#### THE OMAHA DAILY BEE: SUNDAY, NOVEMBER 3, 1895.

Were Out Three Hours Before Reaching a Verdict.

JURY FINDS HOLMES GUILTY

RESULT WAS A SURPRISE TO MANY

Attorneys Make Their Closing Picas and the Judge Delivers Ilis Charge-All the Participants Pretty Well Worn Out.

PHILADELPHIA, Nov. 2 .- Henry H. Holmes was convicted of murder in the first degree at \$:51 tonight for killing Benjamin F. Pitzel. He coughed slightly when he heard the words. That was the only sign. The Jury retired to deliberate at 5:40 o'clock this afternoon. According to one of their num-Holmes' every transaction in connection with the words. That was the only sign. The ber, they had reached the verdict before the doors of their room closed upon them. For hunger's sake they ato their supper first. Then they took a ballot and without hesi-

fiendish the criminal, it is hard to send a kept flitting from place to place in the vala man to the gallows in one minute's time. hope of meeting her husband, and all the S , for decency's sake, they talked about the case for a period of about an hour and a half. Then word was sent into court that they had agreed. This was at 8:15 o'clock. It took a half hour to get the court in readiness to receive the verdict. Holmes spoke to his counsel, Rotan and Shoemaker, in the cell room before he was taken back to Moyamon-

sing prison. To them he said: "I feel that this condemns me. It was an unjust trial."

He would say no more than that. Imme-diately after the verdict the usual applica-tion for leave to file a motion for a new trial was made. District Attorney Graham did not oppose the motion and Judge Arnold fixed the 18th of this month for a hearing. The principal reason urged will be lack of time for the preparation of the defense. Should a new trial be refused an appeal will be taken to the special court and arguments heard at its next sitting in this city in January, 1896. So if everything goes against him Holmes has yet some time to spend on the earth from which he is alleged to have sent so many fellow mortals.

The verdict was a surprise to many persons, who did not believe the crime had been fastened upon Holmes beyond a reasonable Toubt, When they heard it many said: "Well, it is on general principles, and it is just as good." That is not the meaning of just as good.' the law, but in this case everybody agrees that "it is just as good."

#### NO SYMPATHY FOR HOLMES.

NO SYMPATHY FOR HOLMES. There is no word of pity or sympathy for the conderned felon. He is regarded as a menace to society. Up in Gilmanton, N. H., there are two old people, his father and mother, and he has also two brothers and two sisters. Not one of his kin was heard from during the trial. When the jury went out an indefinite recess was taken. Judge Arnold said he would remain in the building if necessary and if no verdict had been if necessary, and if no verdict had been reached by that time he would come to court at 10 o'clock tomorrow morning. Nobody believed there would be occasion for this There were many wagers that the verdict would be in tonight-and more as to its

At 8:40 there was a bustle of moving people in the packed court room and it became known that the jury was coming in. A me-ment later Judge Arnold took his seat. District Attorney Graham and his associates entered and the jury filed solemnly in and took their seats in the box. Then Holmes was brought in and placed in the box. For a moment there was not a sound. The silence was painful and every heart in that crowded room throbbed. The man who was about to hear his doom pronounced stood erect in the dock, the same deathlike pallor which could grow no deeper, on his face. He stared at the jury blankly, his hands clasped behind his back. Once or twice he molstened his lips with his tongue. There was no other sign of agitation. Then from the deep voiced court clerk came the awful words:

'Jurors, look upon the prisoner; prisoner, look upon the jurors. How say you, gentle-men of the jury, do you find the prisoner at the bar, Herman W. Mudgett, alias H. H. Holmes, guilty of the murder of Benjamin F Pitzel, or not guilty?" The condemning syllable came from the foreman, "Guilty of murder in the first de

that there must be no doubt lurking in your minds so that you, as conscientious jurors, shall find but one verdict a verdict of murder in the first degree. The commonwealth is bound to prove its case from the initial step down to the last syllable of evidence. The humonwealth has done so. One by one we have established each link, making the chain simplete and perfect."

The district attorney reviewed the evidence in detail. Beginning with the question of the identity of the corpse found in the Cal-low Hill strict house, he went over the testimony of each witness, who positively said that it was the body of Pitzel. Then he proceeded to the explosion theory, and the condition of the body, which he con-tended the medical testimony had proved could act have been produced except by chloroform. Thus, he said, the jury reached the first step in the case—that the man died of chloroform poisoning. The next was that this chloroform was not self-adminisiony of each witness, who positively

that this chloroform was not self-adminis-tered, and this, too, was proven beyond a shadow of a doubt by the expert testimony. MOTIVE FOR THE MURDER.

Plizel's murder, tracing his movements from place to place, and drawing out every little circumstance that weighed against the prisoner with infinite clearness and force. When he came to the testimony of Mrs.

tation every man of the twelve answered "Guilty of murder in the first degree." But, however atrocious the crime, however while he was carrying with him three sep-arate dstachments, Mrs. Pitzel, Miss Yoke and the children, all within four blocks of each other, almost traveling together under Holmes' leading strings, and yet each party ignorant of the presence of the other two. "What marvelous ingenuity, what craft, what cunning," cried the district attorney "Why did he resort to all this duplicity Why did he adopt so many subterfuges and why did he tell these many storles? because he had murdered Benjamin F. Pit

> Mr. Graham declared that there was one word of evidence to show that Pitzel had committed or even contemplated suicide. By he statements of Holmes himself, made more than once, the speaker declared that his presence in that house on the day of the murder had been fixed. From 10 o'clock in the morning of that Sunday to 4 o'clock he was in the Callow Hill street house. This was fixed by his own statements and his eading her to say that he was not flushed

or excited when he came home on that after

SUMMING UP THE CASE. In conclusion Mr. Graham said he desired the jury to consider only the evidence con nected with the murder of Pitzel in the Cal

low Hill street house and nothing else. He paid a glowing tribute to Detective Geyer for day, today closes one of the hardest fought its work in unfolding the story.

