THE TRIBUNE.

F. M. & E. M. KIMMELL, Pubs.

McCOOK, - - - NEB.

OVER THE STATE.

LIVE STOCK RATES.

The enforcement of the principles of the inter state commerce law with respect to rates on live stock resulted in a very mixed state of affairs as regards rates from Nebraska points to Chicago, and a freight agent in Omaha for a Chicago line was called upon for an explanation of the difficulties. Said he: "The whole thing lays with the Union Pacific road. When the inter-state commerce law went into effect that company failed to notify their local agents to have all stock billed to Chicago. By reason of this oversight on the part of that road, which was the result of an accumulation of work over the preparation of tariffs a large amount of stock was shipped to South Omaha at Nebraska local rates, and if shipped on to Chicago would have to be billed at the regular rates from Omaha to Chicago. For instance the rate to Chicago is $70 from Omaha. Under the law allowing roads to do a pro rata business, a car of stock can be shipped from a Nebraska point to Chicago for say $85. Of this the Union Pacific railroad receives 40 per cent, or $34, and the Iowa road 60 per cent, or $51, or a saving of $19 for the shipper by billing the car through. Shipping local to Omaha and then rebilling to Chicago would make the rate $103, $34 being the Nebraska rate and $70 the rate from Omaha to Chicago. If, when the stock arrives at South Omaha, the shipper wishes to sell, the Union Pacific will make his shipping bill read South Omaha and charge him only the Nebraska rate. Nebraska shippers must have their stock billed through to Chicago direct if they expect to go on there at all or pay the extra $19 a car when reshipped from South Omaha."

"Isn't that a little evasion of the law?"

"No, the law permits it and it is necessary for the existence of Nebraska. While one continuous road may not do so the law permits such discrimination in rates on the part of two companies acting in conjunction. If Nebraska shippers had to pay the full rate to Chicago over each line they could not do business."—Omaha Republican.

THAT APPORTIONMENT BILL.

Lincoln special to the Omaha Republican: It is now definitely known that when the legislative apportionment bill passed both houses, no provision was made for a representative from Sarpy county. After the committee of conference of both houses had reported the final amendments to the bill and these amendments had been printed and the roll had been called in both houses on its final passage, some one, presumably a member of the conference committee, wrote on a narrow slip of paper and pasted it on the conference committees' report the following:

"District No. 9 shall consist of the county of Sarty and be entitled to one Representative." As this amendment has never been printed as the constitution directs, and was not a part of the bill when it passd both houses, it is the opinion of many lawyers that it invalidates the whole bill. Without that amendment Sarpy would be without representation and there would be but ninety-nine members. It was from a partial knowledge of these facts, together with a realization of the manifest injustice done to Adams, Saunders, Washington, and some other counties that the governor was led to withhold his signature from the bill, and it was from a feeling that great injustice would be done to other parts of the state if the bill did not become a law that kept him from placing his veto upon it. It was a choice between two evils, and he took what he supposed to be the least. A certified copy of the bill, with all the proceedings relative thereto, has been made and given to Adams county lawyers, and it is understood that proceedings will be had to test the legality of the act. It is rumored that this amendment was attached to the conference committee's report and enrolled in the bill after it had been signed by the presiding officers and attested by the secretary of the senate and chief clerk of the house, but this is only rumor, and nothing certain is known at present regarding it.

MISCELLANEOUS STATE MATTERS.

A LARGE quantity of school land in Box Butte, Chase, Cherry and Dawes counties is about to be placed in the market by the state board of public lands and buildings.

IN the trial of the train wreckers at Nebraska City, Bell, one of the accused, turned state's evidence and testified that Hoffman misplaced the rail for the purpose of robbery; that he (Bell) was too drunk at the time to take any hand in it. When he had completed his task he remarked: "There, now; I'll have it in a minute," meaning the booty he was after. Bell said he did not realize the enormity of the crime, though he knew all that transpired, and remembered it distinctly. He told very clearly and straight how they entered the B. & M. tool-house and procured the implements to misplace the rail.

THE B. & M. coal sheds at Hastings burned last week, causing a loss of $1,000. The prompt work of the fire department saved several hundred tons of coal on cars.

THE Beatrice Ministerial association of the Methodist Episcopal church will meet in Tobias May 23, 24 and 25. An interesting programme has been arranged.

