LAND TRIAL NEARS THE END

Richards-Comstock Case Likely to go Argument Friday.

TWENTY DAYS DEVOTED TO EVIDENCE

Defense Has a Surprise to Spring in Number of Witnesses, Which Will be

The twentieth day of the land trial began Wednesday morning with J. C. Pettyjohn still on the stand for the purpose of identifying filings on the records of the Valentine land office during his administration us registrar.

Following his evidence old soldiers from the Soldiers' home at Milford were placed special proteges of A. B. Todd and had been shipped to Gordon to receive the necessary instructions relative to the lands they were to file upon. In these cases the declaratory filings on the lands executed in the usual subsequent visit to the notorious "wind mill" claims, all carriage and expense free to the entrymen. The soldiers all made a second visit to the lands to carry out the six months proviso. Neither of them intended to live on the land, but expected in some way to realize something from their free investment. Neither would they have entered the land but from the fact that their filing fees were paid by others.

Defense Has Surprise. The defense evidently has something in the case is likely to go to argument Friday, thought of a large closet in the room. The first witness of Wednesday was Charles E. Simmons, a soldier from the Milford Home and a former resident of Omaha. the country. The witness had no intention of living on the land, but said: "I thought that by filing on the land this way would be equivalent to holding it, in the same manner as by a land warrant, and if the land warrant was good I would have a piece of land to live on or do with as I pleased. I would not have filed on the and had not my fees and expenses all been

James L. Armel another of the Milford colony told a similar story, being one of Tood's recruits. Armel when shown his nestead papers by Mr. Rush, repudiated his signature to one of the documents, but admitted that he had signed the other documents pertaining to the entry. He "I asked Todd what was in it, and he said \$200 or \$300, but the parties who paid the filing expenses, for the grub and travel expenses wanted the first chance

buy the land." Andrew Corning also of Milford, told like story. He said: "I did not file o eign any declaratory statement, though made a filing and signed for it at the Valentine land office. I was told by Todd that I would have to stay on the land one night in the whole five years."

JUDGE BURCH ATTENDS THE TRIAL Assistant Attorney General Speaks of

Government's Work Assistant Attorney General M. C. Burch of Washington, D. C., is the guest of United States District Attorney Goss. He. was a spectator Wednesday morning at

"The Department of Justice is much in terested in this case," said Judge Burch, 'as it is in all the land trials. I am on my return from the west, where the department has been looking into the coal land investigations in Utah, which has resulted in the indictment of several parties prominently identified with the appropriation of the coal lands of the coun-

"As a result of these investigations the coal lands still belonging to the government have been withdrawn from entry There yet remains some 56,000,600 acres of cool lands, or which might be more properly termed lignite lands, in eastern Monthrough Wroming and parts of Idaho, that will be available for fuel purposes for many years to come, that the government has wilhdrawn from entry, as well as some \$,000,000 acres of excellent quality of coal lands. The government now has eight parties out in various parts of the country making geological investigations and surveys of lands that may be underlaid with noal, that they may also

be reserved for the public fuel supply. "The Interstate Commerce commission has accomplished a great work in the matter of these inquiries, which have been first stimulated through the Department of Justice, and the benefits have been mutual to both governmental departments The commission can, by its investigations probe deeper into these matters than brough the regular process of the courts n that their inquiries are not barred by sechnical objections that would naturally side of Nineteenth street just south of be imposed in a hearing in the courts. This process of investigation is of great is a half block north of the Swedish Methovalue to the Department of Justice.

so constantly. My visit here is to look i onto this frial, though I shall not take any part in it, as we deem it to be in excellen

"I am not in a position to state just what the government may do regarding coal lands already acquired by the railroads and others, by whatever process of requirement, but I do think that no more coal ands will be segregated from the control f the government,"

Judge Burch left for Washington Wednes day afternoon

WATCHES-Frenzer, 15th and Dodge.

HER FIRST FATAL MOMENT Young School Teacher Meets Crisis With Faint Interior, But Rugged Exterior.

