

THE NORFOLK WEEKLY NEWS-JOURNAL.

NORFOLK, NEBRASKA, FRIDAY, JUNE 15, 1906.

WITNESS IS IMPEACHED

TESTIMONY OF ALTSCHULER IS DISCREDITED BY MANY.

AMONG THEM HIS OWN RELATIVE

WAS THE LEADING AS FOR GOVERNOR

HE TOLD SENSATIONAL STORIES

Says He Was An Eye Witness to the Bath Room Incident and Saw Cases of Cruelty—Did Not Inform Dr. Alden Until After He Left Hospital.

Julius Altschuler, to whom the greater part of the asylum scandal was traced, after telling sensational stories on the stand this morning, was shown to be mentally weak, unreliable, a "great talker," of forgetful memory, a man who exaggerates the truth and a man who has been much under the influence of liquor, by his own brother-in-law and those who have known him longest and best.

The investigation of the Norfolk hospital for the insane was taken up again this morning at the place where it was left off when adjournment was taken a week ago tonight. All members of the state board of public lands and buildings are present and the meeting is being held at the hospital. Commissioner Eaton arrived in the city yesterday morning, while Secretary Galusha, Attorney General Brown and Treasurer Mortensen reached the city last evening.

The parties to the investigation are represented as before by the governor by John M. Stewart of Lincoln, Dr. Alden by Tyler, Mapes and Robertson, and Dr. Nicholson by J. H. Doyle of Lincoln. Henry Richmond is here representing the Omaha World-Herald at the trial.

ALTSCHULER IMPEACHED.

His Own Brother-in-Law Says That His Word is Not Reliable.

Jacob Baum, a substantial and reliable citizen, swore that he is a brother-in-law of Julius Altschuler, has lived in Norfolk twenty-one years, and that Altschuler was in the employ of Baum Bros. for eight years; that Altschuler is a great talker, doesn't always remember what he says, many times does not tell the same story twice alike and that he is a man who drinks heavily.

Dr. Bear, who has practiced medicine in this community for the past quarter of a century and is a democrat with a state wide reputation, swore that Altschuler's mental condition is weak, that he exaggerates the truth; that this is his general reputation in the community; that he "howls up" considerably; that he has treated Altschuler for the drinking habit; that he recommended Altschuler to Dr. Alden for any position available and that Altschuler did not, as he swore to on the stand, ever mention the Shockley case or any other alleged alleged cruelty until after this investigation came up.

Sol G. Mayer, one of the leading merchants of Norfolk, testified that Altschuler's reputation is "rotten" in this community.

Geo. B. Christoph, druggist and a member of the state board of pharmacy, swore that Altschuler's reputation is bad.

W. H. Blakeman, member of the firm of Blakeman & Coleman, one of the leading hardware firms in Norfolk, testified that Altschuler's reputation for truth and veracity is very bad.

E. A. Bullock, manager of the Norfolk Electric light plant, swore that Altschuler's reputation is bad.

C. E. Burnham, president of the Norfolk National bank, said that Altschuler's reputation is bad.

These latter replies were in answer to the question asked of each, "What is Altschuler's reputation in this community for truth and veracity?"

ALTSCHULER ON STAND.

Tells Story of Bath Room and Other Cruelties.

The most sensational testimony of the investigation was that of Julius Altschuler, who was the first witness on the stand this morning. He told the notorious bath room story and of the fight between Shockley and another patient on December 17.

He said that at that time he was an attendant in the hospital and that about 10 o'clock that night he went to the bath room to get a drink and that he found Attendants Ellis, Byerly and Wiles had the patient Shockley in the bath room where they were bathing him. The restraint straps had been taken off of Shockley. As Altschuler entered the room Ellis looked up and said: "Dr. Alden stopped us too soon—the of a—didn't get half enough," and at the same time Ellis was kicking the life half out of him. Byerly held the patient by the head while Shockley was being beaten.

