Devoted Young Wife Made Untold Sacrifices On the Altar of Love to Secure . BANDIT KIRK IS Sensational Release of Bandit Chief From Forbidding Walls of State Prison INFESTING CITY NOT IN THE CITY, SAY THE POLICE

Believe He Took Advice of Lawyer to "Go Any-Where But to Omaha.

Notwithstanding the numerous rumors affoat about the city that Beryl C. Kirk, notorious bandit who is at lange, following his "scrap of paper furlough" release from the state penitentiary at Lincoln, is in hiding in Omaha, it is the general belief that the "bird has flown." At least three "tips" furnished po-lice that he was at certain places in the city were investigated and found to be without foundation.

Was Sighted Wednesday.

The most certain information concerning Kirk's first landing place was that furnished the police yesserday that he was seen on a North Twenty-fourth street car at 3:30 Wednesday morning in company with his wife and a couple, whose names were not learned. Kirk is said to have had a suitcase with him. His wife was seen to alight from the car at Twenty-fourth and Ohio streets in probable fear that she and her husband were detected together. It was not learned where Kirk or his-wife went.

Must "Get" Kirk.

Following that information, gained by the police yesterday, or-ders were issued by Chief of Police Eberstein to have Kirk arrested.

Detectives Brinkam and Jensen say they saw and talked with Mrs. Beryl Kirk at the home of Ted Lesch in East Omaha yesterday morning. Mrs. Lesch is a sister to Mrs. Kirk. The detectives say they gained no information from Mrs. Most Powerful Factor Among Elements That Caused Cirk concerning the whereabouts of her husband.

Another "tip"/given to police that Kirk was staying at a "road house", north of Florence was investigated with no apparent result.

With the uproar among officials Lincoln and Omaha concerning Kirk's release, it is the general be-llef that the convicted bandit is not in Omaha for fear of arrest here. is believed that he followed the dvice of his counsel, Petrus Peterson at Lincoln, to "go anywhere but to Omaha."

New Express Packing **Rules** Go Into Effect

The new express packing rules go into effect December 10, according to a statement made by W. S. Warner, in charge of the local express offices. Under the regulations now in force all express shipments over 25 pounds must be forwarded in wooden containers or cartons bearing the box-maker's certificate as to strength and size required by the express

A killer of men, a bandit, a bold outlaw chief who scorns the cover of darkness in pursuing his hazard-ous occupation, a champion of gambling rooms, a bootlegger of skill, an engineer of wholesale automobile thefte and lastly a morker of the thefte and lastly a morker of the ules Go Into Effect On Next Wednesday thefts, and lastly a mocker of the ic indictment laid at the door of Beryl Kirk, now at liberty by grace. The neighbors knew her as a shy little blonde thing, who was unlike most othor girls of her age, because she stayed home mostly and kept Beryl Kirk, now at liberty by grace of a writ of semi-official parole or house for her aged father.

Husband's Gang Was Captured.

It was on one of the very ra furlough. "A remarkable man, surely!" is the awed exclamation of Nebraska, and particularly Omaha, which knows first hand of his activities. per reading public now pictures as a "It must have taken a tremendous pull," is the most popular conjecture of those who read of his recent "fur-But she is not. lough" from prison. "Or a world of scheming," say

Shielded Little Sister. Police reporters who covered the



Three Poses of Mrs. Beryl C. Kirk from a Recent Photograph.



prisoned Mate Languished in His Cell, She Wrote they attempted to draw their guns, Him Daily, Visited Him Once Each Week, Labored Unceasingly for Food and Clothing, and Planned and Prayed, and Hoped, and Planned, in Her Fight to Reclaim Him for Her Own—Her Efforts Were Not in Vain. He commanded them to lay their guns on the counter while he tele-phoned to the police station. One of the men obeyed. The other turned sharply around and made an exit out of the rear door of the restaurant. The unarmed man dodged Cich and darted out of the Unceasingly for Food and Clothing, and Planned

Wanted columns. She said she was again?" Those were some of the front door into the driver's seat of questions she would ask herself, and

