

DODGING THE RESPONSIBILITY

Bartley's Bondsmen Now Alleged the Bond to Have Been Illegal.

SAY IT WAS NOT FILED ACCORDING TO LAW

Attempt to Show that the Date in the Endorsement on Back of Bond Has Been Tampered With.

The bondsmen of ex-State Treasurer Bartley, who are being sued for the latter's half a million dollar defalcation, disclosed their second line of defense before Judge Powell yesterday afternoon and this proved to be also of a somewhat sensational character.

The sureties maintain that the bond upon which suit is being brought is illegal for the reason that it was not approved by the governor and filed with the secretary of state on the day on which Bartley went into office for his second term, January 3, 1895, which they assert is required by the statutes. They allege that it was not approved and filed until four days afterward, on January 9, 1895.

The sensational feature developed in the course of the proof that was advanced in support of this allegation. Upon its face Bartley's bond shows that it was filed on January 2, 1895. The endorsement upon it is as follows: "State of Nebraska, Secretary of State, ss.—Received and filed for record this 3d day of January, A. D. 1895, in record book C at page 436.

"J. A. PIPEL, Secretary of State, "J. E. EVANS, Deputy."

But the bondsmen maintain that this endorsement has been tampered with. They say that the bond was really filed on January 9, 1895, and that the endorsement showing the date of January 2, 1895, was erased and in its place was substituted the "3." Apparently this figure is in a different hand and different ink than the remainder of the endorsement. The contention is supported by the testimony of Deputy Secretary of State Evans, but the state is preparing to impeach him.

When cross-examination of the witness stated that he had no idea in what manner the endorsement on the bond had been tampered with, he had not seen the document from the time that he had signed it until he was shown it in the court room. He stated in answers to questions that he had no recollection of seeing the document until he was shown it in a vault.

It was brought out in the testimony given by the witness that he had been summoned by the attorney general in the case but had not been called by the state as a witness. General Cowin questioned him on this point and elicited the fact that Evans had been called by a telegram. The telegram was asked for and appeared to be genuine. The witness stated that he did not believe he had it. Later again General Cowin asked him to make a careful search for it and to return it to him if he had it. He assured the witness that he had no objection to his showing it if he had it. Then Evans fished in another pocket and brought the telegram to light. It was shown to the witness.

"I have it, but as it was sent to Judge Neville I did not think that I ought to show it." The telegram had been sent to Judge Neville by Attorney General Smyth. It asked General Neville to "see if Evans would not testify to Bartley's bond being filed January 2, 1895, in record book C at page 436. He had a conversation with Attorney General Smyth. The latter intimated by questions yesterday that in this conversation Evans had told him that he did not know when the bond was signed.

What did the attorney general say to you about being a witness after your conversation with him? General Cowin asked the witness. "When I told him that the bond had not been filed until January 9 he said he could endorsement. The endorsement is supported by the testimony of Deputy Secretary of State Evans, but the state is preparing to impeach him.

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TIES UP EXPOSITION WORK

Strike of the Workmen Almost Stops All Work There.

CARPENTERS AND STAFF WORKERS ARE OUT

Conditions Brought on by the Strike Continue, with Few Men at Work Upon the Buildings—Carpenters Union Meets.

There was but a slight change in the situation at the exposition grounds yesterday, the strike order being still in force. Strelnow, the contractor on the Manufacturers building, put a small force of men at work, consisting of about a dozen men, being men who struck Monday. The force on the Machinery building was the same yesterday as Monday, none of the men having yielded to the arguments advanced Monday night by the strikers.

A large crowd of men stood about the several buildings, some of them being strikers and the others being men apparently looking for a chance to go to work. No attempt was made to interfere with the men who were working or to speak to them.

The long timbers which have been delaying work on the big Mines building arrived at the grounds yesterday and the work of unloading them was commenced at once. While this was being done, there were fully 100 men standing around looking on and waiting for a chance to get to work. Goldie said he would make an attempt to start work just as soon as the material was unloaded, but did not know whether the men would want to work or not.

The striking carpenters say that Goldie has been paying the union scale all along and working eight hours per day and that they have no concern against him. Goldie himself stands by his statement, that he will be guided entirely by what the local contractors do in the matter.

The carpenters are relying on this fact to have a strong influence in forcing a settlement in their favor as they argue that it will be known that the contractor is doing without the staff workers, and they say that the competent staff men all over the country belong to the labor organizations and that, for that reason, they will not be brought here to take the places of the strikers.