A young woman in North Omeka who on the witness stand. These men were the has been a cadet in kindergarten work for a couple of years is in charge of a roomhad any trouble in discipline until a few days ago when one boy became obstreper statements were not only secured, but the ous. The young woman-she is little more than a girl-saw that the fatal momen manner at the Valentine land office, with a which she had dreaded for a long time had come, the moment when she should have to assert her authority by some practical

demonstration thereof But what should she do? The bey ap peared so complacent. He seemed to hav no fear of anything she could do. Had i not been such a critical moment she would have cried. She realized that her whole authority would be destroyed if she gave way. So she fixed the boy with her most

"Stand up, Johnny," she said. Johnny stood up and looked expectantly

the nature of a surprise to spring, as it at her. The young woman declares that has not given any sign as to the number at that moment her mind was a perfect of witnesses it may summon. In this event blank as to what to do next. Then she "Go into the closet," she commanded in a terrible voice. Johnny went into the close which was the place usually dedicated to His evidence was of the same general char- the administering of whippings. The little acter of all old soldiers secured by A. B. school teacher had never whipped a child Todd from the different soldiers' homes of and didn't want to try it. But the boy expected a whipping. The little woman was at her wits end. Then she thunderd: "Get down on the floor," and down went the little boy on hands and knees.

"Now take your seat and let this be lesson to you," she said and the boy went to his seat bewildered by this strange punishment.

STERLING SILVER-Frenzer, 15 & Dodge BETTER POLICE PROTECTION

Subject to be Discussed at First Joint Meeting of Senators and Representatives.

The matter of better police protection fo maha will be brought up by the Douglas unty legislative delegation at the first cint meeting of the representatives and nators, which probably will be soon after Attorney John P. Breen has spoken or legislative needs before the Real Estate exchange next Wednesday noon. The delegation is alive to the needs of more adequate police protection in Omaha and will favor and urge an emergency appropriation at the next session, thus giving the city an early benefit of that appropriation. The Commercial club committee on the meet the delegation in a day or two.

At present the police department has a limit of \$115,000, with only 90 per cent usually available. There are now fifty-five cent of the voters." patrolmen on duty in three shifts, making any one shift insignificantly small. The question of fire protection is one that has ance companies. The delegation will give that matter a careful hearing. Senator Saunders said he was heartily in favor of an increase in the police departmen and believed the others of the delegation were of similar mind.

A Reliable Remedy for Croup With the dry, cold weather of the sarty vinter months, parents of croupy childre should be on the alert 'or ominous symptoms. There 's no cause for anxiety, how ever, when Chamberlain's Cough Remedy is kent in the home. If this medicine is given as soon as the child becomes hoarse or even after the croupy cough has ap peared, the attack may be warded off. Mrs. S. Rosinthal of Turner, Mich., says "We have used Chamberlain's Cough med icine for ourselves and children for several years and like it very much. I think it is the only remedy for croup and can highly ecommend it."

Mangum & CO LETTER SPECIALISTS. JEWISH SYNAGOGUE TO COME

Congregation of Shimfki Will Erect Five-Thousand-Dollar Church Building.

The Jewish congregation Shimfki, which at present has no church of its own, will oulld a synagogue in the spring on the east Cuming on a lot recently bought. The site dist church. The building will be of brick "My special duties relate largely to the and will cost \$5,000.

MENOF TWO TOWNS ON UNION

Fouth Omaha Mayer and Others Talk Merger at Real Estate Exchange.

DEC DEDLY OPPOSES PLAN

Mayor Hoctor Says if People Want It He Will Not Try to Block Greater Omaha Move-

ment.

The proposed consolidation of Omaha and South Omaha was the special order of ousiness Wednesday noon at the Real Estate exchange weekly dinner at the Comnercial club rooms.

Mayor Tom Hoeter, Dr. W. J. McCrann, J. O'Neil and J. H. Van Dusen were natter of consolidation, none, however,

for the Douglas county legislative delegation, which was present Wednesday noon, will be on hand next Wednesday, when Attorney John P. Breen will speak on general needed legislation, and again the week following to hear-the statements nade by the South Omahans.

T. J. O'Neil of South Omaha sald he some decided reasons why the condation of South Omaha would not bene-It that town, to which Representative Walsh said he had been keeping his ear to the ground and intended to follow public ntiment in the matter, intimating in his remarks that there were many at this time in South Omaha that favored consolidation.