During the fight before this, Attendants

Wiles, Ellis and Byerly had Shockley on the floor and were pounding him and kicking him, when Dr. Alden and Dr. Nicholson came in and Dr. Alden said: "The man has had enough—stop!" Shockley, Altschuler says, was badly bruised and was put to bed in the strong room. This was at 8 o'clock and three quarters of an hour afterwards, Altschuler says, the bath room incident took place. This was about 10 o'clock.

Altschuler says he spoke to the attendants about this matter at the time and was told that he was an employe here and that he had better keep still—he would get mixed up in it himself. Altschuler says he told a friend about the case at that time, a physician whose name he refused to give, but he did not deny that it was Dr. Bear, and he said the friend advised him that if he wanted to hold his job he had better keep still.

He did not tell it to Dr. Alden until two weeks after he had left the institution, when he stated that Dr. Alden said he always did have a suspicion that Shockley died from his injuries and Altschuler made the reply: "Doctor, there is no doubt about it."

Altschuler's testimony gave various allegations of cruelty. He said that he had seen patients choked as punishment, jumped on, struck, choked with towels around their necks and whipped with a buggy whip that left welts on the body.

In regard to the Prosser case Altschuler said there were no marks on Prosser's body when brought to the hospital. Dr. Nicholson's record shows Prosser's body was bruised when he came here. Altschuler says he saw Ellis choke patient Art Pinney as a punishment and strike him. Ellis jumped on Patient Baird's stomach with both feet, while Baird was in bed. Ellis jumped on Patient Ben Fitzsimmons and abused him until the patient cried for mercy.

Ellis put towels around patients' necks and choked them a hundred times. Ellis used a buggy whip on Rowlett until the welts showed on the body. Ellis said this treatment was tame as compared with other institutions.

Altschuler says he never told Dr. Alden or Dr. Nicholson about these things until he left the institution.

In regard to Altschuler's drinking he said:

"Gentlemen, I occasionally take a drink. Sometimes I had a small flask in my grip but nobody ever saw it. Nobody ever saw me under the influence of liquor—that is, while on duty." He says Byerly was struck by Shockley in the fight, the blow bringing blood on his forehead.

Ellis often allowed Patient Weiser to strike other patients.

Shockley was a powerful man and would have been dangerous if he had gotten up. Six men were piled on top of Shockley beating him.

On cross examination, Altschuler said he formerly worked for Baum Bros. in Norfolk, but refused to say whether he had any trouble with them when he quit.

Mr. Altschuler was called down for impudence and disrespectful answers to Attorney Robertson. Altschuler said the first cruelty commenced when Ellis came. When asked to name a hundred instances when patients were choked with a towel around their necks, he named three, Carl Lichtenberg, Patient Mears and John Gillick. Asked if there were a hundred he said it might have been eighty-five, that it was of such frequent occurrence nobody could keep track of it.

He admitted that he never reported a single instance of cruelty to Dr. Alden until after he left the hospital. The reason for this was for fear of trouble with other attendants.

When asked in regard to the six men piled on top of Shockley he said, "Rats, Judge Robertson, I didn't mean they were on top of him. I meant they had hold of him."

He did not name any who were, as he first said, on top of Shockley. He says the charge in Wolf's letter that Shockley was jabbed with a broom stick until he bled, was without foundation. He never saw any such incident. This charge had been traced to Altschuler's story.

In regard to the bath room occurrence, he said Byerly was pounding Shockley's head against the wall and that Ellis and Wiles were kicking the big patient, who was standing up, in the stomach. Shockley was over six feet tall.

Mr. Altschuler testified that everyone in the institution, from the superintendent down to the dishwasher, drank. The statement was made when he was in a rage over questions that were propounded to him by Dr. Alden's attorneys. Afterward he retracted and said that in his oath in this particular he was only joking. "I was only joking about this drinking business," he said. Somewhat confused on the witness stand, Mr. Altschuler took a pretzel out of his pocket and ate it.

He presented a letter from Dr. Alden, showing that he had resigned and had not been discharged for cruelty—as the State Journal had quoted Governor Mickey as saying Altschuler was discharged for cruelty. When this was printed Altschuler wrote a letter to Dr. Alden, stating that unless he received a letter showing that he was not discharged, there would be some interesting reading.