"This strange trial is drawing rapidly to a close. The question is, has the common-wealth made out its case? I have tried to people's parties. The fact that the constituweath made out its case? I have tried to convince you that it has. I appeal to your manhood to do what is right. As the crier asks you, so do I say, "Stand together, good men and true." I know the courage re-quired for your duty. I ask you to stand as one man, and if you believe this man is guilty, aye, though it involved death, be true to your conscience and find a true and a inst to your conscience and find a true and a just made on both sides. A considerable element verdict. I ask you to do your duty as men in both parties appear to be opposed to stateverdict. I ask you to do your duty as men even though it be repellant; to face the duty, to face the issue, and to acquit yourselves like men. If you have a doubt, this man is entitled to the benefit of it, but not such a gate to defeat the constitution. Charges have been made that the influence

conclusion-that this man is guilty in the manner and form as he stands indicted." Mr. Graham's address, which was confined

the most part to a review of the details the evidence, lasted two hours and a half Holmes appeared to shrink from the district their party at its weakest point, being handi altorney's accusing finger, and nervously shifted in his seat as the thunderous tone of capped by a year of panic under a democratic administration. The populist vote may be an important factor in the result. H. W. the prosecuting officer rang out through the court room. At the conclusion of his address a recess was taken until 2:30. When court reconvened there was not an inch in the court room or the gallery above

that was not taken, and the doors were

locked to prevent the entrance of more. One of the peculiar features of the trial has been Some of the Roads Object to Cutting the number of society men present to witness Their Territory in Two.

the proceedings and today there were more being made for a meeting of transmis lines to be held here Wednesday next. The

proved by circumstantial evidence. I do not think I exaggerate when I say half of them are decided on such evidence. All evidence is more or less circumstantial. The MUST

evidence is more or less circumstantial. The difference is only in the degree of it. After citing illustrations of this the judge con-tinued: "In the case of killing by polson, ex-perience shows that nearly all such cases are proved by circumstantial evidence. "Three questions must be determined by you in this case: First, is Pizzel dead; second, did he die a violent death; third. If he did, did the prisoner kill him, or did he commit suicide?" The judge reviewed the evidence at

commit suicide; The judge reviewed the evidence at length, and continued; "Now, was it a suicide or a murder. It is argued by counsel suicide or a murder. It is argued by counsel for the prisoner that it was suicide. If it was so, the natural impulse would have been to notify the police upon discovering the body. But he says he did not do so because he wanted to make it appear an explosion, so as to defraud the insurance company. The next step was told by Miss Yoke. The prisoner cross-examined her himself." Here the judge quoted from her testimoney concerning Holmes' return to the Eleventh street house on Sunday afternoon of the murder. GIVEN TO THE JURY.

GIVEN TO THE JURY.

Pitzel first degree. If persuaded by the argument of counsel that it was suicide and not murder,

then you must acquit him. after hearing this testimony, you are unable to make up your mind that he is guilty, if you feel a hesitancy, a doubt, you must give him the benefit of the doubt and acquit him. If not, you must find him guilty

of murder of the first degree. "If you have any impression in your mind in this court about cases other than the one on trial, the murder of Benjamin F. Pitzel, pray dismiss thim from your mind and con-sider the case with the utmost care. You may now retire and consider your verdict." Thus at 5:40 o'clock Holmes' fate passed into the hands of the jury. The twelve men were immediately taken to their deliberating room, under the escort of a corps of court officers, and the best efforts of the bailiffs

could not quell the buzz of excitement which arose in the room. Interest was at a fever heat, and in spite of the late hour not a seat was to be had within the four walls, nor was one relinquished even during the recess which followed. Holmes was taken back to the cell room, and although a smile was on his lips, it was clear that he was extremely nervous. was fixed by his own statements and his Judge Arnold told the jury he would remain questions to Miss Yoke on the witness stand in the building in case they cared to communicate wi't him.

#### UTAH POLITICS BADLY MIXED.

Many Influences at Work Which Are Difficult to Estimate. SALT LAKE, Nov. 2 .- With the exception

of a little political work to be done on Monfor my house in which he lived.

campaigns that this territory has witnessed since the disbanding of the old liberal and nood, but probably not enough in the aggre-

ulty.

ley entry

entitled to the benefit of it, but not such a doubt as arises from the performance of an unpleasant duty. I ask you to remember this testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is testimony; I ask you to remember that it is that the other hand, allenate a class of yoters accustomed to fighting church influence it former days. Republican confidence is supported by a majority of about 2,000 votes at the last election, while the democrats claim that the last record marks the condition of

> Lawrence, the populist candidate for gov-ernor, is a man favorably known throughout the territory. TRANSMISSOURI LINES WANT IN

CHICAGO, Nov. 2.-Arrangements are

tion. A number of them would prefer to have

and Burlington, which have lines on both

sides of the Missouri river, who see no reason why their business should be cut in two in

the middle. They want one association to govern all the territory up to Colorado

ommon points, and do not want to be charged with the expense of supporting two associations, when one would be more satis-

factory to them. It is proposed to satisfy the

listinctly transmissouri lines by allowing

them to have a local committee to pass upon

involved, and let the general association gov-

Fremont News of a Day.

