

FAILS TO GET BACK ENGAGEMENT RING

Miss Schumann Unsuccessfully Tries to Get Back Ring Landsberg Gave Her.

NOT PERMITTED ON STAND

A statute which provides that anyone having made a transaction with a deceased person, cannot testify in court as to that transaction, was successfully relied upon by attorneys for the Sigmund Landsberg estate, when Miss Martha Schumann, fiance and former pupil of the well known Omaha composer and music teacher who took his own life on November 11, attempted to collect \$140 for an engagement ring given her by the musician, but which she declared she loaned him to tide him over temporary financial embarrassment.

The case came up before Judge Crawford in county court upon agreement between attorneys for the Landsberg estate and Miss Schumann. When Miss Schumann, 22 years old, a talented musician and daughter of a Grand Island preacher, took the witness stand to testify as to her engagement to the late Ak-Sar-Ben composer, she had hardly uttered a single "I" before attorneys for the Landsberg estate fired a battery of objections at the court. Judge Crawford sustained them and decided that the fiance of the late music teacher could not testify as to any transactions made with him before his death.

Tells of Engagement. Prof. William Chambers, a dancing teacher and a close personal friend of Landsberg, told of a conversation with the composer, in which the latter's engagement to Miss Schumann was discussed. Prof. Chambers testified that Landsberg said he and Miss Schumann were to have been married after the holidays.

T. L. Combs, a jeweler, told the court that Landsberg purchased the ring a few months before his death for \$148, but paid only \$30 on it, returning the stone on the Monday before he took his own life. Mr. Combs said that the diamond was worth \$160, but that it was sold to the composer for a special price of \$148.

After the hearing counsel for Miss Schumann said that his client would probably accept \$30, the amount paid on the ring, from the Landsberg estate.

Miss Schumann, who went into deep mourning after her sweetheart sent a bullet crashing into his own brain as the result of rumors, financial troubles, appeared in court wearing a chic hat, a stylish gown and colored-top shoes. The engagement ring, the cause of the legal controversy, was introduced as evidence by the jeweler, who brought it into court.

She asked \$140 from the estate, alleging that a few days before the Ak-Sar-Ben composer committed suicide she loaned him her engagement ring, which he had given her, to borrow money on to tide him over temporary financial embarrassment.

The claim against the estate filed in probate court sets forth that the ring was loaned to Landsberg on November 4, just a week before he was found dead in his studio in the Lyric building, a revolver clutched in one hand and a bullet wound in his head.

In her petition Miss Schumann alleged that after Landsberg's death and burial she was informed that previous to the time of his suicide he had returned the ring to T. L. Combs & Co., jewelers, to whom, according to his former fiance's assertions, he was indebted to the amount of \$100 for the purchase of the ring.

Peace Dream Is Over for Present, Says Berlin Paper

Berlin, Jan. 2.—(Via Amsterdam and London.)—"The peace dream is over for the present," says the Taegliche Rundschau. "Whoever abandoned himself hereto will be sobered by the entente reply and will adapt himself to the hard reality."

"If the German offer is today rejected, the thought of peace is not by this refusal suffocated. The British, French and Russian people have been deluded into the belief that our offer of peace was a confession of our weakness and an attempt to save ourselves before the collapse."

"When the coming months of the war shows that this lie, too, is shivered on the German arms, revulsion must come, and then we to those rulers who will have to answer for the useless bloodshed."

Wilson Hopes for Results.

Washington, Jan. 2.—Secretary Lansing said today that the English text of the entente reply to Germany's peace proposals probably would be forwarded to the central powers today without waiting for the official French text. That will be sent direct to the central powers by the American embassy in Paris.

President Wilson has not decided on his next step. It became known on unquestionable authority today that he has not given up hope that beneficial results may come out of the present negotiations.

Real Baby Stare Of Miss Mary Gray May Cloak Crook

She looks as though she just checked her wings and halo and when she opens her baby stare upon you, then you are sure that she is honest. But the police say that Mary Gray, despite her demure and innocent appearance, is not so innocent. Detectives are even now looking for her to explain the disappearance of \$94 worth of stuff from the Cudahy Packing company's restaurant New Year's night.

