

WENT FORTH FREE.

Thomas J. McMahon Acquitted of Embezzlement.

Last Saturday's Fargo Argus says: Case was tried at Hillsboro on a change of venue and resulted in a verdict of not guilty. Case against defendant was a slim one from the start, his attorneys say.

In the district court at Hillsboro yesterday, the case of the state against T. J. McMahon, an attorney-at-law of Hope, was concluded and a verdict of acquittal was rendered by the jury. In the fitness of things from the history of the case—as related by the attorneys—of Mr. McMahon, it seems that nothing else could be done, and the case against the young lawyer was a very slim one at the best. The result is highly pleasing to all of his friends and acquaintances, many of whom reside in Fargo.

Mr. McMahon, the defendant in the case, is a brother of Lieutenant E. J. McMahon, of the 10th Minn. Vol. Infantry and himself an attorney. Some years ago Lieut. McMahon was engaged in the practice of law at Hope. He removed from there to Minneapolis where he opened a law office, turning over his office and business in Hope to his brother Tom. (Where was Jim, all this time?) Among the other things inherited by young McMahon along with law books and musty old deeds and papers, was a collection business from a number of machine houses. Among other clients was the Plano Mfg. Co., of Chicago. In November last, Mrs. McMahon wife of the young lawyer, was taken sick and her condition was so serious that for a time her life was despaired of. While she was at the most critical point in her illness, her husband was thrown from a buggy by a runaway team and severely hurt. He was removed to his home where he was confined for a period of about six weeks. (What's that?) During the time of his forced retirement and wife's sickness, the sum of \$1,000 collected for the Plano Mfg. Co. disappeared and could not be accounted for. It had been in the office safe. (And the Steele County Bank is next door.) Mr. McMahon denied any knowledge of the disappearance of the money, but as he was the responsible party in the case, his arrest followed on a charge of embezzlement, and he was confined in the county jail. Political feeling or business competition, or some other unexplainable cause (perhaps that was it, "some other un(?)explainable cause") made feeling run pretty high at Hope against the young lawyer and he was compelled to lay in jail for several months, being unable to procure bail for his release. He finally managed to get bonds however.

The case was called for trial at Sherbrooke last week. States Attorney Shippy and ex-States Att'y Murry, of Steele county, appeared for the prosecution, and the defendant was represented by Judge Ames, of Mayville, (appointed by Judge Pollock, at an expense of \$25 to Steele county) and Taylor Crum, of this city. The defendant's attorneys made application to Judge Pollock for a change of venue from the Steele county court on the ground of the prejudice existing against their client which would prevent his securing a fair trial according to the affidavit they filed. The showing was strong enough to convince Judge Pollock of the rightfulness of their claim and the case was sent to Hillsboro and the trial set for the 28th inst. It began on the day set and was concluded yesterday. Both Judge Ames and Taylor Crum appeared in the case for the defendant, and his brother E. J. McMahon was also present and advising. The state was represented as above. The verdict of acquittal was rendered after the jury had been out long enough to take a ballot. It is claimed by McMahon's friends that the case would never have been brought had it not been for the enmity (Good Gracious! Listen to that!) of a number of persons in Hope Mr. McMahon arrived in Fargo last night.

The verdict in the case was advised by the court. After the address to the jury had been made by the prosecution, Judge Ames, on behalf of the defense, moved that the court advise the jury to bring in a verdict of acquittal, on the ground that the evidence did not tend to show that the money alleged to have been embezzled had come into the hands of the defendant, and because the law applicable to the case, was that defendant having been allowed a commission of 5 per cent, on all monies collected to be deducted before remittance was made of the amounts, it was in effect an agreement to give the defendant an undivided one-twentieth in money collected, so that the same became the joint property of the Plano Mfg. Co. and the defendant, and that under such circumstances he could not be convicted for embezzlement. Judge Ames and Mr. Crum cited as authority the case of Minnesota against Kent, reported in the 2d Minnesota, page 41. Judge Pollock held with the defendant's attorneys, and the case ended as recited.

With all due respect to Mr. McMahon and all concerned, the above article as it appeared in the Argus, is certainly misleading, and many Steele county citizens, especially in Hope, feel very bitter over the remarks. Had the Argus known the true facts, we do not believe the article would have appeared. Somebody must have told 'em.

States Attorney Shippy informs us

that he will appeal the case to the supreme court in order to test the law.

We feel quite sure now that Steele county is a pretty good collection agency—McMahon goes free—and the taxpayers pays the freight—about \$250 or more.

