

Local Tire Firm Started in Barn Loft in Dakota

Bricston, on Stand, Tells of His Company's Rise From Haymow to \$10,000,000 Corporation.

From the haymow of a South Dakota barn to commodious offices in the Woodmen of the World building in Omaha and a luxuriant suite in the Blackstone hotel, and from a one-man tire shop to a \$10,000,000 corporation—such was the story told yesterday on the witness stand in federal court by O. A. Bricston, president of the Bricston Manufacturing company, under fire of the Nebraska stockholders.

Bricston appeared in court on order issued Friday by Judge Woodrough at a hearing of a petition filed by stockholders for a restraining order against the company. "Broad allegations have been made," said the judge at the opening of the hearing, outlining the scope of the investigation, "in the original petition filed by the stockholders of highly improper conduct in the running of this concern, such as hiding from the stockholders."

Bricston on Stand.

Bricston himself was the first man to take the witness stand. He was accompanied into court by his force of office help, which includes Mrs. Bricston, Miss Bertha Traspas and G. M. Breed.

For 15 years, Bricston lived in Brookings, S. D., a town of 4,000 souls, he told the court, and he operated there a tire business which manufactured the "Bricston tread" under patent.

He began the business in a haymow of a barn, starting with one employee, soon branching out to erect a little frame workshop, 28 by 32 feet, which since has never been transferred to the corporation.

Grew to \$10,000,000.

Then the company grew to become incorporated in South Dakota for \$10,000,000, of which \$8,000,000 was common and \$2,000,000 preferred stock, he testified, and now operates a three-story plant at Brookings.

Under this original incorporation, he held \$4,000,000 common stock, he declared, and \$100,000 preferred stock. Members of the first board of directors were G. J. Flittie, George Cobel and H. F. Haroldson of Brookings and W. L. Montgomery of Sioux City.

He secured his own stock by transferring his assets and business into the corporation. These directors all held preferred stock in the corporation, and paid for it in cash, he stated under cross-examination.

Came to Omaha.

Then in the fall of 1917 Bricston came to Omaha, opened offices at 1015 W. O. W. building, secured a suite at the Blackstone hotel, where he has lived since, and Mrs. Bricston remained on the payroll, in charge of accounting, bookkeeping and moneys.

"Before coming to Nebraska the stock of the Bricston firm was reduced to \$5,000,000, he related, and a permit was obtained from the state railway commission to sell \$500,000 worth of stock in the state.

Edwin T. Swobe became fiscal agent in charge of stock sales in Nebraska and sold "about \$326,200 worth," he testified.

Paid 5 Per Cent.

"Swobe was paid 5 per cent for his sales," he stated, and Judge Woodrough interpolated, "I understand he was paid in stock," but attorneys passed the judicial remark unnoticed.

"Total charge of 30 per cent was permissible for sale of stock?" queried Attorney F. A. Mullinger, for the stockholders.

"Yes," replied Bricston.

"Then you charged \$97,806 to sell \$326,000 in stock," declared Mullinger.

Commission Audited Books.

"The blue sky commission audited the books and allowed 30 per cent," said Bricston.

"This was not an arbitrary sum," interjected Attorney Cullhane, counsel for Bricston.

"We can account for every dollar and every postage stamp used in the office in the transaction of business."

"How much business did the com-

Hands May Be Fortune



John F. Kirkham, 1538 North Sixteenth street, former president of the Omaha Auto Body company, who seeks to secure the \$130,000 estate of John O'Connor, shoemaker-hermit, who died in Hastings, Neb., in 1913.

pany do in 1919-20?" asked Mullinger.

Produces Statement.

Bricston produced a financial statement and prepared to answer as Judge Woodrough prompted: "Quite a little, wasn't it?"

And Bricston answered, "Yes." "Between \$200,000 and \$300,000 in merchandise was sold in Nebraska in 1917," declared Bricston, "and there was some profit in that."

Introduces Ad.

During the hearing Attorney Mullinger introduced a newspaper advertisement picturing a large factory building and offering for sale a stock in the Bricston company.

"Did you pay for this advertisement?" he asked Mr. Bricston.

"I never saw it before," replied Bricston.

"But you sanctioned it?"

"We may have paid for it unknowingly. We paid for many things. I didn't know it was being run."

Buys Out Directors.

Mr. Bricston told how he had "bought out" four of the directors of the company, and that at the present time he was the only officer. He is president and treasurer, he said.

