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The Columbus Journal.

ADVERTISEMENTS.

HENRY LUERS, BLACKSMITH, Wagon Maker, Shops near Foundry, south of A. & S. Depot.

TIMPEN SPRING BUGGY, and other eastern buggies. ALSO, THE— Furst & Bradley Plows.

NEBRASKA HOUSE, S. J. MARMOY, Prop'r, Nebraska Ave., South of Depot, COLUMBUS, NEB.

A new house, newly furnished. Good accommodations, Board by day or week at reasonable rates.

MILLINERY! MILLINERY! MRS. M. S. DRAKE HAS JUST RECEIVED A LARGE STOCK OF— FALL AND WINTER— MILLINERY AND FANCY GOODS.

F. GERBER & CO., DEALERS IN— FURNITURE, AND UNDERTAKERS, Chairs, Bedsteads, Bureaus, TABLES, Etc., Etc.

CITY Meat Market! One door north of Post-office, NEBRASKA AVE., — Columbus.

Fresh and Salt Meats, SAUSAGE, POULTRY, FRESH FISH, Etc., in their season.

H. B. MORSE IS STILL SELLING W. M. SCHILZ'S OLD STOCK At Cost! At Cost!

A Line of Spring Goods WHICH HE IS SELLING AT EASTERN PRICES.

W. M. SCHILZ Can still be found at the old stand, where he continues to do all kinds of Custom Work and Repairing.

BECKER & WELCH, PROPRIETORS OF SHELL CREEK MILLS.

MANUFACTURERS & WHOLESALE DEALERS IN FLOUR AND MEAL.

OFFICE, — COLUMBUS, NEB.

DOWTY, WEAVER & CO., PROPRIETORS OF THE Columbus Drug Store, Successors to A. W. DOLAND.

The Leading Drug House IN THE WEST. A full and complete line of Drugs, Chemicals, Patent Medicines, &c., Painters' Supplies, Window Glass, Wall Paper.

LAMPS, OF EVERY DESCRIPTION. When you need anything in our line we will make it to your interest to call on us.

WM. BECKER, DEALER IN ALL KINDS OF FAMILY GROCERIES!

Teas, Coffees, Sugar, Syrups, Dried and Canned Fruits, and other Staples a Specialty.

COQUILLARD Farm and Spring Wagons, of which I keep a constant supply on hand,—but few their equal, in style and quality, second to none.

COLUMBUS STATE BANK, Successors to Gerard & Reed and Turner & Deist.

GOOD GOODS FOR THE LEAST MONEY! Goods delivered free of charge to any part of the city. Terms cash.

HENRY GASS, Manufacturer and dealer in Wooden and Metallic Burial Caskets.

WAGONS! BUGGIES! WAGONS! END SPRINGS, PLATFORM SPRINGS, WHITNEY & BREWSTER SIDE SPRINGS.

Light Pleasure and Business Wagons of all Descriptions.

WEBER & KNOBEL, — AT THE — COLUMBUS MEAT MARKET.

On Eleventh Street, Where meats are almost given away for cash.

LAW, REAL ESTATE AND GENERAL COLLECTION OFFICE — BY — W. S. GEER.

WILLIAM RYAN, DEALER IN KENTUCKY WHISKIES, Wines, Ales, Cigars and Tobacco.

RESTAURANT AND SALOON! E. D. SHEEHAN, Proprietor.

ANDERSON & ROEN, BANKERS, ELEVENTH ST., COLUMBUS, NEBRASKA.

Dr. A. HEINTZ, DEALER IN DRUGS, MEDICINES, CHEMICALS, WINES, LIQUORS, Fine Soaps, Brushes, PERFUMERY, Etc., Etc.

SPEICE & NORTH, General Agents for the Sale of Real Estate.

HERMAN OEBLICH & SON, WHOLESALE & RETAIL GROCERS!

WOODEN AND METALLIC BURIAL CASKETS. All kinds and sizes of Robes, also has the sole right to manufacture and sell the Smith's Hammock Reclining Chair.

W. S. GEER, MONEY TO LOAN in small lots on farm property, time one to three years.

RESTAURANT AND SALOON! E. D. SHEEHAN, Proprietor.

CORNELIUS & SULLIVAN, ATTORNEYS-AT-LAW, Up-stairs in Gluck Building, 11th street, Above the New bank.

