

HUNT'S TALE FINALLY TOLD

Main Witness for State in Bechel Case Gets Through at Last.

DEFENSE TANGLES HIM UP CONSIDERABLY

Severe Cross-Examination Breaks Down Much of the Force of His Testimony—Redirect to Brace Up His Weak Points.

The Bechel embezzlement case is not proving the spectacular attraction that spectators anticipated. Aside from a few lively verbal conflicts between attorneys and some intervals of furious cross-examination by the attorney for the defense, there has been little to interest the lobby. The testimony is limited generally to a few basic points and this ground has been covered with so many repetitions that very few new facts are now elicited.

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After Hunt had left the stand Mr. Connell moved to his entire testimony as stricken from the record for the reasons that it was incompetent and that since he had refused to answer various questions on cross-examination on the plea that he might incriminate himself, the defendant had been deprived of his right to have the entire facts brought out in court. The motion was promptly overruled.

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He did not know of his own knowledge that any rebates were paid by the express company. No expense envelopes were ever drawn on his personal account of rebates. He knew of no reason why they should be charged to refund aside from the fact that Bechel had instructed him to do so.

He knew nothing of Bechel's business. The state then endeavored to prove that Bechel was interested in various Colorado mining properties in addition to the Armitage, but the witness was unable to give any information on this point. Bechel had told him that he had invested money in the property of the Lucy Mining and Milling company, but he had not stated the amount. Considerable time was occupied in an effort to make it appear that Bechel was somewhat heavily interested in mining operations, but the knowledge of the witness was limited to his connection with the state property in which they were mutually interested.

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The witness was again turned over to the defense and he was made to say that on the occasions on which Bechel had asked him for money he had not stated whether he wanted it for his own use or that of the company. As far as he knew Bechel had never used a dollar of the company's money for his personal use. He was taken over the same ground that was covered the day before with reference to his connection with the mining company, but with no material variation in the results.

Hunt's interest in the case. In the afternoon the defense questioned Hunt closely as to his interest in the case. He admitted that he had taken a decided interest, but denied that he had gone to W. F. Gurley and requested him not to appear in Bechel's defense. His settlement with the company was again brought up for the purpose of showing that this settlement also covered two of the drafts the proceeds of which the defendant was charged with appropriating. He was asked whether it was not true that at the time of the settlement he had received cash and securities in addition to the amount indicated by the statement in evidence. He refused to answer on the ground that it might incriminate himself.

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How the Books were Doctored. The witness detailed the method of the use of credit letters as had been previously indicated. There was nothing in the books to show that any of the money obtained on the three checks drawn by Hunt in favor of Bechel and which had previously figured in the evidence had ever been returned to the company. A great many credit letters were drawn on the treasurer for amounts largely in excess of the amounts authorized by the accounts belonging to these letters. Most of the stubs belonging to these letters had been removed from the files. The effect of making these amounts was to reduce the earnings of the company by the difference between the correct and the fictitious amount and to make the books balance in spite of the shortage. His investigation indicated that the books were made to balance in this way from time to time. This system permitted withdrawals from the office bank to the extent of the amounts by which the letters were raised without affecting the standing of the bank on the books.

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EXPOSITION CONTEMPT CASE

Defense Piling Up Its Showing in Hearing Before Judge Scott.

PRESIDENT AND MANAGERS TESTIFY

Matters Relating to the Contracts Between the Exposition and the Concessions Involved Are Dwelt On at Some Length by Attorneys.

In the exposition contempt case the defense has progressed far enough along today in the testimony of Gordon W. Wattles, president of the exposition, and Manager Reed and Superintendent Wadley of the Department of Concessions. Carroll S. Montgomery, the general counsel, was called yesterday to stand to meet the accusations of Zitoun and the others connected with the All Nations attraction. The examination of Mr. Wattles was not completed until shortly before noon and the court had taken an opportunity of playing a large number of questions at him with reference to the Scott injunction.

