

## KELLY WANTED AS WITNESS IN POLICE HEARING

Mayor Smith Demands That  
Famous Bootlegger Tell His  
Story Under Oath in Case  
Against the Police.

(Continued From Page One.)

own. We are working nights and they are working days," he replied. "Did you report to any superior officer or to anyone?" asked Commissioner Ringer.

"I told Captain Dunn about it and I also told you," Potach replied, explaining that his report to Mr. Ringer was made last Saturday.

Armstrong admitted that Herdina did tell him to sober up so he could attend court the next morning, and he declared that the remark was made as a joke and because they had been accused at the Brown place by Mrs. Brown and her son of being drunk. The detectives entered a positive denial of having been under the influence of liquor on the occasion of the raid at the Brown place.

**Tom Brown Testifies.**

Mrs. Brown was unable to attend the hearing, but her son, Thomas, who ejected Detective Herdina at the time of her arrest, told the story of how the detectives arrested his mother without warrant and of how she was placed in a cell at the city jail and denied bond.

Mr. Brown testified: "I was awakened at 1:30 a. m. when I heard my sister's name called," he testified. "I went downstairs and saw Herdina looking into my mother's room. He was drunk and there was a dirty leer on his face. I told him to get out and asked him if he had a warrant. He said he had no warrant. I told him to get out because he was watching my mother while she was dressing. He told me he would not get out because my mother might escape. Then I put him out. I smelled liquor on his breath and his eyes told the tale. Then he arrested me for resisting an officer."

What occurred at the station? asked Attorney Magney.

"I asked the captain if I could get bail for my mother and he replied that he would not accept bail for women held on an order issued by the chief. Then a man pushed my mother into a cell, telling her to 'Go on! Go on! Go on!' In the morning, at about 8:30 o'clock, they walked my mother in an unconscious

condition, upstairs, to the matron's department. I was discharged in police court for having done my duty."

Cross-examined by Attorney F. A. Peterson, for the detectives, Mr. Brown insisted that he was not drunk about Herdina having been under the influence of intoxicants. He would not say that Detective Armstrong had been drinking.

**Jailer Pushed Mrs. Brown.**

Captain Heitfeld testified that Mrs. Brown and the young women taken from her flat were heard singing and otherwise giving expression to their joy when placed in a cell. Toward the close of the night session of the hearing Tom Brown returned to the witness stand to refute the captain's testimony.

"I want to state that when my mother was taken to the cell she was greeted by the vilest epithets, so vile I would not repeat them. The singing which the captain referred to were the shoutings of negro men and women in the cells close to my mother. My mother did not sing in the cell; she was hysterical. I saw the jailer, push her against the steel grating."

Attorney Peterson, for Herdina and Armstrong, cross-questioned Mr. Brown.

**Told Officer He Was Drunk.**

"I told him to stand away while my mother was dressing. I closed the door and put him out. I told him what I thought of him and the rest of his squad. I told him he was no good and that he was drunk."

"How do you know that he was drunk?"

"I smelled the liquor."

"Did you say that you coaxed Herdina out?"

"No, I threw him out of the door of my mother's room."

Mr. Brown insisted that he was refused by Captain Heitfeld when he asked to furnish a bond for his mother. The captain denied speaking to Brown on this subject, but explained that he told the desk sergeant that Mrs. Brown could not have bond. Brown demonstrated for the benefit of the council the manner in which he stated Herdina leaned against a door while he watched Mrs. Brown dressing.

"Forty minutes have been wasted here describing the rooms at the Brown place," interposed Commissioner Zimman. "Now tell us what kind of carpet was on the floor and what kind of a floor it was."

**Watched Mrs. Brown Dress.**

Dorothy, daughter of Mrs. Brown, testified to having observed Herdina watching Mrs. Brown while dressing.

"Would you undertake to say that Herdina had been drinking?" asked Attorney Peterson.

"Yes," she replied. "I smelled his breath when I passed him twice."

Commissioner Ringer asked Mrs.

Brown, "Was Herdina drunk?" and she replied, "He was."

"Why do you say that?"

"Because of the attitude he took when he leaned against the door, the leer of his eyes, and his breath."

Detective Armstrong related the details of the raid, and then the mayor quizzed him.

"Who was Kelly?"

**Didn't Know Kelly.**

"I don't know who he is. Never saw him before the raid and have not seen him since."

"Make it plain to us; how did Kelly get away?"

"When we opened the screen door he made a quick jump and got away."