SIXTY-TWO bills passed by the legislature are now in force by reason of the emergency clause, which puts them into effect immediately after being signed by the governor.

THE botanical department of the state university has just received 150 specimens from Washington. They are quite interesting, for they come from all over the world—India, Abyssinia and south Europe contributing some of the most valuable.

NEAR Ogallala, on the 8th, a fierce blaze was discovered issuing from the rick of baled hay belonging to C. D. Ferguson. Later the charred remains of William Sims, a tramp, were found in the burning mass. Thomas Gainer, another tramp, and partner of Sims, was badly scorched. He attempted to escape, but was captured about three miles from town. Nearly $1,000 worth of hay was destroyed. James McElhany and Mike Dunihan are missing, and are supposed to be in the burning debris. On the same day the stable of John Armstrong, living eight miles from Ogallala, was burned and two horses and one mule were lost. Another team was also burned.

A CASE of death from glanders occurred north of Eudicott last week, the victim being a Mr. Clark who took the disease from a favorite horse afflicted with it and whose life he tried hard to save.

BEATRICE enters complaint that first-class shows have of late given the town a wide berth.

IN the innumerous railroads that are building, Tecumseh expects some of them to strike that town.

BYE & BRADY, of Gage county, last week purchased 1,000 head of sheep, paying therefor over $1,000. The entire lot will be shipped to Chicago.

THE Chicago, Kansas and Nebraska railway is now running regular trains in and out of Hebron.

HOFFMAN, the train wrecker on trial at Nebraska City, was found guilty, the jury being out but half an hour. The judge sentenced him to be hanged the 22d of July.

MRS. KEYS of Sarpy county, frightened by a runaway team, jumped from the wagon and had her leg broken above the ankle. The horses were got under subjection soon after she jumped out.

OMAHA now has nine wards under the new charter.

THE water works at Hastings will cost about $85,000.

THE Madison cornet band, which took the first prize at the Norfolk reunion last year, has been reorganized.

GRAND ISLAND indulges in the hope that the government will come to the rescue and enable it to build the soldiers' home.

THE sales of stamps, stamped envelopes and wrappers at the Beatrice postoffice for the quarter ending March 31, 1887, were $8,631.88. This is a gain of 20 per cent. over the corresponding quarter of last year.

THE recent meeting of the State Teachers' association at Lincoln was a pleasant and profitable one. The principal topic of discussion was manual training schools as the connecting link between the high school and the university. The convention will be held at Fremont next year.

SINCE the burning of the Pacific hotel, the largest house in Norwalk, various schemes for rebuilding have been canvassed. Recently John Koeningstein, proprietor of the building destroyed, offered to rebuild if the citizens would make him a loan of $10,000 one year without interest. George Williams went on the street with a subscription paper and secured $10,500 to carry out this plan, and the rebuilding is now assured.

THE little son of Sheriff Adams of Seward county, met with a severe accident a few days ago. While whittling, his knife slipped and stuck in his eye, causing the pupil to fall into the lower part of the eye. Mr. Adams took the little fellow to Lincoln for medical treatment, and it is thought that the sight of the eye can be saved.

IT costs Milford about $3,000 a year to conduct its public schools.

THE school board at Kenesaw has voted to employ a third teacher and to fit up another room for the rising generation.

THERE is an artesian well on the farm of Mr. Gene Hubbard, near Chambers, says the O'Neill Free Press, that is only forty-nine feet deep and flows out over the top of the pipe which is about two feet above the surface of the ground.

SOME of the dogs of Indianola have shown signs of hydrophobia.

FAIRFIELD'S creamery has commenced operations. Indications are that it is going to prove a profitable industry.

REV. MR. MAHAFFIE has resigned his charge in Norfolk and will take up his residence in Kansas.

THE Hastings Gazette-Journal ventures the prediction that the B. & M. will be at work on a line northwest from Hastings before the autumn leaves begin to turn.

THE late gale in Nebraska did considerable damage in and about Grand Island.

IN a recent storm at Columbus almost total darkness prevailed at 2 o'clock in the afternoon. Several theories are advanced as to the cause of such a strange phenomenon, but it was doubtless a sandstorm from the southeast.

A PRAIRIE fire destroyed 15,000 ash trees on the farm of West & Schlotfeldt, Hall county.

The Nebraska Association of Horse Breeders will hold its annual trotting meeting in Omaha, August 10 and 11, 1887.