Mr. Wattles was asked specifically as to the habeas corpus writ and blanket injunction granted by the other judges. He said he had not favored the granting of the Scott injunction, but, on the contrary, had urged recognition of it. Some of the interrogation had to do with whether the All Nations concern had had a permit to do business at the exposition, "epitaph" proclaimed the music dance from the house tops. Mr. Wattles had never seen dances there that were of the same character as those of which the Cairo outfit made a specialty. The All Nations' dances were given in their own building.

The court tried to get Mr. Wattles to say that if he had seen anything going wrong he would assume his authority as president and have a stop put to it. The purpose of this was to fasten, if possible, on the responsibility for the disregard of the Scott injunction upon Mr. Wattles. In his replies, Mr. Wattles admitted assuming authority in ordinary cases of infractions, but did not see that he was really called upon to personally take after every offense committed by the Cairo people sold liquor over their ban contrary to the terms of the exposition license, all he could do was to note it as a violation of their contract with the exposition, leaving to the proper officers the duty of prosecuting them for offenses against the law.

E. C. Keniston and E. H. Hughes were put on to show that the performances at Cairo were of the muscle, du ventre and couche class of dances, if possible, they were ticket takers and had abundant opportunity to observe the theater performances.

The first thing in the afternoon was for Mr. Montgomery to offer the records of the district court for this county, including the order of adjournment of the court to the October term and the subsequent adjournment on October 3 to November. This was to show that the district court was in vacation during the entire oriental controversy. He also submitted the answer and affidavit of Zitoun and the petition and bond for removal to the federal court. The court would not admit the answer and affidavit of Zitoun and Akoun. Those documents contained a contradiction of the testimony they have given in the present proceeding.

Mr. Montgomery then took the stand to testify in his own behalf. He referred to statements made by Akoun and Zitoun as to the alleged extortion by himself and R. S. Hall of attorneys' fees, and to the fact that they had taken an affidavit of the defendant, in which they had sworn that he had advised them not to mind the Scott injunctions. On either direct or cross-examination Mr. Montgomery went over the whole history of the case. He specifically denied all the charges that he had given the Streets of All Nations people advice to ignore the injunction issued; that he had said "Scott is crazy" or that he had been guilty of any of the things alleged against him by the defendant. He had been guilty of bleeding his clients, Akoun and Zitoun. He explained the deal for attorneys' fees, setting up that he and his conferees in the case had taken nothing but what was due them.

New Divorce Suits. Three new divorce suits were commenced yesterday. George Laudenbach charges his wife, Doris, with infidelity. She was married in New York early in 1895 and subsequently lived in Milwaukee. Mary A. Nelson wants a divorce from Thomas H. Nelson, to whom she was married here in 1895. She is setting her home three years later. Mary Gunderson brings an action against Gunder Gunderson on account of the alleged, of cruelty, assaults and abuse. She was married here in June, 1895. She asks for \$100 alimony.

Court Notes. Louis From, one of the two peddlers run into November 2 at Tenth and Howard streets while they were driving across the street car track in a motor car, was charged with a railway company for \$5,300. Like his companion, he says he was thrown out of the wagon and bruised. A \$5,000 damage suit was brought by a nurse named Mary E. Buregat against the Omaha Coal, Coke and Lime company because of a fall from a scaffold in the sidewalk in front of the Richelieu on Third street November 2. She claims the hole had been left unguarded owing to the company's negligence. A long and heated fight was down into the cellar. One of her limbs was injured.

Dr. Bull's Cough Syrup for hoarseness, loss of voice and sore throat.

MASONIC GRAND BODIES MEET

Busy Day for Members of the Craft Owing to Sessions of Their Different Sections.

Yesterday was a busy day at the Masonic temple in this city and meetings of one sort or another were being held all day and until late in the evening. The most important was the annual meeting of the Grand Council of Select Masters, which in addition to routine business elected the following officers for the ensuing year: John J. Mercer of Omaha, G. M.; D. H. Wheeler of Omaha, D. G. M.; Alfred M. Olson of Omaha, P. C. W.; John S. Harman of Tecumseh, G. T.; W. R. Bowen of Omaha, G. R.; J. D. Stires of Columbus, G. C.; J. A. Grimsion of Schuyler, G. C. G.; Charles H. Wilson, G. C. G.; George J. Spohn, G. S.; Jacob King of Pappillon, G. G.