Asked what he meant in a wash-room this morning, when he was overheard to remark, "I'll make four or

five people go sideways today," he first said it had no reference to the asylum matter but later said it did refer to the asylum matter, but did not mean anything.

He was asked if he had ever been talked to by Dr. Alden's attorneys in regard to the situation. He replied that Attorneys Tyler and Robertson talked to him but he told them they couldn't get anything out of him, and later he admitted that they had treated him perfectly fair and they had never asked him to tell anything but the truth.

PETERS TESTIFIES.

The Steward Knew of No Personal Friction.

A. Peters, steward of the institution, was the next witness called, and he said that he never knew of any personal friction between Dr. Alden and Dr. Nicholson. He said he told Dr. Alden the stories that Altschuler gave him after Altschuler had left and he thought that Dr. Alden investigated the stories at that time.

PATIENTS ARE CALLED.

Several are Placed on the Stand and Give Testimony.

After some discussion it was decided to put patients on the stand and to take their testimony for what it was worth, the board to decide the value. Arthur Pinney was the first patient called. He is the patient who tried to hang himself with a towel, and from which incident the towel story evidently grew.

He testified that when he first came he was wild and tried to hang himself, and that Attendant Ellis took him down and had to use force to get the towel off his neck; that he knows of no other incident of cruelty day or night. Pinney said that Ellis talked with him yesterday about the trial and asked if he remembered anything about trying to suicide with a towel.

Thomas Raeltz said that he saw patients kicked and struck; that he never saw towels used. He saw Byerly strike and kick Patient Fitzgibbons, and Ellis struck him, Fitzgibbons was wild and would not quiet down. He saw Ellis and Pool thump Patient Smalljohn. Smalljohn threatened to strike Ellis with a mop. The defense was necessary to the attendants' safety. Ellis and Pool choked and thumped Carl Peske, who would not keep still. Byerly led a bear on Fitzgibbons' face. Witness said he had never been advised except that waiters had not given him enough to eat for a few days. Raeltz admitted that Dr. Nicholson had led his own attorney, Mr. Doyle, and Governor Mickey's attorney, Mr. Stewart, to him yesterday and that they had talked to him about his testimony. He never reported anything to Dr. Alden; he never saw any whip.

Joseph Merton said he had always been treated well; that sometimes patients quarreled among themselves and had to be restrained; he never saw any treatment that he considered rougher than necessary; he never saw Ellis mistreat patients either here or at Lincoln.

Patient Ray Rowlett, 18 years old, was next placed on the stand. It is considered at the hospital that this patient is not really insane but incurable. He testified that Ellis horse whipped him once and whipped him another time with a bed slat, each time leaving welts, and that each time cause was provoked because he was teasing older patients. He said that he bore no ill will toward Ellis, because he only received what he deserved.

Patient Hans Peterson testified that he had seen patients kicked in the side and that he was indignant because there were lumps in his oatmeal.

Attorney General Norris Brown asked if there were any sane witnesses to testify to the governor's charges. He said he would never convict a man on insane testimony.

ATTENDANTS TALK.

Give Their Version of Affairs in the Hospital.

Attendant Bryant testified that he saw Attendants Ellis and Gross choke Patient Frank Salsbury with a handkerchief around his neck. He did not report this incident because he thought it was not important and he said he does not know of anything wrong in the condition of the hospital—if he did he would tell it.

Supervisor J. A. Wiles testified that Shockley died as a result of epilepsy; that Prosser was bruised when he came as a result of a fight with the sheriff on the train. He swore that Altschuler was asked to resign, he himself having told Altschuler that Dr. Alden wanted his resignation. Altschuler was asked to resign, he said, because of his drinking. Altschuler's statement that he was requested to remain two weeks longer, Wiles says, is untrue.

Attendants Robb, Pool and James Taylor testified that they never had seen any act of cruelty.

DR. ALDEN ON THE STAND.

Shows by a Letter From Governor that Condition Was Considered Good.

