THE OMAHA DAILY BEE: SATURDAY, DECEMBER 10, 1898.

State's Main Witness in the Bechel Case Details the Story.

HOW THE OFFICE BANK WAS CONDUCTED

Charges of Manipulation of Expense Vouchers and Envelopes with Personal Checks and the Like Explained by the Witness.

That Colorado mine in which various exofficials and employes of the Pacific Express company are alleged to be interested figured very prominently in the Bechel hearing before Judge Slabaugh yesterday. Although the interests of A. J. Hunt and W. F. stantly before the jury during the greater part of the afternoon, they have not been permitted to secure a place in the record, but have been made the subject of almost gard to their inadmissibility. So well sustained were the recriminations of the law-

The mining business came in on the crossexamination of Andy Hunt, the principal witness for the state. His testimony went to show that Bechel had received various | Bechel the money.

amounts from the company with the connivance of the witness, some of which had subsequently been made good and others of which had never been paid back. On crossexamination the defense endeavored to show that during the time when these amounts were used Hunt was sending large amounts of money to assist in the development of this mine, some of which represented the various sums which he had asserted went to Bechel. To some extent the testimony was allowed, but every question was vigorously objected to by the county attorney and most of the objections were sustained. The court held that some connection must first be shown between these remittances to Colorado and the identical sums which were alleged to have been appropriated by Bechel. The squabble over this evidence was still on when the court adjourned until Monday morning.

F. M. Powers remained on the stand yesterday morning for cross-examination and he testified that in cases in which employes drew money in savance they receipted for the entire amount when they received their salaries at the end of the month. This he could find. Bechel said: "As far as I of the will. was in apparent rebuttal of the proposition advanced by the state that Bechel's signaadvanced by the state that Bechel's signa-ture on the pay roll was an indication that Bechel said: "See that they are never seen he had drawn his entire salary at the end of the month and that any amounts that he might have received during the month were not advances of salary. The defense endeavored to show that the checks that had been identified on the direct examination were not drawn on the bank in which Hunt kept the money of the company, but the guestion was not allowed.

Andy Hunt on the Stand.

The state then called A. J. Hunt, who testified that he had been employed by the express company from 1880 to 1898, and stated what positions he had held during that period. He took charge of the office bank in April, 1895. He kept money belonging to that account in his own name at both the First National and Commercial National banks. Expense letters were paid exclusively out of this account. He identified the expense envelopes that had been previously offered in evidence, and also Bechel's chirography on each. The general method of handling the expense accounts was illustrated mainly as it had been related by previous witnesses.

previous hearing that Bechel had never The witness said that in 1895 he

HUNT GIVES HIS VERSION These payments did not represent salary and they were paid from the office bank. They were made by checks or cash, but were relative to specific amounts sent at the books the books the books the second s of the company. They were covered up by various times were also knocked out by ob-raising credit letters, as in the case of the jections. expense envelopes. He had never refused to give Bechel money when he asked for it. The accounts of the office bank were kept MORTGAGES ON UNGROWN CROPS. Another Nice Point in Law Raised by a Bank and a Farmer.

in the name of Bechel on the books of the company, while the bank account was kept A case of considerable interest to farmers, in the name of the witness.

Hunt identified the three checks that were offered in evidence on the previous day and said that he had drawn them on the office bank in favor of Bechel. The amounts had never been charged to Bechel and he had never made them good to the

company. At the afternoon session Hunt was ques of a verbal chattel mortgage given on a tioned in regard to the payment of salaries. crop which had not yet been sown. Suth-He testified that he paid the salaries of erland's defense is that there is no mort-Bechel and of all the employes of his degage to foreclose because at the time the partment. They were paid either in checks arrangement was entered into between him Bechel in that connection were almost con- or cash. Advances of salary had been made and Castetter there was nothing to mortto Bechel as frequently as once a month. gage. He had also paid a local building and loan association \$13 a month at Bechel's order, as well as a number of other personal bills. unending arguments between counsel in re- He identified a number of checks on the Commercial National bank as those which he had issued to Bechel on account of salyers on this subject that just before ad- ary and explained the fact that the amounts the utmost courtesy to attorneys that courtesy had reached its limit to a dot. The mining business come is no dot. for Castetter to let him have enough money to purchase new horses, wagons and machinery and to supply him with provisions for his family and seed wheat and oats. Castetter agreed to do this if he would ditor's drafts on the treasury of the company on account of "salary, W. F. B., for refund" and declared that he had paid give him a chattel mortgage on the teams and wagons purchased and his coming crop.

