THE LEAVENWORTH WEEKLY TIMES.

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Conservative Established by D. R. Anthony, January, 1861

Weekly Times

THURSDAY, MARCH 4, 1875.

SCHOOL AFFAIRS.

THE TIMES, some time ago, called upon the School Board to do away with all unnecessary studies in the public schools. We argued that the common schools were instituted to give boys and girls a good, sound business education, and not to educate them for the professions. The school tax is one of the largest items in the levy, and the one that is the least looked after. Before the last year, the School Board of this city was managed by a certain class of men, who contrived to manipulate affairs to suit themselves. One of the most foolish things they did was to build the large high school in South Leavenworth. We will admit that it was somewhat difficult for children to come over to the Morris School, but their parents have to suffer much more, perhaps, in consequence of the general hard times. Therefore we contend that the building of an extra school house was an unnecessary expense to the overburdened tax-payers of Leavenworth. We cannot help ourselves now, the work being done and must be paid for. But we can economize in them anagement of our schools, and must do it if we wish to lower our taxes. Do away with geology, trigonometry, botany and other studies, which the business man never uses.

THE TIMES is not the only journal in the country that advocates this. The New York *Sun*, Chicago *Tribune*, and others of the leading papers of the country agree with THE TIMES. It will come to this some time, and Leavenworth might as well be first as last.

HONEST CLAIMS.

THE TIMES has said very little of the $35,000 militia claims now before the legislature, for the reason that the good sense of one hundred and forty representatives ought to settle the question satisfactorily. We have information concerning some of the items which make up this amount, which ought to satisfy any reasonable man that the debt is an honest one and ought to be paid.

The particular item to which we refer is the one of $4,100, and upwards of Messrs. Cochran, Bittman & Taylor, of this city, for groceries and supplies furnished. The need of troops on the southwestern frontier was a question which the Governor had to decide from the information furnished him by those directly interested. He decided that troops were needed, and accordingly sent them. If the management of this expedition to defend exposed citizens from hostile savages was conducted with ordinary prudence and economy, we see no reason why the expense should not be borne by the State.

The bill presented by Messrs. Cochran, Bittman & Taylor, wholesale grocers of this city, was for goods furnished at wholesale prices, for what was represented to be a legal and humane purpose. Surely the legislature should at once liquidate the indebtedness. Messrs. Cochran, Bittman & Taylor furnished the goods, and should be paid without compelling them to lobby for a settlement. If honest bills are not paid without so much trouble, the time may come when the State will again need accommodation, and this trouble and delay in settling fair claims may prevent merchants from extending the required aid.

TILTON-BEECHER.

The Beecherites are doing themselves much harm by sending offensive notes to Mrs. Moulton and other witnesses for the prosecution. The *Star* made a foul attack on Mrs. Moulton, and her husband offers $5,000 to learn the names of the persons who sent such insulting letters to Mrs. M. The following little items of news we take from the Chicago *Tribune* correspondence.

Bowen will be summoned as a witness, but in rebuttal. If Beecher alleges in his defense that his remorse was due to the fact that he had consulted Bowen to discharge Tilton from the *Independent*, for entertaining heterodox views of marriage, Bowen will swear that he never consulted Beecher about Tilton's relations to his newspapers and that Beecher never volunteered any advice with regard to Tilton or his situation. The reason that Bowen gave some time ago for severing Tiltons connection with the *Independent* was to the fact that a well-known lady contributor to the Brooklyn *Union* had complained of something worse than incivility on Tilton's part. Her complaint added to another motive for getting rid of him, which consisted in his having taken sides with the wrong section of the local Republican party against the other and more influential clique, actually gave Bowen his excuse, and Beecher had as little to do with it as myself. I abstain from mentioning the name of the lady directly responsible for Tilton's departure from Bowen's service. Although it has not so far been mentioned in connection with the scandal, you have had occasion quite lately to print it in your columns as that of one of the parties to a very singular Washington divorce case.

THE NEXT WITNESS

will be the Rev. Dr. Storrs, who, it is promised, will regale the community with statements not a whit less amazing than those with which Mrs. Moulton has astounded Brooklyn. Frank Carpenter will testify in rebuttal before Bowen.

DEMOCRATIC VIEWS.

A prominent Democratic Senator states to the Chicago *Tribune* correspondent that the Democrats have generally agreed that, of the pending political measures, the following, in their relative order, are the most repugnant to the Democrats, and the ones which they will especially endeavor to defeat: First, the Civil Rights bill; second, the President's Arkansas message; third, the Political, or Habeas-Corpus bill; fourth, Pinchback.

A careful comparison of the views of the prominent Democrats of the House shows that the leaders of that party are strongly opposed to the assembling of the next Congress before December. It is manifest from their individual statements that they have the gravest apprehensions as to the ability of the Northern leaders to control the rank and file of the South, and to harmonise the conflicting views of national subjects entertained by different Democratic factions. They also fear that an early meeting of the next Congress would create dissensions within the Democratic party which might assume formidable proportions before 1876. The notable subjects respecting which this fear is exercised are the tariff, finance, transportation, and the relation of the nationality to States' rights.

DESTITUTION

This morning we give our readers a story of the suffering on the frontier, from the pen of a gentleman from Illinois, who is now in Kansas, distributing aid donated by the people of his State. If his story be true, and we suppose it is, the reports have not been exaggerated, and the foreign aid that has been received has been greatly needed. It is heart rending to think of little children crying for food and clothing to save them from death by starvation or freezing. Leavenworth has given a great deal to her sister counties on the frontier, and the donations have been received and acknowledged. We hope that before long, these people will obtain a living by working, and not by begging. But they need charity now.

THE RAILROAD WAR.

The fight between the Baltimore & Ohio and Pennsylvania Central still continues. President Garrett's road is on the aggressive, and his prompt action in the matter has very much disconcerted the Eastern roads. No one thought for a moment that he would be so prompt in carrying out his threat to lower the rates. A special to the Chicago *Tribune*, from New York, says that the fare from St. Louis to New York has been reduced from $27 to $21 25. The Pennsylvania road has not yet reduced rates to the East, and the officials say it will not until the three trunk lines of the Saratoga combination agree to it. But it is believed that joint action will shortly follow, and then the traveling public will enjoy themselves, at a nominal price.

The Baltimore & Ohio talk of having a fleet of steamers ready shortly to take freight direct to their Baltimore terminus. The affair promises to become more bitter and extended than at present. The people of the West are with President Garrett and the Baltimore & Ohio in this move. They remember that this road refused to join the Saratoga combination to oppress the people. They will hold out longer than Mr. Scott's road can, and will suffer the least.

THE CLANDESTINE MARRIAGE.

The Heimcke-Crancer sensation was temporarily settled yesterday afternoon, before Judge Ide. The parties agreed to a private interview before the Judge, who asked Miss Belle Crancer whether she desired to go with Mr. Heimcke or to remain with her parents. Miss Belle replied, that until the question of Mr. H.'s reported marriage was cleared up, she preferred to remain at home. In reply to a question from Mr. H.'s attorney, she declined to say whether, in the event of Mr. H.'s character being cleared up, she would go to him.

It was extremely unfortunate that the young lady consented to a clandestine marriage, but the temporary adjustment now made seems to be the wisest and best, under the circumstances, for all parties concerned. A few months will give the parties time to decide whether they would rather live apart or together.

