

# The Omaha Bee

Published every morning, except Sunday,  
the only Monday morning daily.

TERMS BY MAIL—  
One Year.....\$10.00 Three Months.....\$3.00  
Six Months.....5.00 One.....1.00

THE WEEKLY BEE, published every  
Wednesday.

TERMS POST PAID—  
One Year.....\$2.00 Three Months......50  
Six Months.....1.00 One......20

CORRESPONDENCE—All Communica-  
tions relating to News and Editorial mat-  
ters should be addressed to the EDITOR OF  
THE BEE.

BUSINESS LETTERS—All Business  
Letters and Remittances should be ad-  
dressed to THE OMAHA PUBLISHING COM-  
PANY, OMAHA. Drafts, Checks and Post-  
office Orders to be made payable to the  
order of the Company.

OMAHA PUBLISHING CO., Prop'rs.  
E. ROSEWATER, Editor.

## STAY AWAY.

Workingmen of Omaha must not  
crowd around or congregate in the  
streets or near the grounds where  
soldiers are stationed. By keeping  
away you will deprive the authorities  
of every excuse or pretense that you  
mean to create disturbance or resort  
to violence. Let the expensive forces  
of military occupation of a peaceful  
city proceed. The stupid blunderers  
who have called for the army will in  
due time rue their folly.

BRADY has furnished bail in the  
sum of \$30,000 under the indictment  
for star route conspiracy. For a poor  
man, Thomas is evidently valued at a  
good round figure.

The free trade democrats don't seem  
to come to the front in congress as  
boldly as was expected. Absolute  
free trade is very generally admitted  
to be impracticable.

FROM the days when Rome was agi-  
tated by labor troubles, every conflict  
between capital and labor has been  
only satisfactorily settled by mutual  
concession and compromise.

THE latest thing in neckties in  
Arizona is hemp. Three desperadoes  
were presented with these tokens of  
regard last week in that territory and  
it didn't cost the county a cent.

SHORT national banks have been or-  
ganized within the past two weeks  
with an aggregate capital of \$700,000.  
The Nebraska national of Omaha  
heads the list with a capital of \$250,-  
000.

THE statistics of the increase of  
crime and vice in Massachusetts show  
that they are increasing more rapidly  
than in any other state of the Union.  
The descendants of the Pilgrim fa-  
thers seem better at preaching virtue  
to others than practicing it themselves.

LUMBERING up the congressional  
calendar with private bills continues  
at an alarming rate and it is stated  
that if the session continues until  
July the list will foot up a round two  
thousand. Of these it is safe to say  
that three fourths will slumber in  
the committee room pigeon holes.

IF every state had no more diffi-  
culty about settling the apportion-  
ment question than Vermont, there  
would be little need of extra sessions  
of the legislature for redistricting  
purposes. The two new congressional  
districts will be divided by the back-  
bone of the state, the Green conven-  
tion range.

THE New Jersey senate has adopted  
the constitutional amendment provid-  
ing for biennial sessions of the legisla-  
ture and a four years term for sena-  
tors and governor. The New York  
legislature will vote on a similar  
measure. There is a general impression  
that "we are governed too much,"  
and that the more frequent meet-  
ings of our law makers and the  
shorter the sessions the better it is for  
the people at large.

THE minority of the Massachusetts  
woman suffrage committee, in their re-  
port to the legislature, state as an ar-  
gument against the measure that "If  
the wife of a republican goes to the  
polls with her husband, the wife of  
the democrat is either compelled to do  
the same or see her husband prac-  
tically disfranchised as compared  
with his neighbor. By this process a  
duty would be enforced upon a large  
majority of women against their judg-  
ment and wishes, merely to gratify  
the desire of a small minority of  
women."

In granting the request of the set-  
tlers on the Maxwell land grant in  
New Mexico to have their rights  
tested in the United States court, At-  
torney General Brewster has opened  
the way for a thorough ventilation  
of that magnificent swindle. As shown  
early in the winter by THE BEE, that  
grant by a false and fraudulent sur-  
vey was made to include over 2,000,-  
000 acres of land lying entirely out-  
side of the original and legal limits of  
the grant. The company who controls  
this immense domain are now making  
settlers pay a heavy tribute for the  
privilege of short time leases.

