

JAMES ISH IS SENTENCED

Court Orders Him to the Penitentiary for Fifteen Months.

WHY HE PLEADED GUILTY IS EXPLAINED

Close Confinement in Jail was Breaking Him Down—County Attorney Joined in Advising Clemency—Mrs. Ish's Cause.

James C. Ish was sentenced yesterday by Judge Fawcett to serve a term of fifteen months in the penitentiary and to pay the costs of prosecution.

At 10 o'clock Judge Fawcett appeared in court room No. 5 and was followed soon afterward by Mrs. Ish and County Attorney Baldrige entered the room a few moments later and Ish was brought in by Jailer Shand. Ish has increased not less than twenty pounds in weight since his incarceration and while the confinement has bleached his skin until he is as fair as a girl, there are no visible evidences of a fallow of his hair. He was very quiet and had nothing to say beyond shaking hands with his counsel and exchanging greetings.

WHY HE PLEADED GUILTY.

Counsel for the defense were then asked by the court if they had anything to offer. Attorney Bradley, speaking for himself and his colleagues, said they were satisfied that the state could not convict of anything more serious than manslaughter and the plea of guilty had not been entered on account of any fear as to the result of a trial, but for an entirely different reason. The defendant had been confined in jail for a long time and had maintained his usual vigor, but after the result was reached he had broken down completely and was physically prostrated. It had become imperative necessary, he said, that the defendant escape from the close confinement of the county jail. His counsel had concluded it would be better for him to go to the penitentiary than to remain in the jail awaiting the result of another trial. The speaker expressed the hope that the sentence of the court might be a light one. He said there had been no agreement between counsel, but the defendant threw himself upon the mercy of the court. The prisoner had been confined in jail about seven months and counsel hoped this time would be taken into consideration in passing sentence.

At the conclusion of the remarks by the attorneys Judge Fawcett addressed the small audience which had gathered by this time. He said the case was a peculiar one and he felt in a strange position for the reason that he had not been familiar with the circumstances of the case or the evidence. He said he had been out of the city during the trial and had made it a practice never to read reports of criminal trials in the newspapers. He had conferred with Judge Keyser, who presided at the first trial, and Judge Keyser had informed him that after hearing the evidence he was convinced that Ish was either guilty of murder or he was not guilty of anything. The judge had also informed him that he did not believe it would be possible to convict Ish of manslaughter, and that he (Keyser) thought that Ish should either suffer the penalty for murder or be set free. The court further said that the county attorney had acted wisely under the circumstances. In accepting a plea of manslaughter, and he did not think any concerns could attach to the county attorney for so doing.

QUESTION OF CLEMENCY.

Continuing, the court said that the question to be decided was, What should be done with the prisoner? In the opinion of Judge Keyser, if he was not guilty of murder, he should be set free. It was impossible for the court to sentence him for the crime of murder and it was also impossible for the court to set the prisoner free. He had been recommended to the clemency of the court. The question arose, What would be clemency under the circumstances? He said he did not think the prisoner had done anything to merit the clemency of the court. The fact that he had not been acquitted at the first trial showed that the court was not unjustly restrained of his liberty. Referring to the statement that Ish's health had been impaired by his confinement, the court said this might be a fact, but it was apparent that he was not a weak by any means. Ish was then called before the court and the effect of his plea again explained. He was asked if he still desired this plea of guilty to stand. He replied in the affirmative and the court then pronounced sentence, saying that it was the opinion of the court that he should spend at least one year in the penitentiary. The sentence was that Ish be confined in the penitentiary for the period of fifteen months and pay the costs of prosecution.

Mother and Daughter Helped.

I have been exposed to scarlet fever, but I did not have it. I felt all the time as though I was coming down with some disease and was in this way for nearly two years. I tried everything in the way of remedy and was treated by physicians, but grew worse all the time. One day I received a circular advertising the Sarsaparilla and resolved to try it. I purchased one bottle and it helped me so much that I took four or five bottles, and now I am as well as ever. My physician, who had been told I was cured of this trouble by the Sarsaparilla." Annie Simpson, Oaksh, Neb.

