

STATE ENDS ITS PART OF BRUNER CASE

Former State's Attorney Magill is the Last Witness Before Jury.

HIS MEMORY IS FAULTY

Denies, However, That He Received the \$100 Cain Says He Paid for Release.

At 2 o'clock this afternoon, at the conclusion of the testimony of L. M. Magill, formerly state's attorney, the state rested its case in the Bruner trial. Attorneys for the defense then made the usual motions for an instructed verdict.

The court overruled the motion to take the case from the jury and the defense called Sheriff Bruner as the first witness in his own behalf. Mr. Bruner said he had paid the \$100 given him by Cain to Mr. Magill immediately after the prisoner had given it to him. He said in accepting the money in settlement of the fine he was acting under the direction of the then state's attorney. Bruner said he called Magill up the evening previous to the transaction and told him Cain was ready to pay \$100. Magill, he said, instructed him to accept that amount and let the prisoner go free.

The lie was passed this morning in circuit court in the Bruner trial, when L. M. Magill, former state's attorney, took the witness stand to deny that the sheriff ever turned over to him the \$100 which George W. Cain paid for his release from the county jail. Sheriff Bruner insists that he did give the money to Magill and says he will testify to this effect when the time comes. The Bruner case moved slowly along devoid of any sensational features, until the prosecution sprung a surprise by calling Magill. Not a witness, which the state had introduced,

had been asked a single question in cross-examination until the former county prosecutor testified. "Did ever you receive \$100 in the Cain case?" asked State's Attorney F. E. Thompson. "No, sir," was the reply. "Did you ever receive this sum in an official capacity as state's attorney?" "I did not," said the witness. "Did you ever receive it in any other capacity?" "No, sir." "Did you ever advise the sheriff as to what disposition to make of the Cain case?" "I don't understand you." "Did the sheriff ever ask you for advice relative to releasing Cain?" "He did not."

Magill on Rack.
There was an immediate conference of the counsel for the defense and Attorney S. R. Kenworthy opened up on the witness with a severe cross-examination.

"You were state's attorney in 1911?" was his first question.

"Yes, sir."

"As state's attorney you received fines from those committed to county jail, didn't you?"

"I did on some occasions," he replied.

"Did you keep a record of the fines paid you?" asked Attorney Kenworthy.

The witness hesitated and then replied, "Yes."

"Have you it with you?" "I have not."

"Will you produce it in court?" "I will, but I will have to go to my office for it," replied the witness.

Judge E. C. Graves adjourned court at this point until 1:30 in order to give the witness an opportunity to produce his books.

Cain Recalled.
George Cain was recalled to the stand this morning to identify his signature on the register of the Arlington hotel which was introduced in evidence by the state. Clarence Isaacson, deputy county clerk, also went back on the stand to reiterate the conversation, alleged to have taken place between Sheriff Bruner and Judge R. W. Olmsted in county court, relative to the former misunderstanding the mittimus and thinking Cain had been ordered to work out his fine at the rate of \$1.50 a day.

C. O. Campbell, proprietor of the Arlington hotel, Moline identified Cain as the man who had registered at his hotel after being released from county jail.

Jake Wiggers, former turnkey, identified Cain as the man whom Sheriff Bruner had ordered released from the county jail several days after being arrested.

State's Attorney Thompson introduced in evidence the jail record showing that Cain was taken in custody December 4, 1911, and showing no discharge of Cain occurred that month, the same not taking place until 28 days, while the sheriff's feed bill passed by the board of supervisors, showed that Cain was not re-

CLAIM A SUICIDE IN AURORA CASE

Burial Permit Shows Mrs. John Haggard Died by Her Own Hand.

Mrs. John Haggard, the colored woman, formerly of this city, who was reported to have been killed at Aurora by her husband last Tuesday for voting against the saloon in the township election, committed suicide, according to the verdict of the coroner. The remains arrived here for burial last night and the burial permit, when inspected by Undertaker B. F. Knox, was found to state that death was the result of her own act. The story of the husband was accepted and he was freed from blame.

It was claimed by the husband who had the testimony of another negro to support him, that he quarreled with her wife after she had voted and he snatched her. Then she shot herself.

The funeral services will be conducted tomorrow afternoon at 1:30 from the home of the parents, Mr. and Mrs. Tom Winters, 929 Tenth avenue and from the McKinley chapel at 2 o'clock. Rev. J. Whitfield will officiate. Burial will be in Chippinock cemetery.

leased until February 23, the purpose of the state evidently being to show discrepancies in the reports relative to the period of confinement in the county jail and showing that the sheriff was being paid for feeding Cain two months after he had been released from custody.