Refunded for a Draft.

amount.

In the case of one draft of \$1,804.25 Bechel had paid back the money in cash This somewhat lax agreement ran along smoothly enough until it was charged that a day or two after the question of a shortsome of the checks drawn by Sutherland age was discussed by President Moraman. on the bank were for other purposes than The payment of the draft was noted on those specified in the agreement. The bank the cash book and the witness had himself refused to let him have any more money and made a corresponding entry on the classification book in order to make the books Castetter in an action got possession of the teams, wagons and implements purchased balance. Otherwise the books would show and foreclosure proceedings were comthat a draft for the amount had been paid, menced on his crop (by this time grown) for which there was no voucher. In reply and his new live stock. to further questioning Hunt said that the draft had been disposed of by a fictitious entry, the effect of which was to decrease Whalen-Kitchen Case Submitted. Judge Scott is to decide the Whalenthe earnings of the company to that Kitchen controversy over Paxton hotel

tock this morning. The witness was then asked in regard to The two Whalen boys now live with their the visit he and Bechel were alleged to mother, Mrs. Lizzie Whalen, at Melrose, have paid to the express office one evening Ia. When Ralph Kitchen died in 1890 he

in December, 1897. He said he met Bechel Peft to each of the two boys, Herbert and by appointment at the Paxton block. They Wallace, \$10,000 worth of stock in the Kitchen Brothers' Hotel company and a 195went to the auditor's office, where they found a number of credit letter stubs and acre farm in Leavenworth county, Kansas. letters. He told Bechel that these were all James B. Kitchen was made the executor can see these contain no evidence against

the chattel mortgage foreclosure sui

Sutherland gave him a promse to this ef-

The particular provision covering this request was that Mr. Kitchen could exercise books to the furnace and burned them up. over to each of them \$10,000 in cash. The This ended the direct examination and stock was in time made over to them, but Mr. Connell took the witness. In reply to their attorney, W. D. Beckett, in whose Bechel had nothing to do with the details friend, has contended that it was not done of the bookkeeping department, while the so until the three years had passed. The witness was chief bookkeeper from 1893 to farm went to Mrs. Whalen. Argument was concluded yesterday after-1897. He admitted that Bechel had never

noon. In behalf of the defendants it was given him any specific instructions in reclaimed by John C. Cowin, their legal repgard to the expense letters that had been offered in evidence. The instructions to resentative, that so long as the spirit of the bequest was carried out the mere item which he had testified on direct examination of time was not material. It was also urged were general instructions to charge expense letters of that character to the refunded ac- during the progress of the case that in the was hanging on the rack in the main court count. These were given a considerable reorganization of the Kitchen Brothers' Hotel company all the parties interested, intime before any of the envelopes now in cluding the Whalen boys, acquiesced. evidence were drawn. In this connection the fact was brought out that at the pre-

Madeline Nichols Gets Damages. The jury in Judge Powell's court returned

Divorce Sults.

verdict yesterday afternoon for the entire sum asked by 12-year-old Madeline Nichols in her action for damages against Thomas When asked if he had not testified on the suit had been brought in the name of the

groceries; hence it did not dawn upon him until he was fairly launched into the grocery business that the Oxford stock was worth only \$700. He therefore brings a counter claim for the difference between the \$700 worth of groceries and the \$1,500 worth of realty title. The case is now in the jury's hands.

Linton Mortgage Case Goes Over.

The Linton mortgage case has gone over until the 28th. Both Mrs. Phoebe R. E. E. under advisement by Judge Powell and a decision may be rendered Monday. It is the obtained with the city. Mr. Linton was the stand for a short while yesterday ernoon, but he was not allowed to go be-

brought by Banker Abram Castetter of youd the record of the trial in Judge Fer-Blair against a young farmer, William Suthguson's court and the eventual appeal to erland, whose place is near that city. The the supreeme court. One of the claims made by the Lintons chief point involved is as to the validity

was that certain San Sebastian nitrate stock had been applied on the £10,000 mortgage given to the English banking concern of Brown, Janson & Co. on the fifty acres west of Hanscom park. His attorneys were anxlous to bring out this point, but Judge Faw-

cett held him down to the record, as no showing could be made of any payments Sutherland is said by Castetter to be indebted to him to a very considerable amount before the last deal. Through a fire he sufsince the case was tried by Judge Fergu-

fered 'the loss of his barn, some horses and The matter will be argued on its merits wagons and various farm machinery and on the 28th and an order will follow in implements. According to the story of the accordance with the judgment of the suhanker Sutherland went to him and arranged preme court.

