GUILTY OR NO?

Testimony for the Defense in the Howard Case Elicted Yesterday.

Interest in the Horror Deepening as the Trial Draws to a Close.

YESTERDAY'S SESSION.

Wednesday p. m. the taking of evidence for the defense in the Howard case was commenced. As usual there was a lurge crowd of idle bums and loafers in relating to the sickening affair. "English Liz" and Thompson, the defendants, composure, which amounts almost to

or innocence of the defendants.

except to get Thompson to come along Howard to me. with me. Had a convertation with her on Monday. In reply to a question by me "how are you," she seemed indisposed to talk, though not acting as if in much pain, and refused to say much to me. Several persons were there Saturday afternoon and conversations were generally about the case. I heard Nettle speaking of being afra'd of Mr. Connelly, and in reply to my question, Nettle subsequently said she was afraid Connelly Nettie sald to Hacket that she did not recognized him.

Officer Donovan stated: I was police officer and with Whalen at the arrest of Thompson. While there to arrest him, Thompson, in the presence of Nettle Howard, called witness to "come here a minute;" I walked to door of bedroom, when Thompson leaned over Nettle on the bed, and asked her it he (Tnompson) ever did anything to her, or burned her, and she replied, "no." At my suggestion Thompson asked Nettle if she knew who did burn her and she said "no." This conversation occurred in the second room, where Nettle was lying. Her voice was weak and she "kind of whistled out of her mouth."
This was Sunday afternoon.
Thos Ruane. At time of burning, Nov

1884, I was police officer. I arrested Connelly on charge of suspicion of buraing Nettie Howard. (Here counsel said it was necessary now for him to outline defense. It is in effect that while Connelly was under arrest the private and public talk, in Nettle Howard's hearing,

by her at another time can be introduced to contradict her solemn dying declaration; no such statement shall be admitted. Defendant can show a bad state of mind at the hour of making the dying declarations to invalidate them, but not former s'atements conflicting with these dying was in the room during my interview are reference to the quaity of the liquor sold, at each sale by the person engaged in the traffic.

3. The act entitled "An act to regulate the sale of malt, spirituous and vinous liquors, etc.," approved February 28th, 1881, common ty known as the "Slocumb" law, applies alike to all persons who are engaged in the sale of malt, spirituous and vinous liquors, etc.," approved February 28th, 1881, common ty known as the "Slocumb" law, applies alike to all persons who are engaged in the sale of malt, spirituous and vinous liquors, etc.," approved February 28th, 1881, common ty known as the "Slocumb" law, applies alike to all persons who are engaged in the sale of malt, spirituous and vinous liquors, etc.," approved February 28th, 1881, common ty known as the "Slocumb" law, applies alike to all persons engaged in the traffic.

Witness continued: I had conversation with Nettle Howard about 4:40 o'clock Monday evening, and at times o'clock Saturday morning, She said she to be burned. did not know who burned her for the was asleep. The defendants were present at the time. Had another conversation that day with her between one and two o'clock. [Objected to and ruled out by the court until foundation laid. At this point defence stated that they could show various other dying declarations than that admitted for the state The court said these would be admitted when proper foundation was laid.

Adjourned till 2 o'clock AFTERNOON SESSION.

The intimation of the defendants' at torney that he would offer testimony in of the deceased woman to contradict that heretofore presented by the state, drew a crowd to Judge Neville's court in the afternoon. It was noticeable that the persons present were of a superior class. at least in appearance, to those usually drawn to the trial of such cases, and marked decorum prevailed.

Miss Bloomfield: Have known defendants for three years. Knew Nettle Howard for four years, and visited her house several times each day. The relations between deceased and the defendants were kind and familiar. Was in Nettle's room between 8 and 9 o'clock Friday evening before she died to borrow coal oil. Nettie had none. She took the can and it was empty. I got no oil. Was in the house soon after Nettle was burned, having been told that the house was on fire. There were several persons there when I arrived. I remained a short time, went home, and in the morning early, about day-break, I returned and found Nettle on th bed and Lizzie lying beside her on the bed crying. At this time Nettie was suffering and said she was full of pain. She said nothing at this time about dying. During Saturday in my presence Nettie said—[Here the witness was interrupted by the state and a lorg argument followed upon the right of secused to introduce statements made by deceased, after the burning, contradicting the statements made by deceased in the dying declaration already admitted by the court on behalf of the prosecution. Held: That such statements impeaching the dying declaration already admitted in evidence, are not admissable. This ruling out short the examination of this wit-

