

WAS NOT A CAPITAL CRIME. Such the Decision of the Jury in Ferguson's Case.

MURDER IN THE SECOND DEGREE. Tribute to the Memory of Chief Justice Waite—A Nebraska Farmer Confessed—An Omaha Mining Company Incorporates.

In the Second Degree. In the trial of Ferguson yesterday morning the witness Henry was recalled by counsel for the prosecution and cross-examined with special reference to the conversation between him and prisoner in the Douglas street saloon.

No further testimony was taken. The counsel for the state addressing the jury said "that there was exceedingly little difference between the testimony of both state and defense. Holmes was doing a lawful act in preventing Ferguson from playing pool, as the rule in the saloon was that no colored man was allowed to handle a cue except by special permission."

The counsel for the defense made a very lengthy review of both sides of the testimony and explained to the jury the various degrees of homicide, warning them when they retired to private to give the verdict, not to be influenced either with sympathy for the defendant or passion against the state.

The afternoon session was opened by Mr. Duffy's address to the jury. He endeavored to prove that there was no deliberation or premeditation on the part of the prisoner, and he did not provide for a place of safety after committing the crime.

Where provocation was adequate and recent, and where the defendant was excited and his presumption of malice is overcome and none could say that Ferguson had any ill-feeling towards Holmes until they met that evening.

County Attorney Simeral again faced the jury with a cutting argument for the defense. Where there was a case of a boy doing such a dastardly deed, his ignorance and intoxication was no excuse for such an act.

The jury then withdrew for a few minutes, and on returning the verdict was announced, and they had to retire to the jury room to take as to the degree of the offense. Two minutes elapsed and the jury again filed in with a verdict finding the prisoner guilty of murder in the second degree.

District Court. MITCHELL CLARK'S WILL. Mitchell J. Clark was \$1,000 damages against William L. Walker and Augustus L. Young, claiming that he has suffered in that sum through a swap in real estate, the said swap having been encouraged through false pretenses on the part of the defendants.

County Court. THE ATTACHMENT SUIT. The Lincoln Saddlery company yesterday being a suit in attachment against H. F. Fuller, the sixteenth street saddler, to collect \$367.24 due them for goods furnished. Attachment papers were granted the plaintiffs, they alleging that the defendant is about to covert his property, or a part thereof, into money for the purpose of placing it beyond the reach of his creditors.

Police Court. LETTIE WANTS HER BENT ON BLOOD. Lettie Cottrell, a wiry, snappy little colored woman, was before the court yesterday charged with disturbing the peace. It seems that Lettie rents rooms to W. S. Lock and family, on Eleventh street, near Capitol avenue, and that Mr. Lock has been backward about coming forward with his rent. This made the landlady feel very irritable, and Tuesday night she went up there and told Lock he could hand over the sesterces upon the spot or vacate the premises.

Mechanics' Wages. The Timners' union, which comprises also the cornice makers of the city, has resolved on and after the 1st of May to demand ten hours pay for nine hours' work. This system is now in vogue, a cornice maker said this morning, in but two shops in the city, that of Christ Speech's and Ruemping & Bolte, where it was introduced about a year ago.

Frederick stepped forward just as briskly as if he had been invited to take a drink. "You are charged with being a vagrant,"

with no visible means of support. What have you to say for yourself?" "Well, Judge, I'll tell you just how it was. I was a goin' home last night feelin' purty comfortable like, when I run into a cop. He says, says he, 'Where yez goin, son, and where does yez worrk?' and I says, says I, 'I don't know whether that is any of your business,' and then he says 'plats' that you soty! Yer a foine mon to be a-talkin' back to that shtyle to an offeser o' the law, an' ye'll see with that, judge, he yanled me in, and that's the whole story."

Four newsmen—Henry Smith, John Klingerling, Paul Mueller and Elmer Holmes were arrested for sleeping in the hallway of the P. & O. building. Mueller and Holmes being familiar faces in the police court they were sent up for two days each. The first two were discharged.

Henry Emde, who has been tending bar for Harry Hagan, was up on a charge for larceny. Hagan says he stole \$31. This Emde admitted, but admitted that he did get away with \$10.

THE OFFICER CRACKS HIS SKULL. Paddy Ryan, a big, husky Irishman, filled up to the neck with bad whisky, created a big excitement at the corner of Fourteenth and Douglas streets yesterday. A policeman seeing the familiar face in the police court they were sent up for two days each. The first two were discharged.