PEOPLE UO TO SAY "WE ARE GOING EAST"

NOW THEY SAY "WE ARE GOING VIA THE OMAHA-CHICAGO SPECIAL."

The Omaha-Chicago Special is the new "Quarter to six" evening train via "THE NORTHWESTERN LINE"—Chicago 8:45 next morning.

Gold Fields.

Union Pacific is the direct route to CRIPPLE CREEK, Colo., and MERCUR GOLD FIELDS, Utah, and the shortest and the most important mining camps throughout the west. For full particulars call.

A. C. DUNN.

City Passenger and Ticket Agent, 1302 Farnam Street, Omaha, Neb.

BORN.

FIOMAS—To the wife of F. B. Thomas, 202 Decatur street, a daughter, January 22, 1896.

HAYDEN BROS.

A Host of Bargains in Ladies' Misses' and Children's Wear. The cloak and suit department has been thoroughly overhauled. Every garment has a new place and a new price. Present stock must be all cleared up for spring goods will soon be here. Prices have been cut on every article. The department is one big bargain field.

IT REDUCED LEMLY'S MAJORITY.

Contest Developed a Wrong Count in the Second Ward.

The progress of the counting of the votes in the Duncan-Lemly election contest has developed a footing in the change the result of the election, so far as the contestant and contestee are concerned. The twenty-fifth district counted was the third district of the Second ward. The official returns from this district gave Lemly a total of 168, but the count by the county judge showed that the actual number of votes cast for Lemly was only 148, thereby entirely wiping out his original majority and giving Duncan a majority of one, on the basis of the actual vote in the county court had increased Lemly's majority by five votes, so that the change made by this district reduced the actual majority over Duncan to four.

The election board in this district was composed of the following men: W. D. Redcliffe, S. A. Corneer, D. L. Salobour, W. W. Hartley and W. H. Beverly, judges; Arthur P. Salski and D. Ritter, clerks. W. W. Hartley, one of the judges, stated that the method of counting pursued by the board had been to divide the ballots among all the judges and each man gave the clerks the number of votes in his pile. For instance, the clerk making a footing to find the total vote for Allan, and then making the proper number of marks on the tally sheet. He also stated that the judges did not afterward verify the entries made by the clerks to see if they agreed with the figures given them.

At the closing of the afternoon session of the court thirty-eight districts had been counted, including the new contest ward, the Fourth, Fifth, Sixth and a portion of the Seventh, the net result being that Lemly's majority was ten votes over Duncan.

King Solomon's Notion

That "There is nothing new under the sun" does not always convey the truth. Especially is this true as regards the new counting cars now operated daily via the Chicago, Union Pacific and Northwestern Line between Salt Lake City and Chicago.

These handsome Buffet Smoking and Library Cars are entirely new throughout, of latest design, contain all modern improvements, and are well supplied with writing material, the leading daily papers, illustrated periodicals, magazines, etc.

6 P. M. ELECTRIC LIGHTED, STEAM HEATED, SOLID VESTIBULED.

Chicago Omaha—Milwaukee. F. A. Nash, general agent; George Hayes, city passenger agent.

Receiver Asked For and Appointed.

On account of slow collections the Consolidated Coffee company yesterday applied to the courts to have a receiver appointed to take charge of the business of the concern. An order was granted and the receiver named for the place. Members of the company hope to pay out dollar for dollar and resume business. The assets are \$100,000, while the liabilities will reach something like \$75,000.

Omaha-Chicago Special via THE NORTHWESTERN LINE.

Leaves Omaha DAILY at 4:50 p. m. via Des Moines, through sleeper, no change, to "ROCK ISLAND DINING CAR" for supper. For tickets or sleeping car reservations call at ROCK ISLAND ticket office, 1602 Farnam street.

PERSONAL PARAGRAPHS.

