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PUT UP OR SHUT UP.

Progress of the Testimony in the Trial of the Ex-Marshals.

More Evidence that Guthrie Compeled the Gamblers to Box the Cards or Buy His Mouth Shut.

SATURDAY'S PROCEEDINGS. When court opened before Judge Neville, the benches in the court room proper were well filled nearly all the members of the bar being also present.

Judge Neville opened court by saying one subject at a time was sufficient, and that while he was speaking he would not listen to attorneys on either side and would hear them only as he called upon them. The witness Branch being on the stand the court stated he would not allow counsel for defense to ask the witness whether or not he was living in a state of open and notorious adultery. Counsel became enraged when charged with such immorality and why should not a witness also?

THE GODWIN-BALDWIN EPISODE. "Mr. Godwin," said the court, "what did you say last evening to Mr. Baldwin as you left the court room?" "What I said was this," replied the district attorney, "if not verbatim in substance, if you desire to see me about this matter I will be down stairs." Judge Neville said he had not talked with his associate about the matter but while the court was speaking his honor, Judge Wakely, came in, and after a brief consultation of the bench, Judge Neville stated nothing would be done until the close of the case which would be proceeded with to the end if attorneys would permit it to be done.

The court then ordered defendant's counsel to proceed with the cross examination of Branch. Mr. Baldwin stated he wished an exception noted to the ruling of the court by Mr. Green had a subpoena and wished to ask the witness several questions. The request was denied by the court.

RE-DIRECT EXAMINATION. Witness Branch stated he was paying his monthly fine to the city while he was making these contributions to Mr. Guthrie. Arrangements had been made with Mr. Higgins by which Guthrie was to receive his (Higgins) contribution through McNamara & Duncan. When witness was in their saloon at one time Duncan told him there was a letter in the pigeon hole for him and he took it and gave it to Capt. Smith. This was the first time, the witness thought, Smith acted in that capacity. This change from himself to Smith was brought about by Morrison with whom Branch had had some trouble.

CROSS-EXAMINATION OF RE-DIRECT. There was a talk before the houses closed that if something were not done they would close. A team of horses had been talked of for the mayor, but they finally concluded that would not do, and a purse of \$300 was finally raised for him after they had been closed.

Mr. Green then asked witness several questions, attempting to show the non-agency of witness in these transactions with Mr. Guthrie. Green stated he thought this to be one of the most vital points in the defense. The court ruled that it was not a proper cross-examination of the re-direct, and the evidence was excluded.

NOT AN ADULTERER. Mr. Branch requested, when his examination closed, to be allowed to state that he was not living in a state of open and notorious adultery. He was a gambler, he said, and he thought his reputation might not be too good anyway, but he was not living in a state of adultery. He lived alone and paid his own way. Being informed by the court that he was presumed to be innocent until proven guilty, he stepped down from the stand. Mr. Baldwin then moved to strike out this statement.

GOODBY BRUCKER was the next witness. He kept a gambling house. It was rumored in June that the gambling houses would close and this rumor happened. He never saw Guthrie before their closing, next saw him twice afterward. He asked the court whether he could not open a poker room to pass away the time. The second time he saw him, he asked Guthrie when they might open and the marshal said "hold your shirt." This was about one week before they reopened. On the day they opened witness saw Branch. To the question "did you see Branch the day you opened?" Mr. Baldwin objected. He said he did not care so much for this question as the one to follow next. "If you don't care why do you object?" said the District attorney. "I will not answer him" said Mr. Baldwin, "because I do not have to and I will not be insulted either."

Witness was not directed by Guthrie to see Mr. Branch. He paid Branch \$100 on the day they opened. Guthrie was present when he paid Branch the money but he was about half a block away. Just before he paid Branch the money Branch said, "There goes Guthrie now. Give me the money and I will pay him." Witness gave Branch \$100, who followed Guthrie into the drug store on the corner of Twelfth and Dodge streets, and in a few minutes returned and told us to open up. The understanding was that the \$100 was to do for two months. He did not pay any more money to Branch.

The court ruled that a reference to Smith, the man who took Branch's place in these transactions, would have to be shown before the witness would be permitted to testify that he had paid Smith money for Guthrie. Brucker was then excused.