"broke." Frankly she toid the manager her story, and of her necessity for em-ployment. Her need for money, she said, was terrible. So, under the name of "Mrs. Wilson" she carried on as a saleslady for nearly a year, faithful, industrious and honest. On Sundays she went to the peniten-tiary to visit her husband, and each tiary to visit her husband, and each tiary to visit her husband, and each

tiary to visit her husband, and each new days of nappiness and serene night she went to the home of her sister. Mrs. Ted Lesch, in East Omaha, and wrote long, tedious let-ters to her imprisoned mate, letters that planned and prayed and hoped ters for her imprisoned mate, letters that planned and prayed and hoped and planned.

Occasionally she took a day offe the greatest single element was the wonder Omaha has such a renegade to interview a lawyer, a witness, saddened woman who would never force.' one official or a what-not function- give up her fight in trying to re-But always she returned to claim him for her own. Love That Never Dies.

She said she needed the money The purpose of this little story

CRIMINALS ARE WITH IMPUNITY Gunmen Escape From Police

Officer After He Has Them Covered-Many Robbertes **Reported.**

Criminals of all descriptions continued their operations in Omaha Friday night, with no apparent success on the part of the police to suppress the carnival of crime,

With the escape of two armed men in a stolen automobile from Policeman W. F. Cich at 5 yesterday morning, together with numerous reports of robberies and thefts throughout the city, police are ap-parently powerless to cope with the situation. Thieves made such bold hauls in two instances Friday night as to use an automobile truck to carry their loot away.

Police are merely making reports and "investigations" of robberies and heldups

Had Them Covered.

The two armed men who escaped from Policeman Cich in the restaurant of Charles Farley, 2309 Cuming street, early yesterday morning made their getaway after the policeman had both men under cover of drawn

Witnesses of the escape declare both men made their escape through the rank carelessness of the police

Upon recognizing a car standing in front of Farley's cafe as one which had been reported stolen at Fremont, Neb., Policeman Cich in-vestigated and found two men sitting at the counter in the cafe. He

witnesses say. Cich was the quicker and covered them with his revolver. Gunman Makes Getaway.

the automobile standing in front. He stepped on the starter pedal of

ers familiar with the case, are that taught to capture gunmen, it's no

Policeman Cich took the gun tak-en from one of the escaped men, to the police station. Alleged "Highjackers in Court."

The five alleged "highjackers

who were arrested Friday night at

No change is contemplated in the shipments under the 25-pound limit, which will still be accepted wrapped in paper. Mr. Warner advised hristmas shippers not only to send their holiday packages carly, but to see that they were properly packed and accurately addressed.

"We expect a very heavy movement of Christmas gifts by express this year." said Mr. Warner today, "and this at a tinfe when we are handling a greater amount of traffic than at any period in the history of the railroads. It will be well for Christmas shippers to keep in mind the 25-pound limitation for paper wrapped packages. Most holiday fected by the new rules.

must be forwarded in special con-tainers and we will be very glad to give anyone interested full informa-tion as to how they should prepare to as to how they should prepare their Christmas presents for ship-"But any shipment over 25 pounds their Christmas presents for ship-ment by express."

Navy Enlisted Men Given Opportunity To Enter Annapolis

The methods of entering the naval academy are as follows: Each congressman and senator is allowed a number of appointments from his district, and there are 100 appointments, open to enlisted men of the navy of the proper age, decided by a competitive examination. These appointees must pass an examination in rudimentary subjects, and after passing enter the academy. The discipline is strict but plenty of relaxation in the way of athletics iently. Very truly yours, is available. The number of mid-shipmen playing foot ball this year on the varsity class, or company

teams, is 200. Every effort is made to make the naval academy as democratic an in-stitution as possible. Midshipmen receive a fixed salary, and so sup-port themselves. Presents from home are limited. The wealthy student, with the racing automobile, is unknown at Anapolis. Each man stands entirely on his own merits

Prohibition Endorsement

By Elks Was Unexpected Pittsburgh, Dec. 6 .- Prohibition

is receiving an indorsement from an mexepected quarter-the Order of Elks.