## BOMBASTES FURIOSO.

Many people now in Omaha will  
doubtless remember the ludicrous  
scenes enacted in our city during the  
memorable Indian scare of 1864. For  
two weeks our streets were barricaded,  
business suspended, men and horses  
were pressed into militia service,  
shotguns, old sabres and horse-pistols  
were in active requisition, and men in  
buckram, dubbed brigadiers, colonels  
and majors were strutting themselves  
to death in drilling recruits. All this  
terrific commotion was caused by a band  
of peaceable Pawnee crossing the  
Elkhorn within twenty miles of Omaha  
on their return to their reservation  
from a buffalo hunt.

These Indians supposed to be hos-  
tile Sioux, were expected to raid  
Omaha in conjunction with an imagi-  
nary band of guerillas. The scare  
subsided in due time, the militia were  
disbanded and Omaha became the  
laughing stock of the balance of the  
state. The present military invasion of  
Omaha in many respects is more ludi-  
crous than the bloodless Indian scare of  
1864. More men have time and again  
been knocked down in an Omaha beer  
garden in three minutes on a Sunday  
afternoon than there were in the so  
called bloody riots during the past  
week. There is no more need of  
gating guns, howitzers, breach-load-  
ing rifles and sabre bayonets in Oma-  
ha to-day than there is in any city in  
the union where a large force of labor-  
ing men are employed. And what has  
called forth this array of cannon and  
musketry? The great blusterer who,  
as mayor of Omaha, notified the  
governor that he is utterly powerless  
to maintain order has caused the city  
to be put under martial law, when in  
fact he had made only the most feeble  
effort to maintain order. Instead of  
exercising his full authority in conjunc-  
tion with the sheriff of Douglas coun-  
ty, this bombastes furioso lost his head  
and invokes military intervention be-  
fore either he or the sheriff have sum-  
moned law abiding citizens to aid them  
in suppressing disorder. If every  
mayor in every city where labor  
troubles occur should emulate the ex-  
ample of mayor Boyd, we should have  
to enroll a standing army of  
a half a million men and bankrupt  
every state in this union in paying  
militia expenses. We should not ob-  
ject to an occasional military dress  
parade in Omaha to gratify the vanity  
of officials who want to parade their  
names in the papers with bombastic  
proclamations and military requisitions.  
But it is a damaging blow to  
Omaha to impress the country with  
the idea that our streets are  
running red with bloody riot and  
our citizens have to be guarded by the  
army to protect them against a red-  
handed hob, when in fact not a regu-  
lar policeman has struck or received a  
blow, not a single arrest has been  
made, and no resistance has been  
made to either sheriff or constable in  
any attempt to arrest a disorderly  
person.

AN ANTI-MONOPOLY VICTORY.

The real facts about the defeat  
of the republican candidate for the leg-  
islature in the New York Eighteenth  
senatorial district are coming to light.  
A republican majority of over 6,000  
was overturned and a democrat elec-  
ted, and the press reluctantly ad-  
mit that anti-monopoly was the  
cause of the revolution. Mr. Stan-  
ford, the candidate for Webster Wagn-  
er's seat, was a monopolist of a very  
flagrant stamp. When in the legisla-  
ture he voted for the outrageous  
stock-watering scheme of the New  
York Central, and also to permit that  
road to raise its fare. He is a brother  
of Leland Stanford, of the Central Pa-  
cific railroad ring, and altogether has  
a most objectionable monopoly record.  
As to spending money, Mr. Stanford  
spent ten dollars for every one exp-  
ended by the democrats and anti-  
monopolists, and the result is all the  
more gratifying when we take this  
into consideration. It shows that  
workingmen won't sell their vote for a  
mess of pottage when they understand  
that in doing so they mortgage their  
future and that of their children to  
the monopolists. In a circular relating to the facts in  
the case the Anti-Monopoly League  
say that for some time previous to the  
election they had been quietly organ-  
izing through the State and when the  
election consequent upon the death of  
Senator Wagner was announced they  
turned their attention to the district.  
Within a month 17 branch leagues  
were formed there, more than one  
hundred thousand documents distrib-  
uted, and a district which had been  
repeatedly debauched with money and  
which was looked upon as one of the  
strong republican districts in the State  
went largely democratic. As soon as  
it was announced that the republicans  
had nominated a monopoly candidate  
in the person of Mr. Stanford, a man  
who, in 1866, voted for the increased  
fare bill on the New York Central  
railroad, and in 1868 for the Consor-  
diation Stockwatering Bill, each league  
was invited to send delegates to an  
Anti-Monopoly Conference to be held  
at Schenectady on the same day as the  
Democratic Convention, February  
18th. The democrats were notified  
that if they nominated a man  
who was sound on this question, he  
would receive Anti-Monopoly support.  
They did so. Mr. Bancus signified  
his approval of the principles of the

