

SOCKET IT TO THE DOCTOR

Judge Scott Livens Up the Hoover Trial by Jumping On a Witness.

TAKING OF TESTIMONY QUICKLY OVER

Case Closes Early and Attorneys Commence Their Arguments—Evidence Introduced on Both Sides is Brief.

The trial of Claude Hoover, the slayer of Sam DuBois, which was begun Thursday afternoon, proceeded rapidly in the criminal court yesterday before Judge Scott and will be finished today.

Hoover, while he showed that he possessed a nature which did not appear to be very susceptible to forebodings of his fate, was evidently disturbed by some of the evidence.

Hoover was called to the witness stand, and he sat with his head supported by his hand.

In the course of the morning's proceedings Judge Scott had an opportunity to impress the dignity of the court upon the spectators, and he did not fail to do so.

The court instructed the jury to return a verdict for each of the doctors, and the trial was delayed until noon arrived.

Dr. Allison obeyed and then Judge Scott said: "Why wasn't you here?"

"Why wasn't you here?" when he was summoned by a deputy sheriff he was told that it would not be necessary to hang about the court room; that he could wait until he was called by the clerk to come for explanation.

"FINE IMPOSED AND REMITTED." "This witness ain't going to be sworn until this is explained," remarked Judge Scott.

The court paused a moment and then administered the oath to the physician to tell the truth, to the best of his knowledge, belief and honest opinion, and once more he questioned the man of medicine. Dr. Allison gave the same explanation. Judge Scott sent for the deputy sheriff.

"I want to find out whether the power of this court is to be superseded by a sheriff, or by any one else. I fine you \$50 and costs and let the court command the sheriff to take the subpoena to settle this," the court continued angrily, "if I settle nothing else."

After Dr. Allison gave his testimony he was taken in charge by a deputy sheriff. After adjournment at noon an attorney appeared in his behalf. He stated that Dr. Allison was doing nothing more than obeying the orders of the court, and he had come within five minutes after he was summoned.

"It is the principle of this court that rich and poor stand equal before it," said Judge Scott in answer. "Doctors seem to think that because they are doctors they can do as they please, but they will find out differently. I don't care if there is only one doctor in this city and he is called on to examine life and death. When he is summoned he has to be here and that is all there is about it."

The proceedings of this court can't be stopped by the sheriff. I will, however, remit the fine if Dr. Allison will promise to be promptly on hand the next time he is subpoenaed."

Dr. Allison promised and he was freed. The other physicians did not appear. Judge Scott ordered that the guilty deputy sheriff be brought before him as soon as he came in.

When court convened yesterday a very few minutes were spent by the counsel on both sides in briefly making a statement to the jury. The state then at once called its first witness.

TOLD BY A RELATIVE. An account of the quarrel out of which the tragedy seems to have directly arisen, was given by the first witness called, Katie Brophy, a 17-year-old half-sister of Hoover and Mrs. DuBois.

According to the statement of the witness it appears that Hoover had objected for some time to an intimacy existing between Mrs. Brophy, who was employed in DuBois' office near Thirteenth and Howard streets, and another girl in the office. On the afternoon of December 12, of the crime, Hoover entered the office and remonstrated with the girl again on account of this intimacy.

"I don't want you to be fussing over that girl," he said to Hoover, testified Miss Brophy. "That's none of your business," was the response. A few minor words followed and then DuBois angrily interrupted the witness.

"Get out of here, you d-d miserable whelp and coward." He led Hoover to the door, but there Hoover asked that he go down the stairs. Two figures for a while and then they agreed that the amount due Hoover was \$10.40. DuBois said that he did not have the money, but went out to borrow it and returned a few minutes later and handed \$10.50 to Hoover, telling him to keep the change. Hoover, however, persisted in giving back the 10 cents, but during the process the two men were not indicative of the tragedy which followed.

"I am ever so much obliged to you," said Hoover. "You are welcome," answered DuBois. Hoover went out.

Miss Hoover added that while DuBois was out of the office to borrow money she entrusted Hoover with the safe containing the money. He responded that he would not and with upraised right hand promised.

The witness said that shortly before 3 o'clock she received a message from Hoover. Hoover asking her to meet him. She promised to see him on Howard street, opposite the office, and a few moments later Hoover appeared and that he intended to go to Kansas City. He referred to the quarrel with DuBois with the following words: "Sam had no business to stick his nose into that, and he would be sorry if he did. I would have done right if I had shot him."