Fomer Gov. John K. Tener of Pennsylvania, who is a past grand exalted ruler of the organization, sold here recently that "if the influx of new members into the order is an, barometer. I can say, speaking for the B. P. O. E., that prohibition is a boon. It is interesting to note that in every city in which I have been where a campaign is being carried on the membership desired has never failed. I sincerely believe the principles for which the order stands are the chief attraction."

Baby Swallows Wrist Watch.

Paden City, W. Va., Dec. 6 -- The 3-year-old son of Mr. and Mrs. J. C. remove the timepiece

"Or both." But the most powerful factor by ar among the elements that caused him to walk, a free man, from behind the high walls of Nebraska's penal nstitution is one that has not yet been guessed.

It was a woman, of course. It mostly always is a woman who does big things in any case where the principals gamble with life and death and fare referees. Mrs. Beryl Kirk, his wife, is that factor in this story.

Faithful Devotion.

little sister, Annie, who was in the Forgetting for the moment, but bandit rendezvous at the time of not forgiving the criminal activities the police raid, burst into tears and presents, we believe, are under that that have made Kirk a notorious fig-weight and are therefore not af-ure of tremendous proportions in alone, to authing in the world, if

teenth street.

Fearless Outlaw to Walk Free From Penitentiary

Was That Slender, Graceful Girl, With Big,

Bright, Blue-Gray Eyes, Who Stuck Beside Her

Lover Under Murderous Cross-Fire of Pistol Bullets

Which Raged in the Charnel House When Her

Bushee Fails to Explain Why Furlough was Held Weeks Before Presented

Also Fails to Comment on Early Statement From been inaccurately reported. I have under all the circumstances I feel Lincoln That it Was Understood He Thought different from my interest in many Kirk Merely a "High-Jacker"-Affidavits Show cases. I observe the men in my in-situation and have always felt free to Kirk having any participa-He Knew All About Case.

(Continued From Page One.)

that he has been punished suffic- | best information that I could obtain and from my personal observation, he was a man of excellent habits,

"RAY J. ABBOTT." honest and upright. And further de-Other Recommendations. "I had before me the affidavits (Signed), "MICHAEL L. CLARK."

"Subscribed in my presence and sworn to before me this 23d day of with reference to Kirk's former conduct as a citizen in Omaha, one by W. A. FOSTER, fuly, 1919. Michael L. Clark, the present sheriff 'Notary Public." of Douglas county, and one by Will-'State of Nebraska, County of iam L. Musgrave, both of whom were in positions of responsibility in Douglas, ss.;

I, William L. Musgrave, being reason at the present time to change a citizen. the Omalia & Council Bluffs Street first duly sworn, depose and say my opinion that he will make good Railway company, where Mr. Kirk that I have been connected with on the outside. I also said that I was employed. These affidavits, the Omaha & Council Bluffs Street would be willing at any time to ex-

street railway for said company.

His connection with the company

during all that time I knew him

Warden Fenton's Statement.

to be a faithful servant, honest and is borne out by the prosecuting

which are now in my possession, are as follows: Railway company, for more than 25 years, most of which time I have I later did state my ideas regard-"State of Nebraska, County of been superintendent of the company, and by virtue of my position Douglas, ss.: I became intimately acquainted with "I, Michael L. Clark, being first Beyrl C. Kirk, a conductor on the

duly sworn, depose and say that for many years I was connected with the Omaha & Council Bluffs Street

Railway company as road officer. and by virtue of such position I had in charge the conductors and motormen of said company in the cities of of excellent habits, and from all I attorney, who conducted the prose-Omaha and Council Bluffs; that during my connection with the said ing my connection with the said street railway company I had under he bore a good reputation of be- that a man serves in the penitenti- of the previous record of Kirk as Kirk, a conductor for the said street railway company and by virtue of railway company, and by virtue of William L. Musgrave. "Subscribed in may presence and sworn to before me this 24th day of July, 1919. W. A. Foster, Notary Bublic Carl our positions I became intimately acquainted with the said Kirk in his work and in his habits. Our ac-

quaintance covered a period of probably about eight years, and durng all that time I found the said Kirk to be faithful, honest and up-