The Question of the Hour



Who Killed Pretty Model? Puzzles Police; She Had Host of Admirers

Philadelphia Woman Received Many Men in Her Apartment Where Found Slain.

BODY TERRIBLY BRUISED

Philadelphia, Jan. 2.—The mystery surrounding the murder of Miss Maizie Colbert, also known as Mrs. Roberts, whose terribly bruised body was found in an uptown apartment house late Saturday night was still unsolved today. A man and a woman are being watched and arrests are expected shortly. The victim had many admirers who were received in her apartment and much evidence in the shape of letters, photographs and clothing has been found.

POSTOFFICE BILL PROPOSES CHANGES

Zone Rate for Second-Class Mail and One Cent Rate for Drop Letters Wanted.

LIQUOR SECTION STRONGER

Washington, Jan. 2.—The annual postoffice appropriation bill, reported to the house today, carried provisions to increase rates on newspapers, magazines and other second-class matter by a zone system, establish penny postage on local letters and impose heavier penalties for sending liquor through the mails. The bill would appropriate \$329,553,120, \$4,000,000 more than the current postoffice act; readjust rural carriers' salaries and increase the pay of a number of employees.

Magazine publishers have protested vigorously against the rate increase, which would affect only publications carried more than 300 miles, and Postmaster General Burleson proposed to Chairman Moon of the house postoffice committee a substitute provision to postpone the effectiveness of the increase for a year after the measure becomes a law.

The bill reported would make the new rates apply after June 30, however, and Mr. Moon has not indicated what action will be recommended on Mr. Burleson's suggestion. The bill probably will be debated in the house within a few days.

The bill directs that hereafter catalogues and similar publications be classified as third-class matter with increased postage. Another section provides that after July 1 next rural carriers' pay shall be based on length of routes, time required to serve them and quantity of mail transported. The maximum pay would be \$2,000, with a minimum of \$480 a year. No rural route which would require an automobile is to be established unless the car can be used with reasonable regularity throughout the year.

The postmaster general is authorized to create a guaranty fund from assessments to be levied on postoffice employees accountable for postal funds or property, to indemnify the government.

Another new provision would strengthen the anti-gambling laws directed against lotteries, gift enterprises or schemes of offering prizes dependent on chance.

One thousand dollars fine, two years' imprisonment, or both, are prescribed as penalties for mailing liquors.

Ak-Sar-Ben Now Owns Entire Block Near the Den

Ak-Sar-Ben now owns the entire block of ground on which the den is located at Twentieth and Burdette streets. The board recently bought some lots south of the den, thus acquiring the ground on the block not previously owned by the organization.

Greek Steamship Torpedoed.

Herz, Jan. 2.—The Greek steamship Sappho, 2047 tons, has been torpedoed. Nine of the crew were saved and the fate of the rest is unknown.

Captain of Detectives Tate said today:

"The mystery requires a process of elimination, a weeding out of all of the dead woman's friends. She was acquainted with so many lawyers, newspaper men, physicians, business men, detectives, theatrical people, hotel men and others that we do not want to jump at any rash conclusion. I am cautioning my men to be absolutely certain of their ground before they do anything."

Asked whether the son of a wealthy brewer up state, the son of a base ball magnate of the city and others whose names have been linked with that of Miss Colbert as acquaintances are to be questioned, Captain Tate said:

"We will question every person who knew Miss Colbert."

The captain said there was no more reason to implicate a brewer's son and a base ball man's son in the model's death than to believe that numerous other Philadelphians, who knew her were mixed up in it.

SOUTH DAKOTA LEGISLATURE MEETS

Peter Norbeck is Sworn in as Governor and Makes Inaugural Address to Joint Meet.

EX-GOVERNOR FOR BUDGET

Pierre, S. D., Jan. 2.—The fifteenth legislative session of South Dakota convened at noon today and selected temporary officers for the joint session this afternoon. Justice Polley of the South Dakota supreme court administered the oath to the members of the senate and Justice Whiting officiated in the house.

The executive state officers met in the reception room of the governor in the state house and Presiding Justice Gates administered the oath of office to Governor Peter Norbeck and the other new state officials.

After the completion of the formal temporary organization of the legislature, retiring Governor Byrne presented his message to the joint assembly, which met in the house of representatives. The retiring governor recommended a budget reform for the appropriation of state funds and pointed out other recommendations for the action of the new administration.

