

IT WAS LEFT ON THE BOOKS

Adams County Was Not Credited with All Her Funds.

INVESTIGATING THE ALLEGED SHORTAGE

Deputy Treasurer First's Preliminary Examination at Hastings is Attracting Considerable Attention—Explanations by Those Concerned.

HASTINGS, Neb., Jan. 28.—(Special to The Bee.)—Emanuel First, late deputy treasurer of Adams county, was given his preliminary hearing before Judge Burton this morning. The trial was held in the court room, to accommodate the crowd who wished to hear the trial. The state was represented by County Attorney Charles McCreary and General A. H. Brown. Mr. First was defended by M. A. Hartigan and George W. Tibbets. There were fourteen distinct charges of embezzling and aiding in embezzling the funds of Adams county. To each count he pleaded not guilty.

Charles Biglow, county clerk, was the first witness called. He testified to the election of Charles H. Paul as treasurer in 1887, and of the approval of his bond. Next, First's appointment as deputy, the filing and approval of his official bond and Paul's re-election in 1889 were established. Jay Cherry, who was tax collector for Hastings township in 1889, was next called. He identified a number of receipts given him by E. First, deputy treasurer, for taxes collected by him and turned over to the deputy treasurer to the amount of \$30,835. On cross-examination the fact was shown that all the checks were endorsed by Treasurer Paul.

James H. Hartigan, who is now examining the books of Adams county, testified that he had not found these items entered against the treasurer. A. L. Clark, president of the First National bank and one of Treasurer Paul's bondsmen, gave the details of First's confession, which was made on January 27. Clark testified that John M. Hogan, another bondsman, that the Cherry tax collections had never been credited to the county on the books according to a request of Mr. Paul.

Charles H. Paul, ex-treasurer, was summoned by the prosecution. During the month of January, he was present in the office in charge of the books. He was present when First's confession was made. Paul at that time denied the fact that he had instructed First to turn over to the deputy treasurer the amount of \$30,835. He testified that he had not seen First since that time.

John M. Hogan was called and testified to the confession made by First. First said he couldn't sleep at night on account of the deficiency on the Cherry accounts. Hogan testified that on the morning following and Paul said that the \$22,000 was the only deficiency of which he had any knowledge.

According to a rule of the office, were not jurorized as they were paid in full and reserved until a final settlement with the collector. When the time came for the township collector to settle, on Paul's suggestion, claims First, the Cherry items were left off the books until the middle of January, 1891, when First told him of the transaction. First said that there were certain school warrants which could be created, "the balance," First said, "they will never get out."

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NEBRASKA EDITORS AT FREMONT.

Twentieth Annual Convention of the State Press Association in Session.

FREMONT, Neb., Jan. 28.—(Special Telegram to The Bee.)—The twentieth annual session of the Nebraska Press association met in this city this afternoon. The first session was held at 4 o'clock, with the largest number of editors present ever in attendance at a meeting of the association. President Simmons' address embodied a number of important recommendations for the benefit of Nebraska publishers. The secretary's report showed the association out of debt and funds on hand.

A public meeting was held tonight at the Women's Christian Temperance union temple and a large audience was present. The oration was delivered by M. A. Brown of the Kearney Hub. He was followed by a historical sketch by Ed A. Fry of the Nebraska Pioneer and a poem by A. L. Bixby of the Columbus Sentinel. An address of welcome was delivered by Mayor Fried, to which Mr. Correll of the Helicon Journal responded. Mrs. Fred McFarlane gave a couple of solos and Miss Nellie Johnson gave two recitations.

Relieved All the Republicans.

OSCEOLA, Neb., Jan. 28.—(Special to The Bee.)—Dr. L. B. Shaw has received the appointment of physician of the Board of Insanity for this county in the place of Dr. S. O. Whaler, who has been one of the members of the board since the organization of the county. The secretary was instructed to relieve from duty in the offices about the court house here.

DeWitt's Little Early Risers; only pill to cure sick headache and regulate the bowels.

DROPPED THE OTHER SUIT.

Real Estate Owners Association Opposed to Tribune's Bill Withdrawn.