"The attorneys stated to me the position and opinion of Warden Iones swallowed a wrist watch. An street railway company, and during Fenton with reference to Mr. Kirk. oeration likely will be necessary to all that period, ontside of his work. The statements which they made in all that period, ontside of his work The statements which they made in with me the question of doubt of recalled to the penitentiary. Since penitentiary. with said company, and from the that regard were absolutely true, Mr. Kirk's guilt, particularly with my return to Lincoln I have gone County Attorney Magney con-

Public. (Seal.)"

Detective Rooney's murder, remem-ber her as a quiet, faithful-to-death 'ype of girl, who stayed by her hus-hand's side who stayed by her huser in one of Omaha's big department band's side when the murderous cross-fire of pistol hullets raged in the charnel house on North Fourlars annually for the firm. But those who were intimate with the details They remember her as the woman

who, in a jail cell, defied the officers of the case remember, with a throaty sensation, the torrential anguish that with steadfast silence when they leaped from the elder sister's heart yeggmen, auto thieves, burglars, sought to trick from her informawhen little Annie was enmeshed in gamblers and other artisans of the the web of circumstantial evidence, underworld. Thousands of dollars ion that would incriminate him. They remember her as the woman, and remembering, deem it anything but strange that this woman should stand by the man she loves until the Worked Industriously. who, when questioned about her

dregs of their connubial cup of unhappiness are finished.

Wrote Husband Daily.

Senator B. K. Bushee, City.

whenever called upon, to state my honest opinion regarding those men

carefully and that I was entirely

ing Kirk to the governor, which

were substantially as above stated. I

above state with reference to Kirk

and still adhere to it. (Signed.) M.

Doubt of Guilt.

T. Fenton, warden.'

Nebraska, one of the outstanding only her little 17-year-old sister's Every day since the court took morals to be taken from the case is name could be shielded from the her husband from her she has writ-

as follows:

"'Dear sir:

awfully bad, and apparently she did. Anyway, when the sheriff of Douglas county took Beryl Kirk or his wife. Once a week, faithfully, she visited away to the state prison 18 months ago, Omaha forgot him.

But his wife didn't. . And here, strangely enough, a new Beryl Kirk is at liberty today, lement appears.

somewhere in these United States, and Mrs. Kirk, who loved him be-During the trial hundreds of stories were afloat concerning the fore he became a bandit, and who loved him faithfully even then, and tremendous "fall-money" funds of even beyond the forbidding stone portals of the Nebraska penitentiary, is at his side.

Always Planning.

"Ella never once thought of giving him us," Mrs. Lesch, told the Expensive attorneys were re- ing hin tained, or course. But the courts writer. "Her husband was always took Beryl Kirk to the penitentiary in her thoughts. Though she might be busy during the day, with duties despite the lavish outlay of money, and a few weeks later Mrs. Kirk, at the store, the night always meant

as is borne out by the statement reference to his having been present over the entire situation again and ducted the prosecution. which Mr. Fenton makes to me and taken part in the robbery as 1 find nothing that was misrepre- Knows Kirk's Lo today in a signed statement now shown by the record in the district sented. I willingly accept the rein my possession and which reads court, where Kirk was tried and sponsibility for the furlough and am in, the record in the preliminary entirely willing that the future conhearing held on a complaint against duct of the man to whom a furlough was granted shall determine the rest Regarding the Kirk case I have records that no one claims there of my judgment. B. K. BUSHFE

What Abbott Says.

Attorney Ray J. Abbott. from whom Senator Bushee says he received a letter prompting him to is-sue a "furlough" for Beryl Kirk, last first instigated by Lieutenant Gover nor Barrows, and later ordered by Governor McKelvie, continued, the night absolutely denied ever writing the senator concerning Kirk, but chief desire of Lincoln officials being to secure a positive statement from Senator Bushee, who so far said that he had received a letter some time ago from Bushee conhas refused to make any comment on the case other than that he real-

"I don't know anything about the statement of Senator Bushee, in which he says I wrote him concern-ing Kirk, but I will issue a statement Monday and offer the senator's letter to me for publication.