JOHN J. MAUGHAN, JUSTICE OF THE PEACE AND NOTARY PUBLIC, PLATTE CENTRE, — NEB.

H. J. HUDSON, NOTARY PUBLIC, 11th Street, 2 doors west of Hammond House, Columbus, Neb. 491-7

DR. M. D. THURSTON, RESIDENT DENTIST, Office over corner of 11th and North-st. All operations first-class and warranted.

CHICAGO BARBER SHOP! HENRY WOODS, Prop'r. Everything in first-class style. Also keep the best of cigars. 516-y

M. J. THOMPSON, NOTARY PUBLIC, And General Collection Agent, St. Edwards, Boone Co., Neb.

RYON MILLETT, JUSTICE OF THE PEACE AND Notary Public.

LOUIS SCHREIBER, BLACKSMITH AND WAGON MAKER. All kinds of repairing done on short notice. Buggies, Wagons, etc., made to order, and all work guaranteed.

F. J. SCHUG, M. D., PHYSICIAN AND SURGEON, Office—Corner of North and Eleventh Sts., up-stairs in Gluck's brick building. Consultation in German and English.

JAMES PEARSALL, FIRST-CLASS APPARATUS, To remove hoarses at reasonable rates. Give him a call.

NOTICE TO TEACHERS. J. B. Moncrief, Co. Supt., Will be in his office at the Court House on the first and last Saturdays of each month for the purpose of examining applicants for teacher's certificates, and for the transaction of any other business pertaining to schools.

DRS. MITCHELL & MARTYN, COLUMBUS MEDICAL & SURGICAL INSTITUTE.

TUTT'S PILLS, INDORSED BY PHYSICIANS, CLERGYMEN, AND THE AFFLICTED EVERYWHERE.

TUTT'S HAIR DYE, GRAY HAIR or WHISKERS changed to a Glossy Black by a single application of this Dye.

THE HAND THAT ROCKS THE WORLD. Blessings on the hand of woman! Angels guard its strength and grace in the palace, cottage, hotel— Oh, no matter where the place. Would that never storms assailed it, Rainbows ever gently curled; For the hand that rocks the cradle Is the hand that rocks the world.

THE HAND THAT ROCKS THE WORLD. Woman! how divine your mission Here upon our mortal soil! Keep, oh mother, your heart open Always to the breath of God. All true trophies of the ages Are from mother earth imperiled; For the hand that rocks the cradle Is the hand that rocks the world.

ter of the men and the trouble they had already brought upon quiet, law abiding citizens, the sentiment of the whole community was against them.

Short was a small man, of not more than five feet six inches in height, slender, weighing scarcely 130 pounds, with bright, fiery-red hair and side-whiskers, and at the time of the murder, wore a white felt hat and an old light-blue army overcoat.

Grey was a heavy, broad-shouldered man of medium height, weighing fully 200 pounds, with a full, black beard reaching nearly to his waist. But as the evidence subsequently showed that he had not fired the shot it is unnecessary to describe his appearance more minutely.

Certainly it is difficult to imagine two men more unlike than Short and Ryan or less liable to be mistaken for each other even by strangers, much less by their acquaintances. There was no possibility here for a case of mistaken identity.

Short and Ryan were tried together with their consent—Grey having asked for and obtained a separate trial—and each was defended by separate counsel.

After the preliminary proof relating to the post mortem examination, the cause of death and the identification of the body of the deceased as the person named in the indictment, the Commonwealth called as its first witness a woman, Mary Bowen. She bore a bad reputation for chastity, but nobody questioned her integrity or her purpose to tell, reluctantly, it is true, the whole truth.

As most of our party were lawyers the conversation, naturally enough, drifted into a discussion of the dangers arising from convicting accused persons whose own mouths were closed, upon purely circumstantial evidence, in the absence of any direct and positive proof of guilt, and case after case was cited in which, after conviction and execution, the entire innocence of the supposed culprits had been clearly demonstrated.

Most of the laymen present agreed with the distinguished lawyer whose very positive expression of opinion has been quoted, while the majority of the lawyers contended, with that earnestness for which lawyers are noted when advocating their own side of any question, that justice could never miscarry when careful judges guard against the possibility of unsafe verdicts by refusing to permit a conviction except when every link in the chain of circumstantial evidence has been established beyond doubt, and the whole chain has been made so perfect and complete as to leave no room for any consistent hypothesis of innocence.