The evidence of Gen. Van Vliet and Maj. Swain is quite conclusive as to the general good reputation of Mr. Heimcke during the last few years.

All parties are to be congratulated upon the peaceable termination of the difficulty.

THE BROWN FAMILY.

And now it transpires that the Chicago glue works, which were burned last Sunday night, might have been saved, but for the criminal negligence of one Brown, who had charge of the fire-alarm office. Full thirty-two minutes elapsed before the young man sounded the alarm. And now people in Chicago naturally ask "where was Brown all this time?"

We give it up, but surmise that he was either drunk, asleep, or out of the room. Brown ought to be discharged, for criminal neglect of his duties.

We are beginning to lose all faith in the Browns. It is true that John Brown's body is yet meandering through our land, but then it is also true that Young John Brown, the Kentucky Congressman, is with us, and now rises the Chicago Brown and is an accessory to a $400,000 fire. Think of it, one Brown insult Ben Butler, another helps to burn a glue factory. We will lose faith in mankind before long, not excepting Deacon Houston and Quill Pusher Hines.

RASH LEADERS.

There is no longer any room for doubt that the chief obstacle in the way of a peaceful adjustment of the Louisiana troubles, without further intervention of the national authorities, lies in the personal ambition and political obstinacy of the extreme Democrats of that State. How far they are sustained in their course by the Democratic leaders in Washington, we do not know, but it is clear that the latter are making no effort to bring about an arrangement, or it would be accomplished. This is a fact which ought not to be forgotton when the matter comes again before the people, as probably it must.

The Democracy is very unfortunate in its selection of leaders, always selecting men who do not enjoy the confidence of any class of people, but who are virulent rash, hot-headed partisans, thinking more of what will deprive the "nigger" of his rights, than working for the welfare of the country.

SENATOR McMILLAN.

The Democrats with characteristic impudence and a disregard for all truth, have asserted that Hon. S. J. R. McMillan, Senator-elect from Minnesota, is what is called an Independent. We present an extract from his speech to the joint convention, and venture the assertion that Messrs. Cameron and Christiancy will act in accord with Mr. McMillan. Read the following extract:

"I thank you heartily and sincerely for the honor you have done me, conferring upon me this high and important trust, and in accepting the position it is due to the people, due to the members of this body, and due to myself, that I define my political sentiments. I have always been a Republican, and am such still, ever supporting the principles of that party, and expect to continue to do so. The Republican party originated in a deep-seated principle of justice and liberty in the hearts of the American people. Struggling through infancy, it has attained a vigorous manhood, conferring happiness and strength on a great people. In view of the circumstances attending this election, I regard your action not so much a personal compliment to myself, but an expression in favor of the unity and purity of the Republican party, and a desire to preserve it intact. The antagonisms that have grown out of this canvass seem to be of a personal nature, but they are slight. Contests of this kind rarely pass without being characterized by greater asperity. The friends of all the gentlemen named as candidates can now heartily unite and congratulate each other that the party remains true to its principles, and can hereafter act in hearty concord."

O! HE IS A DEIST!

The opening argument of Gen. Tracy, in Beecher's defense, commenced yesterday. He bases his principal defense of Beecher, upon the ground that Theo. Tilton, in the later years of his life, became a Deist. For some time the question has been assuming this shape. It would seem to common people that the crime of adultery was the same, no matter whether the injured husband was a Deist or a believer in the Trinity. No matter whether the adulterer was a Deist or a Trinitarian.

The argument seems to be that Beecher was a man of God, and even if he did commit adultery it was no sin for a holy man like Beecher to gratify his animal passions, providing he keeps within the fold of his own Christian flock.

Shame on the cowards and hypocrites. They do more to destroy the morals of the people than all the sinners in the land.

It is not wrong for Beecher. The same argument in Leavenworth says it is not wrong for Deacon Houston to lie, or to bet. and lie again to cover it up.

THE SOUTHERN PRESS.

We cannot look over one of our Democratic exchanges, without finding some article reflecting on President Grant and Gen. Sheridan. The tone of the Northern press is not so bad, but the organs of the White League in the South, daily contain filthy, low and cowardly threats against Grant and Sheridan. The Atchison *Patriot* and Kansas City *Times*, of course endorse such articles, but we think that the decent newspapers of the North will repudiate such contemptible assaults as the following from the Attakapas (La.) *Sentinel*:

Every country has its patriot to rise up with a heaven strengthened arm and strike down the tyrant oppressing it. To kill in self protection is justifiable always. To rid the earth of such a monster as Sheridan would be a deed for all the world to applaud. We don't mean for a midnight masked assassin to murder him, but for the people of New Orleans, of Louisiana, rising in the majesty of their might to slay him on the street as they would a rabid dog, in the broad open day, with the sunlight of God's Heaven shining down upon the act, and growing brighter in approval.

THE NEXT SENATE.

On strict party questions the next Senate, as heretofore, will be divided into Republicans and Democrats—the Liberals and Independents arranging themselves on the one side or the other. The Louisville *Courier-Journal* has made a classification upon this basis, and conceding the vacancy in Louisiana to the Republicans, it figures up 46 Republicans and 28 Democrats, making the total number of 74 in a full Senate. The *Courier-Journal* classes Booth, of California, and Hamilton, of Texas, as well as Christiancy, of Michigan, and Cameron, of Wisconsin, as Republicans. And it is right in so doing. This will give the Republicans a majority of 18 in the Forty-fourth Congress, amply sufficient for all needed purposes. The *Courier-Journal* is more candid in its figures than some of its Northern partisan contemporaries, but there is no reason to doubt its accuracy.

TILTON-BEECHER.

The New York *Graphic*, speaking of Mrs. F. D. Moulton's testimony says:

It seems to be pretty generally conceded this morning that Mr. Tilton has a case and was justified in bringing a suit. The testimony already adduced of Messrs. Moulton, Woodruff, Bell, Richards, and Robinson, and of Mrs. Bradshaw, Carey, and Moulton, is far more conclusive than that on which many a poor fellow has been sent to the gallows. People who have insisted that the Brooklyn sky was cerulean, and that there was no cloud but the dust that a disappointed sentimentalist had kicked up, begin to think it looks dark and may rain by and by. It has been generally remarked that dry jokes have ceased for a week or two, and some people are not so happy as they used to be.

But notwithstanding all that, the same paper tells us that in the evening Mr. Beecher presided as usual at the Plymouth Church prayer-meeting, and was apparently in the very best of humor.

ATTENTION, MARRIED PEOPLE.

The married world is shaken to the center by the astounning fact that all marriages solemnized in Indiana since 1852 are illegal, on account of some technicality in the law. The Probate Judges and ministers are expecting a rich harvest, unless the Legislature passes a law legalizing all such marriages. Parties in Leavenworth who had the misfortune to be married in Indiana since 1852, can rest assured that this is no hoax, but a solemn truth, and will govern themselves accordingly, thereby saving much trouble both before and after their death.

TOWNSHIP OFFICERS.

We have received a copy of the new law relating to township officers. It provides that all township officers shall be voted for at the November election, instead of the April election. It also further provides that all such officers whose term of office would expire in April next, will hold over till November next. The law is a good one. We have too many elections; all officers might better be chosen in the Fall with the county officers, than in the Spring, when no elections will be held throughout the county.

THE CRIMINAL COURT.

