

Detective Testifies Certain Places Were Favored By Sutton

UNGER SAYS KUGEL TOLD HIM SEE LYNCH

Detective Swears City Commissioner Ordered Him to Report There and Obeyed; Certain Places Favored.

(Continued From Page One.)

quaintanceship with the Melson woman whom she described as given to exasperation. The "Don't Worry" club was dragged into the hearing. Mrs. Rohr testified she never saw Sutton and Mrs. Phelps at the Melson residence.

Elsie Phelps has not yet been called, but announcement was made that without doubt she will appear today, as nearly all of the minor witnesses have been called.

The council will resume the hearing at 9 o'clock this morning and will keep at it all day. Mrs. Phelps, Paul Sutton and the six Omaha defendants in the Chadron case are due to leave Thursday afternoon for Dawes county to appear for trial.

New Charges Against Maloney.

At the opening of the hearing yesterday afternoon, City Attorney Rine filed a new complaint against Captain Stephen Maloney charging him with designating Al C. Kugel, his superior officer, as "a dirty rat."

In substance the new charges read: "That Captain Stephen Maloney has been guilty of conduct unbecoming an officer; that he did on June 15, in the city council chamber, at a hearing before the city council call his superior officer, A. C. Kugel, superintendent of police, 'a dirty rat,' thereby bringing the department into disrepute."

"And that he did falsely charge and accuse his superior officer of being guilty of conspiracy with Paul Sutton to give false and perjured testimony against him."

"Wherefore, John A. Rine, city attorney, does hereby ask and require that a time be fixed for hearing of these charges and specifications."

Kugel Directs Action.

Mr. Rine filed and signed the new charges at the direction of Superintendent Kugel.

The occasion of "the dirty rat" incident followed testimony regarding an automobile.

When the city clerk read the new charges Attorney Baker said he believed action is untimely, in the midst of another trial, and that matter should be held in abeyance, pending the current hearing.

"I think Mr. Rine was a little hasty," said Judge Baker. Mayor Dahlman said he thought the new charges should be referred.

Upon motion of Butler, the matter was referred to next regular meeting of the city council.

Catherine Sheehan, 1145 North Nineteenth street, testified that on January 6, while waiting at Eighth and Cumby streets, a youth grabbed her purse containing \$47.96.

"I gave chase and others caught the youth at 708 North Nineteenth street, where he gave his name as Chester Taylor. He was taken to the station, where I identified the prisoner," testified the witness.

"Taylor was released at station on a \$50 cash bond and he left town. After I started court action I recovered the stolen money from the cash bond given by the prisoner."

Questioned by Attorney Rine, the witness said she did not know that Maloney accepted the bond or whether it was the desk sergeant at police station.

Thomas: "I will show what I am after."

Thomas Resumes.

Thomas resumed examination of witness:

"Who are hauling garbage now?" "Henry Pollock, James Whalen and a man named Smiley."

"What do you know of connection of Maloney with collection of garbage?" "Pollock and Maloney and some others have a company. They told me at Brandeis I could not have garbage any more, because Maloney was in there and asked for garbage for Pollock."

"What was the deal between Pollock and the city on garbage?" "Drew from Hat."

"They put numbers in a hat and they drew for downtown districts." "What was Pollock's arrangement with the city?" "He was to haul the rubbish as well as garbage."

"Has he hauled away the rubbish?" "No. I got Brandeis and several other places back because Pollock would not haul rubbish, as he agreed, and as I did before Pollock was given the downtown district."

"What else do you know of Maloney's connection with Pollock's company?" "Maloney Gets Part."

"When they sold their hogs to South Omaha Maloney got 8 per cent of the money."

Attorney Baker: "How do you know?" "A man who is interested in the company told me."

"Who told the man?" "He said a woman."

Attorney Rine: "Who was this man you spoke of?" "I don't know his name."

"Could you direct this council to his house?" "I could."

This line of evidence was offered by the prosecution to corroborate testimony of Paul Sutton that Maloney was interested in city garbage hauling and a hog-raiding ranch.

Want to Find Man.

Attorney Rine asked Urbach whether he knew that the present Pollock arrangement saved the city \$10,000 to \$12,000 a year.

The city attorney directed the city clerk to issue a summons forthwith for the man said to have told Urbach that Maloney received 8 per cent profit on the sale of hogs from the Pollock hog-raiding ranch.

Harry Fischer, attorney for Urbach in the garbage litigation, was called and testified he conversed with Mr. Phelps, manager of the restaurant in the Brandeis building.

"Steve Maloney gave me orders to give garbage to Henry Pollock," were the words attributed to Phelps by Fischer.

"They were personal. More his manner than anything else. His manner on business matters of department caused no objection."

"Did feelings between you and him tend to demoralize the department?" Mayor: "I can't see where that question would be proper at this time."

Thomas: "Now is the time, Mr. Mayor, to determine what is wrong with the police department."

The mayor held witness should not answer the question.

Unger on Stand.

Officer Unger examined by Judge Baker:

"Did you ever see Paul Sutton at 514 or 516 South Nineteenth street?" "Yes; on second floor of 514 South Nineteenth street. I thought we were going to investigate a place. I went with him. That was in June, 1916."

"Who was there besides you and Sutton and Mrs. Melson?" "A girl they called Elsie—they said Elsie Phelps."

"Who else?" "A man they called 'Spoke'."

"When you left, where were Sutton and Elsie Phelps?" "In a bedroom."

"Any drinks?" "Had Bottle of Beer."

"They had a bottle of beer." "Offer you any?" "Yes, by Mrs. Melson."