Rowen re-called: Went 'to Nettie's she drank, as she was going to die any-

Bloomfield, recalled, said Nettle had been drinking some the night she went

Lizzle Howard, the defendants, were in bed in the back room. Mr. Montgomery was with me. Nettie was very drunk at this time, and she and Mr. Montgomery this time, and she and mr. montgomery The Decision of the Supreme Court Rewent out to a saloon and got a pint bot-tle of whisky; Nettle drank twice while I was there at this time, about midnight, perhaps not after. All this time I was there (about twenty minutes) Thompson and Lizzle remained in bed. I think both defendants took a drink while I was there; they all had a drink. We left be cause Lizzle said it was time to close the

house. Nettie Howard let us out. Geo. Montgomery: Knew Nettle about six months. She and Lizzie were seemthe court room, who watched with eager there. Thompson and Lizzle were in of Nebraska, ex rel, school board vs. attention every detail of the evidence bed. I left the unused whisky and bot Marshal Cummings. tle there. Don't know how much was

Mike Gilligan: Known defendants for were in their accustomed places, and three years. Knew Nettle for about four and important features. have gained to a great degree a certain years. The relations of the three were In May, 1884, Messrs, Simeral and pany, for infringements of patent rights o'clock in the morning of the burning. Thompson came for me to go down with Annie Kernan was the first witness him to Nettie's house to do what I could state to compel Marshal Guthrie to refor the defense. She testified: I was in to help her. She was in bed, and in re- port to the counci, the names of all Scott Ward, who in turn, it is alleged, Nettle's room at various times. Talked ply to my question she said she felt bad, say, and told me nothing as to the guilt or how it was done. Later in the day, order that they might be required to take Officer Whalen, I talked with Nettle questions, and she said the same thing- with the provisions of the Slocumb law; often during Saturday, Sunday and Monday. Don't remember what she was burned. Nellie Fuller was there for non-conformance with the

Lee Helsley: Was a reporter on a newspaper on November 24. I went few months ago, the attorneys for the enzind was formerly engaged in the about 2 o'clock Saturday morning (the school board argued the case before the saloon business on Sixteenth street. By me) in the house. Nettle Howard was the fact that Guthrie was no longer city this court yesterday against the B. & did not burn her. I took Hacket from said, let Nettie lie on the floor, that she The motion in this case was argued a jail to see Nettie at her request. Heard no conversation between Hacket and broke out in back room: Thompson and I cision was rendered, Wednesday, as al-Nettle Saturday afternoon at her house. put it out. We returned to the room ready stated. where Nettie was and put her on the bed. know who did it. Thompson, the Just at this time Officer O'Donovancame, order which is to be served at once defendant, was then present; this He and I examined the room and saw upon Marshal Cummings, that official was before the defendants were ar- that the fire was extinguished. I then will be compelled to report rested. Nettie was then ill; her left for the newspaper office. The fire the names of all wholesalers doing busivoice husky. Thompson called Nettie's that broke out while I was there broke ness in the city, as he at present reports attention to Hacket, and she said she out from a dress hanging beside the bad the names of the retail liquor men. From and from the wall.

in the front room. I spoke to her, she refusing to comply will be dealt with as recognized me and I remained until are the retail delinquents. about 11 o'clock Saturday. Nettle told This decision, in its results, will add me she was full of pains; she did not about \$20,000 a year to the funds of the asked Lizzia not to leave her. I asked ner of the cause of education. her several times if she knew who did it and she said "no." I knew her well for State ex rel. vs. Thomas Cummings, mandaabout five years. She and Lizzie were for years most f.iendly. Nettle wanted Lizzie Howard and no body else to put on and take off her bandages, saying Lizzie could wait upon her better than any-

clearness of statement.

E. A. O'Brien: At time of the burning I was city editor of the Republican.
I saw Nettle Howard just after burning;
was at the house at the time Father
O'Conner was there It was on Monday
after burning. I went into the room
The room of the city marshal of the city council the names of all persons or firms engaged in the liquor traffic in said city, giving their place of business, whether licensed or unlicensed, and tonotify any unlicensed liquor traffic and to make answer was given to several similar questions. This was about 3 or 4 o'clock on reference to the quality of the liquor sold, at

G. H. Hacket: Knew Nettie Howard; saw her the Sunday afternoon about 2 or 3 o'clock, after she was burned. She before that time. I did so before 10 told me she did not know how she came

Adjourned to 9:30 te-morrow morning. PERSONAL,

L. F. Hilton, editor of the Blair Pilot, is in the city.

J. S. Lehne, Sutton; A. A. Kingeley, Stanon; F. Youger, Osceola; C. D. Essey, Sidney; C. A. Hall, Madison; Frank Sanders, Rockport; S. R. Wilson, Cincinnati, are at the Canfield,

Cloud; C. C. Atkinson and wife, Weeping Water; T. B. Seeley, Omaha; E. A. Hale, the shape of additional dying declarations Madison, and J. W. Shepherd, Osceola, are at the Canfield.