"I purchased the stock of these four stockholders because they demanded salaries for their services. They tried to come through, but I refused."

There are 836 Nebraska stockholders in the Bricston Manufacturing company, but part of the \$360,200 worth of stock was sold in other states, Mr. Bricston said. He said his wife had no title in the company, but had acted as accountant and received a salary of \$200 a month.

Lists Assets.

Tangible assets of the company were given as follows: Real estate, \$28,000; Liberty bonds, \$60,000; banks, \$23,000; war savings stamps, \$2,789; and bills receivable, \$17,807.

An answer filed by Bricston's counsel to the stockholders' petition asking an injunction and the appointment of a receiver, contained an explanation of how Mr. Bricston acquired stock in the company himself.

He entered into a contract with the company on January 18, 1917, permitting the company to use his patent on the Bricston tread and assigning good will, factory equipments, machinery, office equipment and bills receivable amounting to \$5,372, in exchange for 40,000 shares of common stock and 1,000 shares of preferred stock in the company and an agreed salary of \$7,500 the first year and \$10,000 for the second year, according to this explanation.

Lincoln Officer Here.

Mrs. F. H. Hawley, juvenile court officer at Lincoln, visited the Omaha court session yesterday.

Two Pictures May Establish Title To Large Estate

Photographs Identified at Old Home of Hastings Hermit Brings Omaha Man Nearer \$130,000.

Greensboro, N. C., Aug. 13.—(Special.)—Two photographs have been identified here by residents of Guilford county in an effort of John F. Kirkman of Omaha to establish a claim to the estate of \$130,000 left by the death of the hermit, John O'Connor, at Hastings, Neb.

Attorneys for Kirkman have been in this city tracing the history of the Omaha man, in an effort to identify him as the Hastings hermit. John O'Connor died in Hastings in 1913. No one knew anything of him. His past had remained sealed. He had amassed a fortune by hard work, thrift and shrewd management.

Reads of Death.

John F. Kirkman read of the hermit's death and said jokingly: "My father was a cobbler and he disappeared. That may be my money at Hastings."

Friends urged him to investigate. He learned O'Connor had left some pictures with a family named Hickey at Fremont. He secured them and found they were pictures of his mother, of an old bridge, and a bishop.

Identify Bridge.

Old residents here have identified the pictures as those of a bridge built over Reedy Fork creek in Guilford county, and of Bishop Edwards, husband of the missing Kirkman's sister. These pictures were known to have been in the possession of John Madison Kirkman when he left home, a youth, and disappeared.

Before the civil war, Harris Kirkman was a bridge builder living here. He was the father of a boy and girl by his first wife. They were John Madison Kirkman and the girl who later married Bishop Edwards.

Learns Cobbler's Trade.

The boy learned the cobbler's trade here and after the death of his father, lived for a time at the home of former Governor Morehead, in 1857, with Harper Edwards, relative of the bishop, he hiked 800 miles to Richmond, Ind. Young Edwards married and settled there.

Kirkman followed his cobbler's trade and at Thornton, Ind., met pretty Marie Tricksey, whom he married at Lebanon in 1861.

In 1865, the boy, John F. Kirkman, now of Omaha, was born, and the family moved to Camden, O. In 1869, the father set out in search of a home. He was never heard from again.

Fearing further disturbance the mayor refused. Mrs. Hazlett left Shenandoah yesterday, but refused to tell where she would attempt to speak next.

Residents of Camden made up a purse for the family, when it was seen the husband had disappeared, and the mother returned with her child to her mother's home at Warren, Ind.

Within four months, she died of a broken heart and the boy was bound-out to a widow named Bartlett near Rainesville.

When 14 he ran away to learn something of his relatives. At Camden, the bishop told him of his father's disappearance and his mother's death, and the lad returned to the Widow Bartlett until she died, when he made his way west to Omaha.

Not Only Proof.

But the photographs left by the hermit and identified as those carried by his father when he disappeared, are not the only basis on which Kirkman claims the \$130,000 estate.

John O'Connor, the hermit, was a looter and shoemaker. So was John Madison Kirkman. John O'Connor had a cut thumb which dangled at one side of his hand. John Madison Kirkman had the same deformity.

John O'Connor had a twisted finger on each hand. So has Harold Kirkman, 6, grandson of John F. Kirkman of Omaha.

