Streets.

HIW IT GREW UND R DUTCH RULE

Stirred by Indian Scares and Scraps... Colonial Incidents and Scenes, Matrimonial and Religious.

Who has not heard of New York's famous Bowery? How few know its origin. And till the arrival of Dominie Selyns, who alteryet it is an older title than New York and nated between Brooklyn and the Bowery, has a colonial history as attractive the governor paying him \$100 a year. Writery in colonial times:

nally part of an Indian trail, which extended village of New Harlem, founded in 1658, from the region of the Battery to the north-were received into membership at the Bowery ern limit of Manhattan, and connected the church. Most of the early marriages among aboriginal villages on the Harlem Flats and Selvas, who also baptized their babies. In founding of Nieuw Amsterdam the representatives of the West India company laid out six farms or bouwer'es along the east side of the present Bowery, and leased them to tenants. In 1643 Director Kieft, in spite of the protect of De Vries and other influential men, ordered the massacre of forty Indians at Corlears Hook, and that of a still large number of men, women and children at Puvonia. In retaliation for these brutal murders, for they were nothing else, the outlying farms at Harlem, Staten Island, the Bowery and other places, were laid waste.

Deformed by him. The consistory may have taken charge of it as a tax for his remaindent on the positively identify August Kastner as the man who shot him. He denied that he said to these officers at any time that it was so dark that he could not see the man who fired the shot.

Answers the Mother's Suit.

In the suit brought by Susan M. Horn delivered who fired the shots, but I could not see the man who shot him. He denied that he said to these officers at any time that it was so dark that he could not remember having said to Reporter Sweezey of The Bee:

"It was so dark that I could not remember having said to Reporter Sweezey of The Bee:

"It was so dark that I could not see the man who fired the shots, but I could see his coliety, the defendant has filed its answer.

Some months ago Susan M. Horn delivered who children, Nora and Raple, to the primitive trees which perhaps has heard the

"Upon both sides of this way were many before entering the city. Many an honored habitations of negroes, mulattees and whites, and influential citizen of the past, and many These negrote were formerly the proper an influential citizen of the present trace slaves of the West India company, but, in consequence of the frequent changes and conquees of the country, they have obtained their freedom and settled themselves down where they thought proper and on this road, where they have ground enough to live on with their families.

In Valentine's Manual, 1853, there is a copy of a plist of New York dated 1797, which shows a negro bur al ground on the block bounded by the Bowery, Rivington,

sons have been issued as follows:
which showe a negro bur all ground on the block bounded by the Bowery, Rivington, Chrystie and Stanton streets.

THE GREAT BOWERY.

Two hurrired and fifty years ago Petrus Stuyvesant landed on the Island of Manhattan, i.i.d four years later he purchased, through his representative, Jan Damen, the "Great Bowery," or Bowery No. 1, the most northern of the six original farms, which were numbered from one to six; No. 6 being east of Chatham Square, at the time of which we write the property of Augustine Hermanns, the amateur draftsman, to whom we are indebted for ancient sketches of New Amsterdam. At the beganning of the revolutionary war this farm was the property of the Rutgers, the home of the patriot of the Rutgers, the later than the property of Augustine Rutgers and Rutgers, the home of the patriot of the Rutgers of the Rutgers of the Rutgers of of the Rutgers, the home of the patrio Harmanus Rutgers, killed in the battle of Long Island. In August, 1655, Governor Stuyvesaut led his forces against the Swede on the Delaware. September 15, during his absence, ex-Sheriff Henry Van Dyke discovered an Indian women stealing peache from his orchard, situated on the west sidof Broadway, south of Trinity church, and shot her dead. The news of the rash and cruel act opread to the neighboring tribes and before peace was renewed twenty-eight plantations were laid waste, 100 men women and children murdered and as many carried into captivity, Van Dyke being among the first slain. Several of the occu of the farms along the Bowery killed, and their wives and children carried into captivity. On the return of Governor Stuyvesant order was restored, and mr. y of the captives returned to their friends, among them a daughter of the celebrated Wolfert Webber, who at this date kept a tavern on the present Chatham Square (then, of course, a country road), about Mot

HISTORIC BUILDINGS.

On the conclusion of peace, which seems to have been permanent, several historic buildings were erected far north of the city In 1655 Jacobus Kip built a house which renained a landmark for 212 years; it stood near the present Second avenue, but was removed, to give place to Thirty-fifth street Five generations of Kipps were born in it Washington, Andre, Howe and many other notable men and women helped to make it historic. How short-lived is notoriety-to- the sounds made by the internal organs, day children of many lands and of many languages sport over its site. Democracy in rags holds sway where aristocracy once dwelt in affluence. About the same time that Kip built his house Governor Stuyve-sant erected his country mansion. The pictorial representations show it to be a square house of Holland architecture, but entirely lacking the crow-step gables and the stoop so common in the houses of that time. His estate was a large one and cost him 6,400 guilders. His well cultivated fields and fertile meadows stretched away to the East river-which by the way was no of Governor Stuyvesant, and in fact for more than a hundred years later, the tides rip pled up to First avenue from Seventeenth to Twenty-first streets. The original Stuyvesant mansion was built partly on the site of the house 129 East Tenth street and partly on the graveyard of St. Mark's church. The gardens which surrounded it were remarkably fine, for the governor kept from thirty to fifty slaves besides several white servants continually employed. The last relic of Pertrus Stuyvesant was a pear-tree which he planted in his garden; it flourished for more than 200 years. When the city grew up around it, it stood on the northeast corner of Third avenue and Thirteenth street, where it blossomed and bore fruit within the memory of many people now liv-ing. I have an old friend who remembers the tree with particular veneration. Forty four years ago she partook of her "wedding supper" in the house over which it cast its shadow; a little later she passed out under its smiling blossoms and nodding branches happy bride. The old tree is too is the husband of her youth; in the memory which fondly cherishes the one she will always have a place for the other. The curious may still see in the wall of the house opposite to where the tree stood a

