

Nebraska Historical Society

THE FRONTIER.

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O'NEILL, NEBRASKA, THURSDAY, JANUARY 12, 1905.

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Berger's Cash Store Failed!

To close out all merchandise in stock, so will continue to sell at wholesale cost until notice is given otherwise. We still have....

500 PAIRS of SHOES
to sell at cost
145 PAIRS TO SELL
20% below cost

These shoes are all good styles and are bargains ---don't miss this chance. Remember everything in the store goes at actual cost or under. You can buy any amount at prices quoted. A few special prices this week are:

Ubleached muslin	5½c	Men's 20c hose	12c
Bleached muslin	6½c	Men's 15c hose	8½c
Towels, only	13c	Men's 10c hose	7½c
Mens suspenders	13c	Mens all wool sox	20c
Womens' facinators	20c	Men's dress shirts	47c
7 spools thread	25c	Men's suits price	\$16.50 \$10.80
Ladie's 20c hose	12½	Mens suits price	\$10 \$7.20
Ladie's 35c hose	17½		

A large assortment of men's and boy's overcoats to be closed out. We will give you a big bargain in them.

Ladies' and misses' cloaks, jackets, capes and furs we will sell at 20 per cent BELOW COST. 60 tailored skirts for ladies to be closed out at actual cost.

If you buy of us and don't think you have the best bargains of your life bring the goods back and get your money. Give us a call and our prices will do the rest.

BERGER'S CASH STORE
O'NEILL NEBR.

WANTS LAW ENFORCED

J. A. Cowperthwaite Indites a Few Strenuous Thoughts.

OPPOSES "PEACE" PROPOSITION

Says He "Will Not Become a Partner in Crime" by Agreeing to the Hagerty Compact.

O'Neill, Neb., Jan. 2, 1905.—To the Editor of The Frontier: As a depositor in the failed Elkhorn Valley Bank, we have considered the proposition of settlement submitted by Mrs. Hagerty and we are in favor of accepting her proposition. When there is an opportunity to secure such a settlement we think it would be most unwise to squander the money of the depositors and likewise the public funds in litigation. Respectfully yours, THE BROOK FARM CO. Per L. M. Disney.

O'Neill, Neb., Jan. 3, 1905.—Editor of Independent: Much sympathy has been expressed for me for my loss in the bank failure. I want to know whether it is sincere, or whether it is all a sham. Any person who is honestly sorry for me will help me to get back as much of the money as I can, and the only way is to accept Mrs. Hagerty's offer. Of course the rogues of lawyers will want it put into court so as to get it all themselves.

NORA SULLIVAN.

Spencer, Neb., Jan. 3, 1905.—Editor Independent, O'Neill, Neb.: I am one of the depositors in the Elkhorn Valley Bank and I am strongly in favor of accepting the offer of Mrs. Hagerty. If we refuse this, it means law suits all along the line. Many people owe the bank money which is not well secured; Mrs. Hagerty and Mr. McGreevy can help us to get these notes secured if we all act together. If there is to be a fight the receiver can never collect the notes. I say let us settle this up and let the lawyers and their fat fees go to hell. Your obedient servant, P. J. HANDLEY.

O'Neill, Jan. 9.—Mr. Editor: The above communications, one of which appeared in The Frontier and the others in the Independent last week, are fair specimens of the sort of spawn incessantly spewed upon an already outraged public by McGreevy's apologists, co-conspirators and accessories through the local and daily press, ever since the news of his capture in Arizona was received here, for the purpose of enabling him and his accomplices to retain the bulk of their stealings and prepare the public mind for his subsequent judicial whitewashing.

No one in this community is so stupid as not to recognize the earmarks of P. J. Hanley's effusion and locate the exact source of its emanation. But if the statements made in The Frontier last week in connection with Mr. Hanley are true, his attitude toward the looters of the defunct bank is not to be wondered at, as it is no worse for one official to appropriate public funds than for another to do so.

But as to this proposition—this offer of Mrs. Hagerty's, the acceptance of which is so industriously and vigorously urged by McGreevy's sympathizers, the bank receiver included, and as to Mrs. Hagerty herself: She is the woman who on last Thanksgiving day repeatedly assured me, in the presence of my son, that it being a holiday Mr. Hagerty had gone to the country, but would be back and open the bank at 9 o'clock the next morning when I could get my money, well knowing that Hagerty had absconded the night before. This was done to deceive me and ally suspicion that Hagerty might make good his escape with his ill gotten booty. She thus became an accessory after the fact.