ANNOUNCEMENTS.

FOR COUNTY JUDGE.

To the Voters of Steele County: Subject to the decision of the Republican county convention, I am a candidate for the office of County Judge. Am not in any combine with any one; and am making my canvas strictly on my own merits; and promise if elected, to make Sherbrooke my home and will attend personally, to all of the duties of said office. I solicit the support of yourself and friends.

A. R. BAKER.

FOR SUPERINTENDENT OF SCHOOLS.

I beg leave to announce myself as a candidate for the office of Superintendent of Schools for Steele county, subject to the decision of the Republican county convention. Respectfully,
Finley, N. D. W. R. WILLIAMS.

Republican County Convention.

In accordance with the resolutions of the Republican county central committee, a convention of the Republicans of Steele county is hereby called to meet in the court room at Sherbrooke, at 10:30 o'clock a. m., on Saturday, July 7, 1900, to choose delegates to represent the county in the judicial convention, to be held at Hillsboro, July 10, 1900, and in the state convention to be held at Grand Forks, July 11, 1900. And further, a convention of the Republicans of Steele county is hereby called to meet in the court room at Sherbrooke, at 10:30 o'clock, on Saturday, July 21, 1900, to choose delegates to represent the county in the Republican convention of the 10th legislative district of North Dakota, and to nominate the following county officers:

One county auditor, one register of deeds, one clerk of the district court, one states attorney, one sheriff, one county judge, one county treasurer, one county surveyor, one coroner, one county superintendent of schools, four justices of the peace, four constables, one county commissioner for commissioner district number one and one county commissioner for commissioner district number four.

This convention will also choose a Republican county central committee to serve for the ensuing two years, or until their successors are chosen and installed.

Caucuses: The caucuses for the convention of July 7, will be held in the polling places of the last general election, in the respective precincts, on the evening of Friday, July 6, 1900. It is recommended that the polls be opened at 5 o'clock p. m., and, according to law, they must be kept open at least one hour.

The caucuses for the county convention of July 21, will be held in the polling places of the last general election in the respective precincts, on the evening of Friday, July 20, 1900. It is recommended that the polls be opened at 5 o'clock p. m., and they must remain open at least one hour.

The boundaries of said caucus precincts shall in each case be coincident and coextensive with the boundaries of the respective voting precincts of Steele county.

Apportionment: The apportionment of delegates to the county convention of July 7, will be at the rate of one at large to each precinct, and one for every fifteen or major fraction thereof, of the average number of votes cast, in the election of 1898, for congressman and governor, which apportionment results as indicated below, to each precinct.

The apportionment of delegates to the county convention of July 21, will be at the rate of one at large to each precinct and one for every ten or major fraction thereof, of the election of 1898, for congressman and governor, which results as indicated below, to each precinct:

	July 7 21	July 7 21	
Newburgh....	5 7	Norway....	2 3
Westfield....	2 2	Norman....	3 4
Enger.....	2 6	Golden Lake	2 2
Highland....	4 5	Bergen.....	2 3
Primrose....	4 5	Sherbrooke.	3 4
Easton.....	2 3	Greenview .	3 4
Edendale....	2 3	Lincoln ...	2 2
Melrose....	2 3	Riverside ...	2 3
Broadlawn...	2 3	Colgate ...	2 3
Hope Town'p.	2 3	Hope village	8 9
Willow Lake	2 3		
Total.....			80 80

W. H. Butler, Chairman.

A. R. Baker, Sec'y.

Notice for Publication.

I and Office at Fargo, North Dakota, June 6, 1900.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before P. H. Gilbertson, clerk of court, at his office at Sherbrooke, North Dakota, on 20th day of July, 1900, viz:

ARTHUR WOODS,

under H. E. No. 20730, for the northwest quarter (N. W. 1/4) of section twenty-two (22) in township one hundred forty-five (145) north of range fifty-seven (57) west.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

Charles W. Connor, Frank Merritt, James Loney and Ole Eye, all of Hope, Steele county, North Dakota.

CHAS. N. VALENTINE, Register.

—1st pub June 14—

W. L. ALDRICH,
General Blacksmithing,
Horse Shoeing,
Wagon and Carriage Repairing,
FLOW WORK.
Horse Shoeing 20 and 40cts.
Wagon Repairing 20c Spoke
and 30c Felloe
Lay Sharpening 25c.
Point and Sharpen 55c.
New Lays \$3.