Miss Hoover testified and when she left the stand he turned forward again with reddened eyes.

Isaac E. Burdick, an architect, was called to identify a plan he had made of the shoe shop at DuBois' fall at 418 1/2 South Thirteenth street, where the tragedy occurred.

Dr. Sherman Vanness, who made an autopsy on the corpse, was called to testify to the results of his examination.

He found two bullet wounds about an inch to the left side of the middle of the body, just above the pit of the stomach. They ranged downward, backward and to the right. Both went through the liver, producing necessarily fatal wounds.

One bullet was found in the abdominal cavity. The other could not be found, having probably gone into the deep muscles of the back. Death was produced from the shock and from hemorrhage.

It was the same time that the court incident in which the doctors figured so prominently occurred. County Attorney Baldrige called Dr. Allison, Summers and Coult, but they failed to appear. Hoover was plainly delayed until Dr. Allison arrived, and after he had been found and impressed with the dignity of the court, he was allowed to finally take the stand.

Dr. Allison testified that he had assisted in the operation on DuBois and had also been present at the autopsy. He said that after the doctor had made a preliminary examination he was necessarily fatal, the leaden bullet having perforated the liver. DuBois died between 3 and 4 o'clock on Sunday, fifteen or sixteen hours after the commission of the crime.

The story of the tragedy which occurred in the shoe shop on Thirteenth street was told by the proprietor, Gustave Saalfeld. He testified that Hoover was plainly delayed until Dr. Allison arrived, and after he had been found and impressed with the dignity of the court, he was allowed to finally take the stand.

Saalfeld testified that Hoover entered the shoe shop between 3 and 4 o'clock on the afternoon of December 12, but said nothing of his quarrel with DuBois, stating simply that he had been discharged. Hoover came to the bench, the parties engaged in a conversation in the course of which Hoover remarked: "I would give a quarter if Sam DuBois would show up."

"Good evening, gentlemen," and walked to the front of Saalfeld's bench, not more than two feet from Hoover. He said nothing more, but Hoover half turned and said: "I got you where I want you, you ———"

With these words Hoover flashed a revolver and fired twice at DuBois. DuBois said that at this point he decided that he had seen enough and got out of a back window as fast as he could. As he ran he looked back and saw DuBois rush toward the door.

Charlie Saalfeld, a brother of the preceding witness, who was present when the shooting took place, gave an account of the trial. He testified that Hoover was not drunk, but appeared to be downhearted. Saalfeld also went out of the back window after the shooting started.

He went into the rear room of Bell's drug store. DuBois was lying down and Hoover was beside him. A conversation was going on until Saalfeld heard Hoover say: "I never thought you would do anything like that," responded DuBois.

The negro, who was in the shop, told the story of the occurrence. He ran out of the front door of the shop and as he ran he saw DuBois seize Hoover's hat and try to hit Hoover with it. Hoover still after he was dead.

B. C. Bell, the druggist, into whose place DuBois dragged Hoover after he had been taken into the rear room of Bell's drug store. Hoover from the shoe shop in his drug store. DuBois called for a doctor, saying that he had been shot by Hoover. Hoover said: "Yes, I shot you. I told you I would shoot you the first time I saw you."

DuBois by this time succeeded in taking the revolver from Hoover and handed it to a bystander with the remark: "Take this gun. He shot me, but I don't want to shoot him."

Hoover accompanied him and two or three Hoover said that he was sorry he had shot DuBois and stated that he hoped he would get well. Bell said that he did not think that Hoover was drunk.

James P. Fenton testified that he received the revolver from DuBois and he later turned it over to the police. He heard Hoover remark several times, "I told you that I would shoot you." As Hoover was taken out by the police witness heard him say that he hoped DuBois would get well. The witness said that Hoover did not appear drunk.

A couple of police officers who arrested Hoover were called. One of them identified the revolver with which DuBois had been shot, which was turned over to the police by Fenton.

When court reconvened at 1 o'clock Joseph Ackford was called to the stand. He was present when DuBois was dragged Hoover into the drug store, and until Hoover was arrested. He testified to the admission made by Hoover that he shot DuBois, and his remarks that he was sorry that he did it.

Sheriff Drexel, who acted as coroner in the inquest over DuBois' body, produced and exhibited the bullet which was taken from the body.