> Some Criminal Cases Dismissed. Judge Keysor did a little criminal business yesterday. A batch of city cases have been on the docket for some time and City Prosecutor Miller made up his mind they had been there long enough. Thirteen of them were accordingly dismissed on Mr. Miller's motions. The reason given for

this was that the complaining witnesses could not be found and the cases would fall through by default.

Two of the cases were against Kitty Owens, who has been giving the police considerable trouble. She was charged with being an inmate of a questionable place and with assault and battery. The other cases were against Alice Gordon, Georgia Russell, Nell Shannon, Ida Young and Mary King, for various offenses against sound morals; Annie Nelson, for vagrancy; Max Goodman, John Simon and Thomas Firney, for disturbing the peace; Georgia Jackson for the too free use of a pistol, and Loren Porter for assault and battery.

Bringing in Prisoners.

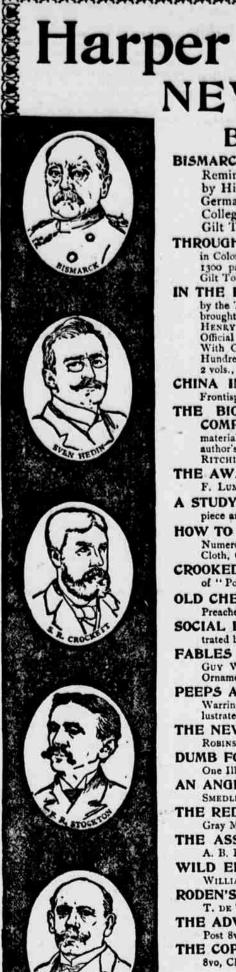
The deputies in the office of Marshal Thummel are beginning to gather in the parties recently indicted by the grand jury. Deputy Allen has returned from the Winnebago reservation, bringing with him James Nobles and John Crow, two Indians charged with introducing liquor upon the reservation and also with selling the same to the Indians. Deputy Ackerman has returned from the option within three years, either of let- the north end of Holt county, having James again." The witness had then taken the ting the boys have the stock or of turning and Fanny Green in custody, both of whom are charged with interfering with the transmission of mail and delaying a mail carrier while engaged in the discharge of his duties. a series of questions Hunt stated that name the suit was brought as their next In this case the road which was usually traveled passed over the land owned by the prisoners. It is said that last fall they refused to permit the mall carrier to travel over this particular road.

> Juror's Overcoat Stolen. Joseph Kelsey, one of the jurors in the McCarty case, on trial in United States court, is minus an overcoat. The garment

> room yesterday and when he went to get it at the evening recess it was gone. Mr. Kelsey is of the opinion that some thief picked up the coat and took it with him when he left the room.

Ignored the License Law. Deputy Marshal Keim came in from Auburn last night, bringing Bernard Dourch-Murray of South Omaha, namely, \$500. The kolb, indicted on the charge of having sold suit had been brought in the name of the girl's father, John C. Nichols, a Union Pa-authority from the United States.

Notes of the Courts.



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asked Bechel what he should do with the not recoilect, and added that his memory expense envelopes, as Bechel had drawn was not very good in regard to these trans-on him, and was told to charge them to actions.

the refund account. The effect of this was to reduce the earnings by the company by the amounts charged off. Envelopes from other offices were also charged to the refund account in cases in which a legitimate refund was due those offices. In a general way expenses were charged against the funds to which they belonged, but in the cases of envelopes this was not done, because Bechel had directed the witness to charge them to the re-fund account. The office bank was reimbursed for these items by cash from

the treasury of the company, secured on refund vouchers. These were in the form of credit letters, and in some cases the regularly vouchered amount on the credit letter was raised in order to cover the amount of one of these personal expense envelopes. He declared that these credit letters were raised under instructions from Bechel, but subsequently admitted that he assumed the instructions to raise the credit letters because Bechel had told him to charge the envelopes to the refund account.