The Real Estate Owners association held a meeting yesterday afternoon in its quarters in the Life building. Most of the time was devoted to a discussion as to whether or not the injunction suit restraining the county from paying the Nebraska Tribune \$1,500 for printing the delinquent tax list should be withdrawn.

Attorney Caters, for the association, was opposed to the withdrawal of the injunction suit on the grounds that the paper had not complied with the law. He and Sol Davidson, manager of the paper, got into a hot discussion, but the other members of the board settled the matter by agreeing to draw the suit and let the county commissioners and treasurer pay the bill as they had done in the case of the Helicon Journal.

The Phoenix Foundry and Iron works at Bedford place made a proposition to the effect that the company desired to enlarge its works by adding a car which industry to its foundry. It wanted \$8,000 to do this, and on motion of Mr. Caters the president will appoint a committee of three to solicit the \$8,000 fund from property owners in the immediate vicinity of the works. The property owners will be the ones benefited by the improvement.

It was also stated that a tannery was necessary here to make leather of the hides from South Omaha. The secretary was instructed to communicate with some tanner in Omaha with a view of having him locate in the east. Next Monday the annual meeting of the association will be held.

Geasler's Magic Headache Wafers cured a headache in 30 minutes. At all drugists.

West Hunt in Colorado.

James A. Garrison, district attorney of the Eighth judicial district of Colorado, writes Chief Seavey and asks him to be sure and hold Jim Huff, now under arrest here, until the arrival of an officer from Denver. In case the man is released on bonds, the attorney wants him rearrested by the chief or some of the sheriff's force. He states that an officer is on the way with regulation papers and will be here today or tomorrow.

DeWitt's Little Early Risers; best little pills for dyspepsia, sour stomach, and indigestion.

Commissioners Change Their Mind.

The county commissioners have come down off their high horses and have given up the draft looking horse with the court to determine the right of possession of the jury room on the main floor of the court house.

One of the commissioners stated yesterday that as soon as the court convenes the room would be vacated. The original idea, he said, was to have a quiet place where the five judges would hold the terms of the county government could be held and communicate with another. None of the time did they intend to interfere with the workings of the court, but the court decided to use the room when it was not otherwise occupied.

MRS. FRAZER'S TOURS.

London and Paris Sights Shown a Party of Omaha People.

Mrs. M. D. Frazer of Boston, whose lectures of foreign travel delivered at the St. Mary's Avenue Congregational church some two weeks ago were so well received, continued her talks at the Lininger Art gallery last evening.

SUPPORTED BY THE PEOPLE

Lincoln's Police Chief Encouraged in His Fight Against the Gamblers.

CONCLUSION OF A SENSATIONAL CASE

End of the Litigation Growing Out of the Raid Made on the Local Dens Last September—Dennis Hammond Managed to Escape.

LINCOLN, Neb., Jan. 28.—(Special to The Bee.)—In all probability the Lincoln public has heard the last of the cases growing out of the raid on the gambling resorts last September. No event in the municipal history of the city within the past year has been more prolific of sensation and developments. The city authorities have been upheld in their efforts to rid the city of the gambling fraternity. Every effort made by the gamblers themselves to create prejudice against the chief of police and his assistants has failed. The last of the cases growing out of the event came up before Judge Lansing today when Dennis Hammond was arraigned on the charge of vagrancy. The complaint was found to be defective and the prisoner was discharged.

Another warrant, calculated to defy the technicalities of the law, was immediately sworn out but before it could be served Hammond had disappeared. Up to this evening he had not been found. He will be rearrested on the charge of vagrancy as soon as his whereabouts is discovered.

Home Industry in Lincoln.

The Home Industry Association of Lincoln has been organized for the purpose of promoting the manufacturing, jobbing and retail industries of the city and to encourage the employment of resident mechanics and laborers. The following officers have been elected: President, C. T. Boggs; secretary, W. Howard; treasurer, J. H. Mundy.

Harry Smith and Walter Clarke were brought before Judge Lansing on a writ of habeas corpus today. Their attorney asked for their release on the grounds of a defective complaint, alleging that it did not state the trip across the border, which is generally dreaded by all continental voyagers, and Mrs. Frazer's party landed on the soil of the Egyptian government in the gayest city of the v. rid began at the palace of justice, on the banks of the Seine, and was continued up and down the river until it reached the great city of Paris.

