

VERDICT WILL COME NEXT

Ish Murder Case Now in the Hands of the Jury.

CASE SUBMITTED EARLY YESTERDAY

Closing Arguments of State and Defense and Instructions by the Court—Judge Keyser Speaks at Length.

At the opening of Judge Keyser's court yesterday W. F. Gurley began the closing argument for the defense in the Ish case. He began detailing the status of jurymen, and as he proceeded and got warmed up to his work, he waxed eloquent.

"The home was the foundation of our form of government," said Mr. Gurley, "and it was this home that was the subject matter of the conspiracy which the state attempted to prove."

"When the confession was made by Mrs. Ish to her husband," continued Mr. Gurley, "the acts of James Ish show that he was gradually worked up to that state of mind where he could no longer control himself and was in fact insane."

Mr. Gurley talked for an hour and at the close County Attorney Badrigs commenced the closing argument for the state. Taking up the subject of insanity, he argued that the jurors believed the testimony of Susie Green the plea of self-defense and insanity were not well founded.

He urged that Chappell could not have fired at Ish first at all because there were no bullet marks of any kind near the door where Ish entered.

INSTRUCTIONS TO THE JURY. At the conclusion of County Attorney Badrigs' address the court read his instructions to the jury. They were lengthy, containing thirty-two paragraphs.

Judge Keyser opened by impressing upon the minds of the jurors the responsibility that rested upon them in returning a verdict and emphasized the need of eliminating all bias, passion, prejudice and sympathy which might have arisen during the course of the trial.

He then outlined the crime, as alleged by the state, and said that it was necessary for the prosecution to have proven every material statement before a verdict of guilty could be returned.

He said that the defendant had set up two defenses, insanity and self-defense. The former, he said, only excuses a killing when the slayer was at the time, when he had not sufficient mental capacity to distinguish between right and wrong.

He warned the jury not to mistake for insanity any depression or intense excitement which might have been wrought up by jealousy, anger or revenge. He urged the jurors to give due weight to the testimony of the experts, but said that such testimony could not be taken as evidence of itself.

As to the theory of self-defense, Judge Keyser said that it must have been shown that Ish had reason to believe that he was threatened with death or personal violence, that mere verbal threats on the part of Chappell were not sufficient to excuse, "if you find from the evidence," he continued, "that the defendant sought, or brought on by a contract or otherwise, or voluntarily entered into the difficulty in question with the deceased Chappell for the purpose of striking revenge upon the deceased or for the purpose of punishing the deceased for past injuries, the defendant cannot avail himself of the law of self-defense."

He instructed, too, that if Ish provoked great danger by his own acts he could not avail himself of the law. The jury was instructed, however, to take into account threats made by Chappell against Ish, although uncommunicated to the latter, in determining which one of the two acted as aggressor.

The court instructed that if the jurors had any reason to believe that Ish was insane, or acted in self-defense, it was incumbent upon them to return a verdict of not guilty. It was necessary to consider the rest of the testimony.

The three degrees of murder were exhaustively defined in the instructions. In speaking of manslaughter it was said that if from the testimony it was found that Ish looked into the bedroom and found his wife in a compromising position with Chappell and that such sight engendered feelings of anger and jealousy causing him to shoot Chappell, then such a state of facts would constitute a killing upon a charge of manslaughter.

The jurors were also instructed that the alleged confession of the wife to Ish was not sufficient to warrant the jurors in believing that an illicit intimacy existed between Mrs. Ish and Chappell, unless there was other testimony. Judge Keyser said that even if the jurors did find from the evidence that such intimacy existed and that Ish killed Chappell solely on that account, it was not sufficient in the eyes of the law as an excuse and that Ish would be guilty of manslaughter.

The remainder of the instructions were devoted to instructing the jurors as to how they should find what weight should be given to the evidence of the various witnesses.

SETTLED THE HOWELL CLAIM.

After a Term of Years the City Settles Its Pay.

Time Feature Should Be Eliminated from Implement Trade.

ADDRESS AT THE DEALERS' MEETING

Declares that Recent Experience Has Proved that the Credit System Should Be Abolished—Yesterday's Proceedings.