J. C. Brodby, Lincoln; J. L. McDonough, Ord; William Wheeler, Fremont; A. W. Cozzens.

Chase, of the Excelsior, is now in Chicago, and returned yesterday.

A. Phillips, Charles Chapman, Frank A. Chaffee, J. C. Bradley, Lincoln; E. S. Bogart, Springfield; G. F. Hunter, Hastings; W. McGuire, Fairburg; H. C. Van Camp, Rochester; Thorn Leighton, Plattsmouth, and C. Cook, of Fremont, are at the Metropoli-

John Moran, Alax; S. H. Daniels, Plattsmouth; O. G. Beeson, Lincoln; C. C. Valentine, Columbus; C. W. Thomas, Grrnd Island; John M. McFarland, Columbus; E. E. Brown, Lincoln; John M. Regan, Hastings; N. W. Wells, Schuyler; S. F. Perry, Kearney, are at the Paxton.

Wm. Donald, Columbus; C. H. Omhoff, Lincoln; D. S. Cromer and C. Selah, Ewing; of the abolition of the monthly hospital George B. Hart and S. L. Sturtevant, Fuller- tax of twenty-five cents. ton; Wm. Fuller, Nebraska City; F. M. Gilmore, Fullerton; C. E. Westoott, Plattsmouth; Wm. Franklin, Lincoln, and L. F. Hilton are at the Millard.

The Missouri river is fast clearing of ice, and so far as reports show, has manifested no disposition to jump its banks. house Saturday morning. She asked for The river at this point is about stationary.

water and said it made no difference what On the Platte, the Union Pacific re-On the Platte, the Union Pacific reports say that the ice is rotting fast and time told me she had no idea who burned her, as she was saleep at the but unless andden and but unless and but un

HIGHLY IMPORTANT.

lative to the License

To be Paid by Wholesale Liquor Men - The School Board's Victory.

Mr. E. W. Simeral has received official notification from I incoln that a writ of ingly friendly. I was there about 11:30 peremptory mandamus has been issued by been drinking and drank while I was the supreme court in the case of the state

> Shorn of its technicality of phraseology, this case presents many interesting

friendly. I was in the house about 3 Estabrook commenced mandamus proceedings in the supreme court of the about 10 or 11, I asked her the same a \$1,000 liquor license, in accordance Monday. Don't remember what she said. I was convinced of guilt of account description of the state of the sta time of Nettie's burning). Found defen- supreme court but the mandamus prodants and a third person (unknown to ceedings were temporarily checked by \$5,000 as alimony from her husband. there also, lying in a semi-conscious con- marshal and hence no action could be dition. Thompson was pacing the floor taken against him. Baffled temporarily suffering with burned hands. A sugges-tion was made to put Nettie on the bed. Estabrook instituted mandamus proceed-Thompson or Lizzie, one or the other, lings against Marshal Thomas Cummings.

In accordance with the terms of the these names a list of the firms in the Mag Johnson, (colored). Known de- wholesale traffic will be completed, and fendants and Nettie Howard. Went to each firm will be served with a notice to her house about 5 o'clock of the morning pay at once the \$1,000 license. In case of the burning. Nettie then was in bed this license is not paid at once, the firm

know how she was burned, as she was board of education. The case has been long pretty full;" that she had heard some and bisterly contested and it now appear f them say Lizzle did it, but she did not as though the bird of victory had perched, believe it for they were friends. Nettie for permanent residence, upon the ban-

FULL TEXT OF THE DECISION. mus writ allowed, Reese, J. nus writ allowed, Reese, J.

1. Where, by law, it is made the special duty of the incumbent of a public of ice to perform certain ministerial duties as such officer, and such duties cannot be legally performed.

formed by any other person to the full extent Upon cress-examination this witness bore herself with perfect coolness and clearness of statement. 2. The ordinance of the city of Omaha made it the duty of the city marshal on the

sale dealers are not exempt from its provis-

RAILROAD RUMBLINGS.

