

HIS LIFE IS THE STAKE

If Nick Fox is Playing a Game It is for the Best of Reasons.

DEEPLY AFFECTING SCENE IN COURT

Little Roy Fox Put on the Stand to Tell How His Father Killed His Mother—What the Witnesses Swore To.

The state has made out its case against Nicholas Fox, the wife murderer. The testimony is all in and last night the defense commenced the introduction of evidence tending to show that Fox is mad and for years has been an insane man.

The usual crowd that attends murder trials was on hand when the criminal court opened yesterday morning.

Nicholas Fox, the murderer, seemed as bright as a dollar, though mentally he presented a somewhat disfigured appearance. He was not as violent as when in court Tuesday afternoon, though he continued to keep up his incoherent ramblings.

Jailer Miller, who has made a careful study of the prisoner's condition, is confident that Fox is playing a game, one in which his life is the stake to win or lose.

Tuesday night after Fox was taken to his cell he raved and tore around and the jailer had left the corridor. Then he was quieted down and seemed buried in thought. In this condition he remained until his cell was approached with Mrs. Fox, the woman, at the bars and raised his hands generally.

Twelve jurors who had not formed nor expressed an opinion were sworn, and cautioned not to read anything in the newspapers purporting to be the facts in the case. The lawyers made their statements to the jury, and then the taking of testimony commenced.

Taking Testimony.

Dr. Kelley of South Omaha was the first witness sworn. He was called to the stand on the morning of the commission of the crime. He found Mrs. Fox very weak. She had been shot. The ball had entered the abdomen, just above the navel, and passed through the left kidney and lodged in the back near the spine.

Dr. Slaughter of South Omaha was called to attend Charley Fox on the morning of December 22. He made an examination of her body and found her suffering from the effects of a pistol wound. The description of the wound was the same as detailed by the former witness.

In a conversation with Mrs. Fox, the doctor said that she had been shot by her husband and that she would die.

In making his examination the doctor found bruises and cuts upon the body, limbs and head of Mrs. Fox, all of which she told resulted from blows struck by her husband.

Moses Dougherty, who resided in the house adjoining the Fox house, was awakened on the morning of December 22 by the report of a pistol. He immediately arose and dressed, and going to the door of his house heard Roy Fox, a boy 12 years of age, cry out: "Mother is shot, mother is shot."

Witness then went into the Fox house and found the prisoner sitting on the table, the table being in the kitchen. He said: "Dear neighbor, I have shot my wife, cut my throat and will be dead in five minutes and I want you to stay and see me die."

Witness told Fox that he would not die, but that he would like to take the razor and finish the job. Fox then gave him the razor saying: "That is what I used in killing my wife. Witness asked Fox why he committed the crime and he was informed that his wife had been untrue. At no time did Fox talk in a manner that would indicate that his mind was unbalanced.

At the session of the court yesterday afternoon there was a man who came from the spectators in the great court room. Roy Fox, an unusually bright little boy 10 years of age, was picked up by the sheriff. As the little fellow seated himself in the witness chair and glanced at his unnatural and wild-eyed mother, he burst into tears. The great audience listened to the sobs that echoed through the room, while more than one heart, full of sympathy, went out to the little fellow. Forcing back the tears, he told a straightforward story, but every time he turned his face toward his father he would break down and weep.

His testimony was to the effect that the evening before the murder his father quarreled with his mother. He accused her of receiving letters from Anderson, a man who had boarded at the house some months previous. The mother then charged upon him and then the family retired. The next morning Roy was awakened by the screams of his mother, and jumping out of bed he went into the next room, where he saw his father strike his mother on the head and knock her down, after which he fired the pistol ball into her body.

Roy testified that he went to where his mother was lying, when he was caught by his father and carried back into the bedroom. From there he escaped and went to the house of his grandfather, F. A. Sherman.

They Intended to Kill Him. William Sherman, a brother of Charley Fox, the murdered woman, resided at home, four doors from the Fox house. At 10 o'clock on the morning on which the murder was committed he was awakened by the cries of his sister. He at once unlocked the door and she fell into his arms, exclaiming: "Nick has killed me."

She was laid on the bed, and after dressing, the brother intended to shoot again. He saw Fox running toward the Sassy county line, when suddenly he stopped and drew a razor across his throat. As Sherman approached Fox said: "For God's sake let me die. I have cut my throat."