HELAN B. KENNEDY was next called. Witness had a conversation with Branch after his house had been closed; also what would have to be done to open it. The conversation was to the effect that \$50 per month would be wanted, and \$100 the amount for the two months. The amount wanted varied. It was sometimes \$100; on the 15th of July he, with Mr. Higgins, paid \$100 to Branch. Branch said he might open up in a short time, which he did, and had not been molested until quite lately. He was also paying a fine to the city. Had never paid anything since.

CROSS EXAMINATION. He had been indicted at this term of court, and the charge for bribery was

been quashed. He never had seen Guthrie receive a dollar from the gamblers.

AFTERNOON SESSION. MORRISON'S TESTIMONY. At the opening of court in the afternoon, Mr. Morrison was put upon the stand.

Witness stated he was partner of Brucker; remembered the time the houses were closed; remembered that the houses were closed about the 15th of June; Capt. O'Donahoe notified him to close; his house was closed for three weeks; during that time had talked with Branch; remembered the fact of their reopening; saw Branch on that day; money was paid on same day by Brucker.

Witness paid money to Branch on the day of the reopening paid the same party later in October and November, fifty dollars for each month, for the purpose of keeping open. Did have a conversation with Guthrie about payment of money; conversation took place on the 16th of February; took place in the marshal's office; witness told Guthrie the same objection had been made to Smith and that the latter had said "that was all right." This evidence was objected to but without avail. When the gamblers were becoming delinquent, Guthrie told witness to tell the gamblers the money would have to come otherwise the place would be closed.

Cross-examined by Mr. Green. His first connection with the business was in November. Was first spoken to about it by the gamblers and by Morrison in particular. The court then admonished the jury as usual to keep silent on the question of the trial, and adjourned until morning at 9 o'clock.

DEATH ON THE RAIL.

John Hector, of Fremont, Run Over and Killed by a Train of Cars at Waterloo.

Word was received at the Union Pacific depot Saturday night that a man named Hector had been run over and killed by a train of cars near Waterloo. The dispatch stated that he had boarded the train while in an intoxicated condition at Waterloo. When the train had nearly reached Waterloo he fell from the train, and was run over by a freight car. No one saw him fall, but he was found shortly after he was seen to leave the car, mangled and mutilated. Word was sent Coroner Maul of the accident, and he left Waterloo for Fremont to hold an inquest upon the remains.

Hector, it is reported, had been drunk for several days at Waterloo station and took the train for Fremont, where he was at work as a saddler. Hector is said to be a cousin of the noted James Hector, who once lived in this city and was killed by Sheriff Bobb Gregg, of Dodge county, on the Platte river near Fremont. The accident occurred between eight and nine o'clock Saturday evening.

THE COMING RACES.

Entries for the Races of the Omaha Trotting Association.

The newly organized Omaha trotting association will give its first meeting at the Omaha driving park on July 8th, 9th, 10th and 11th. The meeting promises to be one of the best ever held in this part of the country. The entries, which include some first-class horses, are as follows:

- 2:45 CLASS. John I. Bedick, Omaha, s. g. John I. James A. Bell, Denver, b. g. Budd Dobbie, by Eliza Temple, at Waterloo, Mo. W. H. Homer, Knightstown, Ind., b. s. Frank Gray, by Little Wonder. E. H. Doty, Wichita, Ka., r. s. Light Horse, by Little Wonder. A. Robare, Omaha, b. g. St. Nicholas. Fayette Smith, Marysville, Mo., b. g. Theodore. 2:36 CLASS. H. Hitchcock, Denver, w. mare Happy, by Maceppa. Wm. Russell, Spencer, Iowa, obs. s. Glen Tice, by Great Hope. O. C. Taylor, b. m. Mountain Girl, by Weibler. M. E. McHenry, Geneseo, Ill., b. s. Mark Tice, by Robert, by Robertson. Wiley Jones, Pine Bluff, Ark., b. s. Executor, by Administrator. E. E. Ecker, Kansas City, d. g. Coupon, by H. S. Schult, Mobile, Ala., obs. ches. g. A. J. Caldern, Bradford, Pa., r. s. Altheby Boy, by Wood's Hambletonian.