W. S. Metz of Sheridan, Wyo., is at the Paxton. D. W. Cresler is a Chicago arrival at the Barker. Henry Jacob is registered at the Barker from St. Joseph, Mo. C. H. Holden, Lincoln, Neb., is registered at the Barker. W. L. McCague has returned from a visit to Cripple Creek, Colorado. V. Baker, a Cheyenne real estate dealer, is at the Millard. Mr. and Mrs. C. E. Ross of Lincoln are guests at the Mercer. E. R. Glacock is registered at the Barker from St. Joseph, Mo. Mr. and Mrs. C. Corbett, Detroit, are guests at the Paxton. Allen Herst of the Dakota City Eagle is tonight at the Barker. John L. Webster left for Chicago yesterday to be gone a few days. Colonel M. Wilber Dwyer's company, "The Rajah," is domiciled at the Barker. J. N. Paul, who gave his name to the town of St. Paul, Neb., is registered at the Paxton. I. W. Miner left for Chicago yesterday evening on a business trip that will consume several weeks. Mr. and Mrs. Harry McCormick left for Sheridan, Wyo., last night to be gone for three weeks. Mr. McCormick expects to purchase a large cattle ranch. R. G. Caldwell and family passed through the city last evening enroute from Toronto to Salt Lake City, his present home. Mr. Caldwell was formerly an Omaha man. At the Murray: J. W. Sanders, St. Louis, Mo.; J. G. Fullerton, Sioux City, Ia.; Ernest L. Zeis, Boston, Mass.; Colonel M. Welber, Miss. Anne Clark, Hastings; C. S. Barnham, New York; C. E. Latschaw, F. J. Donahoe, Chicago; E. Bigelow, Burlington; E. J. Hood, Topeka, Kan.; F. C. Wood, city; E. F. Peters, Lincoln, Neb.; J. J. Lucas, F. C. Trauer, Chicago; James McLaren, D. Joseph, New York.

Nebraskans at the Hotels.

At the Mercer—C. C. King, Emerson; Joe Williams, North Platte. At the Paxton—P. M. Wolcott, Weeping Water; W. W. Pool, Ravenna; A. T. Peters, Lincoln. At the Arcade—J. H. Aufferheld, Des Moines; John Daugherty, Sidney; T. W. Campbell, Platt. At the Millard—B. R. Claypool, Orleans; W. E. Clark, Lincoln; J. McPeely, Minden. At the Merchants—George H. Lee, Exeter; Fred Schell, Norfolk; Will H. Myers, T. H. Pollock, Plattsmouth; George H. Lee, Exeter; Getz, Charles C. Cleveland, Creighton; John Reimers, Grand Island; John A. Wynn, Fremont; Frank Beck, Kearney; G. H. Gibson, F. G. Hamer, Kearney; L. G. Brian, Hastings; Paul Beck, Kearney; J. H. Haxstater, Lincoln; Edna Unshubth, Hertha Junghuth, Ethel Childers, Elk City; L. F. Hector, E. A. Seale, Ogallala.

BEGIN AWARDED PREMIUMS

Several Classes in the Poultry Show Judged Yesterday.

PAPERS READ AT LAST NIGHT'S MEETING

Conduct of the Hen that Stays Out Late at Night Deprecated—Poultry Diseases—What Success Requires.

"There are chickens and chickens and chickens," remarked a poultry fancier yesterday, and when the 2,000 specimens on display at Eleventh and Farnam streets are examined the spectator comes to the conclusion that there are. Some of them are cunning little bundles of feathers, others and the more portly are mastodons in size and look big enough to furnish each a meal for a hotel. Between these two extremes they run through the entire gamut of sizes. In the language of the fanciers, they are all "birds."

The average visitor leaves the show with the virus of poultry raising active in his blood. He dreams of broods and brooding until he hatches an ostrich out of a diminutive egg and uses him as a cart horse or in place of a bicycle.

Despite the fact that the quarters of the show are not all that bright and cheerful, there was a good attendance yesterday afternoon, and the show was a success.

In addition to showing what a chicken can do, the show also furnishes an attraction from an artistic point of view. All colors from pure white to pure black are shown on the "birds," sometimes on one of them. There are also green, blue, red and headed ones, some with a modest top piece and others with a chrysanthemum ornamentation which would cause a foot ball player to turn a green.

PREMIUMS AWARDED.

Several premiums were awarded yesterday. In the single comb brown leghorn class H. C. Young of Lincoln won first and third and second on cockerel and first on pullet.