John Sherman, another brother of Charley Fox, followed the murderer toward the Sassy county line and caught up with him just at the time when he cut his throat. He and his brother intended to kill Fox after seeing that he had drawn the razor over his throat and was bleeding freely, they thought he would die.

Mrs. Kate Smith was called to the Sherman house the morning of the murder. She was a witness to the dying statement made by Mrs. Fox, who said that Fox knocked her down, kicked her and then shot her through the body. Then he placed the pistol at her forehead and attempted to shoot again, but the cartridge failed to explode. She knew Charley Fox and knew she was true to her husband.

Mrs. Fox was unusually calm during the afternoon session of the court, and the opinion that he is playing a part is rapidly growing.

Testimonials published in behalf of Hood's Sarsaparilla are not extravagant, are not "written up," nor are they for sale. They are facts, and prove that Hood's Sarsaparilla possesses absolute merit and is worthy the full confidence of the people.

Hood's Pills are pure vegetable, perfectly harmless, but do not cause pain or gripes. Be sure to get Hood's.

Death of Mrs. Birney. News of the death of Mrs. Major J. C. Birney at Denver was received in the city yesterday. Mrs. Birney was the mother of Dr. B. H. Birney and Clarke A. Birney of this city. The remains are being brought to Omaha and will be buried from the residence of her son Clarke at 1123 South Thirtieth avenue, this morning.

STONEHILL'S STORE FOR RENT

Every Dollar's Worth of Stonehill's Bankrupt Dry Goods Stock

MUST BE CLOSED OUT AT ONCE

It's no Longer a Question of Cost, the Room Must be Vacated and the Stock Closed Out as Quick as Possible.

The Boston Store desires to inform the public that the Stonehill store must be vacated at once, and in order to do so we must dispose of the stock immediately.

Tomorrow we begin to sacrifice the silks and dress goods.

All the polka dots in black ground, all the 18-inch gros grains, all the summer silks, in fact all of Stonehill's silks that he sold at 75c and 80c and which we offered up to today as a great bargain at 50c a yard, go tomorrow at 25c a yard.

All Stonehill's silks with satin stripes in cream, white, yellow and gray, worth up to 50c, go tomorrow at 12c a yard.

All the double warp surahs in black and white and black and colored fancy stripes, all Stonehill's moire silks, all the \$1.00 satins, all the black faille francise that Stonehill sold at \$1.00, go at 30c a yard.

All the high price silks that Stonehill sold at \$1.50, \$1.75, black and colored gros grain, faille francise, taffetas, satin, rhadamow, plain changeable, brocade silks, novelty stripes, at the ridiculous price of 65c.

COLORED AND BLACK DRESS GOODS. We are determined to sell dress goods at any cost. It matters not how good the quality, every yard of goods will be offered at sacrifice price.

Here for instance are wool twilled plaids in tans, grays, brown and other colors, which neither Stonehill or any other house ever sold less than 25c. Our price to close, 5c a yard.

And here are part wool double-fold Bedford cords, and fancy weaves in alpaca. Stonehill's price, 28c, our price to close, 8c.

And here are the 44-inch summer cashmeres in black and colors that Stonehill used to advertise at 50c.

All the striped Henriettes, all the broadened twilled plaids, all the 4-inch summer brillianines; in the lot you will recognize goods that Stonehill sold up to 75c and which we sold up to date for 50c, go to morrow to close at 25c.

And here are beautiful check serges, silk striped all wool twills, various colored stripes and fancy figures that Stonehill sold at 80c; our price to close, 35c.

50 pieces all wool and silk check mixtures and stripes, all wool Bedford cords and crepons, satin serges in fancy weaves and all colors, Stonehill's price from \$1.00 to \$1.25, our price, to close, 50c.

BLACK AND COLORED SILK GOODS. Pull 50 inches wide, the most desirable fabrics for summer wear, finely finished, shedding dust, excellent in their wearing qualities, Stonehill's price, and every other house's price for this quality, \$1.00 a yard, our price, to close, just about half.

THE BOSTON STORE N. W. Cor. 16th and Douglas, and at STONEHILL'S OLD STAND.

RIFLE SHOOTING.