2:35 PACING CLASS. Tayette Smith, Marysville, Mo., b. m., Kimball. Perry Johnson, Leadville, Col., b. g. McFadden; sire Mohawk. Colonel D. B. Dailly, Council Bluffs, g. m. Hattie H. w. R. E. Morse, Kansas City, b. m. Country Girl. E. K. Wormley, Mendota, Ill., b. m. Maywood, by Redback. W. H. Homer, Knightstown, Ind., b. g. Moses; by Legal Tender, Jr.

3:00 CLASS. A. Thomson, Omaha, b. s. Ethan Allen; by King Phillip. C. W. Smith, Geneseo, Ill., b. m. Ethel; by King Phillip. W. J. Lyon, Urbana, O., b. g. Rex; by Orion. Fayette Smith, Marysville, Mo., br. g. No. 1; by George Wilcox.

2:29 CLASS. J. W. Iron, Urbana, O., b. m. Urbana Belle, sire Gen. Washington, dam by John C. Breckinridge. U. Bellard, Evanston, Ind., b. g. Princeton (formerly Dan Palmer). E. E. Columbus, Kas. b. s. Frank H.; by Lornanack. A. S. Oling, Minneapolis, b. S. Harry Pulling; by McNamee. Wm. Russell, Leadville, Col., g. m. Maggie H.; by Iron Duke. M. E. McHenry, Geneseo, Ill., b. s. Emory; by Alexander, by Robertson. A. C. Smith, Denver, b. s. Magnet; by Magnolia.

2:28 CLASS. W. H. Homer, Knightstown, Ind., b. s. Frank Gray; by Little Wonder. G. G. Giddings & McCoy, Des Moines, b. m. Kitty Sledge; by Strader. Fayette Smith, Marysville, Mo., g. m. Lady Kelso; by Bolivar.

2:33 CLASS. Ed. Connelly, Denver, b. g. Cling. Charles Dutt, Boulder, Col., b. g. Pritchard. H. S. Schult, Mobile, Ala., ches. g. Pritchard. W. E. McHenry, Geneseo, Ill., ches. g. Nellie Grant; by Major Grant. Fayette Smith, Marysville, Mo., ches. m. Traipse; by Frank. 2:48 CLASS. John I. Hedick, Omaha, ches. g. John I. Hedick; by Shelby Chief. J. W. Lyon, Urbana, O., b. g. Rex; by John C. Breckinridge.

STATE JOTTINGS.

Franklin has a Blaine and Logan club. The Republicans of Schuyler have Loganized. Fremont will organize a building and loan association. The North Platte land office is again open for business. Mill-on-the-Bios is the summer resort of central Nebraska. A new depot in Plattsmouth is among the possibilities of 1885. The losses by the fire in St. Paul feet up \$30,000, with \$7,500 insurance. Wednesday's big wind fattened considerable grain in Richardson county. A 12,000 bridge is to be built over the South Platte river at Ogallala, in fourth country. Grand Island is trying to start the unlicensed canine race out of existence. Henry Crane, an old trapper and hunter, was drowned recently in Sherman county. The Lincoln Democrat is inclined to cross the C's and wave Thurman red bandana. Joseph Brewer, of York, fell under a barrel of salt and is now limping around on crutches. The Schubert "Q" has taken the Burlington route to the hereafter. It was too "Q" to live. The question of dividing Gage into two counties is likely to become a factor in the fall campaign. The sun of York never shown on better crops than are now jumping up in that excellent county. The Lincoln Blaine and Logan club will make the town lurid with torches every night they are out. The Republican reports that a destructive blizzard infests the state trees of Blair. Coal oil will fix em. The people of Brownville have raised the necessary funds to buy for coal, and work will begin at an early day. The Lincoln Democrat was discussing up to the shouting point for Slocum. What, our Slocum—a coal issue? A fire at McCook last week licked up a restaurant and hardware store valued at \$12,000, with insurance of about \$8,000. Baden and Bullen, two escaped convicts from the penitentiary, were run down in Gage county and returned to their cells. Pat Heron, a sixteen year old orphan boy, fell from a hand-car near Grand Island, last Thursday evening, probably a fatal injury. Corn is King in Cass county, says the Journal, and if no calamity befalls it the present crop will be the largest ever grown in the kingdom. Winner is going to celebrate the "over glorious," and eighty kegs of beer have been ordered from West Point to slake the dust of the town. John Finley, while driving along with a load of hay at Franklin, ran over and instantly killed a little son of Mr. Hodworth, of Warwick, Kansas. The Journal says Lincoln has too many shade trees, and that a good many will have to be done before Mr. Blaine gets to the end of his second term. Stewart and Howell have been held, the former in \$5,000, and the latter in \$2,500 bail, to answer the charge of firing the skating rink at Wahoo, in the 12th inst. Dan Grass, a Wood river farmer, took the poison route to peace and a 2 1/2 beneath the jawline, last week. A kick in the head from a horse, a year ago, led to this. The Johnson county Journal, the houborn torchlight of Teumessah, has just placed several "bars" on tap, having utilized the editor's books as chisels for the printers. The suit of John I. Slocum against the city of Beatrice for \$10,000 damages for injuries received in tumbling over the uplifted end of a sidewalk plank, resulted in favor of the city. Theodore Early, son of the proprietor of the Perkins house, at Plattsmouth, pointed an unloaded revolver at Libbie Cooper "in fun." The gun went off and the funeral will take place to-day. The Holdrege Nugget has an exhibition corn measuring four feet six inches. Winter wheat, four feet nine inches. Pie-plant, twenty-five inches long and five inches in circumference. The Union Pacific railroad company surveyors are surveying a line from Crete in a southwest direction, crossing the Burlington & Missouri at a point about half way between Southwest and Western.