What the Conference of the U.P. Of ficials and the Committee of | Engineers are Discussing-Accidental "Meetings."

The committee of visiting engineers is still engaged in daily consultation the Western League. It will be admitted in with Superintendent Smith, of the Union Pacific. From a reliable source a BEE reporter learned this morning that E. S. Wilkinson, Denver; R. D. Jones, Red the subjects being discussed by the two parties to the affair are as fellows:

In the first place the engineers des're an equalization of wages. They wish to be paid either by mileage, or by the hour. At present they are Charde, Oakland; J. F. Nylunder, Kearney; pa'd a certain sum for a trip, no matter W. H. Motter, Omaha; J. A. Hadelson, Lin- how long that trip may be or how much coln, and F. Clugagen, Sidney, are at the time it consumes. The grievances, in this particular, are to be adjusted over T. H.McCagus of the Commercial National the entire system of the Union Pacific, bank, returned Wednesday from the Washing | with the exception of the South Park ton inauguration ceremonies. Contrary to ex. road, and especially on the Utah & pectation he came back unmarried. Mr. Northern, where, it is stated, "twoor two, are set up as engineers at \$80 a month.

Another and very important matter discussed was the request of the engineers that in case of a serious accident, the investigation of tendant circumstances be made three or more officials of the road, who shall prosecute the inquiries in a fair and impartial manner, and fix the responsibility where it balongs. This, it is claimed, is a much fairer and more judiclous manner of with the matter of responsibility of an accident then that allowing the question to be decided by one incompetent and, it may be, prejudiced official.

Another question considered was that It is expected that the negotiations will be brought to a close th's week. The conference so far has progressed in a

satisfactory and amicable manner.

THE NEW TIME CARD.

Pacific did not become firmly established before the confusion incident to the changs had caused several meetings between trains coming in opposite direct dat, mine friend. Dot pig eats up dot tions, very nearly resulting in directrous whole pail of swill. Den I took dat little collisions. For instance, on the morn- pig and put him is dat same pail where ing after the change, one of the early der swill vas from, and with dat plg inmorning freights had positive orders to side dat pail der pail was only half filed. low there will be no overflow. At other meet the incoming passenger train on Dat's vargot der best of me. Dat vas points on the Platte, similar conditions the Missouri Pacific at Papillion, while one of the mysteries of physics vat I can the latter train had o ders to meet no how unders' and. James Burns: Knew deceased; was in the house about midnight of Friday, the every day. Delivered free. Leave orders at H. Welchelt, 1218 Cass street.

Salt pretzels, large and small, fresh switch. As it so happened the freight train was delayed on a could give him no astisfaction and he departed no wiser than when he came.

Missouri Pacific came rushing along. But for the fortunate circumstance the delay of the freight train, a disastrous collision would have been inevitable. Two freights also came together a Elkhorn cut, but as both were running slow no damage was done. Two more meetings were made, but on what points

could not be learned. J. K. Choote has been appointed as sistant superIntendent of South Park district of Colorado Division of the U P. railroad, vise D. K. Smith resigned, to take effect March 15th, 1885.

THE COURTS,

Happenings in the Federal, State and County Courts,

UNITED STATES COURT

In this court the Grand De Tour Plot Co., of Dixon, Ills., fi'es a suit against the Nebraska City manufacturing comon certain harrow improvements, owned by plaintiff. These improvements were invented by Adam Spies, in 1873, and h in turn transferred them to one M wholerale liquor dealers in this city, in sold them to the Grand De Tour Plow company. LEGAL NOTES OF YESTERDAY.

Before Judge Neville y seterday morning prior to taking up the Howard case, which was intended only for retailers. A parties are over 50 years of age. Camterms of agreement, Mrs. C. will receive

> M. R. R. The petition of the plaintiff sets forth that on December 4th, 1884, he was walking along the river bottoms, near the B. & M. track, and was about to step over a cable, attached to a steam plow or shovel, connecting at a distance with a to the deposition of Lennox, to be well lecomotive, which was moving up and taken. down the line of road, for the purpose of forcing dirt loaded on the platform cars from the surface thereof, when the cable was suddenly jerked into the air. He was thrown violently upwards, and alighting on the ground, sustained severe injuries in a broken leg and certain internal lesions. He has been sick, as a consequence of these injuries for a period of three months, and asks damages in the sum of \$15,700. COUNTY COURT.