Officers Named for the Annual Contest at Bellevue in August.

Arrangements are almost completed for the annual rifle competition for the Department of the Platte at Bellevue rifle range. This competition will begin on the 1st of August and continue about two weeks, immediately after the rifle competition has been completed the annual cavalry competition of the Department of the Platte, the Platte and California will be taken up, beginning on the 15th of August.

Captain Charles A. Coddige of the Seventh Infantry, Department of the East, is designated as commander of the camp for these competitions. His staff, so far as appointed, will consist of Lieutenant Edgar W. Hays of Fort Robinson, adjutant and signal officer; Lieutenant Harry E. Wilkins, Second Infantry, quartermaster and ordnance officer; Lieutenant James M. Aracasmith, Second Infantry, commissary and exchange officer; Lieutenant Arthur B. Heyl, assistant surgeon United States army, medical officer of the camp. Other officers will be appointed later on.

General L. A. Grant, first assistant secretary of war, left last evening for Minneapolis.

General John R. Brooke post of the Army and Navy union will meet on Saturday evening to install the newly elected officers at the headquarters of the post in Van Buren building.

Major Bell, for the past three years chief commissary of the Department of the Platte, has been appointed purchasing agent for the department at Denver and departed for his new post of duty yesterday. Captain O'Connell of the postion made vacant, for a time at least.

To Cleanse the System. Effectually yet gently, when constive of bilious or when the blood is impure or sluggish, to permanently cure habitual constipation, to awaken the kidneys and liver to a healthy activity, without irritating or weakening them, to dispel headaches, colds or fevers, use Syrup of Figs.

WATERY FOUNDATION.

Work on the Postoffice Delayed in Anticipation of an Appropriation. Work on the new postoffice building is progressing as rapidly as could well be expected. The footings for the outside wall are all in and the south wall is ready for the iron linings. Part of the iron is already on the ground and will be placed in position as soon as work on that part of the structure can be begun to advantage.

The water keeps seeping into the excavations for the footings for the piers and makes it necessary to keep the pumps running nearly all the time. Assistant Superintendent Overland says, however, that the foundation is a solid one. He has tested nearly every foot of ground with portable piers, upon which he had the men pile six tons of stone. These testing piers are six feet in diameter. With six tons of stone upon them they settled but a few inches in the day.

Superintendent Beindorf has ordered the workmen to cease cutting stone for the west wall because there appears to be some likelihood that the foundation appropriation will be secured and the west wing may yet be carried up with the main portion of the building. It is expected to be working sixty men, and as soon as the work has progressed far enough to put a larger force on the brick work the number will be increased to 100.

Impaired digestion repaired by Beecham's Pills.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Jal Baking Powder ABSOLUTELY PURE

NONE EQUAL "THE BOSTON"

The Boston Store's Stonehill Sale Today Stands Without a Parallel.

NO SALE AS GREAT EVER HELD IN OMAHA

No Such Prices, No Such Bargains, No Stock So Well Known and Appreciated Ever Put on the Market by Living Man.

AND THESE PRICES WILL STARTLE THE COMMUNITY. Stonehill's entire stock of light colored calicoes at He a yard in The Boston Store basement.

Stonehill's entire stock of wash goods and white goods, including all chailies, crepe cloths, colored batistes, white goods and all other grades of summer wash dress goods, worth up to 25c, go at 15c in The Boston Store basement.

Stonehill's entire stock fine outing flannels, summer domet flannels and all his dress gingham go at 5c a yard in The Boston Store basement.

Stonehill's entire stock of men's sateen and madras cloth shirts go at 25c, Stonehill's price 75c.

Stonehill's 25c domet shirt waists go at 12c.

Stonehill's 50c shirt waists go at 25c. Stonehill's \$1.00 red tabspreads go at 25c.

Stonehill's 25c doublefold bedtickings, 6c.

Stonehill's 25c black organdy lace stripes with white figure, 10c.

Black iron frame grenadines, Stonehill's price 25c a yard; our price 40c for a full pattern, containing 10 yards.

The greatest millinery department in all Omaha.

During the last few days others have advertised untrimmed hats as great and unusual bargains at from 35c to \$1.00.

Wholesale houses who boast of unexcelled prices, that they are giving you something beyond the reach of others.