Mrs. Mary Stark was found stark stiff in the cellar of her home in West Point last week. She was swinging from the end of a rope tied to a beam. She leaves a husband and three children. Insanity was the cause. The Humboldt Sentinel tells of a young man named Stouffer who is alive and well with a bullet in his brain. The ball, a No. 22, entered the side of his head last week, and an inch above a line drawn between the eyes. Plattsmouth girls are charged with adopting the fashion of painting the town at hours when they should be nesting on their pillows. The Journal intimates that a rhinoceros applied with vigor by a mother or two would work a reform. Farmer Swank, of Hall county, attempted to cut the head off a neighbor with a hoe for driving over his land. A hole was chopped in the neighbor's head, and the neighbor got out and his jaw-bone broken. Swank was jailed. The late train wreck at Hubbell, cost the railroad company over \$15,000. The vile wretches who caused the catastrophe have been captured and will be punished as they deserve. They have acknowledged their guilt. [Franklin Echo.] Editor Keithley of the Weeping Water Republican has dried his tears and taken a helpmate. Miss Marie Lee of Plattsmouth was the charmer, and the ceremony took place last week. This will tend to heal the breach between the rival towns, though little brooches may turn up an occasional roll by. Bill Smart, a frontier dude, registered at Winona, last week, as "Big-shooter Hill, deputy U. S. marshal." He put on airs enough to deny the county, wore his hair long and braided; a cow-boy hat tipped on the side; "never mind me, get out the passengers. I am doing well enough." He was the last man taken out and conveyed to Winona. Never a word of complaint came from his lips, and on the way to the city he was the most cheerful of all. A very serious accident is reported to have occurred at Louisville a few days ago. Parties who have gone to that city via the B. & M., have probably noticed the Stout quarries on their left as they neared the town, and the high bridge some 30 feet over the track to carry the stripping out and dump it into the river. It seems the party who does the dumping drove too close to the end of the dump, while himself and horse, dumped and all were hurled into the foaming river below, the horse was of course drowned, and to date no news of the man has been received.

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The Weather To-Day. WASHINGTON, June 29.—For the Upper Mississippi Valley: Generally fair, sometimes to southwest winds, and nearly stationary temperature. For the Missouri Valley: Fair, variable winds, and stationary temperature in the southern portions, and slightly cooler in the northern portions.

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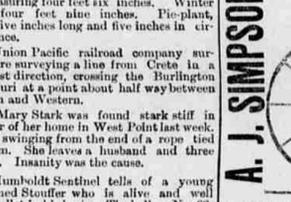
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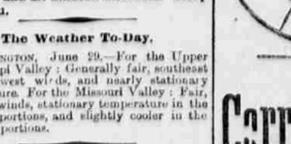
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