anti-monopoly league, was endorsed  
by the anti-monopoly conference and  
all the leagues in that district held  
meetings and did their best to elect  
him. Indeed they made the only  
active canvass that was made; the  
democrats had been beaten in this  
district so often by monopoly money  
that they were discouraged and apathetic.  
In concluding the league asks  
whether this result is not indicative  
of the strength of the anti-monopoly  
sentiment and of the necessity of both  
parties putting forward candidates  
who will protect the public interest  
against the encroachments of cor-  
porate monopolies. If they do, then  
anti-monopoly league will not take  
sides; if they do not, it will support  
the candidate who professes our prin-  
ciples and see that he acts up to his  
professions. That is what the league  
has come for, and it has come to stay  
until the people's rights are obtained.  
It will affiliate with no one party; it  
will trade with nobody, but it will  
watch everybody.

## MOB RULE AND MILITARY RULE.

Last Wednesday night Mayor Boyd  
notified Governor Nance that he was  
utterly powerless to maintain order in  
this city and invoked through his  
military protection. From Wednes-  
day night until Saturday morning,  
when Omaha was given over to mili-  
tary rule the "mob" had complete  
control. For three nights and three  
days Omaha was absolutely at the  
mercy of a "blood thirsty red handed  
and riotous mob."

It was a terrible and desperate sit-  
uation. The suspense was simply awful!  
For three days and three nights the  
streets, avenues and lanes of Omaha  
were thronged with the tin bucket  
brigade of "socialists, communists  
and nihilists."

The B. & M. steam shovel  
stood unguarded on the dump, and  
the Omaha Herald office was exposed  
to five thousand "merciless fends."  
But during these seventy-two hours  
the "red-handed mob" did not molest  
man, woman or child.

Not a dollar's worth of property  
was damaged or destroyed, not a win-  
dow was broken.

Jim Stephenson, whom the "bloody  
rioters" hate so intensely, rode through  
the streets at all hours of the day and  
night unharmed, and Dr. Miller was  
allowed to heap insults and exasper-  
ating abuse upon the strikers with-  
out any other resentment than a  
harmless set of resolutions.

The advent of the army has given  
us military rule in place of mob rule.  
The sabre bayonet has been thrust  
into the faces of the "rebellious in-  
surgents," and the majesty of  
the law has been vindicated with  
Gatling guns and howitzers. On the  
second day of army rule—on the  
Sabbath day, consecrated to prayer  
and meditation—while idle men,  
women and children were congregating  
in the streets where the "citizen  
soldiers" are quartered, a diversion  
was created and a defenseless  
old man bayoneted through the  
breast, because he did not understand  
martial usage. If these diversions of  
our armed protectors are kept up dur-  
ing the rest of their stay, we shall  
have occasion to mark the contrast be-  
tween mob rule and military rule.

## TREAT THEM WITH COUR- TESY.

The men enrolled in the Nebraska  
National guard and regular troops who  
have been quartered in Omaha  
in response to the call of the  
chief magistrate of this  
state, should be treated with courtesy  
by all classes of our citizens. The  
Nebraska militia are for the most  
part farmers who have organized un-  
der the laws of this state for the com-  
mon defense, and they deserve credit  
for the promptness and loyalty they  
have shown in coming forward to  
suppress what they were led  
to believe a dangerous riot. The regu-  
lars are here under orders from the  
president of the United States, who  
had been imposed on by representa-  
tives of the civil and military authori-  
ties of this state had exhausted their  
resources in an effort to suppress an  
insurrection. It is no fault of these  
soldiers that they have been called to  
Omaha prematurely on a fools errand.  
However inexcusable the appeal for  
military protection may be, the sol-  
diers who are quartered in Omaha  
should not be jeered at or insulted  
by the populace, to whom their pres-  
ence is offensive. Let us show these  
men by courteous treatment that we  
respect them as fellow-citizens and as  
soldiers. Let them carry back to  
their homes the most friendly feel-  
ing toward the population of Omaha.  
Let them go back with the conviction  
that our citizens are as peaceably dis-  
posed as those of any other section of  
this state.

