

DORGAN'S UNIQUE DEFENSE

Acceptance of His Vouchers by the State Board Exonerates Him.

PROMPTLY OVERRULED BY THE COURT

Alleged Axtell Hoarder Evidently Greatly Disappointed Over the Result of the Preliminary Hearing—Mrs. Brockway Committed Suicide.

LINCOLN, Oct. 24.—[Special to THE BEE.]—In the district court this morning before Judge Tibbotts the work of securing a jury in the case of the State against John Dorgan for frauds perpetrated against the state was resumed and the twelve men, good and true, were soon in the box. The jurymen are: H. F. Hitchcock, H. W. Crowling, J. H. Spelts, J. W. Lacey, John Stratz, Gus Wittenburg, F. M. Harris, H. W. Lubbers, H. S. Bell, W. Fricko, R. G. Redfield and William Danvers.

The judge announced that during the trial the jury would be kept together in charge of a bailiff. The first witness for the state, in the person of Hon. Eugene Moore, auditor of public accounts, was placed on the stand and sworn. As soon as the attorneys for the state began the work of interrogating the witness Attorney Whedon for the defense arose and interposed an objection to any further proceedings, basing his objection upon the point that the claims presented by Dorgan to the state had been passed upon by members of the State Board of Public Lands and Buildings, and for the purpose of examining the claims the board was sitting as a legally constituted court. His argument was that the claims having been acted upon by the board, it is in judicial capacity, its decision in the matter should stand as long as it had never been appealed from. No appeal having ever been taken, Mr. Whedon argued that the decision could not now be questioned. He claimed further that the defendant cannot now be tried upon the charge of making false representations where such representations have been acted upon by the board and approved.

Mr. Whedon's argument was very elaborate and was supported by many authorities. Mr. Magoon also followed him for the defense and made the admission in his brief that the indictment was defective in that it did not state that the Board of Public Lands and Buildings acted as the agent of the state. Messrs. Woodward and Whedon for the state replied to the objections made by the attorneys for the defense and then the court took a recess in order to allow the judge time in which to examine the law points embraced in the objections.

In the afternoon Judge Tibbotts overruled both objections and the trial proceeded with the witnesses for the state proceeding. The balance of the afternoon was taken up by the examination of Eugene Moore and Dr. Knapp, who was superintendent of the asylum at the time during which the frauds were perpetrated. The witnesses were called merely for the purpose of identifying the warrants paid to Dorgan and of identifying Dorgan's signature to the vouchers.

Rendered a Verdict of Suicide.

The inquest over the remains of Mrs. C. H. Brockway, the young married woman who died by her own hands in this city last evening, was held at the office of Coroner Crin this afternoon, commencing at 2 o'clock. Mrs. Brockway, a lady living across the street from the Brockway residence, was the first witness. She testified that Brockway came to her and stated that his wife had shot herself. She was the first neighbor to go into the room where Mrs. Brockway was lying on the bed. Did not see the revolver until it was found in the bureau drawer.

Reasons for the Crime.

Miss Linnie Dear: You see to the things the best you can, for I don't expect Oris will wake up tonight and when he does I will be sleeping an everlasting sleep. I have lived long enough, dear, when the only thing I was living for is gone, and I would not think of trying to live this life. It seems if he was ever going to stop drinking it was time. It is just about six months since we were married, and this would have been the last thing I would have thought of. We have been happy only for whisky, beer, Goodbye.

Statement of the Husband.

The most important testimony of the inquest was given by Mr. Brockway, the husband of the deceased woman. He testified that he went home about 5 o'clock yesterday afternoon and lay down on the bed. His wife told him that she had taken six morphine tablets and she told him that she was tired of living as they had been. He said to her: "If that is the way you feel, take more morphine and lay down on the bed. He heard his wife say, "My God, have I been the cause of your death, too?" Then he heard her walk across the floor and open the bureau drawer. In another moment he heard the shot. After she shot herself he found the revolver by her right side, as she lay on the bed. He sister came into the door just as the revolver went off. He gave the revolver to a woman who was standing there. Didn't know who she was.

New Order of the Banking Board.

Chief Clerk Towley of the State Banking Board is preparing letters of instruction to all bankers in the state, in accordance with the resolutions adopted by the board at a recent meeting. The resolutions in question are:

Whereas, Certificates of deposit depend upon the terms contained therein, as to the time when due, the amount of interest they draw, when payable, and the nature of the contracts between the depositor and the banker, and

Whereas, It is the opinion of this board that the practice of paying time certificates of deposit before the income due is unwise, inefficient and prejudicial to the best banking principles; therefore

Resolved, That the managing officers of this state and private banks of this state be and the same are hereby instructed to hereafter observe the letter of the contracts and pay no time certificates of deposit before the date they shall become due.