The first murder case I ever tried, said one of them, was stranger than fiction, as you will admit, and is quite as remarkable as any of the cases you referred to where innocent men have been wrongfully convicted upon circumstantial evidence. It ought to have been reported as an example of the unreliability of the direct and positive testimony of eye-witnesses who tell what they believe to be the truth.

He then related the main points of what was certainly a most remarkable and dramatic trial, and which constitutes a fair offset to some of the memorable cases to be found in every work on circumstantial evidence. The narrative produced so strong an impression upon my own mind that subsequently, with his consent, I put it into the following shape, having first carefully compared it with his notes of testimony taken upon the trial of the case. It can be relied upon as absolutely correct, with the exception that I have used fictitious names, for reasons which will readily be appreciated when it is known that most of the actors in the drama are still living.

One winter evening about eight o'clock, in the early days of the war, in the quiet little town of —, while patrolling the streets to pick up stragglers from the camp on the outskirts of the town, Corporal Julius Frye was shot and killed by one of three men of bad character, who were in company and upon terms of open enmity with the soldiers. The men were arrested, committed to prison, and brought to trial at the next term of the Court. Two of them were gamblers and desperadoes, and supposed to have more than once had their hands stained with human blood. The third, whom I shall call Short, though bearing an unenviable reputation, was regarded as unlikely to slay a fellow man, except under compulsion of circumstances. On account of the charac-

ter of the men and the trouble they had already brought upon quiet, law abiding citizens, the sentiment of the whole community was against them. In order to clearly understand the force of the testimony given upon the trial, and the subsequent result, it is important to bear in mind the physical peculiarities, dress, and general appearance of each of the three prisoners.

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down the alley, firing one shot after another until he fired the last and fatal shot almost in the face of the deceased. He also fully described the clothing worn by Short as it had been described by the other witnesses.

These were all the witnesses to the occurrence, except the prisoners themselves, and, of course, they could not be heard. The case against Short seemed to be as conclusively made out as though a score of witnesses had sworn that they had seen him do the shooting. Neither the judge, the jury, nor the spectators entertained the slightest doubt of his guilt, and when the Commonwealth, at this point, closed its case, it seemed as though the trial rope was already around his neck and his escape impossible.

Ryan heard a sigh of relief which was audible throughout the whole court room, for he was safe; there was not one word of testimony against him or any circumstance tending to show any previous arrangement or concert of action between him and Short.

After a whispered consultation between the counsel for the defense one of them rose and moved the court to direct the jury to forthwith return a verdict of "not guilty" as to Ryan, in order that he might be called as a witness for the other prisoner. This was resisted by the District Attorney, and, after lengthy and elaborate arguments, the court decided that it was bound to grant the motion, and accordingly Ryan was declared "not guilty" and the record closed.

Then came a scene as dramatic to those present as anything ever witnessed on the stage. Without any opening speech by Short's counsel, Ryan, in obedience to a nod from his attorney, stepped out of the prisoner's dock and into the witness box, looked around the court room, took up the bible and was sworn to tell the truth, the whole truth and nothing but the truth. Every head was bent forward, every ear was on the alert, every eye fixed on the witness—something startling was expected. Would he attempt to show that Short had done the shooting in self-defense? That seemed the only thing possible. But how could he be believed in the face of the positive testimony of three witnesses, two of them living and in the court room, one of them dead—murdered?

Ryan stood for a moment looking down, and then slowly lifting his eyes to the bench, in a silence in which the falling of a feather might have been heard, he said: "May I ask the Court a question?" The venerable Judge, evidently surprised at being interrogated, looked at him and said: "Certainly, sir."

"I understand that I am acquitted," said Ryan, pausing for a moment and then continuing: "I want to know from the Court whether anything I may say now can ever be used against me in any way?" "What did he mean? What need for that question? Every one looked at his neighbor inquiringly.

The flushed face of the Judge showed that he, at least, understood what it meant—an attempt to swear his guilty companion out of the hangman's grasp. Then, in a tone of unmistakable indignation came the answer: "I am sorry to say, sir, that nothing you may say now can be used against you; that is, on a trial for murder. You have been acquitted."

Ryan's face grew pale and then red, and he said, slowly and distinctly: "It was I who fired all the shots—not Short."

Most of the faces in the court room wore looks of incredulity: some of indignation at the hardened wickedness of the man who had just been declared innocent and who, by his own statement, was guilty of murder, if he was not guilty of perjury.