Armstrong denied having been with Kelly in an automobile on the night of the raid, or that he was a party with Kelly in framing the raid, as has been alleged.

"It has been stated that you were out with Kelly that night in an automobile. Is that true?"

"It is absolutely false. I wish I could see Kelly now."

**Would Arrest Kelly.**

"What would you do if you saw Kelly now?" asked Commissioner Zimman.

"I would arrest him for vagrancy. I have learned that he is a professional bootlegger."

Armstrong and Herdina denied all of the allegations in the Magney charges.

"What are your orders when you go to raid a disorderly house? Are you supposed to arrest the owner without a warrant?" asked Commissioner Butler of Armstrong.

"Had no orders to that effect."

**Reported Nothing Wrong.**

Mr. Butler brought out the fact that 2106 Cass street had been watched for six nights previous to the raid and that the officers reported nothing wrong.

Armstrong admitted that when Kelly was arrested with two women in a room he did not know whether Kelly was married or single.

"Then couldn't a man and his wife have another woman in a room and smoke cigarettes without being disorderly?" asked Commissioner Zimman.

"I suppose so."

**Ordered to "Get Results."**

Detective Herdina, testifying at the night session, explained that he and Armstrong were detailed to go to 2106 Cass street on instructions from Captain Dunn to "grab the works." Copies of police reports showed that Detectives Vanous and Potach had watched the place for a series of nights and reported "all clear," but Chief Eberstein insisted that "there must be some mistake," and he directed that two men be assigned to get results. So Armstrong and Herdina of the day

morals squad were detailed to "get results."

Herdina testified that Tom Brown demanded a warrant, and that he said he had no warrant; that Brown accused him of being drunk and of being a bonehead, a brute, and that Brown said: "You should not work on the police force as drunk as you are." He denied drinking that night, and denied any previous knowledge of Kelly.

**Says He Don't Drink.**

"I don't drink, so I don't see how I was drunk," he said. "I have not taken a drink since I froze my foot last winter. He denied observing Mrs. Brown while she was dressing and he stated that her arrest was in accordance to the custom of police methods. He said action in this case was like that of other raids."

"What did you do before you went on the police force?" asked Mayor Smith of Herdina.

"How long have you been on the force?"

"Four years."

"Who transferred you the last time to the plain-clothes department?"

"Captain Briggs."

"You say you have orders to always get the keeper when you make a raid?" asked Commissioner Butler.

"We always try to get the keeper. We didn't know who Mrs. Brown was, so we thought we should get her, too."

**Bond Is Denied.**

Captain Heitfeld testified that when Mrs. Brown was arrested, he arrived at the police station with Detective Armstrong, the son told his mother that she had better get a bond, but that she insisted she would go to jail. Sergeant Rose spoke to me about a bond for Mrs. Brown and I denied the bond."

At this point the captain related the circumstances of the confusion of orders at the police station as to bonds. He said: "Captain Vanous left me a note stating that his jail crew had told him about the order to deny bonds, and Vanous asked me why he had not been advised."

I spoke to Captain Dunn and he said Vanous was present when the orders were given and it was his own fault he did not hear them. I told Vanous that this order had gotten us in a pickle. Dunn told me he had found the order and would send it to Herdina, but I did not see the order. I pinned Captain Dunn down to the wording of the order."

**May Now Get Bonds.**

Commissioner Ringer spoke up and explained that the order is now in Chief Eberstein's office in a desk to which a stenographer has the key. The order, it was explained, did not order the police officials to refuse bonds to any class of offenders. Explicit orders have been sent to the police station to admit prisoners to bond.

Commissioner Zimman charged that it has been the policy of the police department in many cases which have been brought to his attention.

"It is customary for the chief of detectives to give orders to the captains at the station," Commissioner Butler asked.

"Yes," the captain replied.

**Lones Denies Alleged Interview on Confession**

In a statement given out last night in regard to alleged interview on the Roy Kelly confession on the Brown raid, in which he admitted it was framed with the police, Attorney J. R. Lones said:

"With reference to alleged statement by me in one of the other papers in regard to the Kelly confession, in justice to myself and the public, I wish to give the true facts which are as follows:

"First—I deny that I made any statement that could be construed that the Kelly confession had been stolen from Potach by Murray."

"Second—I deny that I ever said that I was sick of the Brown case, but did say I was sick and had been under a physician's care for the last 10 days."