The criminal court fraud is likely to be perpetuated. The Leavenworth delegation in the Senate is, of course, averse to abolishing any sinecure which takes money from the State Treasury and takes it to their town; and the Senate will probably defer to the very persons who should not be consulted. They have passed a bill which merely cuts down the salary of the clerk, paid by the county, to $900. The House committee has recommended concurrence, and Judge Sherry will now breathe easier. A "great metropolis" is a fine thing to have, but it is an expensive luxury for poor folks.—*Topeka Correspondence Atchison Champion.*

And if this fraud on the county and State is continued, the voters of Leavenworth county will hold our senators responsible.

THE Senate Finance Committee has reported a bill for the establishment of a new mint, but without specifying a site. The whole subject will probably be turned over to the President, with a request that he consider it during the recess, and make a definite recommendation to the next Congress. Chicago is said to have much the best chance of receiving the mint.

We object to giving the mint to Chicago, though before the Atchison *Champion* is consulted. Perhaps Atchison wants a mint.

EVEN that good and independent paper, the Springfield *Republican*, observes that the party that honors Fernando Wood, and backs up Sam Randall in filibustering for two days against the consideration of moderate civil rights bill, cannot elect the next President.

THE Supreme Court of the United States has just rendered a decision to the effect that where the creditor of an insolvent surrenders old securities, within proper time, and takes new ones, the latter are valid as the consideration for the surrender of the former.

A correspondent in the Lawrence *Standard* says:

The good Deacon Houston sticks to God in the Constitution. He says he had rather have him there than be bothered carrying him around in his heart. He might never read the constitution, but his heart would always be "pegging away" at his sides. The little hatchets will all be dug up again before the day is over.

THE foreigners in Congress aggregate fifteen. Schurz, the German, and Jones, the Welchman, comprise the Senators; and in the House are five Irishmen, four Scotchmen, two Englishmen, a Canadian, and a Mexican.

THE Kansas City *Times* says that Deacon Houston never had a sober thought a second in his life. We fear that if such stories are set afloat, we will have to defend the Deacon, so good and great.

PEOPLE send good-for-nothing contributions to the Topeka *Commonwealth* for publication, and when refused the Kansas City *Times* publishes them. Enterprise.

ENGLAND is shortly to have a college for women, holding the same relation to their higher education as the colleges of Oxford and Cambridge do to the education of men.

FISK'S New York Grand Opera House is to be soon transformed into a fashionable hotel.

WHY do not the Lawrence *Journal* and Topeka *Commonwealth* reach us in the morning?

THE prevailing destitution in New York is greater than for the last thirty years.

STATE ITEMS.

—The Kansas *Farmer* advises farmers to plow deep and early.

—Fort Scott has lectures for the benefit of the poor.

—Atchison did have one hack, but it broke down the other night.

—The Atchison *Champion* has flax culture on the brain.

—J. B. Fluno, of the Fifth avenue hotel, Topeka, has purchased the McMeekin house.

—Some lunatic is writing articles in the Topeka *Commonwealth* against donating $7,000 to St. Vincent's Orphan Asylum.

—What is the matter with the Hutchinson *News*? It is a very good weekly, but disposed to be very critical.

—The Troy *Chief* thinks Deacon Houston must have had his hands full, with the law suit and the God-in-the-Constitution convention.

HEART RENDING.

The Terrible Reports of Destitution in Smith County.

Mr. I. Villars, of Piatt county, Ill., writes from Smith Center as follows:

From Hastings, Nebraska, to Smith Center, it is 75 miles. All along two-thirds of this distance in Nebraska, I found the same destitution as here. In Red Cloud, county seat of Webster county, I met one of the township aid committee, and he requested me to try and get dinner in Red Cloud, by going from house to house for it. He said I could not succeed, for the people would tell me that they did not have it to spare. This county in Nebraska joins Smith county, Kansas. The first township that I passed through was Pawnee, and we take out our note book to record observation, and here they are; I give names.

Here is Geo. Frasure with a family of five, nothing to eat or wear, no work, would work if he could get it; tilled his crop well and is a hard-working, honest man. Entirely destitute.

Jacob Wolf, wife and children, with but two bushels of wheat, grind at that, nothing else to eat. All ragged and all their clothes on their backs.

S. Baldwin, wife and two children, have nothing. Must be fed.

A German, Mr. Tillman, hard honest toiler, with his wife, in want. They have no children.

Mr. Geo. Taylor, wife and seven children, nothing to eat or wear; no bedding. Has to get up of nights and build up the fire to keep his children from freezing.

Rev. W. M. Wellman, pastor of the Congregationalist Church in Smith Center, reports that Mr. Kountz, with tears in his eyes, told him that he and his wife and nine children had eaten nothing but bread and tea for a number of months. Mr. W. gave a pair of blankets to a family of four who only had one blanket in the house to cover all. He reported to me a number of families living entirely on bread and wheat coffee, and that almost gone, and what next, God only knows.

Elisha Grover, chairman and receiver of supplies in East Beaver township, reports one widow with six children who applied for aid ten days ago and got none. The mother started for Hastings, seventy-five miles away for work. She left home crying and wringing her hands with grief, but was compelled to go. The neighbors divide with her children.

Another man, wife and five children no work and nothing for work, but one quilt and blanket. The wife and two little ones crawl under an old feather bed, and the three little boys get under the blanket and lie by the fire, no shoes, and not clothing enough to cover their nakedness. Many in this township only get through the night by keeping up fires.

J. H. Trivette has nine children, two daughters over eighteen, good, intelligent girls, all are almost naked. These girls would work for bread only, but bread is not to be had for work. There is no pay for work, not even bread.

Mr. Clemens, county sheriff, living in Kingman township, reports two families who have lived three weeks on nothing but wheat bran.

I visited Harvey township, and the chairman of the board of commissioners, Mr. Strantohan, reports a Mr. Lane with wife and children with three days' rations. They have given up and it is thought will die.

I visited the family of Henry Riddle, wife and five children, the babe one week old. I asked permission, after explaining why, to examine their beds. Consent was given. In turning up a flimsy feather bed, covered with a single old sheet, I found prairie hay. On this hay the children slept, with no pillow, and in the clothing they wore through the day. All her beds were alike. The lady was intelligent, really refined. Little girls had rags around their feet. The oldest, fifteen, could be seen crying from morning till noon and night over her condition. I asked if the children had all their clothing on. She answered "all they had." I inquired if they had anything to eat. She answered: "We consumed the last bite for breakfast."

Another puts children in prairie hay, tucking it around them, and then he and his wife lie down by the fire.

Mr. Peter B———, with a family of six, visited by the committee, raised nothing, and his children were naked. A daughter, fourteen years of age, hid herself away, but the committee required to see all, and she was brought forth NUDE.

I visited another, Mr. Lane, family of seven and an old mother of 80 years. They were shivering around the stove. Wife, daughter of 15 years, and all were destitute of clothing. I got down on my knees and prayed with this family. When I bade them "good bye," they held on to my hand as if they must go with me. The old mother's last words were: "I have a son back in Illinois; if you come across him, tell him you saw his old mother shivering with the cold out here in Kansas." It made my heart ache, and I had to break out in crying with the family. I hurried away.

I visited Esq. Reed, he had eighty-five bushels of wheat, gave it all to his neighbors but a little, and is now needy. His wife is sick and his children barefooted. As I sat by the bed of this sick woman, one child with blue feet cried in that sick mother's ear: "Mamma, I want some shoes, give me some shoes." I saw that mother weep with that child, and only say: "Don't cry. some day you shall have shoes."