Selby Offers Statistics. Selby offered some very carefully prepared statistics for the further consideration of those interested, lack of time preventing a discussion of them Wednesday noon. The figures were: Full assessment for city and school purposes for 1906maha, \$106,000,000; South Omaha, \$20,800,000. Levy in mills: Omaha, 12.96; South Omaha, South Omaha, \$262,688. Total bonded inyear for city and school purposes: Omaha. of bonded indebtedness to valuation; omaha, 5.55 per cent; South Omaha, 5.65

Mr. Van Dusen sald the matters of water, schools and parks were the three main things on which larger municipalities having adjacent territory should consider consolidation. He expressed opposition to any law contemplating consolidation without a majority vote of each city as against a majority vote of both cities. The matter, he declared, should rest on business considerations, with no political or sentimental elements. "Provision should matters of fire and police protection will be made," said Mr. Van Dusen, "to direct the mayors and city councils of each city to put the matter to a vote of the people upon the presentation of petitions of 5 per

> tore Guaranteed as to Price and O INTENDED MURDER CHARGED

> Colored Man Who Shoots at His Lady Friend is Bound Over.

After a preliminary examination in police ore, colored, was bound over for trial in Button Molder's ladie, Vhitmore was serving a sentence in the elty jail for frightening Mrs. Brown, 318 South Secenteenth street, when he was same careful, studious and artistic obser-

Beech camp No. 1454, Modern Woodmen of America. The funeral of our late neighbor, R. W. Baldwin, will be held at the residence. 1510 South Twenty-eighth street, at a. m. Thursday, December 13. Your atendance is requested. W. M. THOMAS, N. J. MARVIN, Clerk. Consul.

Custodian of Major Croft. As the result of a complaint made before he insanity commission by neighbors, Mrs. Sauline Croft has been made custodian of the insaulty commission by neighbors, Mrs. Pauline Croft has been made custodian of her father-in-law, Major Croft, an aged violinist. Ilving with his son at Twentieth and Ames avenue. He has been giving muste leasons to a class of children. Some of the neighbors complained of his actions and the matter was brought before the commission. He objected to the precedings, contending the complaint was the result of spitework.

AT THE PLAY HOUSES.

Mr. Mangfield in "Peer Gynt" at the

Mr. Cecii Magnus
Mr. Edwin Caidwell
His Mother Miss Sidney Cowell
Solveig Miss Adelaide Nowak
Heiga, her sister Miss Ory Dimond
Their Father Mr. James L. Cahart
Their Mother Miss Myra Brocke
The Hegstad Farmer Mr. Walter Howe

related by rooms.

(ayor Tom Hoetor, Dr. W. J. McCrann, J. O'Neil and J. H. Van Dusen were Magic City citizens who spoke on the tter of consolidation, none, however, mitting himself to any personal opin
Mayor Hoctor said he would not stand Mayor Hoctor said he would not stand Second Peasant Girl.

The Hegstad Farmer....Mr. Walter Howe Ingrid, the bride, his daughter...Mr. Walter Howe Ingrid, the bride, his daughter...Mrs. Walter Howe Ingrid, his daughter...Mrs. Walt

committing himself to any personal opinon. Mayor Hoctor said he would not stand
in the way as mayor if the matter should
be put to a vote of the citizens through
legislative enactment.

At the meeting of the exchange Wednesday, December 26, the South Omaha representatives will meet the exchange again
and at that time present their reasons,
bro and con, relative to the consolidation
matter.

The Real Estate exchange officers wished
it understood that the exchange is taking
no side in the matter, but wants a fair
hearing from both sides and all the onhearing from both sides and all the onhearing from both sides and all the onthat can be given, particularly

The Master Cook.

Miss Marguerite Lindsay

Third Peasant Girl.

Miss Marguerite Lindsay

Third Peasant Girl.

Miss Ruby Craven
First Peasant Girl.

Miss One Temple
First Elderly Peasant

Mr. David T. Arrel

An Elderly Woman.

Mr. Second Peasant Girl.

Miss Marguerite Lindsay

Third Peasant Girl.

Miss One Temple
First Elderly Peasant

Mr. David T. Arrel

An Elderly Woman.

Mr. Prank Kingdon

Mr. Cotton

Mr. Marc MacDermott

Herr Trumpeterstrale

Mr. Magnus

Anitra

Captain of the ship

Mr. Caldwell

The Master Cook.

Miss Revelyn Loomia

Second Peasant Girl.

Miss Marguerite Lindsay

Third Peasant Girl.

Miss Ruby Craven
First Peasant Girl.

Miss One Temple
First Elderly Peasant

Mr. David T. Arrel

An Elderly Woman.

Mr. Prank Kingdon

Mr. Monsieur

Another Elderly Woman.