"Third—In regard to Mr. Ringer, I did say I did not believe Ringer dishonest, but also added I believed his prejudice in the Brown case blinded him to any desire to get the true facts."

"Fourth—With reference to the Kelly statement no one has or can deny his signature and I believe this reference to the statement is sufficient at this time."

**Contempt Charge Against Lindsay Going Straight Up**

Denver, June 17.—Attorneys for Ben B. Lindsay, judge of Denver's juvenile court, announced that the contempt of court charge filed against him in 1918 and lately sustained by the state supreme court, will be carried to the supreme court of the United States.

A fine of \$500 was assessed originally upon the judge's refusal to disclose in open court what had been told him by Neal Wright, 14-year-old ward of the juvenile court, in order to further add to testimony in the trial of Mrs. Berta Wright, charged with the murder of Neal's father.

Judge Lindsay maintained the boy's statement had been given him in solemn confidence and that it would weaken the influence of the juvenile court if disclosed.

**Climax of Telegraph Strike Expected Soon**

Chicago, June 17.—The climax in the nationwide strike of commercial telegraphers probably will be reached within 24 hours, union leaders declared Tuesday night.

A telegram was sent to Samuel Gompers, president of the American Federation of Labor, stating the strikers would abide by decisions reached at a conference to be held by Mr. Gompers and other federation officers and representatives of the telegraphers' union.

**Block House Leaders on Wire Repeal Plan**

Washington, June 17.—Plans of house leaders for the passage of legislation repealing government wire control were blocked unexpectedly by prolonged discussion of a conference report on an appropriation bill.

House leaders expected the wire repeal bill to be sidetracked tomorrow for calendar bills, including that repealing the daylight saving law.

## LABOR UNIONS VOTE AGAINST MOONEY STRIKE

(Continued From Page One.)

vention and launched into a vigorous attack on organized labor and its leaders in San Francisco.

"Out in San Francisco, the union leaders did not go to the bat for Mooney, so we had to form a committee to do it," he said. "They went about whispering that Mooney actually was guilty."

**No Apologies Are Offered.**

"Maybe we made some mistakes, but we make no apologies for what we have done," he said.

James Duncan of Seattle was hooted and cries of "Put him out" were raised when he declared that President Wilson's inquiry into the Mooney case as an internal affair was based on inquiries from Russia and that the Mooney Defense league "put into operation the machinery in Russia which resulted in the inquiry about Mooney being made."

**Sergeant of Police Asks To Be Reduced to the Ranks**

Springfield, Mass., June 17.—Police Sergeant Edward Carey has earned a unique distinction in petitioning to the police commissioner to be demoted to the rank of patrolman. The request has been granted by the police commissioner.

Carey was appointed sergeant several months ago as a reward for his splendid record as a patrolman. The work was not as fascinating as he had bargained for, however, as a sergeant is shifted at monthly intervals between the three watches and must often put in as many as 19 and 12 hours a day making reports.

Accordingly, he came to the conclusion that a nice day job of eight hours with two days off a month is to be preferred to a sergeant's chevrons, a half dollar more a day and the honor of working many hours overtime.

**Charge Conspiracy to Swine Breeders' Head**

San Francisco, June 17.—An indictment charging conspiracy to use the mails in a scheme to defraud was returned here against D. H. Riker, president of the defunct Associated Swine Breeders' association. He is charged with misappropriating at least \$20,000 of the firm's funds and destroying the records in an attempt to hide his alleged peculations. Riker, who had offices in Salt Lake, Los Angeles and other cities, was arrested in Kansas City by postoffice inspectors.

**Thieves Steal \$25,000 Jewels in Chicago Haul**

Chicago, June 17.—Jewels valued at more than \$25,000 were taken from the residence of Mrs. Nellie Magnus Loeb, daughter of the late Adolphus Busch, during a party on Sunday night, it became known today. The robbers worked within sight of the party on the front veranda.

The robbery was discovered after dispersal of the party, but not revealed by the police until efforts to obtain a clue had proved unavailing.

**Casualties Reports More Than Year Late in France**

Washington, June 17.—Casualties now being reported through the War department are coming principally from the French war office, the department said today, which "is considerably over a year behind with their records." It is estimated it will be a year before the French records are completely checked.

**Knocked Down by Auto.**

Ethel Kennedy, 4 years old, sustained bruises and lacerations when knocked down by an automobile driven by L. Asdell, 4303 North Twentieth street, last night. Witnesses said the girl ran directly into the machine. Ethel Kennedy is a daughter of Mrs. C. A. Kennedy, Forty-sixth and Krug streets.