This afternoon I came in from the country; parts of the country that I could not visit had heard of me. People from all directions had assembled at the court house to express thanks to the people of Piatt county for their aid. I was, unexpectedly to myself, called out; I spoke of our work for this section. After the meeting was adjourned they gathered around me with warm hand shaking and tears, and expressed in that way what they could not in words. The addresses made by toil worn men were uttered with great emotion. Col. Campbell, chairman of the meeting, arose and said: "An old lady, very feeble, came to my house with the hopes of seeing Mr. Villars, but could not get to town, who said: 'Tell Mr. Villars, God bless you and the people who have remembered us in our need.'"

This is the most beautiful country to look upon in the west. And the people are the most industrious. The immense amount of ground broke shows their industry. The people who are here will stay or starve. They have faith in their country. They are the most hopeful people. They persevere; though worse off now than when the locusts first came, they are facing this fearful reality with the courage of men who face death. Their wives are like them. But the children cry for food and clothing, and it is this that rends the heart.

If any send provisions, send it direct, to the "Aid Committee, Smith Center, Kansas, via Hastings, Nebraska." Moneys to Mr. T. M. Helm, county treasurer, treasurer for aid. Do not send to the central aid at Topeka, if you can send directly to needy points.

Sunshine.

Children need sunshine quite as much as flowers do. Half an hour is not enough. Several hours are required. The most beautiful flowers that ever studded a meadow could not be made half so beautiful without days and days of the glad light that streams through space. Light for children. Sunshine for the little elves that gladden the otherwise gloomy earth. Deal it out in generous fullness to them. Better plant roses on the dark side of an iceberg than rear babies and children in rooms and alleys stinted of the light that makes life. —*Herald of Health.*

—The Atchison *Champion* says:

Marshall Crall, yesterday, found one horse and a carriage at Mulligan's livery stable that had been stolen from Phil. Rogers, at St. Joseph. The thief had left them there and hired another team of Mr. Mulligan to take a short trip in the country. Mr. Rogers offered a $100 reward for the recovery of the property, which Mulligan will probably claim. Marshal Crall has learned that Mulligan's team is at Tonganoxie.

—The Leavenworth *Commercial* man can't take a joke. He is altogether too morose, too matter-of-fact, as it were. By the way, doesn't his soup diet make him a little grave-eh?

—The editor of the Burlington *Hawkeye* went out hunting the other day. He banged away for two hours at a tin rooster on a neighbor's barn. He thought it was a grey eagle.

HEIMCKE VS. CRANCER.

The Second Day's Trial of the Elopement Case.

Affidavits from Frank Taylor and Mother Xavier Ross.

The Judge and Counsel Hold a Consultation with the Young Lady.

She Wishes to Remain with Her Parents

Until Heimcke's Character is Fully Cleared.

The Last of the Suit Until "Divorce" is Played.

The District Court room was crowded to almost suffocation yesterday afternoon to listen to the arguments on the Heimcke—Crancer elopement case. In which the husband, Wm. Heimcke got out a writ of *heabeas corpus* to obtain the possession of his wife, Belle Crancer, from her father's residence, where, it was alleged, she was kept in confinement, and was detained against her wishes. An answer to the writ was made last Monday by the defendant's counsel, Messrs. Stillings and Fenlon, and the case was adjourned until yesterday, when Heimck's attorneys made a reply, in which they brought forward several affidavits to clear the character of their client. After the affidavits had been read, it was agreed, by consent of counsel for both sides, to let the young lady herself decide the case, by consenting to remain with her parents or go to her husband. The counsel, accompanied by Judge Ide and Mr. Heimcke, retired to the Judge's private room, where the Judge stated the case plainly to Miss Belle, and told her that should she see fit to go with her husband, she would receive the protection of the Court. Her reply was that she would remain with her parents until Mr. Heimcke's character was fully cleared of all accusations—that he had no other wife.

Below we give the answer to the writ and the affidavits read on Monday by the counsel for the defense.

THE WRIT OF HABEAS CORPUS.

STATE OF KANSAS, LEAVENWORTH COUNTY. } ss.

In the District Court of Leavenworth County, Kansas:

The State of Kansas to John W. Crancer: We command that you have the body of Belle Heimcke by you detained and restrained of her liberty, as it is said, together with the time and course of such detention, by whatever name the said Belle Heimcke shall, or may be called, or designated, before the District Court of the First Judicial District of the State of Kansas, sitting in the County of Leavenworth, in the State of Kansas, at 2 o'clock P. M., on the 22d day of February, A. D. 1875, at the District Court room in the city of Leavenworth, to do and receive what shall be ordered concerning the said Belle Heimcke—and you have then and there this writ.

In witness whereof, I have hereunto set my hand and affixed the seal of said District Court, at my office in the city of Leavenworth.

[Signed,] H. J. DENNIS, Clerk of the Court.

Dated February 20th.

THE ANSWER THERETO.

The State of Kansas, &c., upon the relation of William Heimcke vs. John W. Cranser.

John W. Crancer, the respondent above named, makes this return to the writ of *habeas corpus* served upon him, and alleges:

1st. That he does not now, and has not restrained one Belle Crancer, otherwise called Belle Heimcke, of her liberty.

2d. That said Belle Crancer is the daughter of this respondent, and she is not yet eighteen years old; that on the 11th day of February, 1875, against the will, and contrary to the judgment, and without the consent of the respondent and the mother of said Belle, by fraud and connivance and deceit, one William Heimcke, the relator herein, procured a license from the Honorable the Probate Judge of Leavenworth county, and therefrom proceeded and induced Rev. F. M. Spencer to perform the marriage ceremony between him, said Heimcke, and said Belle Crancer.

3d. That this respondent believes and charges that at the date of said above named ceremony the said William Heimcke had then a wife living, and that in the ceremony aforesaid he was and is guilty of the crime of bigamy.

4th. This respondent now has before this court the body of said Belle Caancer.

5th. That she is not now, and never has by said respondent been restrained of her liberty, as will fully appear by her written autograph hereto appended and made a part of this return.

6th. This respondent states that he has the legal right to have the custody and control of said Belle Crancer, and if it should *become* necessary he should exercise the proper control over her movements and conduct to prevent her from being subjected to the control and will of said Heimcke, who, as respondent avers, by having a wife living at the date of the alleged marriage between said Heimcke and said Belle Crancer, and by reason of her minority, and by reason of said Heimcke's deceit and fraud, is not ths legal husband of said Belle Crancer, which facts will appear more fully by the affidavits attached hereto, being: 1st, The affidavit of Emily Heimcke, his said Heimcke's first and still living wife, taken on the 18th day of February, 1875. 2nd, The affidavit of Mrs. Lee Edwards, sister of said Emily Heimcke, taken on the 18th; that of Maria Wilson, mother of said Emily Heimcke, and the affidavit of Robert Wilson, taken on the same date mentioned; all of which are hereto affixed and made part of this affidavit.

J. W. CRANCER.

Sworn to and subscribed before me the 22nd day of February, A. D. 1875.

H. J. DENNIS, Clerk of the District Court of Leavenworth county, Kansas.

MISS BELL CRANCER.

STATE OF KANSAS, LEAVENWORTH COUNTY, } ss.

In the District Court, sitting in and for the county of Leavenworth.

The State of Kansas upon the relation of William Heimcke vs. John W. Crancer.