INDIAN SCARES. In 1660 there appears to have been another Indian scare. The governor and counof the isolated habitations and the gathering of the people into hamlets for mutual pro-tection. In response to this order several people living north of Chatham Square pe-titioned that their houses might remain and that encouragement be held out to others to build near them, so that a village to mutual protection might be formed. Thi request was granted, an order was issued giving permission to establish a village near the bouwery of Mr. Hermans, or near the bouwery of Governor Stuyvesant. The er place was selected, and henceforth road was known as the Bowery lane or road. There were not more than a score of straggling streets in Nieuw Ameierdam when, four years later, Governor Stuyvesant when, four years later, Governor Stuyvesant | perished, and searching crews are now out. rejuctantly yielded it to the English, and The storm has been the worst in ten years.

BYGONE DAYS ON THE BOWERY | but few of them retain even the anglicized form of their original Dutch names; the Bowery, however, needs only an added "u Crigin of One of New York's Famous

Streets

Crigin of One of New York's Famous

Crigin of One of New York's Famous

Crigin of One of New York's Famous

Coach of the autocratic director of New Netherlands rolled majestically along under the shade of primitive trees, to his country seat; the fact that primitive forests exlated is corroborated by the memorial of a man named Jansty, in 1660. He petitioned to be released from his tensurey of land near the Bowery, 'as he had two miles to ride through a dense forest."

SCENES AND INCIDENTS. The Bowery village of the early days was not very large-a tavern, blacksmith's shop and a few other buildings formed the settlement. The governor contributed his share by erecting a church on the site of the present one of St. Mark's, where Hermanus Van as its modern reputation is repelling. A writer in the New York Independent thus sketches the origin and growth of the Bowery in colonial times. It is probable that the Bowery was origicity to evening service." Many living at the

Solitying farms at Harlem, Staten Island, the Howery and other places, were laid wasie. When peace was restored it was found impossible to rent the farme; so they were eventually sold. Prior to the sale of these farms, however, a frontier colony of manumited negro slaves was established west of the Bowery. With reference to this colony the minutes of the Dutch council, 1844, recite the fact that, Manuel de Groot, the glant, and ten other negroes and their wives, were released from elavery on condition that each man, during his life, paythe government an annual rental of twenty. the government an annual rental of twenty-two bushels of grain and a fut hog, their children being still held as slaves. Their Rochelle, the Franch church at the Battery was a mere saunter in comparison with the plantations extended from the Bowery to "Old Jans Land," now the property of Trinity church. The Lasbadist preachers passed along the Bowery in 1679, thirty-five and the solour plantations of the property of the communion of saints. Carrying their shoes, they trudged down the Battery to exclose the solour plantations after the colour plantations. along the Bowery in 1679, thirty-five years lane, until they came to the twin ponds of after the colony was established; their Journal contains this entry:

"Upon both sides of this way were many before entering the city. Many an honored

PENSIONS FOR WESTERN VETERANS.

survivors of Late War Remembered by the General Government. WASHINGTON, Feb. 21.—(Special.)-Penons have been issued as follows:

Issue of February 4:

Aurora, \$8; Amasa Cobb, Lincoln, \$12. Additional—Christian Gwinner, Atianta, \$6 to \$10. Renewal and reissue—George N. La Rue, Union, \$8. Increase—Frederick W. Kassing, Clatonia, \$16 to \$17; Jacob Wunderlich, David City, \$6 to \$8; Charles F. M. Morgan, Omaha, \$10 to \$12. Original widows, etc.—Rebecca J. Alford, Nehawka, \$12; (raissue), Nancy Hollway, Aurora, \$12; Morgan, Omana, \$10 to \$12. Original wilsows, etc.—Rebecca J. Alford, Nehawka, \$12; (reissue), Nancy Holloway, Aurora, \$12. Iowa; Original—William H. Robinson, Soldiers' home, Marshall, \$8; William H. Axline, Red Oak, \$6. Additional—Charles H. Keys, Astor, \$4 to \$6. Renewal—Peter Molitor, Dubuque, \$6. Increase—James W. Lynn, Montezuma, \$12 to \$14; Richard J. Burwell, Duniap, \$6 to \$8; Reinhard J. Burwell, Duniap, \$6 to \$8; Reinhard J. Bickle, Pulaski, \$14 to \$17; Norman H. Confare, Nevada, \$6 to \$8; John E. Connell, Believue, \$6 to \$8; John E. Connell, Believue, \$6 to \$8; John K. McCulloch, Guss, \$4 to \$8; (special, February 9), William Vannosdoll, Fort Dodge, \$8 to \$12. Reissue—Paul H. L. Muller, Valley Junetion, \$12; Original widow, etc.—Maria Lust, Monroe, \$12; Margarette Brockman, Davenport, \$8; Mary E. Crippen, Bagley, \$5.