In the morning a special meeting of the state organization of the Scottish Rite Masons was held for the transaction of business, and in the afternoon the annual meeting of the grand chapter opened. It will continue its sessions all day tomorrow, closing with the election of officers. John J. Mercer of this city, deputy grand high priest, is presiding in the absence of the grand high priest.

Last night the Veteran Masons of the state held a special meeting which was attended by about thirty members. The time was spent largely in a social way, relating reminiscences, eating lunch and smoking cigars.

The Omaha council also held a meeting last night, at which several candidates were taken through the degrees.

Stamps on Checks. Collector Houtz has a letter from N. B. Scott, a commissioner of the revenue, relative to reports which have been in circulation to the effect that a person may draw funds from a bank on a check without a stamp provided the check is payable to himself from his own funds on deposit in the bank. In this letter it is denied that any such device has been made by the department and the commissioner says that

FAITH IN MAJOR'S HONESTY

Grand Army Men and Postoffice Employees Stand by the Accused Watchman.

THEORY OF SELF-DEFENSE IS SUSTAINED

Outcome of the Affair in Which One Man Was Fatally and Two Others Dangerously Stabbed is That No One is Punished.

It is a pretty good thing for Philip Costanzo that he is dead. If he were not it is altogether probable that he would have to undergo trial for his assault on Pedro Mancuso.

Two Italians engaged in a quarrel over a game of cards. One is stabbed to death, the other is both stabbed and shot until his life was in danger and a third, the brother of the dead man, was also seriously stabbed, yet neither of the two survivors has been held for any crime as a result of their preliminary hearing. Both have been acquitted on the ground of self-defense. Several Italians were present at the time the affray occurred and are apparently cognizant of all the facts in the case, but when called to the witness stand they declined to give any testimony that would serve to hold either Charles Costanzo, the brother of the dead man, or Pedro Mancuso, who admits stabbing the Costanzo brothers. Neither of the accused would testify against the other and the assistant county attorney was forced to allow the matter to go that way. The hearing of Mancuso was completed yesterday.

When the hearing was resumed yesterday morning before Judge Gordon, the officers making the arrest of the defendant, Costanzo, Nick Barbatto and Sam Marasca being called to tell what they knew of the case. Detectives Dunn and Davis and Sergeant Wiesenburg testified to the finding of the body in Barbatto's house, the arrest of Costanzo at his home and later the finding of Pedro Mancuso lying on his face at his own home. They knew nothing concerning the actual murder except what they had heard from the principals and witnesses.

The Story of the Little Girl. Angelina Costanzo, the little daughter of Charles Costanzo, was called to the stand. She qualified by her knowledge of an oath she said "If I tell the truth God will take me, and if I lie the devil will get me." She told how the party of men had played cards in her father's house during the afternoon. When they left, some of them went home and one or two over to Nick Barbatto's house. Later she heard a noise in Nick's house resembling that which would be made if several persons were throwing chairs around. Her father and she went over there, the former taking his revolver with him. They saw the persons inside the house in a pile on the floor. Her uncle, Philip Costanzo, was on the bottom. Pedro Mancuso next, then Sam Marasca and Nick Barbatto in the order named. When they got to Sam Marasca went home taking Pedro's revolver with him. Her uncle came out of the house, leaving Mancuso and Barbatto inside.

The witness then related how her uncle had called to Barbatto to give him his cap. Barbatto responded that he would presently. When the door opened she saw Pedro Mancuso come out and stab her uncle three times. The wounded man fell to the ground and was picked up by her father. Then Pedro stabbed her father and stepping on the breast of the dead man who had dropped to the ground again, he turned and ran away.

On cross-examination the little girl did not seem so clear as she was on direct examination. She said her father and herself retired early. In about two hours she heard the noise in the adjoining house, which sounded like a struggle was in progress. She and her father went over in their bare feet and stood outside the door of Barbatto's place. Her uncle came out, but it was so dark she could not see who stabbed him. When he fell part of his body was inside of the house and part outside. Then her father shot Pedro Mancuso.

