Council Bluffs

RICHMOND HEARING STARTS

Testimony Taken in Ouster Case Against Chief of Police.

JURY TRIAL DENIED BY COURT

Woman Whose Affidavit Has Appeared in Case Gives Testimony—Several Pastors Give Evidence.

The testimony offered by the state in the ouster proceedings against Major George H. Richmond, chief of police, yesterday was entirely devoid of anything bordering on the sensational and failed to show that Major Richmond had acted differently from his predecessors in office for a quarter of a century or longer. The testimony related chiefly to the system of fines imposed upon the women of the town and the women who conducted houses of ill fame. The evidence showed that the accused official as agent for the mayor and city council had collected these fines in the same manner in which they had been collected by the police department for over thirty years.

The witnesses introduced by the state were Myra Stevenson, who was indicted by the grand jury at the present term of district court on charges of conducting a house of ill fame and the illegal sale of liquor; Jessie Miller, the landlady of a house of ill fame, who testified to paying the fine imposed by the city ever since 1888; Attorney D. E. Stuart, former president of the Law Enforcement leagues, Rev. John William Jones, rector of St. Paul's Episcopal church, and Rev. James M. Williams, pastor of Broadway Methodist church.

The hearing is being held before Judge S. B. Woodruff of Glenwood, Judge O. D. Wheeler, who is presiding at this term of district court, having expressed the wish that some judge outside of the city hear the case.

Array of Lawyers.

The state is represented by Attorney General H. W. Byers and his assistant, John Fletcher, formerly of Avoca. V. Lyngby, former Danish vice consul of this city, is also assisting Mr. Myers and occupies a seat at the table with the state's attorneys. Major Richmond is represented by Emmet Tinley, George S. Wright, Judge J. R. Reed and F. W. Miller.

The case was set for 9:30 o'clock, but Judge Woodruff was an hour late in arriving from Glenwood. By the time court opened the court room was crowded. Inside the railing were many members of the bar, while in the audience could be seen a number of the pastors of the city churches and men from all ranks of life.

At the opening Attorney Tinley, after Mr. Fletcher had read the information, or bill of complaint, outlining the charges against Chief Richmond, offered a motion to transfer the action from the equity to the law docket and asked that it be tried before a jury. In presenting the motion Mr. Tinley contended that charges referring to matters alleged to have taken place before the statute under which the proceedings were brought went into effect were properly triable before a jury, that having been the procedure in removal proceedings prior to the enactment of what is known as the Coeson law.

Attorney General Resists.

In resisting the motion Attorney General Byers quoted the statute, which provides that an action such as had been instituted against Chief Richmond "shall be summary in its nature and triable as an equitable action, and may be heard either in vacation or term time, and shall be heard before the court or judge without the intervention of a jury." Mr. Byers further contended that all the questions raised by the motion had been determined by the Iowa supreme court in the case of Mayor Henderson of Marengo, against whom ouster proceedings had been instituted on the charge of intoxication.

Judge Woodruff promptly overruled the motion, saying: "It is possible this question may be one for decision by the supreme court. However, I do not feel that a court would be warranted in setting aside a statute so broad in its provisions."

With the overruling of the motion to transfer the case to the law docket the state at once introduced its first witness, Myra Stevenson, whose resort on West Broadway was recently raided by the police and against whom the district court grand jury at this term returned two indictments. The witness, who swore to one of the affidavits filed by the state in the action against Major Richmond, admitted that she considered the accused officer responsible for the indictments returned against her.

Monthly Fines Paid.

Her direct examination, which occupied the entire forenoon session, related solely to the monthly "fines" which she paid, both for herself and the women in her several establishments. She testified to conducting houses of ill fame at different times at 307 West Broadway, 817 West Broadway, 523 South Main street, 696 West Broadway and 312½ West Broadway. Receipts were offered in evidence showing she had paid a monthly fine of $12 for herself as a "madame" and $6 a month for each of the women in her houses. She testified that she had sold liquor and that she had kept money slot machines in her places. The witness testified to paying similar fines to chiefs of police previous to Major Richmond becoming head of the police department.

Reduction of the Bond.

The defense then introduced as evidence the court records showing that on March 23, the day the witness signed the affidavit against Major Richmond, Attorney General Byers appeared before Judge Wheeler in district court and Judge Wheeler, "on the recommendation of the attorney general," reduced the bond under the indictment charging the Stevenson woman with maintaining a house of ill fame from $800 to $250 and that under the indictment charging the unlawful sale of liquor from $500 to $250.

Mrs. Jessie Miller, who until recently conducted a resort at 613 West Broadway, testified to paying the regular schedule of "fines" continuously since 1888 and to several chiefs of police prior to Major Richmond assuming the office.

Some amusement was afforded when Attorney General Byers asked the witness, "How old are you Mrs. Miller?"

