

HUNT'S TALE FINALLY TOLD

Main Witness for State in Bechel Case Gets Through at Last.

DEFENSE TANGLES HIM UP CONSIDERABLY

Severe Cross-Examination Breaks Down Much of the Force of His Testimony—Redirect to Brace Up His Weak Points.

The Bechel embezzlement case is not proving the spectacular attraction that spectators anticipated. Aside from a few lively verbal conflicts between attorneys and some intervals of furious cross-examination by the attorney for the defense, there has been little to interest the lobby. The testimony is limited generally to a few basic points and this ground has been covered with so many repetitions that very few new facts are now elicited.

The examination of Andy Hunt was completed yesterday afternoon, although he will probably be called back to testify more extensively on one or two specific points. Louis Wetling was on the stand during the latter part of the afternoon, but his testimony related almost entirely to matters that have been previously threshed over and was largely of a corroborative character.

After Hunt had left the stand Mr. Connell moved to his entire case, which was stricken from the record for the reasons that it was incompetent and that since he had refused to answer various questions on cross-examination on the plea that he might incriminate himself, the defendant had been deprived of his right to have the entire facts brought out in court. The motion was promptly overruled.

Yesterday morning Hunt was taken over practically the same ground that he covered in his direct examination. The direct examination of the credit letter and his alleged advances of money to Bechel. He declared that he had frequently given money to Bechel in addition to the amounts covered by the expense envelopes and drafts in evidence and advanced during the trial. This occurred as often as once in two months and the amount was not less than \$2,000.

He did not know of his own knowledge that any rebates were paid by the express company. No expense envelopes were ever drawn on his personal account of rebates. He knew of no reason why they should be charged to refund aside from the fact that Bechel had instructed him to do so.

He knew nothing of Bechel's business. The state then endeavored to prove that Bechel was interested in various Colorado mining properties in addition to the Armitage, but the witness was unable to give any information on this point. Bechel had told him that he had invested money in the property of the Lucy Mining and Milling company, but he had not stated the amount. Considerable time was occupied in an effort to make it appear that Bechel was somewhat heavily interested in mining operations, but the knowledge of the witness was limited to his connection with the state property in which they were mutually interested.

Bechel was entitled to \$20 each for attending directors' meetings, but so far as he knew, none of the expenses in evidence represented amounts due on this account. Referring to his settlement of the shortage when he left the service of the company, the witness said that after he had drawn the two drafts on the treasurer for \$400, and \$1,804.25 to reimburse the office bank for funds he had advanced to Bechel, the full amount of \$4,500 existed in the office bank. Subsequently Bechel returned these amounts and this created an excess, which the settlement represented.

The witness was again turned over to the defense and he was made to say that on the occasions on which Bechel had asked him for money he had not stated whether he wanted it for his own use or that of the company. As far as he knew Bechel had never used a dollar of the company's money for his personal use. He was taken over the same ground that was covered the day before with reference to his connection with the mining company, but with no material variation in the results.

Hunt's interest in the case. In the afternoon the defense questioned Hunt closely as to his interest in the case. He admitted that he had taken a decided interest, but denied that he had gone to W. F. Gurley and requested him not to appear in Bechel's defense. His settlement with the company was again brought up for the purpose of showing that this settlement also covered two of the drafts the proceeds of which the defendant was charged with appropriating. He was asked whether it was not true that at the time of the settlement he had received cash and securities in addition to the amount indicated by the statement in evidence. He refused to answer on the ground that it might incriminate himself.

At this point the defense endeavored to secure identification of the letter written by the witness to the manager of the mining company in August, 1898, in which he said that he was put in the hardest position in which a man was ever placed. He had his wife and family to support and the officers of the express company would never have secured the information from him they did. The court sustained an objection to the question and also refused to allow the letter to be introduced in evidence.

The luxury of a new witness was finally indulged in and Louis Wetling, the expert accountant who has been at work on the books of the express company for the last eight months, took the chair that Hunt had filled for four days. He was questioned at length in regard to his qualifications and experience as a bookkeeper. He then stated that he was employed by the express company April 5, 1898. Since then he had examined the expense envelopes through the various departments. The records did not show how the envelopes were disposed of. In pursuing this investigation he had examined over 15,000 papers covering a period of three years.

