OMAHA, TUESDAY MORNING, MAY 26, 1891.

REVIEWING THE EVIDENCE.

Lawyers in the Sheedy Murder Trial Earning Their Fees.

OPENING ARGUMENTS FOR THE STATE.

County Attorney Snell's Address to the Jury-The Defense Declares It Is a Question of Blood

Money.

Lincotn, Neb., May 25 .- [Special to The BEE]-An immense crowd gathered in the court room this morning to hear the arguments in the Sheedy murder trial. Not only was every seat outside of the railing filled but also every bit of standing room occupied. All the space inside the railing was also occupied clear up to the judge's desk.

The opening speech was made by County Attorney Snell and it occupied over two hours and a quarter. It is declared by his friends to be the best effort of his life. The following is a pretty full abstract of what he

**When darkness closed around this quiet city on the 11th of last January, there had been planned a most daring and cold-blooded murder. The intended victim was John Sheedy, an old citizen, whose home was on the corner of Twelfth and P streets. Mr. Sheedy had spent the greater part of the day at his home. At about 7:30 o'clock he put on his overcoat, opened the front door, and then he was struck over the head with a beavy cane. He drew his revolver, fired five times, but to no effect, being too dazed and stunned to take definite aim. The story of his suffering and his death has been narrated to you by a number of witnesses. John Sheedy was murdered, and I would ask you to just pause for a moment and think of the time and place. On Sunday night, the night of all nights in the week when strife and illfeeling should be laid aside, and the placehis own home-where peace and good will should, if anywhere, reign supreme. But none of these protected John Sheedy. On that holy Sabbath, as it was drawing to a close and as he opened his own door in fancied security, an assassin struck him. The one who delivered that blow had murder in his heart. He had deliberated upon it. He laid in wait and was malicious and vindictive, than Sheedy met, nor can I conceive of any-thing more cowardly than striking a man as he comes from his own nome. The follow-ing week many rumors were afloat as to the party who struck the blow and the motive that prompted it. Circumstances pointed toward McCariand, and he was arrested on Saturday night, the 17th, and Mrs. Sheedy on the following Sunday. Who are these denumber McFariand is a colored man and a fendants? McFarland is a colored man and a barber. The defendant, Mary Sheedy, was the wife of the deceased. Mr. Sheedy had employed McFarland to dress his wife's hair, and in this way the two personers at the bar became acquainted. They were alone for an hour or more each time Mrs. Sheedy's hair was dressed and she had an opportunity to study McFarland, sound him and determine in her own mind whether he would be faithful to her and her interests and courageous in the execution of her plans. We believe that the evidence has been of such an overwhelming character as to have convinced your minds early in the case that McFariand was the person who struck John Sheedy. That evidence apart from his confession, although in many re-spects circumstantial in its nature, can hardly be explained upon any reasonable hypothesis other than McFarland's guilt " Mr. Snell then, by the testimony of P. Stepney, McFarland's cousin, that the day that he and Monday exchanged overcoats was the same day the latter bought the cane

f having lost his cane. Mr. Snell then costance that has been testified to by the wit-nesses for the state on this branch of the case pointed to McFarland as a guilty party Not one of those facts or circumstances have the defeuse sought to explain or deny. If ever a fact was established in a criminal prosecution it has been put beyond the pale of any doubt that McFarland was the man who lay in wait and murderously assaulted John Sheedy. Where was he at 7:30 on that Sunday night if not at Sheedy's? Not one syllable of testimony has een put in by him as to his whereabouts on

"Why did McFarland strike Sheedy! Did Sheedy ever wrong him! Peter Crampton, a fellow barber, says that Sheedy always had Monday shave him and be paid him well, giving to him an extra 10 cents or 25 cents nearly every shave. Sheedy was McFar-land's friend and the negro never would have struck him had it not been for a certain woman. That female was referred to by my friend Stearns in his opening statement as the sad, pale-taced, pensive lady, Mrs. Sheedy. After seeing her constantly for three weeks in this court room and noticing her demeaner, I would rather think he would speak of her as the cool-headed, stengynerved, desperate woman, who gave form and direction to McFarland's every move-ment. The defense would have you believe that Mrs. Sheedy was not one of the conspir-stors because one C. O. Wheden, a lawyer, never saw Mr. Sheedy pounding his wife or Mrs. Sheedy scolding the husband like a fish wife, Did any one ever suppose that Whedon would be at Sheedy's house during a family quarrel, or that any woman would ever tell such a cold-blooded, abrupt man as Whodon any of the troubles of her married life, except she came to him as an attorney to get her a divorce! It would take the genial rays of a tropical sun a half century to get him thawed out sufficient to become the confidence of any man to say nothing of a woman. Lew Franklin and Mrs. Hatch had each called only once at the Sheedy residence

each called only once at the Sheedy residence since Mrs. Sheedy's return from Buffalo, and of course they saw nothing out of the way.

"The witnesses the defense did not call to testify in that respect were conspicuous by their absence. One would have supposed that they would have called in the near friends of Mrs. Sheedy who visited her and whom she visited, but they did not. Even when Mrs. Sheedy's own sister was put on the stand, and although she has lived in the family a number of months, her mouth was scaled innumber of months, her mouth was scaled in that respect. Not one question was asked of her in that regard."