"That is a leading question," replied the witness and the bailiff had to rap for order.

"Well I won't press the question," said the attorney general and once more the bailiff had to rap.

In answer to a question from Mr. Byers what she expected in return for the payment of the monthly fines, the witness said she supposed she was to receive "protection" in the conduct of her business.

Rev. John William Jones, rector of St. Paul's Episcopal church, who on his first arrival in Council Bluffs took a decidedly prominent part in the movement to reform the morals of the community, testified to calling upon Major Richmond and that the latter had explained to him the system of monthly fines imposed upon the women of the town as part of the method the city had in regulating the social evil.

Rev. James M. Williams, pastor of Broadway Methodist church, and one of the leading members of the Ministerial association, told of several conferences he had held with the chief relative to the social evil and other matters pertaining to the moral welfare of the community. Rev. Mr. Williams had no hesitation in saying that the moral atmosphere of the city had been greatly improved under the administration of Major Richmond and that at present and for some time past it was vastly better than it had been in the years past.

Attorney D. E. Stuart testified to the manner in which the saloons of the city had in the past been conducted in violation of the law, but that for a year or more they had been adhering strictly to the provisions of the mulct law.

Council Bluffs

Mayor Maloney Names Members of Committee

City County Session Mostly Matter of Formality—Casady Re-Elected City Clerk.

Finance—Hubbard, Evans, Ellsworth.
Judiciary—Ellsworth, Hubbard, Beebe.
Claims and Printing—Harding, Ellsworth, Fisher.
Bridges and City Property—Beebe, Harding, Hubbard.
Streets and Alleys—Minnick, Beebe, Evans.
Fire and Light—Younkerman, Fisher, Minnick.
Police, Health and Sewers—Evans, Harding, Younkerman.
Water Works, Telegraph and Telephone—Fisher, Minnick, Younkerman.

The above standing committees were named by Mayor Maloney at the organization of the new city council last night.

A. W. Casady was re-elected city clerk by the council and he in turn reappointed Alfred Mortensen as his deputy, the appointment being approved by the council.

Mayor Maloney announced that he would defer his message until the meeting next Monday night, at which, he stated, he would announce his appointments.

The mayor requested the newly elected councilmen and all other city officers to meet at his office tomorrow evening in order that they might "talk matters over" and outline the work to be done during the next two years.

Makes Bid for Peace.

"The election is over," said Mayor Maloney in inviting the newly elected city officials to meet with him. "We have done all the fighting that was needed and now lets lay aside all the hard things we said about one another during the campaign. Let us put our shoulders to the wheel, all together and do something during the next two years. I want all the members of the council to back me up so that we can accomplish something and I also want the citizens to stand by us and not knock us. If they do this the council can accomplish almost anything it will undertake. There are many things to be done and if we work together we can do them, but knocking will only tend to prevent us accomplishing anything."

The newly elected councilmen took their seats in the following order: Frank Beebe, Fourth ward, democrat; J. L. Ellsworth, Fifth ward, republican; L. Lee Evans, councilman-at-large, democrat; W. B. Fisher, Third ward, democrat; G. J. Harding, First ward, republican; C. S. Hubbard, Sixth ward, republican; Elmer E. Minnick, Second ward, republican; Oscar Younkerman, councilman-at-large, democrat.

After approving the bonds of some of the newly elected officers as follows, the first session of the new council was adjourned to next Monday evening: City Engineer S. L. Etnyre, $5,000; City Clerk A. W. Casady, $15,000; Park Commissioner H. G. McGee, $1,000; City Treasurer F. T. True, $100,000; City Auditor J. F. McAneney, $5,000; Mayor Thomas Maloney, $3,000; City Solicitor C. F. Kimball, $2,000.

Casady Gets Place.

When the matter of the election of a city clerk came up A. W. Casady was nominated by Councilman Younkerman and seconded by Councilman Fisher. Councilman Harding named C. O. Frazer, the nomination being seconded by Councilman Hubbard. Mr. Casady received six votes, Mr. Frazer securing the votes only of Councilman Harding and Hubbard.

On adjourning the new council held a short session as a Board of Health, at which the usual grist of bills for the preceding month were allowed.

The old council before retiring approved the minutes of the previous session and allowed a number of bills for the previous month. City Clerk Casady announced the result of the canvass of the vote cast at the election on March 28 and a resolution declaring the new councilmen and other officers to be duly elected was adopted.

These formalities completed, the members of the old council relinquished their seats and the new council was called to order by Mayor Maloney.

Marriage Licenses.

Licenses to wed were issued yesterday to the following:

Names and Residence.	Age.
C. Smothers, Council Bluffs	24
Myrtle Bevington, Council Bluffs	30
William Surland, Omaha	21
Ethel Hiatt, South Omaha	19

Governor Plans Campaign Here

Executive Says He Will Meet Dahlman's Claims with Reply in Kind.

