

TALKING FOR HIS OWN LIFE.

Lauer Tells the Story of How He Killed His Wife.

HIS USUAL COOL, QUIET MANNER

Seventh Day of the Trial—Lauer to Be Examined To-day On His Courtship and His Married Life.

Witnesses Not in Court.

Shortly after half past nine o'clock yesterday morning the Lauer jury filed into the court room under the guidance of Bailiff Grobe. They looked fairly refreshed and ready for the second week before them.

Lauer and his sister occupied their usual seats by Messrs. Thurston and Savage. Both of them looked somewhat worn, especially Mrs. Lauer. The defendant preserves a placid composure though he watches keenly every turn of the trial.

At this point the question of admitting the testimony of Captain Richards and Mrs. Ben Gallagher, both of whom are absent, was brought up by the counsel for the defense. Neither of these witnesses were in the city, and the counsel for Lauer desired to introduce their testimony brought out at the former trial.

Call Mr. Lauer, said Mr. Thurston, at ten minutes after 10 o'clock. The defendant stepped to the door, he was sworn and took his seat. He appeared not a trifle perturbed. His answers to the various questions were made in a tone low and hardly distinct.

He testified that on the night of October, 1883, he moved into our house on the corner of Twenty-sixth and Douglas streets. I was employed at the nail works at the time my wife was shot.

My sister occupied the room directly overhead. "I had been suffering from boils on my cheeks, one on the right side and one on the left. They hurt so that I could not sleep for several nights. The pain was very intense. The last boil broke on the morning before the shooting, just about twenty-four hours previous to the time my wife lost her life."

"That night, I think, we went to sleep about half-past nine. Our relations that evening had been the most pleasant. Our talk and actions were as friendly as they possibly could have been. I shall always remember that night as one of the happiest of my life. The next thing I knew I was awakened by hearing, as I supposed, a noise in the dining-room. I was excited, and I went to my right side, grasped my revolver. As I did so I heard words, and supposed that there were two persons in the next room. I then saw a figure approaching and saw what I supposed was a man. I fired, and the figure dropped. Then I felt for my wife, and saw she was gone. I jumped up and ran around to the foot of the bed. There I saw the figure of Sallie. Her face was all bloody, and she didn't look like my wife. I shook her and felt of her heart, and saw that she was dead. I thought I might be dreaming, and I myself I see if I were awake. As I fired I called at the top of my voice. I called for my sister, who was sleeping above. She came down and I told her that I had mistaken Sallie for a burglar and shot her. I told her to go for help as soon as she could. Immediately after she went out, I put on my pants and shoes and possibly my coat. I wanted to go for help myself, but still I didn't want to leave my wife, although I believed she was fatally injured. At the time I woke up there was very little light in the room, though just how much I can't say. I can hardly say that I saw a man, although I imagined that I saw one. I fired, supposing that it was burglar."

Lauer's attention was then directed to the subject of the first burglary which he said occurred in the summer. "My wife and I were both awakened out of a slumber," he said, "by something. I do not know what. One blind in the dining-room bay window was thrown open, and a strong light came from the street lamp on Mr. Gallagher's corner to make the room rather light. I saw the man's head around the corner of the folding doors and raised my revolver and fired. At the same time I said 'Get out of here, you —' of a — I jumped out of bed and chased the fellow

out of the room. As I went after him I heard him stepping on some beer bottles in the cellar. I went back to bed, remarking to my wife that the man would go home and crawl into his sick bed. The next morning I found the cellar window torn open. I went down to the police court and reported the matter."

During all this examination the witness wore a smile, which, though vanishing at times, was always sure to reappear. Lauer was sharply cross-examined by General Cowin.

The witness said: "I am thirty-five years old and came to Omaha nine years ago. I first went to Mrs. Goetschius to board. Here an argument arose as to the admissibility of testimony from Lauer concerning the period of his engagement and courtship. The counsel for the defense wanted all this testimony ruled out while Mr. Cowin insisted on going into this branch of evidence. At the last trial, however, it was not ruled out by the judge. More by consent of the counsel for the state, this branch of testimony was allowed to go untrouled."

"Upon being permitted to go into every part of Lauer's relations with Sallie Lauer, from the time he first met her to the time he killed her. The fact that he has been accused of the crime, gives us the right to go into this branch of the subject."

Mr. Savage said that the supreme court had ruled that a man could not be cross-examined on any subject on which he had not been directly examined. Judge Neville adjourned court at 11:40 in order to give the counsel for the state and defense time to look up their authorities on the matter.

MUST BE CROSS-EXAMINED. Judge Savage opened for the defense, the argument as to the admissibility of evidence from Lauer on the subject of his past married life before marriage, which subject it was claimed was not opened by the defense. The object of the state in going into this branch of the subject was to show Lauer's brutal and jealous treatment of the dead woman, both before and after their marriage.