McKsy Bros. sued C. S. Raymond on a check cashed for Fuller by Raymond, which was forged and worthless. Amount involved \$400.

POLICE COURT. A few plain disorderly charges, with small fines imposed. Several cases of drunk for this morning.

A Gentle Warning.

A certain individual connected with a public institution on Dodge street (not far from Fifteenth), is the cause of a of appearing before his windows in "unpeared before his windew without a shred of clothing on his person, and rapped re peatedly on the glass to call the attention of some gentlemen friends on the side walk. They failed to notice him, how walk. ever, and lo! he next appeared at a side door, almost actually upon the sidewalk, this time, also, parfectly nude. Saveral ladies were sitting in an office

across the way, and were unwilling witnesses to the disgusting speciacle. In the words of the back part of the dictionary, "verb. sap.-"

BASE BALL.

KANSAS CITY MANAGER COMING TO OMAHA TO-DAY. Special telegram to THE BEE.

Kansas City, March 12,-Tie Minneapoli base ball club has applied for membership to another club can be obtained to make the mem bership eight. Manager Sullivan, of Kansas City, will leave for Omaha to-morrow to see if he can induce the Omaha people to come into the league.

Convicted of Polygamy.

SALT LAKE, Morch 12.-Themas Simpso was convicted to-night of polygamy. He did some business for him. He was quite had a w.fe in England and married another in Utah. The English wife came on and made a family row with the above result. One of the gentiles drawn on the jury sworn on voirdire, he believed polygamy was right under certain circumstances. He was excused on certain circumstances. He was excused on the same ground as Mormon believers in po-

Death of a Prominent Hotel Man. PEOBIA, March 12 .- J. S. Clark, who has been engaged in the hotel business in Illinois the past thirty years died here to-day.

The Ohio Archaelogical Society. COLUMBUS, March 12,-The Ohio archaelog ical and historical association was reorganized to-day. Allan G. Thurman presided and was elected one of the fifteen trustees.

Yellow Fever. SAN FRANCISCO, March 12,-United State steamship Lackawanna arrived to-day from Acapulco, has had twelve cases of yellow fever. Owen Griffeth, barber, and William Wilde, sailor, died.

The Mystery of an Honest Gernan's Atlanta Constitutionalist.

"How vas doss dings?" ejsculated German friend named Switzer, the other morning, as he came into the office with a puzzled look upon his honest face. "Some times ago," he said, "I bought myselluff a pig, and he was the funniest pig I ever did see before. He was only a little fellow as high as dat, and he was ored. It was not yet dark when I saw only stean months olt. I dook dat pig a him; I am 72 years old; Cross did not pail of swill the other day, and py shim It is not, perhaps, generally known iny christians if that little feller didn't that the new time schedule on the Union drink up that whole pail of swill before others: some talk with him.

THE MCKUNE MURDER.

Fourth Day's Proceedings in the Tria of Dr. Cross for the Murder of Dr. McKune in Council Bluffs,

THURSDAY'S PROCEEDINGS. special Correspondence to THE BEE. GLENWOOD, Iowa, March 12 .- All par

ties Immediately concerned in this important case were on hand before the opening of court this morning. The de fendant and his counsel seem to be unruffled by the somewhat damaging evidence of yest srday, and their confidencein their ultimate success and the final triumphant acquittal of Cross is unshaken. Thus far witnesses have been ghtly cross-examined. Judge Hubbard has occasionally presented some law question to the court in his calm, sarcastle way, and in a manner which inevitably cenveys to the mind of an outsider the impression that he is inclined to fury, sits contentedly, listening to argu-"quiz" the court. He is the most remarkable character connected with the case, and it is often hard to decide whether he is in earnest or merely cracking some sly joke at the expense of court or counsel. His prefound learning and large experience make him a formidable antagonist, and whenever he rises to speak he is sure of respectful attention. He generally succeeds in making the court believe that he is right. A motion to suppress the deposition of

H. P. Lennox was filed by the state. Mr. Sapp announced that the witness Handthorn, was in attendance, but that the state had decided not to examine him in chief. He also stated that the witness, Miss Berger, would be recalled upon a mat risl point overlooked yesterday. The identification of the map, clothes and bullet was admitted of record.

The attorneys for the accused admitted the objections, though purely technical, Judge Hubbard said the deposition

vould not be offered in evidence EVIDENCE FOR THE DEFFNSE - C. H SHOLES.