REV. J. L. MILLS, lately of Colorado, has been called to the Presbyterian church of Beatrice.

HASTINGS is in hopes of getting a big flouring mill, parties with capital having concluded that it is a good place in which to put money for such an enterprise.

HASTINGS lumber dealers have raised the price $2 per thousand, being compelled by the increase in the eastern markets.

THE commissioner of lands and buildings has set dates for the sale of school lands in the different counties from which appointments have been returned. To these sales the commissioner will go in person, except to Madison county, where the amount to sell is so small that his attendance will not be necessary. The dates fixed in the different counties are as follows: Cherry county, May 17; Dawes county, May 24, Box Butte county, May 26; Chase county, May 31; Madison county, May 24. The Fulton tract adjoining the town of Nebraska City, and comprising twenty-two acres, has been appraised at $200 per acre and the appraisement approved by the board.

THE bond of W. W. Abbey, of Falls City, as one of the live stock commission, has been filed with the secretary of state, with D V Stephenson and Grau Ensign as sureties.

A COMMUNICATION from Decatur states that an authorized live stock inspector has headquarters there, and that Decatur wishes to be added to the list of ports of entry for Iowa cattle.

THE Omaha board of trade will soon hold meetings in their new building.

ARRANGEMENTS are being made for a state shooting tournament to be held in Omaha, June 7th.

THE Broken Bow Milling company, with a capital stock of $50,000, has filed articles of incorporation with the secretary of state. The purpose of the corporation is to construct and operate a roller flouring mill.

PLATTSMOUTH'S water works includes four miles of mains, with fifty double nozzle fire hydrants.

THE accomplishment of a change in the management of the Omaha postoffice was made the occasion of a banquet that was tendered at the Millard hotel in that city by the citizens of Omaha to Mr. C. K. Coutant, the retiring postmaster, and Mr. C. V. Gallagher, his successor.

A WHITE crane weighing fifteen pounds and measuring seven feet from tip to tip of wings, was captured by a hunter near Creighton.

THE school census, just completed, gives Fremont a population of 7,300.

NO PART of Nebraska will receive a greater immigration this year, says the Hastings Gazette-Journal, than the South Platte country. This magnificent portion of the state will in a few years contain a wealth and population worthy of an empire. It is undoubtedly the finest agricultural country in the world. It is being rapidly covered with a net work of railroads and new towns are springing up in every direction.

STEELE CITY proposes at an early day to organize a board of trade.

A MEETING has been called at Auburn to organize a ladies' relief corps.

THE team belonging to John Elsanger, of Cuming county, ran away with a plow last week. One of the horses had one of its hind legs so badly cut that it had to be killed.

THE editor of the Omaha Bee, it is announced will spend a year in Europe.

A FURIOUS wind and sand storm, the worst in years, swept Pierce last week. Many fields of lighter soil were so scooped out as to do much damage to lately sown grain and weaker vegetation.

BELL, the accomplice of Hoffman in wrecking a train on the B. & M. road, plead guilty and was given ten years in the penitentiary.

ALL the saloons on the former outskirts of Omaha are now within the limits and will have to pay $1,000 license. They have been notified to put up or shut up.

A VALENTINE special says: Many sad reports are coming in from all over the country of damage by the terrible prairie fire which burned over nearly the entire county from Friday until Sunday, many people barely escaping with their lives, losing everything they possessed, including homes and all kind of stock. E. G. Barrett, of Gordon Flats, was but an instance of the many who suffered. His wife and children, by great effort, made a narrow escape to plowed ground. The house and barn, including five blooded mares, hogs, poultry and other stock, were all destroyed. Many are utterly homeless and some destitution must follow.

THE corner-stone of the new Methodist Episcopal church in West Beatrice has been laid.

THE B. & M. has more than doubled its business in Grand Island the past year.

A LINCOLN special says: It is a well known fact that several counties of the state were seriously dissatisfied with the legislative apportionment bill passed at the last session of the legislature, among them being Saunders and Adams counties. These counties have been looking for a flaw in the bill for the purpose of devising a way to defeat its operation, and think they have succeeded. In the bill, as enrolled, the county of Sarpy constitutes the Ninth district, and is entitled to one representative. It is said that this did not appear in the original bill, and that the record on the bill does not show that such an amendment was ever made.