After holding herself out to the public for years as the owner of 98 of the 150 shares of the capital stock of the bank, which renders her liable for 98-150 of the bank's liabilities, she promptly upon receipt of the news of the her brother's arrest publicly denies that she ever owned but one share of the capital stock, and therefore is liable for only 1-150 of the bank's liabilities, notwithstanding she claims to own about \$10,000 worth of property. So much for the degree of confidence to which this woman is entitled.

Now for the proposition or offer: It lays down the conditions to which the depositors must accede or Mrs. Hagerty will do nothing.

First, they must accept the property mentioned by her, which she values at \$10,000, in full payment of all their claims against the bank, leaving Hagerty and McGreevy to enjoy their loot, and pay the receiver a handsome salary and his legal advisor a handsome fee, while time is being killed trying to realize money out of this property, which no one would buy without Hagerty's signature to the deeds.

Second, as a condition precedent to the turning over of this property by Mrs. Hagerty each and every depositor must pledge himself not to prosecute McGreevy or Hagerty.

This alone constitutes compounding a felony—the stifling of a criminal

prosecution which would not only render the contract with Mrs. Hagerty void but would subject each of the depositors entering into this deal to a fine double the amount he agrees to accept. I defy any lawyer to successfully controvert the proposition that this is the legal effect of the consummation of the proposed deal between Mrs. Hagerty and the depositors.

There is but one way for the depositors to reach this property of Mrs. Hagerty's, which is clearly liable for the satisfaction of their claims, and that is for the receiver, whose sworn duty it is to faithfully guard their interests, not the interests of Mrs. Hagerty, to institute the proper legal proceedings at once to acquire title thereto, thus enabling him to convert the same into cash.

The writer will not become a partner in crime with the Hagertys and McGreeveys and their accessories before or after the fact, but will insist on a prompt and vigorous enforcement and vindication of the law regardless of whom it may implicate, and I am not alone in this determination.

J. A. COWPERTHWAITTE.

Swears It Is False.

In reference to a statement published in the Independent last week and also in Omaha, Lincoln and Sioux City dailies, Nora Sullivan takes oath to the following affidavit, which indicates a rather strange state of affairs existing somewhere:

State of Nebraska, Holt County. Nora Sullivan, being first duly sworn, says, that there was published in a newspaper in O'Neill, Nebraska, on January 5, 1905, a statement purporting to have come from her in words and figures as follows:

O'Neill, Nebraska, Jan. 4.—Much sympathy has been expressed for me for my loss in the bank failure. I want to know whether it is sincere or whether it is only a sham. Any person who is honestly sorry for me will help to get back as much of the money as I can, and the only way is to accept Mrs. Hagerty's offer. Of course the lawyers will want it put into court, so as to get all themselves.

NORA SULLIVAN. Deponent further says, that she never saw or signed such statement and that she never authorized any person to make and sign said statement for her; that she had no knowledge that said statement had been made until after its publication in said paper, as above stated, and her attention was called to such publication.

NORA SULLIVAN,
X, (Her Mark.)

Witness: James Coyle, B. S. Gillespie.

Subscribed and sworn to before me this 9th day of January, 1905.

B. S. Gillespie, Notary Public.
(Seal) My Commission expires March 25, 1907.

Just another shipment of the great Majestic Ranges at Brennan's. No other stove or range ever put on the American market can compare to it in workmanship, economy in fuel and in splendid cooking—can't be equaled anywhere. There are great discount sales all over the country in all kinds of merchandise and I will say that for a third of a century I have met all and every kind of sales and will now meet any honest prices, no matter what quarter they come from. Honest competition is the life of trade and I am here to meet it. Sixteen full ounces to the pound and an honest dollar's worth for a dollar. I will not raise my goods 25 per cent and give you a discount of 20 per cent, but good square dealing is my object. Respectfully, Neil Brennan.