Governor Norbeck followed with his message, outlining the policy of the administration in regard to problems confronting it. The governor urged the immediate passage of a law putting into force the prohibitory amendment adopted by the people in the last election.

With the delivery of Governor Norbeck's address, the body recessed until tomorrow afternoon, when a permanent organization will be formed and committees selected.

To Formally Install New Municipal Judges

The formal inauguration of the new municipal judges will take place in the council chamber in the city hall Thursday morning before the city commissioners, district judges, County Judge Crawford and Federal Judge Woodrough. The ceremonies attendant on the inauguration of Judges Holmes, Baldwin and Britt are to be under the auspices of the Barristers' club, an organization the membership of which is made up of the younger attorneys of the city. Judge Sears will preside. Short talks will be made by R. G. Crossman, president of the Barristers' club; Mayor Dahlman, Judge Wakeley and others.

Chamberlain's Tablets.

Chamberlain's Tablets are intended especially for stomach troubles, biliousness and constipation, and have met with much success in the treatment of those diseases. People who have suffered for years with stomach trouble and have been unable to obtain any permanent relief, have been completely cured by the use of these tablets. Chamberlain's Tablets are also of great value for biliousness. Chronic constipation may be permanently cured by taking Chamberlain's Tablets and observing the plain printed directions with each bottle.—Advertisement.

Returned Guardsmen Have Big Variety of Pets Upon Exhibition

It is now a common thing to hear the soldiers describe some of their Spanish or American pets. "Buenos dias, senior" or "Buenas tardes, senior" is a common salutation meaning, "good day, sir" and "good evening, sir."

Upon their arrival the men were besieged with telegrams of welcome from all parts of the state. Two messengers boys did a rushing business taking telegrams to the crowd of soldiers who lined up to the telephone booth, extended for almost a block.

A blackhawk for feet long is the proudest possession of C. G. Skales, cook of Company H of Madison. The reptile was given a home behind the company cook range.

"Spic" money or Mexican paper money is at a discount at the fort, notwithstanding the Carranza government will not accept American money, said, "but now that we see this 'Cook' H. Money, Company H of Madison remarked, 'dismissing a tall, lank, black man, 'worth exactly 2 cents in American money,' the soldier said that he brought back enough of the money to treat the inside of his father's barn."

Sergeant Hans G. Larson, company D, Omaha, mourns because some distal regiment stole his pet rabbit, which he had trained for three months.

Practically every man who returned here on a furlough which was made during spare time on the border.

Company H, commanded by Charles W. Hamilton, had a pet, a Christmas dinner, Lieutenant Colonel Baker and his wife and Major H. E. Klamm were the guests of honor here in the regiment. He has also a number of stuffed loads and birds.

Carl Weibel, local bucket ball crack who "did his bit" with Company G, declares that his organization had no opposition in winning the regimental bucket ball honors.

All major, horses and wagons were left behind by the fourth regiment. The only horse that accompanied the train was Colonel George A. Eberly's private mount.

Sergeant A. J. McNeil, Company A, has been admitted the champion "bug collector." The sergeant has the largest collection of Texas bugs in the regiment. He has also a number of stuffed loads and birds.

Private O. H. Farnsworth of the same company has for his pet two poisonous diamond rattlesnakes. "I used to feed them live frogs," he said, "but now that we are out of Texas I guess that my pet will have to spend the winter without their favorite food."

Several girls almost fainted when they clapped their sweethearts and found them to be wearing live chamelions on their breasts. In one instance a young woman became hysterical.

Company K, L, J and M have been named the milk battalion because the letters spell milk backward.

John Ottersohl, Company H, Madison, has a raccoon for his mascot. The animal will grow no member outside of himself to come near.

General Phil Hall of the Nebraska National Guard was on hand to greet the homecoming soldiers. With Major Falconer he has opened his quarters in the headquarters.

Mob Victims in Twelve Months; Fifty-Four Persons Were Lynched

Tuskegee Ala., Jan. 2.—Fifty four persons were lynched in the United States in 1916, according to records of Tuskegee Institute here, made public today. Fifty of the victims were negroes and four white persons and included in the record are three negro women. Sixty-seven persons were lynched in 1915, thirteen of whom were white men.