E. Crippen, Bagley, \$8. Colorado: Increase—Thomas McCracken, Denver, \$8 to \$10.

NEW AID TO MEDICAL RESEARCH. Wonderful Instrument Invented by

French Doctors. NEW YORK, Feb. 21.-The invention announced of the phoneodoscope, an instrument of wonderful value in studying the condition of the internal organs of the body. It is declared by physicians to be a tre mendous advance on the old stethoscope The phonendoscope conveys to the physician thus telling him whether they are healthy or not. By its aid he can not only ascectair the condition of an organ, but trace its shape. It has been discovered with the phonendoscope that the stomach assumes different form when full of the different kind of food and drink. The rapidity with which various kinds of food and drink are digested can also be studied accurately with the phonendoscope. The instrument is the invention of Drs. Blauchi and Bazzi of France.

BEATS THE RECORD FOR SNOW FALL

Storm Stops Railway Traffic in Wis consin. MILWAUKEE, Feb. 21.-The worst bliz zard on record for the time it prevailed. which started on Saturday, finally spent its fury shortly after midnight, when the snow ceased falling. The record of the Weather bureau shows a fall of twenty-two inches in two days, while the best previous record was in 1881, when a fall of twenty-six inches was recorded in four days. Street cars articles were of the most common kind and throughout the city are running on time to-day on all the main lines, though the tracks leading to the suburbs still remain buried The Wisconsin Central train which left for the north yesterday got stuck in a drift few miles up the line and the trikt due to leave at 4 a. m. today for St. Paul and Ashland was abandoned altogether. No fatal

Rothschilds Buying Up Claims TACOMA, Feb. 21.- Joseph cently from the northern gold fields, says "The North American Transportation and Mining company is the only one now buying claims in the Kiondike. I understand they are now acting as agents for the Rothschilds. I met Mr. Cudahy on the train from Chicago to San Francisco and he told me that they had just received \$90100 in drafts which had been given in payment of claims there. He said the company was acting as agent in purchasing and I learn that the Bothschilds are preparing to apend \$200000 in the purchase of miles. It loss a title as though the great English banking house was making stupendous efforts to control most of the claims on the Klondike." Mining company is the only one now buying

dike." MILWAUKEE, Feb. 21.—A special to the Journal from Menominee, Mich., says: lost in the blizzard on Green Bay Saturday night, were found by a Deer county farmer this morning, wrapped in the sails of their fishing sieighs and nearly dead. They were brought home. Their names are John Swan-son, Eric Anderson and Gus Thorenson. Nine other fishermen are supposed to have

Fabric Built Up Last Week Receives Come Eard Blows.

KASTNER DEFENSE GAINS GROUND

Police Officers and Detectives Flatly Contradict the Main Statements of Witnesses for the Prosecution.

tradicted Officer Glover and testified that night at the time of the shooting.

Owing to the fact that this is a holiday there will be no court in the criminal secthere will be no court in the criminal sec-tion today. When court adjourned last night money paid to him. it was to meet Wednesday morning at 9 o'clock.

in the second story on the east side of the engine house. Photographs showed two such windows.

Henry Nelson, owner of the saloon where the shooting occurred called by the de-fense, denied ever having said to officers that three glasses were on the bar when he entered the galoon on the morning of June 9.
Mrs. Orphia Pond, residing at Twenty-eighth avenue and Wirt street, said that Fred Rice called at her house last summer and represented that he was an attorney for

Rice is a witness who testified for the state, and on cross-examination denied ever having been at the Pond residence. TIEDEMAN DIDN'T KNOW.

the defense.

Captain Moystn when called for the de-fense, testified as to Officer Tiedeman's condition shortly after being taken to Clarkson hospital on the morning of June 9. At that time, Tiedeman said, "I am done for, but I don't know who did it." Questioned further, witness stated that

Tiedeman said the party who shot him was about the size of Ralph Messersmith, but it was so dark that he could not see the outlines of the man.
Crose-examination, witness said Messer-

smith was considerably tailer than August Kastner and not so stout. "Glover repeated the statement," said Captain Moysto, saying that the man was about the size and build of Masserably." build of Messersmith."

John C. Vizzard, detective for the Union Pacific Railway company and a brother-in-law of Officer Tiedeman, testified that he was with Captain Moystn at the Clarkson hospital. While there he heard the officer say: "The size and build of the man who shot me was like Ralph Messersmith, but it was dark and I could not see his face."

When cross-examined, the witness said

that the size and build of Kastner and Messersmith was similar, though the latter was taller than the prisoner.
Reporter Sweezey of The Bee, on being called as a witness, testified that the nigh

of June 8 and the morning of June 9, were very dark, a rain falling. The moon did not shine and it was so dark, "that I could not see a man any distance."