THUGS, thieves and housebreakers are becoming so numerous and bold in Omaha that a vigilance committee is about to be organized to rid the city of them.

S. B. JONES, assistant ticket agent of the Union Pacific, has been offered the secretaryship of the inter-state commission.

LAST Tuesday afternoon, says the Osceola Record, Charley Olmstrad's house was discovered to be on fire. The mother with a babe not two days old was on the bed. She siezed the little one and one a few years older and fled to the stable for safety. The house burned to the ground but most of the goods were saved.

AUBURN now has a daily paper, issued from the Post office.

SETH KEARNES, a convict in the penitentiary, representing Douglas county, made a sly attempt at an escape last week. When the convicts were counted he was missing. Search was made, and he was found on a pile of boards feigning sleep. He evidently intended making the attempt after the guards were relieved from duty.

THE new Union Pacific bridge at Omaha is expected to be ready for use by June 1.

THE new mayor and council of Wahoo, it is understood, will place the saloon license at $750.

SAN GOON, an Omaha Chinaman engaged in the washing busness, who failed some time ago, is said to have secreted a large amount of washing belonging to different parties, and that his whereabouts are now unknown.

NOT POPULAR WITH CATHOLICS.

Cincinnati dispatch: Dr. McGlynn arrived this morning. Some of his friends desired to introduce him to the representative business men of the chamber of commerce, and to that end asked Major John Byrne of the Chesapeake & Ohio railroad, to make the introduction. Major Byrne declined, saying that as a Catholic, loyal to the precepts and authority of his church, he had no sympathy with Dr. McGlynn's position, and that as a good citizen he could not in any sense recognize the false theories which the doctor was attempting to propagate. As a member of the chamber of commerce, the same views compelled him to decline. Others who were approached took the same position, and thus Dr. McGlynn was not a visitor on 'change.

To-night Dr. McGlynn delivered his lecture, "The Cross of a New Crusade," at Music hall. The lecture was under the management of the Henry George club. On the platform were members of the club as well as prominent members of the labor party which recently came so near capturing the offices of this city. There were no Catholic clergymen on the stage and none apparent in the audience. The assembly filled nearly half of the large hall and numbered perhaps 2,000.

A BRIDE OF A DAY.

Washington special: The morning papers to-day under the head of "Marriages," announced the wedding yesterday of Bordley F. Calhoun to Miss Eleanor M. Semmes. Under the head of "Died" appeared the announcement of the death of Bordley F. Calhoun. Mr. Calhoun was the youngest son of Rear-Admiral E. R. Calhoun, at whose residence he died yesterday after a brief illness. Yesterday morning Dr. Bromwell, the attending physician, told his patient there was no hope of his recovery. The dying man sent immediately for his father and told him that for three years past he had been engaged to Miss Eleanor M. Semmes, the eldest daughter of Mr. Jno. H. Semmes, and asked his father's consent to an immediate marriage. Miss Semmes was sent for, and shortly after 1 o'clock in the afternoon Rev. Dr. Berry, of St. Andrew's church, united the dying man to the woman he loved. In a few short hours the bride became a widow.

CARS SYSTEMATICALLY ROBBED.

Conductors and Brakemen Jailed at Pittsburg and a Large Amount of Plunder Captured.