In a statement presenting the report, Robert R. Moton, president of the institute, said: "Fourteen, or more than one-fourth of the total lynchings occurred in the state of Georgia. Of those put to death, forty-two, or 77 per cent of the total, were charged with offenses other than assault. The charges for which whites were lynched were murder, three; suspected of cutting a woman, one (this a Mexican)."

"The charge for which negroes were put to death were: Attempted assault, 9; killing officers of the law, 10; murder, 7; hog stealing and assisting another person to escape, 6; wounding officers of the law, 4; assault, 3; insult, 2. For each of the following offenses one person was put to death: Slapping boy, robbing store, brushing against girl on street, assisting his son accused of assault to escape, entering a house for robbery or some other purpose, defending her son who

in defense of his mother killed a man, fatally wounding a man with whom he had quarreled, speaking against mob in act of putting a man to death, attacking a man and wife with club.

"Lynchings occurred in the following states: Alabama, 1; Arkansas, 4; Florida, 8; Georgia, 14; Kansas, 1; Kentucky, 2; Louisiana, 2; Mississippi, 1; Missouri, 1; North Carolina, 2; Oklahoma, 4; South Carolina, 2; Tennessee, 3; Texas 9."

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THREE SOLDIERS IN FOURTH ARE ILL OF DIPHTHERIA

(Continued from Page One.)

been ordered not to allow their men any unnecessary leaves of absence.

Army officers were hopeful that the mustering out process would not be delayed because of the recent outbreak of diphtheria. Previous to the outbreak this afternoon, Colonel Eberly stated that all the men would be able to leave the post by January 12. Just when the exact time of the mustering out now depends upon the condition and health of the rest of the troops.

Kamensky, Omaha Boy. Paul Kamensky, of the machine gun company is an Omaha boy and was a star athlete of Creighton college. He played center on the Creighton foot ball team of 1914 and 1915 and

would have made the team again in 1916 had he not gone to the border. Kamensky was also a star basket ball player, having been a member of the Bellevue college five before entering Creighton college in 1913.

The news that three of the soldiers were taken down with diphtheria spread rapidly about the post and caused gloom among the men. They were looking forward to the time when they would be released from federal duty and allowed to return to their homes. Now they believe that they might be kept at the fort for an indefinite period.

Governor Pays Visit. Governor Morehead paid his respects to the returned soldiers Tuesday morning. He inspected several of the companies and complimented the officers on the healthy appearance of the men. On his tour of inspection he was accompanied by Colonel Eberly, General Phil Hall and a number of other officers. The governor left for Lincoln in the afternoon.

When the fourth regiment left for the border, 413 men and fifty-two officers were in the command, but its return here were 360 men with fifty-two officers. The falling off is attributed to the fact that the enlistments of many men ran out and that did not care to try the service for three additional years.

Guy Buckley, local prizefighter, who lost his fortune with Company D, says although he didn't get a chance to fight the Mexicans, he certainly had a shot at the "goats" of rival regiments. Buckley says he took on all comers and never lost a bout. He claims the booter championship.

"Sixty opals" or in other words just plain sparkling stones picked from the Rio Grande river have been worked up by some of the Nebraska boys to enter in the regular stonemason's contest. The stones have a lustre similar to opals and are said to retain their brilliancy for some time after they have been polished.

As soon as the cars had been unloaded and the sleeping quarters for each of the companies prepared, all the men who desired were given permission to visit Omaha. The only restriction made was that they must be back in the post to answer roll call at 6:30.

During their six months' stay in Texas the guardsmen had not seen any snow, not even on a mountain. Upon their arrival here they were so amazed that snowballing proved to be a popular pastime.

Before the fourth regiment left Texas the men spent an early Christmas dinner for their mates when he shot a two-year-old deer two days before Christmas.

"Is it true that you boys had only beans and bacon all the time you were on the border," a motherly woman with a big basket of oranges asked, John Gorman, cook of Company D, "Yep lady," the cook replied, "that's all we had." Whereupon a number of companions and himself were told to help themselves from the basket.

Captain Irvin V. Todd, Company C of Omaha, is positive that his men benefited by their trip. "My men gained 400 pounds from the time they left Lincoln in the time they got back to Omaha," he said.

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