In talking with Officer Glover, witness heard him say, substantially, "I could not see the man's face, but I could see

Cross-examined, witness said that ould not remember the exact words used by Officer Glover. DETECTIVE HUDSON'S STORY

Detective Hudson of the police force testified that he was at the Clarkson hospital, where he saw Officer Glover on June 12 last. who said: "It was so dark that I could not identify the man who shot me." Witness testified that shortly after the shooting he told Hemming, who was then chief of detectives, that he had some imporant evidence, to which Hemming replied. The sooner everybody gets at work getting vidence against the Kastoers the better. The Kastners are the guilty parties and are the ones we want to stick. There is no use running after a street car after you get on

Cross-examined the witness denied that he had assisted the defense in looking up evi-"Did you ever offer your evidence to the was asked.

"I offered it to Hemming, but he would not listen to it; I never gave my evidence to the county attorney because he never asked for it."

Witness denied having any ill feeling against any person connected with the prose

Detective Donohoe testified that on June 12 he was at the Clarkson hospital and that Afterwards the governor resigned the presidency of the company, giving as his reason who shot him who shot him.

When cross-examined the witness said he to the attorneys for August Kastner. Twice he sed Detective Dunn discussed the case in

a general way.

were such as were usually kept for sale k STATE OF THE WEATHER

of the weather on the night of June 8 and the morning of June 9 last. His records showed that from midnight, June 8, to 5:30 o'clock the following murning, the precipita-tion was 0.23 inches. The temperature was from 61 to 66 degrees during the night, while the wind blew from the northeast a: midnight and from the southeast during the greater portion of the night, its velocity ranging from ten to twenty-two miles. The

night was cloudy.

Donald W. Riley, reporter for a local pa per, called by the defense, testified that on the morning of June 9 after getting out of the putrol wagon at Thirtieth and Spauld-ing streets he went to the front of Nelson's saloon in company with Officers Tie eman and Glover and looked in at the window. Then witness and Tiedeman went down the west side of the ration along Thirlieth street to the south end of the beer garden. Returning again to Spaulding street, whereas get into the patrol wagon and went out into the lot where Officer Glover was lying, after which the wagon was driven up to a point-near the engine house.

William C. Ferrin, 2206 North Eighteanth street, an expressman, said that during the

spring of 1897 he resided at Thirty-second pled by the Kastners at the time of the east side which were covered by doors which

Cross-examined, Ferrin said that the barn

SHATTERING STATE'S CASE had a shingled roof, the sides being cov- STATE WINS A STRONG POINT

AFTER ATTORNEY AND AGENT, W. R. Homan and Julius S. Cooley in Danger of Court. Judge Scott has called W. R. Homan and

Julius S. Cooley to appear before him guid show cause why they should not be punished. providing he finds the facts as have been stated to him. A Mrs. Hall tel's Judge Scott that during

last fall ele was the owner of some furnished rooms on North Sixteenth street, the same having been leased from Homan, who at that time was the agent. About that time she became ill and west to the hospital, In the case of the State against August Rastner the defense has scored a point in that she found all of her furniture the testimony of three witnesses who conshe called upon Homan and demanded the reshortly after he was taken to the Clarkson hospital he stated that he could not tell who shot him, owing to the condition of the Mrs. Hall's statement she next went to Cooley and gave him \$10 as a retainer fee in the prosecution of a suit against Homan. Now she says that Cooley has done nothing

After Judge Scott heard the story told by Mrs. Hall he appointed Harry E. Burnham to take charge of the case, instructing him to Spuyten Duyvil creek with those north of the City Hall park and east of the present Greenwich avenue. A few years after the founding of Nieuw Amsterdam the representation of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present founding of Nieuw Amsterdam the representation of the present for 1662 he refers to a payment that about a week or ten days after being that about a week or ten days afte

see the man who shot him was fifteen feet away when the first shot was fred.

E. D. Pratt, [r., was recalled and said that from the point where Glover was lying a person would have to go about thirty feet that from the point where Glover was lying.

Cross-examined with the second story on the second story of the second that shaffled its answer.

Some months ago Su

Concerns School Warrants.

The First National bank of Barnesville, O., has brought suit against the Globe Savings bank, the Globe Loan and Trust company of this city and the officers of the two pany of this city and the sincers of the two concerns in an action to recover the sum of \$1,080, alleged to be due. The plaintiff al-leges that it was the owner of school war-rants aggregating the amount for which suit is now brought and that it sent the same to the defendants for collection and remit-tance. It is further alleged that collection was made and that some of the defendants now have the money in their possession.

Relief Association in Court In the suit brought against the Burlington Railway company by Peter Befort to collect the sum of \$834 by reason of injuries sustained and which sum he alleges is due by reason of being a member of the Burlington Railway Company's Employes' associa-tion, the defendant has answeed, alleging

arrears. The plaintiff asks for a decree, a share of the property, the custody of the children and alimony.

To Save the Streets. Mary F. Bourke has brought suit against Alexander G. Knapp and the city of Omaha. She alleges that Knapp has constructed a that \$335,000 of Bartley's shortage had oc-building in Fourteenth street not far from curred in the first term, and that this was Nicholas, and that he is about to place another building at about the same location. She asks that Knapp be restrained from do-ing this and also that the city take some action to prevent him from occupying its

streets. of Burlington History

After an !!lness of several weeks, during which he has been confined to his bed part of the time. Governor Alvin Saunders is again at his office. He is recovering from a severe attack of la grippe. The governor has just received from a Boston gentleman a request for permission to place his picture in a group with those of several other western men were in the early days of the B. & M. Railroad company occupying official positions in that corporation.