George W. Osterhout of David City won second on breeding pen, third on cock and first and third on cockerels.

Hinds of Lebanon, Mo., won second on pullet and second on hen.

W. H. Mavor of Fremont won third on hen.

In the silver spangled Hamburgs, Carl Andrea of Lincoln won first on hen and first on cockerel, second on cock and third on pullets, and third on breeding pen.

Julius Roock of Boulder, Colo., won third on hen, third on cockerel and first and second on pullet.

William Foster won first on breeding pen and E. E. Freeman second on pen.

In the buff Wyandott class, George W. Osterhout won first, second and third on pullet; second and third on hen and third on cockerel.

PAPERS READ LAST NIGHT.

The State association held the second session of the convention in the Board of Trade rooms last night. "Chickens" was the topic, and the stages of the education of hens and pullets, cocks and cockerels, were over and discussed. There was a considerable argument about the merits of "scrub" and "throughbred" birds.

The proceedings opened with a paper from P. B. Donisthorpe of the University of Nebraska. He spoke of the importance of the winter a hen becomes "pale," and that she had to spend too much time in the spring in looking after her brood.

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COMPLAINT AGAINST SAVAGE.

In Jail Charged with Criminal Assault on Alberta Rice.

Hiram Savage, for years bailiff of the criminal section of the district court under Judge Scott, and at the present time bailiff in Judge Scott's equity court, was arrested yesterday on a warrant charging him with rape. The complainant is William M. Rice, a neighbor and an old friend of the Savage family, and the father of the 17-year-old girl, Alberta Rice, whom Savage is charged with having seduced.

The crime is said to have been committed soon after last Thanksgiving day. At that time Mrs. Savage was ill and confined to her bed, and the girl, who was then employed to attend her, said that she was alone in the room after Thanksgiving. Savage asked her if she ever went down town. She replied in the affirmative, and Savage agreed to meet her one afternoon at Sixteenth and Farnam streets. The appointment was kept by the girl, and she went to the place mentioned.

The girl alleges that she went to the same place on another occasion with Savage. She says that she was alone in the room and that she was seduced by him. She has since been confined to her bed, and she is now in the hospital.

Mr. Rice a few days ago was informed of the intimacy between Savage and his daughter by Mrs. Hubler, who is acquainted with both families. She thereupon called on Savage and told him of the matter. He denied the charge, and he was arrested on a warrant charging him with rape.

Savage was arrested in Judge Scott's office in the New York Life building and taken to the police station. His wife, who accompanied him, believes him innocent, and she has been visiting him in the hospital.

Savage says his arrest is a piece of spite work on Rice's part. He says that he has never seen Rice since he was arrested, and he says that he has never seen Rice since he was arrested.

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DUFFY'S PURE MALT WHISKEY



FOR MEDICINAL USE NO FUSEL OIL

The best preparation for COLDS AND CHILLS. There is nothing like it for arousing to action the torpid blood and thus preventing pneumonia.

Sold by druggists and grocers. Send for pamphlet to DUFFY MALT WHISKEY CO., Rochester, N. Y.

HAYDEN BROS.

Shoe Bargains. Pullman Never Built Better Tourist Sleepers.

Choice Bargains in Shoes and Rubbers. All in regular sizes and widths.

120 pairs ladies' fine donola button \$3.00. Shoes at \$1.85, with Pic toes and patent tips. 200 pairs Brooks Bros.' make hand welt vict kid \$1.50. Lace Shoes at \$3.00; late style Pic toes and all sizes.

100 pairs ladies' fine black melton cloth \$1.00. Overgaiters at \$25; sizes 1 to 6. 180 pairs ladies' Imperial 40c Rubbers, 25c; sizes to 2 1/2 to 8.

100 pairs misses' fine donola spring heel \$2.25. Shoes at \$1.00. Sizes 1 to 2, C, D and E widths.

100 pairs men's imperial self-acting 75c Rubbers at 50c.

HAYDEN BROS.

SHOE BARGAINS. Pullman Never Built Better Tourist Sleepers.

