

Council Bluffs

PLAYS TO WIN AND LOSES

John Hermelbrecht Thought He Could Beat the Mabray Game.

THAT'S WHY HE WENT AFTER IT

So He Tells in Court Where the Matter of His Five Thousand Dollars is Charged Up to Frank Scott.

He played to win and lost. "I went straight home and tells me fraud dot I loose \$5,000," declared John Hermelbrecht, a Bluffs farmer, complaining witness against Frank Scott, on trial in district court at Council Bluffs, charged with larceny as a stevedore for the Mabray game, which is alleged to have miked the innocent German by a fake horse race.

Hermelbrecht was the first witness called when the state began the taking of testimony. Hermelbrecht told his story with the same frankness that he did as a witness against John R. Dobbins in the notable case brought by T. W. Bell, the millionaire banker-mike from Princeton, Mo. To those in the court room who had heard the Dobbins trial there was a very apparent change in his attitude.

The defense did not overlook the point brought out in the Dobbins case in endeavoring to make the mike confess to culpable motives in getting into "a race scheme."

"You thought you would get somebody's else money sure without risking your own?" asked the lawyer.

"Sure, I was sure der ben no chance to lose," answered the candid farmer.

The jury selected to try Scott is composed as follows: G. Kemp, H. Hoffmann, R. C. Hartwell, F. A. Fox, C. W. Boyer, William Umble, S. T. McAttee, Claus Run, W. H. Spies, Louis Whitehead, F. A. Messner and Peter Smith. With the exception of Hartwell, who is a farmer of Hudson township, the members of the jury are residents of Council Bluffs.

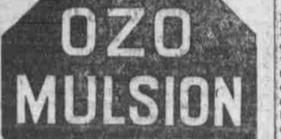
At the close of the opening statements of the counsel, Judge Thornell adjourned court until this morning and placed the jury in the custody of Captain L. B. Cousins, the court bailiff. The jury, while engaged in the trial of the case will occupy at night, the new quarters fixed up in the "larceny room" formerly known as "farmers' hall" in the basement of the court house.

Byers Helping in Case. The opening statement of the state was made by County Attorney Hess while that for the defense was made by Attorney Emmet Tinsley. In reply to a query from the court as to the probable length of time the trial of the case would take County Attorney Hess said he thought it would occupy three or four days at least. Judge Thornell accordingly assigned the members of the petit jury panel not engaged on the case until Thursday, unless notified that they need not appear until a later date.

Attorney General H. W. Byers is present and assisting County Attorney Hess in the prosecution of the case on behalf of the state. Scott is defended by H. O. Ouren and Carl Tinsley. Col. Stokes, of Craig, Mo., attorney of Craig, Mo., which was Scott's home before he moved to Pender, Neb., is in attendance but is not expected to take any active part in the defense.

John Hermelbrecht, whom Scott is charged with steering against the Mabray game, on hand and will, it is expected, be the first witness for the state this morning. Hermelbrecht kept in the background while the jury was being empaneled but as soon as County Attorney Hess commenced to make his opening statement to the jury and describe the methods of Mabray and his gang by which they parted their victims from their money, he became deeply interested and moved up to the front so that he could hear all that was said.

Empanelling of the jury was but partially completed at the time of the noon adjournment for dinner and but four of the twelve, presiding judge, were empaneled had been exercised. As Attorney Tinsley was engaged in an examination of a witness in the soldier ditch matter brought here from Harrison county, which was had before Judge Wheeler in the other court room, Judge Thornell at noon ordered an adjournment until 3 o'clock in the afternoon. The empanelling of the jury was completed shortly before 5 o'clock.



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Osmulsion is a Blood-Making, Tissue-Building, Nourishing, Strengthening FOOD as well as a Household MEDICINE.

Osmulsion is known, recommended and sold by worthy druggists everywhere in 16 oz. and 8 oz. bottles. Always ask for Osmulsion by name. TRIAL BOTTLE FREE BY MAIL.

Council Bluffs

Grand Jurors Will Look Into Arson Charge

Testimony of Richard Foreman Results in Holding of Alexander Sigman.

