

THE CLOSE OF NEAL'S TRIAL.

It is Characterized by Eloquent Speeches by Counsel on Both Sides.

HOW NEAL COMMITTED THE CRIME

The Closing Effort of County Attorney Mahoney - Judge Clarkson's Charge - In the Hands of the Jury.

Packed and jammed to suffocation was the big district court yesterday morning for the last day of the celebrated Neal-Jones murder trial.

The defendant came in between his guards and settled down into his seat with his face a striking picture of one deeply engrossed in thought of the deepest, the soberest kind.

"I shall not attempt to point out your duties nor the solemnity of the oath you have taken," began Mr. Mahoney.

"The state has asked you to find this defendant guilty of that most awful, atrocious, and heinous crime at the Pinney farm."

"It is not necessary that I give all the details connected with the crime, people going to the Pinney farm and their brief residence there."

"The question for you to determine is not who committed the crime, but whether this defendant committed it."

"If this defendant did commit it, I say hang him at the end of a rope - hang him until he is dead, dead as the stones of the earth."

"But, gentlemen, I charge you as you value the honor of your souls, the safety of your souls, that if you find by this testimony there is a shadow of a doubt as to this defendant's guilt you must bid him go forth from this court room as free as the air."

"After these opening sentences - pronounced with an intensity of feeling and rhetorical power that left the speaker almost breathless - he proceeded to review the testimony of little Henrietta Kaecok.

He stooped lower than I had any idea to be possible for him to stoop.

"By charging me with unfairness by endorsing those names on this information Mr. Estelle is doing me a great wrong."

"Mr. Mahoney says it is unreasonable to suppose that I had killed those old people without afterward going back to the farm."

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showed them to you clearly and without a doubt.

The responsibility of the case now shifts from our shoulders to yours. I have done all in my power to show you every particle of fact in connection with this case.

In the name of the People of Nebraska, I charge you to find the defendant guilty of the crime of murder in the first degree.

The information consists of two counts, in the first of which it is alleged in substance that the shooting and killing were done with a pistol.

In both counts the shooting and killing are alleged to have been done by defendant unlawfully, purposely, feloniously, and maliciously.

The jury are instructed that to constitute murder in the first degree there must have been an unlawful killing done purposely and maliciously.

The jury are instructed that to constitute murder in the second degree there must be an unlawful killing done purposely, feloniously, and maliciously.

The jury are instructed that to constitute manslaughter there must be an unlawful killing done without premeditation and malice.

The jury are instructed that to constitute an unlawful killing done purposely, feloniously, and maliciously there must be an intent to kill.

The jury are instructed that to constitute an unlawful killing done without premeditation and malice there must be an intent to kill.

count of life information, and with intent unlawfully, purposely, feloniously, and maliciously to kill and murder.

To sustain the charge against the defendant the state relies upon circumstantial evidence, not claiming to have any direct proof of the shooting and killing.

Where circumstances are relied upon to establish a crime, the jury should consider the character that when taken together are of so conclusive a nature and tendency as to lead to a satisfactory conclusion.

A reasonable doubt, as applied to all the evidence in this case, means a doubt that the jury feel that they cannot say they feel an abiding conviction of the guilt of the defendant.

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