John W. Bell, a brother of the former witness, Bell, and one of the proprietors of the drug store, was also a witness of the incident in the drug store. He heard the admission of Hoover, and his remarks that he was sorry that he did it. The name of the woman who was Hoover's father and grandfather were insane.

With this witness the state at 2 o'clock rested its case. The defense at once opened by calling to the stand Mrs. DuBois, the wife of the murdered man, and a sister of the accused man. She was dressed in deep mourning.

From questions which were put to Mrs. DuBois it was evident that the defense was to be insanity. Attorneys started out by asking if Hoover was sane at the time of the shooting, but the questions which were called for a conclusion of the witness, Mrs. DuBois, however, did state over an objection that Hoover never showed any hostile feeling toward her at any time.

The half-sister, Miss Brophy, was called to the stand and an attempt was also made to show by her that Hoover was insane. She testified that she was married to the defendant on the day before the crime. She said that she was going to Kansas City. In the second conversation he bade good-by to her and Miss Brophy.

On cross-examination the state tried to show that in the first conversation Hoover scolded Miss Brophy and that he cried in the second conversation. The witness was asked by the state to make up a list of the names of the men who were present at the trial. She gave the names of Hoover and the other witnesses.

It was a surprise, as it had been thought that the defense would introduce cumulative evidence to show the insanity of Hoover. The state announced that it had no rebuttal testimony to introduce and the attorney at once began their address to the jury. Three of them were finished when an adjournment was taken at 5:30 o'clock. County Attorney Baldrige will make his argument this morning, and the case will be then given to the jury.

What allegiance do we owe to England? During the last 700 years we have been a free people, and I need not repeat it here. We know it in our hearts, and none but the living God knows what we have suffered at the hands of cruel and treacherous England.

The spirit of our country is still unbroken, and we are at all times ready for the fray, bidding our time and awaiting our opportunity. We honor and admire the president of the United States and his administration, and we pledge our undivided support whenever the emergency arises.

We deny England's right to claim us on this side of the Atlantic as members of her family, for she has always treated us, whenever we are in her power to do so, with treachery. Americans do not forget the Mason and Dickson case, and the fact that she refused to divide this family in America, nor do we forget that when Richmond was captured the strongest guns were pointed against us. We forget that England tried to prevent Sherman from confiscating cotton in the Alabama, which was turned loose to destroy our commerce and hurt our people.

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ARMENIANS ARE SURROUNDED

Generally Believed that Another Massacre is Imminent.

THOUSANDS OF MEN AND WOMEN IN DANGER

Representatives of the European Powers Unite in a Request that the Sultan Interfere but the Porte Can Do Nothing.

CONSTANTINOPLE, Dec. 27.—It is officially announced that most obstinate fighting preceded the capture of Zaitoun by the Turks. Semi-official advices from Zaitoun say that the Armenians lost 2,500 killed during the engagement and that only 250 Turks were killed.

The narrow pass between the hills leading to the town is said to be crowded with Armenians, men, women and children; and it is feared they will be massacred. The ambassadors of Great Britain, France, Russia, Germany, Italy and Austria, sent their dragomans to the palace today in order to make representations with the view of preventing the Armenians from being massacred, and pointed out the gravity of such a deed.

Little hope is felt, however, that the representations of the ambassadors will avail, and the officials of the United States government, who were taken, and we pledge our undivided support whenever the emergency arises.

We deny England's right to claim us on this side of the Atlantic as members of her family, for she has always treated us, whenever we are in her power to do so, with treachery. Americans do not forget the Mason and Dickson case, and the fact that she refused to divide this family in America, nor do we forget that when Richmond was captured the strongest guns were pointed against us.

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HAYDEN'S HAYDEN'S HAYDEN'S Pre-Invoicing Prices in Every Department. BIG BARGAINS AT THE BIG STORE

Great Linen Sales.

The linen selling of Omaha is done at our counters. Importing direct in great quantities, we always have the best and newest, and can name the lowest figures.

A few Pattern Cloths left to clear at \$1.00. \$1.25, \$1.50, \$1.75 and \$2.00. Table Linens, excellent values at 25c, 35c, 40c, 50c, 60c. Red Damask at 10c, 25c 30c and 50c. Crashes at 5c, 8c, 10c, 12 1/2c. Bed Spreads, beautiful styles, at 75c, 85c and \$1.00.

White Goods, odds and ends, to be closed out at deeply cut prices.

Dress Goods.