Belle Crancer, otherwise called Belle Heimcke, being duly sworn, according to law, doth depose and say that she is not now, nor has she been, detained by John W. Crancer, or restrained of her liberty by said John W. Crancer; that said John W. Crancer is the father of this affiant, and this affiant is at her father's house, in the city of Leavenworth, by her own free will and consent; that this affiant was seventeen year old on the eighth day of February, A. D. 1875; that on the eleventh day of February, 1875, she and William Heimcke, without the knowledge or consent of her said father and mother, both of whom were then and are now living, went through the marriage ceremony before Rev. F. M. Spencer; that after this action this affiant immediately went to her father's house, and has remained there ever since; that some question having been raised as to the facts as to whether the said William Heimcke had at the time of the said ceremany a wife then living, this affiant has concluded to remain with her parents until that question can be decided to her satisfaction, and with such determination is now there with her full free will and consent.

BELLE CRANCER.

AFFIDAVIT OF MRS. WILSON.

TERRITORY OF COLORADO, COUNTY OF BENT. } ss.

Personally appeared before me, this 18th day of February, 1875, Mrs. Maria Wilson who is the mother of Mrs. Emily Heimcke, who deposeth and says, that she was present during the same marriage ceremony and winessed the same between her daughter, Mrs. Emily Heimcke and William Heimcke, at Fort Dodge, Kansas; that the said marriage ceremony was performed in the fore part of the evening of Easter Sunday, in the year 1868; and the said affiant further deposes and says that at the time of the marriage of her daughter with said William Heimcke, her name (Maria Wilson) was Maria Flemings, wife of Thomas Flemings, deceased at the time. That her daughter Emily Heimcke was married by the Post Adjutant of Fort Dodge, Lieutenant Thomas Wallace; that the said affiant consulted the commanding officer of Post Fort Dodge in regard to the legality of the marriage of her daughter with said William Heimcke, and the said commandant, Major Douglass, stated to her that the said marriage was legal in all respects, and legalized by the laws of the United States.

her MARIA x WILSON. mark.

Witness: F. A. TAYLOR.

Subscribed and sworn to before me, this 18th day of February, A. D. 1875.

[SEAL.] R. F. LONG, Probate Judge.

MRS. LEONA EDWARDS.

TERRITORY OF COLORADO, COUNTY OF BENT. } ss.

Personally appeared before me, this 18th day of February, 1875, Mrs. Lee Edwards, sister to Mrs. Emily Heimcke, who deposes and says, that she was present when the marriage ceremony was performed between her sister, Mrs. Emily Heimcke, and William Heimcke, at Fort Dodge, Kansas.

MRS. LEONA EDWARDS.

Subscribed and sworn to before me, this 18th day of February, A. D. 1875.

[SEAL.] R. F. LONG, Probate Judge.

EMILY HEIMCKE.

TERRITORY OF COLORADO, COUNTY OF BENT. } ss.

Personally appeared before me this day, Emily Heimcke, who being by me first duly sworn, deposes and says that her maiden name was Emily Omi, that during her thirteenth (13th) year she was married to William Heimcke, at Fort Dodge, in Kansas, and the marriage ceremony was performed by Lieutenant Thomas Wallace, Post Adjutant at Fort Dodge, Kansas. That there was present at the marriage ceremony Robert Wilson, my mother, Mrs. Thomas Flemings, my sister, Miss Lee Flemings, and several officers at the Post, at Fort Dodge, Kansas. I knew William Heimcke about six months before I married him; he was a drummer and an enlisted man, belonging to company H. Third (3d) United States Infantry (regulars). I never had any connection with William Heimcke before my marriage with him, the said William Heimcke, either carnally or otherwise, nor with any one else. My marriage ceremony was performed about seven (7) o'clock P. M., with said William Heimcke; myself and husband, William Heimcke, left Fort Dodge, Kansas, in about three (3) days after our marriage, and we went to Leavenworth city, Kansas. When we arrived at Leavenworth city, Kansas, we stopped at a hotel, and we were registered as husband and wife, and we remained at the hotel some six or seven days; during the day my husband, William Heimcke, attended to his duties in the Quartermaster's department, at Fort Leavenworth, Kansas, and spent his nights with me at the hotel, in Leavenworth City, Kansas. My husband then placed me in the "Sisters' School," (Catholic) at Leavenworth city, Kansas, and represented me to the Mother of the school as his sister, and during the time I remained at said school my husband, William Heimcke, visited me every Saturday evening at said school. I remained at said school about one year. During my time at said school, and while there, the Mother of said establishment learned that I was in the "family way" and I was sent back to Fort Fodge, and at Fort Dodge I gave birth to a male child, the father of which was William Heimcke, my husband. The child was "still born." My husband received me from the school attended me to the train, and paid my passage and sent me to Fort Dodge. My husband said to me at the train that as soon as my child was born, he would send for me to come back to Leavenworth city. I did not hear from my husband, William Heimcke after I was sent from him, until I received a letter from him while I was at Fort Dodge, and in his letter to me he said he was going to leave Leavenworth city, and that he was not going to live with me any more. Up to the time of one year after the birth of my child, I had nothing to do with, nor any intercourse with any man except my husband, William Heimcke. About one year after the birth of my child I was obliged to enter upon a life of prostitution for support. About seven (7) months after the birth of my child I went to Fort Leavenworth, Kansas, and demanded an interview with my husband and he refused to see me at this time. While at Fort Leavenworth I resided with a Mr. and Mrs. Beck, who I forgot to say, were present at the time of my marriage with William Heimcke at Fort Dodge, Kansas. I have always considered William Heimcke my legal husband, and my husband has not, to my knowledge, nor have I myself, ever applied for a divorce. At the time of my marriage with William Heimcke I was living with my mother, Mrs. Thomas Flemings, who was keeping officers' mess at Fort Dodge, Kansas.

EMILY HEIMCKE.

Subscribed and sworn to before me this the 18th day of February, A. D. 1875.

[SEAL.] R. F. LONG, Probate Judge.

R. H. WILSON.

TERRITORY OF COLORADO, COUNTY OF BENT. } ss.

Personally appeared before me this, the 18th day of February, 1875, Robert Wilson, who deposes and says that he resided at Fort Dodge, Kansas, during the year 1868; that he was present soon after the marriage of William Heimcke and Emily Omi, (both parties being to him personally known,) and that he distinctly remembers of Mrs. Heimcke having introduced Emily Omi, then Mrs. William Heimcke, as his (Willirm Heimcke's) wife; that the marriage ceremony was performed by Lieutenant Thomas Wallace, Third Infantry Adjutant, of Fort Fodge; that the marriage was by all parties present considered legal and binding.

R. H. WILSON.

Subscribed and sworn to before me this 18th day of February, A. D. 1875.

[SEAL.] R. F. LONG, Probate Judge.

To the above affidavits counsel for the relator asked time to reply, and the court granted the request. Yesterday afternoon the case was again called and the followiug reply of the relator, with the affidavits appended, was read:

REPLY OF THE COMPLAINANT.

State of Kansas upon petition of William Heimcke vs. John W. Crancer, respondent:

First, And now comes the said William Heimcke, relator, and for reply to the return of the said John W. Crancer, respondent, denies that he, the said relator, was ever married to any person or persons whatsoever, prior to said marriage with his present wife, the said Belle Heimcke, and he further denies each and every other allegation and averment in said return not hereinafter specifically admitted.

