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THE LINCOLN DAILY CALL.

TWELFTH YEAR. LINCOLN, NEBRASKA, MONDAY EVENING MAY 25, 1891. NUMBER 268

THE ARGUMENTS

In the Sheedy Murder Case Begun Today.

County Attorney Snell Admonishes the Jury Regarding the Confession.

JUDGE WEIR REGALES THE JURY

On Their Duty, Law and Evidence and "a Reasonable Doubt" in Effective Style.

Taking "Fears"

A little more than the usual throng congregated at the district court room this morning when the Sheedy murder case was resumed, the arguments of the counsel being the order of work.

At 9 o'clock Mrs. Sheedy and her sisters came into court and occupied their accustomed positions before the judge. Monday McFarland preceding them a few feet accompanied by his sisters and other relatives. Both the accused seemed in better spirits than at any time during the trial.

The jury, after being penned up since Saturday noon appeared much relieved in being brought to the box again, where they were afforded some pleasure at least in gazing upon many a pretty face to be seen in the audience.

At 9:30 the judge directed that arguments be proceeded with and

COUNTY ATTORNEY SNELL

of the prosecution opened them by recalling to the jury the crime of January 11 last, when darkness settled over Lincoln, dwelling upon a careful description of the Sheedy premises and the prominence of the owner. Referring to the rumors then prevalent he stated that suspicion began gradually to point its finger at Monday McFarland and Mary Sheedy as the perpetrators of the deed. "We believe," said the speaker, "the evidence in this case early in the proceedings was sufficient to satisfy your minds that they are the guilty parties." He then referred to the confession and to the testimony of Minnie Coll, who often saw McFarland standing at Thirteenth and P streets, waiting for Mrs. Sheedy, and maintained that he was waiting there with murder in his heart.

Comparing the testimony with the confession of McFarland, Mr. Snell said: "Take the evidence of Mr. Chinn, another colored man. Does he not say McFarland was at his place on the day of the assault up to about 5 o'clock; then he excused himself saying he had an engagement. After ten o'clock that night he came to Chinn's place again and staid until after midnight and then they together went to lunch and McFarland when limping away said he had lost his cane. Does his confession not say that he left immediately after striking the fatal blow and does it not say also that he dropped his cane?

"In all cases of murder there is something of an inducement. This is no exception. Monday McFarland was induced to commit this deed by the co-respondent in this case—Mrs. Sheedy. When the learned counsel on the other side opened their remarks at the beginning of this case Mrs. Sheedy was referred to as the 'sad-faced defendant.' Far better had he said the nerry little woman that she was one of the most heinous crimes in the history of Lincoln!

"Not one scintilla of evidence has been brought forth by the defense to show where Monday McFarland was on Sunday night, Jan. 11. Nor have they produced anything going to show Mrs. Sheedy is not a conspirator. The fact that neither of these defendants have been placed upon the stand to give testimony speaks volumes. And what has been the burden of the evidence given by the defence? Simply that Mr. and Mrs. Sheedy had lived happily together. But what does the testimony of the state show. Does not Mrs. Snell know how happily they got along? Did not Johnnie Klosmeier tell you he had seen Mrs. Sheedy weeping, and did she did not tell him she was going to get a divorce? Has it not been stated also that Sheedy threatened her, that she had her trunk packed, and that once she stated that she had rather live with a leering man who made his every day by day than with such a man as Sheedy.' All this trouble has arisen, gentlemen of the jury, since Mrs. Sheedy's return from Buffalo."

Mr. Snell then reviewed all the evidence pertaining to the escapades of A. H. Walstrom and Mrs. Sheedy and the object of it all, the purchase of hose, shirts, neckties, etc., for Walstrom, and the sending of chicken, porter, etc., to his room, ending by saying it all shows that Mrs. Sheedy was guilty of illicit relations with Walstrom—transferred her affections from Sheedy to Harry Walstrom.

The attorney then considered the confession at length, characterizing it as grapel truth in every sense and a document not from the brain of some weird novelist, holding it to be too true in its every detail, and that no novelist of today, no man in all Lincoln, was able to write the history of a crime with more accuracy and in keeping with all evidence adduced. "How would Monday McFarland know all this," asked the speaker, "if this woman be innocent and know nothing of the arrangements of this murder?"

Mr. Snell recalled the life of John Sheedy and held that Mrs. Sheedy knew that he was a gambler when she married him and married him because he was a gambler, able to support her in idleness.