When Attorney General Smyth took the witness in hand again he began a series of questions, such as: "How did the defendant tell you that the bond had not been filed until January 9? Did you not seek out the defendants to inform them of this?" The court did not permit an answer to this line in response to an objection from the defendants, who claimed that the sole purpose was to prejudice the jury.

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WOMEN TALK EXPOSITION MATTERS

Take Up Question of Funds for Girls' and Boys' Building.

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The Women's Board of Managers held a meeting at Exposition headquarters yesterday. There was little business of importance to be transacted. The report of the executive committee, showing what has been done since the last meeting of the board, was laid before the board and formed the chief topic for discussion.

The special committee, consisting of Mesdames Towne and Whitney, appointed to visit the convention of Indian teachers held in Omaha during the summer, reported on observations made during the convention and this formed the subject of a desultory discussion.

The special committee of the Girls' and Boys' building, through its chairman, Mrs. T. L. Knebel, submitted a report of what had been done in Omaha in the way of raising funds for the erection of the building. Other members of the directory reported on the work done in their districts. All of these reports were of an encouraging nature and a movement was shown to be meeting with favor.

In connection with the work in Omaha it was reported that the executive committee had decided to give a party at the school building in the city, this party to have charge of the work of collecting subscriptions from the school children and also Anna O'Keefe, Mabel Beaton, Oriska Warden Marie Mathe, Adelaide Nyse, May Melbourne and Louise Marshall. As this is the first of the kind to be held in Omaha, the committee is anxious to attract the entire music loving public. Seats are now on sale for the entire engagement at Boyd's, where the company will hold forth Thursday and Friday evenings and Saturday matinee.

Plans for Government Building. Plans and specifications of the Government building at the exposition have been received in this city and are on exhibition in the office of superintendent of the building, the United States court house, where contractors may obtain all information. The supervising architect of the Treasury department has issued a notice that bids for the construction of the building will be opened at his office in Washington, D. C., at 2 p. m., October 29.

Notes of the Exposition. J. D. Montague, commercial agent for New Mexico, has notified the department of Publicity and Promotion that he is engaged in working up a plan for an Indian village at the exposition, which will show some of the southern Indians from the warm climes of southern New Mexico.

Edwin Shepard Barrett, president of the Society of the Sons of the American Revolution, has appointed a committee consisting of one member from each state to act in connection with the Transmississippi Exposition. The committee will be charged with the work of the department for the exhibition of colonial and revolutionary relics.

Robb is charged with perjury. D. D. Robb was arrested yesterday on a warrant issued by James Whalen, charging him with perjury. Whalen alleges that there were grave irregularities in the sworn testimony of Robb given during a certain suit in a justice court. Robb was in the employ of a corporation known as the Omaha Garbage company. During his service there, it is said, that Robb issued an order for his salary to Leo Robb, to whom the salary was cashed. Robb left the city and Robb brought suit for the amount against the company, swearing that the order was a forgery. He won the suit and the salary was paid to him. He was arrested on a charge of perjury and promises to become embarrassing for Mr. Robb.

Associated Charities. Appeal for Clothing and Shoes. When the ladies of our city are now looking over their wardrobes kindly remember the deserving poor. There is a large demand for all kinds of clothing, especially for women's hats. The ladies are appealed to by several of the principals of our schools for children's shoes, as many boys and girls are kept out of school for the want of them. Call at ticket office, telephone 144 and our wagon will call. JOHN LAUGHLIN, Secretary, 807 Howard street.

Burlington Route—California Excursions. Leave Omaha—via the Burlington Route—any Thursday afternoon for a most comfortable tourist sleeper—and you reach San Francisco Sunday evening, Los Angeles Monday noon. No transfers—car goes right through. Enjoyable, comfortable and experienced excursion conductor relieves you of all bother. EVERYTHING provided. Tickets \$40. Bertha (big enough for two), \$5. Call at ticket office, 1202 Farnam St. for full information. J. B. Reynolds, City Passenger Agent.

Union Pacific. The Overland Limited. The most SUPERBLY EQUIPPED train west of the Missouri River and twice as fast as any other train to Pacific Coast. Call at Ticket Office, 1202 Farnam St.