Judge Savage claimed that as this branch of the subject had not been entered into by the defense, according to all rules of elementary evidence, the prosecution had no right to enter upon it in cross-examination. Some states, he admitted, allowed a witness to be cross-examined on any branch of the case. Not so in Nebraska courts, where, according to the supreme court, a witness could only be cross-examined on facts brought out in the direct examination.

He quoted extensively from authorities to prove this. Judge Savage remarked that the prosecution hoped to bring in all this evidence of Lauer's ill-treatment of his wife, and by this means prejudice the jury into rendering a verdict against the defendant. But the humane spirit of the common law, he claimed, interfered to prevent the prosecution from entering into a cross-examination on points which had not been opened up in the examination in chief.

Judge Savage was followed by States Attorney Simeral, who argued that the state had a perfect right to cross-examine Lauer on his relations with the dead woman, because Lauer in denying his guilt had implied that no element of malice existed in his act. It was to show this element of malice that the state desired to go into the branch of evidence.

He quoted extensively from various authorities to support his doctrine. He was followed by Gen. Cowin, who took up and dwelt upon the theory announced by Mr. Simeral. He said that John Lauer while admitting that he shot Sallie Lauer had denied the element of malice in his act. This then impliedly laid bare this branch of the evidence which the state desired to take up. It necessarily follows that a strict cross-examination of Lauer, in order to show up every phase of his connection with Sallie Lauer, must be allowed. Gen. Cowin's speech was short, but pithy and to the point.

HUMANE WORKERS.

Active Measures Taken—Journal Opened—An Efficient Agent.

A humane society has been opened, and can be seen by any citizen at the law office of General J. E. Smith, No. 1514 Douglas street, rooms 6 and 7, second floor, daily from 8 a. m. to 8 p. m. This journal will have entered upon it every complaint coming to the society. It is not the intention of the society to annoy anyone in their rights and privileges, and where complaints are made of cruelty to animals, a full investigation will be made to ascertain the circumstances surrounding the case. It is a first offense, and not of an absolutely brutal character, the offender will be duly cautioned, but where the offense is repeated the law will certainly be enforced. There are now upwards of 300 members, numbering among them prominent citizens, and each one requested to send in the name of an individual in favor of the advancement of the cause which they have espoused. In a few days telephone arrangements will be made, by which means, complaints may be communicated to headquarters from any part of the city, thus enabling the officers to dispatch an agent at a moment's notice to remote sections of the city when necessary. The officers of the society have been quickly but industriously getting into systematic working order, and without ostentation have already accomplished much good in the community.

B. Clark a citizen of Omaha for the last sixteen or eighteen years, has been appointed agent of the Nebraska State Humane society for this locality. Mr. Clark was endorsed by very strong letters from the most substantial and influential citizens of Omaha, and the executive committee upon whom devoted this appointment, feels that this gentleman is peculiarly fitted for the position. Mr. Clark is a well known citizen of Omaha, and the executive committee on the discharge of the duties which will devolve upon him will be well tested, as this position is attended with some hardships.

CLAIM THEY WERE SWINDLED. Germans who are Indignant—Police Court. Two Germans walked into Judge Stenberg's court yesterday morning and asked to be allowed to file a complaint against Albright, the employment agency man. Their story was to the effect that Albright, after charging them \$2 apiece, sent them out to Wahoo, to get work on a railroad grading job at that point. When they got there they found no such job, but for walking ten miles they found a contractor and gang of men engaged grading for a railroad branch. The contractor said he had no work and complained that Albright was continually sending men to him, whom he was obliged to turn away because he had nothing for them to do. The two Germans returned to Omaha as best they could in a state of high indignation. They say they intend to make it warm for the employment agency man, on a charge of obtaining money under false pretenses.

Dan Cook and John Connor were fined \$3 and costs in police court yesterday morning for drunkenness. Mrs. Mary Smith was fined \$10 and costs for the same offense. Her husband, Peter Smith, had been arrested as a vagrant, but was discharged. George W. Harper, a man in a state bordering closely on delirium tremens, was sent to jail for fifteen days. He had a hatchet in his hand which he had borrowed and tried to pawn for drink. Tom Sullivan stole an ordinary kind of watch from the employment agency man, on a charge of obtaining money under false pretenses.