Reside is Council Bluffe. Am a short hand reporter. (Witness identifies evidence taken gefore Judge Aylesworth.) The evidence ol Emma Brooks and A. B. Nicholas was referred to. The report was read of the conversation in Nicholas' store between Nicholas and Cross, about Delia Nicholson. The threat read was: "If McKune assaults me I will kill him. I will get him to strike me then kill or shoot him and claim I did it in self-defense.

Emma Brooks then raid: "I heard him talk about Dr. McKune and all the doctors, but don't remember what he said. He said, however, 'I will kill McKune if I get a chance.

C. A. HAMMER.

Reside in Council Bluffs. I knew Dr. Cross at the time of McKune's death. nature as to demand immediate ventila- were there at that time. There was talk tion. It appears that he is in the habit about some abortion case, don't know who. There was no such conversation as pel & McDonald exists no more in South dress uniform," generally with only a detailed yesterday by Mrs. Brooks. He Auburn. They having packed their hardpair of unmentionables covering a portion of his Apollo-like form. This he him." There was no such conversation Their furniture having been so'd to J. P. MRS HAMMER,

Am the wife of C. A. Hammer and knew Cross in January, 1883. Dr. Cross, Mrs. Brooks and Emma Brooks were there while our child lav dead. I heard Mrs, and Emma Brooks' testimony yesterday. No such testimouy as testified to by them yesterday took place at my house. There was some talk about the abortion case. Cross said that the girl, Nicholson, had threatened to shoot Mc-Kune and Pinney. MRS. SALPS:

I live in Council Bluffs. I met Cross at Mrs. Hammond's the evening their child died, in January, 1883. Mrs. Brooks and Emma were there. I heard them testify yesterday. I don't remember any such conversation as they test: ged to yesterday. I was not well that tried to force an entrance and that she threatened to shoot them. This was all the talk there was sa'd about shooting. MR, C E STONE.

Have lived in Council Bluffs thirty two years. I was formerly a justice of the peace. I knew McKune well. robust-broad shouldreed. I remember hearing of the Nicholson case at the time of its cocurrance.

C. S. PARKER

is a letter carrier at Council Bluffs Changed a 50 cent piece for Frank Scan lan a few minutes before McKune was killed; gave him two quarters. First heard of McKune's death about 6:30

C. E. STONE

recalled. He was asked to state the facts showing that McKune was angry with Cross, that he bore him malice: that he had threatened personal violence, etc. The state objected to the admission of this class of testimony. Lengthy arguments were made and the court withheld his decision till afternoon.

AFTERNOON SESSION. The legal argument interrupted by the adjournment was resumed. The court ndicated that the witness. C. E. STONE,

might be examined within certain prescribed limits. He stated that the Nicholson trouble was a matter of common rumor as early as 1880. Did not tall with McKune about it. Saw Cross soon sfter McKune was killed. His hand was bleeding; there was a lump on the back of his head and some scratches about the throat; the skin was broken in several places and the flesh was disco' down Sunday evening. The abutment ored. It was not yet dark when I saw had been crumbled by the ice and water. have as much beard then as now; Cross was standing on the sidewalk when I saw him, Mayer Bowman some half-dozen removing a sliver of stael from the pupil Cross was surrounded by the crowd; McKune was still lying on the ground; Cross soon left; Cross was bareheaded; o hers went to his house with hlm; I think his wife came out; I had

head was hearest to me. He was nearer pose.

me all the time. The bald headed man was pressed backward toward me. He was retreating. The bald headed man fell after the hat. That was McKune. The two men were striking erch other straggling before McKune fell. Both were striking. The blows continued while McKune was retresting, and up to Editor of The Bre. the time the shot was fired. They were moving toward me.

Am employed by the city of Council sluffs. Knew Cross and McKune in Bluffe. 1883. I heard McKune make threats against Cross in the spring of that year, A long discussion followed as to the admissability of this class of testimony. The defense offered to prove that as McKung and Control of the scale of private and public morals, and stands a good chance of being sent to the McKune saw Cross passing he said: "If penitentiary. He was charged with bastardy by Rachel Burr, and the first trial of the large, I would shoot him first. This discussion has been renewed frequently during the day, and at 5 o'clock, as this report closes, it is raging as fiercely as ever. The court has developed good listening powers and seems inclined to let counsel have all the rope they want. The witness Mathison, who has been the

NEMAHA'S TWINS.

South Auburn's Business Prospects and Premium Mud.

Correspondence of THE BEE.