As a result of the testimony of Richard Foreman, a horse trader, given at the preliminary hearing before Justice Cooper of Council Bluffs yesterday afternoon, Alexander Sigman, charged with arson in connection with the burning of his feed barn at 301 East Broadway at an early hour Sunday morning, was held to await the action of the district court grand jury. His bond was placed at \$500, which he furnished.

Sigman was arrested at his home immediately following the fire by the police and he spent Sunday in the city jail. On the case being called in police court yesterday, Fremont Benjamin, attorney for Sigman, took a change of venue to the court of Justice Cooper, where the hearing was held during the afternoon.

Foreman testified that about two weeks ago Sigman asked him what he knew about killing horses and whether strychnine would do the work. Sigman said at the time, so the witness testified, that he intended burning down his barn and offered him (Foreman) \$5 to do the job. Foreman refused the offer and straightway told the police of Sigman's offer and his statement regarding his intention to burn down the barn. Sigman, so Foreman declared, explained that he intended to place lighted candles in boxes filled with shavings so that when the candles burned down the shavings the latter would become ignited and the start the building on fire in a number of places.

Foreman said he was at Sigman's barn Saturday evening about 7:30 o'clock and saw Sigman lighting matches in the hay loft. The witness hurried around the place awaiting developments and shortly after 8 o'clock Sigman left the barn by the back door and meeting the witness said "You can hike on home, the fire is already lit and the place ought to go up pretty soon."

Foreman stated that he was a horse trader by profession and that he lived at 123 1/2 Glen street.

When Foreman was called to the witness stand Attorney Benjamin asked him if he did not carry a revolver. Foreman declined to answer and Benjamin started to swear out an information charging the witness with carrying concealed weapons.

At this point Assistant County Attorney Ross, after a brief consultation with the witness said that Foreman was prepared to admit he carried a revolver and the weapon was produced. Foreman stated that on entering the court room he had offered to turn the weapon over to Officer Richardson but the latter had declined to keep it. The officer corroborated this statement later. Attorney Benjamin insisted that the assistant county attorney file an information against the witness for going armed but Mr. Ross declined to do so under the circumstances.

Captain Schafer of the police force testified to Foreman warning the police department of Sigman's alleged intention to burn down the barn and that in connection the place had been watched and Officer Richardson had been around the barn until after midnight Saturday.

A. C. Walker, an insurance agent testified that Sigman had placed \$200 insurance on twelve horses, eight buggies and vehicles, harness, feed and other equipment of the barn. During the hearing it was shown that recently Sigman disposed of all his good horses, replacing them with stock, which it was said, were not worth over \$15 a head.

Charles Huber, owner of the building, testified that he had notified Sigman that he wanted the place by February 1. He also testified to finding a two-gallon jug of coal oil in a small room in the loft. Huber said he took the jug to a blacksmith shop adjoining the barn and told Sigman that he did not want his place burned down.

Sigman denied setting fire to the place and swore that he had been at his home from 5 o'clock Saturday evening and that the first intimation he had of the fire was when the officers came to his place. His statement as to being home Saturday evening were corroborated by members of his family.

Justice Cooper in deciding to hold Sigman to the grand jury said that, in his opinion, the most damaging evidence against the defendant was that he had disposed of the horses upon which he had placed insurance of \$100 a head and replaced them with animals which the accused himself admitted were not worth more than \$15 a head.

MEETINGS HELD SAME DAY

Members of Broadway Methodist Church Evolve New Plan.

The members of the Woman's Home Missionary society, the Woman's Foreign Missionary society and the Ladies Aid society of the Broadway Methodist church will inaugurate a new plan of holding their meetings, beginning with today. Instead of each organization devoting a separate afternoon to its monthly session, the members of the three societies will spend the day at the church and hold the different meetings at periods during the day. A room a church will be reserved to which the members of the congregation are invited. Wheel No. 1 will serve the lunch today.