By way of explanation, it may be given as news to many people that the governor was at one time president of this railroad company. He was then a resident of Mount Pleasant, Ia., and was engaged in the mer-cantile business. He was elected as president at a meeting of directors, when he was not present, and he agreed to accept the office long enough to make arrangements for the purchase of the iron for the first twenty miles of the road. This he did with Mr. Moses Forbes of Boston, who acted as purchasing agent for the company. The iron was bought in Europe because at that time there was but little iron for railroad purposes manufactured in the United States. that he did not desire to give up a paying business for an uncertain venture, which he was a cousio of Attorney Donohoe, one of the counsel for the defendant. The witness denied that he had ever made any statement as long as he remained in Iowa. After he came to Nebraska he took an active securing the land grant for the B. & M. in Nebraska.

WAS NOT YOUNG PAT FORD Identity of the Alleged Omaha on Board the Fainc.

Credence has been given here to the report circulation that Pat Ford, jr., was among L. A. Welch, local forerast official of the the sailors of the United States battleship weather bureau, testified as to the condition Maine who lost their Uves in Havana harthe sailors of the United States battleship bor, but the young man's father said this morning that he placed no faith in the story. "I don't know where my son is," said Pat Ford, "but I have no reason to believe that he went down with the Maine, nor that he has collisted in either the army or the navy. In a letter that one of the fewa sailors wrote home before he was blown to pieces he stated that there was an Omalia boy on the ship who refused to di close his identity. conclusion was immediately jumped at here that this sailor was my son and that is how the report that Pat west down with the Maine was apread here. I don't believe there is the least foundation for it."

> The committee appointed for the purpose of St. Patrick's day, including the program in the evening in which the Irish patriot. Jo n Daily, will deliver an oration, held a meeting in the hall on Fourtecath and Farnam streets yesterday afternoon. A brief history of Mr. Daly and his experiences with the English government in his struggles for his country's liberty, was read by the secretary. It was positively decided by all present that all tickets which have been issued for this celebration be recalled and tickets of a different design be substituted. All those who hold tickets will please have them exchanged at once. The next regular meeting will be held at 3 p. m. on next Sunday afternoon, which all women of St. Patrick's day, including the program on hext Sunday afternoon, which all women interested in the movement are requested to

Bartley Bondsmen Knocked Out on the First Legal Froposition.

LANCASTER COUNTY SUIT BARRED OUT

Objection to Its Admission as Evidence in the Present Trial is Sustained\_Importance of the Ruling.

Another step toward the end of the trial of the suit against the bondsmen of ex-State Treasurer Bartley occurred yesterday afternoon when the defense rested its case and the state commenced the introduction of rebuttal testimony. A day or two more will be consumed by the attorney general in his efforts to break down the evidence given by "filed and recorded this 3d day of Janu the defense. The point at which the case ary, 1895." In the case of Bartley's bond will go to the jury, however, will probably be delayed several days more, inasmuch as there are a number of important questions of law to be discussed and argued. The record of Bartley's bond. defense has been knocked out on the first important question of law which has come up in the trial of the case and the state bos scored a corresponding victory. When court convened yesterday morning Judge Powell sustained the objection of

in the present case had occurred in the first term. After giving the matter considerable investigation he had found that in cases where individuals filed a petition and verified it personally or by attorney, it could be used in another case as an admission, and that this was also as a summission, and that this wes also so in a case wherein a corporation is a party. The court said, however, that he had discovered in some Louis ever, that he had discovered in some Louis-iana decisions, the only ones cited in which the state is a party, that the court held in effect that pleadings filed by the attorney general without special authority from the legislature could not be used in another suit as an admission by the state. On these decisions he sustained the objection of the attorney general and refused to admit the petition in evidence.

EFFECT OF THE DECISION. The effect of Judge Powell's decision h ery important. Had he admitted the pleadings as an admission by the state that \$335,-000 of the shortage occurred in the first term tion, the defendant has answe ed, alleging that the injuries sustained by the plaintiff were not due to any neglect or negligence upon the part of the answering defendant.

Mrs. Huestis Asks Divorce.

Anna J. Huestis has asked the court to divorce her from her husband, Eugene D.

Alleging described her in it would have reduced the liability of the kondsmen that amount—from some \$555,000 to \$205,000. The defense would have followed this up, and did in fact attempt to do so, by introducing in evidence the pleadings in the cult against the Omaha National bank, in which the bank is sued for \$201,884.05, the amount of the warrant and interest which is included in Bartley's defactation. The de-Huestis, whom she alleges deserted her in 1895 and left her to care for four children and the aged father of the defendant. She says further that the defendant agreed to specially for this amount. This would have and not the bondsmen should be held respecially for this amount. This would have pay the sum of \$40 per mouth for the board further reduced the sum sucd for by \$201. of his father, but that he is now \$175 in 884.05, leaving about \$4,000 for which judgspensible for this amount. This would have

ment could have been secured.

After the decision was delivered the attorneys for the defense spent some little time in conference when the decision had been rendered. Then General Cowin made showing to the effect that through the pleadings offered the defense intended to prove admitted by the state in the pleadings in the Lancaster county case.