2d. And your relator further says, for reply to the second count of the answer of the respondent, that he did not procure his said marriage with Belle Heimcke by or through fraud or bad faith, or by and through perjury in procuring a license, nor did he procure said license by fraud or deceit. That before his marriage with her—Belle Heimcke—he told her all the facts connected with the Fort Dodge pretended ceremony hereinafter mentioned; that he related minutely every fact that could throw light upon the transaction, and this in good faith, and with the intention that she should not be deceived in any particular; that he told her all frankly, freely and truthfully, desiring that no deceit of his should embitter her future life, or cloud her domestic happiness; that in all of the conversation with his said wife, Belle Heimcke, he was conscientious, frank and truthful; his only desire was to marry her for her true worth, because he did then, and does now, know her to be a good, true, and noble woman; he loved her dearly, and would not for the world, by word or deed, deceive her. And relator further says that he never knew the real age of said Belle Heimcke until affidavits were read the other day in court, but that before going to the Probate Judge's office, to procure the said marriage license, relator said to her: "Belle, I shall have to state, perhaps, how old you are; what shall I say?" "Tell them that I am eighteen;" that when the Judge swore the relator he answered on the aforesaid information, "eighteen;" and that the relator, soon after the said pretended marriage ceremony at Fort Dodge, frequently advised with competent legal counsel as to the effect of the same, who uniformly counselled and advised the relator it was no marriage; that he required no divorce from the said Emily Omi and could get none if he wished it, as there was no marriage in fact between them, and that since then and shortly before the marriage of the said relator to the said Belle Heimcke, his wife, the relator advised with other competent legal counsel, stating all the facts relating to and surrounding the said pretended ceremony, and that he was then informed that the said pretended ceremony did not constitute a marriage in law or in fact, and that the same was no obstacle to the marriage of the relator to his wife, Belle Heimcke, and need not hinder or delay the same.

3d. And for reply to the third count of the answer or return of the respondent, herein the said William Heimcke, the relator, admits that a pretended ceremony of marriage was performed between the relator and one Emily Omi, by one Thomas T. Wallace, an officer of the U. S. army and the Adjutant of the Post of Fort Dodge, in the State of Kansas, in the month of April, 1868. But that the said ceremony was celebrated without license having been obtained, and without any real or pretended conformity to law, and that the said Wallace hadno authority to solemnize or perform the same. That the said Heimcke, the relator, at the time of the pretended ceremony, was a boy of nineteen (19) years of age, and the relator's connection with the affair was the result of a conspiracy to that end, and for that object, by persons in whose employ, or upon whose patronage and support the relator was dependent, and who prior thereto had casually known and illicitiy cohabited with said Emily Omi. That before the time of the said pretended marriage ceremony, the said Emily Omi had had illicit intercouse with, and carnal knowledge of, divers individuals at the said Fort Dodge, and was then a lewd girl, and is now a common prostitute, and that the relator, never after or before said ceremony, lived or cohabited with the said Emily Omi as his lawful wife, and never acknowledged her as such, and that the said Emily Omi never had by the relator any child or offspring. The relator further says that he has never since the month of July, A. D. 1868, held any communication or intercourse whatsoever with the said Emily Omi; nor has she ever claimed him as her lawful husband to the knowledge of the relator, which facts will more fully appear from the affidavits and exhibits hereto marked A, B and C, and made a part of this reply.

4th, And relator for reply to the sixth count in said return denies that the said respondent has a right to the custody and control of said Belle Heimcke, but alleges that this relator has in justice and law such right, and in support of his relator's right, alleges that he was duly and lawfully married to said Belle Crancer, (Mrs. Belle Heimcke,) by the Rev. F. M. Spencer, in the city of Leavenworth, Kansas, on the 11th day of February, A. D. 1875, and that he is now her lawful husband.

That ever since his said marriage with her he has conducted himself toward her as a kind and loving husband; that he has prepared for her a good and comfortable home and implored and begged her to accompany him thereto, and which the relator beleives she would willingly do, but for the restraint mentioned in the application aforesaid, and that he is amply able and is willing to furnish her a good home and living; and is desirous of performing toward her the part of a good, faithful and kind husband; and the relator further alleges that he holds a lucrative and honorable position under the Government of the U. S.; and that he posesses and always has possessed a good moral character for honesty and integrity as well; that he does now and always has moved in the best of society; that he numbers among his friends the best men and officers of rank and respectability at Fort Leavenworth and that at other posts where he has been employed as well now fully appear by reference to exhibit "D," hereto attached. And relator, in reply to that part of the sixth count which alleges that relator had at the time of his marriage with said Belle Heimcke another wife living, hereby expressly refers to the first count herein as a full and complete answer; and that to the part of the sixth count of said return, which alleges the minority of the said Belle Heimcke, she was more than seventeen (17) years old and above the age at which, according to law, she could legally consent to said marriage, and that she did so freely consent; and to that portion of said sixth count which alleges deceit and fraud, relator hereby expressly refers to the second count of this reply, and makes it part of this count as a complete answer to said charge. And relator, further replying, says that the affidavits referred to in the sixth count of the return, are a combination of falsehoods, inconsistencies and absurdities, mingled with some truth, but made by parties utterly unreliable and unworthy of belief, the sworn statements of whom would rather lead to disprove than to prove the facts intended thereby to be established.

STATE OF KANSAS, LEAVENWORTH COUNTY, } ss.

William Heimcke being first duly sworn, deposes and says that he is the relator in above and foregoing reply; that he has read said reply, and knows the contents of the same, and that the matters and facts, allegations and averments therein contained are true.

WM. HEIMCKE.

The subscribing of the above acknowledged before me, and duly sworn to before me, this 24th day of February, 1875.

G. F. W. DASSLAR, Notary Public.

SCHEDULE "A."

STATE OF KANSAS, LEAVENWORTH COUNTY, } ss.

In the District Court of the First Judicial District, of the State of Kansas, sitting in and for the county of Leavenworth.

The State of Kansas in relation of William Heimcke, vs. John W. Crancer.

