LAST BAR TO TRIAL GONE

Demurrer of Defense Overruled and Coal Trust Hearing Must Start.

FORTY-SEVEN MEN PLEAD NOT GUILTY

First Member of Alleged Combine to Stand Trial is S. E. Howell, President of the Exchange.

Judge Sutton Friday morning overruled the demurrer to the Coal trust indictments and the last technical obstacle to a specify out under adverse circumstances, carted to trial of the case was removed. Forty-seven the railroad and, after being hattled to of the defendants were called up before the judge's bench, the indictment read to them have a right to begin to get excited," said and each of them entered a plea of not guilty. Judge Sutton set the first case for trial at 3 o'clock Friday afternoon. S. E. Howell, president of the Coal exchange will go on trial then.

At the opening of the afternoon session of court Judge Sutton announced the Howell trial would go over until Monday. His reasons for the change were that Friday was the last day for the service of the present panel and it would be unfair to the jurors to call them in a case that might take from a week to ten days to try, on the last day of their service.

The preliminary contest before the court Friday morning disclosed that the defense intends to make a hard fight and will take the end of the pipe is blown forty feet into advantage of every legal technicality. Formal objections were made practically to all of the proceedings, and when Judge Howell's ranch. There is great excitement Button ruled against the defendants formal at Byron and crowds of people are rushing exceptions were entered in the record.

In overruling the demurrer Judge Sutton held the statute applies to the sale of kamp and other Billings parties, and it is products to consumers and is not confined rumored that the gas may be piped to to a prohibition of the freezing out by large dealers of the smaller dealers. He also held the rule of the Coal exchange, alleged in gas was made near this latest discovery a the indictment, prohibiting soliciting by dealers, except by means of printed cards. still flows with undiminished force and is constituted an offense under the statutes. if proved, as it is an act in restraint of trade. As to the sufficiency of the nine counts in the indictment, Judge Sutton said he believed if any fault were found in it it was because of too much detail and too no doobt but that the country will be overmany allegations of fact, rather than too

Slabaugh Calls the Roll. After the ruling of the court had been announced and the usual exceptions taken by the defense, County Attorney Slabaugh called the roll of the defendants represented on the demurrer, tables wre pushed back DIAMONDS-Frenzer, 13th and Dodge. and forty-seven of the coal dealers lined up in front of the judge's bench. When Judge Slabaugh started to read the indictment W. J. Connell for the defendants offered to waive that formality, but Judge Sutton said he was inclined to think it could not be waived and rather than have an error creep into the record he would have the document read.

The indictment is a voluminous document, consisting of nine counts, and it required almost an hour to read it. In each of the nine counts the names of all eighty of the defendants are set out, but County Attorney Siabaugh read the names but once. When he had concluded reading Mr. Connell entered an objection on the ground he had not read all of the names in each count of the indictment.

"If you object to that I will read to again," said County Attorney Slabaugh. Some of the aged men among the defendsome of the aged men among the defendants were getting tired and chairs were brought for them. The rest either stood or lounged on tables, while Deputy County Attorney Murdock, who was called to the relief of the county attorney, began to reread the long document. It was almost 12 o'clock when he finished, the formality having taken nearly two hours. The defendants all entered pleas of not guilty.

Separate Trial for Howell.

Separate Trial for Howell. The next "scrap" came when County Attorney Slabaugh demanded a separate trial for S. E. Howell, president of the exof his clients be tried together. He pointed a site, out that under the old Gondering act, attorney would be entitled to a special fee During the winter the statue will be on of from \$35 to \$100 for each case. This, he said, would pile up the costs on his clients. fee Mr. Connell also objected. Judge Sutton held Mr. Howell's trial should proceed separately. He pointed out, if all of the defendants were tried together, under the law they would be entitled to 282 per-

TIRED OF LIFE AWFUL SUFFERING

emptory challenges, which would make it

almost impossible to secure a jury, and

struction from the court, which would

From Dreadful Pains From Wound on Foot-System All Run Down After Six Months' Agony-Not Able to Work - Completely Cured in Two Weeks