The social feature will be a large factor at the meeting today and all members of the three societies are invited to bring their friends. The program for the day follows: 10 a. m.—Lesson topic, "The Bondswoman," leader, Mrs. A. J. Champion; devotion, vice president roll call; quotations from Whittier; paper, "Has Slavery a Bright Side? If so, What Is It?" Mrs. Harry Goodrich; "What the African Learned From Slavery"—(1) "About Civilization," Mrs. A. W. Michel; (2) "About Morality," Mrs. H. W. Jones; vocal solo, "Old Black Joe," Ruth Aspenwall; "What Our Society is Doing"—(1) "In the Bureau for Florida," Mrs. A. L. Conaway; vocal solo, selected, Mrs. H. D. Howard.

Women's Foreign Missionary Society Session at 1:30 p. m. Subject, "The Gospel in Mexico." Leader, Mrs. A. J. Conaway; devotion, president; "Our Work in Mexico," Mrs. Charles Head; "Current Events and the Gospel in Central America," Mrs. C. W. Whittier; "Our Work in the West Indies," Mrs. S. L. Thomas; reading, "The Slavery Story," Mrs. A. L. Conaway; vocal solo, selected, Mrs. Ruth Aspenwall.

Ladies Aid Society Session at 3 p. m.—Topic, "The Society Session at 3 p. m.—"

Marriage Licenses.

Licenses to wed were issued yesterday to the following:

Name and Residence. Age. William E. Johnson, Omaha, 35. Daisy Dismant, Omaha, 35. Walter Broadahl, Omaha, 31. Anabel Sauer, Omaha, 21. Frank Brockman, Council Bluffs, 27. Mary M. Mela, Council Bluffs, 23. Richard M. Jordan, New York, 23. Mrs. J. Mahan, New York, 22. Roy Franklin Wilcox, Council Bluffs, 21. Mrs. Frances Hinton, Council Bluffs, 21. Wesley J. Kolar, Swanton, Neb., 21. Betty Hevada, Omaha, 21.

Iowa

LABOR MEN'S ENDORSEMENT

Executive Committee of Iowa Federation 'Acta.

ALLEGIANCE TO BYERS IN NINTH

Decision Reached to Act Upon All Candidates for Legislature—Des Moines Will Advise.

(From a Staff Correspondent.)

DES MOINES, Feb. 1.—(Special Telegram.)—The executive committee of the Iowa State Federation of Labor held an important meeting here yesterday to outline its policy in regard to political matters and legislation. It was decided in effect that the federation would generally support the progressives in the primary campaigns, and especially as related to national affairs. It was decided that in the Ninth district Byers would be supported as against Smith, but in the Seventh the attitude of the labor leaders as between the two candidates was left to the president of the state federation. All legislative candidates will be passed upon and especially those representing the counties in which there are labor organizations, as in the plan of the labor leaders to urge several new laws. It was also decided at this meeting that action will be deferred in the matter of asking the national federation to reinstate Iowa. Nothing will be done until the electrical workers' quarrel is ended.

Ministers Take Hands.

The ministers of Des Moines at their weekly meeting today decided upon asking the candidates for the city council to state their position in the matter of an open or closed city, and to insist that all candidates receiving the support of the church people shall be pledged to maintain strictest observance of the laws as to saloons.

At a meeting of a local committee today it was decided upon a campaign during which the city will spend \$10,000 for each of three years to advertise Des Moines. The money will largely be spent in eastern magazines.

Red Cross Societies Aid.

The Iowa branch of the Red Cross society is out in a letter asking the people of Iowa to give to a fund in aid of the poor people of France who have suffered from the terrible floods. State Treasurer Morrow is treasurer of the fund.

Merger of the Phones.

The final merger of the two telephone systems in Des Moines was completed the last week, when the employees of the Mutual were notified that hereafter they would be paid directly by the Bell company. No changes were made and the two exchanges will be operated separately for the present. It is the plan, however, to have a complete merging of the exchanges.

Lost Eye in Sliding.

James Thompson, a boy of South Des Moines, had his right eye knocked out by an accident as he was coasting down hill. He had fallen from his sled near the bottom of the hill, when another boy ran into him, and the runner of the sled struck Thompson's eye.