Depew Makes Another Speech. NASHVILLE, Tenn., Oct. 12.—This morning Dr. Chaucey M. Depew attended a meeting of a large number of the Vanderbilt Medical college alumni, held for the purpose of organizing an association, and delivered an address in his characteristic manner, which captured the audience. The association was formed by electing Dr. Farley as president and Dr. Cox as vice president; George H. Price, Nashville, secretary and treasurer.

PRESBYTERIAN SYNOD IN SESSION

Large Number of Ministers and Delegates in Attendance.

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Last night's meeting was devoted to the organizing of the various committees, the presentation of credentials of the visiting clergy and the reading of a report by the retiring moderator, Rev. J. C. Sloan. He took as his subject, "Ye Cannot Serve Two Masters." At the close of the address communion was administered by the moderator and Rev. W. W. Harsha.

An extensive program of business has been laid out by the synod, which will cover two days. Beginning this morning three sessions will be held. The morning meeting, which will open at 8:30, will consist of devotional exercises, followed by the regular routine business of the body. In the afternoon an address upon "College Aid" will be given by Rev. W. P. Lane of Bloomington, Ill. Lunch will be served in the lecture room by the women of the synod from the various parishes in the city. The afternoon session between the hours of 2 to 5 o'clock will be devoted entirely to business. In the evening there will be two addresses on special subjects, the first, "Home Missions," by Rev. Samuel J. Nicolls of St. Louis; the second upon "Foreign Missions," by Dr. John Gillespie of New York, opening the session will close with religious exercises.

Thursday morning the opening session will be devoted to routine matters, together with new business, at the conclusion of which the visiting members will be conducted to the union depot, where a special train over the Burlington will take them to Bellevue. Here the college of the denomination will be inspected, to be followed by a lunch served in the college building. The return will be made to this city at 2 o'clock. The afternoon session will be devoted to the annual conference, together with a popular meeting for social purposes. The concluding session of the synod Thursday evening will present a large work of business. The subjects will be a discussion of "Theological Education," by Dr. E. B. Hodge of Philadelphia; "Systematic Benevolence," by Rev. J. D. Kerr of Bellevue; "The Church as a Social Body," by Rev. E. T. Fleming, and "Proprietary Giving," by Dr. B. M. Long.

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Among the prominent members of the church ministry attending are: Rev. John Gillespie, D. D., secretary of the Board of Foreign Missions of New York City; Rev. W. M. Hinman, Lincoln; Rev. John H. Beattie; Rev. Edward T. Fleming, Nebraska City; Rev. D. M. Long, York; Rev. T. L. Sexton, Seward; Rev. D. R. Kerr of Bellevue; Rev. S. G. Patton, Hastings; Rev. J. H. Hastings, Hastings; Rev. George Williams, Blair.

Hayden Bros. The great sale of Carhart & Co.'s men's, boys' and children's finest ready tailored clothing in America. We mention goods and prices, leaving it to you to compare quality and value. Men's new sack suits in all wool black clay worsted, fine cassimere and chevils, all sizes to 42, on sale Wednesday for only \$4.99. Boys' \$6.50 long pants suits for \$3.50. Children's \$3.75 to \$5.00 suits on sale for \$1.95 and \$2.95. See our display windows. HAYDEN BROS., Selling the Nebraska Dry Goods Co. Stock.

AMUSEMENTS. Omaha people who like bright, catchy music will have an opportunity to hear the latest success this week. The operetta entitled "Lest, Strayed or Stolen," which made such a hit in New York will be played here by the original company, which has made a jump from New York to Omaha on its way to the Pacific coast. The words of the operetta are by J. B. Murray and the music by Woolson Morse. The cast consists of one of the best balanced choruses that has been gotten together for some time. The following is a prominent list of the cast: Charles Dickson, Harry Clay Blaney, Bert Thayer, Lucius Henderson, Charles E. Burke, A. Holbrook, C. J. Alden, Harry Allen, Harry Rigby, William Henry, Charles Lane, O'Keefe, Mabel Beaton, Oriska Warden Marie Mathe, Adelaide Nyse, May Melbourne and Louise Marshall. As this is the first of the kind to be held in Omaha, the committee is anxious to attract the entire music loving public. Seats are now on sale for the entire engagement at Boyd's, where the company will hold forth Thursday and Friday evenings and Saturday matinee.