Nature of the Stab Wounds. Dr. Henry B. Wilson examined the body of the dead man. He deposed that he found two wounds. One slight wound, a mere scratch, was found in the abdomen. The wound which caused his death punctured the aorta and entered the right chamber of the heart. Under ordinary circumstances death from such a wound would be instantaneous. In any event it would occur within from one to five minutes after the wound was inflicted.

Detective M. F. Dempsey stated that he had found the defendant at his home, 2008 Poppleton avenue, with several wounds on his person. He asked him for particulars concerning the affray and was told exactly how it occurred. The witness read a written statement, which he said the defendant had dictated at the time, November 24. According to this Mancuso said he had engaged in a game of cards with Philip Costanzo. An error occurred in the dealing and Costanzo claimed the money. The defendant called Costanzo a thief and said he had no right to take the money as he had. Mancuso drew a revolver and Costanzo a knife. Finally each put down his weapon and the game was resumed. Mancuso took the defendant's revolver and went home. Suddenly Costanzo jumped up and grabbed Mancuso. He bit the defendant on the forehead and stabbed him twice on the arm. They struggled toward the

vicinity of the Thurston Rites. The Ladies' Auxiliary society is on active duty this month. It gave a large party reception the first week in December, at which birthday bags were opened (after the program of the month) and the money for the ward payment of the indebtedness. On the morning of December 9 the women called through the Omaha National bank \$100 to pay for the Christmas dinner. In order to provide some necessary furnishings for the armory and to add to a fund for extra rates for the boys, the arrival in five trunks of the women will give a dinner and supper at the corner of Seventeenth and Douglas streets, on Saturday afternoon. The Thurston Rites, a group of young women, and the women, sisters and sweethearts, will be glad to see all the friends of the Thurston Rites upon the occasion mentioned.

VICTIM OF LUETGERT CASE

Police Officer Dying as the Result of Handling a Poisonous Bone Used in Evidence.

CHICAGO, Dec. 14.—The seamstress that sent Adolph Luetgert to a felon's cell for life has laid Captain William F. Knoeb on a bed of pain from which he may never rise. Luetgert was the victim by the evidence this tiny osseous particle constituted, while Captain Knoeb has been felled by the virus that clung to its scaly sides. The serious ailment that has kept Captain Knoeb confined to his bed for several weeks is pronounced by his physicians to be undulant fever, a disease and the source of it they conclude is clearly discoverable in the malignant little osseous. When the first trial of Luetgert was begun, Captain Knoeb was made custodian of the exhibits in evidence for the prosecution. Among these was the osseous. This piece of bone, no longer than one's finger nail, is said to have been found by the police in the middle vat in Luetgert's sausage factory. This bone was regarded by the state's attorneys as the wife's bone. It was found in the side-vat in New York early in 1895 and subsequently lived in Milwaukee. Mary A. Nelson wants a divorce from Thomas H. Nelson, to whom she was married here in 1895. She is setting her home three years later. Mary Gunderson brings an action against Gunder Gunderson on account of the alleged, of cruelty, assaults and abuse. She was married here in June, 1895. She asks for \$100 alimony.

Death in California Broken. SAN FRANCISCO, Dec. 14.—Reports from nearly all parts of California say that the rain which began falling yesterday and today is the heaviest in years. There was a heavy fall of snow at Dunsmuir, bringing as much joy to the miners as does snow to the farmers in the north. The rain caused much apprehension of an unfavorable season.

PEDRO MANCUSO GETS OFF

Acquitted of the Charge of Killing Phillip Costanzo in a Brawl.

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THE OMAHA DAILY BEE: THURSDAY, DECEMBER 15, 1898.

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Mr. Wetling then testified to the fact that an auditor's draft of \$275.50 of December, 1898, referred to an expense account of \$5.30 from Waunego, Kan. There was nothing to show for what purpose the surplus was used except the charge to "salary account" on the auditor's statement. He also traced the history of the various other drafts, his evidence on these points in no respect differing from what had been brought out during the examination of the previous witness.