The testimony of Mrs. Hood was then re-ferred to, and the facts as brought out ferred to, and the facts as brought out by that unwilling witness concerning the troubles between Mr. and Mrs. Sheedy were dwelt on at length. The coming of Walstrom to Lincoln was then taken up and the matter of notes passing between the two contemplated. Mr. Shell insisted that if these notes had been of an innocent character that those received by Mrs. Sheedy would have been produced in evidence. The fact that Mrs. Sheedy was in the habit of continuous that Mrs. Shoedy was in the habit of continu ally sending liquors and elegant lunches to Walstrom's room, that she presented him with fice night shirts, hose and neckties and that Mrs. Carpenter had called Mrs. Shoody over to her house one evening when Wal-strom was there, was sufficient, Mr. Snell said, to show that their relations were not in-

"When Sheedy was struck," said Snell, "about the first thing Mrs. Sheedy did was to send for the priest and the next to notify Walstrom. When her busband was dring Klauster was sent to tell that the doctors had given up all hopes. When Sheedy's body was to be laid away in the cold and quiet grave Kinusner was once more dispatched to tell Walstrom that Mrs. Sheedy would not think anything more of him unless he was present at the funeral. Her relationship with Walstrom can be explained upon no other hypothesis than that

she was maintaining criminal relations with him prior to her husband's murder. It was because of him that the trouble had arisen between her and her husband. No woman could have had a stronger motive than Mrs. Sheedy to put Mr. Sheedy out of the way. When love of her husband has departed from the female heart and been transferred to another she becomes desperate. In order to accomplish her purpose Mrs. Sheedy concluded that it could best be done through McFar-

The confession of Monday Mer'arland was The confession of Monday McFarland was then detailed, and Mr. Shell said that the defense would doubtless affect astonishment that the story of criminal intimacy between the negro and Mrs. Sheedy would never be believed by any body. Mr. Shell then faced the prisoners and said:
"She wanted to be free. Her illicit lover Walstrom was in the city. She wanted Sheedy's property. How could she prevail upon McFarland to help her! Would she hesitate to prostitute her body when her soul

hesitate to prostitute her body when her soul was already eternally condemned! Would a voman who had murder in ber beart halt or bestitate to committ adultery even with a black man! Now Now I will touch briefly on the testimony for the defense. These are divided into two classes: First, witnesses to prove the relations which existed between Mr. and Mrs. Sheedy; and, second an abortive attempt to cast suspicion on Frank Williams and William Gleason, two gamblers. The latter half are divided into four classes: First, those put on the stand to prove that it was Carder's cane; second, those who were put on to disprove Goldwater's testimony; third, on to disprove Goldwater's testimony; third, Mr and Mrs. Hosman, who were put on the stand to swear that it was a white man who shot at Sheedy the week before the last assault; fourth, the testimony of the boys, Currie and Hitchcock, who were put on the stand to swear that they saw two men running south from the Sheedy residence. I will touch only

on the latter four divisions." The attorney then reviewed Carder's testiony at length concerning his identification of the cane and scouted the idea of such identification, since Carder couldn't tell his own handwriting when but on the witness stand. The bitter spirit that Carder has shown toward the prosecution was alluded to. The testimony of Burr concerning the reward that Goldwater was to receive was also discredited. Hosman's testimony that it was a white man who struck instead of a black man was shown to be conformatory with the darkey's story, as the description given by Hosman tailled in every way with that of Monday, except Hosman said that the fellow was a very dark complexioned white man. Mr. Snell then scouted the idea white man. Mr. Snell then scouted the idea of Hosman being able to see a three days' growth of beard on a man's face on a dark night. The medical testimony was then re-

viewed. "It is time," said the speaker, "that compression of the brain and morphine poisoning exhibit the same symptoms. But an exami-nation of the brain would tell the tale. There were four physicians who were present at the time of the autopsy and they declare that morphine was the cause of John Sheedy's death. If death resulted from the blow or compression of the brain they would have found blood clots there. They examined the brain and found none. We must remember, whether or not any poison was adminis-tered, that nevertheless both prisoners are guilty. Each is guilty either as a principal in the one case or as an accessory in the other. These two defendants go hand in

other. These two defendants go hand if Mrs. Sheedy did not administer the poison, and if the blow killed John Sheedy, on accessory. She is the she is guilty as an accessory. She is the real instigator of the crime. It would have been impossible for Monday McFarland to have stood at the door waiting to kill John Sheedy that night unless he had a confed-erate in the house to give him a signal when to take his place. Any man would have been a fool to stand within a gozen feet of the street in a thickly settled neighborhood waiting to murder a man. He must have hid be-hind the lattice work awaiting the preconcerted signal. His nerve had been raised to the proper point by whisky given to him by this woman who has been brought before you charged with either murdering or abetting

"In conclusion let me say the interests involved are of great magnitude. The state i not asking for the shedding of innocent blood, but when you go to your jury rooms remember a monstrous crime has been com-mitted; that John Sheedy was murdered; that he was murdered in cold blood without with which Sheedy was afterwards struck; the testimory of William Chinn, who was with McFarland from 11 p. m. to 2 a. m. the night of the assault, and who, noticing that McFarland was lame, and the negro speaking that he was murdered in cold blood without one single mitigating circumstance; that he was struck down in his own door. If this crime goes unpunished, who can say that it will not be repeated? Gentlemen, of the jury, give the case your best deliberation, and render a verdict that will satisfy your own conscience, and I feel it will satisfy a deeply interested and a wronged public, for every crime of this character strikes at the every crime of this character strikes at the public security."