Mr. Marc MacDermott

Mr. Toois

Mr. Toois

Mr. Reynolds

Mr. Reynolds

Trolls, Imps and Others. In preparing "Peer Gynt" for the stage him from annihilation, is a genuine climax Mr. Mansfield was confronted by a task It would be difficult to exaggerate the efthe magnitude of which might easily have fect Mr. Mansfield has produced in his in-

spirit than his own. It has been for years high, if not the very highest, place in all the opinion of the best of judges that his undertakings. difficulties presented by the poem are not Miss Dunn and Miss Newsk. As Ase, Miss length and the intimate relation of its sev- ception of the character is clear and acute eral phases, it presents an essence so sub- and she varies the moods of the mother Levy in dollars: Omaha, \$1,373,993; tie, so evanescent and yet so all-permeating first berating and then fending her boy and important that without it the meaning with a swiftness and facility that is fully debtedness outstanding: Omaha, \$5,891,000; of the poem is in a great measure lost, in keeping with the part. Her death so no South Omaha, \$1,25,778. Total expense one and yet to preserve which in an acting is so absolutely true as to be actually \$1,618,000; South Omaha, \$383,270. Per cent accomplishment. That Mr. Mansfield has former member of the Woodward Stock triumph far greater even than his excellent | the earlier scenes. Her first appearance Architecture has been called "frozen her purity, coming on the man to whom This fact presented one of the greatest only by deference to the fact that the ac-problems offered for solution by the tion of the play demands it that Miss No-All goods sold at Hubermann's Jewelry scene at the court of the Dovre Ring, of Miss Nowak's work more than redeems ality. where the troits—those fantastic creations her earlier shortcomings. of the imaginative Northmen-were very nearly realized, and so impressively prethe old selfish and inconsiderate man whose

the district court under bond of \$500 on The production is scarcely less important the charge of shooting with intent to than the conception. It is the result of one urder. It is alleged that Whitmore fired great imagination seeking to realize the two shots from a revolver at May Reed, thought of another. Mr. Mansfield has olored, on the night of December 7, when made his scenery subjective and with it quarrel was started over a rent bill supplements the idea conveyed by the spoken word.

To the part of Peer he has brought that again arrested on the second shooting vation which has marked his course since he became prominent on the stage. The thoroughress with which he has assimilated Wants to Supplant Majority Rule is the role in every detail and the exactitude with which he presents it, in even its most minute and apparently insignificant aspects, is but characteristic of the man t is in a measure a labor of love for Mr. Mansfield, for it is inconceivable that Peer should not appeal to him more strongly than any of his recent creations. It is in such distinct contrast to the gloomy and depressing character of Don Carlos, or the from Russia might find a market in Omaha. sensual brutality and unreasoning tyranny

of Ivan, that comparison is impossible Both Ivan and Don Carlos were undertaken Both Ivan and Don Carlos were undertaken merely because they presented to Mr. Mansfield the possibility for a further advance and exposition of his great art. His conception in each case was comprehensive and artistically effective, leaving an undying impression of each individual, and yet not a single pleasant memory attaches yet not a single pleasant memory attaches to either. It is entirely different with Peer Gynt. Not only is there here material for the artist, but there is also that incentive to the thinker in the lesson intended to be conveyed that moves him to a greater

indertuking. Mr. Mansfield has approached Peer in this spirit. In the earlier scenes as the thoughtless, idle, bragging boy, whose serious nature has not yet been touched, he gives a sympathetic note to the part that is easily distinguished. Under the apparent carelessness is discovered the deeper nature which comes to light on his meeting with Solveig. His encounter with the Dovre King's Daughter and later with the Great Boyg is merely an incidental remorae that needs must follow reflection. It is a physiological fact that great depression follows great exaltation, and "in the cold, gray dawn of the morning after," when he had disturbed the wedding feast and carried off the bride to dismiss her later with contemptuous scorn, it was but natural that Peer should feel the reflection that is evidenced in the supernatural spectacle presented. Following this he meets Solvelg and his better nature springs to life, but just as he is about to enter upon a realisation of this hope comes the Dovre King's Daughter (Folly) and her Impish offspring (Consequences) and Peer is thrust back from the happiness that seems to be his and is sent out to explate alone the sin he has committed.