We don't know what others can do, BUT The Boston Store WILL duplicate any \$1.00 hat offered, will give you the same quality of material, will give you the same shape, no matter if it is a 50c shape or \$2.50 shape, all this summer's goods, for just 25c, exactly one-fourth of those marvelous wholesale prices.

THE TIME IS AT HAND. All of the remaining trimmed hats in the Stonehill stock will be sold (regardless of former price or cost of production) at just \$1.00.

THE BOSTON STORE, N. W. corner 16th and Douglas.

FOUR EXCURSIONS EAST. Via the Wabash Line.

1st Cincinnati and return \$10.10. For the national prohibition convention the Wabash will sell round trip tickets at above rate on July 27 and 28.

2d New York and return \$23.75. Less than half fare.

For the Young People's Society of Christian Endeavor convention the Wabash will sell round trip tickets at above rates on June 4, 5 and 6 with choice of routes via St. Louis or Chicago.

3d Saratoga and return \$30.55. For the National Educational association the Wabash will sell round trip tickets at above rate July 4 to 10, with choice of routes via St. Louis or Chicago.

4th Detroit and return \$20.50. For the Laptrot Young People's union the Wabash will sell round trip tickets at above rate July 12 and 13.

For tickets, sleeping car accommodation and a folder giving lists of routes, side trips, cost of meals, with other valuable information, call at Wabash office, 1022 Farnam street, or write GEORGE N. CLAYTON, N. W. P. and Ticket Agent, Omaha, Neb.

Water Rents Due July 1st. Payable at company's office, Bee building, 5 per cent discount allowed if paid before due.

New York and Return. July 4 to 6 one fare for the round trip. Choice of routes from Chicago. Return limit August 15. Call at Chicago, Rock Island and Pacific R'y. ticket office, 1902 Farnam street.

CHAS. KENNEDY, G. N. W. P. A. J. L. D. BEVOISE, City Tkt. & P. A.

Hayden Bros. 8-string cabinet grand upright piano, new scale, \$187.50.

Dr. Cullimore, oculist, 33a building.

Road Trip Tickets. The only line running through trains direct to Denver, Colorado Springs, Manitou and Pueblo. Low rates at all points in Colorado, Utah or Pacific coast points. Fast time on elegant vestibuled trains, free reclining chairs and the celebrated "Rock Island dining cars."

Comfort, safety and speed secured when ticketed via the "Great Rock Island Route." Ticket office 1022 Farnam street.

CHARLES KENNEDY, J. L. D. BEVOISE, G. N. W. P. A. City Ticket and Pass. Agt.

The Pennsylvania Lines' First Class Excursions from Chicago to New York.

At all their Chicago offices, on Tuesday, July 6, on Wednesday, July 7, and on Thursday, July 8, agents of the Pennsylvania Short Lines will sell first class excursion tickets to New York and return at unusually low rates. Tickets will be good to return for 40 days, or until August 15. You can learn all about it by addressing LUCE, 248 Clark street, Chicago.

NERVY BURGLARS. Finding no Money, They Begin to Move the Furniture From a House.

Jack Gaughan is an old-time tough, who once served time for the robbery of a bank which he drove. Dan Thomson has made his face familiar to the police court habitues by getting caught at the crime of larceny many a time. Mike Kerus is a highway robber and will take anything loose. This trio last made an attempt to raise the wind in a manner entirely original.

HIS SKILL UNQUESTIONABLE

Thousands who have suffered, and have been cured, gratefully testify to the remarkable success attained by

Dr. J. E. McGREW

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CREATORS' SALE AT

Public Auction!

Of the Stock of

JOHN BAUMER,

THE JEWELER.

The Specialist At His Store, 1314 Farnam Street.

Will commence Thursday, June 30, at 10:30 a. m., and continue daily until the debts are paid.

Hours of Sale, 10:30 a. m., 2:30 and 7:30 p. m.

This Stock consists of Diamonds, Fine Watches, Jewelry, Solid Silver and Silver Plated Ware, Clocks, Table Cutlery, Opera Glasses, etc., to be sold in single lots to suit buyers. Sale absolute to highest bidder.

J. H. FRENCH Will Conduct the Sale.

MEN'S HATS

All the latest styles in Soft and Stiff Hats. STETSON'S SOFT and STIFF HATS.