At 4:15 Dr. Alden was placed on the stand in his own behalf and to show that his course was approved after the governor had made his investigation of the charges against the management of the institution, the follow-

ing letter over the governor's signature was introduced:

State of Nebraska, Executive Office, Lincoln, April 12, 1906.—Dr. J. M. Alden, Supt., Norfolk, Nebraska.—Dear Sir: Yours of the 11th instant, acknowledging receipt of commission as delegate to the Conference of Charities and Correction, received. If you can arrange things to go away the trip would be nice for you and give you a rest.

I notice in your letter heads that you have your name at the left hand corner and Mr. Peters' name at the other corner, leaving Dr. Nicholson's name off entirely. This perhaps has been an oversight and not intended as any discourtesy.

You have my permission to go to the conference, provided you can arrange matters to be away, leaving matters in the hands of Dr. Nicholson of course.

I was very glad indeed to find the conditions as good as they were in the Norfolk Asylum and I feel confident that you will continue to make strenuous efforts to improve them. I would suggest that Mrs. Alden be very careful and not take any part whatever in the management. This will avoid criticism on the part of the employes. The wives of the superintendents in the other institutions are very careful. It requires great tact in the handling of a large institution and all employes observe everything going on and sometimes are led to draw conclusions that make disturbances occasionally. I noticed that day I was there that Mr. Bell did not seem to be doing very much. If you have work for Mr. Bell so that he is faithfully at work and doing what is needed at the institution, to wit, painting, etc., I have no objections to his staying, but I want him and every other employe to be faithful in their work to the state, and of course you will look after this and see that there is no shirking of duty by any one. I want to see you succeed in your position and also Dr. Nicholson. You both occupy very responsible places in the administration of the institution and I depend upon you and will be greatly disappointed if you do not succeed in every particular. But you must be courteous to each other and kind.

I write this in the very kindest feeling and regard for you and appreciate very much the kindness of yourself and Mrs. Alden to me in my visits at the institution.

Wishing you good health and success, I remain

Yours very truly,
John H. Mickey,
Governor.

AGED PONCA CHIEF DIES

BUFFALO CHIP, 89 YEARS OLD, PASSES AWAY.

HE LIVED NEAR NIOBRARA

But Two of the Old Chiefs are Still Left—One of Them Was Implicated in the Double Murder on Ponca Agency a Few Years Ago.

Niobrara, Neb., June 14.—Special to The News: Buffalo Chip, a Ponca Indian chief 89 years old, died yesterday on his place two miles from here. But two of the old chiefs are now left—Standing Bear and Birdhead, the latter being the old Ponca who, by the aid of his wife, was implicated in the double murder on the Ponca agency a few years ago. Buffalo Chip's farm contains the remains of fifteen Mormons who died here in the winter of 1846-7.

WEDDING AT CREIGHTON.

One of the Big Events of the Year at That Town.

Creighton, Neb., June 14.—Special to The News: Chas. W. Neice of Wayne and Miss Jenevieve Carroll of this city were married at the Catholic church at 9 o'clock this morning. Rev. Father McNamere of Bloomfield officiating. The best man was Mr. Neice's brother and the bridesmaid was Mr. Neice's cousin, all from Wayne. The bride carried a large bouquet of bride's roses.

Following the ceremony at the church there was a reception at the home of the bride's father, Joe Carroll, a wealthy stock man of this place. This evening there will be a big ball at Green's hall.

The couple will make their home in Sioux City, where Mr. Neice is engaged in business.

There was a big crowd in attendance at the wedding, many being here from Wayne, Carroll, Lynch and other places.

CELEBRATION AT BRISTOW.

Big Time for July Fourth in Preparation.

Bristow, Neb., June 14.—Arrangements are being made for the biggest and most entertaining celebration July 4 at Bristow that has been given in Boyd county. The various committees are now at work making selection of orators, listing amusements and preparing for the more novel features, and assurance is given by Jos. A. Pasek, chairman, that all along these lines will surpass anything previously attempted. The Bristow military band and the Echo string band will furnish the music for the day. Fireworks at night.