Did Not Represent Salary.

Continuing, Hunt swore that the amounts represented by the envelopes drawn on him Bechel were in no case deducted from Bechel's salary. He had not deducted the amounts because he had been instructed to charge them to the refund account. During 1896 and 1897 he had had conversations with Bechel relative to advancing money. Bechel had asked him for money often as once a month he had given it to him. .. often



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Taking the bunch of expense enveloped that had previously figured in the evidence, the witness was asked whether he knew back of the Brown school. what the money was used for. He answered volved. One was a test of a master's liain the negative in each case and stated that, bility for the acts of a servant and the other as far as he knew, it was used for a proper purpose. He admitted that on at least one was the immaturity of the girl in any supposition of contributory negligence. The occasion he had accepted an expense envelope from Bechel on account of his warcourt's instructions on these two points left the whole matter to be settled by the jury. rant for salary as councilman and had sub-On the former Judge Powell said if the sequently taken up the warrant and apdriving of the team at the time of the acciplied the proceeds to offset the expense.

vious hearing Hunt had testified that Bechel

had never given him any specific instruc-

tions. In reply to a question he asserted

that Bechel had instructed him to make

false and fictitious entries in the books.

Burned Them Himself.

Referring to the testimony relative to dethe question of liability would be estabstroying the credit letters, the defense lished, and, as to contributory negligence, again brought up Hunt's testimony on the previous hearing to show that this evidence was brought out on cross-examination and being only 10 years old at the time, her age not otherwise. Hunt stated positively that had to be taken into consideration. the letters had been destroyed by himself and not by Bechel. He had wrapped them in a newspaper in his own office, taken them home and burned them. Bechel was received by divorce circles from a declarain another office when the letters were wrapped up.

tion made by Judge Scott yesterday after oon remains to be seen. The evidence in In regard to the fictitious entry of \$1,804.25 the action of Jessie McKnight against

in the classification book, the witness ad-George W. McKnight was being taken. Mrs. mitted that he had made the entry of his McKnight told how her husband had illown accord. He had never received instructreated her while they lived on Forty-second tions to that effect from Bechel. He enstreet near Pierce, and that he had failed tered the amount as \$1,891.75, or in excess to contribute to her support for going on of the draft. In reply to direct questions two years and had finally been sent to the he said that he knew that it was a wrongful penitentiary for counterfeiting. The judge entry, that he had made it himself and then turned to a male witness and asked: that Bechel had nothing to do with it. He had given the money to Bechel in amounts of \$660, \$400 and \$800, had not taken a receipt or made an entry of any sort, either on the books of the company or his own this court that if any man slaps his wife

private books. In this connection the deshe is entitled to a divorce." The Mcfense emphasized the statement of the wit- McKnights were married in this city nine nees that the funds of the office bank were deposited in his name and Bechel could not draw out a dollar himself. Hunt's testimony in the preliminary hearyears ago. Minnie Lewis was also allowed a divorce from Noah Lewis for cruelty and nonsup-

port. Her husband was a barber. Their marriage occurred in Council Bluffs three ing was again invoked, and he said that at that time he had testified that the \$400 draft was drawn by himself, signed and endorsed by himself and the money drawn by himself without Bechel's knowledge, and that he could have used the money to pay his grocery or meat bills and the amount would have been charged against Bechel on the books of the express company.

Hunt's Personal Account. The defense then attacked Hunt's statement that the funds of the office bank were kept in two banks. It brought out the admission from the witness that he drew checks for his grocery bills or for other personal expenditures on the Commercial cery stock. Mrs. Oxford brought an action bank and never on the First National bank. He further stated that the checks he had drawn in favor of Bechel were drawn on the Commercial National account and there was nothing to show that they had any connection with the business of the company. Mr. Connell tried to induce Hunt to admit that he had given Bechel these checks to be applied on a mining scheme in Colorado in which they were mutually interested, but the only answer he could get was that he did not know. He admitted that he was interested in the mine, but denied that Bechel had taken the checks on his representation that he had