"Did you drink?" "No."

"What about a report you were to make of that place to the station?" "Sutton was leading me around. I saw what was going on, so I left. We made no report that night."

"You and Sutton on morals squad at that time?" "Yes."

"Who was the head then?" "Sutton was."

"Did you ever take Harvey Wolf on any of your raids?" "No."

"Ever at Owl club with Sutton?" "Yes. Captain said Kugel wanted to see us there. Kugel told us about the Sesto saloon and not to go hard on him."

"And did you do it?" "Yes."

Sutton Had Friend There.

Baker resumed examination of Unger:

"When you was on the morals squad did you receive any orders from Maloney?" "I did not."

"Do you know anything of Harvey Wolf having been on raids?" "No."

"When you raided the Havens hotel was Wolf with the officers?" "He was not."

"Did Sutton ever speak to you about a place at 118 North Eighteenth street?" "Yes, he said he didn't want the place raided; that the man there was a friend of his. We found a bunch there drinking."

Mrs. Margaret Rohr of Florence, mentioned by Mrs. Margaret Melson in her testimony, was called to testify whether she had knowledge of Sutton and Mrs. Phelps having been at the Melson place.

Mrs. Melson as having regretted that she got mixed up in the hearing and said she had talked too much.

Attorney Thomas: "Did Mrs. Melson ever speak to you about having been offered money for her testimony in this case?" "She did not."

"Were you at her house recently?" "Yes. She had the Don't Worry club at her home on May 22 and she remarked that she might have to go to Chadron."

"Then you have conversed with her on this case?" "Yes, but she exaggerated so much. I did not pay much attention to what she said. She would put on and take off."

"You deny that she said her husband told her to take the money for testifying?" "I do."

Got New Dress.

"Did she get a new dress?" "Yes, she said she would look fine when she got up to the hearing."

Mrs. Rohr testified she had never seen Elsie Phelps until Paul Sutton brought her to Florence last Sunday, and she added she had never seen Sutton and Mrs. Phelps at the Melson home.

Officer Unger was recalled and Attorney Rine questioned him:

"Did you take part in a raid when a lot of dope was found last spring?" "Yes. Axel Benson told us of a lot of dope on North Twenty-first street. Met Pinkin and Wolf and we all went out in Wolf's machine."

"Did Maloney order you to go there?" "No."

Unger explained that the presence of Wolf and Pipkin was accidental and that he rode in Wolf's machine as a matter of convenience.

Denies Owl Club Incident.

Attorney Rine read a letter addressed to the city commissioners and signed, "D. J. Manchester," who stated that last winter a man who lost a lot of money at the Owl club, spoke to Officer Unger and was referred to Paul Sutton, who told the victim to "forget it."

The writer asked why certain places (mentioned by names and addresses), were allowed to remain open. Unger denied knowledge of the Owl club incident mentioned by Manchester.

Attorney Rine asked Unger: "Did you have any inkling of the character of the Melson place?" "Yes, Sutton told me it was a good time house."

Some Places Favored.

"Did you make any report to Kugel after you left Sutton at the Melson house?" "Yes, I told Kugel about it at Pete Loch's and he said Sutton would take care of it."

"Did Sutton ever tell you not to raid the Owl club?" "No, but there were lots of places he would not raid."

"Liquors sold at Owl club dances?" "Didn't see any money changed."

"You said you saw card games at the Owl club?" "Yes."

"What were they?" "I don't know."

"Might have been black jack or seven and a half or pinochle?" "They might have been."

Attorney Thomas: "What was there about your visit to the Melson house in June of last year that made such an impression on you?"

Left Sutton at House.

"Because I left Sutton there."

"How did you meet Elsie Phelps there that night?" "I saw her sitting on a bed with her hat off."

"How do you fix the date in June?" "Because Sutton owed me \$4."

"Do you think you would recognize Mrs. Phelps now?" "I don't know."

"Didn't she make an impression on you?" "You said you reported to Kugel at Pete Loch's, did you? Who did you see there?"

"I saw the boys." "Who else?" "Kugel and Johnny Lynch."

"What did you say to Kugel?" "Told him of a woman named Toole and she was running a place and it was pretty raw, and he said, Sutton would attend to it."

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Business Back to Its Usual Form in the East

That the east has become accustomed to war times and business accordingly has returned to normal, is the news brought back to Omaha by J. L. Orkin, who has returned from a business trip to New York. "The early excitement caused by the war declaration is all over," said Mr. Orkin, "and business has returned to its normal. There are no fears of impending business calamities and everybody predicts increased prosperity for the future. The business slacker is a rare article. Buyers are making abundant purchases for fall and winter."

Japan Quickly Buys Up Its New Railroad Bonds

(Correspondence of The Associated Press.)
Tokio, May 31.—The subscriptions to the new railway bonds which the Japanese government has just floated on behalf of the imperial government railways total about \$21,472,675, according to a statement issued by the Bank of Japan.

Subscriptions from the public were under \$10,000,000. The rest of the bonds were assigned to the underwriting banks. General investors, anticipating the issue of Entente loans at more advantageous terms, have apparently been unwilling to take up the issues.

Taking a Tip.

He had been promoted to captain's rank and decided to celebrate the occasion. He entered a swaggy West End London restaurant and "did himself" handsomely. The waiter fussed around smiling and obsequious and expectant. He brought back the change after paying the bill and was very wrath when the officer pocketed the lot. But there was still time, and, lowering and smiling, he assisted the blunder man into his coat and handed him his hat and case. Nothing happened, so the waiter ventured, meekly:

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