Judge Weir, attorney for Mrs. Sheedy, followed Mr. Snell, beginning in that easy, careful, smooth way which is betokened by his general bearing. After making a few preliminary remarks the speaker said: "We have under consideration the lives of two have under consideration the lives of two human beings and these lives must be disposed of by the consideration of the jury. It is one of the greatest responsibilities ever conferred upon this body of men and it gave me pleasure to read in your faces during the trial that you fully realized the responsibility." He then drifted into his reason for coming here and spoke of the true work of the officers of the law, complimenting the the officers of the law, complimenting the prosecution for the work done, pausing long enough to define the line between persocuenough to define the line between persocu-tion and prosecution. The first thing to which he called the attention of the jury was the law and the facts. "The jury." he said, "is the exclusive judge of the facts, the exclusive judge of the law, and when it comes to final considerations it should be guided by the definitions given them by the judge of the law! Thus the judge instructs that the defendants are presumed to be entirely innocent until proven guilty and the attention of the jury should not be diverted from this.
"It is often," he continued, "that our zea as lawyers, our zeal to gain victory, causes us to overstep the bounds and cause mislead lng statements. Let this be watched, gen

tlemen of the jury, and when such things are done banish it from your minds. When you enter into the jury room let it be uppermost in your minds that it was and is the duty of the prosecution to sweep away from your minds. sweep away from your minds by evidence, all lurking suspicions every vestige of that presumption of the innocence of these two defendants. The law requires you to use that reasonable doubt in t terest of the accused. Some of this mony looks one way and some of it the other cut when you cannot under such circum-stances decide, then the law requires the

stances decide, then the law requires the reasonable doubt to be exercised in the interest of the accused. It is divine has that ninety and nine guilty ones should escape rather than one innocest be punished.

At 2 o'clock Judge Weir, picking up the thread of discourse where two hours before he dropped it, said in substance that to all crimes there is a notive and the procedution in this case ingeniously sets forth as the in this case ingeniously sets forth as the motive for this that John Sheedy and his wife lived in great discord and she wanted to get a divorce. That while in Buffalo she met and fell in love with one A. H. Waistrom, and this led her to statu her hands in the blood of her kind. This is the motive prosecution offers. "And," continued with all the able counse, with all the ef-forts of experienced detectives, the prosecu-tion has falled utterly to bring out any substantial evidence, only the most remote cir-cumstantial evidence. It is important that we should know the difference between

direct and circumstantial evidence.

It is a great principle in
law that if the great chain of
circumstances is inching, the entire is of no
effect. It must be one and continuous, every link in its proper place. John Sheedy was, in common language, a gambier, a peer to any in his profession in this city. His success appalled them and caused a jealousy to rankle in their bosoms. He was struck at his own door, and is it not quite as probable that some one other than his own loving wife that some one other than his own loving wite was the cause of the fatal blow! Was it not Mr. Courtnay who testified that only a few days prior to the assault Sheedy received a letter which threatenet his life unless he stopped 'trying to run the town!' Suspicion shortly after the crime fell upon Monday Mcl'arland and his arrest followed. Then it was that an opportunity was offered the combination of detectives and

was offered the combination of detectives and officers to make money. "You will remember McFarland was ar-

THIRD PARTY EXPECTATIONS.

Will Nominate a Candidate for President, but Do Not Hope to Win.

FARMERS' ALLIANCE PEOPLE NOT IN IT.

Its Leaders Treat the New Movement with Silent Contempt-General Foster Acting for Secretary Blaine.

> WASHINGTON BUREAU THE BEE, 1 513 FOURTEENER STREET, WASHINGTON, D. C., May 25.

Senator Peffer of Kansas, who was in the third party conprominent Cincinnati last week, is back in Washington and says a third party candidate for the presidency will be nominated next year, and that the convention will likely be held in Indianapolis a year from next month. He says:

"Frankly, I don't think we shall win, but we will make so great a showing that we shall convince not only our own people, but people generally, that with another year's organization we can easily become the dominant party. In striving for this end we are not seeking political preferment. We are not after the offices as such. The office is only the means to an end. Our people are not office seekers. We are contending for principles, not for individual advantage, except so far as that advantage may benefit us ali."

Senator Peffer practically acknowledges that the aim and effect of a third party candidate will be the assistance of the democratic candidate. The movement at Cincinnati of the third party was in no way connected with the legitimate farmers' alliance movement. The official organ of the National Farmers' Alliance, which was circulated here today, does not contain the slightest reference to the Cincinnati convention. It appears to be part of a plan to entirely ignore the recent organization of a third party. The paper is issued at the national headquarters of the alliance, and its editor Dr. McCune, is chairman of the executive committee of the alliance. It gives the keynote to the various small alliance papers through the country President Polk claims that the organization gives him the power to expel the proprie-tors of any alliance paper if they go outside of strict alliance principles. As some of the western papers have grown enthusiastic over the third party move, the president may exercise his prerogative by compelling then to follow the lead of the national organiza-tion in ignoring the Cincinnati third party novement, or else haul their alliance color and stick to their original texts.

BLAINE'S ABLE ASSISTANT. General J. W. Foster of Indiana, cx-minister to Russia, Spain, etc., who negotiated the recent commercial treaty with Spain, had a long conference with President Harrison this morning, during which the Behring sea seal risheries and other important diplomatic matters now pending, were discussed. The report that General Foster was acting for Secretary Blaine in the principal diplomatic problems unfinished during the absence of the latter has been confirmed. While no official statement is made upon the subject it is well understood that General Foster, who has the affairs of the department of state well in hand, will during the illness or absence of Secretary Blaine look after the completion of the most important questions requiring diplomatic skill. Governor Foster has for many years been regarded as one of the most skillful dipor any other problem would be safe in his charge. He is both sagacious and dis-creet. Secretary Blaine is not expected to return here under some weeks, if not months The reports as to his condition of health are very encouraging, however. He has been assed and advised to remain away till he

fully recovers. President Harrison's speeches, made during his recent southern and western tour, are being prepared for book form. They will be used as campaign literature as well as models for public speakers. Each speech will nave an introduction, giving the cir-cumstances of the visit and the details of the reception. The volume will bring out the happiness of the president's expressions, and show his mental breadth. They will be specially serviceable in the long tier of states through which the presidential party passed. Mr. John S. Shriver, who as correspondent of the New York Mail and Ex-press preceded the president just one day on his entire trip, is compiling the work.