MIRACULOUS CURE BY CUTICURA REMEDIES

"Words cannot speak highly enough for the Cuticura Remedies. I am now seventy-two years of age. My system had been all run down. My blood was so bad that blood poisoning had set in. I had several doctors (e) (e) attending me, so finally I went to the hospital, where I was laid up for two months. My foot and ankle were

almost beyond recognition. blood flowed out of wounds in many places, and I was so disheartened that thought surely my last chance was alowly leaving me. As the foot did not improve, you can readily imagine how I felt. I was simply diagusted and tired of life. I stood this pain, which was dreadful, for six months, and during this time I was not able to wear a shoe and not able to work.

"Some one spoke to me about Cuticurs. The consequences were I bought a set of the Cuticura Remedies of one of my friends who was a drug-gist, and the praise that I gave after the second application is beyond description; it seemed a -miracle, description; it seemed a miracle, for the Cuticura Remedies took effect immediately. I washed the foot with the Cuticura Soap before applying the Ointment and I took the Resolven at the same time. After two weeks treatment my foot was healed completely. People who had seen my foot during my

People who had seem my look during my illness and who have seen it since the ouro, can hardly believe their own eyes."

Robert Schoenhauer,

Aug. 21, 1905.

Newburgh, N. Y.

Soil tarangless; the world. Cutture Seap, the, Obstanti, Sinc., Resulvest, Sec. (in large of Chocockie Canada, Sinc., Resulvest, Sec. (in large of all druggless, Paule Draw, New Grand Phopes, Section, Manager Handel France, Name Company, Name Grand Phopes, Section, Name Company, Name Canada, Name

make the instructions so long it might take two or three days to read them.

GOLD AND GAS IN WYOMING New Discoveries In Both Create Intense Excitement in the

Gold and gas in paying quantities are stirring Wyoming as that state was never stirred before. Both of these commodities are being found in abundance. Leslie Davidson, editor of the Copper Mountain Miner of Boysen was in Omaha Friday arranging for new printing presses for his

Various Camps.

new plant at the new mining camp. "When copper and free gold are taken Denver, yield \$1,100 to the car, the people Mr. Davidson. "An eighty-foot veln of copper has been struck, yielding from 30 to 60 per cent in copper and \$12 a ton in gold, at Copper Mountain. The Gold Nugget company has just put in a stamp mill. handles twenty-five tons every twenty-four hours, and more machinery is being bastened to the camp."

"The town of Byron is also worked up over a gas strike, for the Wyoming Oil company has struck a great flow of natural gas on its property, one and one-half miles up the Shoshone river from Byron, flow comes through a ten-inch pipe with sufficient force that a man's hat held over the air. The well is situated on the bottom near the river, not far from Jim to the spot. The Wyoming & Montana Oil company is composed of John D. Lose-Billings for commercial purposes,

"It will be remembered that a strike of couple of years ago. This prior discovery apparently unaffected by the monster well just struck.

"It is believed that the whole northern and eastern parts of Big Horn county is underlaid with vast oil and gas fields and run with prospectors.

"Other great discoveries are expected and it is thought only to be a question of a short time when Big Horn county will become one of the greatest mineral sections in the entire west."

THANKS FOR SCHILLER SHAFT Vote of Gratitude Taken by Park Board to United German Societies.

The adoption of a resolution thanking the United German societies and lodges of Omaha for the Schiller statue and the passage of the November payroll were two important matters taken up by the Board of Park Commissioners at its monthly meeting held Friday morning.

The German societies and lodges of Omaha have tendered the city, through the Park board, a bronze statue of the German poet Frederich von Schiller. The resolution adopted by the Park commissloners read:

Inited German Societies and Lodges of Omaha. The Park board reserved the right to

designate where the statue shall be placed. change. Mr. Connell objected to the sep- Some of the commissioners are in favor of arate trial and demanded all forty-seven Capitol avenue east of the high school for

The statue will rest on a base twelve which might still be in force, the county feet square. The total cost will be \$2,500. view in the city hall.