Fails to Report.
When court convened this afternoon Mr. Magill did not produce the report of the fines paid into his office during the month of December, 1911, claiming that he misunderstood what record it was that was wanted. When Attorney Kenworthy asked the witness where his report was, he replied: "I kept no account during the month of December."

"Did you receive any money during the month of December?" asked Mr. Kenworthy.

"I did," admitted the witness.

"How much did you receive?" "I am not certain how much," was the response.

"Did you file with the county clerk an itemized account of the receipts of your office for December?" "I am not certain."

"Did you file with any other officer such itemized account?" "I am not certain."

"Where were you on Dec. 7, 1911?" "I am not sure."

"Did you receive any money from Bruner on that day?" "I don't remember."

"Did you have any talk with Bruner on Dec. 7?" "I don't know."

"Do you remember a single person you saw on that date?" "No, I don't."

"Have you any books showing what you did on that date?" "I kept no diary."

"Did you receive money from Bruner on Dec. 7?" "I don't know."

"Did you receive money from Bruner or any other date?" "No, sir."

"Did you have any bank account during the month of December, 1911?" "Yes, I had an account in the Merchants & Mechanic's bank, Moline."

"Did you make any deposits in December, 1911?" "I don't know."

"You are under indictment at the present time for irregularities in office, are you not?"

The court sustained the objection of the prosecution, and the witness did not answer the question.

"Have you had any talk with the state's attorney regarding your testimony?" "I have."

"Do you remember communicating with anyone on December 9?" "I do not."

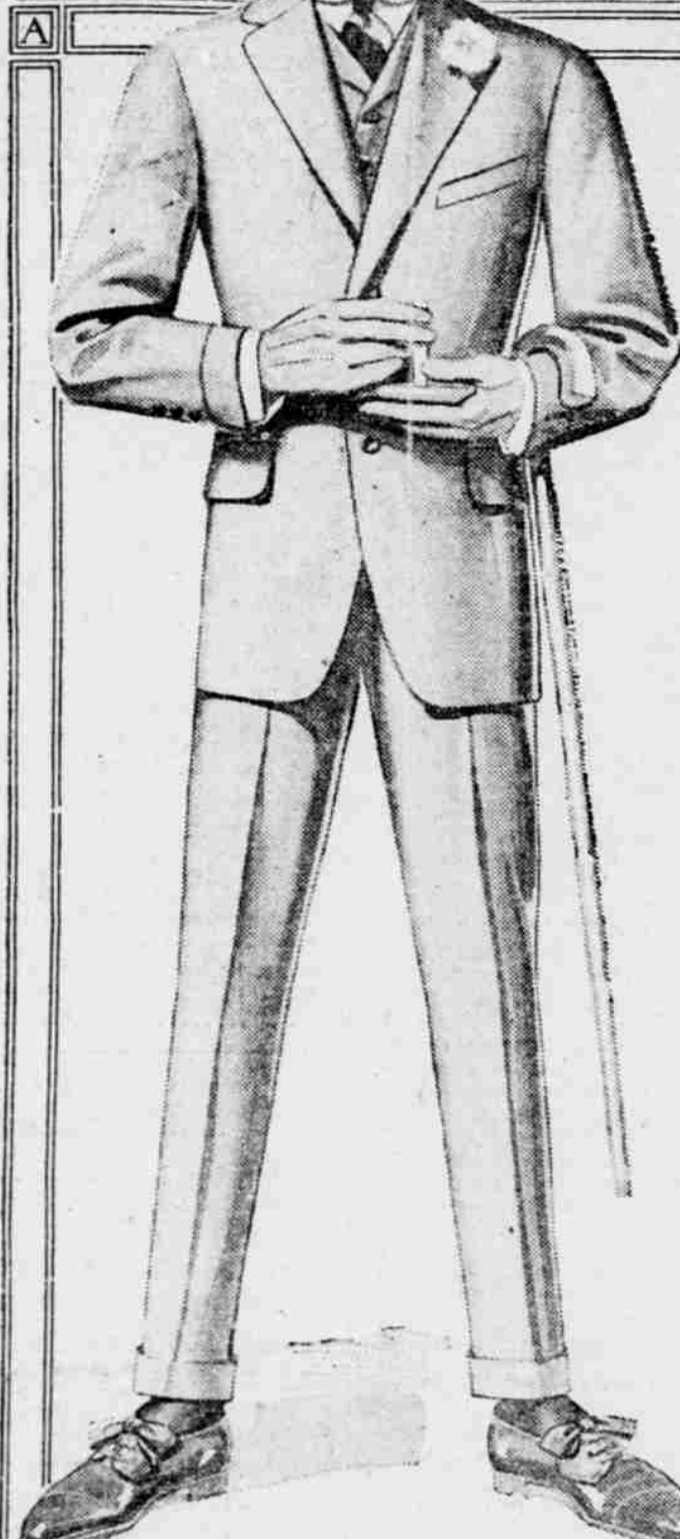
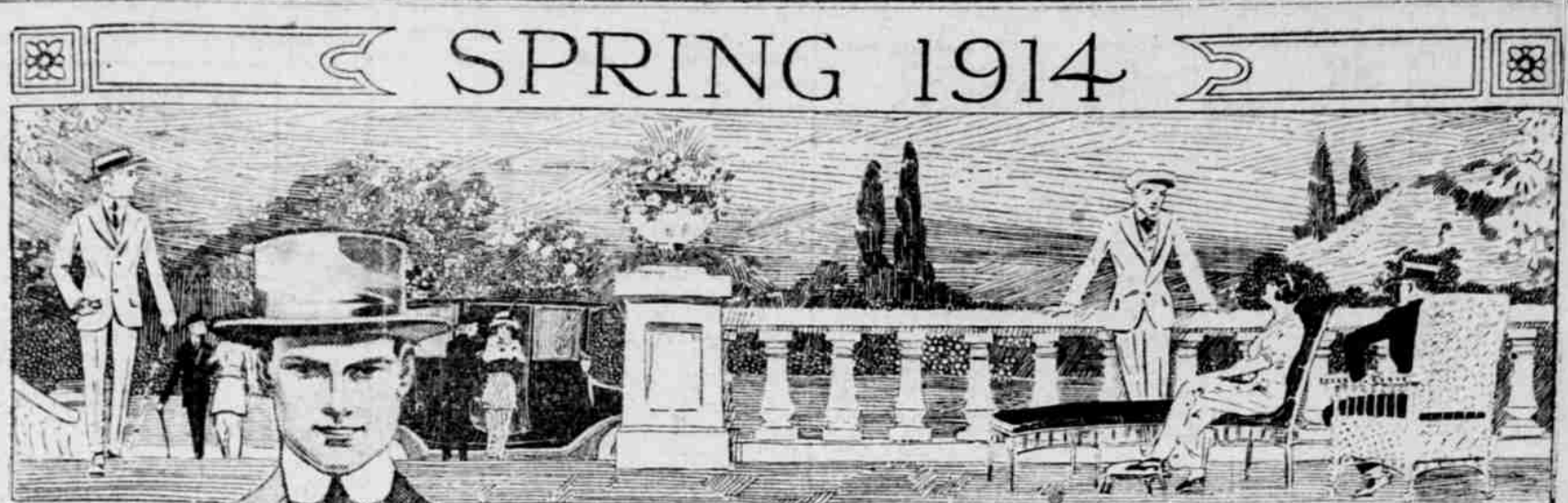
"Did you communicate with Sheriff Bruner on that date?" "I don't remember."