FREMONT, Nov. 2 .- (Special.)-The de

bate between Bryan and Mahoney, which was

INVOKE \_CIVIL LAW

Condition of Church Property in Bonacum's Diocese Renders it Necessary. LET CONTRACTS FOR GUNBOATS.

PARISHIONERS PETITION THE ABLEGATE

Ceremony of Investing Satolli with the Baretta Will Be the Most Impressive Ever Conducted by the Church on This Continent.

WASHINGTON, D. C., Nov. 2 .- (Special Telegram.)-Mgr. Satolli, through the private secretary of the delegation in this city, Father Rooker, stated to your correspondent that the difficulties in Bishop Bonacum's diocese were only known to his eminence-to-be through newspaper reports. In

an official way, however, he has been in-"If, upon all the evidence, you are convinced Pitzel was killed by Holmes by means of chloroform, it is a case of murder in the had cited Fathers Murphy and Fitzgerald of the parishes of Auburn and Tecumseh to appear, but they had failed to be represented

either by themselves or through counsel. The investigating commission, therefore, in the failure of these priests to make a defense formally, decided that the priests should be dismissed from these cures, which finding of anything read in the newspapers or spoken had been sent to the monsignor. Subsequently, a petition was received from 100 or so parishioners of Father Murphy's parish, asking that the priest be retained in his office until such time as the whole evidence might be submitted to the delegate of his

holiness, Leo XIII. "The petition was courteous and mild in its expression," said Father Rooker, speaking for the representative of the pope, who, in the early part of next month, will receive the beretta of a cardinal, the third since Catholicism had a representative on these shores, McClosky being the first, Gibbons the second, and now Satolli

"I regret to say," said Private Secretary poker, "that Bishop Bonacum's diocese is Rooker. considerably torn up, and the head of the church there seems very much between the horns of a dilemma. When the bishop holds church property in his own name, as he undoubtedly does in Nebraska under your

civil laws, and a priest refuses to obey the suggestions of those over him in authority and resists the spiritual power, the only thing he can do, so far as I can see, is to invoke the civil law and dislodge him, just is I would do if a tenant failed to pay rent

INSTRUCTION TO BONACUM.

"Mgr. Satolli, when his attention was called to these differences between priests and bishop, informed Bishop Bonacum that he bishop, informed Bishop Bonacum that he would have to proceed against these recalclirants under the laws of the Council of Baltimore, and subject them to a trial for alleged disobediences of church law. This was done on the convening of the investiga-ting commission, and the formal sentence of expuision from the parishes they now repre-sent. Beyond this we know nothing, the bishop in his authority as the head of the diccese having the right to invoke the civil power to put out an obstreperous priest, if he

so wills. In a spiritual way, however, rests excommunication. Bishop Bonacum has not informed the monsignor of his intention, and father came this evening with loving messages and I rest in the assurance that light will come. are now stationed in Corea to insure tranquiltherefore he is not in a position to give an opinion on the merits of the Nebraska diffility as well as to protect our legation, sulates and subjects, and also to maintain th not affect me at all. As a matter of fact, there has been nothing in all this case indispensable lines of communication with our army, which is still in occupation of the Liao Father Rooker, who spent twelve years in will be nothing. I do not wish to be under-stood as saying that I am insensible to feeling, but I know my whole life, and just Rome at the American college, having had his collegiate training at Union college, Tung peninsula; the troops intended for the latter purpose are much larger in number. The necessity of keeping such troops will. Poughksepsie, is authority for the statement however, cease at the same time with the evacuation of the Liao Tung peninsula, and so much of the troops will then be withdrawn Attorney John M. Dickingon said today that Mgr. Satolli will be followed in this country by a foreign priest to represent his holiness in the adjudication of church quesmuch of the troops will then be withdrawn from Corea. The Japanese government hopes that the Corean movement, having already that Durrant's counsel would ask for a new trial, and that if Superior Judge Murphy tions on the American continent. That it even protect foreigners, though our troops are withdrawn. The Japanese government, hav-ing no other designs, is not desirous to pro-long the maintenance of our troops in Corea; furthermore, we should be extremely gratined if we were relieved to would be beyond precedent to make an Amer-ican prist with his prejudices an arbitrator of questions upon which he had formed an impression before his elevation to this most exalted position. It is expected that the elevation of Mgr. Satolli to the cardinalate will be attended by the most brilliant ceremony

The district attorney is ready to proceed in the Minnie Williams case, but it that the defense will ask for a cont is said other powers in the same lne of action." for two months. It is expected that the de-ENGLAND SUGGESTS JOINT ACTION. fense will ask for a change of venue, as it is thought that if by any remote chance the prosecution fails to secure a conviction the result will be to cast a doubt over the justice of the verdict in the Lamont case. It has been intimated that the defense may WASHINGTON, Nov. 2 .- Si Julian Paunce. ference with Secretary Olney today, lasting half an hour or more. His purpose was to diseases argue that the murderer has an

of vague terms in bills of lading and mani-fests of vessels clearing at foreign ports, for the island of Cuba. The 1st of December next is fixed as the date after which fines, ranging from \$10 to \$100, will be imposed on all masters of vessels who present the manifests of their cargoes expressed in vague instead of specific terms.