Then those used for the Burlington Route's personally conducted once-a-week excursions to California.

That is one reason why you should patronize them when you go west. Other reasons are: The time is fast—cars are not crowded—excursion conductors are full of information about rates, etc., call at CITY TICKET OFFICE, 1221 FARNAM ST., J. B. Reynolds, City Passenger Agent.

WINTER RESORT.

THE HOT SPRINGS OF ARKANSAS. THE ONLY HEALTH RESORT owned, Endorsed and Conducted by The United States Government. Recognized Winter Capital of the best society of the nation.

THE SUPERB HOTEL EASTMAN IS NOW OPEN. The MAGNIFICENT ARLINGTON. And 200 other hotels and boarding houses open the year round at prices to suit all.

Climate mild with abundance of sunshine. Average winter temperature 60 degrees.

Reduced Excursion Rates on Railroads. Inquiries answered and illustrated pamphlets sent free upon application to H. DURAND, Mer. Advertising League HOT SPRINGS, ARK.

BLOOD POISON

A SPECIALTY Primary, Secondary Syphilis permanently cured in 15 to 30 days. You can be treated at home for the same price under same guaranty. If you prefer to come here we will contract to pay railroad fare and hotel bills, and no charge, if you fail to cure. If you have taken mercury, iodide, potassium, and other salts, Mercurio-Patch in mouth, Sore Throat, Ulcers, Copper Cures, Etc., etc. The only part of the body that is never cured by any other medicine. It is the only medicine that guarantees a cure. We solicit the most obstinate cases and challenge the world for a case we cannot cure. Our medicine has always baffled the skill of the most eminent physicians. It is the only medicine that has a national guaranty. Absolute permanent relief on application. Address: C. G. & C. E. DODD, 307 Masonic Temple, CHICAGO, ILL.

Dr. McCREW'S SPECIALIST WHO TREATS ALL PRIVATE DISEASES. Weakness, a Disorder of MEN ONLY. 9 Years in Omaha. Book, 50c. Examination Free. 14th and Farnam Sts., OMAHA, NEB.

One Minute Cough Cure is a popular remedy for croup. Safe for children and adults.

Dr. Dewitt's Little Early Risers cure indigestion and bad breath.

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PANTS SALE

Today we have our semi-annual sale of Suit Pants—It is hardly necessary to remind our regular customers of the treat which is in store for them—But there are many who may not know yet what a Pant Sale at the "Nebraska" means—To them we wish to say that this sale is entirely original with us and is as different from the ordinary pant sale as Barnum's circus is different from a small side show—We have this time over

2500 PAIRS.

and we have divided them into 4 lots—

\$1.25 \$2.00, \$2.50

\$3.50

It would be useless to attempt to explain in this ad what values these figures represent—Suffice it to say that the prices we put this time on our Suit Pants eclipse all the former values we have offered before,

Nebraska Clothing Co

Cor. Douglas & 14th Sts., Omaha, Neb.

Stomachic

means a medicine that strengthens the stomach, or to be brief, it means Ripans Tablets. If you are troubled with a weak stomach and cannot digest your food use Ripans Tablets. One gives relief.

GOVERNMENT BONDS.

In accordance with request from the Treasury Department, this bank offers its services to parties who may desire to subscribe for the new issue of government bonds.

Bids must be received in Washington on or before 12 m., February 5th. The bonds draw 4 per cent interest, payable quarterly. They will pay an annual income during their twenty-nine years' life as follows:

At about 9-10 per cent premium.....3 1/2 per cent At about 10 1/2 per cent premium.....3 per cent At about 30 1/2 per cent premium.....2 1/2 per cent

They are free from taxation by state, county or city authority. Subscriptions, if accepted, must be paid for in gold.

No charge or commission of any kind will be made by the bank where parties supply the gold subject to any discount for abrasion and pay express charges to sub-treasury.

This bank will supply gold to the extent of its present gold reserve (\$150,000) at a charge of one per cent, which is \$10.00 for \$1,000 and \$1.00 for \$100.00.

This charge covers express charges and loss from abrasion, which loss on a large portion of the current coin will amount to more than the charge made.