Cain Tells Story.
George W. Cain, formerly of Moline, but now in the real estate business in Rockford, took the stand yesterday afternoon for the first time. He declared that he paid Sheriff Bruner \$100 to secure his freedom from county jail although he knew this was less than his fine, the transaction taking place in the office of the Rock Island National bank.

Cain stated that he was arrested Dec. 5, 1911, at Moline, for operating gum vending slot machines, and taken into county court, where he was fined by Judge R. W. Olmsted \$100 and costs, the total amounting to \$128. He declared that the sheriff took him back to the county jail where he asked him what means he had to pay. It was arranged to send a telegram to Rockford friends for \$128. The witness said that on the morning of Dec. 7, two days after his arrest, he was again taken to the office by Sheriff Bruner, where he found that only \$100 had been wired. The sheriff then took Cain to the Rock Island National bank, where the \$100 was secured and paid over to the official, the witness claiming that Bruner told him "he would have to fix up the amount of the costs with the state's attorney."

Mr. Cain stated he then returned to the jail for the purpose of securing his watch and other personal belongings and took a street car for Moline, returning to the Arlington hotel, where he was registered. He then returned to Rockford.

No Cross Examination.
The defense sprung a surprise by refusing to cross examine either Cain or Charles Truxell, former deputy sheriff, who testified relative to arresting



Spring 1914

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Cain or John Stipler, of Rockford, who sent the \$100 in question to Cain. However, when Clarence Isaacson, deputy county clerk, took the stand, and testified relative to the proceedings in county court after the release of Cain, there was instant opposition. Mr. Isaacson first identified the jury waiver which Cain had signed and a certified copy of the judgment and record of the case in county court. He stated that the fine and costs in the Cain case had never been paid. The witness claimed that five months after the judgment had been entered, Sheriff Bruner came into county court and informed the judge that he had "misunderstood the mittimus, that he thought Cain had been ordered to work out his fine at the rate of \$1.50 a day."