STILL STOUTLY MAINTAINS HIS INNOCENCE TRAVELS OF YOUR

Attorneys for the Convicted Man Give Notice that Unless a New Trial is Granted They Will Appeals the Case.

arms were around my neck. Everything

else was cruel, so sudden, so harsh.' I felt

safe, in her arms, I could stand any in-

justice, any wrong but for my mother and

my heart and conscience were not as pure

had been branded a murderer. I told every-

"Yes, some, I saw Mrs, Noble and Maud

after the verdict was rendered?"

sister."

YOUR BODY IN TWO CON-TINUOUS STREAMS.

Through Your Kidneys-What is the Kidneys' Part and How They Perform It-What These Two Streams Have to Do With Health and

Blood is made by your digestive organs. Your heart pumps it all over your

ndy "What did you want to do or say just It contains food, heat and nourishment, which it gives out as it goes "I wanted to get up and shout my innollong.

cence of that crime. I wanted to get up This is the first stream.

It is rich, red, bright, and rung and call God to smite me where I stood if brough blood vessels called "arteries." When it has given out all its food as those who were howling with joy that I and life it takes up in return all the waste matter it can collect and starts thing honestly and fearlessly when I was back to where it came from.

This is the second stream.

It is dark colored, unhealthy, poison-It runs through blood vessels called "veins."

It takes the shortest cut to your kideys, for your kidneys are waiting to filter it.

When it reaches them they filter out all poisonous matter and expel the polsons from the body.

Then the blood goes on to the liver and lungs, to get fresh food and heat, after which it begins its journey all over again.

and their friends clapping and cheering. It BUT:

manner.

feel

seems to me, with her heart so full of pity for her sister, Mrs. Noble might have thought of my mother. She had all she When the kidneys DON'T filter the blood it passes on just the same, and then, instead of leaving food and life wanted in full measure, and I think the ordinary pity that one might feel for wherever it passes, it leaves behind it for poison and disease. another's misfortune would have prevented

THIS is what makes us sick: Impure blood.

THIS is what makes impure blood: Sick kidneys. So long as the kidneys are well they

will filter the blood. When they are sick, they can't, and

that is the long and short of it. So that when your kidneys are sick or when you have rheumatism, gout, anacinia, chlorosis, neuralgia, nervousness, loss of ambition, tiredness, depression, sleeplessness, backache, etc., ful, believe me, that the way will clear. I My you may easily get well by curing your kidneys.

For all those symptoms are symptoms of blood diseases. All of them are caused by the kidneys not properly "This verdict," Durrant continued, "does filtering your blood. All of them can CREW be cured by taking Dr. Hobb's Sparawhich has moved me in any way, and there gus Kidney Pills,

If you have eaten asparagus, and of course you have, you must know the action of it on your kidneys.

Dr. Hobb's Sparagus Kidney Pills are made principally from asparagus, but the active principle of the root has been obtained by a special process, which makes one dose of the pills equal to ten or more dishes of the vegeable.

Dr. Hobb's Kidney Pills cure all kidney diseases and all injuries to the kidneys.

They also cure all blood diseases, and this when "blood purifiers" have no ef-

Secretary Herbert Announces the Awards for Six Ships. WASHINGTON, Nov. 2 .- Secretary Her

bert has rendered his decision as to the award of contracts for the six new gunboats authorized to be built by the last congress Two of the boats, the twin-screw steamers, go to the Union Iron works of San Francisco two of the single screw boats go to the Bath Iron works of Maine; one boat to Lewis Nixon of the Crescent Shipbuilding company

of Elizabeth, N. J., and one to John Dia-logue & Son of Camden, N. J. It was thought the awards could have been made before this time, as General Hyde, president of the Bath Iron works, had consented to modify his hid meet the department's requirements, at the last moment the Detroit Dry Dock tle mother screamed when the verdict was

company, the lowest bidder, appealed to the president from Secretary Herbert's action in rejecting their bid, and not illi this morning arms were around my neck. Everything did the president make his decision, sustaining the secretary in his view, that treatystipulations prohibit the building of naval vessels on the great lakes.

The endorsement of the president and of Secretary Herbert upon the papers in the case is of interest from the breadth of the view taken by each. Judge Advocate General Lemly had rendered an opinion recomme the ground that they were in violation of the spirit and the letter of the treaty. Moreover he held that the vessels could not, even as originally ground

proposed, be constructed on a lake port and then assembled on the Atlantic or Pacific Pacific bast. Secretary Herbert endorsed this rert. When the company appealed the case the president he endorsed the papers as

on the stand. I even told the things that appeared against me. Do you suppose if I were actually guilty that I would volunteer follows: "After thoroughly considering the matter herein referred to, an appeal from the secretary of the navy, I am constrained to and I told everything I could recollect. and I told everything I could recollect When I was first arrested I gave my state approve his action in rejecting the bid of the Detroit Dry Dock company for the conment, and all I have said since has been true. I would have got up today, but my mother and several of my friends and the struction of gunboats at Detroit on the great lakes. The agreement between the United States and Great Britain contains chief jailer closed in around me and held me down. Even so, I do not know now why I a stipulation that no such vessels can be 'built' on the great lakes. This agreement is to explicit to be explained away. While did not scream my protest above it all." "Did you notice any of the people about you?

