

BOB PERCIVAL LAID AT REST

The Last Rites Performed at His Old Home at Sidney.

A LARGE CONCOURSE PRESENT.

The Iowa Senate Passes the Bill to Reduce Grand Jurors to Five or Seven, and the Judicial Bill.

Last Rites to Robert Percival.

SIDNEY, Iowa, March 12.—[Special Telegram.]—The special train from Council Bluffs, bearing the remains of Robert Percival, arrived here at 2 p. m. today accompanied by the delegation in charge, consisting of members of Excelsior Lodge No. 252, to which the deceased belonged, and Bluff City Lodge No. 71, A. F. and A. M. numbering altogether about eighty members. Among the distinguished persons attending the funeral from abroad we may mention from Council Bluffs Postmaster Thomas Bowman, Judge J. P. Cassidy, Judge E. A. Aylesworth, Rev. T. J. Mackey of St. Paul's Episcopal church, City Treasurer F. A. Spelman, City Marshal T. H. Guanello, Alderman W. A. Myrner, E. L. Shugart, William Seidenberg, Charles J. Goldberger, Council Bluffs was represented by Spencer Smith of the Nonpareil and C. M. Maynard of the Globe. Besides these were Colonel J. C. Hoffman, J. N. Cassidy, J. F. Evans, M. F. Rohrer, M. D. Hardin, George Graves, wife and daughter, S. Farnsworth, George Jackson, T. M. Gaudin, Charles Keith, Charles M. Harle and H. G. Cilley of Glenwood, George Crocker and wife and Miss Alice Percival, and John Percival, brother of the deceased, of St. Louis.

When the train reached Randolph, the members of the order joined the cortege, while from Hammond, the Goldbergs, George Wise, Dr. Ginzert and George Barbers. Arriving at the depot at the depot was Nishnabotana lodge No. 153 of this city in regalia, wearing mourning badges on the left arm and evergreens in their hands. The procession formed and proceeded to the church, a mile distant, through slush and snow, a raw wind blowing. Arriving at the church the coffin was placed in front of the altar, opened and a long line of people poured in to take a last long look at all that was mortal of Robert Percival, once a neighbor and friend to many. The coffin was placed in a casket containing the remains weighed 700 pounds, and was wrought with gold and silver ornaments. A silver plate to the lid bore the inscription: "Robert Percival, born March 8, 1831, died March 9, 1886." Nishnabotana lodge guarded the remains while the Council Bluffs delegation stood at dinner at the hotels. A beautiful cross and a pillow with the word "Rest," tastefully wrought, were the floral tributes on the coffin lid, the latter bearing a card with the condolence of Mr. and Mrs. R. E. Montzomery.

At 3:40 p. m. the funeral procession formed again, and marched to the cemetery, to the cemetery, the band playing a dirge. A very large concourse of men, women and children followed to the grave. Here the impressive Masonic ritual was read by Worthy Master Charles Harle and the equally impressive Protestant Episcopal ritual by Rev. T. G. Mackey. At 4:15 p. m. the coffin was lowered into the grave, the band playing "Nearer, My God, to Thee." At the conclusion the funeral escort returned to the Bluffs. Mr. Percival is mourned by many warm personal friends here.

Legislative Proceedings.

DES MOINES, Iowa, March 12.—[Special Telegram.]—The grand jury bill passed today is one of the most important bills of the session to reform the judicial system of the state. This bill provides for cutting down jury expenses from one-half to one-third, by reducing the number of grand jurors to five or seven, depending upon the size of the counties, instead of fifteen, the present number. It also provides for the election of grand jurors, as is now done in cities, by ballot, requiring that but one juror shall be taken from any one civil township. Then it secures a surplus of jurors who serve for a year as a reserve force, if needed, leaving almost no opportunity for a sheriff to go out on the streets and make a party of his grand jury one party. The bill will probably pass the house, and if it becomes a law will remove many of the evils of the present grand jury system.