Flag Day at Creighton.

Creighton, Neb., June 14.—Special to The News: This is Flag day and nearly every business house in the city is displaying old glory.

EVERY BONE WAS BROKEN

YOUNG BOY AT NORTH BEND MEETS HORRIBLE DEATH.

WAS DRIVING CORN PLANTER

Team Ran Away and His Clothing Was Caught on the Screw and His Head Was Beaten to a Pulp.

Fremont, Neb., June 14.—Special to The News: A special to The Tribune from North Bend says that Willie Neely, twelve years old, was killed while working in the field this morning. He was driving a corn planter to break the crust of the soil, when the horses ran away. His clothing was caught on the screw and wound up in the machine. Every bone was broken and his head was beaten to a pulp. He was an only son.

TOOK STRYCHNINE AND DIED.

Little Girl at Crowell Played She Was Taking Medicine.

Fremont, Neb., June 14.—Special to The News: A special to The Tribune from Crowell says that Gertrude Hunter, aged five years, took strychnine, playing that she was taking medicine, and died in an hour.

DIED IN HIS FIELD.

Aged Farmer of Grand Island Dies of Heart Disease.

Grand Island, Neb., June 14.—Special to The News: John Neubert, sr., aged 61, was found dead in his field today, heart disease evidently having been the cause of his death. He had been loading hay.

POSTOFFICE CALLED BURKETT

Name Conferred in Honor of Junior Senator From Nebraska.

Grand Island, Neb., June 14.—Special to The News: Postmaster Staley of the Soldiers Home, today received his commission as postmaster of Burkett, Neb., which is the name that the postoffice at the Soldiers Home will hereafter be called. It is changed from Home to Burkett in honor of the junior senator from Nebraska.

ROBERT B. ROOSEVELT

Died This Morning After Illness of Several Months.

Sayville, Long Island, June 14.—Robert B. Roosevelt, uncle of President Roosevelt, died this morning after an illness of several months.

EPWORTH LEAGUE OFFICERS.

Elected at the Close of the District Convention.

Neligh, Neb., June 14.—Special to The News: The following officers were elected at the close of the district Epworth League convention held in this city last week: J. P. Yost, Plainview, president; Miss Galbraith of Spencer, Miss Thompson of Tilden, Miss Strain of Creighton, Miss Cratty of Elgin, first, second, third and fourth vice presidents. Miss Whitmore of Elgin, corresponding secretary; O. Colgrove of Meadow Grove, recording secretary; Frank Baker of Tilden, treasurer; Miss Bithell of Norfolk, junior superintendent; A. L. Kellogg, Thomas Bithell, C. O. Trump, executive committee. Pierce was selected as the place for holding the next convention.

MUTINY IS WIDESPREAD

REVOLUTIONISTS AT WORK IN THE RUSSIAN ARMY.

REFUSE REQUESTS FOR TROOPS

Soldiers Sent to Quell Agrarian Disorders Fraternize With Peasants. Industrial Outbreak is Expected at Moscow.

St. Petersburg, June 14.—Ominous of the government's inability to cope with prospective agrarian disorders is the news from Poltava, one of the richest and most populous farming provinces of Russia, that the governor is in daily receipt of requests for troops for the protection of estates from the peasants, who have not the slightest fear of the rural guards. The governor is unable to comply with these requests, because the local troops, one regiment of which mutinied Sunday, are so infected by the revolutionary propaganda that detachments sent to the villages immediately fraternize with the peasants. The governor therefore begs the St. Petersburg authorities to send him fresh troops.

Conditions similar to those in Poltava probably are widespread. Indeed, the army is a frail reed for the government to lean upon, if it rejects parliament's agrarian scheme. The general staff objects, moreover, to furnishing more troops for police duty and has refused requests for guards for government liquor shops, which are increasingly subject to attack, on the ground that to comply with all these demands would interfere with

THE CONDITION OF THE WEATHER

Temperature for Twenty-four Hours Forecast for Nebraska.