Pittsburg, dispatch: The officials of the Pan-Handle railroad began this morning to make wholesale arrests of employes of that road for being concerned in a gigantic conspiracy of robbery. The officials of the road claim that during the past two years the cars on the Pittsburg, Cincinnati & St. Louis road have been systematically robbed of property roughly estimated as being worth half a million dollars. Early this morning 100 policemen and detectives began a concerted raid upon the boarding houses and homes of the Pan-Handle railway employes and at 9 o'clock forty-four conductors and brakemen were confined in the county jail, the officers boarded all early incoming trains and arrested such men as were wanted. John H. Hamilton, attorney for the Pennsylvania road, was seen this morning in the office of the detective agency, sitting among a heterogeneous collection of plunder. He said: "These robberies have been carried on systematically for several years. The company has long been aware that there was a leakage somewhere, and as early as September, 1886, they quietly commenced investigations. Detectives were placed on the trains where the goods could be watched and the thieves caught. We had already discovered that the culprits were employes of the company. In September there were eighty crews of freight trains on the Pan-Handle railroad coming into Pittsburg. Of these eighty crews no less than seventy-five were found to be crooked. The crews consist of conductor, flagman and two brakemen. In some cases all men were involved, in others only part. The statement that the engineers and firemen were mixed up in the robberies is wrong; not a single one is involved. The goods were obtained by the cracksmen in various ways. In many instances the seals were broken, while in others hatchets were used to cut holes in the rear of cars, through which the men crawled and took what they coveted. They then reported the car in bad condition, claiming that the holes had been made by an accident. The operations were all the result of a combination. Arrangements were carefully made and each rascal was assigned to his particular part of the work in much the same way as bank robberies are committed by professional cracksmen. I do not know that members of the combination were oath-bound or anything of the kind, but it is certain that a thorough understanding existed among them and they acted in concert to cover up each other's misdoings. The thing which alarmed us more than anything else was that they stole large quantities of whisky and drank it in the cabooses. They needed vessels to hold liquor, so they stole milk cans and kept it in them, not daring to keep whisky openly in the cars. They tore up the flooring and hid it underneath. The men were continually reported drunk on duty and the probability of disaster was something frightful to contemplate. All kinds of goods were stolen, including sewing machines, guns, revolvers, cutlery, silverware, cigars, clothing, liquor, groceries, furniture, and in fact every imaginable article that could be carried on a car were quickly removed. The depredations were committed all along the road and the losers reside as far west as Denver. Fences were established in this city where the stolen property was taken and then sold, the money being evenly divided among the crews."

It is now claimed that the amount of property stolen will not amount to $300. The arrests have created great excitement among the railroad employes of this city. The scenes about the jail doors this morning when relatives of the prisoners were gathered to learn the cause of the arrest were of the saddest description. Wives, children, parents, brothers and sisters with tear-stained faces stood around the entrances to the prison eager to hear the latest development and pleading with the officers for admission to the jail to see the prisoners. At 11 o'clock ten more arrests were reported. They were captured at the pay-car while receiving their wages. This makes a total of fifty-six in jail here, and it is supposed as many more have been apprehended at other points along the line. Consternation prevails among the proprietors of the "fences" and dens where the goods were secreted and sold. In one instance the proprietor of a notorious den was detected in the act of burning stolen property. A telegram was received from Dennison, O., stating that J. R. Dunlap, leader of the gang, was arrested there this morning.

One Bushby, the worst man in the gang, slipped his handcuffs and recklessly threw himself from the train, while it was going and escaped.

Special Agent Rue stated to-night that the total arrests number sixty, of whom there are fifty-six in the Pittsburg jail. One of the men, named Black, was released on bail. J. T. Gibbs was also released this evening. He is an officer of the company and his arrest was a mistake. Deputy Mayor Gripp, before whom the warrants were sworn out, has fixed the hearings for next Monday at 10 a. m. The office of Detective Kilkson is crowded with many trunks and stolen goods, all of which have been labeled as from whom taken, the date and conditions. They will be carefully guarded to be used as evidence against the men. The goods there are valued at several thousand dollars, which may be greatly increased by the contents of a dozen or more trunks which have not yet been opened. At the jail all was quiet and no more prisoners were expected to-night. It is understood that no more arrests will be made here. In fact Detective Rue said they had all the men wanted except a few no longer connected with the Pan-handle road, who are located, and will be arrested within the next few days.

At a late hour to-night J. R. Dunlop, who is regarded as the ringleader of the gang, made a confession to the dectives, in which he implicated several outsiders and located "fences" at Dennison, O., New Philadelphia and other places.

AN ACTOR SHOT.

BOSTON, MASS., April 11.—James M. Ward, the Irish comedian who began an engagement to-night at the Bijou theater in his play, "The Red Fox," was painfully wounded during the third act by a supernumerary named Cohee.

In this act Ward Rody, the hero, in attempting to escape from prison is shot. Cohee, in discharging the gun, aimed too low, and the charge of wadding penetrated Ward's breast, striking and bending the breast bone.

The curtain was lowered and the injured man removed behind the scenes, where physicians were summoned, while the audience was apprised of the accident and dismissed.

The physicians succeeded in removing the paper wadding from the wound, but say that Ward can not return to the stage for several weeks.

HOSTILE REDS.