Supreme Court in Session.

The supreme court opened its regular weekly session this morning at 9 o'clock. Howard Kennedy, jr. of Omaha and A. G. Kingsbury of Ponca were admitted to practice before the court. The case of Jones against Nash was dismissed.

In the case of Constock against Cole leave was granted to withdraw the original power of attorney from the record and substitute a copy.

In the case of Sherrin against Gahagen the appellant was allowed twenty days additional time in which to supply the record.

The case of Graf against Ackerman was affirmed on the docket and the case of Dawson against Dawson dismissed. The case of White against Smith was continued and the following cases argued and submitted:

FIGURES FOR REFLECTION

Bank Statements Made During the Panic and After and What They Show.

INTERESTING DECISION FOR RECEIVERS

Bank Affairs Cannot Be Wound Up on the Usual Liability Plan—Binance's Motion for Rent—Halt's Arrest Caused a Surprise.

WASHINGTON BUREAU OF THE BEE, 515 FOURTEENTH STREET, WASHINGTON, Oct. 24.

When the excitement attending the consideration of the silver repeal bill is past and the pain incident to the financial distress is over people will begin to look dispassionately into the causes which led to the recent financial disaster. The interest in prevailing circumstances is too keen and important to warrant dispassionate research, but the time will doubtless come when there will be important morals in the lessons taught by the panic and the efforts which were made to secure success for the unconditional repeal bill.

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What the Records Show.

A comparison of the leading items to be found in the consolidated reports of national banks in a few leading cities, showing the condition of business on July 12 last, which was in the midst of the panic, and October 3 last, argues the point. Experts in figures will find much interest in analyzing and making comparisons in a few important and essential columns of figures taken from certain consolidated bank reports. Your correspondent has collected the aggregated reports of all the national banks in four leading cities, representing as many sections of country and commercial temperatures, for example, New York, Cincinnati, St. Louis and New Orleans. Subjoined are the items from the reports of July and October of this year, which form the leading basis of bankers' computations:

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A MULE'S FATHER

Knows enough to eat grass, and he usually gets the best that's in sight. An ordinary man should know enough to be classed ahead of one of those animals, and it's only a small headed specimen of a man who won't 'look around.'

No such times were ever seen in a clothing sale in Omaha. A \$30,000 stock that will be sold for \$10,000. You'd ought to see the muss that we're in.

But we'll fix it. Going to coase it all out and start new. We're getting it ready. All the 'getting ready' that it needs is to separate the sheep from the goats. Put it in such shape that we know what we are giving you.

We'll have it ready in a day or two. Wait for this stock. It's the biggest thing Hayden Bro's ever offered. 'Frinstance' we have one line of pants that were marked \$2.50. We'll be in luck if we get 75 cents for 'em, but it doesn't make any odds what we get; they go for some price.

When it's ready we'll announce it right in this space. Watch it again tomorrow.

ORIENTAL RUGS From Turkey and Persia. Antique and Modern.

A special offering at very low prices. Doghuston and Ghordes prayer rugs at \$7.50 and \$8.75. Hall and carpet sizes very low. Compare prices before buying. We can save you money. All rugs sold by us can be returned and your money refunded if not entirely satisfactory.

Richard & Wilhelm Medicines and Books. Medicine Cases Filled For \$1, \$2.50 and \$4.

1414-16-18 Douglas St. SHERMAN & McCONNELL, OMAHA, - NEB.

Morse's Cloak Dept. SPECIAL. We are offering this week, ladies' all wool reefer jackets, in clay, diagonal and chevots, half lined; a garment that should sell readily at \$12. we are letting them out at \$8.00.

Misses' long garments, in all wool Scotch mixtures, sizes 12, 14, 16 and 18 years, worth \$12.50; we are letting them out for \$7.50.

Astrachan capes, 20-inch box back, extra quality, cannot be matched for less than \$22; letting them out for \$18.00.

Electric seal capes, 20-inch box back, well worth \$23; letting them out at \$18.00.

THE MORSE DRY GOODS CO. Fine Cooking at Home. Some people think that they cannot prepare the delicate soups and sauces and delicious made dishes which are peculiar to the best French cooking in their homes. But by use of Liebig Company's Extract of Beef

as a stock for Soups, Sauces, Made Dishes, they can be made easily, cheaply, and successfully at home. N. B. Get the genuine LIEBIG COMPANY'S and avoid disappointment. See that the signature of JUSTUS VON LIEBIG is in blue on the jar.