Actuary Vaill of Chicago, whose expertise charges while examining Iowa insurance companies first brought under the act, is now here, being examined by the Brown investigating committee. He was first invited to come by letter, but declined. He was then summoned by subpoena served by a special constable in Chicago, and after that concluded to put in an appearance. The investigating committee, with the doors closed, but it is understood that some of Vaill's testimony is going to implicate some prominent officials in the questionable transactions.

How We Know It's Here.

When you hear the cold wind whistling through the trees and down the street, And the rheumatism reaching From your head down to your feet, When you cough and when you sneeze, And the penetrating breeze Slightly rough through the trees, Then you have the assurance That the venal spring is near; So screw up your firm endurance While the festive March is here.

The Model Man.

He don't play the fiddle, but his hair is in the middle, and he dresses an English cut. When he goes to a party with Melis or McCarty, he never is noisy and rude. When he lives in frugality and sweet conjugality, and wants pie but two times a day, He never gets angry, nor treats his wife or children, nor grows when you get in his way.

Personal Paragraphs.

C. B. Carter, G. K. of the Grand Lodge of Royal Arch Masons of Nebraska, leaves to-day for Grand Island on business connected with the fraternity.

H. C. Richie, of Louisville, Ky., is a Paxton guest.

S. J. Sutherland, of North Platte, is reported to be in the city.

Harry Hunter and mother, of Adrian, Mich., are in the city on their way to Denver. They are stopping at the Millard.

THE POWELL JURY.

The case of Lafayette Powell, who is now confined in the county jail, is still exciting a great deal of interest, and much sympathy is expressed for the prisoner. The jury in the case came in last Monday and reported that they were unable to come to any agreement. The foreman reported that he had heard that one of the jurors had been approached by an outside party, and that he would like to have the court instruct him as to the best course to pursue. It turned out, however, that no one had attempted to influence the jury in any improper manner, and the whole matter was dropped.

A reporter for the BEE received reliable information yesterday in regard to the proceedings in the Powell case. The first vote taken on the question as to whether or not Powell was guilty of murder in the first degree or not stood 10 to 2 in favor of conviction. Long arguments were then delivered by several of the jurors, who thought that the shooting was not premeditated, and that under no circumstances could murder in the first degree be charged. This view met with general acceptance, and the jury then considered the question of manslaughter. Judge Neville's charge was read again and again, without, however, bringing the jurors to an agreement.

Various votes were taken with dif-

ferent results, until finally A. L. Wiggins, who was in favor of conviction, was elected moderator. He then, in the first degree, stated that two of the jurors had been seeking to near relatives of the prisoner.

"I am one of those jurors," said Mr. Keeper, raising to his feet. "I met a woman when we were coming from dinner and recognized her face but couldn't quite place her. She finally told me that she was the sister of the prisoner. I then left her and went towards the jury room."

"I am the other," remarked John Taylor. "I met a friend in the court yard whom I had not seen for eight years, and I shook hands with him. He was Powell's brother-in-law, but no words were spoken about the trial."

Matters went on till the vote stood 11 for conviction, Wiggins being the only man in favor of conviction. Arguments of the strongest character were used upon the obdurate juror, but to no avail, and he persisted in his determination to vote acquittal. Finally the jury gave up the task and reported that they could not agree. They are very severe in their strictures upon Wiggins and say that he is a man of high character, but so deaf that he could not hear the testimony, that he was ignorant, prejudiced and obstinate.

RELIGIOUS.

Three of John Wesley's great-grandsons are clergyman in the Church of England.

A society called "The Jesus Opposers" has been formed in Japan, the object of which is to offset the work of the missionaries.

The official year book of the church of England reports that \$7,500,000 were contributed for church extension in England and Wales.

The Free Church of Scotland has had a donation of \$60,000 from Dr. Scott, of Lutheranism, for the extension of its missions in India and Africa.

Since the year 1838 the Presbyterian church has received into its ministry 320 ordained ministers from other churches—61 in 1838, 85 in 1841, and 81 in 1855.

A quarter of a century ago no Protestant discourse had ever been preached in Mexico. Now the Methodist churches in that country include ninety-eight ordained ministers and represent five denominations.