How the Books were Doctored. The witness detailed the method of the use of credit letters as had been previously indicated. There was nothing in the books to show that any of the money obtained on the three checks drawn by Hunt in favor of Bechel and which had previously figured in the evidence had ever been returned to the company. A great many credit letters were drawn on the treasurer for amounts largely in excess of the amounts authorized by the accounts belonging to these letters. Most of the stubs belonging to these letters had been removed from the files. The effect of raising these amounts was to reduce the earnings of the company by the difference between the correct and the fictitious amount and to make the books balance in spite of the shortage. His investigation indicated that the books were made to balance in this way from time to time. This system permitted withdrawals from the office bank to the extent of the amounts by which the letters were raised without affecting the standing of the bank on the books.

Mr. Wetling then testified to the fact that an auditor's draft of \$275.50 of December, 1895, referred to an expense account of \$5.30 from Waunego, Kan. There was nothing to show for what purpose the surplus was used except the charge to "salary account" on the auditor's statement. He also traced the history of the various other drafts, his evidence on these points in no respect differing from what had been brought out during the examination of the previous witness.

EXPOSITION CONTEMPT CASE

Defense Piling Up Its Showing in Hearing Before Judge Scott.

PRESIDENT AND MANAGERS TESTIFY

Matters Relating to the Contracts Between the Exposition and the Concessions Involved Are Dwelt On at Some Length by Attorneys.

In the exposition contempt case the defense has progressed far enough along today in the testimony of Gordon W. Wattles, president of the exposition, and Manager Reed and Superintendent Wadley of the Department of Concessions. Carroll S. Montgomery, the general counsel, was called yesterday to stand to meet the accusations of Zitoun and the others connected with the All Nations attraction. The examination of Mr. Wattles was not completed until shortly before noon and the court had taken an opportunity of playing a large number of questions at him with reference to the Scott injunction.

Mr. Wattles was asked specifically as to the habeas corpus writ and blanket injunction granted by the other judges. He said he had not favored either of them. He was asked yesterday to stand to meet the accusations of Zitoun and the others connected with the All Nations attraction. The examination of Mr. Wattles was not completed until shortly before noon and the court had taken an opportunity of playing a large number of questions at him with reference to the Scott injunction.

Some of the interrogation had to do with whether the All Nations concern had had a permit to do business at the exposition, "epitaph" proclaimed the music dance from the house tops. Mr. Wattles had never seen dances there that were of the same character as those of which the Cairo outfit made a specialty. The All Nations' dances were given in the city of Cairo.

The court tried to get Mr. Wattles to say that if he had seen anything going wrong he would assume his authority as president and have a stop put to it. The purpose of this was to fasten, if possible, on the defendant the responsibility for the Scott injunction upon Mr. Wattles. In his replies, Mr. Wattles admitted assuming authority in ordinary cases of infractions, but did not see that he was really called upon to personally take after every offense committed at the exposition. He said that he had never seen any liquor over their bar contrary to the terms of the exposition license, all he could do was to note it as a violation of their contract with the exposition, leaving it to the proper officers to see to the prosecuting them for offenses against the law.

E. C. Keniston and E. H. Hughes were put on to show that the performances at Cairo were of the muscle, du ventre and couche classes of dances, if possible, they were taken and had abundant opportunity to observe the theater performances. The first thing in the afternoon was for Mr. Montgomery to offer the records of the district court for this county, including the records of the adjournment of the court to the October term and the subsequent adjournment on October 3 to November. This was to show that the district court was in vacation during the entire oriental controversy. He also submitted the answer and affidavit of Zitoun and the other defendants to the Scott injunction case and the petition and bond for removal to the federal court. The court would not admit the answer and affidavit of Zitoun and Akoun. Those documents contained a contradiction of the testimony they have given in the present proceeding.

Mr. Montgomery then took the stand to testify in his own behalf. He referred to statements made by Akoun and Zitoun as to the alleged extortion by himself and R. S. Hall of attorneys' fees, and to the fact that they had been given in the present proceeding. Mr. Montgomery then took the stand to testify in his own behalf. He referred to statements made by Akoun and Zitoun as to the alleged extortion by himself and R. S. Hall of attorneys' fees, and to the fact that they had been given in the present proceeding.