SOUTH AUBURN, Neb., March 7 .-From southern Nebraska we would send in the scale of public and private moralgreeting, and with a human desire to let of being sent to the panitentlary," the world at large know that the unusu-ally severe winter has not left us in a little clique who have been congealed state in this, the southern por. persecuting me in season and out of seation of the Siamese twins of Nemaha son for the past two years had their way, no doubt, but I would stand "a good chance" of being sent there and without upon us with smiles as bright and breezes any trial either. As to "the motion for as balmy as even her fair slater, April, a new trial developing the fact that I could have done, still the capricious packed the jory with my pals," I will month changes her temper suddenly, and merely say that the jury in question was

longest, it will bear the palm. For any 'dot spbring dime vas almosht here, shentle Ann'e," the smile on the faces of our business men, broaden till they beeveryone seems awake and active. The Cross has been my physician. He was at cresse, trade is better, and everyone

There are some changes going on in our hither-too quiet burg. The firm of Chap-

to spread the gospel tidings some where

For the past two weeks a revival of the supervision of Rav. S. C. Dickey,

sult remains to be seen. The ladies of the W. C. T. U. are try-

by most of the members.

creamery butter at 30 cents per pound.

Howe, could not enthuse enough life into his pet town to keep it growing.

IOWA ITEMS,

Cedar Rapids has a 9 year-old chicken thief under arrest. Waterioo has eighteen saloons that ara supposed to sell beverages not prohibited by law.

The Eagle plow works, at Davenport, were scorched to the amount of \$3,000 on Monday night.

A \$35,000 system of water-works is

contemplated by the enterprising town of Elliott, in Cass county. Mr. Lis'on will build a \$16,000 opera house in Newton, the citizens agreeing to contribute a bonus of \$1,000.

The Central Iowa railroad company is The state census board has instructed

in their returns of the insane. To LaMars belongs the distinction of Queen Victoria as the head of a nation.

Two spans of the wagon bridge over the Des Moines river at Eldyville went Dr. Ristine, of Cedar Rapids, has performed another successful operation with the use of the new muriate of cocoaine,

A prominent Des Moines minister has decided the roller rink to represent all bling den, perdition and the davil. Next.

of a patient's eye.

was recalled on the part of the state. I on the Waterloo Life Insurance company testified in this case yesteriay. Dr. Cross by Dubuque sharpers insuring a man and McKune made some movements after near death's door, suffering an incurable I first saw them. They passed toward diseas?. The expected corpse sold the the outside of the walk and a few steps note, given by the originators of the away from me. The one with the bald awinde, which eventually led to the exCHARLES SANG.

He Defends Himself From the Alleged Slanders of the Fremont Press,

NORTH BEND, Neb., March 11 .- Hon, Edward Rosewater, Dear Sir: - I observe in THE WEEKLY | BEE of to-day's issue, under the heading of "State Jottings,

the following paragraph; "Charley Sang, an ex-senator of Dodge county, and a man who has been prominent in Fremont business circles, has fallen below of promises of substantial rewards if they stood by him. A new trial was ordered, and Charley will probably go over the road,

Of course I do not believe that you would lend the aid of your powerful metropolitan paper to the work of slandering a man simply because he has incurred the enmity, personal and political, of the local press of his own city. I assume, therefore, that the above paragraph was written and published because certa'n outrageous statesments were made in the Fremont papers which you assume to be true, regarding the case in which I wa forced to figure as a par y. As to the first statement "that I have fallen so low