The scene at the deathbed of his mothe is one of the most impressive ever enacted on the stage. The fantastic idea of the boy, driving the dear old woman to the gates of heaven and there pleading with St. Peter to allow her to enter is one that can scarcely be exceeded in its pecultar effect. Mr. Mansfield has here also freely embellished the thought of the poet with his own great artistic nature and has illustrated it thoroughly that it cannot possibly be

isunderstood. Peer Gynt as the prosperous, middle-aged man, still big with the idea of his own importance and still positive of his intended accomplishments, is quite as thoroughly nanifested, although not so impressive as is Peer, the boy. Peer Gynt, in his broken 22 agu, decrepit, remoranful, discouraged,



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and Waists Are Very De-

sirable for Xmas. Nebraska Clothug

Are Much Appreciated for

BOYS' CAPS

is a sad picture, but is portrayed with fidelity that is almost cruel. It is the to do, if possible, something that will save daunted even a more daring and persistent terpretation of Peer Gynt. It deserves a

Make Sensible Xmas Pres-

BOYS' SHOES

"Peer Gynt" was not to be acted. The Sharing honors with Mr. Mansfield are merely physical. In addition to its great Dunn shows remarkable capacity. Her conversion seemed far beyond possibility of ghastly. Miss Dunn is well recalled as succeeded so well in embodying not only company at the Creighton theater. As Solthe letter but the spirit of the poem is a veig. Miss Nowak is somewhat colorless in impersonation of its principal character, that of the innocent, inexperienced giri in music," but scenery is far from being her heart goes out. In the forest she lacks "frozen sentiment." The environment of that element of warmth which would bring "Peer Gynt" is very essential to an under- a girl to forsake her father and mother, standing of the circumstances and motives her friends and home, to follow the forwhich make the play a sentient thing, tunes of one she so lightly knew, It is adapter, but, like the other, it was met wak's Solvelg can be understood in this with an indomitable spirit and a determina- In the closing scenes, however, she riscs tion to succeed. How well this essence is to that height and brings this unassuming preserved may be attested by those who quality to her assistance, giving there the witnessed the scene in the mountains, fullest notion of the unselfish devotion of where the voice of the Great Boyg is heard, a life that has been spent that another warning the unfortunate Peer; by the might at its close be benefited. This phase

The rest of the cast has been excellently chosen and each presents his or her share sented as to give the most accurate infor- of the production in a way that indicates mation of what the great author had in the careful drilling to which they have mind; and, again, in the ship-wreck scene, been subjected by the master mind. The where the Mysterious Passenger challenges Grieg music under the direction of Mr the returning Peer and forces him again Clarence Lucas, is a great part of the evenfrom his apparent charitable purposes into ing. The scenery is mussive and beautifully adequate. The audience at the Boys ourt Wednesday morning. James Whit- footsteps were leading him directly to the theater Tuesday night was one of the larges. ever assembled there and the largest that Omaha ever furnished for a Mansfield performance, and its expression of satisfaction must certainly have been pleasing to Mr

BRACELETS-Frenzer, 15th and Dodge. A 50c meal for 25c at the Karbach res-

MINORITY SOCIALISM FOR

Russia, Says St. Petersburg

Writer.

J. W. Gardner of St. Petersburg, Russia, evidently never loses an opportunity to say something against socialism. In letter to the Omaha Commercial club askfing for information as to what articles Mr. Gardner enclosed a sheet on which he wrote, as follows:

N. B.-Kindly propagate this idea if you

Do You Open Your Mouth

Like a young bird and gulp down whatever food or medicine may be offered you? Or, do you want to know something of the composition and character of that which you take into your stomach whether as food or medicine?

Most intelligent and sensible people now-a-days insist on knowing what they employ whether as food or as medicine. Dr. Pierce believes they have a perfect right to insist upon such knowledge. So he publishes, soadcast and on each bottle-wrapper, what his medicines are made of and verifies in more than this he feels he can well afford to do because the more the ingredients of which his medicines are made are studied and understood the more will their superior curative virtues

be anureciated.

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A host of medical authorities of all the several achieval of practice, recommend

A host of medical authorities of all the several schools of practice, recommend each of the several ingredients of which "Favorite Prescription" is made for the cure of the discases for which it is claimed to be a cure. You may read what they say for pourself by sending a postal card request for a free booklet of extracts from the leading authorities, to Dr. R. V. Pierce, Invalids' Hotel and Surgical Institute, Buffalo, N. Y., and it will come to you by return post.

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