County Attorney Slabaugh at once filed NO BASIS FOR THE CHARGE a water of any special fees he might be entitled to, to which refusal to accept the Man Accused of Stealing Because He Happens to Possess Considerable Ready Cash.

Priday morning Deputy County Attorney of her first husband, Arthur Peel Thomp-Fitch decided to dismiss the complaint son. each would be entitled to a separate inpromised to return the money last week. Woolworth's husband. when he was arrested, if the prosecution was dropped. He was again arrested Tues-

> planning to leave town. It appeared from the testimony of witnesses that Bonvillain was a union bricklayer, working at good wages, and be ause of his possessing a considerable sum of money when arrested the woman beleved he had stolen the money which was missing from her room.

> Mangum & Co., LETTER SPECIALISTS. Announcements of the Theaters. With matinee and night performances

today the bill for the current week will be brought to a close at the Orpheum. Next week an excellent comedy bill is promised and one of the biggest sensational features n vaudeville. Junia McCree and company in a slang classic called "The Man from Denver." Carlotto, a voluptuous European beauty, does a thrilling loop-the-loop on a bicycle. Then there will be Chris Bruno and Mabel Russell with a comedy skit, Leah Russell, "The Belle of the Chetto;" Gillihan and Perry, styled the cowboy and the coon; Edward Gray, the tall tale teller; Galetti's comical simians, and new kinodrome pictures.

A rollicking, folly musical comedy, with a bevy of pretty girls, with maneful music and songs you will like gover comedians and a prima donna who can really sing is promised for the Boyd theater this afternoon and evening, when "The District Leader" makes its first appearance in Omaha. Mabel Barrison heads the singing forces, and comes praised by the critics of Chicago and New York, where the place has succeeded. Joseph E. Howard is supporting her, with a fine organization back of them. The company has been much commended wherever it has played, and is recommended as a first-class organization. It will be in Omaha for the two perform-

At the Burwood this afternoon and even ing the last performances of "Prince Otto" will be given. On Sunday afternoon the new bill will be put on, "The Dictator," Willie Collier's great comedy, having been chosen for the week.

Foreign Missionary Society. Foreign Missionary Society.

The Woman's Foreign Missionary society of the First Methodist church will meet Saturday at 1:30 p. m. at the home of Mrs. J. O. Phillippi, 23:9 California street. The program will be in charge of Mrs. A. J. Lowry. The united mission work Christus Redemptor, and an outline study of the island world will form the program. Refreshments will be served and the society has extended an invitation to all woman interested in the work to attend the meeting.

Today We'll Drive Home the Truth of Our Claim That This Is

test Overcoat Store in the

First, Last and All the time---Highest Qualities, Strongest Values, and Right Prices



DILE AFTER PILE of remarkable values in the latest overcoat conceptions. A 1 stock mammoth in its proportions—limitless in variety—exhaustive in its scope of selection—including a size for every shape—in fact, ENOUGH HANDSOME OVERCOATS TO STOCK SIX ORDINARY STORES.

Two Thousand Overcoats at \$975..\$1475

At these two prices we have a range of fabrics and patterns absolutely unparalleled in the hising not only all the American stuffs, but the very best of English and for eign products Handats and London tweeds—fine for Coats worth
worth to Serge lined. All made by
America's premier clothes to \$22.50

Men's Overcoats Very choicest on the face of the globe.

Beautiful products tailored entirely original and on different lines than are usually shown-beautifully silk lined-some of them silk topped-worsted linedin the popular lengths, 46 to 54 inches.