Three new divorce suits were commenced yesterday. George Laudenbach charges his wife, Doris, with infidelity. She was married in New York early in 1895 and subsequently lived in Milwaukee. Mary A. Nelson wants a divorce from Thomas H. Nelson, to whom she was married here in 1895. She is setting her face three years later. Mary Gunderson brings an action against Gunder Gunderson on account of the alleged, of cruelty, assaults and abuse. She was married here in June, 1895. She asks for \$100 alimony.

Court Notes. Louis From, one of the two peddlers run into November 2 at Tenth and Howard streets while they were driving across the street car track in a motor car, was charged with a railway company for \$5,300. Like his companion, he says he was thrown out of the wagon and bruised. A \$5,000 damage suit was brought by a nurse named Mary E. Buregat against the Omaha Coal, Coke and Lime company because of a fall from a scaffold in the sidewalk in front of the Richelieu on Third street November 2. She claims the hole had been left unguarded owing to the company's negligence. A long and heated fight was waged into the cellar. One of her limbs was injured.

Dr. Bull's Cough Syrup for hoarseness, loss of voice and sore throat.

MASONIC GRAND BODIES MEET

Busy Day for Members of the Craft Owing to Sessions of Their Different Sections.

Yesterday was a busy day at the Masonic temple in this city and meetings of one sort or another were being held all day long and until late in the evening. The most important was the annual meeting of the Grand Council of Select Masters, which in addition to routine business elected the following officers for the ensuing year: John J. Mercer of Omaha, G. M.; D. H. Wheeler of Omaha, D. G. M.; Alfred M. Olson of Omaha, P. C. W.; John S. Harman of Tecumseh, G. T.; W. R. Bowen of Omaha, G. R.; J. D. Stires of Columbus, G. C.; J. A. Grimsion of Schuyler, G. C. G.; Charles H. Wilson, G. C. G.; George J. Spohn, G. S.; Jacob King of Pappillon, G. S.

In the morning a special meeting of the state organization of the Scottish Rite Masons was held for the transaction of business, and in the afternoon the annual meeting of the grand chapter opened. It will continue its sessions all day tomorrow, closing with the election of officers. John J. Mercer of this city, deputy grand high priest, is presiding in the absence of the grand high priest. Last night the Veteran Masons of the state held a special meeting which was attended by about thirty members. The meeting was spent largely in a social way, relating reminiscences, eating lunch and smoking cigars.

The Omaha council also held a meeting last night, at which several candidates were taken through the degrees.

Stamps on Checks. Collector Houtz has a letter from N. B. Scott, a commissioner of the revenue, relative to reports which have been in circulation to the effect that a person may draw funds from a bank on a check without a stamp provided the check is payable to himself from his own funds on deposit in the bank. In this letter it is denied that any such device has been made by the department and the commissioner says that

FAITH IN MAJOR'S HONESTY

Grand Army Men and Postoffice Employees Stand by the Accused Watchman.

THEORY OF SELF-DEFENSE IS SUSTAINED

Outcome of the Affair in Which One Man Was Fatally and Two Others Dangerously Stabbed is That No One is Punished.

Robert Major, the old man who for years has been either janitor or watchman at the postoffice building, was before United States Commissioner Anderson yesterday afternoon and when called to answer to the charge of stealing stamps and money of the value of \$100 from the desk of stamp clerk waived examination and was bound over to appear before the next federal grand jury. The bond was in the sum of \$500 and was signed by Major T. S. Clarkson, the postmaster under whom Major served for four years.

A large number of the Grand Army men of the city were present to assist Major if he needed their aid. Half a dozen lawyers volunteered their services to defend him. Officials and employees about both of the government buildings are very indignant over the arrest of Major and many of them have no hesitancy in saying that the old man is being made a scapegoat to cover up the carelessness of some one else.

It is known that at the time of the arrest of Major Stamp Clerk Anderson, who was instrumental in bringing it about, could bring home to Major the theft of 25 cents, if that it could be called. This was the sum that was left outside of Anderson's desk and which Major had in his possession when placed under arrest and searched. While the old man carried thousands and thousands of dollars for T. S. Clarkson when he was postmaster there was never a shortage of a cent. In addition to this it is known about the postoffice that time and again Major has been on the floor about the history of the money that had been dropped and in every instance the money was returned. There is one instance where he found \$85 and returned it before it was missed by Anderson, although it was several hours after being dropped before it was found.

