

ABBIE RICE TELLS OF BABY

Letter Read at Insurance Hearing Develops Entirely New Point.

WOMAN FAILS TO SECURE BOND

Cannot Get Thousand-Dollar Security and Must Remain in Jail as a Witness in the Davis Trial.

An information formally charging Charles E. Davis with the murder of Dr. Frederick Rustin on the morning of September 2 was filed in district court by County Attorney English Friday. The information contains but one count, charging murder with "premeditated malice," and conforms closely to the complaint filed in police court some time ago upon which Davis was bound over to the district court.

An effort by Attorney T. J. Mahoney for Mrs. Frederick Rustin, to uncover the identity of a man who visited Mrs. Abbie Rice, chief witness in the Rustin shooting mystery, when she was in Clarkson hospital for treatment last February was one of the principal features of the hearing asked by the accident insurance companies which was held before Judge Sutton of the district court Friday morning.

The hearing was devoid of sensation and was exceedingly formal, all the questions having been reduced to writing in advance. It was held at the request of the three accident insurance companies in which Dr. Rustin carried policies in order to preserve the evidence in such shape that it could be used in case Mrs. Rustin started suit against the companies to collect the face of the policies.

Don't Want to Embarrass Him. "Mr. Davis is under bond to appear in court and we can get him when we want him," said Mr. Breckenridge. "We have no desire to force a man who is charged with a capital offense to appear and give evidence that may embarrass him in his trial. We will insist on his being here, probably, until after his trial. Then if it should be necessary we can call him."

W. F. Gurley, Davis' attorney, was present, but took no part in the proceedings. A small audience, made up largely of women, listened intently to the evidence.

The first part of Mrs. Rice's evidence concerned her coming to Omaha and her relations with Dr. Rustin.

"State whether or not at any time Dr. Rustin asked you to kill him or to put an end to his life or to help him to take it."

"He asked me to kill him about a month before he died at his office, which I didn't do. Then we talked about it in his barn at his residence, and he insisted that I kill him, but I didn't. He asked me to shoot him in the abdomen one night in his office."

"State whether or not the said Dr. Frederick Rustin at any time ever told you of any attempts which he had made upon his own life, and, if so, state the time and place and circumstances under which he made such statement."

Injected Typhoid Germs.

"He told me about injecting typhoid germs about three years ago one time at the office shortly after he had injected something about trying to inoculate himself with lockjaw germs."

The next question referred to conversations in which the doctor had told her about his financial affairs and the payment of his debts out of the insurance money.

"He spoke about his indebtedness," said Mrs. Rice. "He referred to a note at the bank which was due, of owing bills to doctors here in town and of other small debts and he said he believed these debts could be paid with his insurance money."

State whether or not you had any conversation with Dr. Rustin on or about September 1, 1908, of the purpose or to the effect that he intended to bring his life to an end or to cause it to be brought to an end with the assistance of any others than himself, and if so what was said by either or both of you.

Opposed to Suicide.

Dr. Rustin did not want to commit suicide," said the witness in response to another question. "He wanted his death accomplished in such a manner it would not be suicide, so that his family would get the insurance. I had a conversation with him in which he said a certain party that wanted to end his own life would shoot him in the abdomen near his home in the West Farnam district."

Mr. Mahoney, for Mrs. Rustin, submitted a long list of questions in cross-examination, which he read to the witness one by one. Like the questions in chief, they were all written. They went into Mrs. Rice's history before she met Dr. Rustin in some detail and many of them were aimed at her character. Mrs. Rice answered them all with apparent frankness. She admitted she had lived under a number of names and that she could not remember them all. Referring to a previous answer, in which she said Dr. Rustin had given her a check for \$500, Mr. Mahoney asked:

"When did Dr. Rustin first begin giving you checks?"

"The only check I received was the one for \$500 he gave me a few days before he died."

"How often and when did he give you money?"

"He gave me money in small amounts when I asked for it."

Visit Nearly Every Day.

"During July and August how often did you visit Dr. Rustin's office?"

"Nearly every day, I guess."

"Were you ever accompanied by a male friend?"

"No."

"In August, 1908, during the absence of Mrs. Rustin, did you take dinner at the Rustin home in company with a bartender posing as your husband?"

"I did."

"Did you not, about September 1, find he had no funds with which to pay this check?"

"I only knew what he told me about having no funds in the bank."

Mrs. Rice admitted getting small amounts of money from Dr. Rustin.

"Did you learn he had insurance money enough to pay his debts?"