Sears.

Could Not Give Parole.

"This case was not one coming within the law with reference to paroles. If any clemency should be given it would have to be exercised the judge. were substantially as above stated. I by the governor. It is my under-also stated to the attorneys and standing that furloughs have been to the governor that I was person- granted regularly by the preceding ally satisfied that Kirk was not governors of this state in the same

one of the five men who perpe- manner as this furlough was issued

"It is inconceivable to me that such an action should have been aken, and I am sure there is something in the affair that should be thoroughly aired without delay. "That a man, convicted of murder formation concerning his son.

and sentenced to 20 years in the penitentiary should be let out after serving 18 months, is a thing so peculiar that it casts a shadow over the bar of the state and calls for prompt investigation.

Other lawyers and judges expressed the same idea on the sub- declared Kirk a fugitive from jus-

Kirk was tried by a jury before All officials in Lincoln express Pistrict Judge Redick and after a fear of commenting on the bandit's verdict of guilty was returned was release, which lead Omaha authori-

is not to create sympathy for Kirk It is just to show that the love | Fortieth and Farnam streets, were

that never dies runs its course just charged with breaking and entering. as strongly and as truly in the dark Their bonds were set at \$5,000 each fastnesses of the criminal world, as They will be arraigned in Central it does in the circles of the hot- police court Monday. Three of the house plants of ultra-ultra society men, the police claim, were particu-on "Nob Hill." / larly identified by Mrs. Catherine

larly identified by Mrs. Catherine And just a word about the Kirks. Allison and Miss Grace Allison as Ted Lesch and his wife, who is the gang that early Friday morning another sister of Mrs. Kirk, saw entered their home at 410 South them just after the doors of the Thirty-ninth street. Bart Williams, penitentiary closed behind Kirk last 3907 North Twenty-sixth street, Tuesday.

Knows Kirk's Location.

Senator Bushee told state officials

that he knew the present location

izes "the seriousness of the affair.

May Go Free.

Governor McKelvie's statement Fri-

day, prior to his leaving for Chi-

cago and Washington for coal con-

ferences, that if Senator Bushee

stands pat" on his written order.

Kirk will be allowed to go free.

y the governor Friday.

It is generally understood, from

no disclose this, however.

William Larsen, clerk, 522 South "The last thing I heard Kirk say Sixteenth street, and A. D. Pierson, was that he was through being a 2161 Rees street, were those pargunman, a bootlegger, and a figure tially identified by Mrs. Allison and night life, and that when it could her daughter.

arranged; he was going to go to "They look exactly like the men some little town with his proties in today. law, Herman Uhl, who lost a leg today. L. Farnsworth, 3901 Dewey C. L. Farnsworth, 3910 Arthur Smith, 3910

avenue, and Arthur Smith, 3910 Dewey avenue, said Larson and Pierson looked like the two who they saw standing behind a tree in the yard of the Allison home at the time the gang entered the home.

Say Men Were Armed.

f Kirk, and stated that the authori-The other two who were arrested in the gang were: Frank Q'Neill, chauffeur. 1608 1-2 Cass street, ics at the state prison also knew where Kirk could be found. He did Dave Galinsky, broker, 630 South Seventcenth street. The gang was arrested by Policeman H. F. Peter-Warden Fenton, of the penitentiary, however, denied all knowledge son and Patrolman Earl Adams. A of the bandit's present whereabouts. crowbar was found in the car in Quiet investigation of the case, which the men were riding at the

time of their arrest, and each man was armed, police say. A big haul was made by burglars from the grocery of Peltz Bros., 3005 Haskell street, cleaning the establishment of groceries and meats, according to police reports. Wheel tracks in the snow in front of the store lead detectives to believe that

an automobile truck was used to haul the loot away, which consisted of 300 pounds of assorted meats, canned goods and fruits of all descriptions and 2,000 cigars, according to the police.

Window is Smashed.