The Nebraska and Western Iowa Implement Dealers' association met at the Board of Trade rooms yesterday in its fifth annual convention.

The association was formed in Omaha five years ago and now numbers something more than 200 members. The association was formed for the purpose of mutual protection of interest, the discussion of subjects relating to the retail implement business and the correction of the existing evils of the trade.

When the meeting was called to order there were but a few members of the association present, but word had been received that a large number of delegates would arrive on the morning and noon trains.

President Grafton announced the appointment of a committee on reception and an adjournment was taken until 2 o'clock in the afternoon. The result on special taxes consists of C. W. Shumway, T. R. Whitaker, W. L. Brittin, J. White, R. W. Fiske, W. P. Higgins and W. J. Brown.

At 2:30 o'clock in the afternoon the convention reassembled with a liberal attendance of delegates present. After the preliminary business had been disposed of, the president delivered his annual address. He spoke as follows:

FAVORED A CASH PLAN. Gentlemen of the Fifth Annual Convention of the Nebraska and Western Iowa Implement Dealers' Association: We have just passed one of the most disastrous seasons for the implement dealer that we have ever experienced in the state, caused by the failure of crops in a large part of the territory, and the depreciation of prices on all farm products, also the depreciation of ability to ever occur in the history of the country.

All classes and all industries have suffered from the stringency of the money market of the past year. The implement dealers have been at their wits' ends endeavoring to sustain the credit of our country.

The resources of our treasury have been exhausted and again below the level of normalcy. It is to be wondered that we, as implement dealers, meeting here in convention, should feel our responsibility to our customers, our deliberations let each member feel his responsibility, and I would urge that in all the action taken here, an honest endeavor be made to better the condition of each retail implement dealer in our territory.

Let us remember that the action taken here not only affects our own individual interests, but is far reaching in its results. Behind the retail implement dealers are the manufacturers, the producers of the goods, and the farmer, and perhaps, constitute one of the greatest financial factors of our country. They are anticipating a heavy trade during the remainder of the season. Neither this year nor at any other time have they entertained the slightest intention of leaving the implement dealer in the lurch. The implement business, all rumors to the contrary notwithstanding.

IT KEEPS MEMBERS GUESSING. School Board Officials and Street Railway Tickets for Children. There are a number of the members of the Board of Education who wonder how the local street railway manages to do business for a year at a stretch without a conference of its board of directors.

They are morally certain that the board of directors has not met, but they are not sure and this is how they happen to know it. One day last winter a petition was sent in to the Board of Education in which a number of the schools proposed to go against the payment of full fares by the children and suggested that some measures should be taken to induce the Omaha Street Railway to reduce the fares on school children.

The petition was referred to a special committee, of which Burgess was chairman, with instructions to see the street railway officials and ascertain whether something could not be done in the direction indicated. Mr. Burgess had secretary Gillan write a very nice note to the secretary of the street railway when it would be convenient for the officials to receive the committee and talk the matter over. The next day Burgess received an equally courteous reply in which it was stated that the matter was one which would properly come before the board of directors and the committee has received no official notification from the board of directors.

REPORTS TO SAVE THE CHILD. Probate Court Asked to Intercede for Nellie Brennan. The little 6-year-old daughter of Nellie Brennan, who was arrested Tuesday night, was taken to the police station yesterday and placed in charge of the matron. The little tot is a particularly bright child, and seems thus far to have escaped the bad effects of evil associations. She has been living with an aunt, Mrs. Murray, near Sixth and Pacific streets, for several months, a woman who is said to be little better than the mother, who has been a confirmed drunkard for a number of years.

Matron Cummings applied to Judge Baxter yesterday for a guardian to be appointed to take charge of the child in the future, and the case was set for a hearing today. Mrs. Murray and the Brennan woman were called upon by the judge. Mrs. Brennan, former having engaged in the night of the sixteenth street market at one time, when it took the united efforts of several officers, to get her away from the scene, was sent to the House of the Good Shepherd by Matron Cummings a year ago, but only remained a short time, preferring to return to her former haunts and distractions.