James Stringer and Thomas McDonald had a dispute over the settlement of a railroad contract in Custer county. They were about to bring it before the courts when they decided to leave it to arbitration, and Attorney Makepeace and Gillett are the arbitrators.

Al Geary is out as a candidate for councilman of the Second ward. He has considerable pressure to get him to stand, but his record in the last council was such that his friends could not spare him. He and Fred Smith were two of the leading candidates of the year, and both are candidates.

Strangers have to be careful. Jas. Bartell came over from Iowa a short time ago and held a short conversation on the street with the members of a real estate firm. He claims to have had nothing to do with it, and he made a trade with another firm, but he has a claim for \$113 commission by Carpenter & Norris. He will fight it out and has subpoenaed three residents who overheard his original conversation.

THE OMAHA MINING COMPANY. Articles of Incorporation Filed this Morning. Articles of incorporation of the Omaha Oil & Mining company were filed with the county clerk yesterday.

THE WATTE MEMORIAL. A meeting of the Douglas county bar was held at 2 p. m. yesterday on at which the committee, appointed some days ago through Hon. John M. Thurston presented the following resolutions:

Resolved, That the United States of America in his death has been deprived of one of its most distinguished citizens and eminent jurists, and that the exalted tribunal over which he presided has been deprived of that wise counsel and honest advice which added so much lustre to its decisions and adjudications and which most conclusively evidenced the ripe scholarship and profound legal knowledge, a deep love of justice and a devoted loyalty to his country.

Resolved, That his life service and achievements furnish the best exemplification of the responsibilities of an American citizen, and his great virtues are worthy the emulation of us all.

In consideration whereof we move the court to order these resolutions placed upon its records, and that its present session stand adjourned.

Resolved, That the best life service and achievements furnish the best exemplification of the responsibilities of an American citizen, and his great virtues are worthy the emulation of us all.

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SOUTH OMAHA NEWS.

H. B. Cox, of Missouri Valley, is looking over the market. Telegraph yards are all down along the track south of Omaha.

The Stock Yards company will probably run their own switch engines April 1. C. B. Wilson, of Wilson & Ritchie, is down from Ullyses with a load of hogs and three cattle.

Johny Mullett is down from Saunders county with a load of hogs. He has registered at the City hotel.

Mike Sately had his hand badly crushed in the packing house and was brought to Dr. Kelly for treatment.

John O'Rourke, the Third ward candidate, is still confined to his home through illness, but his friends are at work for him all the same.

Friends of R. J. Curtan wanted him to run for Fourth ward councilman, but he has declined in favor of S. B. Fanno and B. Jellor.

The suit of Nelson vs Jacob Yetter was decided in favor of the plaintiff, and Constable Eddy was out with a writ of execution for about \$10.

C. W. Makepeace secured a writ of habeas corpus in the suit of the state vs. Moore and Caldwell, charged with attempted highway robbery.

The South Omaha savings bank, with an authorized capital of \$100,000, will commence business April 1 in the office of the South Omaha national bank.

Democrats will hold no more election meetings for the general ticket, but Thursday night Johnny Donovan will have an old-fashioned "Jeffersonian" rally.

T. D. Perrine, a well known stock man, is going to the general ticket, but Thursday night Johnny Donovan will have an old-fashioned "Jeffersonian" rally.

The Exchange hotel guests yesterday were: Ed Tagne, Shelton; W. H. Randall, Columbus; A. L. Spearman, Springfield; J. A. Moore, Gibbon; W. B. Morrison, York; N. Brownfield, Cozad; L. W. Tubbs, Emerson, and John Aden, Garrison.

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THE SPORTING SONS OF ERIN athletic club held their regular meeting Monday night, with E. J. Curtan presiding. A unanimous vote made Thomas Dowley permanent secretary, and Thomas Fleming was appointed a committee of one to purchase the articles necessary for a regular gymnasium.

The members present were James J. McConary, R. J. Curtan, James Fleming, P. McConary, O. E. Shannon, James Maloney, Pete Hagarty, Tom Rowley, Tom Fleming, Redmond, John Sexton and Pat McMahon. A treasurer will be elected next Friday night, and the club adjourned until then.

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A SURE CURE OR NO PAY.