the passage of the exigency in which it originated and the change of circumstances that have since occurred may furnish reasons for its annulment in the manner provided in the contract, they do not justify such a plain divregard of it as the carrying out of the bid of the Detroit Dry Dock com-

pany would involve. "GROVER CLEVELAND." TROOPS WILL SOON LEAVE COREA

her from gloating in so cruel a Yes, I heard the judge-who can both judge Japanese Have No Intention of Perand prosecute-thank the jury for doing its duty. I think of it all now, but yet I have manently Occupying the Country. WASHINGTON, Nov. 2 .- A precise definiwithin me the consciousness of my inn cence and I shall not break down. I fe ion of the designs of Japan respecting Corea has been obtained at last by all of the powers the way must be clear and I will be vindicated at last. concerned, for it is assumed that the following When asked if he contemplated suicide, cablegram, which was handed to Secretary Durant said: "Never would I think of such Olney Thursday by Mr. Kurino, the Japanese a thing. I feel that a man is a coward who minister, has been also sent to all of the would commit suicide. You can rest as-sured that I will never do that. I am hope-Japanese legations in Europe: "In regard to

our attiude in Corea, you are authorized to have kind letters from my friends, declare to the following effect to the government of the United States: Japanese troops

ever seen in America, preparations for the conferring of the beretta already being well under way. It has been ten years since cardinal Gibbons received the purple, and the ceremony of next month will far exceed his

SAN FRANCISCO, Nov. 2 .- Theodore Dur rant, convicted of murder, is the same self possessed, quict, iron-nerved man that he has been while on trial for his life. He still maintains his innocence and after being taken back to jail from the court room said to a reporter: "They say that my dear lit

BLOOD. YOUR BLOOD TRAVELS THROUGH

3

It Starts from Your Heart and Passed

Sickness.

gree. "Hem." uttered Holmes, clearing his throat but his shrunken form never trembled; his lips betrayed no quiver. His marvelous nerve had not forsaken him. There was only a lighter clasp of his hands folded behind him. Then he slowly sat down, and at the reques of counsel the jury was polled. That is, each of the twelve men separately listened to the clerk's query and responded with the verdict. As each name was called Holmes wrote it on the margin of a newspaper in his hand and the fingers holding the pencil never shook VERDICT FORMALLY RECORDED.

The verdict was formally recorded by th court, the motion for a new trial made, and after Judge Arnold had spoken a word of regret to the counsel for the defense because of Monday's occurrence, when they withdrew and thanks for their arduous but fruitles labors, Holmes was taken to his cell room. The jury was thanked for their attention and labors and sent home. The court adjourned and the most extraordinary case in the annals of American courts was ended.

The last day was uneventful except for the last tragic scene. District Attorney Graham opened the session with his address to the jury. He was followed by Mr. Rotan, who, in his speech, presented the only plea of the defense-that Pitzel had committed suicide. wealth had not made out a case beyond reasonable doubt

Judge Arnold charged the jury for more than an hour. The district attorney said that his instructions were fair. The tendency, if there was any bias, was toward the commonwealth, but the charge consisted mainly in review of the evidence and exposition of the law of murder. When the trial begun last Monday everybody, including the common wealth's officers, anticipated that it would lengthen into many weeks. It lasted six days This was the result of the court's decision that no evidence touching upon Hoimes' other crimes should be introduced into this particular case, and the conduct of the defense in presenting no defense other than argument. The swift developments, treading upon each other's heels, and every one outdoing its fore-runner for sensationalism, are of public knowledge.

the jury filed into court a mome after 10 o'clock this morning they looked tired and unkempt, and there was a thin growth of beard on every cheek. There was a uniform expression in their twenty-four eyes—an expression telling of resignation to present misfortune and hope for the near future.

#### AN ATTORNEY IS ILL.

At 10:15 o'clock Mr. Rotan, junior counse for the defense, came into court and asked Judge Arnold for a few minutes' indulgence, saying that he had just received word from a neighboring drug store that his colleague. Mr. Shoemaker, was sick there and he desired to join him. Mr. Rotan himself showed the strain under which he has labored. Dark encircled his eyes and his face was He returned a half hour later and said he had found Mr. Shoemaker under the care of a physician, suffering from complete nervous prostration. He called this to the of the court in view of a point of attention law regarding the commonwealth's right to make the closing address to the jury when the defense presented no evidence. Mr. Gra-made such a choice, he demanded, unless he ham, however, ended the question by offering to waive his right to the last speech and there will be but one address on each side, william B. Mann, the venerable prothonotary, whose eloquence when district attorney years here. In conclusion, he begged the jury to ago sent many a felon to the gallows, came carefully weigh the facts and then give the into court to listen to Mr. Graham's address. This was begun at 10:55 o'clock. He opened by referring to the relief with which the jury

ust contemplate the end of the trial. "I am going to ask you," he continued, "to give me your best attention and your best thought while I reason with you about the evidence and then my young friend will do

The afternoon session was begun at a quarer of 3 o'clock, when Mr. Rotan, after a moment's conversation with Holmes, began object is to get the transmissouri lines to join the argument for the defense. He was very the reorganized Western Passenger associapale, but self-possessed, and received admirathe fought, practically singlehanded, against the mighty force of the commonwealth's evidence and the skill and experience of the district attempt of the skill and experience of the other roads, like the Santa Fe, Rock Island listrict attorney. His colleague, Mr. Shoemaker, who throughout has taken the in-ferior part in the conduct of the case, was absent today on account of Illness and Mr. absent today on account of liness and Mr. Rotan was entirely alone. There was a pa-thetic note in the way he began. "Gentlemen of the jury, there is probably no one in this court room who can fully

than ever.

tory

while he was drunk.