THE civil authorities of Omaha are  
decidedly courageous. When the  
peace of Omaha was imperiled by a  
"blood-thirsty mob," they made no  
attempt to arrest the so-called ring  
leaders. They assumed in advance  
that the arrest of these parties would  
be violently resisted, and the "pri-  
oners" rescued by a "red-handed  
mob." Upon this assumption is  
based their notice to the governor that

they have exhausted all civil author-  
ity to repress violence. But as soon  
as the troops were on the grounds  
these courageous officials served the  
warrants that should have been  
served before troops were called for.  
The only charge which these "ring  
leaders" could be called upon to an-  
swer, is inciting a riot or conspiring to  
incite a riot. If sustained by credible  
proof, such a charge should be  
preferred and prosecuted to the full  
extent of the law. But they arrest  
these men on a charge of assault,  
with intent to commit murder, which,  
in the face of the fact that they were  
not engaged personally in the assault,  
and actually were appealing to the  
assailants to fall back, tends to make  
the whole proceeding a farce. For  
our part, if any man or set of men  
can be convicted of counseling or ab-  
etting violence and riot, we desire  
him or them punished through the  
criminal court. But the arrest of  
any class of citizens, on a charge that  
cannot be sustained merely to make  
a showing of justification for calling  
on the army is indefensible.

And this is the way in which sen-  
sible editors of the state press look  
upon the call to arms of the state mi-  
litia to suppress a riot which doesn't  
exist except in the imagination of  
howling idiots like the editor of  
The Herald and white-faced cowards  
of the Marshal Angell stamp. The  
Central City Courier says:

The following telegram came to  
Capt. Greiner at 10 o'clock this morn-  
ing, from Col. Colby: "Get your  
company under arms and report by  
wire to me at once. Excuse me but I  
am in a hurry. There was no duty  
explained as what was the duty  
which they are expected to perform.  
It is conjectured, however, that the  
strike at Omaha is developing into  
a riot, and the boys are  
wanted to go down and perforate the  
individuals who refuse to work for  
\$1.25 a day. It will be remembered  
that a little farce of this kind was  
played last year on a similar occasion,  
when several companies of militia  
went to Omaha and sat around on beer  
kegs several days watching the rioters.  
It is very sad to have our most  
promising young men ruthlessly ex-  
posed to danger. It is to be regretted  
that the mayor doesn't save the State  
this expense by appointing a half  
dozen gritty special policemen to ar-  
rest the leaders of the trouble and dis-  
perse the rioters.

The electric light has its disadvan-  
tages as well as its advantages and ac-  
cidents from its use are almost daily  
reported. Some time ago a young  
man in Denver, while repairing an  
electric light, mounted a high step  
ladder and with a wire in each hand  
was about to connect the circuit when  
the current was suddenly turned on.  
The shock completely paralyzed him  
and he fell backward off the ladder to  
the ground. He has now brought suit  
against the company for damages.  
One side of his face is paralyzed and  
the doctors say that it will remain so  
the rest of his life.

BUSINESS MANAGER YOST insists  
that THE BEE must be suppressed at  
all hazards to give the Republican and  
Herald a monopoly in the advertising  
business. Manager Yost has been  
trying to suppress THE BEE for a little  
over ten years. His first effort was  
as Postmaster, when he declared THE  
BEE was not entitled to circulation  
through the mails because it was not  
a newspaper.

DR. MILLER calls for a special grand  
jury to indict the red-handed murder-  
ers that have paraded the streets of  
Omaha disguised as workmen, and  
appeals to Sheriff Miller to pack the  
juries so these "microevants" can be  
promptly and surely convicted. Why  
not try them by drum-head court mar-  
tal? It is less expensive and more  
effective, you know.

THE Republican and Herald are  
playing shuttle-cock and battle-dore  
as usual. Having agreed to disagree  
for political reasons, they are very fe-  
rocious—but they will be in perfect  
harmony in a day or two, when they  
will make a united effort to hold THE  
BEE responsible for putting Omaha  
under martial law.

EDMUNDS won't have it under any  
circumstances and Judge Noah Davis,  
of New York City, is now prominently  
mentioned as a possible appointee for  
judge of the supreme court. Judge  
Davis is considered the ablest jurist  
on the New York bench.

THE Republican calls for the arrest  
of "Cataline Rosewater." Why can't  
Charley Greene and Attorney General  
Dillworth file a complaint, have  
Sheriff Miller pack the jury and send  
Rosewater to the penitentiary for life  
on general principles?