Should the next grand jury indict Major the Grand Army men of several parts of the city will raise a fund to be used in his defense. So certain are they that he is innocent that they will carry the case to the highest court in the land in the event that he should be convicted here.

For the Thurston Rites. The Ladies' Auxiliary society is on active duty this month. It gave a large party reception the first week in December, at which birthday bags were opened (after the program of the month) and the money for the ward payment of the indebtedness. On the morning of December 9 the women carried through the Omaha National bank \$100 to the Ladies' Auxiliary society. In order to provide some necessary furnishings for the armory and to add to a fund for extra rates for the boys, the arrival in five fractions of the women will give dinner and supper at the corner of Seventeenth and Douglas streets, on Saturday evening, December 11, from 7 to 10 o'clock. A bevy of young women, and the women, sisters and sweethearts, will be glad to see all the friends of the Thurston Rites upon the occasion mentioned.

Victim of Luetgert Case. Police Officer Dying as the Result of Handling a Poisonous Bone Used in Evidence. CHICAGO, Dec. 14.—The seamstress that sent Adolph Luetgert to a felon's cell for life has laid Captain William F. Knoeb on a bed of pain from which he may never rise. Luetgert was made the victim by the evidence this tiny osseous particle constituted, while Captain Knoeb has been felled by the virus that clung to its scaly sides. The serious ailment that has kept Captain Knoeb confined to his bed for several weeks is pronounced by his physicians to be undulant fever, a disease and the source of it they conclude is clearly discoverable in the malignant little seamstress. When the first trial of Luetgert was begun Captain Knoeb was made custodian of the exhibits in evidence for the prosecution. Among these was the seamstress. This piece of bone, no longer than one's finger nail, is said to have been found by the police in the middle vat in Luetgert's sausage factory. This bone was regarded by the state's attorneys as the wife's bone. It was about 1 1/2 inches long and 1/4 inch wide. It was found in the vat until it was a saponaceous mass that was flooded forth as sewage. One day in July, after handling the seamstress, Captain Knoeb rubbed his hand to his bare breast, on account of the heat and preparation of the bone by the torrid weather. Not long after that event he felt ill and a physician pronounced his complaint to be sepsia. The cause of the blood poisoning was inquired into at the time, and laid at the door of the seamstress. After an illness of six weeks he recovered sufficiently to get about. Two weeks ago he was taken ill again and again his illness was pronounced to be sepsia. The doctors say that it is a recurrence of the old attack, and due to the same cause.

Death in California Broken. SAN FRANCISCO, Dec. 14.—Reports from nearly all parts of California say that the rain which began falling yesterday and today is the best of the season. There was a heavy fall of snow at Dunsmuir, bringing as much joy to the miners as does snow to the farmers in the north. The rain has caused much apprehension of an unfavorable season.

PEDRO MANCUSO GETS OFF

Acquitted of the Charge of Killing Phillip Costanzo in a Brawl.

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Two Italians engaged in a quarrel over a game of cards. One is stabbed to death, the other is both stabbed and shot until his life was in danger and a third, the brother of the dead man, was also seriously stabbed, yet neither of the two survivors has been held for any crime as a result of their preliminary hearing. Both have been acquitted on the ground of self-defense. Several Italians were present at the time the affray occurred and are apparently cognizant of all the facts in the case, but when called to the witness stand they declined to give any testimony that would serve to hold either Charles Costanzo, the brother of the dead man, or Pedro Mancuso, who admits stabbing the Costanzo brothers. Neither of the accused would testify against the other and the assistant county attorney was forced to allow the matter to go that way. The hearing of Mancuso was completed yesterday.

When the hearing was resumed yesterday morning before Judge Gordon, the officers making the arrest of the defendant, Costanzo, Nick Barbatto and Sam Marasca being called to tell what they knew of the case. Detectives Dunn and Davis and Sergeant Wiesenburg testified to the finding of the body in Barbatto's house, the arrest of Costanzo at his home and later the finding of Pedro Mancuso lying on his face at his own home. They knew nothing concerning the actual murder except what they had heard from the principals and witnesses.