Sunday night.

this city

Concerning the hurried departure

tolmes and his alleged wife from the Elev-

appreciate the responsibility that rests upon appreciate the responsibility that rests upon my shoulders. Yet each of you has a much greater responsibility." He immediately en-tered upon a discussion of the evidence and said that the defense plainly admitted that the bedre found in the Collem HUL beau all questions where local interests alone are the body found in the Callow Hill house was that of Pitzel, and that he and Holmes had been conspiring to defraud insurance ern through business. companies, and at the time of this occur-rence had a scheme on hand.

ADMITTED HOLMES' WANDERINGS.

to come off here this evening, was declared They also admitted, Mr. Rotan said, the off on account of the inability of Bryan to be of Holmes' wanderings around the present. Mahoney spoke at the district court country with Mrs. Pitzel. They had offered no defense because of the confidence that the commonwealth had not made out its oom. The two Cobb brothers, who were arrested here on a charge of embezzlement, filed in case and when the jury looked over the case, they would find the facts more consistent Genoa, have been discharged, and it is under tood that the case against them has been with the theory of suicide than murder When Holmes went to the house on Sunday, September 2, he found the body on the third dismissed. The regular meeting of the Woman's club floor. The attorney then repeated the de-tails of the arrangement of the body, as vas held at Pythian hall this afternoon. The

subject of the meeting was "German Litera-ture and Art." Interesting papers were read already told, but, he asked, had anything been produced to show at what time the man had been killed or committed suicide? Is y Mrs. F. M. Sisson, Mrs. D. B. Carey and others. there anything in this case to show that the prisoner secured the policy on Pitzel's life. Fremont lodge No. 89, Degree of Hono

gave a social at Pythian hall last evening. The hall was well filled with members of If there had been, the commonwealth would have produced it. Continuing, Mr. Rotan called attention to the fact that when Pitthe order and their friends. An excellen program was rendered, after which refreshzel left his wife in St. Louis to come to Philadelphia, he told her not to be worried ments were served, and those present en-joyed themselves by dancing. A civil service examination will be held at if she heard he was dead, because he was

in a scheme to defraud the insurance com-pany. Coming down to the time of the the city hall December 7 for the examination of applicants for the position of clerk and killing, the speaker denied that there was anything to show indications in the man's carrier in the Fremont postoffice. Quite a number of candidates will take the examina stomach to bear out the commonwealth's assertion that Holmes had chloroformed him

The weather today is warm and pleasan and the farmers are taking advantage of it by getting out their beets. Beets have matured rapidly within the past few days, and it is thought that most of those in this enth street house on the night of the mur-der, Holmes having come home flushed and warm, and ordered her to pack up her vicinity will come up to the required test.

trunk, Mr. Rotan urged that Miss Yoke's testimony showed beyond question that they **Populist Meeting at Lexington** LEXINGTON, Neb., Nov. 2 .- (Special Tele

had the night before resolved to leave town gram.)-The only populist rally of the cam-The commonwealth relied on the medical paign occurred today. There was a big testimony that the body could not have been crowd. Governor Holcomb spoke for over found in the reposeful position in which it two hours and made one of the best speeches crowd. Governor Holcomb spoke for over of his life. Hon. W. L. Green, candidate for judge of the Twelfth district, spoke in was had Pitzel committed suicide by inhalin chloroform. The defense admitted the truth of this, but asserted that it was placed in his characteristic way. George C. Gillan county attorney, presided. The Cat Creek Gise such a position by Holmes after Pitzel had committed suicide, leaving a night for him to The utilize the corpse to consummate the insur-ance swindle. Mr. Rotan reminded the jury of the fact that when arrested in Boston for crowd was too large for the opera house and the speaking was held in the open sir The governor's private secretary, Maret, and conspiracy Holmes asked to be brought to this city to stand trial rather than go to his wife and Oll Inspector Edmiston were The governor and Mr. Green spoke here. tonight in the opera house.

<sup>code</sup> of Pennsylvania. He instructed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to the question whether the prisoner had committed the jury to direct their thoughts to acquit him.
<sup>code</sup> of Pennsylvania. He instructed the jury to direct their thoughts to the question whether the prisoner had committed the second there to the first degree. If the content is a williful deliberate murder, then he was a dident at Unalaska. He fell from the testimony is what is called circumstantial. Many of the most important cases are

elevation in pomp and brilliancy. The comptroller of the currency today sent out checks for a dividend of 15 per cent to the creditors of the defunct Buffalo County

POSTMASTERS APPOINTED.

notice of contest on defendant, which is re

Tonight the democrats of Maryland are only

claiming 6,000 to 7,000 plurality for the Gor-man ticket next Tuesday. The republicans say they will elect their ticket by 15,000. Last year the republicans carried the state

Ex-Senator A. S. Paddock of Nebraska is n town for a few days, as is also Morris

NEWS FOR THE ARMY.

Changes in the Regular Service as

Recently Announced.

gram.)-For the information of all concerned

the following decision has been made relative

to permission to hunt and restriction as to

be granted by department and post com-

dinary leaves of absence."

by congressional districts by over 3,000.

Palmer of Omaha.