## Bayard and the Prohibitionists.

NATIONAL ASSOCIATED PRESS.  
WASHINGTON, March 10.—Senator  
Bayard, alluding to the charge of Mr.  
Babcock in the Methodist conference  
yesterday, said he does not know Bab-  
cock but is glad if any charge was  
made that it was made in his na-  
tive state. He denied emphatically  
that he ever received a cent for political  
services, and in conclusion said the  
charge was evidence of the extreme  
fanaticism of zealous temperance men.

MIDDLEBURY, Del., March 11.—A  
bitter feeling prevails in the Metho-  
dist conference over yesterday's at-  
tack on Senator Bayard. A resolu-  
tion on the subject will probably be  
introduced before adjournment.

## STATE JOTTINGS.

Blair wants a creamery.  
The St. Paul track is laid into Norfolk.  
Oakland wants a "tooler" for her crim-  
inals.  
The Hart murder trial cost Hall county  
\$30.

A cat bed has been opened in Wayne  
county.  
A foundry is the latest enterprise in  
Seward.  
Rising City wants a fire extinguishing  
machine.  
The Missouri Pacific depot at Weeping  
Water is finished.  
The New Windsor hotel of Seward will  
be opened to-day.  
Wymore is talking of erecting a first-  
class opera house.

The Plat month land league has formed  
a militia company.  
U. P. surveyors are working in the vic-  
inity of Loup City.

Colfax county farmers are offering \$25  
per month for hands.  
General Thayer will command the grand  
army during the reunion at Grand Island.

The railroad bridge over the Long Pine  
river is nearly completed and is a grand  
sight.  
Fremont mechanics are organizing a  
Mechanics Labor Union. Call out the  
militia.  
The R. & M. company is trying to pay  
off \$65,307 taxes in Antelope county with  
\$40,000.

Ferdinand Record, of Otso county,  
swooned himself from a raft. Aberration  
mind.

The mayor of Crete bound the chief  
of police for refusing to arrest unlicensed  
saloon keepers.  
W. O. Smith, of Grand Island, has been  
arrested and committed to jail for forging  
a railroad check.

Nelson White is the fifth victim of  
"forty rod" in York county. He was  
found dead in his bed last week.

The professional scribblers of the state  
are saving their nickels for the annual "peri-  
odical" of the Iowa and Missouri states.  
One Jones, the manipulator of a wheel  
of fortune at Aurora, carved the face of  
Will Hathaway with a penknife, and is  
now in jail.

Geo. W. E. Dorsey, of Fremont, has  
let his contract for his new building. It will  
cost \$23,000 and will be completed by  
September 1st.

The development of the career of Win-  
sett, the swindling contractor now in jail  
at Platteville, shows him to be a bigamist  
as well as a thief.

Stromburg reports a "horrible" sensa-  
tion. A young lady was tied to a post  
for twenty-four hours. Hundreds of them  
tie themselves to "sticks" for life.

Old Hokinson, a giant in size, was  
jailed in Central jail last week to prevent  
self-destruction. He imagines himself a  
Moody and Sankey rolled into one.

George Corvone, a resident of Norfolk,  
in the employ of the S. C. & P. R. Co.,  
baggageman and express agent on the  
Creighton branch, was seriously bruised  
between the cars last week.

The machinery has been purchased for  
the erection of a woolen mill at Battle  
mount, Kan. It is on the Sioux City  
branch north of Norfolk. It is expected  
to be in operation in a few weeks.

The Fremont creamery consumed 24,011  
pounds of milk in January and 40,000 last  
month. The price of milk the present  
month is \$1.35 per 100 pounds, equal to  
3 1/2 cents per quart, delivered, and \$1.20  
at the house.

A family named Moon, living near Red  
Cloud, at the expense of the county, are  
in a constant state of warfare. The mother  
attempted to raise the siege with rat  
poison, but the dose was insufficient. Too  
much lunacy.

The Harlan county seat contest will not  
be decided before next June. The evi-  
dence is all taken. Both parties to the  
contest have agreed to submit printed  
briefs by the 15th of May, judgment to be  
rendered on the 25th of June. The cost  
of the case up to the present time is \$1,-  
500, without counting the fees of six law-  
yers.

The Wahoo Times thus notes the de-  
feats of the "Foragers." The brave  
boys of the army of the Wahoo have  
gone off to the war. The boys went off  
feeling (no) patriotic and well for the spar-  
ing to the killing, several others also  
left; that Carey corroborated the  
defendant in his statement that he did  
not return to the inside of the saloon  
after leaving it with Graves.