Helena (M. T.) special. A Ft. Shaw special to the Independent says that the sergeant in charge of the Ft. Assinaboine Transportation company is here on a special mission. He says he saw a large war party believed to be bloods from across the British line. They started for his team but drew off at Spokane when they saw the escort of soldiers in charge. They were at Big Lake, 38 miles from here, bound south. Reports are that the bloods are still crossing the line to this side. Trouble is feared, as they are evidently on a raid.

PLEADING FOR ARENSDORF.

Judge Weaver Addresses the Jury in the Haddock Murder Case.

Sioux City special: The arguments in the Haddock murder case seem to attract as much attention and draw as large crowds as the examinination of witnesses.

Attorneys Weaver and Lynn, of the defense, have occupied the entire day. Judge Weaver began his argument immediately after the opening of the court this morning. He contended first that the defendant was innocent before the law until found guilty, and the proof must have no reasonable doubt. Leavitt's and Bismarck's testimony was next examined. The former's confession being published generally over the country Oct. 8. Bismarck's arrest occurring in San Francisco the 10th, making it not impossible for them to have connived to make their stories agree. Incidents were referred to to show that there was such an understanding between them. The preponderance of the testimony is that Leavitt and not Arensdorf fired the shot. The state must show outside of the evidence of Bismarck and Leavitt that Arensdorf fired the shot. The state must show this to be entitled to a verdict. The evening of the murder Leavitt and Bismarck were gathering a crowd to assault the preacher. That evening, even within a few minutes of the shooting, evidence shows Arensdorf to be attending to his business, making collections, talking with his friends at the Shepherd. Up to the time of the meeting at Junk's the evidence shows that Arensdorf knew nothing about the plans of the others and he is at Junk's when someone comes to announce "the buggy has come back." The state's theory is that at and from that instant Arensdorf is the head and front of a conspiracy about which, up to that instant, he knew nothing, and the state, outside of Leavitt's evidence, has failed to show that Arensdorf knew of any conspiracy. If the state has failed to show that Arensdorf fired the fatal shot, then the state has failed to connect Arensdorf with the killing, except by the uncorroborated evidence of Leavitt and Bismarck. If the state does not prove that Arensdorf fired the shot, then the state proves nothing. The only corroboration of the accomplices is Mrs. Leavitt. Then the character of Mrs. Leavitt was reviewed and the improbability of her evidence was considered. The speaker then proceeded to sift the evidence of the state and call in question the veracity of some of its witnesses, at the same time explaining shortcomings and apparent inconsistencies on the part of those called for the defense. He further said that all who did not support the theory of the state that Arensdorf did the killing were intentionally kept away from the grand jury. Circumstantial evidence to be sufficient must be complete and must be true. The state has shown no such chain of evidence as fastens the guilt on the accused. Aside from the evidence of Leavitt and Bismarck, whose evidence cannot be taken unless corroborated, the state has brought no true witnesses whose evidence might not be admitted by the defense. The contradictions between the evidence given by Leavitt were reviewed and the alleged contradictions were pointed out. The color of Leavitt's pants was dwelt upon at length; the contradicting evidence about the color by Leavitt and others. The seven witnesses swear that the man who fired the shot had on light pants and a rubber coat, the same clothing that Leavitt that evening wore. The course of Leavitt during the day was traced; the trip to Greenville; the meeting at Junk's; the messenger with the word that "the buggy had come." The crowd goes to the corner. In all this Mr. Weaver coincided with the state, even though calling the assemblage a conspiracy. The important expedition, as stated, plainly proving that Arensdorf did not go with the others to the corner where Haddock was killed. Leavitt's evidence concerning the formation of the conspiracy is not supported and is impeached. Bismarck undoubtedly expects executive clemency, his statement to the contrary notwithstanding. The prostitution of the executive officer was monstrous. Leavitt, who by the verdict of the coroner's jury was found to be the guilty man, finding escape and detection impossible, surrendered himself, and charges the crime on Arensdorf. Bismarck had told Louie Agnes that he charged the murder on Arensdorf to save his own neck. As to the color of the pants worn by Leavitt on that evening there was the evidence of seven witnesses that the pants were light and that he wore a rubber coat; as many witnesses as that swear that the man who fired the shot wore a rubber coat and light pants; as many swear that Arensdorf wore dark pants and no rubber coat, and that Arensdorf was not the man who fired the shot, and so of the evidence, that the man who fired the shot ran up Water street and not across the Fourth street bridge. Some difference is to be expected in the testimony of honest eye witnesses; all that is to be expected is that they materially agree, and as to fact. That not Arensdorf, but a man dressed as Leavitt was dressed all agree excepting Leavitt and Bismarck. The state claims that even if John Arensdorf did not fire the shot yet must he be found guilty because he was a conspirator. There is not a word of evidence outside of Leavitt's that Arensdorf knew of any conspiracy. Even Leavitt does not at first claim that John Arensdorf was present at the meeting at Holdenreid's hall. Significantly at this point counsel said: "There is too much in this case to allow it to hang; there is too much expense connected with it to allow it to drag; it must be finished now even if the feeble hope on which the state hangs is disappointed."