The late Kaspar Aech, a successful Christian business man of New Orleans, after he wasqueathing \$3,500 to relatives, left the remainder of his estate of \$200,000 to the ten children of his only child, which was

The colored Sunday school which was started in Lexington, Va., over twenty-five years ago by "Stonewall" Jackson, when he was in the army, is now in the hands of a layman, and is still in a flourishing condition.

I think I should only pay half taxes, for I am asked to pay the full amount of the rates when traveling," was the novel argument recently made by a clergyman before a grand jury in that country, when he attempted to have the tax on his property properly reduced. He didn't get what he wanted.—Philadelphia Call.

Several Methodists have been zealously proselyting in northern Alabama for six months, and have made many converts among the country people. The farmers in the counties of St. Clair and Wilcox have notified them that they must leave, and threaten to use force. The elders refuse to go on with a revolver and had thrown a turkey at Mrs. Lauer.

"Didn't Lauer take all the blame?"

"He did. Both seemed to desire a reconciliation. Mrs. Lauer did not know the blame was on her side. She said that she was quick tempered and did not claim to have an angelic disposition. I advised him not to live with his wife until he was sure he had perfect control of himself. Both parties seemed to attribute the difficulty to quick temper."

"Did she take the blame for being struck with the turkey and hit with the pistol?"

"Hold on, we object," quickly said Mr. Thurston. "That's not a proper question." The objection was sustained.

The Curtain Was Up.

George L. Dennis, one of the coroner's jury at the Lauer inquest, testified to what he heard Mr. Lauer say in the presence of Mr. Baldwin and Mr. Estelle, at the inquest.

"This conversation was the same as that related by Mr. Baldwin Thursday, and brought out the fact that Lauer said that he left his wife for a matter of a few days, and that the curtain was up in relation to the west window in the dining room, which he said had a light buff curtain. Mr. Lauer said that there was nothing on the outside, and that the curtain was up. It was exactly the same as when the shooting occurred. The curtain was half way up. The witness stated that the night of the shooting was very bright and that a brilliant moon was shining."

Mr. Dennis was cross-examined by Judge Savage, who desired the exact language used by Mr. Lauer when he stated that the curtain was up. He said that the night of the shooting, "Lauer said," declared Mr. Dennis, "that everything was in exactly the same condition that it was the night of the shooting. He did not mention the window specifically. He spoke of the room and the surroundings, and called attention to the blinds in the bed-room. He did this twice, once in the bed-room and once in the dining-room."

He Wanted to Kick Him.

J. W. Her, the next witness, stated his first remark of the night of about 8 o'clock the next morning and soon afterwards went up to the house with Mr. Peter Her and his wife. There were a number of people there who were strangers to him. He had several conversations with the defendant. He explained how the shooting took place. "The most direct explanation," said Mr. Her, "was made in the sitting room the night after the funeral. My wife and I were there, and he was wide awake when he fired the shot. 'Yes,' replied Lauer, 'just as wide awake as I am this minute.' He then went on to say that he was awakened by a noise and got up, but he did not see the figure. Then he saw the object and shot. He saw the body fall towards the bed. He said that he rolled over expecting to see the head appear at the side of the bed and if he had seen the head it was his intention to shoot again. He stated that it was not until then that he felt for his wife and found she was not in bed."

"What was said about burglars?"

"My wife said it was strange that burglars should stop to talk in his room and Lauer made no response. The next Monday while Mrs. Her, Harus, Mr. Lauer, a strange lady and myself were in the sitting room J. D. Her came in."

"What did Lauer say?"

"He said 'H—I'd a great mind to kick him out of the house. The body of his wife was then in the front part of the house.'"

On cross-examination Judge Savage tried to bring out the fact that J. D. Her and Lauer were not on good terms, in fact did not speak to each other. The witness, however, knew nothing about any ill feeling between them.

"Don't you know," asked Judge Savage, "that Lauer had been informed that J. D. Her was trying to stir up public feeling against him?"

"No, sir, I know nothing of the kind," rejoined the witness emphatically.

"Do you know," inquired Mr. Covin, "that Lauer knew that J. D. Her did not accept his assertion that the shot was intended for a burglar?"

"I do not know."

Mrs. Her Speaks.