Several of the states witnesses having  
testified that both Graves and Koster  
came into the saloon again after  
leaving it, and again went out before  
the killing. He claimed that all the  
testimony the state had against Koster  
was this: Hammer struck Koster  
inside the saloon. Koster at once  
went out doors and a blow was struck  
which killed Hammer, but no witness  
swears that Koster struck that blow.

As to the charge of an attempt to  
get rid of the women of the house on  
Capitol Avenue, he said that the  
charge was preposterous, as by putting  
the defendant on the stand the de-  
fense had themselves developed more  
facts as to his conduct at that house  
than the inmates thereof could possi-  
bly know.

Referring to the testimony regard-  
ing the knife taken from Koster at  
Nellie King's house, Mr. Cowin  
claimed that a knife could not figure  
in this case, as it admitted by all that  
the injury causing Hammer's death  
was produced by some article thrown,  
the hand of the man doing the kill-  
ing not coming nearer than one foot  
of the head of the deceased, some of  
the witnesses putting the distance at  
several feet. The knife was a putty  
knife which defendant has carried for  
years in his business as a painter,  
until the evidences of his skill and  
industry ornament the windows of  
many of the houses of Omaha.

The bottle of wine thrown by Kos-  
ter was the first one thrown, the one  
the witnesses say came in with a  
white paper wrapping and fell harm-  
less to the floor, the witness all  
united in saying that the blow which  
struck Hammer was by a second bot-  
tle which was hurled in at the open  
door. It is possible that Hammer  
was struck on the face by a bottle,  
knocked down and in falling struck  
his head on an iron foot rest at the  
base of the counter, thus fractur-  
ing his skull. The conduct of Koster  
immediately after the killing, was  
from that day to this, has been that  
of an innocent man.

General Cowin closed with a bril-  
liant peroration, during which the  
immense audience in the court room  
sat motionless and spell bound by the  
eloquence of the distinguished speak-  
er. The effect was plainly visible  
upon the jury, and it was not until  
after Cowin had resumed his seat and  
the echo of his voice had died away  
that the impressive stillness was re-  
lieved.

Mr. Cowin's argument was fully up  
to his high standard of excellence,  
his dissection of the state's testimony  
fair and temperate, and the argu-  
ment was listened to with marked atten-  
tion to the end. He spoke for about an  
hour and a half.

## DISTRICT ATTORNEY BURNHAM

made the closing address for the state.  
He had been oppressed from the first.

## A BLANK CARTRIDGE.

A Broadside of Eloquence Fired  
at a Jury Without  
Effect.

The Koster's Case Left Unde-  
cided on the First  
Trial.

Considerable Cross Firing Between  
Opposing Counsel.

The argument in the Hammer homi-  
cide case was concluded late Satur-  
day afternoon and at 5:20 the jury  
were charged and sent to consider  
their verdict, the court charging them  
that the proof did not warrant a ver-  
dict of murder in the first degree.

It seemed to be conceded from the  
first that the jury would fail to agree  
and the prosecution make no bones of  
their belief that this result was a fore-  
gone conclusion from the moment the  
jury was filled up. The district at-  
torney said he should ask for a new  
trial at once on the coming in of the  
jury if they agreed to disagree. It  
was asserted, last evening, that eight  
of the twelve were in favor of acquit-  
tal and the other four for a ver-  
dict of some kind against the prisoner.  
In view of the interest attaching to  
this case, and to complete the full re-  
ports made by THE BEE, the following  
synopsis of the argument is given:

It was opened on behalf of the  
state by  
WALTER BENNETT.

The argument of Mr. Bennett was  
not lengthy, but was most creditable  
to him. He briefly but forcibly re-  
viewed the evidence adduced on the  
trial, and drew an affecting picture of  
the change in the life and prospects of  
the widow of Hammer, by reason of  
the tragedy on Christmas morning.  
Upon the conclusion of his argument  
Mr. Bennett was warmly congratulated  
by his brother attorneys.

C. O. L. F. SMYTHE

followed Mr. Bennett, making the  
opening argument for the defense. He  
began, by severely criticizing the wit-  
nesses for the state and others con-  
nected with the case on behalf of the  
prosecution. He claimed that it was  
impossible for a defendant to have  
killed deceased, as, at the time he ad-  
mitted thrown a bottle, he was several  
feet away from Hammer. He closed  
by reading a long list of cases where  
innocent men had been hung on cir-  
cumstantial evidence. His address  
attracted the attention of a crowded  
court room.

