

THE OMAHA SUNDAY BEE

FOUNDED BY EDWARD ROSEWATER

VICTOR ROSEWATER, EDITOR

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THE BEE PUBLISHING COMPANY.

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State of Nebraska, Douglas County, ss.

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CHARLES C. ROSEWATER, General Manager

Subscribed in my presence and sworn to before me this 1st day of December, 1906.

M. B. HUNGATE, Notary Public

WHEN OUT OF TOWN

Subscribers leaving the city temporarily should have The Bee mailed to them. Address will be changed as often as requested.

The last call for holiday shopping.

A roughrider has declined office.

The colonel's precedent breaking record is infectious.

The weather man will have to get a move on himself if he is to give us a white Christmas this year.

As the strike of miners at Goldfield is accompanied by no disorder, the Cripple Creek incident may have its compensation.

It is a safe guess that the sentence this time will not be six hours at the Omaha club in the custody of the United States marshal.

If the man who shot Captain Macklin is found an explanation of the Brownsville affair may be forthcoming as a sentence sometimes opens mouths.

President Roosevelt is to have a present of some pure bred Angora cats. They certainly should be tame enough pets for the winner of the Nobel prize.

The controversy between church and state in France seems to have reached the "nothing to arbitrate" stage, so a solution is not beyond the bounds of possibility.

An eastern paper adds insult to injury by printing the news of the verdict in the land fraud cases at Omaha under a flaring headline, "Cowmen Convicted."

Now that a New Jersey corporation has its eyes on the ice trade of the west, local ice "trusts" will look tame unless the "basis of consolidation" is satisfactory.

Japan's readiness to put 750,000 soldiers in the field would be more alarming if its ability to borrow money to maintain such an army indefinitely were ampler.

As a writer James Bryce will be welcome at the White House, but his opinion of golf compared with tennis may fix his real status in the affections of the occupant.

The Philippines is making good as a source of scandal in more ways than one, and the commandment against bearing false witness seems to have suffered more than the others.

John D. Rockefeller's remarks on the invariability of court orders show that he has higher respect for such process than that held by some of the men more active in the management of his affairs.

Judge Grosscup is still charmingly indefinite as to plans to change the present industrial system, and so far his efforts have failed to shake Wall Street quotations, but he may tell the people what he means when the time arrives for the disclosure.

An Iowa employe of the Great Western, hauled into court on the charge of padding payrolls, offers to give evidence that the road has granted rebates to shippers. The employe seems to be unable to distinguish between downright dishonesty and mere "business transactions."

It is suggested that the short session of congress is always a "job" session of congress. The prospects are, however, that the present session will be kept so busy with appropriation bills and regular routine that it will not have much time to put through many "jobs" even if so disposed.

PLAINER TALK ON THE WATER WORKS

The Bee's analysis last week of the water works situation has, at least, started some people to thinking and precipitated a discussion that warrants still plainer talk on this subject.

The controversy is not, as appears on the surface, a personal one between the officers of the water company and the hired attorneys of the water board, each accusing the other of trying to perpetuate a salary, but involves the most vital interests of the taxpaying citizens of Omaha and of the whole community. The people who pay the water bills are not so much concerned with the verbal fulminations between these two sets of self-constituted debaters as they are with the accumulating costs of litigation and the increasing embarrassments of the water service, all of which they will have to pay for in the end. They would like relief at the earliest possible moment on the one side from an excessive schedule of water rates, fixed twenty-five years ago, and on the other side from the paralysis which prevents extension of the water system to meet the needs of our expanding population.