Mr. S. F. Linn followed but had only opened his argument when the hour for adjournment had arrived. As a matter of general interest it can be stated that over 120 witnesses have been examined, the witness fees alone in the case amounting to something over $3,000.

NEW WITNESSES TURN UP.

Morris (Ill.) special: The lawyers for the defense in the Nicholls murder case received a telegram yesterday from a man in Freeport, offering to give valuable evidence, and urging that the defense be "held at all hazards." At 7 o'clock to-night the voluntary witness, Daniel Drinkworth, a resident of Freeport, made his appearance in court and was called to the stand by the defense. He said he was in Joliet the night of the murder, waiting for his wife, whom he expected on the train. While walking toward the tank at the western end of the depot platform, he saw two rough looking characters, who, upon seeing the witness, attempted to hide behind the tank. He went up closer to them and saw both distinctly. One was much taller than the other and wore a slouch hat. The shorter man wore a stiff hat and had a bundle in his hands. When the train started out one of the men jumped on the baggage car, and the other crossed the track ahead of the engine. He thought they were tramps trying to steal a ride. The witness watched them closely, because they were suspicious-looking characters, and he feared they were going to try to "hold him up." The following morning, as soon as he heard of the murder, he notified Chief of Police Murray and others. The witness maintained his position throughout a protracted and severe cross-examination, though he said the men boarded the first train, which was not the one on which Nicholls was killed. The witness finished his testimony at 8:30 p. m., and the court adjourned until to-morrow.

DRAWING TO A CLOSE.

The Case of Arensdorf Nearly Ready to Go to to the Jury.

Sioux City special: The forenoon was occuped by S. F. Lynn in addressing the Haddock jury on behalf of the defense, and the afternoon by County Attorney Marsh for the state.

Mr. Lynn followed in the line of Judge Weaver so far as the position of the defense is concerned. He took particular pains to cauterize the press, however, for helping the state, claiming it was thirsting and crying for the blood of Arensdorf, and not for justice. He laid great stress on the character of the state's witnesses, pleading that no man who had previously borne as good a reputation as Arensdorf should be dragged down by such witnesses. If a conspiracy has been shown there is no evidence that Arensdorf had any part in it. The interest the state executive has taken in the matter, and promise of executive clemency, are somewhat of an anomaly. The governor has loaned his high office to perjurers that they might work the ruin of an innocent man. Of the eye-witnesses who have testified to being present at the killing, seven point to Leavitt and two point to Arensdorf; these two, Leavitt and Bismarck, have every incentive for testifying as they do. Bismarck is promised pardon if he will testify so-and-so. Leavitt is also promised pardon. Attention was also called to the fact that Leavitt fled, while Arensdorf remained calmly looking after his every day business. The defense has advised silence on the part of its witnesses, and with reason, for did not the eye witness Burton testify that the state had tried for a whole month to get him to testify to other than the facts.