Protection of Missionaries in Turkey National bank of Kearney, Neb. This is the second or third dividend thus sent out. a Growing Question

fote, the British ambassador, had a long con-Fourth class postmasters were appointed today as follows: Nebraska-Stockham, Hamllton county, J. W. Gray, vice C. A. Coats, removed. Iowa-Volga, Clayton county, propose in behalf of the British government August Adam, vice Thomas Barton, removed South Dakota-Florence, Hand county, J. E joint action to a limited extent in Turkey, to insure the safety of the citizens of Great Andrews, jr., vice James Ruston, resigned. Secretary Smith today affirmed the de-Britain and Americans resident in that country. It is believed that Secretary Olney has cision of the commissioner of the general

land office in the case of Arthur Pitkin against the helrs of Hiram Hurtley, from the O'Neill, Neb., land district. The Hurtnot rendered an answer to the proposal. So far as can be learned, there was no direct agreement that would in any sens involve foreible or even the presentation of a joint note, but in view of the concern felt both in the United States and in Engis held for cancellation for the reason that title for the land, which is in a school section, passed to the state before the date of his entry. As Pitkin can gain no land as to the threatening attitude of the Turkish populance toward the missionaries. advantage, his contest is dismissed. The secretary also rendered decisions in harmonious action of the two powers responsi the following cases from South Dakota: Frank Frausen against David W. Baker, Watertown district; commissioner's decision ble for the English speaking resident donaries was felt to be desirable. So far industry. during the religious troubles in Turkey this affirmed. Proof of abandonment of claim by has been already the case, and in the absence of a representative of either the United States defendant is sufficient and his entry is held or Great Britain at a focus of trouble for cancellation, E. A. Harthouse against Thomas Conley, Watertown district; decision Turkey the consul of either on the spot has affirmed; Harthouse contest dismissed and been prompt to extend protection to citizens of the other. The fact that this understanding is tacit, rather than amount-Conley's timber culture entry is held intact. Purcell against Gilbert, Huron district; de ing to a formal acknowledgement, is em cipion affirmed. Purcell's contest dismissed and defendant's entry held intact. John phasized by a denial from the British em bassy here that the ambassa lor has proposed Jahnle against Frank Arnswald, Aberdeen district; application for certiorari denied, for reason that the contestant had not served joint action by Great Britain and a formal

the United States.

No Intimation of Satolli's Successor. WASHINGTON, Nov. 2 .- It is stated authoritatively that Mgr. Satolli has received no intimation as to the name of his successor. A report has been current that Mgr. Lorinzelli, internuncio at The Hague, would be the next American delegate, but Dr. Rooker secretary to the delegate, says that it can b stated with absolute positiveness that no information or intimation has come to Mgr.

Satolli concerning Mgr. Lorinzelli, The report as to Mgr. Lorinzelli is believed to originate in the close personal friendship which has long subsisted between him and WASHINGTON, Nov. 2 .- (Special Tele-

Mgr. Satolli.

Order for the Sale of Heavy Property SIOUX CITY, Nov. 2 .- (Special Telegram.)

-An order for the sale of the property of periods of absence by command of the major the Sioux City Terminal Railway and Waregeneral commanding: "Permission to hunt, house company here was filed in federal court under paragraph 58 of the regulations may today to satisfy the claims of first mortgage bondhoiders against the corporation. The total indebtedness of the company is over manders for periods not exceeding those for which they are authorized to grant or-\$2,000,000, but of this only about one-half is preferred.

This decision was approved by the secretary of war October 21, and is made at this time The substructure of the new Pacific Short Line bridge across the Missouri at this point was completed today, over a month ahead of on account of the large number of inquiries from department and post commanders as to contract time. One draw span and the apwhat they should do in cases of applications alone remain to be finished before for short leaves for purposes of going into certain sections of the western country now the bridge is opened.

#### WEATHER FORECAST.

being hunted over by Indians. First Lieutenant Harry C. Benson, Fourth cavalry, Department of California, is granted Fair with Southerly Winds an Cooler by Evening in Nebraska. an extension of one month's leave. Captain John M. Banister, assistant sur-WASHINGTON, Nov. 2 .- The forecast for geon, is ordered to proceed from Fort Leaven-worth, Kan., to New York City and Balti-Sunday is:

Nebraska and Kansas-Fair; south For more under special instructions from the surerly winds, shifting to westerly; cooler Sun-

day night. For Missourl–Generally fair; southerly

winds. For South Dakota-Partly cloudy; showers in the northeastern portion; cooler Sunday evening; variable winds. For Iowa-Fair; southerly winds.

#### Local Record.

OFFICE OF THE WEATHER BUREAU OMAHA, Nov. 2.-Omaha record of tem perature and rainfall compared with the corresponding day of the past four years: 1885, 1894, 1893, 1893 

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abnormal brain. Small Blaze at Ord.

ORD, Neb., Nov. 2 .- (Special.)-Monday norning fire destroyed the home of W. W. Haskell, editor of the Quiz. Some furniture and clothing upstairs were also burned. Loss

covered by insurance. On invitation of the Young Men's Repub-lican club of this city, A. E. Cady of St. Paul delivered a strong address on the is-sues of the day. His address was principally on the subject of protection, which he showed by a number of homely and powerful il-lustrations to be the bulkered of a covered by insurance

ustrations to be the bulwark of American

Bishop A. R. Graves of Kearney will hole Episcopal service next Sunday. Three inches of snow fell here Wednes-day, which will be of great benefit in fall wheat and rye, as it has soaked into the ground with the mild weather of the last two days. Mrs. Warren Collins slipped on an icy walk while in town Thursday and broke her arm. Some twenty to thirty carloads of potatoes

have been shipped from this valley this have been shipped from this valley this fall. This is the first year that farmers have gone into potato raising on a scale larger than a garden patch. While potatoes have been a drug on the market, farmers have had no difficulty in getting 18 cents

and 20 cents by the carload. The experi-ment has been a success, and a greatly in-creased acreage will be put in next year. PERSONAL PARAGRAPHS.