The ridiculousness of the proposition to proceed with the construction of a new water works system and invest several million borrowed dollars in pumping machinery and pipe mains while the suit to compel the purchase of the existing plant under the appraisalment already made is still pending and thereby take a chance of having two water works systems on our hands, has already been pointed out. The quibble about excluding that part of the mains and hydrants within the limits of South Omaha is likewise not worth considering because it will be eliminated before long by the consolidation of Omaha and South Omaha under one municipal government. Lawyers on both sides of a case are usually over-confident, especially where a big fee is in sight, but it must be remembered that one side or the other must lose. Assuming the most favorable position claimed by the water board's legal luminaries and that the city should win out against the demand for court affirmation of the appraisers' report, where would that still leave us? In their answer filed in this case the water board's attorneys set forth that on the return of the alleged appraisalment the water board refused to acquiesce in it and appointed one Mortimer E. Cooley as a new engineer to represent the city in a second appraisalment, at the same time calling upon the water company to name its representative so that the two might choose the third engineer and proceed to a reappraisalment. Ignoring the pending litigation, they further allege that the refusal of the water company to respond to this invitation within twenty days, as stipulated by law, must be taken to have forfeited altogether whatever right to sell its property to the city the water company had derived from the latter's election to buy under the purchase clause. In other words, all that the city originally contended for was that it had a right to set aside the appraisalment brought in by two of the three engineers and to proceed to another appraisalment; for no court is likely ever to hold that the water company lost its right to sell by failing to name a new engineer within twenty days when it was at that very time pursuing its remedy in court in another way, as it thought was its privilege.

The best the city can hope for, then, out of the suit is in relating in the federal court is an order setting aside the appraisalment and providing for a new one, putting us back substantially where we were four years ago. Even with such a victory, the city would be no more able to command the position and dictate terms than it is now because if an appraisalment can be set aside when the city's engineer fails to agree with his colleagues it may be set aside again when the water company's engineer fails likewise to agree with his colleagues. Under such a decision existing conditions could be perpetuated, but no appraisalment could be reached that would be binding unless satisfactory to both sides.

The legal spokesman of the water board intimates that the officers of the water company do not represent the real owners of the water works. That may or may not be true, but it is becoming plainer and plainer that the water board and its hired attorneys no longer represent the sentiment of the people of Omaha, who would be the real owners if the plant were acquired by the city. The people of Omaha are the sufferers in the present situation. They would like to have the matter settled at some early day. If, however, anyone is to negotiate successfully for them with the real owners of the water works, it will have to be a volunteer committee of business men and property owners, neither blinded by personal bias nor swayed by selfish interests. If such a committee, made up of men thoroughly in the confidence of the community, should agree with the real owners of the water works on an alternative proposition for the termination of all this litigation either by the sale of the plant to the city at a reasonable price or by an extension of the contract with material reductions in rates to private consumers and prices for hydrant rental, the proposition would receive serious consideration and would be ratified in one form or the other if submitted for public approval.

Andrew Carnegie now declares that he never said that a man who died rich died disgraced, but that all his utterances on this subject were qualified with conditions based on effort

during the lifetime of the millionaire

to benefit his fellows and increase human happiness. It is to be noted, however, that even before this correction no appreciable brake was put by Mr. Carnegie's preachment upon the quest for disgraceful wealth.

JAMES BRYCE

No other Englishman would be more welcome in the United States than James Bryce, whose appointment is announced as successor of Sir Mortimer Durand as ambassador at Washington. It is not merely high character and recognized abilities as a statesman that will give warmth to the reception of Mr. Bryce, but rather the thorough insight into American institutions and sympathy therewith which he has manifested through a lifetime. Few foreigners have shown such a grasp of our political and social life as Mr. Bryce in his famous work, "The American Commonwealth," and other writings, and he has supplemented this evidence of his interest by frequent prolonged visits to the country.

James Bryce is one of the conspicuous figures in British politics as well as in literature, having frequently held high places in the government and being now secretary of state for Ireland. A staunch supporter of Gladstone, he is still an ardent believer in liberal home rule for the Irish, a fact which has increased his popularity in this country also.

The selection of men of the first rank by the great powers for their diplomatic representatives at Washington undoubtedly signals the rapid growth the last few years of the United States as an influence in world affairs. The appointment of Mr. Bryce will, in addition, be interpreted as a compliment and as proof of special desire on the part of the British government to strengthen relations which are already friendly and highly satisfactory.