SAYS THE REPORT IS UNTIRUE. Ex-Congressman Owen of Logansport Ind., stated today that the reports that he was here expecting to be appointed commissioner of the immigration were not true. He said he came to Washington on private busi-ness only and added: "I am not an apness only and added: "I am not an ap plicant for the office and it is a grave ques tion whether I could afford to take it should the president offer it to me." It is now re-ported that Colonel Weber, ex-congressman from Buffalo, now superintendent of immi-gration at New York city, is likely to be ap-

It is thought that at the cabinet meeting or Friday the five land court judges will be annownced. Tenders have been made of the appointments to the men selected. It is said that there will be three republicans, all memners of the last house of congress—Messrs. Payson of Illinois, Thompson of Ohio and Turner of Kausas—and two democrats. Whom the latter are it is not known, but they are said to be men of wide reputation as and lawyers and men of excellent character

as well as capacity. COMING TO OMAHA General Benjamin Butterworth, the ex-congressman from Cincinnati and at present director general of the world's fair at Chicago, today became the president of the Interstate townsite company, with head-quarters at Omaha. The incorporators of the company are Francis C. Grable, W. B. Millard, J. O. Phillippi, Charles E. Ford, F. D. Muir and Benjamin Butterworth. The capital stock of the company is \$2,000,000,* fully paid up, and its operations will be in Nebraska, South Dakota and Wyoming.

MISCELLANEOUS. Congressman Pickler of South Dakota, who has been here for a few days looking after some appointments, will leave for his home in a day or two. J. P. Sharp was today appointed post-master at Forestburg, Sanborn county, S. D.

vice L. B. Rich, resigned. Charles E. Pierce of St. Louis, A. R. Ap. pleton of Columbus, O., and George H. Harris of this city, the commission appointed to visit Niobrara and South Dakota and determine Niotrara and South Dakota and determine the boundary line between the Pine Ridge and Rosebud agencies and persuade as many Lower Brules as possible to take land in severalty south of White river, leave for their posts of duty on Friday next. Harry N. Price of this city is their stenographer.

Troon K. Ninth cavalry, Colonel Guy Henry, Cautain B. Hugnes, First Lieutenant Charles W. Taylor, Second Lieutenant Alex W. Perry and seventy men arrived this afternoon at Fort Myer, Va., across the Polomac river from Washington, their new station.

mae river from Washington, their new station Froop B, Sixth cavairy, leaves tomorrow for Washakie, Wyo. Senator Pettigrew arrived this evening

from South Dakota and will remain a couple

Colorado and the World's Fair. CHICAGO, May 25 .- This was Colorado's day at the world's fair headquarters. Commissioner R. E. Goodell of Denver, with Governor Routt of Colorado conferred with the director general and the grounds and building committee to secure space for the silver state's exhibit. "We are modest," said Governor Routt, "and we will take any

bit of land from an acre to the whole city. What matters it I the state only appropriated \$100,000? Had it been \$200,000 we still would have the best exhibit. You have no idea what an enormous amount of public enthusiasm there is for making Colorado's exhibit a most creditable one.

TERRIBLE DEED OF A MOTHER. While Insane She Hangs Her Four

Children and Herself. HARLAN, Ia., May 25 .- Mrs. Christen Pederson, a Danish woman, and her four children, whose ages ranged from three to ten, were found hanging in the cellar of their house near here. It is thought they had been hanging there since Wednesday. Her husband was sent to the insane asylum about a week ago. The finding of these bodies shows that the wife should have gone too, as she

must have been crazy.

Mrs. Peterson lived on a farm just outside the city with her family, consisting of two boys and two girls. Since her husband was sent to the asylum little attention was attracted to the family until vesterday a neigh bor, who had noticed no appearance of life about the place for three or four days, determined to investigate. The upper rooms were searched without any trace being found of the missing people and finally the cellur was visited There the bodies of the woman and her four children were seen hanging. The neighbors at once summoned assistance and several people accompanied him to the cellar. Mrs. Pederson and her children were hanging by ropes from one of the beams of the house. A little girl aged about four stood with her toes just touching the ground; near her was her sister, a ten-year-old child, hanging from the timber; a ov of nine, with one knee touching a wash ib on which he had stood, was near by and his brother, a year older, hung so low that his feet almost touched the earth. Near him the mother, half kneeling, was seen. All were quite dead. The children and mother were all neatly dressed, but none wore shoes. Their feet were covered only with stockings. It was evident that the work had been lone most deliberately. The smaller children were strung up to a rope which was fastened only by heavy spikes driven into the beam, but for herself and the elder children the woman had bored holes through the timber, so that there might be no question as to the rope holding. Evidently she had stood the children on wash tubs and had then pulled the tubs from beneath their feet, and as they choked and gasped in agony, she rigged up her own gallows and leaping from the wash tub which she used, choked to death. Her determination was witnessed in the fact that the body was found in a kneeling position and had she so desired she could have saved herself by standing erect. All of the quintette were choked to death, and the younger children's appearance beckened a violent struggle for life after the executioner had begun her work. All indications were that the bodies had been hanging for days, and when the coroner was summoned and examined into the matter, he

summoned and examined into the matter, he gave as his opinion that the deaths had occurred as far away as Thursday morning.