AULABAUGH FUR CO.

HATTERS AND FURRIERS 218 South 15th Street. Furs Stored and Repaired.

THE SHORTEST LINE TO CHICAGO is via the Chicago, Milwaukee & St. Paul R'y, as represented on this map.

Electric Lighted, Steam Heated Vestibuled trains leave Omaha daily at 7:05 p. m., arriving at Chicago at 9:45 a. m. City Ticket Office: 1501 Farnam St., Omaha.

F. A. NASH, Gen'l Agent.

Tooth-Food.

This medicine for babies prevents and cures pains of teething and resulting diseases, not by putting children to sleep with an opiate, for it contains no harmful drugs, but by supplying the teeth-forming ingredients which are lacking in most mothers' milk and all artificial foods. It is sweet and babies like it. \$1.00 a bottle, at all druggists. Send for pamphlet, "Teething Made Easy."

THE REYNOLDS MFG. CO., CINCINNATI, O.

Save Your Eyesight

Eyes treated free by an EXPERT OPTICIAN. Perfect adjustment. Superior lenses. Nervous headaches cured by using our Spectacles and Eyeglasses. Prices low for first class goods.

THE ALOE & PENFOLD CO., 1148 15th St., Omaha, Neb.

NEBRASKA National Bank.

U. S. DEPOSITORY. CAPITAL \$100,000. SURPLUS \$35,000.

14th Year WYMAN INSTITUTE

UPPER ALTON, ILL. WESTERN MILITARY ACADEMY. A thorough school. Prepares for College or Business. Within 25 miles of St. Louis. Address COL WILLIS BROWN, Superintendent.

The LORING SCHOOL

Established 1870. English and French. U. S. Military Academy. Children. For further particulars address THE LORING SCHOOL, 310 East 4th Ave., Chicago.

DR. C. GEE WO.

Have you filed your Indian Depredation CLAIM YET? You'd better not waste any more time if you expect to get anything from the government. Unless you put your claim on record before March 3, 1894, you will never have another chance. It takes time to put an application in shape, and there is not a bit of spare time left. Whatever you have lost by the Indians, under the conditions described in the law, can be recovered if you go about it in the right way. The Baa Bureau of Claims knows just how to go to work. Write and find out.

ANCHOR LINE'S MAIL STEAMSHIPS

ROYAL MAIL STEAMSHIPS. MONTEAL and QUEBEC. TO DENVER and LIVERPOOL. CABIN \$45 to \$80. According to steamer and location of stateroom. Intermediate and sleeping at low rates. NO CATTLE CARRIED. SERVICE OF STATE ALLAN LINE STEAMSHIPS. NEW YORK and GLASGOW. LONDON and QUEBEC. JUNE 30, 1892. STATE OF NEBRASKA. J. H. MOORE, Secy. State.

ALLAN LINE

ROYAL MAIL STEAMSHIPS. MONTEAL and QUEBEC. TO DENVER and LIVERPOOL. CABIN \$45 to \$80. According to steamer and location of stateroom. Intermediate and sleeping at low rates. NO CATTLE CARRIED. SERVICE OF STATE ALLAN LINE STEAMSHIPS. NEW YORK and GLASGOW. LONDON and QUEBEC. JUNE 30, 1892. STATE OF NEBRASKA. J. H. MOORE, Secy. State.

WEAK LIMB'S Varicose Veins Swellings, all sizes. Abdominal Supporters, Deformity Braces, Medicinal Supplies.

THE ALOE & PENFOLD COMPANY.

1148 15th St., Next to Post Office.

Cream PURE RYE!

Is the purest, richest, smoothest and most wholesome whiskey produced in America. It is distilled from Rye a grain, containing more nutrition than any other, vastly superior to corn (from which Bourbon whiskeys are distilled.) You may know it by its exquisite flavor and the proprietary bottle in which it is served. For sale at all first-class drinking places and drug stores. Call for "Cream Pure Rye" and take no other.

6 DALLEMAND & CO., Chicago.

WENTWORTH MILITARY ACADEMY

Classical, Literary, Scientific Course of study. Faculty and Artillery drill and actual Cavalry, Infantry and Artillery. Established by Major R. S. WENTWORTH, U. S. Army, at Lexington, Mass.