FREIGHT CARS NEEDED

The testimony of A. B. Starr of the Pennsylvania, who is acknowledged to be one of the highest expert authorities, before the Interstate Commerce commission puts the car shortage in very strong light. While according to him the car plants should be able to build at least 370,000 new cars a year in order to keep up with the development of the country, their total capacity is only 180,000 a year. In addition, however, of the 1,800,000 freight cars in operation in the United States, 180,000 have to be rebuilt every year, so that about twice as many are needed annually as the shops can turn out. If, as J. J. Hill and many other railroad men whose judgment carries weight assert, the needs of existing business call for doubling the railroad mileage and greatly increasing terminal facilities, in order to increase efficiency of rolling stock, a real emergency would seem to have been created or cannot long be averted.

The fact appears to be that the railroad companies have only within a year or two begun to realize the magnitude of the country's growth, or have not been permitted by the financial interests controlling them to take sufficient measures to meet it. Those interests are notoriously timid and eager for immediate profits. The car shops, responding also largely to the same pressure, have adjusted their capacity too much to average demand according to past experience. The last year or two, however, they have been overwhelmed with demand for new cars, and it is a well known fact that their capacity is already under contract for a whole year, while immense orders are not given at all because they could not be filled. If expert opinion is to be accepted it is utterly impossible for car supply to meet needs for years to come.

SAVING VITAL TO INVESTMENT

The lesson which the people of this country need to learn at this time is not so much that of earning and producing as that of saving. Our investing power, great as it is, is not so great as it might be, and it will certainly become proportionately smaller still unless the tendency to extravagant expenditures is checked.

The recent showing of stupendous increase of property values made by the census bureau, indicating that at the rate during the four years following 1900 the total valuation would more than double in twenty years, induces many to assume that investing potency is correspondingly increasing, but no such result necessarily follows. The difference is between opportunity improved and neglected. But the evidences multiply on every hand of a popular disposition to increase spending with earning, and in many cases even more rapidly. The habit of our people contrasts strikingly with that of the French, who out of far smaller earnings are actually adding at a greater rate to their surplus, which every year swells the fund available for investment, so that they are surprising the world, which has to resort to them more and more to finance enterprise.

How comparatively slow is our process of accumulating fund surplus capital in proportion to our larger opportunity is suggested by the calculation that if our people would save only 5 cents a day each the result in one year would be the acquisition of almost \$1,500,000,000, or nearly three times as much as the bonds and other securities held by the national banks of the United States. Yet in no other country is the demand for capital, on account of abundant undeveloped resources and the active genius of our people, so great as it is here.

The one great instrument of pro-

duction with which all others can be

supplied is adequate commandable capital, and the only way in which any community can secure it is through the habit of persistent and systematic saving. Nor indeed would it be possible for such prosperity as we have had to be indefinitely maintained, even if equal crops should continue and no great reverse should come, if the yield should be consumed and no portion set apart to enlarge the scale of industry, because a point would in time be reached at which enterprise would have either to stop or to borrow abroad from those who had been wiser and more economical. We are bustling enough, and to spare, but the danger of the hour is lest out of it all we forget that saving is just as vital as earning.

SETTING A DANGEROUS PRECEDENT

In debarring from further appearance in the so-called Coal trust cases the principal attorney for the defendants, Judge Sutton threatens to set a dangerous precedent. Irrespective of the character of the supposed offense or of the personality of the attorney, every person accused of crime is entitled to have a legal representative secure for him the benefit of every protection accorded him under the law. It is the place of the trial judge to see that no error is made, to maintain discipline in his court and to keep the lawyers before him within the bounds fixed by the code of professional ethics. It is the right and duty of the attorney, however, to make the best fight he can for his client, subject to accountability for misuse of his privileges.