GREELY'S GRIST. How the Signal Service is Now Handling the Weather. The failure of the deficiency appropriation has cut off Omaha's "weather information" considerably. Reports from even stations are all that are received here now instead of twenty-seven as formerly. The daily reports from Washington have been temporarily abandoned. This state of affairs will last until July 1, when the new appropriation will take effect. The points from which Omaha now receives reports are Yankton and Deadwood, D. T.; Cheyenne, Wyo.; Salt Lake, U. T.; and Davport, Ia. This is rather a local range and especially at this season is not as extensive as it should be for Omaha. In 1878 the well known March and April are very "onsarting" months for this section as Captain Greely knows full well from his residence here. Some of the worst storms ever known in eastern Nebraska have occurred in March and April. In 1878 the middle of the latter month witnessed a blizzard fully as bad as the last November "can can" of the elements. Persons were frozen to death, railroads were blocked, shipping was good, etc. At the same time it does not require an Omaha with gray hair to tell of the plum trees being in full bloom in this city during the early days of March, while "St. Patrick's day" has frequently had been a time of great storm, when nature smoothed the dear little shamrock under piles of snow to keep company with those who had to remain indoors to "drown" it.

St. Patrick's Day in the Evening. St. Philomena's Literary society will celebrate St. Patrick's night in a very sensible, entertaining and instructive way. At its hall, corner of Ninth and Howard streets, an entertainment will be given, consisting of music and literary selections. The feature of the evening, however, will be the oration of Rev. P. J. Boyle, one of the most eminent young Catholic clergymen of this diocese. The fact, of course, that he will speak on an Irish subject is sufficient evidence that there will be a splendid thought in production in "golden words." No more fitting celebration of the "day of all days of Catholic Ireland" could be had, and the young folk of St. Philomena should be congratulated on their most proper observance of a day dear to their fathers and their father's fathers since this globular sphere commenced to revolve.

A Lively Shaking-Up. Yesterday morning the express train on the "Q," due here shortly after 9 o'clock had a lively experience in central Iowa. A freight preceding the passenger had switched off from the main track, but some cars remained on the direct rails. The consequence was that the express cut some most cutting remarks, fortunately was unattended with fatality. The fireman of the passenger locomotive was somewhat injured. On the train were Mayor James Boyd, Mr. and Mrs. P. S. Austin, Mr. and Mrs. Conish and several other prominent Omahans. The train was delayed four hours.

Taken to Lincoln. Deputy Sheriff Phillips led yesterday for the penitentiary at Lincoln with the following prisoners, who were convicted at the last term of court: Robert Stewart, attempted murder, six years. John Kelly, robbery, three years. Charles Spencer, robbery, three years. P. S. Austin, Mr. and Mrs. Conish and several other prominent Omahans. The train was delayed four hours.

Dr. Mercer's Retirement. Dr. S. D. Mercer has resigned his position as surgeon of the 1st and 2nd regiments, which he has held for a number of years. His place has been filled by Dr. E. W. Lee, the well known physician of this city. Coal—Best quality Iowa Nut Coal \$4.00. Coutant & Squires, 213 S. 13th st.

ODDS AND ENDS.

Stray Leaves From a Reporter's Note Book. "My rooms are not long idle," said "rooms to let" lady yesterday morning. "In fact, I have applications far ahead. My greatest regret is in not being able to find rooms for the number who apply for them. I have applications from single gentlemen, from families, from every conceivable class of people. There ought to be more dwelling houses in Omaha or application must soon be made to the government for tents."

"There's a house," said a resident on Twenty-seventh street, pointing to a nice looking little frame structure, "which was vacated yesterday. In half an hour afterwards there were eight applicants to rent the house. One party got it. For a permanent investment 'houses to rent' building in Omaha is in the lead."

The South Omaha Land company have appointed C. E. Mayne sole agent for the sale of their lots. He will show the property and furnish all desired information upon application. [Signed] W. A. PAXTON, President.

"Life Boat" Cruise. The Life Boat lodge of Good Templars held a very interesting meeting at the close of last week at the North Presbyterian church. The programme of the evening consisted of very attractive selections, especially the essay by Miss Kittie Hanaway entitled "An Appeal to Young Men." A noble sentiment pervaded the entire production and the wording was in superior literary taste.

The Ruddy River of life is the blood. From it the system receives all its material of growth and repair. It battles every tissue of the body. How necessary, then, that the blood should be kept pure and rich. Dr. Pierce's "Golden Medical Discovery" is the great blood food and blood purifier. It is a sovereign remedy for all diseases due to impoverished blood, consumption, bronchitis, weak lungs, scrofula, influenza, and kindred diseases.

Officers Pironet and Pulaski quelled a row near Kessler's hall Sunday night. Two men named Woods and Key undertook to carry away too much liquor in their frames and fell by the wayside to fighting. The officers stopped the row. No arrests.

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A TUMBLE.

It has been our custom at the end of each winter season to place on sale, at reduced prices, our remaining stock of mens' and youths' winter trousers. There are good reasons for doing so. We consider it advisable and to our interests to convert into cash, even at a loss, such merchandise, the sale of which will soon be suspended for six months. Most men wear out two pairs of trousers with one coat and vest; the second pair seems an extra expense, and a real bargain is very acceptable. We like to gratify such people and win their good will. We still have on hand about 400 pairs of winter trousers, some odds and ends, some broken lots, but most patterns are in complete assortment of sizes, and marked down to prices which merely cover the cost of the cloth.