EVERY WOMAN Sometimes needs a reliable monthly regulating medicine. DR. PEAL'S PENNYRILL PILLS, A prompt, safe and certain remedy. The genuine (Dr. Peal's) never disappoints. Sent anywhere, \$1.00. Sherman & McConnell Drug Co., 1518 Dodge Street, Omaha, Neb.

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CATARRH sufferers may obtain valuable pamphlet by enclosing stamp to Washington, D. C. No cure, no pay. This concern is reliable.

N. A. Woodson of the Farm Machinery, St. Louis, spoke strongly in favor of a place for the bicycle in the list of the implement dealer. It belonged there just as much as wagons and truggers, and had no place in the hardware store. The price of the trade in wheels would be maintained as the business received a more stable basis.

Salvation Oil, the people's liniment, is guaranteed the best. It will cure you. Hayden Bros' ad is on page 2.

Christmas Appeal on Behalf of Poor. The Associated Charities will be pleased to receive donations of provisions, clothing, shoes, coal, etc., for distribution at Christmas among the deserving poor families of our city.

WHOLLY WITHOUT FOUNDATION. Thompson, Belden & Co. Had No Intention of Leaving Omaha. Among the unfounded and ill-advised rumors of business changes which have been afloat during the past season, the most recent related to the big dry goods establishment of Thompson, Belden & Co., which, according to the story of the street, was about to be closed up soon after January 1.

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Beecham's pills are for biliousness, bilious headache, dyspepsia, heartburn, torpid liver, dizziness, sick headache, bad taste in the mouth, coated tongue, loss of appetite, sallow skin, etc., when caused by constipation; and constipation is the most frequent cause of all of them.

Go by the book. Pills 10c and 25c a box. Book free at your druggist's or write B. F. Allen Co., 365 Canal St., New York.

Annual sales more than 6,000,000 boxes.

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Most fascinating & worth our earth.—The Black Cat.

The Black Cat FOR JANUARY.

Contains seven Mystery, Humorous, Thrilling stories.

All for 5 Cents.

Of newswriters everywhere, if you haven't it and won't get it for you, GET ANOTHER NEWSPAPER. If you haven't a dealer send us 2 cents for specimen copy. The Short Story Publishing Company, Boston, Mass.

Monthly Pains and anxieties can be relieved to a certainty by using Dr. Chevalier's Female Pills.

Price, \$1.00 per box. If you are timid and in doubt as to what will relieve you, send for these pills. Sent sealed securely by mail on receipt of price.

Sherman & McConnell Drug Co. 1518 Dodge St., OMAHA, NEB.

DOCTOR Searles & Searles SPECIALISTS IN Nervous, Chronic, and Private Diseases.

WEAK MEN All Private Diseases and Disorders of the Male System. Treatment by the Searles & Searles, Omaha, Neb.

Cured for life and the poison thoroughly cleansed from the system. PILES, FISTULA and RECTAL ULCERS, HEMORRHOIDS AND VARIICOSELE permanently and successfully cured. Method new and satisfying.

STRICTURE AND GLEET Cured by new method without pain or cutting. Call on or address with stamp. Dr. Searles & Searles, 1118 S. 14th St., Omaha, Neb.

I'll Pull Your Tooth Out for 25c. Full Set of Teeth \$5.00.

DR. WITHERS, 4th Floor, Brown Block, 16th and Douglas. Telephone 175.

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BOISEN—Henrietta Phillips, aged 64 years, 10 mo's. 4 days, beloved wife of P. O. Boisen, died at 1118 S. 14th St., Friday afternoon, Dec. 19, 1913. Burial in the cemetery at Spring Grove cemetery. Friends invited.

Hayden Bros' ad is on page 2.

Awarded Highest Honors—World's Fair, Dec.

CREAM SOAP. MOST PERFECT MADE. A pure Grape Cream of Tartar Powder. First Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.

Xmas Presents

To prepare for Christmas in a big store like this, is as difficult as rigging a ship from jib to cargo.

Here is a special buyer, ransacking every nook and brook in the markets, bidding on anything and everything worthy of our reputation, working like a Trojan to buy things cheaply, taxing brain and wit to accomplish more than the next. But the results are gratifying, and as Shakespeare quoted "labour is ever rewarded."