**Crowds at Krug Park.**

The management of Krug park this week is giving its patrons a true taste of sensationalism. This thriller is performed by the "Fearless Greggs," who run an auto race in mid-air in an act called "Autos That Pass in the Air." Great crowds have been witnessing this act every night.

**Trim Ankles identify the wearers of Boston Garter**

It holds the socks snug and smooth, without binding, gives absolute security and perfect leg-comfort.

Sold Everywhere.

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(FOR YOUR STOMACH'S SAKE)

and get full food value and real stomach comfort. Instantly relieves heartburn, indigestion, gas, flatulence, acidity, fo.1 repeating and stomach misery. AIDS digestion; keeps the stomach sweet and pure.

EATONIC is the best remedy and only costs a cent or two a day to use. You will be delighted with results. Satisfaction guaranteed or money back. Please call and try it.

Follow the Boston Path, 15th and Farman Sts., Omaha

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Established 1886  
The Fashion Center for Women

Summer Store Hours:  
9 A. M.—5 P. M.  
Saturdays Till 6 P. M.

Economies for Wednesday  
in the Alteration Sale

Vote for...  
Paved Roads  
on June 24th

New offerings that have been brought forward for this sale. All of them splendid values that are dependable.



## Silk Specials for Wednesday

Foulards of exceptionally good quality in a wide range of designs. 36-inch, \$2.50 and \$3 quality, Wednesday \$1.89 a yard.

White Shantung for separate skirts, 36 inches wide, \$2.29 a yard.

Mikado plaids for separate skirts in a variety of color combinations. \$4 quality for \$2.95.

Metal Stripe Tricolette in Copenhagen, sand, green and navy. Originally \$6, Wednesday \$4.25.

Kid Gloves  
95c

A broken line, mostly small sizes, of 2-clasp gloves and a few of the longer lengths.

Dress Voiles  
38 and 40 inch voiles in a great variety of designs and colors. 40c values for 29c yd.

Neckwear, 1/2 Price  
An assortment of vests and vestees, organdie and pique collars and sets will be offered Wednesday at half the original price.

## Hosiery Specials

White silk hose, full fashioned with lisle top and sole. A pure thread silk hose.

Wednesday \$1.25

White silk hose in out sizes, a full fashioned hose with lisle top and sole.

Wednesday \$1.50

## Real Filet Laces Half Price

On Wednesday these laces will be sold at half the original price. This means a very real economy for you.

## Lisle Union Suits 98c

Fine ribbed lisle union suits which sold originally for \$1.25 and \$1.50. The Stretton make, having either a fitted or wide knee.

Wash Blouses  
\$2.89 and \$3.50  
Colorful blouses in stripes or plain colors. Combinations in rose, lavender, pink, blue and green and one attractive model in white.

Blouse Shop, 2d Floor.

## The Parasol...

that matches your Sport Suit, Afternoon Frock or Morning Street Dress.

Is a dainty accessory of dress as well as a protector of your complexion.



A new arrival is in emerald green, even to the handle. Around the the outer edge a block of Persian silk is set in each panel.

Another is covered entirely by Japanese silk of intricate design. The background is dull gold upon which are scattered conventional crysanthemums.

Coverings come in plaids, stripes and all over designs in color combinations such as blue and buff, rose, cream and green, blue, green and gray, black and white and many others.

And handles are carved, or straight and slim with rings of jade or ivory at the end, some have loops of ribbon, and one has a handle and tips of the spokes of amber.

To the Left As You Enter.

## A Special Sale of Smocks

Our complete stock of smocks which formerly sold for \$2.95, \$3.50, \$3.95, \$4.50  
Including all styles, sizes and colors.  
Wednesday, \$1.89

Blouse Shop—Second Floor.

## New Arrivals in Bathroom Rugs

Plain white rugs with Greek borders for \$2.25.

Plain pink and blue rugs with Greek borders for \$2 each.

Brocaded weaves in pink and blue, \$2.50.

Dark blue and tan rugs with designs in Egyptian, Oriental and Indian motifs, for \$2.75.

## Ribbon Sport Hats

only \$5 Wednesday



A most adaptable sport hat of faille ribbon with brim of white Milan hemp—a saucy cockade is the only trimming of this youthful and becoming model—Shades of Copenhagen, Rose, Pink, Orchid, Sand, Purple and Jade.

Wednesday, \$5

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