(From a Staff Correspondent.)

LINCOLN, April 5.—(Special.)—Armed with ammunition of the enemy, his excellency Governor Ashton T. Shallenberger is marshaling his forces to charge the lion in his den. The deadly weapon which he will use almost exclusively will be "four-flusher."

The governor will use the word "four-flusher" in quotations because that word was used by the mayor in his description of his excellency when the 8 o'clock closing law was signed and before that when both were candidates for the democratic nomination. The fact that Mayor Dahlman did not denounce the 8 o'clock closing law in his recently promulgated platform, in the opinion of the governor, has placed his honor in the "four-flushing" class.

"I shall certainly campaign Douglas county for votes before the primary," said Governor Shallenberger. "I shall do my best to get every vote that I possibly can. Insofar as the liquor question is concerned Mayor Dahlman and I stand squarely on the same platform. He is against county option and so am I, and we are both for the 8 o'clock closing law. Consequently, both of us standing on that platform, it seems to me there is no reason why the people of Omaha should vote against me in the primary."

The governor has not yet set a date for his campaign in Omaha.

INTERPRETERS ARE NAMED

John Bristow of Des Moines is Appointed to United States Legation at Peking, China.

WASHINGTON, April 5.—The State department has appointed student interpreters as follows: At the United States legation at Peking, China, Crawford F. Bishop of Gilson, Md., and John Bristo of Des Moines, Ia.; at the United States embassy at Tokio, Raymond S. Cutice of Royal Hanna, Pa., and Harold C. Huggins of Portland, Ore.; at the United States embassy at Constantinople, Ralph F. Chesbrough of Beloit, Wis., Ralph H. Bader of McGaheysville, Va., and Leland B. Morris of Philadelphia.

MINERS FORECAST VICTORY

Striking Men Encouraged by Partial Adjustment in Ohio.

CONTRACT MAY BE SIGNED TODAY

Union Leaders Say Dispute Will Be Settled in Every District by End of Month—Colorado Operators Hold Out.

PITTSBURG, April 5.—President Francis Feehan of district five, United Mine Workers of America, said tonight that the conference today with operators of the Pittsburg district was satisfactory and although no definite action was taken it appeared likely that the operators would grant the miners' demands for 5 cents a ton wage increase and adjust the powder situation.

The operators asked for a few days to consider the miners' propositions and pending another conference the strike of 40,000 miners continues, but peacefully and without violence.

President Thomas L. Lewis of the United Mine Workers of America was too late today to attend the conference, but he hopes to participate in the later negotiations. In speaking of the general situation he said tonight:

"The mining situation gives no one cause for alarm. There is every liklihood that the Hocking district contract of Ohio, will be signed up tomorrow at Columbus. Every other section in that state will then follow in rapid succession, with the possible exception of Eastern Ohio and Crokesville, where there may be some delay in arranging the details of the wage contract.

"In my opinion, the situation in western Pennsylvania will be cleared up long before the end of April. This will assist materially in getting central Pennsylvania straightened out, if they have not in the meantime reached an agreement. The Kanawha district of West Virginia and western Kentucky will soon be settled. This is also true in the bituminous districts of Indiana, Michigan and Iowa. I have not been in any way alarmed regarding the situation from the very start of negotiations. Our prediction that there would be no geenral strike in the mining industry will be more than vindicated."

Colorado Operators Refuse Demands.

DENVER, April 5.—Operators of the northern Colorado coal fields today refused to grant the demands of the United Mine Workers of America for an advance of 5.5 per cent for day work and an increase of 3 cents a ton for machine mined and of 4 cents a ton for pick mined coal. The strike inaugurated Saturday will continue indefinitely.

The operators announce, however, that their mines will be reopened in a few days. The old men will be given a chance to come back and if they do not return non-union men will be imported to take their places.

The operators signed an ironclad agreement to introduce "open shop" methods in their mines.

Takes Wife for Burglar, Kills Her

Kansas Man Blows Woman's Head Off with Shotgun as She Walks Floor with Baby.

PERTH, Kan., April 5.—Believing his wife, who was walking the floor with her 6-months-old child in her arms, was a burglar, June Vandervoort, a farmer near here, shot and killed her. Vandervoort fired a shotgun. The charge tore the woman's head from her body. The child was unhurt.

Mail Education Declared Trade Between States

Business of Correspondence School with Pupils Regarded as Interstate Commerce by Supreme Court.

WASHINGTON, April 5.—The business of a correspondence school with pupils in various states is interstate commerce. Such was the opinion of the supreme court of the United States announced today by Justice Harlan in the case of the International Text Book company of Scranton, Pa., against A. T. Pigg of Topeka, Kan.