HON. JOHN C. COWIN

next addressed the jury. He claimed  
that the newspapers of the city, espe-  
cially one, had so prejudiced the com-  
munity against the defendant that the  
business men came up by scores and swore  
that they had made up their minds as  
to his guilt. That same paper, he  
said, was now abusing another paper  
of Omaha, charging it with inciting  
laboring men to strike for better  
wages, though it, itself, had done all  
in its power to excite public opinion  
against one poor man.

Turning his attention to the testi-  
mony, Mr. Cowin made a point of  
the fact that Gieselman testified at  
the coroner's inquest that at the time  
defendant left the saloon just pre-  
vious to the killing, several others  
also left; that Carey corroborated the  
defendant in his statement that he  
did not return to the inside of the  
saloon after leaving it with Graves.  
Several of the states witnesses having  
testified that both Graves and Koster  
came into the saloon again after  
leaving it, and again went out before  
the killing. He claimed that all the  
testimony the state had against Kos-  
ter was this: Hammer struck Koster  
inside the saloon. Koster at once  
went out doors and a blow was struck  
which killed Hammer, but no witness  
swears that Koster struck that blow.

As to the charge of an attempt to  
get rid of the women of the house on  
Capitol Avenue, he said that the  
charge was preposterous, as by putting  
the defendant on the stand the de-  
fense had themselves developed more  
facts as to his conduct at that house  
than the inmates thereof could possi-  
bly know.

Referring to the testimony regard-  
ing the knife taken from Koster at  
Nellie King's house, Mr. Cowin  
claimed that a knife could not figure  
in this case, as it admitted by all that  
the injury causing Hammer's death  
was produced by some article thrown,  
the hand of the man doing the kill-  
ing not coming nearer than one foot  
of the head of the deceased, some of  
the witnesses putting the distance at  
several feet. The knife was a putty  
knife which defendant has carried for  
years in his business as a painter,  
until the evidences of his skill and  
industry ornament the windows of  
many of the houses of Omaha.

The bottle of wine thrown by Kos-  
ter was the first one thrown, the one  
the witnesses say came in with a  
white paper wrapping and fell harm-  
less to the floor, the witness all  
united in saying that the blow which  
struck Hammer was by a second bot-  
tle which was hurled in at the open  
door. It is possible that Hammer  
was struck on the face by a bottle,  
knocked down and in falling struck  
his head on an iron foot rest at the  
base of the counter, thus fractur-  
ing his skull. The conduct of Koster  
immediately after the killing, was  
from that day to this, has been that  
of an innocent man.

General Cowin closed with a bril-  
liant peroration, during which the  
immense audience in the court room  
sat motionless and spell bound by the  
eloquence of the distinguished speak-  
er. The effect was plainly visible  
upon the jury, and it was not until  
after Cowin had resumed his seat and  
the echo of his voice had died away  
that the impressive stillness was re-  
lieved.

Mr. Cowin's argument was fully up  
to his high standard of excellence,  
his dissection of the state's testimony  
fair and temperate, and the argu-  
ment was listened to with marked atten-  
tion to the end. He spoke for about an  
hour and a half.

DISTRICT ATTORNEY BURNHAM  
made the closing address for the state.  
He had been oppressed from the first.

## TRUTH ATTESTED.

In order that the public may fully realize the  
genuineness of the statements, as well as the  
power and value of the article of which they  
speak, I have had the fac-simile signatures  
of parties whose sincerity is beyond ques-  
tion. The Truth of these testimonials is ab-  
olute, nor can the fact of my announcing be  
disputed.

OMAHA, Neb., May 24, 1881.

H. H. WARNER & CO.:  
DEAR SIR:—I have frequently used Warner's  
Safe Kidney and Liver Cure for all ailments  
attending upon severe rheumatic attacks, and  
have always derived benefit therefrom. I have  
used it several times, and the beneficial re-  
sults, I consider these medicines worthy of  
confidence.

S. D. Hilton

OMAHA, Neb., May 24, 1881

H. H. WARNER & CO.:  
DEAR SIR:—I have frequently used Warner's  
Safe Kidney and Liver Cure for all ailments  
attending upon severe rheumatic attacks, and  
have always derived benefit therefrom