noney coming soon from the estate of a

relative. The defense then went into the mining affair at some length. Hunt said that the enterprise was known as the Lucy Mining and Milling company, of which Bechel was president, G. F. Gardner vice president and himself secretary and treasurer. He had told Bechel that he could obtain money from an aunt, but had not added that he was willing to use the money to develop the mine if one-third of the stock were turned over to him. The query whether he had not in an office in Denver said in the CAN FRANCISCO, Col. presence of certain witnesses that he had put \$14,000 or \$15,000 in the mine, that he

done enything of the kind, he said he could cific passenger brakeman, and the damages not recollect, and added that his memory were claimed because of injuries suffered by the girl on account of one of Murray's Notice has been given that the action of teams running into her in April, two years

Henry Coombs to test the garbage contract ago, while it was being driven by one of between the city and Alexander MacDonhis men, Smith Garland, through an alley ald will be called up before Judge Scott this morning. There were two important questions in-

Judge Scott will call up the International dining hall case for final determination this morning. This is the case of the restaurant near the exposition that went into the hands of a receiver and over which three sets of creditors have been fighting.

A temporary injunction, until further orders of the court, was granted to the Riley-Hubbard company against the Automatic dent was found to have been within the Gas Lamp company and others yesterday to scope of Garland's employment by Murray prevent the sale of territory claimed by the plaintiff concern.

A. C. Raymer has been awarded a judgmaturity and a certain degree of intelligence ment by Justice Foster for \$115.64 against would have to be presupposed. The girl the German Village company and Joseph L. Baker and John C. Whipple. The amount representes a hardware bill.

J. J. Gibson has filed a complaint against William C. Dickey for having failed to file a certificate of copartnership according to the provisions of the law. A hearing will be had next week in Justice Foster's court. Whether any alarming stimulus will be

> Shurig Gets a Diploma. City Electrician Shurig has been presented with a diploma and medal by the Transwith a diploma and medal by the trans-mississippi Exposition company for the work he did last summer on the exposition grounds. Both medal and diploma state that they were awarded "for valuable services." The city electrician consequently porsesses the only exposition medal aworded to any city official.

Overcome evil with good. Overcome your coughs and colds with One Minute Cough Cures. It is so good children cry for it. It cures croup, bronchitis, pneumonia, grippe and all throat and lung diseases. What do you know about it?" "I know that he slapped this woman," the witness answered. "Decree, cruelty and nonsup-port," thundered the judge; "it is a rule of

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WORKED WELL WITH THE COUNTERFEITERS

Agent of the Secret Service Gets in with the Coiners and Does a Good Business Until the Time for Arrest Arrives.

who could be trusted and who wanted some The trial of the case of the United States of the spurious cain to take into Iowa. against John McCarty and John Brown was Twelve of the bad dollars were delivered, resumed befre Judge Munger and a jury in Donnela paying for the same the sum of he United States court, with Austin V. Burk \$3. At this meeting it was arranged that Mcstill on the stand. Upon the convening of Carty and Brown should bring up another court, the attorneys for the defendants lot on the following Saturday. Donnela, who moved to strike out the testimony of the had been introduced as Roth, an ex-convict witness, alleging that having been convicted suggesting that he could use at least fifty of crime and sentenced to a term in the United States penitentiary, he could not be of the counterfeit dollars. At this time McCarty cautioned Donnela about going into given credence. Assistant United States At-Iowa, saying, "They give counterfeiters orney Rush, for the government, explained that while it was true that Burk had been h-ll over there."

sent to the penitentiary, he had been pardoned by President McKinley and restored to premises, near Bellevue, and asked for more citizenship. It seems that some years ago Burk was ac-

Kodaks,

Gifts.

counterfeit coin, saying he was getting rid ing. of that he had previously purchased. To quainted with a counterfeiter. This man left the state and afterward wrote to Burk, rethis McCarty and Brown replied that they questing him to go to a certain place and had none of the counterfeit coin on hand, secure the tools used in making the bad into a clump of willows, 150 or 200 yards from McCarty's house, where they started Burk. a fire and melted up a lot of material

pleaded guilty and received his sentence. The motion to strike was overruled. Donnels Gets in the Game.