The defense offered in evidence also a

copy of the petition filed in the Douglas county court in which suit is brought against the Omeha National bank of this city for \$201,884.05, the amount of the warrant and interest, which is included in the amount sucd for in the present case. These plead-ings were also ruled out and the defense again made a showing when they proved that the state admitted that the bank and not Bartley's bondsmen should be held re

sponsible for the sum. DATE OF THE FILING. Ex-Deputy Secretary of States Evans was recalled by the state for further cross-examination on his testimony in chief. had testified that the filing on Bartley bond, which showed on its face that the in strument had been received for filing or January 3, 1895, did not occur that day and that the figure "3" was not in the hand writing of Bookkeeper Nels McDowell, as the rest of the endorsement, leaving the impression that the filing mark had bee

tampered with. For the purpose of controverting this evdence, the witness was used to identify the filing marks on the bonds of the other officers-elect who had filed their bonds on January 3 1895. He said that the hand-writing of the endorsements was that of Nels McDowell. The figure '3" in these en-dersements is like the supposedly forged "3" in the endorsement on the Bartley bond. The importance of the testimony lies in

The importance of this testimony lies i connection with the defense that the bon had not been filed by or on January 3, 1895 and that this illegality releases the bonds The witness said that he did not know whether or not any of the bonds of the state

officers had been approved after they had been filed. As a matter of fact some of the bonds show that they had been filed January 3, 1895, and had not been approved until some days afterward. LAST FOR THE DEFENSE.

At the afternoon session E. E. Brown, one of the bondsmen in the suit, was called a the last witness for the defense in its cas in chief. He testified that he had signed waiver to the addition of signatures to Fartley's bond at his house on the morning of January 9, 1895, some time before 9:30 o'clock. The waiver was handed to him by Bartley, who at the same time showed waiver signed by C. C. McNish.

The evidence is in support of the conten

tion of the defense that all the original bondsmen d'd not sign a consent to the addition of names on the bond before these names were secured, on which technically they in list the original bond as a contract was broken and that they are released. The evidence in the case is that the three Omsha sureties were obtained on January 7, 1895 two days before Brown swore he signed the waiver. Bondaman Swobe testified that he signed the bond about 4 o'clock on the after noon of January 7, 1895.

Upon cross-examination Witness Brown insisted that he was correct in his date Bartley did not tell him that he had or had not obtained the additional sureties already but led the witness to believe that he had Bartley simply stated that the governor, in view of the fact that the legis'a-ture was in session, thought that the bond should be strengthened and that he, Bart-ley, wanted the waivers in order that he might legally get the additional names.

The witness testified that at the time he was a director of the Columbia National bank of Lincoln. Attorney General Smyth asked if Bartley had then a deposit in the bank as state treasurer, but the question was not allowed.

TESTIMONY IN REBUTTAL The first witness called in rebuttal by the state was Dr. George Tilden of the city, who has been a member of the Douglas ty-four years. He was called in rebuttal of the evidence given in support of the de-fense of Mary Fitzgerald that she was in-sane at the time she signed the bond.

The same hypothetical case which de-scribed the symptoms and actions of Mrs. Fitzgerald at the time and which had been presented to the experts for the defense was read to the witness and he was asked whether, in his judgment, the woman was sane or insane. He answered that in his opinion she was sane. The experts for the defense had given it as their judgment that she was insane. The witness said further that there was nothing to indicate insanity.

The cross-examination of the expert was long, but somewhat entertaking from the fact that Examining Attorney Manahan had some difficulty in getting the witness to answer as he wiched, the latter Ingist log on his right to explain and the attor-ney objecting. At times the examining at-torney, the witness, the attorney general and even the court were talking at the same time

Attorney General Smyth attempted to intro duce in evidence the state bond record book for the purpose of showing that the bonds of all state officers except Bartley's were the record showed the instrument was "received and filed for record this 3d day

record of Bartley's bond.

The purpose of this evidence was to rebut the effect of ex-Deputy Secretary of State Evans' testimony. He swore that when, on January 9, 1895, he had signed the certificate of fling it dd not state that it had been received for filing on January 3, 1895, leaving the impression that the filing mark had been tampered with afterward, most probably by those who succeeded to the office. The fact that the record reads that the bond had been "received ord reads that the second reads that the second reads that the bond had been "received ord reads that the second reads that the second reads that the bond had been "received ord reads that the second reads that the second received orders that the second received received orders that the second received rec ord reads that the bond had been "received for filing" on Japuary 3, 1895, is expected to weaken this testimony, Attorney General Smyth extects to con

sume a day or more with further rebuttal testimony. The trial will proceed today,

monitis before the expiration of his first term of office. This decision, together with the announcement by the defense that it was near the end of its case—that besides some additional evidence in the special defense of Mary Fitzgerald but little more testimony was to be put in—furnished the features of the morning's proceedings.

In giving his decision Judge Powell said that when the filing of the Lancaster county case had been first mentioned in the case he had been of the opinion that it would have an important bearing on the case and that the pleadings could be properly introduced in the nature of an admission by the state that \$1335,000 of the shortage sued for in the present case had occurred in the section.

According to Rev. Mr. Smith the Mormo church is constantly spreading its influence and membership throughout the United States and even in Mexico, the South American republics and Canada branches of the oganization are constantly springing into life Rev. Mr. Smith is a middle-aged gentleman striking appearance and fine physique. His a lineal descendant of the great Mormo prophet, Joseph Smith, who, in the infancy of the chu ch, was killed during the ctirring incidents that marked the pilgrimage of his followers from Nauvoo, Ill.