Frederick Beck, of lawful age, being by me duly sworn, according to law, deposeth and says that he is over twenty-seven years old; that he is stationed at Fort Leavenworth, and has been, off and on since eighteen hundred and sixty-five; that affiant is a private in Co. F, Fifth Infantry; U. S. Army. Affiant further says he was stationed at Fort Dodge, Kansas, May 10th, 1866, up to November 18th, 1868. I know Wm. Heimcke, the relator in the above entitled action; have known him since the year 1865 up to the present time. I also know Emily Omi, sometimes known as Emily Fleming, and sometimes called Emily Smith, who now claims to be Emily Heimcke; I have known her well since May, 1865. Affiant further says he knows Mira Wilson, the mother of the said Emily Omi, alias Emily Fleming, Emily Smith and Emily Heimcke. Affiant further says that he knows Lee Edwards, formerly Lee Fleming, sister of said Emily Omi, and have known her since the year 1895. I also know R. H. Wilson, and have known him since 1867. Affiant further says that he is the same person who is mentioned and referred to in the affidavit of the said Emily Omi, attached to the return of the said J. W. Crancer in this proceeding. I was not present at any marriage between the said Emily Omi and the said William Heimcke, as stated in the said Emily Omi's affidavit, and never had any personal knowledge of any such marriage; neither was I a married man at the time, as stated in said Emily Omi's affidavit. The said Emily Omi, was, to my knowledge, before the alleged marriage with William Heimcke, a girl of bad character and rather loose habits. In the fall of 1870—after I was married—the said Emily Omi came to the post at Fort Leavenworth, where I was then stationed with my family, under and in pursuance of an arrangement made with one William Smith, who claimed to be, and was her husband. I gave the said Emily Omi and the said William Smith one room where they lived together and slept as husband and wife, for the space of about two weeks. My reason for stating that they were married, is that she produced and showed me her certificate of marriage between her and the said William Smith. At the expiration of the two weeks above referred to, I was ordered to Fort Harker, Kansas, and left the said Emily Omi and William Smith, her husband, at Fort Leavenworth, Kansas. I again met them at Fort Harker, Kansas, in the fall of 1872, where the said Emily Omi and the said William Smith, her husband, again came to my house and I again gave them a room, in which they lived and slept in for the space of six weeks, as husband and wife. I know the general reputation of the said Emily Omi. I know the general reputation of the said Maria Wilson, the mother of the said Emily Omi. I also know the general reputation of Lee Fleming, now Lee Edwards, and know that their reputation as to chastity, since and from the time I first became acquainted with them has been very bad, and I know that they are all three of them prostitutes at this time. I also know that different individuals had sexual intercourse with the said Emily Omi before the pretended marriage with the said Wm. Heimcke. I never knew that William Heimcke was married to the said Emily Omi, though rumors of a pretended marriage were afloat, but it was generally looked upon and considered as a farce in and about the Post, at the time of such rumors. The said William Heimcke, at the time of the pretended marriage, was a clerk in the Quartermaster's deportment. I was acting Sargeant Major of the Post, and during the time of the said pretended marriage the said William Heimcke and myself occupied and slept in the same room up to the time the said William Heimcke left Fort Dodge. Affiant further says that he never knew the said William Heimcke to co-habit with the said Emily Omi, nor did he know him to introduce her as his wife.

FREDERICK BECK.

Sworn to before me and subscribed in my presence, this 23rd day of February, 1875.

SCOTT ASHTON, Notary Public.

SCHEDULE "B."

STATE OF KANSAS, LEAVENWORTH COUNTY, } ss.

In the District Court of the First Judicial District, County and State aforesaid.

The State of Kansas, upon the relation of William Heimcke, vs. John W. Crancer.

STATE OF KANSAS, COUNTY OF LEAVENWORTH, } ss.

Personally appeared W. S. Soule, of lawful age, who, being first first duly sworn, on oath, says that he was at, and residing in Fort Dodge, Kansas, in the fall of 1867, and from that time on until about the spring of 1869; that affiant was at the time referred to, and now is a photographer and is now a resident of the city of Leavenworth, Kansas.

That affiant was acquainted in and about Fort Dodge, with one Emma Fleming, of whose pretended marriage with the relator affiant knew by rumors about Fort Dodge; that affiant was acquainted with the reputation of the said Emma Fleming both at, and after the time of her connection with Mr. Heimcke, and that it was bad she being generally regarded as a girl of bad character and of easy virtue; and that affiant always understood and supposed her to be a girl of 16 or 17 years of age at the time affiant first knew the said Emma Llemming; that affiant never saw Heimcke with the girl referred to, or knew of his introducing her as his wife. That William Heimcke, the relator, was a general favorite at the Post of Dodge, and bore a good character and reputation in every respect.

W. S. SOULE.

Sworn to before me and subscribed in my presence this 23d day of February, 1875.

SCOTT ASHTON, Notary Public.

SCHEDULE "C."

STATE OF KANSAS, LEAVENWORTH COUNTY. } ss.

M. E. Joyce, being first duly sworn, deposed and says: I am acquainted with Emily Omi, *alias* Emily Flemming, and have been for the six or seven years last past, being the same person referred to in the affidavits attached to the return of the defendant herein. I was acquainted with her and her mother (Mrs. Fleming) about seven years ago, at Ft. Dodge and Hays City, Kansas, and I then knew her reputation and the reputation of her mother. They both had the general reputation of being whores, and were generally understood to be such. And affiant further states that he never knew her to go by the name of Heimcke. She went by the name of Emma Fleming. I heard that there had been a pretended marriage, but it was understood in that country to be a farce.

M. E. JOYCE.

Subscribed to in my presence, and sworn to before me, this 22d day of February, 1875.

HAMILTON ELLIS, Notary Public.

SCHEDULE "D."

HEADQ'RS DEP'T OF THE MISSOURI, OFFICE OF THE CHIEF QUARTERMASTER, FORT LEAVENWORTH, Feb. 24, 1875.

Mr. William Heimcke, Fort Leavenworth, Kansas:

SIR—In compliance with your request, I have to state that since you have been employed in this office; (for the last eighteen or twenty months), your conduct has been unexceptional as a clerk and gentleman in this office, and also outside, so far as my personal observation has gone.

Respectfully, D. H. DOTY, Chief Clerk.

FORT LEAVENWORTH, Feb. 23, '75.

Mr. Heimcke:

SIR:—In accordance with your request, to state what has been your character since you have been at the post, I would state that you have been here in my employ over a year as a clerk, and during that period you have discharged your duties faithfully, and as far as I am aware, your conduct has been very good. I have never heard a word to the contrary.

Respectfully yours, STEWART VAN VLIET, U. S. A.

HEADQUARTERS DEPARTMENT OF THE MISSOURI, OFFICE OF JUDGE ADVOCATE, FORT LEAVENWORTH, Feb. 23, '75.

I have known Mr. William Heimcke, now clerk in the office of the Chief Quartermaster, at these Headquarters, since 1866, have observed him more especially since 1870. Since which time he has been continuously connected with the public service, and from my knowledge of him, I believe him to be a young man of good habits and examplary character, thoroughly capable and reliable in the discharge of his duties.

D. G. SWAIN, Judge Advocate U. S. A.

HEADQUARTERS DEPT. OF THE MISSOURI MEDICAL DIRECTOR'S OFFICE, FT. LEAVENWORTH, KANSAS, Feb. 24, 1875.

I have known Mr. William Heimcke, now a clerk in the office of the Chief Quartermaster at these Headquarters, since the year 1870, and have always been impressed with the belief that he was an exemplary young man' industrious and faithful in the performance of the duties assigned him.

G. PERIN, Surgeon U. S. A. and Medical Director.

STATE OF KANSAS, COUNTY OF LEAVENWORTH. } ss.

In the District Court of the First Judicial District, county and State aforesaid:

The State of Kansas upon relation of William Heimcke vs. John W. Crancer.

The relator thereupon called Mother Xavier Ross, who testified as follows in answer to interrogations propounded as aforesaid. No cross-examination:

Xavier Ross, of lawful age, being by me first duly examined, and solemnly and duly sworn to testify the truth, the whole truth and nothing but the truth, deposeth and says that she remembers a girl called Emily Heimcke, who was some years ago at St. Mary's Catholic Academy, Leavenworth; that she was placed there at the solicitation of Mr. Heimcke; I have no distinct recollection, and my knowledge of the facts are from what the Sisters tell me; two or three Sisters have told me that she was there two or three months; I requested her husband to remove her on account of indiscreet conversations that she had with the young pupils of the school; this was the only reason; the young girl was placed there in this way; the said Heimcke placed her there as his sister.

X. ROSS.

Subscribed in my presence, this 23d day of February, A. D. 1875.

