover Collars, worth 15c each, Friday, 10 to 12 a. m.—each 2c EMBROIDERY REMNANT SALE. From 8 to 10 a. m. Friday, a lot of fine Embroidery Remnants, worth to 25c a yard—special, a yard—12 1/2 c, 7 1/2 c and 5c LACE SPECIAL. 100 pieces of Paragon, Cluny, Torchon and Normandy Laces, Bands and Trimmings, worth to 25c a yard, Friday, yd., 5c and 2c LACE COLLARS 5c Odd lot of ladies' Linen Collars, slightly soiled, regular 15c ones, Friday—each 25c FACE VEILINGS 10c Big lot of fancy and plain Net Face Veilings, worth 25c yard, Friday at—a yard 10c BENNETT'S BIG GROCERY QUALITIES ALWAYS CONSIDERED FIRST—ALL COMPETITION MET ON PRICES. SPECIAL ON MONSOON SEEDED RAISINS—Eleven hundred pound packages of these splendid Raisins, a package, for 12 1/2 c And Ten Green Trading Stamps With Each Package. 12 1/2 c Corn, 50 lb. 15c 30c Pickles, bottle, 15c 10c Gelatine, package, 5c Ten Green Trading Stamps with pound Imperial Japan Tea, 25c Ten Green Trading Stamps with jar Bayles' After Dinner Cheese, 25c Hand Cheese, each, 25c Neuchatel Cheese, each, 40c GRAND EGG SPECIAL. NEW LAID EGGS. FRIDAY WE OFFER FOR SPECIAL SALE—Two thousand dozen only—New Laid Eggs, a dozen, at 20c Take advantage of this offer before cold weather advances the price. Ten Green Trading Stamps with quart Sour Pickles, 25c Ten Green Trading Stamps with quart Chow Chow Pickles, 25c BENNETT'S CANDY SECTION. TO CLOSE OUT—Turkish Washed Figs, basket, 15c Five Green Trading Stamps with package Lemon Drops, 5c ANOTHER SENSATIONAL CROCKERY SALE. SATURDAY—8 A. M. SEE HARNEY STREET WINDOW.

Where the Most Money Is to be Made California Go and see California for pleasure or profit, or both. The state is a natural playground. Its population and wealth are growing by leaps and bounds. Perhaps your opportunity is there—go and see anyway. The UNION PACIFIC Overland Limited is two meals the quickest way to San Francisco. Save your time and money. For Full Information Inquire at CITY TICKET OFFICE, 1324 FARNAM ST. PHONE 334. The janitor service in The Bee Building is as near perfect as it can be, remembering that janitors are human. Offices from \$10 to \$45 per month—several desirable ones from which to choose.