In the same case the court declared unconstitutional section 1283 of the laws of Kansas, requiring corporations seeking to do business in the state to file a prescribed certificate with the state official and upon failure to do so close the doors of the state courts to them.

The International Text Book company employed an agent to solicit students in Kansas to take correspondence courses in its school in Pennsylvania. Pigg executed a contract in 1905 in Topeka, Kan., to take such a course, but subsequently failed to pay all the tuition required.

When the suit was brought against Pigg the answer made was that the company was a foreign corporation for profit and that it was transacting business in Kansas without having complied with the requirements of the state of Kansas of such corporations.

Justice Harlan, in the opinion of the court, held that "in our judgment in its essential character there was commerce among the states within the meaning of the constitution."

He held the section of the statute interfered with interstate commerce.

BURGLARS STEAL SAFE WEIGHING TWO TONS

Bold Robbers Haul Vault Into the Country, then Blow it Open and Get Loot.

WEBB CITY, Mo., April 5.—Burglars stole a safe weighing 4,000 pounds from Richard Jenkins' pool hall here today, hauled it in a stolen wagon two miles into the country and blew it open. They escaped with $152 in cash, three watches and a number of checks.

FIELD DAY FOR SOCIOLOGY

Monday Witnessed Holding of Many Meetings in Omaha.

STELZLE WARMLY WELCOMED

Dr. Leo Frankel Talks to Visiting Nurses—Educators Heard a Child Labor Committee Meeting.

Monday was "sociological" day in Omaha, so far as public meetings were concerned. Men and women interested in altruistic phases of human endeavor had opportunity to attend a good many sessions where prominent workers and speakers were to be met and heard, several being from out of town.

That working women of the country and immigrant women coming in are in greater need of moral and material aid than men, is the view of Rev. Charles Stelzle, superintendent of the Presbyterian department of church and labor in his address at the Young Men's Christian association Tuesday night. Dr. Stelzle's subject was "Workingmen and Their Conditions."

With stereopticon views to illustrate his words, the speaker set forth the most distressing side of life among immigrants, as it appears in the great cities of the country.

"The problem of the future is the city," declared Mr. Stelzle. From the scene of their oppression in Russia and through the various stages of their journey to America, Mr. Stelzle, with his pictures and narrative, traced the course of the Russian immigrants. These, he said, formed the greatest horde of any one nationality seeking the shores of the United States as a haven.

Fate of Immigrants.

The speaker then showed that in America at the present time the immigrants are finding life scarcely better, if at all, than what they left behind. He spoke of unsanitary tenements, grinding poverty and the heart-breaking work in which mothers and children are forced to take a part as figuring disastrously in the condition of immigrants in American cities.

Mr. Stelzle then explained how the department with which he is connected is conducting a model Sunday school and social settlement in New York at a cost of $20,000 a year. Sunshine and good cheer for the heavily burdened women was the principle of the organization, he said.

Dr. D. E. Jenkins, president of the Omaha university, introduced the speaker. Mr Stelzle departed for New York shortly after the lecture.

The Nebraska child labor committee, to the number of twenty-five, sat down to dinner at the Young Men's Christian association at 6 o'clock, with Rev. Charles Stelzle and Prof. Lucile Eaves of the University of Nebraska as special guests of honor.

After the dinner short speeches were made by several of those present, Mrs. Draper Smith acting as presiding officer. Dr. Leo Frankel urged renewed activity on behalf of the bill now pending in congress to create a children's bureau in the Department of the Interior. Superintendent Davidson of the Omaha schools discussed the best method of handling the odd children who does not thrive well in school. He advocated the establishment of a special school in which manual training shall have increasing attention through several grades, resulting eventually in boys and girls acquiring real trades, even if it be necessary to add a two years' trade training to the education along the lines of the liberal arts.

Prof. Eaves elaborated on Dr. Davidson's thought, pleading for a wise vocational training, and the instituting in the United States of the "continuing school," such as now exists in Germany and some other countries of Europe. These schools the children who have not been able to finish the regular courses of study are compelled to attend until they attain a certain proficiency. She urged the need for a more extended study of vocational school needs and the putting into practical operation, through public sentiment, of the wisest conclusions that can be reached on the subject by trained investigators.

Miss Ida V. Jonis gave some interesting facts touching the help given from the public purse and by private contributions to children who cannot afford to attend school as long as they should because of the demands of the home for their earnings as workers. Her figures indicated that the scheme has worked quite successfully in several of the states where it has been put into operation.

The following officers were elected: President, Judge Howard Kennedy; first vice, Miss Lucile Eaves, Lincoln; second vice, Mrs. H. L. Keefe, Walthill; secretary treasurer, John J. Ryder.

A vote of thanks was given to Dr. George E. Howard, retiring president, who refused a re-election.