Des Moines Watchman Has Revolver Battle With Three Burglars

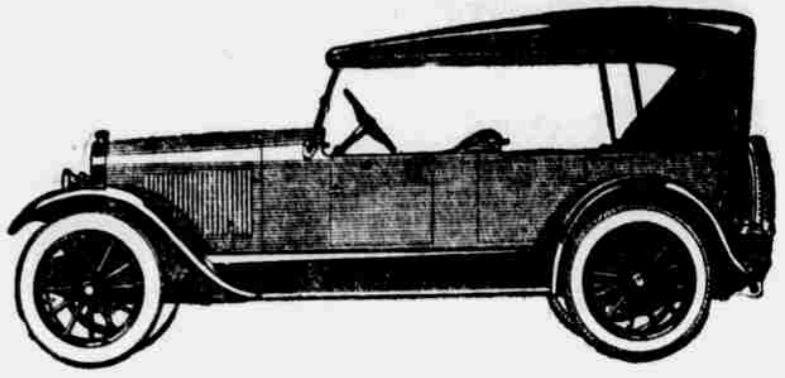
Des Moines, Ia., Aug. 13.—(Special Telegram.)—With one of their number bleeding profusely from a bullet wound, three burglars, who were surprised in their attempt to rob the dressing room of the opera stage at Riverview park early yesterday, escaped in a waiting auto under the gun fire from Tom East, night watchman.

East was making his rounds at 3 yesterday morning, when he came upon three men as they were rifling the dressing room. Each of the burglars drew a gun and opened fire on the night watchman. Dodging behind a tree, East returned the fire. As the men ran from the room, East saw one of the men drop to the ground, crying out, "Oh, my God! I have been hit!"

Companions of the wounded man, however, succeeded in dragging the injured burglar to the roadster standing nearby. The trio were able to start their machine and get under way before the night watchman could reload his revolver and again open fire. A trail of blood marked the path of the fleeing bandits. This is the second attempt that has been made to rob Riverview this week.

Victim of Sleeping Sickness.

Lethargic encephalitis, or sleeping sickness, proved fatal to Eugene S. Luce, 44, 2426 Saratoga avenue. The body will be taken to Lyons, Neb., for burial.



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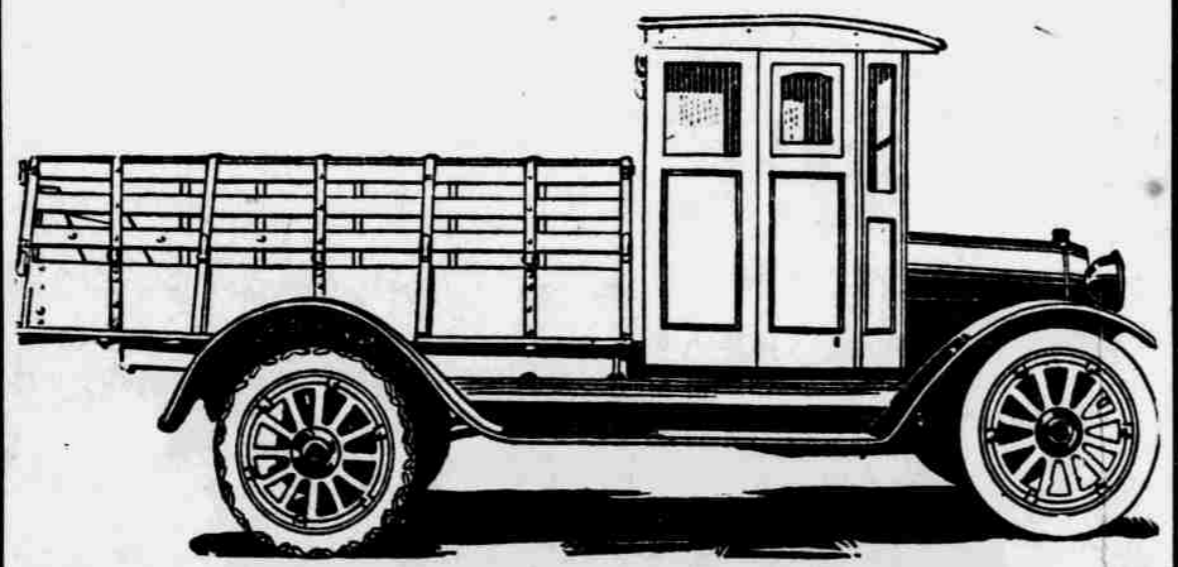
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