Just because we have several hundred odds and ends of the handsomest little boys suits that were ever shipped to Omaha is the reason we have marked suits worth to \$4.00 for \$2.65. Mothers this is certainly a grand opportunity. All sizes to fit boys from 4 to 16. All newest styles. Worth to \$4.00-choice



Men's Furnishings of the Good Sort 'ASHB

50cunderwear for 40c-Men's good quality fleece lined shirts and drawers, cut full size, in silver grey and Yaeger color—50c value. 81.00: UNDERWEAR FOR 75c—Men's heavy flat wool an weight derby ribbed merino underwear, in camel's hair, natural and fancy, blue and pink—regular \$1.00 values— \$1.50 MEN'S UNDERWEAR FOR \$1.00-Men's extra fine qua weight natural weel, with double breast and back, and double seated drawers—also all wool ribbed, in tan and blue—\$1.50 1.00 \$2.00 BALERIGGAN SUITS FOR \$1.50—Men's extra heavy cotton combination suits—perfectly shaped and proportioned

French made—the garment for service—strictly non-shrinkable—\$2.00 value, spit able—\$2.60 value, suit.

\$1.00 SILE MUFFLERS FOR 500—Men's fine twilled silk scarfs, square and Oxfords, in plain white, black and fancy—solid colors—also spots and stripes—regular \$1.00 value.

\$1.50 SILE MUFFLERS FOR \$1.00—Men's latest sayle of brosquare scarfs and quilted Oxford mufflers and full dress shirt protectors—plain white and black and fancy new colors—facility \$1.50 values Tegular \$1.50 values.

75c NECKWEAR FOR \$5c—Men's new stylish neckwear—
finest foreign silks, in light and dark colonings—medium and
wide shapes—hundreds of pretty patterns to select from ...
\$1.50 GLOVES FOR \$1.00—Men's street gloves—good quality
of kid—Capes or Mocha—new shades of brown and tans—
silk lined or unlined—regular \$1.50 value.

IN PRICE

\$3.50 in Quality

Wear an Ashbury hat and then you are sure of a \$3.50 quality hat and only \$2.50 in price. Ashbury hat is a gentleman's hat in every sense of the phrase, priced just high enough to insure exceptional quality. Just low enough to be within the means of every man-

FORTUNE AWAITING WOMAN

Share in English Estate for Mrs. Charles Peck Woolworth.

RELATIVES ARE UNABLE TO LOCATE HER

Widow of Omaha Man Can Secure Wealth by Appearing in Liverpool Court of Chancery Seventh of January,

A share in an English estate awaits Mrs. Charles Peck Woolworth, widow of the son of the late Judge Woolworth, if she will only make known her whereabouts to the courts in Liverpool. Since her husband's death in California two years ago the English courts and her relatives have lost all track of her. Unless she appears in chancery court in Liverpool, either in person, or by her solicitors, on January 7 After consultation with several witnesses 1907, she will forfeit all claim to the estate

against Charles Bonvillain, 1720 Dodge The court has directed its registrar to street, who was arrested last Tuesday night find her, if possible, and to that end the by Detectives Mitchell and Sullivan on the registrar is searching in America, as well to the city jail, whose his injuries were Two Months Separated, Homer and charge of grand larceny. It was alleged as in Australia and England. He has arthat Bonvillain had stolen \$65 from a ranged for the publication of legal notices woman who rooms at his home and had in Omaha, the boyhood home of Mrs.

The story of the widow is a romantic one. She married Arthur Peel Thompson E. W. Doran, 1707 Cabs street, and Motorday evening, when it was believed he was in England and went with him to Austra- man D. K. Pelton, \$23 Farnam street, who

When a Man Marries

nine times out of ten he chooses

the girl who is careful about her

personal appearance, the girl with the pretty complexion. You can't blame men for not being

attracted to women whose faces

are disfigured with pimples, blotches, blackheads, or other

unnecessary blemishes.

It is possible for every woman to have a clear, beautiful complexion if she will devote ten

nutes each day to the case of

Kosmeo

will do the work. It is a scientific prepara-tion for removing and preventing wrinkles, bischboads, freckles, tan, sunburn and other harmful effects of sun and wind. It cleaness the pores and freshens the skin, making it clear, soft and voively. Kosmeo is not a cosmetic, is absolutely harmless, and never cleaness hair to grow on the face.

AskYour Druggist

for a Free Sample

KOSME

of Kornso, and the booklet which tolls how to use it.