Even should a lawyer by misconduct subject himself to court discipline, the penalty should fall upon him rather than on his client. Law and custom have prescribed that in every disbarment proceeding, as in criminal prosecutions, the accused should be first informed specifically with what acts of commission or omission he is charged and should have an opportunity to enter a defense. In this case the attorney suffering displeasure seems to have been ruled out of his profession without any charges being preferred or any hearing granted and without any opportunity to appeal or secure redress in any other way.

It is quite possible, and even probable, that the defendants in the other coal cases, counting upon the services of the same attorney, will be not only handicapped in their trials, but possibly prevented from asserting their rights in the most effective way and thus deprived of the even-handed justice to which each and all are entitled, guilty or innocent.

Without expressing any sympathy for the indicted coal dealers or even taking up the cudgels for the attorney in question, who is amply able to fight his own battle, The Bee still protests against such arbitrary action, because it sees to what it might lead in other cases. The judge should be above the law no more than lawyers practicing before him or litigants seeking justice. If a judge could arbitrarily and without notice annul the right of an attorney to practice before him, he would occupy the position of an autocrat at complete variance with our free institutions. Whether it be lawyer or editor or pulp orator who offends the judge by criticism, he should have his day in court before an impartial tribunal before being inflicted with punishment.

MR. BRYAN VS. SECRETARY ROOT

In the self-assumed capacity of opposition commentator-in-chief upon the course of political events, Colonel Bryan feels impelled first to misunderstand the tenor of Secretary Root's recent address and then to pass upon it a criticism which in fact is tenfold more applicable to the most important position he himself has taken on a public question since the famous "sixteen-to-one" episode. Secretary Root did not "make an argument in favor of the transfer of all power to the federal government," or in favor of transferring any unconstitutional power, as Mr. Bryan implies, but he called attention impressively to this fundamental fact: "It is plainly to be seen that the people of the country are coming to the conclusion that in certain important respects the local laws of the separate states which were adequate for a due and just relation and control of the business which was transacted and the activities which began and ended within the limits of the several states, are inadequate for just and due control of the business and activities which extend through all the states, and more power of regulation and control is gradually passing into the hands of the national government."

The last session of congress was practically one continuous and notable illustration of this process of national assumption of power, embodied in the memorable series of laws for "regulation and control" of railroad rates and services, meat inspection, pure food, etc. Not one of these great acts involves assumption of unconstitutional powers or an attack on "the doctrine of local self-government," but the chief necessity for every one of them arose from the neglect and failure of the states severally to use their power to control business within their borders whose evil effect was felt in other states. If each state had provided and enforced proper laws regarding meat inspection, pure food and railroad rates, there would have been no such irrefragable popular demand that the national government should employ its constitutional powers as the remedy. Neither did Mr. Bryan, while these measures were pending in congress, raise his voice to protest that they were unconstitutional and a usurpation of the rights of local government, nor does he do so now, nor is

it recalled that he has in any practical

way all these years identified himself with efforts to secure through local self-government the redress which would have rendered national intervention in large part at least unnecessary.

The most far-reaching and epoch-making extension of national authority has been under the constitutional grant to regulate commerce between the states, and yet the sole complaint that Mr. Bryan has been making is that congress under President Roosevelt's lead did not go far enough, and that instead of regulating and controlling the railroads the national government should own and operate them outright. He thus swallows at one gulp the camel of centralization at which both the rankest Hamiltonians and Jeffersonians balk, while straining at an imaginary gnat.

The call for a meeting of the Nebraska Government Ownership league is signed by a "provisional" president and secretary. Everybody is supposed to be a "provisional" member until he refuses to sign the membership roll.

The report that Secretary Shaw is to become president of the Mutual Life Insurance company will not be received with pleasure by the Wall street operators who want quick cash for speculative deals.

If a South Dakota senator succeeds in passing a service pension bill he will have removed a rock from the road of Kansas politicians, more of whom have fallen on this stumbling block than on any other.

The "car clearing house" idea might be a good plan to stop congestion in traffic, but such an arrangement might also violate an anti-trust law which often strikes where least expected.

Willing to Be Shown

Chicago Tribune.