Step into our store today and you'll be astonished at what we are selling for holiday use—Christmas presents—by the loaf—suitable to dignity and pride for small change, so to speak. Some things at even scarcely half of their real value—For instance,

Satin Suspensives—embroidered—at 25c; worth 75c. Embroidered Satin Suspensives in single glass box, 50c; worth \$1.00.

3 assorted Handkerchiefs for 25c, fully worth 50c. All linen bordered Handkerchiefs 15c; worth 25c.

Satin Mufflers, broad, 75c, worth at least \$1.25. Silk Mufflers, hand worked, \$1.00, worth \$1.75 at least.

Silk Handkerchiefs, hemstitched, quite large, 25c; worth 50c. Silk handkerchiefs, hemstitched, white or black, 45c; worth 75c.

Silk handkerchiefs, flowered, for ladies or gents, 50c; worth \$1.00. At least 100 dozen ties at 15c; worth 25c and more.

250 dozen neckties at 25c—better than the grades that sell at 50c. 150 dozen lovely \$1.25 and \$1.00 ties—your choice, 45c. Elegant Mocho dress gloves at 75c; others charge \$1.00 to \$1.25.

4-ply linen bosom shirts—double front and back, 50c. Is it not surprisingly less? And how about other things and their prices? Nothing—really nothing—is sold here without a saving margin. You'll say so, too, when you come here.

All kinds of gloves and mittens—nightrobes—collars and cuffs—jewelry—suspensives—even underwear is considered by a sensible and useful Christmas present.

A show window fronting Douglas street contains all things suggestive for a sensible present. Goods and prices are displayed together. All you have to do is the picking.

Nebraska Clothing Co.

Cor. Douglas & 14th St.

"DIRT IN THE HOUSE BUILDS THE HIGHWAY TO BEGGARY." BE WISE IN TIME AND USE

SAPOLIO

Here's the War Talk—

It's to uphold the "Equity Doctrine"—which is to clean out the entire line of Suits, Overcoats and Furnishings—Only another week to do it in—We want an army of 2,000 men to come and aid us in mowing down what's left of this great stock—We have smitten the prices hip and thigh.

Here's the Way the Clothing Carnage Goes On

\$10.00 all wool men's winter suits, choice..... \$4.50

\$8.00 all wool men's winter overcoats, choice..... \$3.75

\$10.00 all wool men's winter overcoats, choice..... \$5.00

\$12.00 all wool men's ulsters, choice..... \$6.50

\$15.00 all wool men's suits (think of it) only..... \$6.75

\$18.00 all wool men's suits, only 123 left..... \$8.50

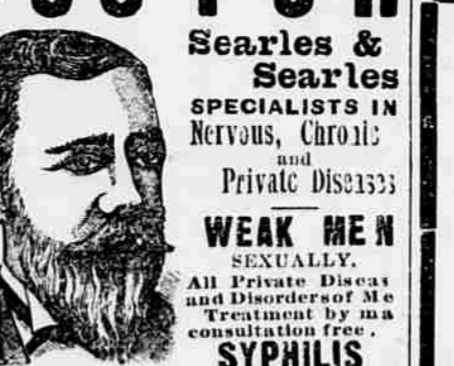
\$20.00 and \$25.00 imported clay worsteds, fancy worsteds, etc..... \$12.50

Words will not convey the marvelousness of these values—It needs an examination to convince.

All Furnishings at Half Price.

Equity Clothing Co.,

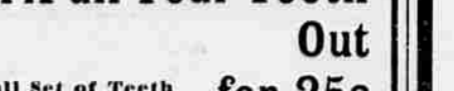
Quilting Business. 13th and Farnam



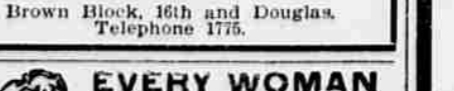
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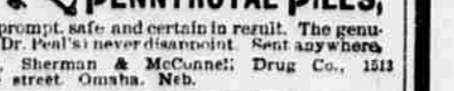
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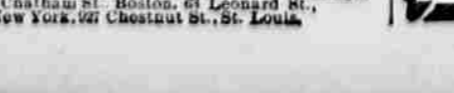
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