Our Magic Remedy WILL POSITIVELY CURE

All syphilitic diseases, of recent or long standing, from ten to fifteen days. We will give written guarantees to cure any disease you mention. And we would say to those who have enjoyed the most successful cures, that you are the subjects we cure. Hot Springs of Arkansas, and have lost all hope of recovery, we

Will Cure You

We make no charge. Our remedy is unknown to any one in the world outside of our company, and it is the only remedy in the world that will positively cure, because the latest medical works, published in the best known authorities, never say a word in its favor. Our Magic Remedy is the only medicine in the world that will cure every case of Syphilis, in its old, chronic, deep-seated cases that will not yield to any other medicine, and is abandoned by Physicians and pronounced incurable and

We Challenge the World

Our Magic Remedy

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THE COOK REMEDY CO., Omaha, Neb. Rooms 15 and 17 Heilmann Block.

PRICKLYASH BITTERS

IT IS A PURELY VEGETABLE PREPARATION OF PRICKLYASH BARK AND SERRA-MANDRACA-BUCHU WHICH EQUALS ANY OTHER REMEDY IN THE TREATMENT OF BLOOD, LIVER, STOMACH, ACID, KIDNEYS, BOWELS, COLIC, HEADACHE, BILIOUS COMPLAINTS, AND ALL AFFECTIONS OF THE BLOOD, INVERGATES AND CLEANSSES THE SYSTEM.

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No conception can be had without a visit to our store, of the immense variety of our stock and the low prices we make. A few minutes inspection will demonstrate the fact that our assortment is unrivalled and that there is a great difference between our prices and those of other houses. You cannot afford to buy a spring suit or anything else in our line without first looking through our stock. We will prove to you that it is to your interest to do so. Our large trade enables us to name the lowest prices. We sell more clothing than any two houses in the city together, and necessarily buy more, and buying more, of course, buy cheaper, and consequently sell cheaper, and this is why you can buy the same quality of goods of us for less money than in any other store in the city.

For the Easter Holidays we call attention to our Boy's Clothing. This department we have enlarged to three times its former size, and the assortment we show is simply immense. We offer some special bargains for the holidays. Among other we mention one lot of fine all worsted Knee Pant Suits at \$3.90, which are worth fully \$6. Another splendid Jersey Suit at \$2.95, which could not be bought for elsewhere for less than \$5. In Long Pant Suits, and suits for young men, we show hundreds of styles in fine qualities at prices from one third or one half lower than other houses.

The assortment in our Men's Furnishing department is on the same liberal scale, and Furnishing Goods are marked at the same small percentage of profit as our clothing. The new shape neckwear we offer at 15c, 25c and 30c, you cannot buy for three times the amount elsewhere.

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Everything marked in plain figures, cash and one price.

Nebraska Clothing Company

Corner 14th and Douglas Streets, Omaha.

OMAHA MEDICAL & SURGICAL INSTITUTE. CHRONIC AND SURGICAL DISEASES. BRACES. APPLIANCES FOR DEFORMITIES AND TRUESES. DR. J. W. WEST'S NERVE AND BRAIN TREATMENT.

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COMBINATION SALE OF 50 STALLIONS!

At Auction on Thursday, April 5, 1888. AT FREMONT, NEBRASKA

Consisting of Imported and Grade Percherons, Clydesdale & Cleveland Bays, And the Standardbred Stallion C. C.

Also 100 OREGON HORSES. Anyone wishing information in regard to the Percherons or C. C. and Oregon Horses, will please address the Oregon Horse & Land Co., Fremont, and for information regarding the Clydesdale and Cleveland Bays, they will please address J. P. Mallon, Fremont, Nebraska.

Twelve months time will be given on Percherons, C. C. and Oregon Horses, at 8 per cent interest, or 5 per cent discount for cash. On Clydesdale and Cleveland Bays, one and two years time will be given, at 8 per cent interest, or 5 per cent discount for cash. SALE TO COMMENCE AT 2 O'CLOCK P. M.

OREGON HORSE & LAND CO. JAMES P. MALLON. F. M. WOODS, Auctioneer.

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DRUNKENNESS Or the Liquor Habit, Positively Cured by Administering Dr. Haines' Golden Specific.

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PEELERLESS DYES Are the BEST. Sold by Druggists, Price \$1.00.

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