Conditions of the weather as recorded for the twenty-four hours ending at 8 a. m. today:

Maximum..... 79
Minimum..... 46
Average..... 62
Barometer..... 30.00

Chicago, June 14.—The bulletin issued by the Chicago station of the United States weather bureau this morning gives the forecast for Nebraska as follows:

Partly cloudy and warmer tonight and Friday.

The strategic necessity of the empire.

An industrial tempest seems to be on the point of breaking at Moscow, whence it may again spread over the empire. A final conference between the employers and printers, whose strike produced the general strike of last October, is being held. If it should be fruitless the result will be a lockout of the printers, and probably a sympathetic factory strike.

INSURRECTION IN KOREA

Walled City of Hong Ju Attacked and Seized by Insurgents.

Victoria, B. C., June 14.—The steamer Tidyus, which arrived from the Orient, brought news of an insurrection in Korea, commenced on May 25, when the walled city of Hong Ju was attacked and seized by Korean insurgents. Hong Ju was garrisoned by Japanese gendarmes and police. The Japanese defended the wall and approached with rifles, but being short of ammunition, retired at night. The refugees reached Yosan and telegraphed to Seoul for assistance. A Japanese vessel is being sent to their relief. Meanwhile 300 insurgents occupied Hong Ju and began a revolutionary propaganda, which resulted in their force being greatly augmented, and outbreaks occurred also at Andong and Ponghwal, in Kjong Song province, to the westward, the rebel ranks being filled with former Korean soldiers, armed with modern rifles, mostly fired with rebellion against the recent Japanese seizures of land, etc., following the occupation of Korea.

BURLINGTON IS GUILTY

KANSAS CITY JURY DECIDES IT GRANTED REBATES.

SHOULD CONFORM TO RATES

Conviction Carries With It a Fine of From \$1,000 to \$5,000 on Each Count of Indictment—Allowed Packers a Twelve Cent Concession.

Kansas City, June 14.—The Chicago, Burlington and Quincy Railway company was found guilty here by a jury in the United States district court on four counts of granting concessions on packing house shipments for export to the Armour Packing company, Swift & Co., Cudahy & Co. and the Nelson Morris Packing company. The conviction carries with it a fine of from \$1,000 to \$5,000 on each count. Judge Smith McPherson, the presiding judge, deferred sentencing the defendant until June 22. All four counts are practically the same. The case of Armour & Co., on which instructions were read to the jury, charged specifically that the Burlington company, on Aug. 17, 1905, accepted a shipment of oleo oil from Kansas City to Liverpool at a rate that included a rate of 23 cents per 100 pounds, Mississippi river to New York, whereas the regular tariff at that time was 35 cents.

To simplify the case A. S. Van Valkenburgh, district attorney, for the government, and Judge O. M. Spencer of St. Joseph, representing the defendant company, signed an agreement of facts, which was in effect that the Burlington did contract with the packers to carry their product at 23 cents for the distance named, or a rate of 49 cents for the whole distance from Kansas City to Liverpool. Half a dozen witnesses were examined, their testimony being largely technical and pertaining to the tariffs in existence at the time covered in the indictment.

Judge McPherson, in instructing the jury, said that the Burlington railroad had no right to make a contract for a period longer than the established rate of 23 cents should be in force. To have carried shipments for 23 cents after Aug. 17, 1905, when the tariff was raised to 35 cents, must be considered a concession. The failure of the Burlington railway to file the schedule of 23 cents was immaterial.

BASEBALL RESULTS

American League—Detroit, 4; Philadelphia, 5. Cleveland, 2; New York, 2. Chicago, 3; Washington, 0. St. Louis, 1; Boston, 0.
National League—New York, 2; Cincinnati, 1. Brooklyn, 2; Chicago, 6. Boston, 2; St. Louis, 1. Philadelphia, 0; Pittsburg, 3.
American Association—Toledo, 2; Minneapolis, 9.
Western League—Des Moines, 10; Sioux City, 2. Pueblo, 8; Lincoln, 7. Denver, 6; Omaha, 5.