Mrs. Pederson left a letter telling of her financial affars, speaking of \$150 in the bank, held by her, and \$13 in silver in the house. This money is to be used in burial. Other portions of the letter relate to farm matters, she stating that the place is raid for and that she stating that the place is paid for and that nothing can be held against it. Mrs. Peder-son is not known to have had any trouble other than the confinement of her husband in

the insane asylum. The coroner was summoned, and after cutting down the bodies, held an inquest.

Young Zaiser Died. BURLINGTON, Ia., May 25,—|Special Telegram to The Bee.|-Edward Zaiser, who was shot by a burgiar, hom to was attempting to arrest Saterday night, died today. Several arrests have been made, but

none of importance. It is thought the murderer was one of a gang of burglars following in the trail of a cheap circus that had been showthem that of Mayor Duncan. A knife taken from Duncan's table was found under Zaiser's window, where it had been used to gain an entrance. A quantity of bananas had also been taken, and the burglars left a trail of skins from the mayor's residence to Zaiser's.

A large reward is offered by the family for the apprehension of the murderer.

Supreme Court Decisions DES MOINES, Ia., May 25. - [Special Tele gram to THE BEE.]-The supreme cour handed down today the following opinions W. W. Harris vs E. R. Harris, Corra Gordo, district, affirmed; Clay county vs Palo Alto county, Kossuth district, affirmed; J. R. Halley vs John Gregg appellant, Jackson district, affirmed; L. J. and M. E. Graves vs Merchants and Bankers insurance company appellants, Decatur district, affirmed; Mr. Cedar district, affirmed.

BURLINGTON, In., May 25. -[Special Tele gram to THE BEE. 1-Two strangers drove up to St. Francis hospital this morning in a back and left a man whom they called John Gable. He died twenty minutes after their departure. It is rumored that he was taken from a saloon where he had been drugged or injured. The police are working on the case

Under an Engine.

CEDAB RAPIDS, Ia., May 25 .- [Special Telegram to THE BIE.]-At Marion last evening, James Pathrop, in attempting to board a moving switch engine, fell under the wheels. Both feet were masked so that amputation will probably be necessary, and one arm was also crushed.

Not Meintyre. Sioux City, Ia., May 25 .- | Special Tele gram to THE BEE. |-The man arrested at Hartington is not McIntyre, the escaped

TOOK ARSENIC BY MISTAKE, the Death of Congressman Houk.

KNOXVILLE, Tenn., May 25.-Judge Houk representative in congress from this state resterday afternoon took by mistake a strong solution of arsenic. Antidotes promptly administered brought the judge around all right, so it was thought. But this morning he died suddenly. He had heart disease and the poison and excitement following affected that organ and was the cause of his death.

THE WEATHER FORECAST.

For Omaha and Vicinity-Fair; warmer. Washington, May 25 .- Forecast till 8 p. m. Thursday: For the Dakotas Fair; warmer; rinds becoming south. For Iowa and Nebraska-Fair Tuesday warmer by Tuesday night; variable winds. For Missouri and Kansas Knin; slightly cooler, except stationary temperature in north Kansas; borth winds. For Colorado-Showers; warmer by Tues-day night; winds south.

day night; winds south. Steamship Arrivals.

At New York-The Alaska, from Liverpool: The Ethlepia, from Glasgow; The Aller, whole outfit, so the affair will be held there. Amsterdam-The Eider, from New York for Bremen. At Millville-The Anchoria, from New York for Giasgow.
At Browhead Passed the Nomadic from

New York for Liverpool. Blaine Able to Be Up. New York, May 25.—Secretary Blaine was

up and about the house this morning. While t is believed he will leave the city about the latter part of the week ro definite date has been fixed nor has it been determined whether the secretary will go to Washington or

New York, May 25.—The steamer Veendam from Rotterdom, reported at sea dis-

KEYA PAHA'S DOUBLE MURDER

Rivers, the Second Victim of Covill, Dies of His Wounds.

WHAT LED TO THE BLOODY TRAGEDY.

Public Sympathy with the Murderer-Remonstrating Against Executive Clemency-Decision Against Patrick Eagan.

STUART, Neb., May 25.- [Special Telegram to THE BEE]-THE BEE correspondent visited the scene of the Keya Paha county tragedy yesterday. It is on the premises of Geo. Covill, the man who did the shooting which wound up the earthly career of both Dayton and Rivers, for the latter died about noon yesterday (Sunday). The sentiment of the immediate neighborhood in which the tragedy occurred is largely in favor of Coviil. His neighbors claim that he was justified in all he did; that he had been persecuted and terrorized by Dayton and his hired men who had made their threats that they would run him out of the country, the object of which, it is alleged, was to get his land, as it joined Dayton's. It is also told, and on seeming good authority, that three weeks prior to the fatal culmination of the reud that Dayton and his men, Rivers and Williscroft, had rounded up Covill by attacking him in the field where he was at work and firing pistol shots around his feet made him dance. After this Covill claims he procured arms and ammunition and when his enemies came on his place last Friday he was prepared for them. On the morning of the tragedy Charles Barto, a young man who had previously worked for Dayton and who, it is alleged, had circulated the scandalous stories about Dayton's and Rivers' wives, had occasion to pass the Dayton farm. He claims that he was going to Covill's to get him to go so Springview to get out replevin papers to recover cattle belonging to them (Covill and Barto which were restrained by Dayton, When Barto passed the latter's place that morning he was seen by Dayton, who, hitching up his team and accompanied by his men, all armed, pursued him for the purpose (as was given in Sunday's BEE) of bringing him back to confront the wives of Dayton and Rivers and back the vile stories which he had circulated about them. When they arrived at Covill's the latter and Barto were sitting upon a log discussing the matter of getting out the re-plevin papers. Barto ran and was pursued by Rivers and Williscroft. Covill ran to the house for his gun pursued by Dayton. Mrs. Covili was an eye witness to what then trap