"Yes."

"Did you learn this before or after getting this check for \$500?"

"I knew it for some time."

Mrs. Rice Speaks of Baby.

Mr. Mahoney then read a letter from

FALL OPENING



The Autumn Season is at hand—the Woodland Elfs have brought forth the golden key to unlock the doors of Fall, and we signalize the arrival of the new business season by holding a

Grand Fall Opening Celebration

We request the people of Omaha and vicinity to join with us today in celebrating an important event in the history of this business enterprise. We promise to make it an occasion long to be remembered—a pleasant affair for every person who attends. We have arranged a fall opening celebration which will serve as a fitting expression of our grateful appreciation of the generous patronage you have given us.

Splendid Music—Beautiful Souvenirs—Handsome Decorations

We have planned for your entertainment and we want you to be with us—we want you to see this store in gala attire—specially arranged and decorated for this brilliant affair. We want you to get one of these handsome souvenirs and we want you to enjoy the rare musical treat that is to be given by these well known and popular music makers of Omaha. Again we say to you

BE WITH US TODAY

SOUVENIRS



Every lady who calls at this store tomorrow between the hours of 9 a. m. and 12 M., 2 and 5 p. m. and 7 and 9 p. m., will receive a very handsome souvenir. This souvenir is a very beautiful footed preserve and bon bon dish. It is made of brilliant pressed cut glass in a beautiful press-cut pattern. It's a large dish measuring 6 1/2 inches long and over 4 inches wide. Permit us to present you with one tomorrow.

Grand Concert

By Fairbrother Band Forenoon -- Afternoon and Evening

Special Program, Including All the Popular Airs of the Day. Also Classic Selections of note. A RARE MUSICAL TREAT IS PROMISED.

You've Helped Us Score A Brilliant Success

You've favored us with a volume of business that far exceeded our greatest expectations. You have shown us that you appreciate the fact that we brought you lower prices than were ever known in Omaha before we came; that we brought you better and more generous credit service than was ever given to the people of this progressive city before the opening of this store. Even during the recent months, while other stores were complaining of business depression, you have kept us more than busy. For your demonstration of appreciation we thank you. Permit us to express our thanks to you IN PERSON TODAY.

This Store Stands Today A Monument of Progressiveness and Enterprise

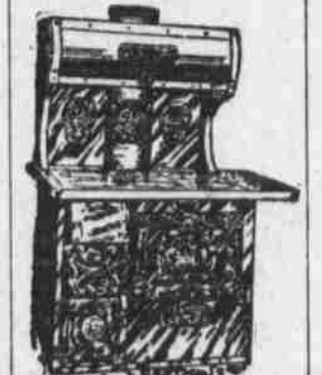
It stands as one of the leading retail establishments of Omaha; an enterprise that is a credit to this metropolitan city. As we consider our brilliant success in the past and contemplate an even greater success in the future, we are naturally filled with a feeling of gratitude to the people of Omaha who have made this success possible. With this grateful feeling dominating our actions we have determined to make this fall opening one of the most rousing celebrations ever held in the history of this great business enterprise.

FALL OPENING SPECIALS

One of the most attractive features of this Fall Opening celebration will be a vigorous campaign of price cutting. We're going to mark everything on display at prices that are bound to astonish and amaze every caller. We're determined to break all past bargain records. If you have a single want in the line of homefurnishings supply it TODAY. If it's a home outfit you certainly ought to take advantage of extensive reductions made during this extraordinary trade event.



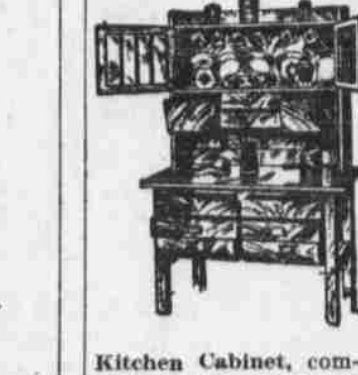
Oak Heaters, heavy castings, durable nickel trimmed. Big heater. 4.98 Bargain price.