Squires to Form Trust.

A permanent organization of the justices of the peace, constables and others connected with the justice courts of Des Moines was formed here for the purpose of protection and mutual interest. It is proposed that there shall be adopted uniform rules of practice and also that a committee be named to look after legislation affecting the office of justice of the peace.

Wallace Receives Honor.

Henry Wallace, the veteran editor and public speaker, member of the Roosevelt Country Life commission, has received word that he has been selected as one of two graduates of Washington and Jefferson college to be honored by having the college annual dedicated to them. The other is Dr. McCormick, chancellor of the University of Pittsburgh. Mr. Wallace graduated in the class of 1850.

Demand More Pay.

The carpenters of Des Moines have made a demand for an increase of wages in the spring. They want 5 cents an hour more pay and larger liberty for holidays. They say they do this because of the enormous increase in the cost of living. It is probable that the employers will resist the increase, but owing to the enormous demand for labor and the outlook for much work, no strike is anticipated.

Many Accidents On the Railroads

Nearly Thousand Killed and Twenty Thousand Hurt in Third Quarter of Last Year.

WASHINGTON, Feb. 1.—During the months of July, August and September, 1909, the total number of persons killed on the railroads of the country, according to reports received by the Interstate Commerce commission, was 825 and the number injured was 22,000. These figures include only accidents to passengers and employes actually on duty at the time of the accident. The number of persons killed and injured in the quarter under consideration, as compared with the same period of the year before shows an increase in the number killed of 118, and in the number injured of 2,596.

A Saver for Children.

"Our two children of six and eight years have been since infancy subject to colds and croup. About three years ago I started to use Foley's Honey and Tar and it has never failed to prevent and cure these troubles. It is the only medicine I can get the children to take without a row." The above from W. C. Ornstein, Green Bay, Wis., duplicates the experience of thousands of other users of Foley's Honey and Tar.—Sold by all druggists.

PRESCRIPTION FOR KIDNEYS

Said to be the Best Ever Compounded for Kidney and Bladder Complaint.

The following simple prescription works wonders for sick kidneys, liver or bladder: Buy from any good druggist one-half ounce Murax compound in original sealed package, one-half ounce fluid extract Buchu, six ounces good, pure gin. Mix and take one to two teaspoonfuls after each meal. (Be sure to get the genuine Murax compound in original sealed package.)

Pain in the back, frequent, highly colored urine, scalding urine, rheumatic pains in the joints, puffiness under the eyes, dimmed vision, dizziness, are signs of kidney trouble which should be given prompt attention. These symptoms are nature's danger signals and may develop quickly in dread diabetes, awful Bright's disease or chronic rheumatism if left to continue.

The above prescription will cleanse the kidneys and allow them to filter the blood and uric acid and waste matter. If these impurities are not removed, disastrous results are almost sure to follow.—Adv.

Eighty-Four

Thousand for Woman's Silence

CINCINNATI, O., Jan. 31.—Eighty-four thousand dollars was the price Charles L. Warriner, local treasurer of the Big Four railroad, paid for a woman's silence, fearing exposure of his shortcomings he gave Mrs. Jeanette Stewart Ford an average of \$1,500 a month for seven years, the payments stopping only when the exposure came from other sources, November 21 last.

Such was the substance of the startling testimony which Warriner gave today at blacklisting him.

Mrs. Ford sat through the recital with impressive countenance. Twice only during the day did she allow her feelings to show. The first instance came before Warriner appeared, when Judge Swing ordered her two children removed from the court room. They had entered with their mother, but when Attorney for the prosecution objected the two were sent to another room in charge of a nurse.

Mrs. Ford's second ordeal came, at the end of the proceedings. Just before adjournment of court letters were introduced by the state, which she had written to Edgar S. Cooke, formerly an employe in the Big Four railway offices here. The missives mentioned visits she had made to "W." and in the plan of the most enduring terms, her infatuation for Cooke was clearly revealed in them and as her declarations of affection were read to the jury, Mrs. Ford shook and tears streamed down her cheeks.