When Attorney Marsh took the floor this afternoon the court house was crowded as scarcely before since the arguments commenced, a large number of ladies being in attendance. Opening with a brief view of the condition of the city and the community at the time of the murder, the good reputation of John Arensdorf was mentioned, his life, his long following of the business of a brewer, his having his all in the business, knowing no other business, having no other property than that which was engaged in the business. Plainly no one had the motive to wish George Haddock dead excepting the saloon element, and of this elemtnt none so great a reason as John Arensdorf, the brewer. Good character is not a defense. It is proper evidence in defense, but it does not prove the accused guiltless. It is not to be taken as higher evidence than the evidence of one who saw and heard. Counsel denounced the spirit which had misled and misinformed those who were telling the truth as to the facts of the killing. The spirit which had hampered the prosecution from the hour of the murder was done; the spirit of indifference that had left the prosecution almost without funds to prosecute the case. Counsel for the defense had warned the jury against the misrepresentations of the newspapers. Was it to be supposed that the newspapers would stand idly by and raise no voice against such a crime? It was not correct, as stated by the defense, that the state had the advantage, that the machinery was in the hands of the state in calling witnesses without notice. In the matter of challenges on various points the defense and not the state had the advantage. Turning from the answer to the argument of the defense Mr. Marsh reviewed the law relating to murder and then went on to show the difference between the evidence given before the coroner's jury by Arensdorf and others, and the evidence given by the same man on this trial. A strange condition of society prevailed, when, until the trial alleged, eye-witnesses hold their peace, telling neither the officers nor anyone else. Taking up the circumstances of the shooting, the county attorney said that it must be generally admitted that the man who fired the shot passed Haddock, turned and fired. The evidence of eye-witnesses seeming to differ may be honest, may be in a way correct. Following this Mr. Marsh proceeded to review the evidence of the various eye-witnesses to the murder, and when the evening hour for adjournment had been reached he had not yet finished.

Judge Lewis is busily engaged in preparing his charge to the jury.

Following Mr. Marsh Judge Pendleton will close for the defense and the Hon. M. D. O'Connell for the state.

SWEPT BY FLAMES.

Huron (Dak.) dispatch: The prairie fire last night swept over a great portion of Grant township, in this county, doing immense damage. Fred Town's house, seven miles south, his barn and other buildings, together with furniture, machinery and several head of stock were destroyed. The house was occupied by Edward Maloney and his sister Kate and with them when the fire occurred was Annie Marine. The wind was blowing a gale, and before they were aware of their danger the fire was upon them. In attempting to reach a plowed field all were overtaken by the fire. Edward Maloney and Annie Marine were burned to death, and Kate was so badly burned that her recovery is doubtful. Edward's remains were taken to Preston, Minn., this afternoon, where his parents reside. Other losses are reported in the same locality.

THE MARKETS.

OMAHA.			
WHEAT—No. 2	58	@	58½
BARLEY—No. 2	44	@	45
RYE—No. 2	44	@	45
CORN—No. 2 mixed	23	@	24
OATS—No. 2	22½	@	23
BUTTER—Creamery	25	@	27
BUTTER—Choice country	18	@	20
EGGS—Fresh	9	@	10
CHICKENS—Live per doz	3 00	@	3 50
LEMONS—Choice, per box	5 00	@	5 50
ORANGES—Per box	4 00	@	4 50
APPLES—Choice per bbl	4 50	@	5 00
BEANS—Navys, per bu	1 50	@	1 60
ONIONS—Per barrel	4 00	@	4 50
POTATOES—Per bushel	40	@	50
WOOL—Fine, per lb	16	@	18
SEEDS—Timothy	2 20	@	2 50
SEEDS—Blue Grass	1 30	@	1 40
HOGS—Mixed packing	5 20	@	5 35
BEEVES—Choice steers	4 15	@	4 35
SHEEP—Fair to choice	3 50	@	4 00
NEW YORK.			
WHEAT—No. 2 red	91¾	@	92
WHEAT—Ungraded red	84	@	93¾
CORN—No. 2	49½	@	50
OATS—Mixed western	33	@	37
PORK	16 50	@	16 75
LARD	7 50	@	7 65
CHICAGO.			
WHEAT—Per bushel	77	@	77½
CORN—Per bushel	34½	@	35
OATS—Per bushel	25	@	25¼
PORK	21 00	@	21 50
LARD	7 50	@	7 60
HOGS—Packing & shipping	5 60	@	5 85
CATTLE—Stockers	2 60	@	4 15
SHEEP—Natives	3 00	@	5 25
ST. LOUIS.			
WHEAT—No. 2 red cash	79½	@	80
CORN—Per bushel	35⅛	@	35½
OATS—Per bushel	27	@	27¾
HOGS—Mixed packing	5 40	@	5 55
CATTLE—Stockers	2 40	@	3 15
SHEEP—Common to choice	3 75	@	4 00
KANSAS CITY.			
WHEAT—Per bushel	69½	@	69¾
CORN—Per bushel	31½	@	32
OATS—Per bushel	27	@	27½
CATTLE—Feeders	3 35	@	4 00
HOGS—Good to choice	4 90	@	5 70
SHEEP—Common to good	2 75	@	3 00