

CONNELL ANSWERS SUTTON

Accused Attorney Defends Himself from the Charges of Contempt.

QUOTES FROM RECORD IN JUSTIFICATION

Defense Paragraphs Reproduced in Answer and Further Remarks by Court Set Forth to Establish Innocence.

Attorney W. J. Connell appeared Tuesday morning before Judge Sutton in the district court and entered a plea of not guilty to the charge of contempt of court filed against him by County Attorney English...

Attorney Stout, for Mr. Connell, read a motion to quash the information, which was overruled by Judge Sutton. Mr. Connell then turned to the clerk's office with a paper, secured the filing stamp and returned it to Mr. Stout...

Mr. Connell's answer goes into detail. He not only denies the charges of contempt against him, but quotes statements which he alleges were made by the court and which were prejudicial to Connell.

Basis of Contempt Charge. The language of the record on which the contempt charge against Mr. Connell is based is quoted by him from the transcript, as follows:

Q—Now, referring to the entry opposite C. B. Havens & Co. under June 10, 1906, the figures 5 and two ciphers following, what does that mean?

Obj. Overruled and defendant excepted. Mr. Connell—That was a point I wanted to present, your honor, and I don't want to discuss it here, but I want to discuss it in your honor's court...

The Court—You have argued so much law that I thoroughly disagree with that I have kind of lost faith in what you say...

Mr. Connell—I don't want to say that I have lost faith in the court, but I will go to the extreme of saying that I don't think that any law that I could produce to your honor would be much effect.

Mr. Connell—I have got it out of the Nebraska reports, and the supreme court is responsible for this indictment, and I am sure that I am not alone in this. I merely find it and bring it into court.

Objections overruled. Defendant excepted. Controversy Over Witness Griffith. Upon Mr. Griffith being called to the stand objection was made by the county attorney that he had violated the order of the court excluding witnesses from the court room.

The Court—The court made the order and told counsel that order would be enforced. Mr. Connell—I want to show by this witness that he was not present when your honor made that order; that he did not know anything about it; that he never expected to be a witness when he was called, and we wish to state, professionally, to the court on my own part and on behalf of my associate, Mr. Stout, who is here, that we would have to call him as a witness...

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Suppose that Mr. Howell, in place of being on trial for an act in restraint of trade, was on trial for his life, and that this was the only witness by whom he could prove his innocence, and the witness has violated the order of the court, is it possible that he must be denied the right to present his testimony, and go upon the executioner's block, and so upon the executioner's block, and so upon the executioner's block...

Controversy During Final Argument. During the final argument to the jury, while W. J. Connell, county attorney, defendant, was addressing the jury and was making reference to the time when the constitution and bylaws of the Omaha Gold exchange were adopted and that if the same were in violation of law, the act of adopting them was more than sufficient to warrant the court in its finding of contempt, and in that connection he turned toward the court and said: "Your honor, I am going to find out if this court is not going to permit that any more."

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The young man is accused of holding up and robbing Julius Waxenberg and James O'Hanlon on the night of January 8; Mrs. Jane P. Rockefeller, 2603 St. Mary's avenue, at her home December 20, and August Wolf, Martin Tibke and Jacob Theilke in Wolf's saloon, on the West Dodge street road, December 20, of holding up and robbing George Barker the night of December 20, as well as half a dozen burglaries and other crimes, appeared to be eager to talk, although he had maintained absolute silence to the police.

"Identifications don't amount to anything," said Reynolds. "That is the flimsiest kind of evidence on which to convict a man of any crime, and those people were positively mistaken in saying that I am guilty of any criminal acts toward them. Anyone is liable to make a mistake in identifying a person, and those people accuse me of so much crime that I am expecting to find the right man and, of course, said I was the man, even though they weren't sure. I never committed one crime in Omaha or elsewhere and, in fact, don't even know of half of the crimes of which I am accused."

Not Sure About Alibi. "I don't know whether I shall attempt the alibi method or not, for I don't know where I was when the crimes were committed with which I am charged. I have lived in Omaha twenty years and am now 23 years of age. I attended the Farman street school for several years, but did not have the chance of attending the high school, as I had to earn my own living. No, I never learned a trade, but have supported myself by honest work at different jobs. My father is well known here. He is a railroad man and has been in and out of Omaha for several years. I don't care to say anything about my relatives except that my father has been here to see me several times and will stand by me in this trouble."

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TIP FOR TRUANT OFFICERS

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"I hope further action will not be necessary to impress upon the minds of truant officers just exactly what their duty is in the matter of treating with children who play truant," said a member of the Board of Education, in referring to the action taken by the board Monday night.

"We adopted the committee's report, which outlines definitely and explicitly the bounds to which truant officers may go, and they will do well to persist in going any further than those bounds. The report plainly says no truant officer is to arrest children, the juvenile law, to arrest children. He may enforce the compulsory educational law as against parents or guardians, but not against children. He may apprehend a child and convey it to its parents or guardian, but he may not arrest the child. That is the point which every truant officer will do well to bear that point in mind."

Certain members of the board have determined they will see to it that truant officers shall not in the future usurp powers and functions which the law does not give them. "Unwarranted" commissions, which has caused an endless amount of trouble, they declare, must stop, one way or the other. Arrests of children and placing them in the Detention home without first taking them to their parents will not be tolerated longer.

NASH TO MAKE BIG OUTLAY

Authorized to Spend Three Hundred Thousand Dollars on Electric Plant.

F. A. Nash, general agent of the Milwaukee railroad and president of the Omaha Electric Light and Power company, has returned from a trip to New York, where he went for a conference with the eastern directors of the company. He brings the report that he is authorized to spend \$300,000 on the Omaha plant this year in enlarging the boilers and putting in additional machinery, including another larger turbine engine similar to the one which was installed last year. New lines will be built and some of the old ones rebuilt and extended.

"Our plant is again in normal condition and we have completed the expenditure of \$250,000 which was authorized for last year," said Mr. Nash, "and are now going to spend \$300,000 more in making the plant as complete as possible." "I found a marked change in the sentiment of the east toward the west, and Omaha in particular, which is now looked upon as one of the most prosperous and thriving cities in the country. I heard more of Omaha in a day in New York on this trip than I used to hear in a month."

DOWNTOWN BRICKS GO UP

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The small brick buildings on the sixty-six feet east of the Patterson block, on Farman street, between Sixteenth and Seventeenth, are to be enlarged this spring to twice their present size. The contractor, who has charge of the property for George Warren Smith, is having plans prepared for an extension of these buildings to a point ninety feet back from the street. At present they extend back about half that distance.

The Alton-Brewing association, which is contemplating the erection of a building at the southwest corner of Twenty-fourth and Leavenworth streets. It probably will be a three-story structure for saloon, stores and rooming house purposes.

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