Story of the Little Girl. Angelina Costanzo, the little daughter of Charles Costanzo, was called to the stand. She qualified by her knowledge of an oath she said "if I tell the truth God will take me, and if I lie the devil will get me." She told how the party of men had played cards in her father's house during the afternoon. When they left, some of them went home and one or two over to Nick Barbatto's house. Later she heard a noise in Nick's house resembling that which would be made if several persons were throwing chairs around. Her father and she went over there, the former taking his revolver with him. They saw the persons inside the house in a pile on the floor. Her uncle, Phillip Costanzo, was on the bottom. Pedro Mancuso next, then Sam Marasca and Nick Barbatto in the order named. When they got to Sam Marasca went home taking Pedro's revolver with him. Her uncle came out of the house, leaving Mancuso and Barbatto inside.

The witness then related how her uncle had called to Barbatto to give him his cap. Barbatto responded that he would presently. When the door opened she saw Pedro Mancuso come out and stab her uncle three times. The wounded man fell to the ground and was picked up by her father. Then Pedro stabbed her father and stepping on the breast of the dead man who had dropped to the ground again, he turned and ran away.

On cross-examination the little girl did not seem so clear as she was on direct examination. She said her father and herself retired early. In about two hours she heard the noise in the adjoining house, which sounded like a struggle was in progress. She and her father went over in their bare feet and stood outside the door of Barbatto's place. Her uncle came out, but it was so dark she could not see who stabbed him. When he fell part of his body was inside of the house and part outside. Then her father shot Pedro Mancuso.

Nature of the Stab Wounds. Dr. Henry B. Wilson examined the body of the dead man. He deposed that he found two wounds. One slight wound, a mere scratch, was found in the abdomen. The wound which caused his death punctured the aorta and entered the right chamber of the heart. Under ordinary circumstances death from such a wound would be instantaneous. In any event it would occur within from one to five minutes after the wound was inflicted.

Detective M. F. Dempsey stated that he had found the defendant at his home, 2008 Poppleton avenue, with several wounds on his person. He asked him for particulars concerning the affray and was told exactly how it occurred. The witness read a written statement, which he said the defendant had dictated at the time, November 24. According to this Mancuso said he had engaged in a game of cards with Phillip Costanzo. An error occurred in the dealing and Costanzo claimed the money. The defendant called Costanzo a thief and said he had no right to take the money as he had. Mancuso drew a revolver and Costanzo a knife. Finally each put down his weapon and the game was resumed. Mancuso took the defendant's revolver and went home. Suddenly Costanzo jumped up and grabbed Mancuso. He bit the defendant on the forehead and stabbed him twice on the arm. They struggled toward the

police station for the \$5 which had been taken from his father after his death by the Costanzos. This was part of the money which caused his father's death.

Merchants' Bean Club Notice. A new rule has been adopted that no person can deposit with a bank three coupons with any one merchant on the same day. HU-CAN? HU-CAN? HU-CAN? HU-CAN?

ENTERTAINMENTS LAST NIGHT

New Thurston Rites Give a Smoker to Get Better Acquainted with Each Other. The members of the new organization of Thurston Rites met last evening in the armory to enjoy a social smoker and an entertainment arranged by several members of the company who possess unusual dramatic and musical talent. Most of the amusement was furnished by the "Coon" quartet, which was recently organized for the purpose of giving a benefit for the C. F. Hackerberg, Ken Muckley and Dean Thompson. They wore grotesque costumes of variegated calico and the customary amount of burnt cork. Their repertoire was made up of such catchy plantation melodies, which they sang in a manner that earned many recalls.

There were also musical selections by Prof. Vafnas and instrumental solos by Messrs. Bernard and Baxter. Captain Hayward was called upon for a short address and the program was concluded with two recitations. It was the first time that members of the new organization have had to become thoroughly acquainted with one another and took advantage of the opportunity. Next Friday evening the new members will unite with the old in giving a dancing party in the armory.

In the auditorium of Unity church last evening there was a social and supper given by the women of the church society. The members of the congregation and their friends met and dined together at 6 o'clock and an hour or two later the tables were cleared away to prepare for the social good time that followed. The guests of the evening who took part in the conversation numbered nearly 100. The entertainment was arranged and managed by the women who are members of Circle No. 4 of the society. They were: Mrs. Fred Sackett, Mrs. W. F. Nelson, Mrs. Parish, Mrs. C. Elliot, Mrs. R. H. Walker, Mrs. H. W. Barnum, Mrs. A. A. Heath and Mrs. E. B. Whitney. By means of the supper a considerable sum of money was raised for the church fund. The special meeting of the congregation, which was called by the trustees to take place immediately after the social for the discussion of financial matters relating to church work, was postponed until Sunday.