We also have concluded to close out our whole remaining stock of silk neckwear, which has been selling for 25c, 50c, 75c and \$1. There are about 140 dozen and we have marked them down to 10c, 15c, 25c and 50, respectively.

One of the secrets of our success during our many years in the clothing business has been in the closing out of all seasonal goods towards the end of each season, regardless of cost.

Nebraska Clothing Company, Cor. Douglas and 14th sts., Omaha.

MADE ON HONOR PERFECT IN EVERY RESPECT The only Machine that will sew backwards and forwards equally well, and the lightest Running Sewing Machine in existence.

The Union Sewing Machine

We desire energetic and responsible dealers in Nebraska, Colorado, Wyoming, Dakota and Western Iowa. If you are looking for a cheap Machine, don't answer this advertisement, but if you want to handle the best Sewing Machine that money can buy, address for particulars. Union Manufacturing Co 209 N. 16th St., Omaha, Neb. Mention Omaha Bee.

THOMASON & GOOS' ADDITION

Lies just south of Hanscom Park, only 2 miles from the court house, on high and sightly ground. 176 beautiful residence lots. 27 LOTS SOLD, 27 Events are shaping that will make these lots an investment of SURE PROFIT. \$800 to \$1,000 will Buy Lots Now, but one Year from Today You will Pay \$1,800 \$2,000 and \$2,500 for Them

Ten months ago we told you there was big money in SOUTH OMAHA property. You were skeptical and waited, and what did you miss? Some people say, "Oh! its all luck, this making money." Luck to the dogs. Its

Foresight, Judgment and Sand.

These are the elements that go to make up the sum of prosperity. Take a square look at the case of Thomason & Goos' addition, who own the 600 acres adjoining it on the south.

A RICH AND POWERFUL SYNDICATE

Who, without any further effort, could peddle it out in the next two years for ONE MILLION DOLLARS. Do you suppose they are Idiots enough to do this? No! They will either build or subscribe to A CABLE LINE and realize three millions from it.

TAKE A TUMBLE!

to yourselves, do a little investigating and figuring and you will see that there are the "Greatest Bargains on Earth, in lots in this "Key to Omaha and South Omaha. Remember that this choice suburban residence property, situated on the everlasting Hills, midway between two cities, that are fast closing in to one solid mighty metropolis.

M. A. UPTON & CO. Pharmacy Building, South Omaha and 1509 Farnam, Telephone 73



ROYAL BAKING POWDER Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds and cannot be sold in competition with the multitude of low test, short weight alum or phosphate powders. Sold only in cans. Royal Baking Powder Co., 106 Wall Street, New York.

SPECIAL NOTICES.

NEBRASKA Loan and Real Estate Co. offer for sale the choicest pieces of inside and outside property at prices that are not inflated. See our list below: Inside Property. 2 E cor 19th and Farnam, improved, \$2,000. Two houses and lot on Franklin st., 3,500. House and lot on South 10th st., 1,500. House and lot on 27th ave., 4,000. House and lot on Charles st., 2,500. House and lot on Clark st, bet 15th and 16th, 4,500. Lot, Burdette st., 52x115, 3,200. House and lot on 20th, 1,500. Lot on 24th, near St. Mary's ave., 4,000. House and lot Dodge, near 27th, 3,000. House and lot, South Omaha, rents, 3,750. House and lot on South 26th st., 7,000. Lots in South Omaha proper. Lots in Syndicate addition. Lots in Albert's Choice. Lots in Alb. S. W. Annex. Lots in Milby Place. 106 in Myrtle Addition. Lots in Millard & Caldwell's Addition. Lots in Cleveland Place. Lots in Orchard Hill. Lots in Walnut Hill. Lots in Bedford Place. Lots in North Omaha. And many other choice pieces of property too numerous to mention. Also a large list of Council Bluffs and Sioux City property. No trouble to show property. Come and see our Nebraska Loan and Real Estate Co., N. W. cor. 14th and Capitol ave. 820. INSIDE PROPERTY—We have some good inside property at a bargain, Pierce & Hogera, 1511 Dodge street. 830. HOUSES—Lots, Farms, Lands—money loaned. — Bonus city maps, 5x7 foot, \$2.50 each. Bemis Bros' Barker book, S. W. cor. 15th and Farnam. 125. DOUGLAS ST.—22x132, 44 feet east of north-east corner, 14th near Douglas; improvements ranging \$75 per month. Choice business location; \$15,000, 1-3 cash; worth \$1,000 per acre. M. A. Upton & Co., 1509 Farnam. Telephone 73. (62) 20

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