spired. She says that Dayton emptied both oarrels of his shotgun at her husband on the chase to the house; that her husband re-turned the fire when he had got possession of his shotgun; that his first shot missed, but of his shotgun; that his first shot missed, but the second killed Dayton. When this was done he went to the rescue of Barto, who, in the hands of Rivers and Welliscroft, was being brought forward toward the wagon they not being aware that Dayton was killed. Covill called to them to release Barto and on their refusal put a load of buck shot into Rivers's alp which resulted in his death vesterday as above resulted in his death yesterday as above

Public sentiments is so much against the Daytons that no neighborly sympathy or kindness was shown the bereaved wives. Only two young men in the whole neighborhood, Messrs. Brown and Riley, rendered couple of their old neighbors from Stuart, for Dayton used to live here, arrived there Sunday afternoon. Shortly after River's death they tore up the floor of the cabin and made a rude box, into which his remains were deposited, as no coffin had yet been provided, and the bodies of both men were brought here last night and will be

buried today in the cemetery at this place. Fighting for a Soft Snap. LINCOLN, Neb., May 25. - | Special Telegram to THE BEE. |- The board of public lands and buildings are undergoing a siege by ex-Representative Hahn of Adams county and Robert Elsmore of Hastings who want to superintendant the construction of the new building at the Hasting hospital for insane, The legislature appropriated \$80,000 for two wings to the hospital. The plans for these buildings have not been made yet, but the fat position of bossing the job is in sight. Mr. Hahn is fortifying his claims by petitions signed by farmers about his county Elsmore superintended the construction of the Adams county court house and the Catholic school at Hastings. He presents recommendations by Father English and Chairman Powers of the board of super-

visors. Chairman Powers is a brother of the late independent candidate for governor. Robbed on the Golden Gate. ALLIANCE, Neb., May 25,-Mrs. Louise Jones, wife of a prominent manufacturer of

Boston, who with her husband were passengers on the Pennsylvania company's Golden Gate special which passed here today, was robbed of \$1,000 worth of diamonds on the train between Farge, N. D., and St. Paul Wednesday. On that day a concert was being given in the observation car. Mr. and Mrs. Jones occupied a section in the rear sleeper and the other passengers were bliged to pass through their car to attend the concert. Mrs. Jones retired early. She took her four diamend rings from her finger and placed them in her reticule. Next morn ing they were missing. Attaches of the train were closely questioned but he trace of the missing diamonds could be found.

Want a Packing House Ponca, Neb., May 25 .- [Special to THE Bee. |-A number of Ponca's capitalists are about to form a stock company for the purpose of building and operating an extensive packing house at this place. People are greatly interested in the development of this project, as the prospective prosperity of this lown depends not a little on the establistment of some institution of this kind.

OSCROLA, Neb., May 25 .- Special to THE BEE.]-At the regular meeting of Osceola lodge, Ancient Free and Accepted Masons, the following officers were elected: Dr. S. O. Whaley, W. M. W. W. Wilson, S. W. Prof M. R. Snodgrass, J. W. H. A. Scott, treasurer, and Napoleon C. Foy, secretary.

They Will Cefebrate. OSCIOLA, Neb., May 25.-|Special to Tun Ber. |-The alliance of the county, together with the Knights of Labor, held a called meeting to make arrangements to celebrate the Fourth of July. Stromsburg offered \$500 for the colebration, and captured the

Contract Awarded. GENEVA, Nob., May 25 .- [Special Tele gram to THE BEE. |- The contract for building the Oddfellows and Knights of Pythias building here, which has been in contemplation sometime in connection with the First National bank, was let today to Scott & Henington of Harvard. The bid for the whole building was \$17,900. This secures to the Oddfellows and Knights of Pythias one

On a Tour of Observation BEATRICE, Neb., May 25,-! Special Telegram to THE BEE. |- Mayor Fogg, seven members of the council, the water commissioner and city engineer departed this morning on a junketing trip to Fremont, Lincoln and Crete to inspect the water works sys-

of the finest loage rooms in the state.

of those cities, with conservations to the Beatrice water work

Utica, Neb., May Memorial Sunday was observed in this c of the Republic and oth march by the veteraus t repaired to the First Presbyterian chura thich in a short time was filled to its utenapacity. After some choice selections by
ple were addressed by Ret
Adams, pastor of the church. With
the peoable weather

Decoration day will te well served, an ex-cellent programme having been prepared for the occasion.

Rev. J. W. Scabrook of the Methodist Episcopal church preached a very excellent sermon before the Grand Army of the Repub-nc and Women's Relief Corps yesterday. The church was crowded and every one was

pleased with the sermon.

One, Neb., May 25.—[Special to The Ber.]

Foote post No. 40, Grand Army of the Republic, held a memorial service in the Methodist Enterpublic. odist Episcopal church yesterday, Chaplain Rev. James Leonard conducting the services. Company B. Second regiment Neural and a services and a services of the services of the services of the service was in attendance under command of Captain John L. McDonough. The service was listened to by a large ougregation.