SOc a Jar at all high grade druggists. If your druggist does not sell Kosmeo send me his name, and I will give spu the name of a druggist who does.

Mrc. Gervalte Graham

1301 Michigan Ave.

the world. They lived in Melbourne and later moved to California, where Mr. Wool-, C. Q. SPRINGS ORIGINAL JOKE worth diskers of the vitting t

estate of her first husband by a settlement dated in April of 1875; other relatives have interests by the settlement of 1875 and by a settlement made in 1836. The prop-

erty has been held in urbst; a con-STREET CAR CATCHES WAGON

Knocks Sixteen-Year-Old Driver from His Sent to the Ground, Unconscious. While attempting to cross in front of a

and Jacksba" Mreets about 8:30 Friday to as an agricultural pursuit? It could." morning, Charles Berten, a driver of a Council Bluffs and Omnha express wagon. was struck by the car and thrown to the pavement from his seat on the wagon. Barten was rendered unconscious and was taken to a nearby store until the police patrol could be summoned, which took him attended by Dr. R. E. Harris, "

The wagon was badly smashed, but Barten suffered only from shock, and was later sent to his home at 2209 Grace street. The street car was in charge of Conductor said that Barten suddenly turned his team in front of the car and that the collision was unavoldable. Barten is 16 years of age and resides with his parents. He has been in the employ of the express company for about five months.

TOILET SETS-Frenzer, with and Dodge.

EXTRA CARS ARE BIG HELP Additional Equipment on Various Lines Relieves Congestion of Traffic Somewhat.

All the new cars for the Omaha street car ompany have arrived and will soon be in operation. Nearly all are on the streets at present, but four trucks to the new cars are late in arriving, although they are now on the way. These new care, put in Service on the South Omana, Wainer Hill and Park. lines, have relieved the situation to a great give more people a chunce to get seats and to not leave so many standing on the corpers waiting for the next cars. The larger cars on the hill line also help out because more people can be hauled during the rush

PERMIT FOR NASH BUILDING Certificate for Big Structure tu Progress Finally Calls for Eight Stories.

A permit was issued Friday at the building inspector's office to Cutherine B. Nash for the eighth story to the new M. E. Smith building being screeted on Ninth street, istween Farnans and Douglas streets. The original plan to make the building eight stories was changed to seven and later changed back to eight. Other permits issued; W. W. Barton,

Twenty-sixth and Marcy, \$2,500 dwelling: Horace E. Madison, Forty-fifth and Wirt, \$1,500 dwelling: Bruce Stephenson, 3005 Sherman avenue, \$2,500 dwelling; Mathida Norton, 607 South Thirty-sixth, \$1,560 dwelling; Mrs. Royce, Seventh and William, \$2,000 dwelling.

Select now; payriater. Good plan? Yes Copley, Jeweler; 215 S: 16th. Get his price Boys Out on Bonds. Arthur Grants and Frank Juichett, were arrested Wednesday night on hurge of the burghiry of the store on, 718 South Slatesnih street.

lia, where he died. It was June 7, 1878.

The state he became a widow, but before that your was out she was a wife again, the wife of Charles Peck Woolworth, who had left his home in Omaha to wander about the world. They lived in Melbourne and

Savant Drops One Which Mayor Dahlman Thinks is Not Half Bnd. The Careful Observer and the Oldest In-

abitant were in Mayor Dahlman's office, waiting to consult Colonel Jim on affairs of state. Mindful of fleeting time, the Careful Observer asked Secretary Malone for paper and pencil with which to record a happy thought. This is what he wrote for posterity:

"The cow chased the farmer across the meadow. Could the chasing of the farmer orthbound Farnam street car at Tenth, across the meadow by the cow be referred Mayor Dahlman declared that worse jokes had been sold for real money.

STERLING SILVER-Frenzer, 15 & Dodge.

DIVORCED. NOW MARRY AGAIN Kate Shaffer Join Fortunes Second Time.