But, quietly and calmly, without a tremor, as coolly as though he was describing some trivial occurrence which he had casually witnessed, Ryan went on, step by step, detailing all that had occurred, and when he had finished his story there was probably not a person present who was not fully convinced not only that Ryan had told the simple truth, but also that he had himself fired the fatal shot in self-defense, or at least under such circumstances of danger as would have led any jury to acquit him.

He had detailed how he had fired the first shot from a small single-barreled pistol, in the air without any purpose except to give his challenger a scare, and then ran down the alley and upon being closely pursued by the deceased with sabre drawn and raised to strike, he was compelled to pull out a revolver and fire several shots towards his pursuer, who was rapidly gaining on him, to keep him back; and that when he had but one shot left he

stumbled over a large stone and fell on his knees, and at this moment the deceased struck at him with the sabre, cutting him slightly in the cheek, and, being thus pressed, he aimed and fired the last shot, which subsequently proved fatal. He further told how, upon covering his feet, he ran, waded through the stream, and finding that he had lost his hat, and then went to a hotel, where he was seen by several witnesses to dry his wet clothing. His manner, his bearing, and his story itself convinced his hearers that he was telling the truth.

But so that nothing might be wanting if any doubt remained in the minds of the judge or the jury, witnesses of undoubted veracity were called who corroborated him as to the condition of his clothing and the cut on his cheek within fifteen minutes after the occurrence. Besides, it was shown that, although the man who had fired had waded through the stream, Short's clothing was perfectly dry.

It is unnecessary to say that Short was promptly acquitted and warmly congratulated on one of the narrow-est escapes ever made by any man in court room. Nothing could have saved him had the court refused to direct the acquittal of Ryan and allow him to testify.

The deceased corporal, the soldier, and Mary Bowen were—mistaken. That was all there was about it. So much for the occasional unreliability of the direct testimony of honest eye-witnesses.

And so much, also, for giving the accused an opportunity to be heard on the witness stand, the denial of which by the law is one of the relics of barbarism which still disgrace its administration in some States at this late day.—Lewyer XXX, in Philadelphia Times.

Business and professional cards ten times or less space, per annum, ten dollars. Local advertisements at statute rates. "Editorial local notices" fifteen cents a line each insertion. "Local notices" five cents a line each insertion. Advertisements classified as "Special notices" five cents a line first insertion, three cents a line each subsequent insertion.

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To Husbands. Always complain of being tired, and remember that nobody else gets tired.

Your wife should have everything in readiness for you, but you should not do anything for her.

When your wife asks for money, give her a nickel; ask her what she wants with it, and when she tells you, ask her if she can't do without it. Then go down town and spend ten times the amount for cigars, for they are a necessity.

Go down town on an evening, stand around on the street corner and talk politics; it's more interesting than to stay at home with your family.

Charge your wife not to gossip, but you can spin all the yarns you wish.

Have your wife get up and make fire, but don't get up yourself till the rest of the family are eating breakfast, as you might take cold.

Wear old clothes, and make yourself as untidy as possible until your wife's health fails, then it would be best for you to fix up some, for in all probability you will want another when she is gone.

Have a smile for everybody you meet but get a frown on before you go home.—Physiologist.

Want of energy is a great and common cause of the want of domestic comfort. As the best laid fire can give no heat and cook no food unless it is lighted, so the clearest ideas and purest intentions, will produce no corresponding actions without that power to all that is of value, which is, as it were, the very life of life, and which is never more necessary or available than in the matter of a family. Those who have it not, and many are constitutionally destitute of it, would do well to enquire of their experience and their conscience what compensating virtues they can bring into the marriage state to justify them in entering upon its duties without that which is so essential to their performance. They should consider that the pretty face and graceful languor, which, as it is often especially attractive to the most impetuous of the other sex, gained them to satisfy the innumerable requisitions and secure the social happiness of the felicitous and exacting husbands, into which characters ardent and impetuous lovers are generally transformed.

An old bachelor upon reading that a burglar entered a fashionable lady's chamber a few nights ago and stole her hair while she was asleep, remarked that he didn't see how it was possible to commit such a theft without waking the owner of the hair. This shows what an old bachelor knows about one thing and another. The deluded man must suppose that a fashionable woman wears her hair in bed. The amount of ignorance in this world is truly deplorable.