in the part twenty four hours has sent us a copious amount of the "beautiful," to remind us that the roads that were fart becoming parable of A. M. Spooner & Co, and one of the will, in a few hours at most, be converted | wealthiest and most respectable business into rivers of mud. For the past week we have had mud, mud everywhere—on the earth and in the air. When mud is in sea on we would recommend South Auburn as the muddlest place on God's green earth. For the stilling and most respectable business men in the county. Charles Vessie, of the firm of Pillsbury, Vessie & Co. Claus Piamback, of the firm of Plamback & Bro., both of Fremont. The remainder of that jury were all equally respectable such as a contract of the county. green earth. For the stickiest mud, the able and prominent men upon whose thickest mud, for mud that will stay the good name there has never been a shadow of suspicion. If I could have had one looking for the muddlest streets with the power to pack a jury there was not a the finest sidewalks, come to our city of solitary man who sat upon that jury magnificent distances. With the few whom I would have dared approach, nor warm days past that cause us to think do I believe our county contained wealth enough to have bought their unanimous verdict of not gulty unless they believed it in accordance with the law and the evcome very pleasant to look upon, and idence. As to the fact that I kept them saturated with liquor during the trial, it agricultural merchant has opened his is infamously false, and rests solely upon warehouses, brushed up his goods, and the slender foundation, that, before the goes about like a roaring lion, seeking jury was drawn to try the case I chanced every farmer and duly proceeds to but. to meet several of them in a respectable tonhole the same. Business is on the in. saloon and asked them to take a drink with me as I did my other acquaintances piece of deplorable scandal, of such a child died. Mrs. Brooks and daughter dog that usually wags two tails. of reward of any kind or character, I did not even discuss the case in an any manner or way or seek to bias the minds of jurors, or for that matter of my friends and acquaintances, I felt my in nocence of the charge would be proved was consisting the conditions he was, thought it was clear that Connelly who burned her, the declarations of Nettle introduced by the state should not be given credit or taken as reliable—her mind occurred to the court held that no statement made the requirements of the ordinance without for the court held that no statement made the requirements of the ordinance without for the condition and every month, to ascertant form this continuous talk, Net is well educated to the city council and report to the city council and re when the case was tried, and I feit gratitrial was finally granted upon the affidavit of a man named James Murray, resome interest has been in progress at the tailing "a cock and bull" story about a Presbyterian church in this place, under certain juror (who was not upon the jury trying the case at all) saying "he wanted pastor in charge, assisted by Jos. B. to get on that jury to give Charley a Nichols, of the Y. M. C. A., of Omaha; lift," and in support of his statement also a D. D. from Tecumseh, whose name claimed another person heard the remark ye scribe knoweth not. With what re- made-both the juror and the person called on flatly contradicted his affidavit in every ing to establish a reading room, but their essential particular, but because this man progress is slow, owing principally to lack Murray was county judge, and the other of funds and the slight interest manifested | two men were merely private clizens and no doubt influenced to a certain extent The creamery which has been shut by the instruction, smut and innuendo down all winter will open April 1st, and of the local press, the judge granted a the inhabitants of this city will revel in new trial. I presume new trials are frequently granted in courts of law and fre-The county stat question is again to be quently are more of an injustice to, than evening. Cross said that the doctors aggitated, though as yet little has been a repreach of the party winning the suit. went to the girl Nicholson's room and said or done. There is to be no decisive Finally, "that I will probably go over said or done. There is to be no decisive movement made until after the spring elections, when the petitions will be circlived in Dodge county for the last sixteen calated. Should Auburn be successful years; that I have done a in getting it, poor old Brownvill might as good deal of business (and by the well be painted black, and crape hung on way I am still doing a good deal), her doors, which same might be said of and during all that time, I do not believe Anburn, should Brownville still retain it, there is one man in this country who will in which case the Great Chief (1) Church say that I ever wronged or defrauded or lied about him or her in private or public; and that something more serious than the hate of a little exterie of envious small bore politicians will be required to lower me in the estimation of my friends and neighbors without regard to politics.

> The Herder's Lonely Life, St. Paul Pioneer Press.

In conclusion, dear sir, I ask, and under

the circumstances think that I am justi-

fied in asking, that you now take some

pains to assure yourself of the facts of

this case, and nake me the amende

honorable in the columns of your paper.

Very truly, yours, Charles Sang.

A gentleman who has for some time been engaged in herding sheep in Montana, remarked to me that that sort of life drives more men to madness than almost any other occupation. The dreary monotarranging for the purchase of 1,000 tons ony of the life, day after day of steel rails for the improvement of that road. sort of companionship among men, with the assessors that they need not include only the bleak plains and treeless moun-St. John prohibitionists no greenbackers tains for association—has a more paralyzing effect upon the mind than any amount of activity. It does not seem to ossessing the only church in the United be work that hurts men in that position States wherein pr yers are offered for so much as a numbing inactivity.

Queen Victoria as the head of a nation. The wast ranches in Montana and Wyoming and Idaho, therefore, breed madmen or monomaniacs, in numbers sadly on the increase. It does not seem to be confined to any one c'ass of ranchmen, either. Broken-down business men who have gone to sheep raising or cattle raising to recover their fortunes; students and professional men who have gone to the plains to get health and strength, as well as those who are in a measure born and bred to that sort of a life-all are alike susceptible to its melthat is bad, as it leads the young to the ancholy influences. It is reported as an race course, the variety theater, the gam- undisputed fact that those territories named are producing a crop of luratics start'ingly on the increase.

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