Mrs. J. D. Her dressed in a headscarf and a pair of

THE TRAGEDY REHEARSED.

James Ewing Tells How He Placed Himself in Lauer's Position on the Bed.

WHY THEY SEPARATED.

The Court Room Crowded With Spectators Interested in the Famous Lauer Trial—Sensational Developments.

The Lauer Trial.

There was an expression of weariness upon the faces of the jurymen as they filed into the district court yesterday morning. They have been closely confined in the jury room since the beginning of the trial, and have been obliged to sleep upon such mattresses as the sheriff could furnish. Promptly as usual Lauer came into the room, and taking his seat at the table he assumed his customary attitude. A few minutes later he was joined by Judge Savage, who engaged his sister in earnest conversation. The crowd in the room was not as large as it was the day before, but the number of ladies present was as great. Yesterday morning the ladies were all seated together in front of the rail, their presence serving to brighten the otherwise gloomy aspect of the court room.

The first witness placed upon the stand was Dr. Coffman, who was examined by Gen. Covin. He stated that he had known both Lauer and his late wife for several years. He said that he was called to attend her one time two years ago, at Mr. Her's house. It was the occasion of her separation.

"She was suffering at the time from nervous prostration and inability to sleep," said the doctor in response to a question by Gen. Covin. "She was confined to her bed nearly a week."

"Did she tell the cause of her difficulty?"

"She did. I afterward saw Mr. Lauer at my office to ask about his wife, saying that she had been refused permission to see her. He told me that she was suffering a great deal of mental depression caused by her separation from him. I advised him not to go and see her, but that she should be taken care of by a physician. He said that she had a revolver, and that on another occasion he had thrown a turkey at her. She said she was not afraid of him and that she would rather live with him if he would let her know that he would let her live with him."

"What did he say about this statement?"

"He made no response, except that he had an uncontrollable temper and at times did things which he regretted."

On cross-examination the witness stated that Mrs. Lauer was not suffering from any physical trouble. Her trouble was entirely mental. The records of the preliminary examination were produced with a view of showing that Dr. Coffman had testified that he mentioned no specific instances of abuse to Mr. Lauer, and the doctor did not mention any such thing in his testimony. He persisted in saying that he had told Lauer about Mrs. Lauer's complaint that he hit her with a revolver and had thrown a turkey at her.

"Didn't Lauer take all the blame?"

"He did. Both seemed to desire a reconciliation. Mrs. Lauer did not know the blame was on her side. She said that she was quick tempered and did not claim to have an angelic disposition. I advised him not to live with his wife until he was sure he had perfect control of himself. Both parties seemed to attribute the difficulty to quick temper."

"Did she take the blame for being struck with the turkey and hit with the pistol?"

"Hold on, we object," quickly said Mr. Thurston. "That's not a proper question." The objection was sustained.

Mr. Barnham's Testimony.

N. J. Barnham testified as follows: About the hour when Mrs. Lauer met her death I was up and walking around my house, and noticed that it was a brilliant moonlight night. The curtain was part way up, and the moon was shining in the room and the surroundings, and called attention to the blinds in the bed-room. He did this twice, once in the bed-room and once in the dining-room."

"Yes, you and I have both seen it at that time."

"Did you think it was the same moon you had seen before?"

"Yes, we've both seen it before."

"Was it full?"

"I couldn't tell." [Laughter.]

Rehearsing the Tragedy.

James Ewing testified that he saw Lauer Sunday evening after the shooting when he was in the sitting room of his house. Mrs. Lauer and several others were present, who left the room at the request of Gen. Covin. He related the occurrence of the evening as follows:

"I laid down on the outside of the bed and got up, but he did not see the figure. Then he saw the object and shot. He saw the body fall towards the bed. He said that he rolled over expecting to see the head appear at the side of the bed and if he had seen the head it was his intention to shoot again. He stated that it was not until then that he felt for his wife and found she was not in bed."

"What was said about burglars?"

"My wife said it was strange that burglars should stop to talk in his room and Lauer made no response. The next Monday while Mrs. Her, Harus, Mr. Lauer, a strange lady and myself were in the sitting room J. D. Her came in."

"What did Lauer say?"