Congress is willing to be convinced, however that Uncle Sam should follow the example of other large employers and raise the salaries of his faithful workmen.

Worth the Price of Admission

Indianapolis News.

The country is just full of people who would be willing to pay pretty good money for a front seat to see Harrison, Hill and the Rockefeller in a three-cornered railroad fight.

Not as Easy as Pictured

Washington Post.

During the last year 838 indictments have been returned against the Standard Oil company by various grand juries. All of which goes to show that even grand juries know an easy mark when they see one.

Activities of Opportunity

Baltimore American.

To say that opportunity knocks but once at every man's door is false, for not a day of our life but opportunity pulls the doorbell of hope, reason and action, and it is our own fault if we do not wake up and grasp the skirts of passing fortune.

Sorrow Fringed With Joy

Chicago Chronicle.

Regret at the passing from public life of William A. Clark of Montana will be ameliorated by the announcement that Hon. Simon Guggenheim of Colorado is about to lend luster to American statesmanship by permitting himself to be elected to the United States senate. Arcades ambo.

PERSONAL AND OTHERWISE

Down in Texas all trust indictments are done in oil.

The Omaha man who intends presenting his wife with an airship evidently abandons all claims to the last word.

Edward H. Harriman is esteemed a far-sighted man, yet he is unable to see "Keep Off the Grass" signs in Jim Hill's pasture.

The prize consumer of raw eggs is laid out in a St. Louis hospital dividing his time between a stomach pump and a mustard plaster.

The top-notch price for property in Philadelphia was reached the other day when \$5,000 a foot front was paid for a lot on Chestnut street.

Kansas City is struggling courageously to hold down the saloon lid between 1 and 3 a. m. Four hours of drought imposes a mighty strain on a Missouri throat.

A Chicago professor strikes a popular chord at last. He finds that street car straps are hiding places for various husky disease germs. This puts the board of health up against it. If the straps go, Chicago's hold is lost.

A remarkable feature of various trials and investigations going on is the falling memories of sundry witnesses. In Pittsburgh the disease is epidemic. A dozen councilmen successively admitted they couldn't remember a thing.

President Gall of the Board of Fire Commissioners of Baltimore softens the suggestive harshness of his patronymic by rare generosity. Unable to induce his associates to raise the salaries of firemen, he turned in his own salary to supply what the board refused.

SERMONS BOILED DOWN

Lazy folks never have any leisure. Greatness is revealed in gentleness. Every soul either serves or shrinks. You do not acquire moral muscle by dodging duty. Concentrated ignorance is only a slothful blasphemy. Working for men is the best way of waiting on God. This is a sad world to him who looks at it with sour eyes. People who always have bones to pick go through life looking famished. There is a world of difference between a tender heart and a soft heart. The sermon of the man is mightier than even his sermon on the mount. A man must be judged not alone by his attainments, but by his ideals. The cheery man seldom has accommodations for a full grown heart. Many men who are talking about their visions are referring to nightmares. Every time you do a worthy thing you make it easier for others to be worthy. Man was not made for the sake of morals, but morals for the making of the perfect man. Many a door of opportunity is closed to a man on account of his imagined chest measure. Small wonder some go to heaven slowly when they are crawling as "worms of the dust." The only reason some have a tender conscience on Sunday is because they keep it in cotton batting all the week.—Chicago Tribune

Glorious Christmas Gift

NOTHING BUT BARGAINS ON MONDAY AND WE WILL DELIVER THEM IN TIME FOR CHRISTMAS

SAVE MONEY AND GET THE BEST Ten Dollars Will Send One Home

THE BEST PLACE TO BUY A PIANO THE HIGHEST GRADE AND LOWEST PRICES

- \$600 nearly new Knabe Piano \$495
\$300 nearly new Kimball Piano only \$215
\$300 nearly new Hoape Piano only \$225
\$250 nearly new Weser Piano only \$215
\$300 nearly new Sweetland Piano only \$215
\$250 nearly new Whitney Piano only \$200
\$250 nearly new Weser Piano only \$190
\$190 nearly new Cramer Piano only \$125