Warriner testified that the initials in the letter referred to him. He probably will resume the stand when the trial is taken up again tomorrow.

Binger Hermann On the Stand

All Charges Made Against Him in Oregon Trial.

PORTLAND, Ore., Feb. 1.—Former Congressman Binger Hermann took the stand yesterday in his own defense in his trial in United States district court on a charge of conspiracy to defraud the government of public lands.

His testimony was a general and specific denial of any connection whatever with the federal land office in Oregon.

Hermann testified that he became commissioner of the general land office in 1897. About 1900, he said, he became aware that under the lien land act of 1897 speculators were defrauding the government by securing "base" located in forest reserves and exchanging this "base," which was frequently on worthless land, for valuable land outside the reserve. Because this "base" was exchangeable for government land located anywhere in the country, speculators were able to secure the most valuable land possessed by the government at a nominal price.

Thereafter, the defendant testified, he conscientiously opposed the creation of forest reserves.

In September, 1907, Mr. Hermann said, he remembered being in Portland and of having paid a visit to the office of Henry Meldrum, United States surveyor general of Oregon. It is the government's contention that on this visit to the surveyor general's office Hermann discovered a conspiracy between Meldrum and Hermann, which developed in the formation of the Blue Mountain forest reserve. Hermann said that on the visit to Meldrum's office he did not see Mays.

Hermann next entered a specific denial to the evidence of government witnesses that he had ever suggested to Surveyor Meldrum that Meldrum purchase some school land within the proposed reserve.

The defense called to the stand C. A. Halstrom, said by H. L. Patterson, a witness for the prosecution, to have been present in the surveyor general's office in Portland when the conversation occurred between Mays and Hermann, which developed in the alleged Blue Mountain conspiracy.

Halstrom denied positively that he ever saw Mays and Hermann together in the surveyor general's office.

Gas Stove Tragedy Still a Mystery

Theories of Murder and Suicide, in Cincinnati Murder Case Cannot be Verified.

CINCINNATI, Feb. 1.—The cause of the death of Mrs. Jesse Van Zandt, whose bound and roasted body was discovered lying on her kitchen stove last Saturday morning, is tonight as great a mystery as when the corpse was found.

Theories were brought forward today of both murder and suicide. It is claimed on the outside that the woman bound her feet with the intention of hanging herself and had then drunk a portion from a bottle of bella donna, which was found subsequently near the body. Overcome by the poison she is supposed to have fallen across the gas stove. The motive is found in her unhappiness over the admitted infatuation of her husband for the young girl whose father accused her to be placed in a convent on account of Van Zandt's attentions. On the other hand, one of Mrs. Van Zandt's neighbors declared today to the police that she had seen a man running down the alley from the Van Zandt home shortly after the approximate time of the woman's death. This witness, a woman, gave a description of the man, for whom the police are now looking.

In the meantime, Jesse Van Zandt, the dead woman's husband, who is being held by the police persistently under the most rigid examination on his original statement that when he left his home on Saturday morning his wife was well and apparently happy. Light was shed today on the domestic difficulties of Mrs. Van Zandt by the woman's relative, who came here from the east. Letters brought by her aunt, Mrs. Jennie Siles of Philadelphia, showed that the woman's misgivings of her husband, Jesse Van Zandt began months ago and had increased until after Christmas.

H. MASSEY IS FOUND DEAD

Body Discovered Under Bridge at Vinton, Ia.

WATERLOO, Ia., Feb. 1.—(Special Telegram.)—The body of H. Massey of Council Bluffs was found Sunday under a bridge near Vinton, where it had lain five days. Evidently the unfortunate man had fallen from a train on the Milwaukee road. There was a letter in his pocket from 48 South Baxter street, Council Bluffs. The man was evidently about 70 years of age. The coroner's jury rendered a verdict of accidental death.

Advertisement for Remington Typewriter. It features a diagram showing a typewriter with callouts for 'Writing Machine', 'Two Machines in One', and 'Adding Machine'. Text includes: 'It Writes and Adds at One Operation', 'Remington Typewriter (Model 11)', 'with Wahl Adding and Subtracting Attachment', 'Remington Typewriter Company (Incorporated)', '1619 Farnam Street, Omaha'.