The padlock on the front door was "If a thorough investigation o the case proves that the issue of the broken, but the robbers apparently order was perfectly regular, there could not force the door open, as the will be no action taken," Lieutenant plate glass window was found Governor Barrows said yesterday, smashed.

Thieves broke through the rear recalling a similar statement made window of the meat market owned Detectives Friday interviewed Mrs. B. C. Kirk, wife of the bandit by E. A. Marsh, 1622 North Twenfourth street, and stole 10 pounds of sausages and 22 pennies from the vith whom he was seen in Omaha cash drawer, police reports say. The robbers left assorted hams and bacon untouched on the counter, according to the report.

Store Robbed Again.

For the second time in three days, the store of Sam Pollay, 1304 Dodge

street, was broken into by robbers Friday night, according to the police. The thieves took nothing on this trip, but three nights ago, a large quantity of men's furned was stolen.

"I have not seen him yet," was all that he said. Mayor Ed Smith Friday issued An automobile containing 100 bounds of dates was stolen from in orders that Kirk should be arrested front of the Hayden Bros. store late Friday alternoon, according to police. The car was rented from the or investigation upon sight in Omaha. Officials at Lincoln have not

Ford Livery company by Simon Bros., wholesale grocers, Eleventh and Howard streets.

Pickpockets stole a purse taining \$30 from Mrs. Richard Cotsentenced by Judge Redick to the ties to believe that the proceedings ton, 1706 South Sixteenth street, leading up to his freedom must have late Friday afternbon while she was shopping, police reports say,

in that capacity covered a period trated the robbery in Omaha and by me. If Mr. Kirk does not make of something like eight years, and that he was wrongfully identified good under this furlough he may be that he was wrongfully identified good under this furlough he may be and confused with Appleby. This returned to the penitentiary. If he makes good society has been benefited. On the statement of Warden could learn outside of his duties cution of Kirk. I am still of that Fenton, in whose judgment-I have given by Sheriff Clark and others who knew him. I then believed and still think that Kirk will make good.

"Concluding, I will say that my action was governed solety and absolutely by what I regarded as the demands of justice. The test of my

udgment is whether or not the man makes good. If he makes good, the furlough should remain in force. If "The attorneys also discussed he does not make good he may be

one Appleby/ It appears from these his to say: In a number of in- were more than five men at the stances statements that I have made robbery. Six men have been identi-

had no interest in the Kirk case justified in taking cognizance of the doubt that existed with refer-"This was further substantiated by the man who conducted the prosecu-

so while I am warden. Peterson & above. I also took into considera-Devoe asked me about Kirk. I tion the fact that the identification told them that Kirk had been a of Appleby occurred subsequent to model prisoner during the nearly the time that Kirk was tried and

could it be. In view of this doubt satisfied he would make good on and in view of the statement of the the optside. I was also of the prosecuting attorney an absolute opinion then and I am still, that pardon could have been justified. if there was ever anything wrong No one, however, urged an absolute with Kirk or his conduct he has pardon, but all that was asked was during his stay in the penitentiary, a furlough for the purpose of giving

cerning Kirk. two years that he had been in the convicted and that this fact was not institution, that I had observed him presented to the court or jury. nor

An investigation into the part learned his lesson and I have no this man a chance to make good as

and" I propose to continue to do tion, whose statement I have quoted

Judge Demands Probe.

played by lawyers in securing the "furlough" of Beryl C. Kirk, notorious Omaha bandit, from the penitentiary last Tuesday, was de-manded yesterday by District Judge

'We lawyers owe it to ourselves and to the public to find out if any members of the Nebraska bar were guilty of unprofessional conduct in this mysterious Kirk matter," said

"The first business that should be early Tuesday morning on a northtaken up at the coming meeting of bound Twenty-fourth street car the Nebraska Bar association should prior to order for his arrest. be this Kirk 'furlough. She refused to divulge any infor-

Something to Be "Aired."

mation concerning her husband other than that he is not in Omaha. Father is Silent. J. B. Kirk, 2321 Dewey avenue. father of the released convict, was also visited by Omaha detectives Friday and refused to give any in-