Great Clearing Sale of Winter Underwear HAYDEN'S THE RELIABLE STORE. Greatest Cloak and Suit Bargains Ever Known Remnant Day Bargains. Thousands upon thousands of yards of Silks, Dress Goods, Wash Goods, Linens, etc., on sale at unmatched low prices. Dress Goods Remnants. From 8 to 12, Noon—We will sell 500 Wool Dress Patterns, in all kinds of weaves, from 2 1/4 to 3 yards, goods that sold at \$1.00 to \$3.00 per yard, at a yard, 49c, 39c, 25c, 15c and 10c From 2 to 5 p. m.—We will sell 10,000 yards of all wool, silk and wool mohair Dress Goods, in lengths from 3 1/4 to 8 yards in remnant, and sold at from \$1.50 to \$4.98 yard, all will go at, yard, 69c, 49c, 39c and 25c In the Domestic Room. 50,000 yards of all kinds of goods. 10,000 yards of all kinds of Wash Goods, in short lengths, to close at, yard 1c 10,000 yards of indigo blue Prints and blacks and white Prints, to close at, yard 3c 5,000 yards of Fancy Wash Goods, regular 10c and 12 1/2 c values 5c 10,000 yards of all the new spring Gingham, Toli du Nord, Red Seal, Amoskeag, P. C's, etc., to close at, yard 7c 30-inch Percalae, Sea Island, regular price 12 1/2 c 5c After Noon—50,000 yards of entirely new spring remnants will go at, yard, 10c, 7 1/2 c and 5c Remnants of regular 10c and 12 1/2 c Arnold's light and dark Flannel-ette, all new patterns—per yard 3c Remnants of regular 10c white Donnette Flannels and light and dark Outing Flannels, per yard 3c Remnants of 15c and 25c Cotton Elderdown, only a few to close out—per yard 6c Remnants of regular 12 1/2 c and 15c Amoskeag light and dark Outing Flannel—per 6c Remnants of regular 15c and 12 1/2 c quality, good lengths, to close, yard 5c Remnants of India Linon and Lawn, regular 10c to 15c quality, to close at, yard 5c Remnants of Bleached Muslin, including all our leading brands, such as Louisa, Fruit, Hope, Patriot and others, worth up to 12 1/2 c, to close at, yard 5c Remnants of Sheeting, in bleached and unbleached, 8-4, 9-4 and 10-4 yard—these are remnants from our January sale—all the best brands, Utica, Fruit, Hope, Lockwood and others—good lengths, worth up to 33c yard, to close, as long as they last, at, yard 15c Silk Remnant Bargains. The past week's selling has left hundreds of remnants of 27-inch Color Taffetas, Novelty and Black Silks, worth 75c to \$1.25 per yard—these with a fine line of Fancy Cords, on sale Friday at— 39c From 8 till 10 a. m. we will place on sale 5,000 yards of silk and linen mixed fabrics, in plain and fancy colors, worth 25c to 39c a yard, at, yard 10c BLACK SILK SPECIALS. 36-inch Black Taffeta, \$1.75 quality, at, yard 98c 27-inch Black Taffeta, \$1.25 quality, at, yard 85c 36-inch Black Taffeta and Peau de Sole, \$1.19 quality, at, yard 79c 27-inch Black Taffeta, \$1.00 quality, at, yard 69c 18-inch Black Taffeta, 59c quality, at, yard 39c Groceries! Groceries! Freshest goods, highest quality and lowest prices. Read them. 22 pounds Best Pure Cane Granulated Sugar, \$1.00 48-pound sacks Fancy High Patent Minnesota Flour, \$1.25 8 pounds best Breakfast Rolled Oatmeal, 25c 7 pounds best Hand Picked Navy Beans, 25c 7 pounds best wheat Farina Hominy or Pearl Barley, 25c 10 bars best brands Laundry Soap, 25c 2-pound can Fancy Sweet Sugar Corn, 5c 2-lb. can Fancy Wax, String or Lima Beans, 6c 2-lb. can Early June Sifted Peas, 7 1/2 c 1-lb. Diamond C Mince Meat, 5c 1-lb. can Rex Pork and Beans, 4c The best Soda or Oyster Crackers, per pound, 6c Choice Tea Siftings, per pound, 12 1/2 c Fancy Santos Coffee, per pound, 15c Fancy Mixed Candy, per pound, 7 1/2 c Butter and Cheese Special. Fancy Separator Creamery Butter, per pound, 21c Fancy Full Cream Cheese, pound, 15c Fancy Domestic Cheese, pound, 17 1/2 c Fancy Brick Cheese, pound, 15c San Sago, Canadian Cream or Sheford Cheese, each, 7 1/2 c Neuchatel Cheese, each, 3c Oranges! Oranges! Oranges! The car as advertised arrived and is the finest car yet of the season. The Highland Navels are the sweetest, juiciest and richest flavored orange that grows; there is none just as good. The orange market has advanced considerably on account of the heavy rains in California, but as long as they last we will sell them, per dozen, 20c Remember, these are worth 30c dozen everywhere.

HAYDEN BROS. PURITY NUT WASHED COAL IS A NEW COAL ON THIS MARKET—IT IS MINED IN THE VERY BEST SECTION OF THE ILLINOIS COAL FIELDS. IT IS BRIGHT, BLACK, AS SHINY AS OIL, ENTIRELY FREE FROM IMPURITIES, MAKE SPRING HEAT AND BURN CLEAN TO A FINE ASH, FOR DOMESTIC USE IN COOK STOVES, GRATES, HEATERS AND FURNACES, IT WILL GIVE THE BEST SATISFACTION. OUR GUARANTEE IS BACK OF IT. YOU TAKE NO CHANCE PROMPT DELIVERY. TON, \$6.00. C. B. HAVENS & CO. 219 South 16th St. Telephone 317. CUBA ROUND TRIP AND ONE WAY LOW RATE TICKETS THROUGH to HAVANA Via Illinois Central R.R. to New Orleans For rates and detailed information regarding sailings of steamships "Prince Arthur" and "Chalmette", also for copy of illustrated Cuban Booklet call at 1402 Farnam street, or write SAMUEL NORTH, District Passenger Agent, Omaha, Neb.