"In the Salt Lake valley," said Mr. Smith "reconstructed Mormon'sm is yet in its ascendency and growing in influence. Of course all of our cities and town out there have been invaled. have been invaded by other religious de nominations, which I am inclined to believe has done more to promote Mormon interests than any other outside influence. Our so cleties, known as the Latter Day Saints, are springing up everywhere, and in the wester part of lowa they are very strong. In Council Bluffs, for Instance, there is an established church of the Latter Day Saints, the membership of which numbers several hundred persons. We now have missionaries h Canada, Mexico and the South American re-publics, as well as in the Hawalian islands the Orient, Asia and Europe, Everywhere Mormonism finds its share of followers.

'Regarding the property of the church in the Sait Lake valley and the old Mormon landmarks in Salt Lake City, they are being maintained in their original state as nearly as possible. The churches in the smaller places and throughout the country are in good condition and in Salt Lake the edifice are just as grand and attractive as they eve were. These places of worship, as well a Eagle Gate, the Bee Hive, the Amelia man sion and other property with which the nam-of Brigham Young is intimately associated are still visited by thousands of tourist

"The people of the Salt Lake valley are enjoying a period of unusual prosperity Their great system of irrigation is being improved and extended each year and agriculture is reaching a perfection which feother sections of the country can boast of believe that this year will exceed all others in the beneficial results for the farmers of our fertile section."

BARTENDER GOT WRONG MAN

His Revolver's Silent Eloquence Se

cures Prompt Attention. There was a riotous time in the salou at 415 South Fifteenth street, kept by S. F. Bickof, about 3 o'clock yesterday morning and when the police arrived there in response to a telephone call they found that the bartender, J. S. Osburn, was holding a man prisoner in the place behind locked doors and under cover of a revolver. Both men were under the influence of liquor and the officers took them to the central station where they were locked up. Osburn charges the man he had forcibly detained in the sa-loon with robbery. The man gave the name of C. H. Bolkin and said he was in the real estate business with an office in the New York Life building.
Osburn's story was to the effect that whil

he was playing cards in the calcon with Bolkin, an accomplice of the latter, who had entered the place with him, secured from behind the bar a sack containing \$24 in cash and \$4.50 in the form of a check. The alleged accomplice was a stranger to the bartonder who claimed that he was the same than the same tha bartender, who claimed that he saw the man

Immediately upon witnessing this transac-tion Osburn claimed that he suspected that he had been robbed. Dropping his cards he ran behind the bar and found the money sack gone. In the meantime Bolkin had got p from the card table and started for the

"Hold up there," shouted the bartender eveling at the alleged robber a revolver, don't stir another step or I'll blow your

Bolkin threw up his hands at

obbed and his story is believed.

time dodging about the room everturning farniture and crying, "don't shoot!" in his effort to get out of the range of the frenzied bartender's gun. Although the police scarched Polkin and pressed him bard to give up the money he was charged with having they could not get any clue to the missing property. Bolkin stoutly maintained that he had nothing whatever to do with the robbery. Although he had entered the place with the stranger whom Osburn accused of taking the sack, he said that he did not know the man and had ever seen him before they met on the street n front of the salcon only a few moments before they entered. In police court the difficulty was patched up between Osburn and Bolkin and now the authorities are trying to locate the mysterious third party.

Wit iam Elisworth is to have a hearing tomorrow before United States Commissioner William F. Wappich on the charge of having in his possession stamped nickels not colored at a mint of the United States.

Ecousty United States Marshal Alian says that there are many counterfeits circulating in Omaha at the present time. Counterfeit nickles are especially numerous, and many of these are made to use in slot machines and are very poor imitations. One slot machine in Plattsmouth recently yielded 1,500 such coins. If mere slugs with no attempt at imitating United States coins, were used in these machines the offenders could not be prosecuted on account of the antisyambling laws, but in most cases an effort has been made to imitate and persons passing such coins are accountable to the government authorities. of having in his possession stamped nickels County Board of Insanity for the last twen- | ernment authorities.

## MADE POSTOFFICE POSSIBLE

Legislation that Secured the Site and Subsequent Construction.

HISTORY OF THE BUILDING IN CONGIESS

General Manderson's Collection of Bills and Committee Reports Tells the Story of the Struggle for an Appropriation.

Apropos the opening of the new governnent building in this city on Washington's birthday, General Charles F. Manderson has an interesting collection of all the senate bills and committee reports that were inreduced into the senate with the view of securing the erection of the new public building that is about to be dedicated. Through these is shown the progress and the everses of the movement to afford Omaha adequate accommodations for the transaction of its government business.

The first bill was introduced into the senate by General Manderson on December 12, 1887. It provided for the purchase of a site and the erection of a public building thereon in this city. "The plans, specifications and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$1,500,000" are the words in which the Umitations of the site and building are expressed in the original bill. This bill was expressed in the original bill. This bill was read twice and re-erred to the committee on public buildings and grounds. This renate bill, which was No. 182 in the first acssion of the Fiftieth congress was reported in the senate by Senator Stanford on January 30, 1888, with amendments, the principal of which reduced the cest far site and building complete from \$1,500,000 to \$1,200,000. On February 14, 1888, the bill was reported with he amendments, committed to the committee of the whole house on the state of the union, and ordered to be printed. At this time the bill was reduced to the appropriation of \$590,000, "or so much thereof as shall be necessary," for the purpose of the purchase of a site for a public building at Omaha.