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door and Phillip called to his brother Charles for help. Charles fired two shots at the defendant, one of them striking him. After this the defendant took his scissors and stabbed Phillip and Charles Costanzo.

Deputy County Attorney Herring then called Charles Costanzo. Judge Helleay, attorney for Costanzo, objected on the ground that his client should say something that would incriminate himself, as Mr. Herring desired to ask him just how the shooting occurred. Judge Gordon sustained the objection.

Sergeant Her's testimony was similar to that of the other officers. He identified the scissors used by Mancuso and said that the defendant had told him when he gave him the weapon that he had stabbed Costanzo.

Motion to Dismiss Sustained. The state rested and Judge Bowman moved that the court dismiss the case. He said three questions were to be considered. First, had a crime been committed; second, was there sufficient evidence before the court to justify holding the prisoner for a higher court; third, would he be convicted if bound over. He thought there was so much contradictory testimony among the state's own witnesses that there was little prospect of a conviction. In reality the state had shown that no crime had been committed, as the evidence pointed to the killing of Costanzo in self-defense.

Mr. Herring said he would not argue the case at length. He proposed to throw the burden of the decision upon the court. He had his doubts, however, whether the state could convict the defendant in a higher court. If it did not, it would cost at least \$1,000 for the experiment.

Judge Gordon said a criminal case of this character was of the highest importance. While one man's life had been taken by living must be considered. Since becoming police judge he had grown more conservative and had sought in every way to avoid piling up taxes. Sometimes he might be satisfied in his own mind concerning the guilt of the criminal, but he must look at the evidence. In this case after the first row had subsided the defendant's pistol was taken from him. Costanzo had a deadly weapon, having retained his knife, and Pedro had his scissors. He believed the theory of self-defense had been sustained and that while the death of Costanzo is to be deplored yet he did not think there was any chance for conviction. He sustained the motion and discharged the defendant.

Mancuso shook the hand of his attorney and was congratulated by a few friends. He left the courtroom quickly, put on his overcoat and accompanied by his brother, crossed the street to Venuto's, where he remained for some time before going to his home.

The son of Phillip Costanzo applied at the

Hospes's Holiday Opening—

We open a display of holiday designs in picture frame novelties that are a revelation to this community—Nowhere under one roof in the eastern art center can you find a more complete and better than our display of art novelties. For variety and quality we have no equals—You will find an endless selection of etchings, engravings and platinums from English publishers and paintings from Italy—as well as hundreds of American publications.

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At No Time This Year—

Have we been more rushed than now in our Amateur Photographic department—we find it necessary to keep two dark rooms going to accommodate our friends—and yet we are glad to have you come and use us—next time take a look at the "Kodak"—a telescopic lens camera for \$10—takes a picture 4x5—has ground glass screen—time-bulb—and instantaneous movement and speed regulator—Glenach shutter and Acromatic lens of fine quality—This is the greatest bit of them all—a \$25 camera for only \$10.

The Aloe & Penfold Co

Amateur Photo Supply House. 1408 Farnam Street. OMAHA Opposite Paston Hotel.



police station for the \$5 which had been taken from his father after his death by the Costanzos. This was part of the money which caused his father's death.

Merchants' Bean Club Notice. A new rule has been adopted that no person can deposit with a bank three coupons with any one merchant on the same day. HU-CAN? HU-CAN? HU-CAN? HU-CAN?

ENTERTAINMENTS LAST NIGHT. New Thurston Rites Give a Smoker to Get Better Acquainted with Each Other. The members of the new organization of Thurston Rites met last evening in the armory to enjoy a social smoker and an entertainment arranged by several members of the company who possess unusual dramatic and musical talent.

In the auditorium of Unity church last evening there was a social and supper given by the women of the church society. The members of the congregation and their friends met and dined together at 6 o'clock and an hour or two later the tables were cleared away to prepare for the social good time that followed.

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The Aloe & Penfold Co. Amateur