- New Gilbert Pianos \$145
New Biddle Pianos \$165
New Cramer Pianos \$198
New Weser Bros. Pianos \$235
New Kimball Pianos \$260
New Cable-Nelson Pianos \$275
New Bush-Lane Pianos \$350
New Kranich & Bach Pianos \$375
New Knabe Pianos \$450

You buy any of these pianos on small payments; you pay only the price marked in plain figures on the tag; you pay no commission, you pay not over \$200 for the \$5 per month piano (others charge \$300). A safe place to buy a piano or piano player or organ or stool, bench and scarf.

A. HOSPE CO. 1513 DOUGLAS ST.

DOMESTIC PLEASANTIES.
"I hope, George, dear, your feelings were not hurt by papa's objection when you went to ask for my hand?"
"No, dear, I wasn't hurt; I saw in time that he had a kick coming."—Baltimore American.
"So that foreign nobleman has ceased his attentions to that girl?"
"Yes, answered Miss Cayenne. "She told him her face was her fortune, and he said that under the circumstances he declined to be classed as a fortune hunter."—Washington Star.
"Would you mind, he asked, "if I were to propose a trial marriage to you?"
"Mind?" she replied, "a good deal would depend on the amount of alimony you were willing to settle on me at the end of the term."—Chicago Record-Herald.
"Jack, have you spoken to papa yet?"
"Yep, spoke to him at his office this morning."
"I hope he ended your suspense."
"Didn't, Mayme. He made it worse."
"Great Scott! Is that what you have been hanging around my house for?"—Chicago Tribune.
Mrs. Housekeep—Why did you leave your last place?
Fretty Maid—The master kissed me.
Mrs. Housekeep—And your mistress found it out?
Fretty Maid—No, but me "steady company" did and he made me quit.—Philadelphia Ledger.
"Is wish to know," asked Tommy's anxious parent, "if my boy's knowledge of geography is such that he knows the limits of the various countries?"
"Your son's interest in those matters," answered the cautious teacher, "I can say with truth is practically unbounded."—Baltimore American.
HER CHRISTMAS GIFT AND HIS.
Minnie Irving in New York Herald.
She sent it by a messenger.
On Christmas Eve, 'Twas tied With yards of satin ribbon red; Her card was tucked inside; I raised it from its delectable bed Of tissue paper white, A fluffy thing of silk and lace, With golden spangles bright, I fastened it on my chamber wall, And nightly since I sit Before it while I vainly try To get the hang of it, And though she sent the gift to me A year ago or more, I never learned exactly what It was intended for.
I bought a costly Christmas gift To send the maiden I adored. (What matter if I walked to work) And failed to pay my weekly board) It was a slender chain of gold, A flimsy wrought and dainty thing, From which an oval locket hung, With tiny diamonds glittering.
She thanked me with a dazzling smile; She let me clasp it on her neck, She promised me that day and night The jeweled toy her throat should deck. But who can read a woman's heart? Not he, alas! who seeks to win it. She never took the locket off, But wore my rival's picture in it.

Browning, King & Co

ORIGINATORS AND SOLE MAKERS OF HALF SIZES IN CLOTHING.

Things to Remember

WHATEVER remains to be done of the Christmas shopping for the men and boys of the family can best be done here.

House coats and lounging and bath robes are in mighty attractive patterns, and ours, we think, are tastefully selected.

Canes, umbrellas, mufflers, scarfs, gloves, suspenders, links, studs, fobs, bags, suit cases in an infinite variety.

We have just received a new supply of the popular leather collar bags in all prices.

In clothing there is everything from the suit for business or evening dress to the rain coat or fur lined coat.

Only one more day.

R. S. WILCOX, Mgr.

Fifteenth and Douglas Sts. OMAHA NEB. Broadway at 32nd Street NEW YORK Factory, Cooper Square