Harry Smock, Joe Vickers and George Bluevelt, the three young lads who robed a local Lincoln merchant last Monday night, will repeat in the reform school.

Mrs. Molly King, who has figured in police court several times of late, was again arrested at midnight last night. They were fined \$15 and \$20 respectively.

DeWitt's Little Early Risers for the liver.

Was the Wounded Burglar.

A man stopped Tuesday night at a Fourteenth street lodging house, and after his first night's rest, he was found in the bed he had occupied last Monday night. The clerk said that the man was noticeably weak as if from loss of blood. It is supposed that he was the burglar who was shot Saturday night in the street near the corner of Fifteenth and Douglas streets. A description of the fellow was obtained, and the police are looking for him.

THE SIGHTLESS SCULPTOR.

Remarkable Work of the Blind Artist of Tarrytown is Attracting a Good Deal of Attention Just Now. The old fashioned frame house on the bluff near the river road where the sculptor lives, with its porch and garden, has an unusual number of visitors, and the sculptor himself is forever conducting strangers to the rough board shed in the middle of the garden where he calls his studio. In that studio is his statue, a perfect figure of a man in a military uniform, seated. Many are the expressions of admiration which it provokes, for it is dignified and impressive, and many more are the exclamations of surprise that a blind man could make a thing so complex and so excellent.

TURNED OVER HIS HOME.

Charles W. Keith Settles the Case of the Deering Company Against Him.

PERSONAL PARAGRAPHS.

H. L. Day of Fremont, Neb., is at the Millard.

M. D. Welch of Lincoln is registered at the Murray.

C. M. Dawson of Stanton, Neb., is stopping at the Millard.

G. C. Postwaite and wife of Odell, Neb., are stopping at the Murray.

C. P. Shur, a real estate dealer at Kearney, is registered at the Paxton.

R. H. Greer, one of Nebraska's World's fair commissioners, is registered at the Paxton.

Dr. C. T. Burchard and G. W. Reed of Falls City are at the Dellone.

J. H. Wheeler and wife of Chadron, Neb., are registered at the Dellone.

St. Hubert, wife and six members of his company are at the Millard.

J. W. Goodbird and James Bergman of Elkhorn, Neb., were at the Dellone last night.

D. A. Campbell, clerk of supreme court, Lincoln, is in the city and called at The Bee office.

E. Sanford, representing Frederick Paulding and "The Struggle for Life," is in the city.

W. D. Skinner, son-in-law of Colonel Baker of this city, is at the Paxton. He is registered from Des Moines.

William M. Croan of the late Iowa Normal college is at the Paxton with his wife. They are registered at the Dellone.

J. N. Whitney, George N. Galbraith, D. E. Chapman and W. H. Beckwith, cattlemen of Evanston, Wyo., are at the Paxton.

T. E. Highway of Chadron, route agent for Wells, Fargo & Co. is in the city. Mr. Bradley had charge of the Black Hills business for years before the railroad entered that country.

AGAINST IOWA'S ALIEN LAW

It is Declared Unconstitutional in Scott County District.

INTERESTS OF FOREIGNERS SECURE

Existing Treaties Establish Relations Which No State Legislation May Restrict—Text of the Decision—Creston's Sensational Divorce Suit.

DATESBORO, Ia., Jan. 28.—(Special Telegram to The Bee.)—The Iowa alien law met its first defeat in the Scott county district court at this place today. A year ago, but will of Ralph H. Heath was contested, but sustained. Today County Attorney Heath filed a petition in the case of the state of Iowa against the devisees under the will, asking that the estate be forfeited and escheat to the state of Iowa in accord with the law. The devisees demurred and, in a lengthy oral opinion, Judge Charles M. Waterman sustained the demurrer. The heirs of Heath are mainly residents of Ireland, and Judge Waterman ruled, as has been done in Illinois and elsewhere, that the rights of these aliens are fully secured by the existing treaty and that the law is unconstitutional and void.

SENATIONAL DIVORCE SUIT.

Prominent Creston People Involved in the Litigation—Status of the Matter.