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"Do you know," inquired Mr. Covin, "that Lauer knew that J. D. Her did not accept his assertion that the shot was intended for a burglar?"

"I do not know."

Mrs. Her Speaks.

Mrs. J. D. Her dressed in a headscarf and a pair of

diamonds in her ears, then walked slowly to the witness stand and was sworn. Her examination was as follows:

"Were you at your house on the time of this tragedy? A. I was."

"What time was it? A. It was about 10 o'clock on Saturday night."

"The next morning after the tragedy, you went up with whom? A. With Mrs. Peter Her and my husband."

"That was on Saturday, was it? A. Yes, it was the morning after the tragedy."

"About what time do you think you got there? Mrs. Her? A. About 10 o'clock or a little after."

"Do you remember the conversation with Mr. Lauer, or did he have one in your presence with anyone else concerning the accident of the shooting, and if so, what was it? A. He did not talk personally with me, he was telling every one who came how it occurred."

"Did you make any inquiries of him at that time? A. No."

"Did you at another time have a conversation with him, where you made some inquiries as to certain facts? A. Yes, sir, on Monday evening."

"Where were you then? A. In the morning room of the house."

"Were you up there after the funeral? A. Yes, sir."

"What conversation did you have with him then, and how was it started? A. I do not remember the conversation. He was talking and telling about it. I cannot now remember what he said."

"Did you say anything to him? A. Yes, sir."

"What did you say to him? A. I said that he was wide awake. He said as much as he was at that minute."

"What did you reply to that? A. I said, 'Why didn't you see who you were talking to?'"

"What did he say to that? A. I do not remember that he made any answer."

"Now, did you hear him state as to hearing voices? A. He said he heard voices the next morning after the tragedy."

"Q. Then what, if you can remember? A. Then he reached over and got his revolver, and saw an object in the door."

"Q. Do you remember his saying anything about looking over the side of the bed after he fired the first shot? A. He said if he could have seen the body he would have fired again."

"Do you remember Mr. Lauer coming into the room with Mrs. Lauer? A. Yes, sir."

"Q. When was that? A. It was before the funeral, Saturday or Sunday."

"Q. At what time was that? A. I do not know, but I was sitting on the couch, I think."

"Q. Who else was there? A. There was quite a number there, strangers to me. My husband might have been in the room."

"Q. Who came into the room, then, while you were there at that time? A. Mr. J. D. Her and Mrs. Havens came in together."

"Q. What, if anything, did Mr. Lauer say? A. He said he felt like kicking him (Mr. J. D. Her) out."

"Q. Did that while the body was there? A. Yes, sir."

"Q. Did anybody make any remarks to him? A. I do not know that they did."

"Q. Mrs. Her, were you there at the time she was talking to Mr. Lauer, and that when some one came to call Mr. Lauer out? A. It was Monday evening."

"Q. Who was in the house at that time? A. Well, myself and husband, Mr. Lauer and his sister, and some gentlemen came in."

"Q. How many gentlemen came in? A. Six or seven, all strangers to me, called on Mr. Lauer."

"Q. Who was it that called Mr. Lauer out? A. I do not know."

"Q. After that, what did Mr. Lauer do? A. He got ready to go with them."

"Q. Did he actually took place there, and stooping down, took hands with me and said, 'If I do not come back, good by?'"

"Q. Was he more or less excited at the time? A. I think he was."

"Q. Did he then go out? A. Yes, sir."

"Q. How long did you remain there, Mrs. Her? A. A half or three-quarters of an hour, I think."

"Q. Did he come back while you were there? A. No, sir."

On cross-examination Mrs. Her stated that she had been on good terms with the defendant.

"Did you believe Lauer's version of the tragedy?"

"When I first heard it I did not believe it. Afterwards I went to the house, and saw the body, and an accident so I fell into that view as it is."

Judge Savage then questioned Mrs. Her as to the reason why she remarked that her "experience with burglars was that she left her wife for a matter of a few days, and that the curtain was up in relation to the west window in the dining room, which he said had a light buff curtain. She stated that she judged from what she read that burglars were in the habit of remaining quiet while burglarizing a house in the night."

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