Nelson, Neb., May 25 - [Special to The Ber.] - The memorial sermon was preached yesterday morning to a large con-gregation in the Methodist Episcopal church by Rev. S. W. Patterson of the Evangelical church. There were about thirty members of the George H. Thomas post present and about twenty Sons of Veterans, for whom reserved seats were provided.

Charged with Fraud. O'Nena, Neb., May 25. - Special Telegram to THE BEE. - Sheriff Gifford, of Fall River county, South Dakota, arrived at O'Neili this afternoon for R. R. Dickson, wanted on the charge of obtaining property by fraud, and for whom requisition papers were issued on Friday, last. There was some error in the papers and the sheriff had sent them back for correction. Last Saturday them back for correction. Last Saturday Dickson's attorney got out a writ of habeas corpus and the preliminary hearing was set for today. It was postponed until Thursday pending the return of the papers. G. C. Hazelet, the grantee to the deal, came bome from Iowa Saturday night. He also denominates the affair a big game of bluff. Dickson made a land deal while at Hot Springs recently but denies that there was anything criminal or fraudulent in the deal, and says they will not be able to prove it as such. they will not be able to prove it as such.

Against Executive Clemency. FREMONT, Neb., May 25 .- | Special to THE BEE.]-Friends and relatives of Carlos T. Pulsifer, the man murdered by Shepherd and Furst, the two men who are to be hanged June 5, have begun a counter move to check the effect of the effort being made by friends of the condemned men to secure a commutation of their sentence to life imprisonment by Governor Thayer. The petitions for executive elemency circulated by Furst's brothers have been quite extensively signed, eleven of the jurers having affixed their signatures. To offset these, seven remonstrances have been prepared and put in circulation in this city and in the Scribner and Crowell neighborhoods. About two thousand signatures

have been secured to these.

A Park for Ponca. PONCA, Neb., May 25 .- | Special to The BEE. |- Under the skillful management and direction of W. E. Huston, Ponca is now the proud possessor of a park. Many of the business men have formed themselves into an asacciation, rules and regulations have been adopted, and everything pertaining to its support has been perfected. Contiguous to the town on the cast several acres of land were secured and suitably laid out into reservations for the amusements of baseball, lawn tennis, croquet, football, etc. and also providing ample grounds for hammocks, swings, band stand, refreshment stands Comorrow there will be a celebration of the opening of the grounds.

Burglarized a Residence FREMONT, Neb., May 25 .- | Special to THE BEE]-The residence of M. Y.Colman was entered by burglars at about 3 o'clock this morning. Mr. Colman was awakened by the intruders and feightened them away. One was at the foot of his bed when he awoke. This one had already procured a few dollars in money, with which he escaped Mr. Col-man seized a revolver and fired a shot at the

retreating burglar but missed him.

District C urt Session LOUP CITY, Neb., May 25 .- | Special Telegram to The Ber.] - District court convened here today, with Judge Hamer presiding. The docket consists of about one hundred and forty civil cases and five criminal. The most important criminal case will be the one in which Joseph Kwiatkewski is charged with attempted train wrecking on the B. & M. about a year ago.

Mr. Eagan Must Pay. Lincoln, Neb., May 25 .- [Special Tele gram to THE BEE, |-When Bishop Bonacum denied Patrick Eagan the privilege of racra ment in St. Theresa cathedral the minister to Chili refused to pay \$500 subscription that he had made to the building fund. The bishop began an action in court and Judge Tebbetts has decided that Mr. Eagan must pay the

subscription.

State Druggist .. BEATRICE, Neb., May 25 .- [Special Telegram to THE BEE. |- The tenth annual meeting of the Nebraska State Pharmaceutical association convenes in this city tomorrow. There are already a considerable number of druggists present and the meeting promises to be one of considerable interest.

DEFIED THE LAW.

Kansas Farmers Who Would Not Allow a Mort rage Foreciosed.

Topeka, Kan., May 25.- Special Telegran to THE BEE. |- News was received here today of a remarkable attempt of the farmers of Jeweil county to take the law of foreclosure into their own hands,

On Sunday night Jonas Kindelesperger, a tenant representing a law firm in Jewell City, was driven from a farm in Washington township which had been sold under a mortgage forecrosure, and compelled to nec

the country.

The original owner of the farm was Joseph Bennett, who had borrowed money from the Jeweil City firm to make first payment and put in his crop. When the note fell due Bennett did not have the money and his place was sold by the short. place was sold by the sheriff.

He refused to give possession and was ojected from the place by a deputy shoriff,

and a tenant representing the purchasers given possession. Bennett is a member of the farmers' alliance.

Sunday night thirty or forty masked men, with Bennett at the head, drove up to the place and requested the new tenant to leave. He refused to do so, whereupon revolvers were drawn and he was told that he could either leave at once or his dead body would Bennett was then reinstated and still polds the place. A dispatch from Jeweii City states that Kindlesperger has the names of

the leaders of the mob and will begin a civi-suit for damages and have crimical proceed-ings instituted. The officers of the county are all farmers' alliance men, including the prosecuting attorney.

Bennett parrowed the money of Miss Ida Asheborn of sewell City, who had carned it teaching school. The townspeople are aroused at the injustice done the young

prosecutions. Twenty-five People Killed. Bursos Avans, May 25 - Twenty-five persons were killed in the Cordoba revolt.

woman and will assist Kindlesperger in his

MONTHEAL, May 25 .- Fire in a warehouse here caused losses aggregating \$100,000.

NEBRASKA'S FIRST GOVERNOR.

Sudden Demise of David Butler at His Home Near Pawnee.

DEATH CAME WHILE ENGAGED AT WORK.