CRESTON, Ia., Jan. 28.—(Special to The Bee.)—The case of W. H. McCellan against Eliza T. McCellan in the district court in this city is a decidedly sensational one, which has occupied the attention of the court and a large audience for the past two weeks. The case excites more ordinary interest because of the prominence of the parties, who are well known in Union, Adams and Madison counties. The defendant, Mrs. Eliza T. McCellan nee Benton, is a very prepossessing lady of about 40 years of age, while the plaintiff is a few years her senior. They were married in Madison county December 31, 1883. In 1887 she was convicted of adultery with Samuel Gibson, another prominent citizen. On the witness stand the husband testified that his wife commenced attending protracted meetings about a year ago. At these meetings she met Gibson, and the latter, through Mrs. McCellan's influence, was converted. Gibson would come home with the plaintiff's wife nights. Some nights it would be as late as 12 or 1 o'clock when they arrived. However, the husband thought nothing of this until he followed her, finding her and her alleged paramour in a grove of willows back of the house. Part of the testimony is unfit for publication.

Mrs. McCellan has filed a cross bill alleging cruelty on the part of the husband. On the witness stand today she narrated a painful story of cruel and dishonorable conduct on the part of McCellan, the story of an immoral intercourse with Gibson. The only child, a bright, intelligent youth of 16, has been a constant witness of the wife's father's accusations. Upwards of twenty witnesses have been examined—all prominent citizens. The sentiment of the community is in favor of the plaintiff, who is pretty evenly divided. Each contestant has employed the leading attorneys of the city and the case is being hotly contested.

Work of Iowa's Legislature.

DRS. BETTS & BETTS.

THE MIDDLETOWN GIRL.

There's a fine fiery clangor. A wedding-bell tone. All about here; her language is so sweet and low. "Inevitable result!" No question but her throne. Walks with majestic floor, Yet all her own!

Prepared His Own Monument.

Cedar Rapids, Ia., Jan. 28.—(Special Telegram to The Bee.)—Something of a sensation was caused here by the filing of the will of Caspar J. Hart, who died a few days ago. After bequeathing to his two sons, two sisters and brother each \$1,000, the will says the balance of his fortune of \$30,000 shall be used for the erection of a monument to his own memory, with a soldier on dress parade on this monument. The will, after naming the location of the monument, grants said property to pass at once to the First English Evangelical Lutheran church, which church the lot is to be used in no case for any other purpose than as a location for the monument.

Heavy Real Estate Deal.

CRESTON, Ia., Jan. 28.—(Special Telegram to The Bee.)—The most extensive real estate deal ever recorded in this county was consummated today, whereby John Gibson, president of the Iowa State Savings bank, sold his handsome farm of 1,500 acres, three miles east of this city, for \$30,000. Dora Bros. of Des Moines are the purchasers. They will establish here in the near future the largest sheep ranch in Iowa.

Thinks His Reputation Injured.

MERRICK, Neb., Jan. 28.—(Special Telegram to The Bee.)—Suits were begun today against the Montezuma Republican by N. L. Likens of Barnes City for \$4,000 damages alleged to have been done by reason of an article published in the paper last August.

DRS. BETTS & BETTS.

In the scientific treatment and successful cure of over 80,000 cases of those NERVOUS, CHRONIC AND PRIVATE DISEASES which are so formidable to the medical profession in general.

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HOW TO CURE LA GRIPPE.

DR. SCHENCK'S MANJARA PILLS.

SCHENCK'S SAAWOOD TONIC.

SCHENCK'S PULMONIC SYRUP.

THE ONLY CURE FOR NERVOUS PROSTRATION, NEURALGIA, HEADACHE, MIGRAINE, BRUISES, SWELLINGS, RHEUMATISM, GOUT, GRAVEL, CALCULI, AND ALL OTHER NERVOUS AFFECTIONS.

DR. SCHENCK'S 5 A.M. HORSE BLANKETS ARE THE STRONGEST.

CUBEB COUGH CURE.

ONE MINUTE REMEDY FOR ALL AFFECTIONS OF THE THROAT, LUNGS AND BRONCHIAL TUBES.

AMUSEMENTS.

BOYD'S New Theater.

Stuart Robson.

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