Large Steel Range — Complete with high warming closet, have six 8-inch holes, large oven and elegant nickel trimmings — special price for this sale. 26.75



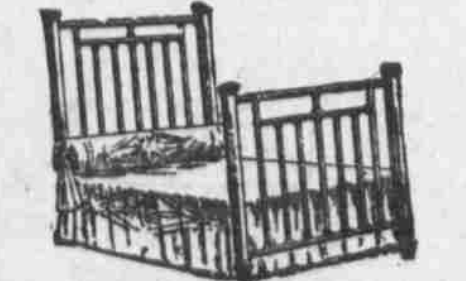
SPLENDID RUG VALUES 500 Brussels Rugs, Size 27x54 inches. Most beautiful patterns. Very durable rug. Spec. 1.25. 500 Heavy Velvet Rugs, Size 27x54 inches. High pile rug. The handsomest patterns of the present season. 2.55. 400 Beautiful Reversible Bengal Rugs. The most wonderful value ever offered. Size 6x9 feet. 4.85. 105 Handsome Brussels Rugs, Size 9x11 feet. They are well worth \$20.00. 11.55. 700 Reversible Bengal Rugs, in size 6x12, worth fully double our special sale price. 7.45. Choice of the lot. 7.50. 500 Heavy Brussels Rugs, Size 6x9 feet. Firmly woven and very durable. Tremendous values. 6.95. 500 Heavy Wilton Velvet Rugs, Size 6x9 feet. Most beautiful patterns. Price about 9.95 half value. 4.95. 100 Heavy Velvet Rugs, Size 9x11 feet. Extra high pile, all new fall patterns. 16.75 at



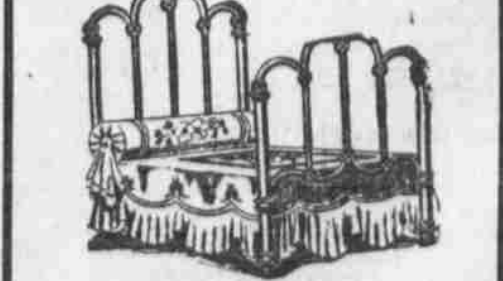
Kitchen Cabinet, complete with drawers, bins and sliding bread board, made in walnut finish. Large and roomy cupboard — a cabinet that cannot be duplicated in Omaha at the price. 9.68



Large Base Burner, of elaborate design, hot air flues, automatic feed, large coal magazine. 21.75 at.



Brass Bed Special, a very pleasing design and most substantial bed, heavily lacquered and guaranteed for 10 years—the biggest bargain in Omaha, price 19.50



Iron Beds, with handsome decorations. All sizes and colors, very artistic, well constructed, beds heavily enameled, sale price. 21.5 at.

HARTMAN'S 1414-1416-1418 DOUGLAS ST.

Mrs. Rice to Dr. Rustin, in which reference is made of her baby and her husband. This letter had never been introduced before, and it was the first intimation that Mrs. Rice had a child. The letter, which Mrs. Rice admitted she wrote, is as follows: OMAHA, Neb., April 7, 1908.—Dear Dr. Rustin: I want to thank you for your kindness to me. The operation has proved very successful and I am feeling much better than I have felt for two years. My baby is doing nicely and growing very fast. My husband joins me in sending his best regards. Wishing you success

in all your undertakings, I am, sincerely yours, MRS. L. A. RICE. In one corner of the letter are the words, "Polly, 4 o'clock." Mr. Mahoney then went into detail as to statements alleged to have been made by Mrs. Rice to the police and to reporters, in which she stated she did not believe Dr. Rustin killed himself. She said she could not remember just what she did say to the reporters. "When you were in Clarkson hospital there was one man besides Dr. Rustin who

visited you frequently, was there not?" "I did." At the close of the hearing Mrs. Rice said she did not think she would be able to give the bond of \$1,000 required of her by the police court. Unless she furnishes the bond she will have to remain in jail. "I am not a mother, never was, and that talk between Dr. Rustin and me about my baby was all a joke," said Mrs. Rice down at the city jail after her appearance in district court. "We used to have that as a joke between us. That's all there is to that."

MILITARY TOURNEY FOR KING New Feature Suggested by Popularity of Second Cavalry and Sixteenth Regiments. In view of success and enthusiasm created by the presence of the Second United States Cavalry and Sixteenth United States Infantry in the big daylight parade of Tuesday, the Ak-Sar-Bon Board of Governors has decided to take up the matter of a grand military tournament in Omaha next year.

during, and in connection with the Ak-Sar-Bon festival. These great tournaments have been held for two years at St. Joseph, with about 3,500 troops of the regular army participating. These included all branches of the service, artillery, cavalry, infantry, signal and engineer corps. The officers at the Department of the Missouri headquarters look with much favor on the plan and are confident that it could be made a great success at Omaha. Boost your business with Bee Want Ads.