made fifteen of these dollars, which were turned over to the witness, and which were identified by him while on the witness Witness testified that on June 16 of the stand. In giving his testimony Burk present year, while in the employment of stated that Brown plated the bad dollars the government, he visited John McCarthy's by dipping them in a solution, and then home in Sarpy county, and there was shown rubbing them down to give them the rethe dies and plant for making counterfeit quired polish and genuine appearance. money. The next day he said he bought a quantity of coin from John McCarty and

When the Arrest Was Made. On June 25, 1898, both John McCarty and that the delivery was made at a saloon at John Brown were arrested at a saloon at Twenty-fourth and L streets, South Omaha. Twenty-fourth and F streets, South Omaha. Upon this occasion Agent Donnela of the An arrangement had been made by which United States secret service department was Burk was to meet them there on that day introduced to McCarty and Brown as a man and a further arrangement had been made between other secret service men and the Omaha police that the two men were to be arrested when the signal was given. The two alleged counterfeiters drove up to the saloon and were greeted by Burk, who invited them into the saloon to take a drink. When once inside they were arrested and brought to this city. After the arrest the witness testified that he, with other officers, drove to the McCarty home, searched the house and found a lot of plaster and metal, after which they went to the brush, where the counterfeit money had been previously On June 23 Burk testified that, acting made, and there, buried in the sand, found under instructions, he visited the McCarty the dies and other implements used in coin-

finishing. While there McCarty and Brown

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MARKAN

At the afternoon session of court the cross-examination of Burk was concluded and S. A. Donnela called by the United but would make some, whereupon they in- States. He recited the facts in connection vited Burk to go along, and conducted him with the arrest of John McCarty and John Brown, corroborating the evidence given by

Musical treat Schlitz's cafe tonight.

Speaking About Christmas-

And Christmas presents-there are some things that are better than others -Drex L. Shooman feels sure that boys' shoes are about the most sensible gifts for boys-more sensible than usual w...en they come from our store-the best \$1.50 shoe we've ever sold is the genuine calf solid soled school shoe that we offer this winter-better than ever-the little toes never get cold with these shoes on and the little feet can't kick them out with ordinary wear-come and select your souvenirs now while the assortment is complete-a new lot just received.

Drexel Shoe Co.,

Omaha's Up-to-date Shee House. **1419 FARNAM STREET.**

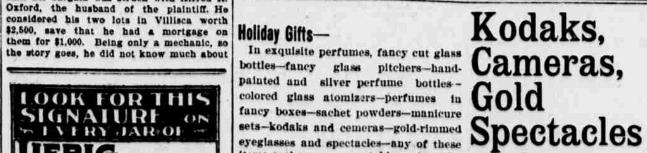
Carving Sets-

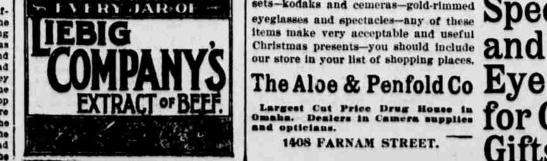
It's getting close to Christmas-giving time and nothing can make a more appropriate gift than a carving set-the big assortment we are showing at this time gives you the opportunity of selecting just what you want at the price you want to pay-stag-silver and pearl handle sets-put up in beautiful cases-then there is our line of cutlery-hundreds of different styles from the 5-cent knife up -scissors' sets in cases-razors in cases -safety razors, etc., etc .- A special discount of 10 per cent on the Jewell heat-The Aloe & Penfold Co Eye Glasses ing stoves this week. A. C. RAYMER.

WE DELIVER YOUR PURCHASE 1514 Farnam St,









Traded Real Estate for Groceries. Over a day of Judge Baker's time has been consumed in the trial of a case involving the proprietorship of a South Park avenue grocery stock and the title to two lots in Villisca, an Iowa town. The suit arose out of a deal entered into Stools, scarfs, covers in great variety. a year ago between Martha J. Oxford and James E. Rail by which Rail was to swap

his lowa real estate for Mrs. Oxford's groin a justice court to recover on a chattel mortgage given her by Rail and the case eventually found its way into the district

years ago. She has an 8-year-old son by a

former husband, but she said she did not

know what had become of the boy.

court. According to the representations made by Rail his bargain was struck with Alfred R.

\$2,500, save that he had a mortgage on Holiday Gifts-In exquisite perfumes, fancy cut glass bottles-fancy glass pitchers-hand- Cameras,