Defense Objects.
The defense objected strongly to this statement. Attorney S. R. Kenworthy made a lengthy argument to the court in which he claimed that the sheriff was being tried on an escape charge; that in the present action he was not alleged to have misappropriated any funds; that the sheriff was entitled to receive the amount of the fine; that it was material to know what was Bruner's intent at the time of the alleged escape, but that what he said in county court, months after the offense on which he was being tried, was immaterial and improper.

Matter for Jury.
Judge Graves from the bench declared it was a matter for the jury to determine. He said the testimony of Cain that he knew what the amount of his fine was and that he understood he was paying less than the sum he should, in order to legally gain his freedom; and statements that Bruner knowingly accepted a sum less than the fine, although he later claimed that he thought Cain had been ordered to work out his sentence at the

BARN BURNS ON THE BUCK FARM

Loss of Several Thousands of Dollars Caused by Blaze Near Coal Valley.

A fire of unknown origin completely destroyed a large barn on the farm of George Buck, Sr., southwest of Coal Valley, last night, entailing a loss of several thousands of dollars. The barn was filled with grain and hay and burned rapidly. All of the horses were led to safety but a calf was burned to death. George Miller, son-in-law of the owner, has been managing the farm while Mr. Buck has been on a trip to Alabama for the winter. The loss is well covered by insurance in the Cambridge Mutual company.

PERSONAL POINTS

Bernard Ingram is home from Northwestern university for the Easter vacation.

Mr. and Mrs. Walter Anderson, 1231 Twelfth street, are the parents of a son born this morning.

Mr. and Mrs. Daniel Corken, 1431 Seventh avenue, returned home this morning, after having spent the winter months at Los Angeles, Cal.

Miss Dorothy A. Stevens, who is attending the Illinois Women's college at Jacksonville, arrived home this morning and will spend the Easter tide with her parents, Mr. and Mrs. M. T. Stevens, 1001 Twenty-second street.

Cruelty Divorces Grounds.
Mrs. Wylola E. Burge has filed suit in circuit court against Richard A. Burge for divorce, alleging cruelty and drunkenness. Mr. and Mrs. Burge were married at Des Moines July 7, 1903. They separated Oct. 18, 1913. Mrs. Burge says she left her husband three times because he was cruel, each time returning on his promise to quit his brutality. The complainant says her husband knocked one of her teeth

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Saturday Specials

- Beautiful Silk and Plain Tissue Gingham in new spring colorings and designs, are 15c a yard for Saturday instead of 25c—yes, at 10 o'clock and until sold, per yard, 15c.
- While 8 pieces last, you may choose from checked Taffeta and Messaline Silks, mostly black and white for 60c a yard. These are \$1.00 and 85c values—but for Saturday these eight pieces are just 60c per yard.
- We select a few numbers of new shapes from the \$1.00 and \$1.25 women's hand bags and offer them at 10 o'clock Saturday, and until sold at 79c each—79c.
- An Atomizer FREE Saturday with each ounce of 75c perfume you buy at 9c an ounce. A variety of odors, regular 75c quality. Bring your bottles and pay us only 39c an ounce and get an Atomizer free.
- Women's fine dull kid, two strap Princess, low cut shoes for Easter, up-to-the-minute style, with Cuban heels, all day Saturday, per pair \$1.95. State street price, \$3.00. Our price Saturday, \$1.95.
- Long, Pearl Bead Chains for your Easter Costume, a sensation for Saturday, just when you will want them most, comes this Easter offering, like this: The 75c ones for 59c; the dollar ones for 69c and the \$1.50 chains for just 79c each.
- Musical Program in the Evening.
- The Wall Paper Man has more rare good bargains for you Saturday. For instance: Kitchen Tile paper, 3 colors, per roll 41-2c
30-inch Holzmehl paper, 3 colors, per roll 9c
Pretty Parlor Paper in new Tango shade, roll 10c
New Striped Imported Papers—sun proof, roll 20c
- Women's high grade silk hose, the soles, heels and toes are all double, Saturday, per pair, 37c.
- Men's handsome laundered fine percale shirts, coat style, Saturday all day, 79c.
- Short lengths of draperies, cretonnes, madras, Scrims, Voiles, Marquisettes, silklines, Nets, etc. 1 to 5 yard lengths. Values up to 95c yard—your choice 9c yard.
- Velvet Carpet Borders, 3 to 20 yards. Values up to \$1.25 yard, all go in—while they last, 59c yard.
- Bolster Rolls, Blue, Pink and White, one to a customer, 98c each.
- You can buy big 5c rolls of crepe tissue toilet paper for 21-2c a roll, all day Saturday—none to dealers, quantity limit at 21-2c.