RAISED THE LIMIT. On January 14, 1899, Secretor Manderson in reduced a bill into the first essaion of the Fifty-first congress, which was read twice and referred to the committee on public buildings and grounds. This provided that the amount previously fixed as a limit to the cost for the purchase of a site and erection of a public building here should be increased to \$2,000,000, and it also provided that the oum of \$800,000 should be appropriated from the treasury for such purpose. Tais bill was reported without amendment on January 27.

On December 10, 1891, Senator Manderson introduced a bill similar to the above in-creasing the limit to \$2,000,000 and appropriating \$800,000. The previous bill had passed the senate, but had fallen by the wayside by the house of representatives. This bill was reported by Senator Carey without amendment on January 18, 1892.

Accompanying the original bill is a docu-ment of some interest at this time. It was presented in the cenate on December 12, 1887, and was referred to the committee on public buildings and grounds, and then orpublic buildings and grounds, and then ordered printed. The document consists of
sundry papers showing the total inadequacy
of the public building then in use for the
needs of the growing city. First is the indictment against the old federal building
by a grand jury of the United States district court, Judge Elmer S. Dundy presiding.
A communication from the Omaha Board of
Trade, Max Meyer president, and G. M. Nattinger secretary follows giving statistics. tinger secretary. demonstrating the real need for the erection of a new public building in this city. Letters of the same import then follow from ters of the same unport then follow from R. C. Jordan, custodian at the custom house here at that time; from C. V. Gallagher, then postmaster; from George E. Pritchett, then United States attorney; from S. H. Cal-houn, then collector of revenue; from S. P. Rounds, president of the Omaha Republican company, and from G. M. Hitchcock, editor

of the Omaha Daily World. POLICE CATCH AN AGED PEEPER.

ouls Kroltzch Locked Up on a Charge of Mulicious Trespass. Louis Kroitzeh is a dyer and resides at 1416

Ohio street. He is under arrest charged with peering through the windows of residences in the neighborhood of Eighteenth and Corby streets, about the time women are disrobing to retire. Officer Burns, who made the arrest, alleges that he caught Kroitzch in the cot of peeping through a window at 1815 Corby street Sunday night. The prisoner is married and about 50 years of age. Recently he figured in a divorce case but after the teetimony was given the court dismissed the action, holding that husband and wife

were equally to blame for their domestic infelicity. For several weeks prior to Kroltzch's ap-prehension the residents in Cosby street had been annoyed nightly and the women frightbeen annoyed nightly and the women fright-ened frequently by a "peeper." They com-plained to the authorities and pollcemen were ordered to arrest the person on sight. But the peeper cleverly dedged their vigi-lance until Officer Burns finally stumbled upon him while he was flitting from house to house in pursuit of his sport. He has been identified by Charles F. Shram of 1899 Corby-street, and Mrs. Louis Fletcher of 1818 Corby, as the man they saw peering through windows in their homes. His case will be taken before Police Judge Gordon. The charge against him is malicious trespass.

charge against him is malicious trespass FRENCH CLEARED ON ONE CHARGE.

Complaints of Omaha Men Against Him Dismissed Both complaints against W. E. French, the cogus check manipulator, were dismissed in police court yesterday, because the prosecuting witnesses refused to appear against the prisoner. They were William F. Garrity and Nick Yager, from each of whom

French secured \$15 on worthless checks.
The prisoner settled with his victims and
there the prosecution drop;ed.
French did not enjoy his liberty long,
however. Before he could get out of the nowever. Before he could get out of the police court room he was again arrested and locked up "for identification." About the time of French's first arrest a man answering his description passed a worth-less check for a considerable amount upon a Council Bluffs citizen. That gentleman has asked that French be held until he can get a look at the prisoner. He promises to prosecute French if he is the man who buncoed him.

French was later released from custody.

Death of Mrs Clemens. Phillicia J. Clemcas, wife of Ashton Clemcro, one of the early settlers of Douglas county, died yesterday morning difficulty was patched up between Osburn 3 o'clock at her home near Elinand Bolkin and n w the authorities are try-wood park after a lingering illing to locate the mysterious third party. It is of several month. Mrs. Clemons The bartender stoutly maintains that he was came to Omaha in 1856 with her parents. Mr. and Mrs. J. W. Pickard. In 1868 she was married to Ashton Clemens, who survives her. Five children-May, Ashton, ir., Jones Pearl and Ross-mourn the less of a kind mother. Her mother, sater-Mrs. J. W. Weaver-rid brothers-Orin W. and Occar J. Pickard-all of Omahs, survive her. The funeral will be at 2 p. m. Wednesday from

> green cemetery. Continues the Case, Police Judge Gordon has continued the cases against M. Mullen and the twenty-four men and women who were arrested in

the residence, and the interment at Ever-

the raid of his concert hall until Wednes-day afternoon. The prisoners were all ar-raigned and pleaded not guilty to the charge of being inmates of a disorderly house. Those who were not already out under bonds furnished ball for their appearance and were released.