Died, on Sunday night, January 8, at the home of his grandparents, Mr. and Mrs. Hershiser, at the age of 4 years, 3 months and 1 day, John Earl, son of Mr. and Mrs. William Storts. The child was taken with inflammatory rheumatism while away with its parents on a visit on Christmas. It was brought home and death ensued last Sunday. The funeral was held Tuesday afternoon from the Presbyterian church. Mr. and Mrs. Storts' loss is made doubly hard in view of the death of their little girl about a year ago under such sad circumstances.

James Coyle, through whose instrumentality Bernard McGreevy was arrested at Phoenix, Ariz., last Friday received the \$400 reward offered for the apprehension of McGreevy and remitted the same to H. McDonald, the Phoenix officer who made the arrest. Mr. Coyle is one of the unfortunate depositors of the bank and says he is in no way in favor of dropping criminal proceedings to secure a settlement, but believes the whole truth should be known, that the guilty should be prosecuted and that the truth should prevail.

Butte Gazette: Miss Mamie Kirving, of O'Neill, is the new operator at the telephone exchange. She is an experienced hand and is giving good satisfaction.

WOMAN DRESSED AS MAN

"Gentleman" Cook Discovered to Be a Female.

KEPT SECRET FOR SIX WEEKS

Caprer of Young Woman Who Claims to Have Permanently Discarded Petticoats.

O'Neill is not very long without a sensation of some sort. Last Saturday something of a ripple was created by the discovery that a woman attired in the garb of a man had been holding down a job at the Dewey hotel for the past six weeks. She paraded under the name of Berd Lewis, smoked and drank like many men, had a companion by the name of Nace whose masculinity was never called in question, attended dances and swung her lady companions with all the dash of a Spanish cavalier and appeared to be an all around "good fellow" to those of her acquaintance. The features of "Mr. Lewis" were of too genteel a cast, "his" limbs of too fine a mold to remain long unsuspected. The authorities undertook an investigation last Saturday with the result that she frankly acknowledged her sex and gave in explanation the statement that her husband had forsaken her, that her only child and her widowed mother were dependent on her for support and that she could obtain more work at better pay dressed as a man. She claimed she had worked at several places in the country in this county as a man and had not before been suspected, and said she had a team and wagon. She was working at the Dewey as a cook and waiting on tables and was getting along finely until the marshal and sheriff called at the hotel on Saturday and demanded that she acknowledge or disprove their suspicions. The acknowledgement was promptly made and her story told with the further information that her name was Mrs. Ona F. Swagart and her home was at Waterloo, Io., where her mother and daughter now are.

The officers informed her that she would either have to put on woman's attire or leave town, which latter she chose, declaring she would never again wear dresses. She drove out of town Sunday morning with her team and wagon and "the incident was closed." Her companion is said to have got out of town on Saturday morning.

The case of the state against Joseph Nickolizack is taking up much time in district court. The case was called last Friday and up to Wednesday afternoon witnesses are still being examined. Nickolizack is being tried on a charge of rape, the complaining witness being Lena Kimch, a 13-year-old girl. The parties to the suit are Polanders and reside south of Ewing. According to the Kimch girl's testimony the assault occurred last August in a cornfield on Nickolizack's place. She says that she and her mother, who is a widow, started to walk to Ewing Sunday morning to attend church. On the way to town Nickolizack and his wife overtook them with a team and invited them to ride, which they did. After attending church Mrs. Kimch started to walk home and Lena waited and rode out with the Nickolizack's. She stayed all night with them and it was when on her way home the next morning, she testifies, that Joe Nickolizack came out of his confid, forced her to go with him into the field and there assaulted her. The case is being prosecuted very vigorously by County Attorney Mullen and equally vigorously defended by R. R. Dickson. A great many witnesses have been called from Ewing and vicinity and the court room is pretty well filled with attentive listeners every day. Lena is a rather pretty girl with dark hair and eyes. Her testimony was frankly given on all points until she came to the scene in the cornfield, when she burst into tears. After weeping for a short time she gained self control and went on with her story.

M. and H. P. Dowling were up from North Bend Tuesday to attend a meeting of the officers and directors of the O'Neill National bank, held that evening. The capital stock was increased to \$50,000 with a surplus fund of \$5,000. Although established but a few years, the O'Neill National is taking a place in the front rank of the substantial financial institutions of north Nebraska and acquiring an extensive business. No change was made in the bank's officers or directors and the genial and accommodating cashier, Jas. F. O'Donnell, will continue to supervise the bank's interests and provide for the accommodation of its customers.