BANK SCANDAL IN MEXICO

Note Holder Alleges that His Collateral Has Disappeared.

D. E. THOMPSON NOT INTERESTED

Nebraska Financier Denies Report that He is Either a Director or Stockholder in Defunct Bank.

MEXICO, Feb. 1.—Sensational developments in connection with the suspension of the United States Banking company, which is unable to elude criminal charges, are looked for in the near future. The first legal action to be taken by any creditors since the bank closed its doors last Wednesday morning was filed today by Howard H. Simpson, a mining man, who made a formal complaint before the procurator of justice, alleging abuse of confidence. Simpson names the president, vice president, directors and manager of the institution. He alleges that some time ago he obtained a loan of \$10,000 from the bank, giving three notes for the amount, which were secured by the deposit of 100 shares of mining stock of a valuation of approximately \$100,000.

Recently, he alleges, he went to the bank for the purpose of paying the notes and receiving his mining shares, but the collateral was not forthcoming, and that he was told to return later, when the shares would be restored to him.

Fatally Hurt by Dynamite.

MARSHALLTOWN, Ia., Feb. 1.—(Special Telegram.)—Chris Wilking, aged 56, was fatally injured by a delayed explosion of dynamite, which he was using to blast out stumps. One stick failed to go off, and Wilking started to dig it out, when the explosion followed, ripping off part of his hand and arm.

Use Chamberlain's Cough Remedy for coughs, colds, croup and whooping cough.

Kittredge Men After Control of Gathering

Meeting at Huron Today May Result in Opposition to Vessey if Stalwarts Win.

HURON, S. D., Feb. 1.—(Special Telegram.)—Whether the stalwarts will name a full ticket and come out in the open against Governor Vessey at the convention depends on the strength the friends of ex-Senator A. B. Kittredge can muster on the convention floor. The plan to name a full state ticket is being fought by Congressman Charles H. Burke of Pierre and Eben W. Martin of Deadwood.

Both Burdock, United States marshal, is apparently working against the plan is on the ground that naming a ticket is contrary to the spirit of the primary law. The Missouri river marks the dividing line in the sentiment of the delegates. The western delegates do not want a ticket and the eastern delegates are supporting Kittredge. If the Kittredge adherents are successful ex-Governor Samuel Elrod of Clark or E. L. Abel of Huron will be named to oppose Governor Vessey. Threats were made tonight that if the Kittredge forces were in the ascendant the friends of the congressmen would not attend the convention.

Use Chamberlain's Cough Remedy for coughs, colds, croup and whooping cough.

Large advertisement for Grape-Nuts. Text includes: 'High Beef A Benefit', 'If it makes you think—then make trial and see if Better Health Greater Strength Keener Brain Comes from Grape-Nuts', 'Try the change. You will feel "fit as a lord" in a week's time by breakfasting on Grape-Nuts and cream, a little fruit, a soft boiled egg, some nice, crisp toast, and a cup of well-made Postum.', 'Feed skillfully and you can "do things." The greatest brain workers eat Grape-Nuts. Ask one or two, they'll tell you. You meat eaters who are ailing in any sort of way should take the hint. A prominent authority says: "There is no doubt of the fact that meat-eating is not essential to human life, and that men can be well nourished without resorting to a flesh diet." "I think the statement may be accepted without question that, as a rule, we eat too much, not only of meat, but of all forms of food. The question of limiting the diet is based primarily not on the principle of economy, but on the requirements of hygiene.", "At the early breakfasts that the Americans are wont to indulge in, that is, a hearty meal before going to their daily work, the omission of meat is to be earnestly advised.", "It is well known that men who are nourished very extensively on certain cereals are capable of the hardest and most enduring labor.", "You can depend on the energy from Grape-Nuts longer than from any meal of meat.", "There's a reason" for Grape-Nuts. Made at pure food factories of the Postum Cereal Co., Ltd., Battle Creek, Mich. Read "The Road to Wellville" in pkgs.