Only two months after they were divorced in Council Bluffs, Homer C. Shaffer and Kate Shaffer were remarried in Omaha. The license was issued to them Friday afternoon at the county judge's office. They were married in 1902, but did not get along well together and the divorce folowed. After the decree had been signed reconciliation was effected and they deided to remarry. Interference by other nembers of the family is given as the reaon for their marital trouble. The groom ives at Fort Dodge, Ia., where they will

JUDGE BARTHOLOMEW SICK Old Settler Seized Suddenly with Spell and Faints in

City Hall. Judge William O. Bartholomew, an old settler of Omaha, was stricken Friday aftarnoon in the city hall with a fainting spell due to some irregularity of his stomach. The judge was carried into the city clerk's office, where Health Commissioner Connell extent during all hours of the day. Espehome at 2211 Douglas street and attended by and the Farnam street line. The extra cars Dr. Tilden. Judge Bartholomew has had several similar attacks during the last two

A for meal for Mc at the Karbach restaurant.

Dick Edenfield in Senttle. Word has been received from "Dick" Edenfield, who was clerk in several Omaha hotels a few years ago and who is now with the Hotel Shirley in Seattle, Wash. He reports that he is highly pleased with his position in the western city.

Mr. Kuhns Changes Not. The information on which the statement that Mr. Paul Kuhns had resigned from the First National bank was made proves to have been erroneous. Mr. Kuhns will remain in his position as assistant cashier of the First National.

Gauster Goes to Los Angeles. Engene Ganster, head of the dress goods department in the Brandels store, has tendered his resignation to take effect January 1. He will go to Los Angeles, where he has taken in a large department store a position similar to the one he now holds.

AN OLD and WELL-TRIED REMEDY. FOR OVER SIXTY YEARS has been used for ever SIXTY YEARS by MILLIONS of MOTHERS for their CHILD, DREN WHILE TEETHING, WITH PER PECT SUCCESS. IT SOOTHES the CHILD, SOFTENS the GUMS, ALLAYS all PAIN, CUBES WIND COLLS, and is the best resided for Diarrhogan, Soid by Druggists in every part of the world. Be sure of 5 and nak for which are the world. Be sure of 5 and nak for WINSLOW'S SOOTHING SYRUP Prosperous Western Families is Found Back of THE BEE MRS. WINSLOW'S SCOTHING SYRUP

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Tickets on sale Dec. 1, 2, 3, 4, 5. Return limit Dec. 10th.

Three Fast Trains Daily

From Union Station, Omaha, to Union Station, Chicago. Leave Omaha at 7:55 a. m., 5:45 p. m. and 8:35 p. m.

For information, folders, etc., call at City Ticket Office, 1824 Farnam St., or write to

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OMAHA, NEB.

DOCTORS FOR MEN





THE RELIABLE SPECIALISTS MEN OF ALL AGES

no matter in what walk of life, whose weakened vitality, exhaused energies and shattered nerves teil a pitiable story, and who are in a condition of extreme peril unless promptly rescued, caused in many cases by igno-ance, neglect or contagion, these are the very men we want to talk to and help.

What can be more pitiable than to see a young man, who is just building into manniced, drooping and fading away in the springtime of life? Disease soon robs the face of its color and the eyes of their brightness. The stooping form, languid step and downcast countenance reveal to the critical eye the blight of his existence, but this is only the shadow or outward mark of the trouble existing within, and the young man soon passes from the boundaries of health into the confines of disease. He is nervous, easily confused, absentminded, forgetful, continually possessed of doubts or fears, shy suspicious, irritable, avoids society and would rather be alone. The system unstrung, he has headache, backache, palpitation of the heart, shortness of breath, dizziness, deranged stomach, torpid liver, weak kidneys, poor circulation, and is lired, lifeless and worn-out. He lacks ambition, confidence and courage.

If you are siling, call and consult us without delay. We will help you to escape from the slavery that is holding you captive and depleting your manheod. We cure safely and thoroughly NERVOUS DEHILITY, RECTAL and KIDNEY DISEASES and all diseases and weaknesses of men due to neglect, ignurance of the result of specific or special diseases.

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