Miss McNamara is visiting friends in Chi-C. F. Coffee, ranchman, of Harrison is at

the Dellone. L. H. Beason, Portland, Ore., is registered at the Mercer. Mr. and Mrs. F. C. Wood and child of Ash

land are guests at the Mercer. Dan Miller, superintendent of schools at

Fremont, was in the city yesterday. Mr. and Mrs. De Forest Davis of Colum-bus, O., are guests at the Merchants.

Commercial men registered at the Barker are: Mr. C. E. Prince, St. Paul, Minn.; Mr Babe Tucker, Grand Island; Mr. F. R. Gra-ham, Washington, D. C.; Mr. W. V. Hedden, Chicago; Mr. R. S. McCoy, Battle Creek, Mich.; Mr. Ed Getten, Blair, Neb.; Mr. G. C. Burnell, New York; Mr. E. T. Moorby, Council Bluffs; Mr. J. W. Landes, Des Moines. At the Murray: L. C. Tuttle, Baltimore Md.; J. S. Ellott, Chicago; P. J. Egan, E. H Brown, John Phillips, Max Kuhn, E. T. Mid dleton, Miss Alla Redmond, New York: R Mansfield, Adam Leib, M. K. Shenwood an wife, Chicago; J. Sample, Jr., Rochester, N Y.; J. A. Maynard, St. Louis, Mo.; H. P Muller, New York; T. Maupin, Fort Pierre S. D.; William Sarow, Gothenburg, Neb. Frank E. Miller, New York; A. Z. De Boist New York; R. V. Simms, Chicsgo; J. N

Ballar, Ottumwa, Ja. Nebraskans at the Hotels.

At the Arcade-A. D. McNeer, Blue Hill, At the Paxton-Fred J. Bartley, Heyward J. Leavitt, Grand Island.

Impeaching a State's Witness. SPRINGFIELD, Mo., Nov. 2 .- Attorney



MURRAY HOTEL.

Pronounced, by all who have patronized it, the best in Cuisine, Equipment and Service, Modern in every respect.

Rates \$2.50 to \$4.00. Special rates by week or month.

B. SILLOWAY, Pres. & Mgr., 14th and Harney Sts., Omaha.

They renew the kidneys, and the kidleys give you pure, clean blood. You feel the effect at once in a sensation of new life and strength, fresh

energy, cleared complexion and freedom from pains and aches. Dr. Hobb's Sparagus Kidney Pills are for sale by all druggists, or will be sent by mail prepaid on receipt of price,

50 cents per box. Write for valuable pamphlet, "A Fil-ter for Your Blood," free on applica-

tion to Hobb's Medicine Co., Chicago or San Francisco.

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HOBB SPARAGUS PILLS will be sold in Omaha by the Sherman & McConnell Dru ; Co.

1513 Dodge street, second door west of P. O.

ewey and Stone Furniture

Co.

WE ARE SHOWING SOME NEW DESIGNS IN

> Morris ... Reclining

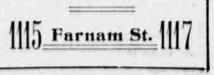
Chairs.



This fine chair, oak or birch frame, with corduroy or velour cushions, elegantly made and finished, at



And others as high as \$50 00 each, all equally as good value, according to design.



geon general on official business pertaining to medical department. The leave of absence granted First Lieutentenant Elmore F. Taggart, Sixth infantry, Department of the East, has been extended was re a month. Additional leave of seven days is also granted Captain John J. Breereton of the

Twenty-fourth infantry,

Katahdin Short on Speed WASHINGTON, Nov. 2 .- General Hyde of

the Bath Iron Works today announced that the Katahdin had failed to make the seventeen

knots required by contract. The Navy de-partment is endeavoring to find some means by which rejection of the boat can be avoided.

Must Be Specifically Described. WASHINGTON, Nov. 2 .- United States Consul General Williams at Havana reports to the State department for the information of American exporters, shipmasters and owners that the intendant general on the 18th of October issued a decree against the usage

Interest Centers in County Elections TOPEKA, Kan., Nov. 2.-Kansas will elect a chief justice next Tuesday. David Martin, the present chief justice,

### when just what crime he had committed would he, the lawyer demanded, have

avoided a trivial charge in a far distant place to put his neck in danger by coming voluntarly to this city had he committed a murder

#### prisoner the benefit of the doubt. JUDGE CHARGES THE JURY.

Mr. Rotan concluded his address at 4:30 'clock, and Judge Arnold

o'clock, and Judge Arnold charged the jury. He began with the usual definition of the various degrees of murder and manslaughter

## and read several passages from the penal code of Pennsylvania. He instructed the

# Martin, the present chief justice, was re-nominated by the republicans, while the democrafs are being asked to support Charles K. Holliday, ir., independent, a young man just graduated from a law school. The populists have no candidate. There will be more than usual interest cen-tered in the county elections, as the populist vote in Kansas just now is an unknown quantity, and much speculation is being in-duiged in as to that party's probable show-ing next Tuesday. There is considered to be no question about the election of Judge Martin.