[SEAL.] C. F. W. DASSLER, Notary Public.

FRANK A. TAYLOR SWORN—DIRECT EXAMINATION.

My name is F. A. Taylor, age twenty-eight; residence, Leavenworth, Kansas. I am acquainted with Maria Wilson, and know who she is. I was introduced to her at Las Animas on the 18th day of February; met her at her house. Her reputation is said to be good. That I heard several people express there. She is a married woman with a family. Her husband is a musician, I think. All I know about her is what I have heard. I did not state that all these women were whores, to Mr. Gilpatrick. I stated that it was [illegible] I did not take out skeleton aff[illegible] me. Judge Long drew up all [illegible] I copied one of them. Mrs. Lee Edwards is the visitor of Mrs. Heimcke. She lives with her husband. I saw Emily Omi at Las Animas. I saw her first on the night of the 17th of February. I first saw her at the dance hall. I had no conversation with her that evening. I had a conversation with her the next day. It was a private house so far as I know. She is not living with anybody there I know. There were two rooms, one a sleeping room and the other a parlor. I sought an interview with her, to find if she was the wife of Heimcke. Mr. Crancer heard that Heimcke had a wife living at Las Animas, and asked me if I would go down and find out. I did so. I was not employed by Mr. Crancer for that purpose. He asked me to go there. Had no arrangements with him for any pay. I paid Judge Long for taking the affidavits. I do not remember what his fees were. I think the whole business cost in the neighborhood of twenty-five dollars. There was nothing said by Mr. Crancer for paying me for my services. I did not ask it or expect it. I did not pay my own expenses: he paid them. He gave me two hundred dollars. I returned some money to him. I entered upon this matter without any promise or arrangement for services, nor did I expect it; nothing but my expenses. I have no personal interest in hunting up the testimony in this case only as a friend of the family. I told Mr. Crancer that I would produce any testimony I found in favor of Heimcke. I have never been called on to perform such services before. I have had some conversation with the attorneys of Mr. Crancer in regard to what evidence they wanted, before I started. I do not know whether Emily Omi has been married since she claims to have been married to Heimcke. The affidavits are all in the handwriting of Judge Long, except one, which he had written out and asked me to write over. I believe I wrote the one of Mr. Wilson. Emily Heimcke's affidavit was taken in her own house, where she lived, and her sister's was taken there. Her mother's was taken at her mother's residence, and Mr. Wilson's was taken at a restaurant there. There was no money paid to any of the parties to make their affidavits. They started to come here. I did not have five minutes' conversation with any of them, until after the affidavits were taken. I asked this Emily Heimcke to come to Leavenworth, she agreed to come if her sister would come, and her sister agreed to go, I to pay their expenses while in Leavenworth, and their expenses back. Her sister's husband then objected to her sister's going, and I then told him I would pay his expenses while here and back, to join with them. Then we started for Leavenworth, Saturday morning, the 20th of February; we came on as far as Carson, when I received a telegram from Las Animas that the parties were not needed, and for me to come home with their affidavits. I had already taken their affidavits; they had already been expressed home. I do not know that the two sisters were prostitutes; I don't know as this Mrs. Edwards had that reputation, the other did. At Carson I bought their tickets back to Las Animas. I gave the girl Emily Heimcke some money to buy some things that she said she needed; she said she needed some wearing apparel before we started. I paid her ten dollars; this is all I paid her. I did not pay any of the rest anything. I have seen Belle Crancer since this marriage with Heimcke on the evening of my return. I saw her the other day at court. I saw her off the evening of my return at her father's house. I had some conversation with her in relation to this matters. I told her just what I had done, and what I had found out. I told her I went to find out the truth, and that if I had found out any different I would gladly have told her. She said she was very glad to learn the truth and was under many obligations to me for what I had done. During part of this conversation her mother and her father were present. The balance of this time no one was present; none of the attorneys were present. I have had no other conversation with her. None of those parties that have given their affidavits are in town that I know of. I made no promise to any of the parties that they were to be paid for their affidavits. There was no promise made or understood. I do not remember what portion of the money I returned to Mr. Crancer. I think it was about ten dollars. I used more than $150 additional, making altogether $350. There was $140 paid out for tickets for this party. The tickets went back to a friend of Mr. Crancer's to have them sold for what he could get for them.

F. A. TAYLOR.

CERTIFICATE.

I hereby certify that the foregoing depositions in the foregoing testimony and evidence was taken in answer to questions propounded by the respective attorneys as herein before set forth, that the attorneys for respondent did not cross examine any of the aforesaid instruments, that the interrogations propounded were by general consent of the respective parties omitted as the deposition taken in answer to interrogatives in the narrative above set forth.

C. F. W. DASSLER, Notary Public.

State of Kansas, County of Leavenworth —ss.

I, C. F. W. Dassler, a Notary Public, within and for the county of Leavenworth, and State of Kansas, do hereby certify that F. A. Taylor and Xavier Ross were by me first severally sworn to testify the truth and nothing but the truth, and that the depositions by them respectfully subscribed, as above set forth, were reduced to writing by myself, in the presence of the witnesses, were respectfully subscribed by the said witnesses in my presence, and were taken at the time, and that I am not counsel, attorney or relative of either party, or otherwise interested in the result of the suit.

In testimony whereof I have hereunto set my hand and affixed my official seal, this 24th day of February, 1874.

C. F. W. DASSLER, Notary Public.

Miscegnation.

The New York *Day-Book* says that the Civil Rights bill demands mixing at the fireside as well as at the polls. It does no such thing. Because it provides that there *may* be a "mixing at the fireside," it does not *demand* there be such mixing. Because a man is allowed to vote, it does not argue that he is compelled to vote. There are others who seem to think as does the *Day-Book*, on this vexed question. Admitting that the bill does demand miscegnation, would it then be worse for the white population than it used to be when they mixed to the degree of amalgamation? Yes, it would for many we know. The darkey was good enough to make money with, if "mixing" was necessary to make money out of him. Is it any worse, we ask, for black children to go to school with white children, than it used to be in the good old days of "the chivalry" for the little ebonies to lead white children, as body guards? The negro used to be good enough to cook for the white man; good enough to lead the white man's children to school; good enough to harness the team of Sundays and drive his master and mistress to the house of worship. Now that he is good enough to vote, he must not be allowed to go to school and sit with those who used to enslave him. The *Day-Book* says that "the negro don't know anything and never will." No, not unless he is given the chance that his master had and has. Is it any wonder that he is ignorant, when just such fellows as the *Day-Book* man used to shoot a negro if found with a book in his hand. Barred the privileges of going to school, and even being taught at home, how could it be expected that the poor "nigger" should know anything. In those "chivalric" days every time a little darkey face was born into the world, the master's property was increased. It paid to have a "mixing" at the fireside, or any other place that would insure an increase of property. The St. Louis *Globe* goes further and says it would ruin our free school system. If our free school system hangs on so brittle a thread, the sooner it is ruined the better. There is nothing so good as a little consistency. Does the Democratic party remember the preamble declarations, which on motion of Mr. Shanks of Indiana, were adopted at the Liberal-Democratic National Convention?

WHEREAS. It is essential, to just government we recognize the equality of men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the proper object of legislation to enact great fundamental principles into laws. Therefore, Be it enacted, etc.

We do hope, for the sake of the jewel called consistency, that our Democratic friends will not "go back" on their own platform.—*Hiawatha Advocate.*