Andrew Mack last night wired Manager Burgess of the Creighton from St. Joseph, Mo., that he had secured a party of the Irish Gentlemen" was a big success and attended by all the Catholic priests of the city. Mr. Mack and his company will open at the Creighton tomorrow.

WOMAN'S HOME MISSIONARY UNION. Tenth Annual Meeting of the State Association. The Nebraska Woman's Home Missionary union held the opening session of its tenth annual meeting at the First Congregational church last evening. About fifty delegates from throughout the state. Mrs. D. B. Perry of Crete presided, and the opening devotional exercises were conducted by Rev. Mr. Warfield, pastor of the church.

Mrs. H. S. Caswell of New York, secretary of the National Home Missionary union, gave an account of her experience in conducting missionary work in the gold camps of Colorado. Rev. Joseph Poston of Taylor, Neb., followed with a description of the mission work employed to cover his parish, which included the whole of Lyon county.

The program was completed with a vocal solo by Miss Helen Barker. The conference will continue with two meetings today, when the business of the organization will be transacted and addresses will be presented by the visiting delegates. Tonight, as is the custom, the session will merge into the twenty-fourth annual meeting of the Woman's Board of Missions of the Interior. The latter organization is formed more especially for foreign missionary work.

Among the visiting delegates present are: Mrs. T. H. Lovett, Mrs. Stevens, John Bell, Mrs. Hyde and Mr. and Mrs. Broas of Lincoln; Mr. and Mrs. Poston of Taylor; Mrs. S. C. Dean of Chicago; Mrs. H. S. Caswell of New York; Mrs. Perry of Crete; M. A. Murphy of Wallace; Mrs. Torrey and Mrs. Van Buren of Subletky.

LAMENTS DEPENDENCE OF HIS AUNT. Cal Wagner has been on present day. "Happy" Cal Wagner, veteran showman and old-time Omaha citizen, has been in the city several days and left for the east last night. Mr. Wagner is known to older citizens as a factor in the ever-changing conditions of Omaha's infancy. He was rather an understudy of George Francis Train and was ready for any enterprises however sensational. As a minstrel show conductor Mr. Wagner blacked his face for forty-three years, but he believes, that the record of any other man in the days when Omaha's only playhouse was a beer garden on Tenth street, Wagner's minstrel company crossed the city and played a question and answer of Mr. Botes and Mr. Tambo before an audience of pioneers. Mr. Wagner laments what he judges to be the passing of the minstrel show. He said: "There are really no minstrel today." He said: "Men in powdered wigs, black satin breeches and silk stockings are set min-

Just a Plain Safe Store. The new store is a plain, everyday place for trading. Nothing too elaborate, Nothing too beautiful. Nothing too fine. Everything good—and plain. It is our ambition to make this a store for the multitudes. Our one and constant object shall be to make it a place where everybody can feel at home. Every single effort of ours shall be bent towards making it the most satisfactory store in the land. Today we are in better shape than yesterday. Tomorrow we will be in better shape than today. The great second floor is devoted entirely to clothing. There you will get more light, more room, more chance to pick and choose, and more clothing than you ever saw before on any one floor. The Shirts, Neckwear, Hats, Shoes, Underwear and smaller things are on the ground floor. A spacious elevator will take you to the Boys' and Children's clothing, and an unequalled assortment will make mothers feel that "The Nebraska" is anxious for their trade. And so it is. And so it is anxious for the trade of every man and woman who wants to trade in a safe store. Farnam and 15th. Farnam and 15th.

Cutting Drug Prices. MAJESTIC Complete. STEEL RANGES THE MONITOR GARLAND, MAJESTIC, QUICK MEAL WONDER. Sherman & McConnell Drug Co. Use less coal, Last Longer, Bake Quicker. All sizes, styles and prices from \$23 up.

Chronic Diseases. In cases not readily cured by the family physician, a short course of treatment at the SHEPARD MEDICAL INSTITUTE may give you quick relief. SPECIALTIES:—Catarrh and all curable diseases of men and women. Specialists in each department. Tel. 1138. Consultation Free. SHEPARD MEDICAL INSTITUTE 911-913 N. Y. Life Bldg. Tel. 1138.

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WATERBURY'S FALLING HAIR. Most torturing and disfiguring of itching, burning, scaly skin and scalp humors is instantly relieved by a warm bath with WATERBURY'S FALLING HAIR. Pumpy Faces, Baby Humors, Cures by WATERBURY'S SOAP.

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