In reply to a question he detailed the amounts that had been secured through expense envelopes during various months as follows:

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Parlor Suits—Divans, Easy Chairs, Bookcases, Music Cabinets, Leather Couches, Parlor Tables, Parlor Lamps, Dinner Sets. Lace Curtains—Portieres, Ladies' Desks, Onyx Tables, Secreraries, Sideboards, Chiffoniers, Hat Racks. Please bear in mind that in making your purchases of us you get just what you buy and every article will prove just as represented, or you can have your money back; you don't take any chance here. Weekly or Monthly Payments—No Extra Charge. The Omaha Furniture & Carpet Company FARNAM ST. BETWEEN 12th & 13th

door and Philip called to his brother Charles for help. Charles fired two shots at the defendant, one of them striking him. After this the defendant took his scissors and stabbed Philip and Charles Costanzo.

Deputy County Attorney Herring then called Charles Costanzo. Judge Helleay, attorney for Costanzo, objected on the ground that his client should not testify against himself, as Mr. Herring desired to ask him just how the shooting occurred. Judge Gordon sustained the objection.

Sergeant Her's testimony was similar to that of the other officers. He identified the scissors used by Mancuso and said that the defendant had told him when he gave him the weapon that he had stabbed Costanzo.

Motion to Dismiss Sustained. The state rested and Judge Bowman moved that the court dismiss the case. He said three questions were to be considered. First, had a crime been committed; second, was there sufficient evidence before the court to justify holding the prisoner for a higher court; third, would he be convicted if bound over. He thought there was so much contradictory testimony among the state's own witnesses that there was little prospect of a conviction. In reality the state had shown that no crime had been committed, as the evidence pointed to the killing of Costanzo in self-defense.

There were also musical selections by Prof. Vafaez and instrumental solos by Messrs. Bernard and Baxter. Captain Hayward was called upon for a short address and the program was concluded with two recitations. It was the first time that members of the new organization have had to become thoroughly acquainted with one another and took advantage of the opportunity. Next Friday evening the new members will unite with the old in giving a dancing party in the armory.

In the auditorium of Unity church last evening there was a social and supper given by the women of the church society. The members of the congregation and their friends met and dined together at 6 o'clock and an hour or two later the tables were cleared away to prepare for the social good time that followed. The guests of the evening who took part in the conversation numbered nearly 100. The entertainment was arranged and managed by the women who are members of Circle No. 4 of the society. They were: Mrs. Fred Sackett, Mrs. W. F. Nelson, Mrs. Parish, Mrs. C. Elliot, Mrs. R. H. Walker, Mrs. H. W. Barnum, Mrs. A. A. Heath and Mrs. E. B. Whitney. By means of the supper a considerable sum of money was raised for the church fund.

The special meeting of the congregation, which was called by the trustees to take place immediately after the social for the discussion of financial matters relating to church work, was postponed until Sunday.

police station for the \$5 which had been taken from his father after his death by the detectives. This was part of the money which caused his father's death.

Merchants' Bean Club Notice. A new rule has been adopted that no person can deposit with a bank three coupons with any one merchant on the same day. HU-CAN? HU-CAN? HU-CAN? HU-CAN?

ENTERTAINMENTS LAST NIGHT

New Thurston Rites Give a Smoker to Get Better Acquainted with Each Other.

The members of the new organization of Thurston Rites met last evening in the armory to enjoy a social smoker and an entertainment arranged by several members of the company who possess unusual dramatic and musical talent. Most of the amusement was furnished by the "Coon" quartet, which was recently organized for the purpose of giving a series of entertainments. The quartet consisted of Howard Johnson, C. F. Hackerberg, Ken Muckley and Dean Thompson. They wore grotesque costumes of variegated calico and the customary amount of burnt cork. Their repertoire was made up of such catchy plantation melodies, which they sang in a manner that earned many recalls.

There were also musical selections by Prof