We will place on our counters for Saturday dress goods at prices which have not been quoted before this year by any house in America.

We will sell all our wool novelties in checks, chevot weaves, etc. at 25c. These goods have retailed at 50c yd.

50 inch serges in navy and black Saturday. All our 75c, 85c and 95c silk and all wool suitings in one lot Saturday. We still continue to sell the best serges on earth in colors for \$2.50.

Our line of mohair serges, 47 inches wide is the center of attraction in the dress goods department.

Black Dress Goods, 50 inch all wool serge, special for Saturday. 40 inch imported Jacquards, special for Saturday.

40 inch pure mohair suiting, special for Saturday. 40 inch black Steilians, the \$1.25 quality, at 69c. 40 imported German Herculita, worth \$1.60, at 59c.

Our Spring Silks

Will be open for inspection in ten days. The largest and finest collection of novelties ever shown in this country.

3 Special Items for Saturday in Men's Furnishing Goods

100 dozen men's cashmere Sox, worth 25c and 35c, go at 12 1/2c per pair. 100 fancy suspenders, roller ends, worth 25c, go at 12 1/2c per pair. 100 dozen men's white Undershirt, New York Mills maulin, double back and front, worth 75c each, on sale tomorrow at 60c.

Hosiery

100 dozen ladies' fine cashmere Hosiery, regular 50c goods, reduced to 25c.

Corsets

100 dozen of a regular \$1.00 Corset go at 50c. Boys' Shirt Waists at less than cost. 1 case of ladies' Jersey ribbed Vests, 15c; worth 25c.

Baumer's Silverware.

Before invoicing, we wish to close out all odds and ends of silverware from the Baumer stock. His line of finest quality plated silverware, from the leading makers of the world, was unsurpassed. At bankrupt prices I will rapidly during the day buying. There are still on hand, however, many exquisite pieces: cake dishes, tea and coffee pots, card receivers, pickle castors, pin boxes and cutlery, and every description. These we want to sell at once.

BANKRUPT PRICES WILL BE LOWERED TO THIS.

Bankrupt Prices on Hedgcock & Odell's Furniture.

Strictly fresh Eggs only 17c. Country Butter 10c and 12 1/2c. Strictly first class Country Roll Butter 12c. 10c and 15c. Mince Meat in packages 5c.

Cheese Dept.

Fancy Neufchatel Cheese 4c. Club House Cheese, per Jar 35c. Swiss Cheese, per Jar 40c, 12 1/2c and 14c. Brick Cheese, strictly fancy 12 1/2c. Sap Sago Cheese, per package only 8c.

Meats and Lard.

Sugar Cured Bacon 8c. Salt Pork 5c. Pickle Cured No. 1 Ham 9c. Corned Beef 3 1/2c. Bologna 4c. Pickled Pork 4c. Lard 24c. 5-pound cans of any brand of the best 40c. 10-pound cans 75c. Complete for all kinds of Fish, Fruits and Crackers.

House Furnishing Goods.

We have a few novelties left that would make nice New Year gifts. Some Hanging Lamps at, pair 10c. Some fancy Platters at, each 5c. There is also a few of those \$5.95 Dining Sets left, worth \$10.00. Some Hanging Lamps at, pair 10c. Nice Decorated Toilet Sets at \$1.59. Splendid Decorated Stand Lamp for \$1.59. A guaranteed steel Carving Set at 98c. Nice Imported Bohemian Water Sets at \$1.29. Nice Fruit and Berry Sets, per set 35c. Some white china Oatmeal Bowls at 4c. per set. 5c. Some Hanging Lamps at, pair 10c. Lovely Crystal Cream Sets at per set 35c. Venetian Bouquet Holders, each 20c. Fancy china Cuspidors, worth \$1.00 each 49c.

PRICES ARE CUT IN TWO.

Guns and Ammunition

Loaded Shells, all sizes, for \$1.25 per 100.

Here are a few knockers in Rifles: A fine Robert for 22 long of \$1.95. A nice Sporting Rifle, for 22 long of \$2.75. A few Pattern Cloths left to clear at \$1.00. \$1.25, \$1.50, \$1.75 and \$2.00. Table Linens, excellent values at 25c, 35c, 40c, 50c, 60c. Red Damask at 10c, 25c 30c and 50c. Crashes at 5c, 8c, 10c, 12 1/2c. Bed Spreads, beautiful styles, at 75c, 85c and \$1.00.

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