Caused by Heart Failure-Arrangements for the Funeral-Sketch of the Life of the State's First Executive.

PAWNEE CITY, Neb., May 25,- Special Telegram to THE BEE. |-Ex-Governor David Butler dropped dead at his home, three and one-half miles west of this city, at 8:35 o'clock this morning. He arose in his usual good health and ate a hearty breakfast - 1 started out accompanied by his hired man to repair a fence close to the house. Needing some tool that was at the barn he dispatched the hired man for it, remarking at the same time that he felt tired, but would get a scythe and mow some grass and weeds that were beside the fence. Mrs. Butler, who was working among her flowers, close by, heard him make a few strokes with the scythe when all became quiet. She arose to her feet and saw him stretched out motionless. Before assistance reached him he breathed his last. He was carried to the house and Dr. Wright summoned, who pronounced his death due to heart failure. It seems, from the marks of the scythe. on the grass and the position of the body that he must have turned and staggered a few steps before he fell, death being apparently painiess, as his features were in no way distorted. The body was embalmed

this afternoon. The funeral services will take place Wednesday afternoon at 1 o'clock from his

iate residence A kind husband and indulgent father and a true friend, his memory will long be kept

His Life.

David Butler was born near Bloomington. Monroe county, Ind., December 15, 1829. He remained on the homestead until he was twenty years of age. There were few schools in the neighborhood in those days, and from these young Butler derived but little advantage. His education was acquired by private study mainly after he had at-

tained his majority. When he was twenty-one years of age he engaged in the cattle business for his father and was absent in Wisconsin when the latter died. He abandoned the cattle trade and en-gaged in mercautile pursuits, in which he was quite successful until the panic of 1857, was quite successful until the panic of 1654, when, in one bank alone, he lost \$17,000.

In that year he was nominated on the republican ticket for the state senate, but owners the fearneigh reverses which he had ing to the financial reverses which he had sustained, was obliged to decline the can-

In 1858 be immigrated to Nebraska, set tling in Pawnee City. There he resumed his mercantile and stock-raising career. His ventures proved successful, and in the course of eight years he had acquired about \$15,000 from an original investment of \$4,000.

In the spring of 1860 he was married near Bloomington, ind., to Miss Lydia Story of

In 1861 he was elected a representative in

the territorial legislature for a term of two years.
In 1866, at Plattsmouth, he was nominated as the republican candidate for the first gov-ernor of the state. He was elected by a ma-

jority of 146 votes, the largest received by any candidate on the ticket. The salary of the office was but \$1,000 ; year and the governor accordingly felt im-pelled to devote a considerable amount of his time to his private business. He soon dis-covered that he could not well attend to both. He determined, therefore, to devote himself entirely to the duties of his office. The cap-ital at the time was located in Omaha. He time to his private business. He soon dis ital at the time was located in Omaha. He moved to this city, therefore, and established his office in the old capital which was located

on the hill which has since been designated by that name. During this term the removal of the capital from Omaha to Lincoln was the absorbing topic of interest throughout the state, bill providing for the change passed b

bill providing for the change passed both houses of the legislature and was signed by the governor.

Governor Butler was elected governor in 1868 and served his term, which ended in 1869. During this term he recommended to the legislature the establishment of an or-

ganization for the purpose of inducing immi-gration to the state.

He was elected governor a third time in 1870 and at the special session of the legisla-ture of that year again urged the appoint-ment of a board of immigration, which recommendation was favorably acted upon by the legislature, the board consisting of Messrs C. C. Smith of Falls City. William Bischoff of Nebraska City and Fred Krug of Omana, C. N. Karsten of Nebraska

City being appointed resident commissioner in New York. In the same year he advocated a system of internal improvement which was also favorably considered by the legislature. The governor did not serve the whole of his third term, Secretary of State William H. James, in June, 1871, having been appointed to succeed him.

while acting as governor he was also a commissioner of the board of public lands and buildings. The other members of the commission were the auditor and secretary of state. During his incumbency the capitol was located and erected, as were also the university and insane asylum.

Since his retirement from public life Governor Butler has confined himself mainly to private pursuits. He has identified himself with what he has styled the labor party and has frequently been heard on the stump in its support. He has always been a prominent visitor to the capital during the sessions of the legislature and could result upon and could readily pass hours with old associates in recalling the eventful periods of the

His death removes one of the best known new of the state whose knowledge of its political history was excelled by few of his contemporaries.

EDISTRUCTIVE STORM.

Railroad Bridges Swept Away and Other Damage Done. Archison, Kan., May 25.—|Special Tele-

gram to THE BEE. |- The Missouri Pacific country in the western part of the state, especially in Norton, Logan and Philips ounties, was deluged by a violent storm Saturday night. Several important railroad bridges and numerous small ones were carried out. One bridge 225 feet long was swept out everal hundred feet from its moorings. There was much damage done to the highways. There is not a single bridge left in the three counties. Whost was also

Death of a Kansas Politician.

Aremses, Kan., May 25.- Special Telegram to The Ben |- Lamis M. Briggs of this city died of dropsy at Battle Crock, Mich., Saturday, aged fifty. Mr. Briggs was a famous pulltician in Kansas, and during the last two terms of ex Senater Ingalis' official life was that statesman's confidential adviser and trusted lieutenant. Briggs was also largely interested in the Cherokae strip when the cattlemen had possession of that

Couch's Murderer Gets Another Trial. Wichitz, Kan., May 25 .- J. C. Adams, sentenced to hang next month for the murder of Captain William Couch of Oklahoma fame, received a telegram from his attorney today in Washington, saying the supreme court had allowed the bill of exceptions filed