Mr. Snell maintained that the object of the murder was the freedom of Mrs. Sheedy from her husband, that she might be with Walstrom, whom she loved to distraction, reviewing in support the evidence relative to her statements about her "sweetheart" to several of the witnesses.

As to her relation with Monday McFarland Mr. Snell said it was nothing strange that she should be guilty of adultery with a darkey, since she had murder in her heart; with such motive uppermost she would halt at nothing. He again touched upon her career prior to her marriage with Sheedy.

After giving some attention to the evidence given by the defense, particularly to the case and the testimony of Mr. and Mrs. Hosman relative to the first assault, and the testimony of the two boys, Mr. Snell closed his argument, pleading with the jury to remember and weigh well the confession of McFarland.

As to whether poison or the blow produced death was also considered, the speaker referring to expert testimony.

"Four of these," he said, "tell you John Sheedy's death was caused by poison. They found no clots of blood on the brain, as in compression, and hence they believe poison was used. The defense didn't seem inclined to put doctors on the stand to attest that the blow caused death. In all probability the testimony of all physicians would be the same. Whether or not, however, it was found that the blow or poison produce death, both of these defendants go hand in hand and stand guilty—one, as an accessory, the other as a principal. Do you believe that any man would go there, stand there and lay in wait to assassinate John Sheedy, on one of the best traveled streets in town unless someone was there to tell him when to strike—unless he had an accessory on the inside?"

During the speech of Mr. Snell it was noticed Mrs. Sheedy used her kerchief considerably, as well as her sisters, but McFarland sat stolid and immovable.

JUDGE WEIR.

of the defense, followed Mr. Snell, beginning in that easy, careful, smooth way which is betokened by his general bearing. After making a few preliminary remarks the speaker said:

"We have under consideration the lives of two human beings, and these lives must be disposed of by the consideration of this jury. It is one of the greatest responsibilities ever conferred upon this body of men and it gave me pleasure to read in your faces during the trial that you fully realized the responsibility."

He then drifted into the reason of coming here, and of true work of the officers of the law, complimenting the prosecution for the work done, passing long enough to define the line between persecution and prosecution. The first thing to which he called the attention of the jury was the law, the facts. The jury he said, were the exclusive judges of the facts; the judge, the exclusive judge of the law, and when it comes to fine distinctions they should be guided by the definitions given them by the judge of the law. Then the judge instructed that the defendants are presumed to be entirely innocent until proven guilty and the attention of the jury should not be diverted from this. "It is often," he continued, "that our zeal in behalf of our real to gain victory, causes us to s'ersteep the bounds and cause misleading statements. At this he watched, gentlemen of the jury, and when such things are done banish it from your mind. When you enter into the jury room let it be uppermost in your minds that it was not in the duty of the prosecution to sweep away from your mind by evidence, all lurking suspicions, every vestige of that presumption of the innocence of these two defendants. The law requires you to use that reasonable doubt in the interest of the accused. Some of this testimony looks one way and some of it the other; but when you cannot under such circumstances decide, then the law requires the reasonable doubt to be exercised in the interest of the accused. It is divine law that ninety and nine guilty ones should escape rather than one innocent be punished."

At 2 o'clock Judge Weir, picking up the thread of discourse where two hours before he dropped it, said, in substance, that to all crimes there is a motive and the prosecutions in this case ingeniously sets forth as the motive for this that John Sheedy and his wife lived in great discord and she wanted to get a divorce, that while in Buffalo she met and fell in love with one A. H. Walstrom, and this led her to imbue her hands in the blood of her kind. This is the motive the prosecution offers. "And," continued he, "with all the able counsel, with all the efforts of experienced detectives the prosecution has failed utterly to bring out any substantial evidence—only the most remote circumstantial evidence. It is important we should know the difference between direct and circumstantial evidence. It is a great principle in law that if the great chain of circumstantial evidence any chain is lacking the entire is of no effect; it must be one and continuous—every link in its proper place.

"John Sheedy was in common language a gambler. A peer to any in his profession in this city. His successes appalled them and caused a jealousy to wrankle in their bosom. He was struck at his own door, and is it not quite as probable that someone other than his own loving wife was the cause of the fatal blow! Was it not Mr. Courtney who testified that only a few days prior to the assault that Sheedy received a letter which threatened his life unless he stopped 'running the town.'

"Suspicion shortly after the crime fell upon Monday McFarland and his arrest followed. Then it was an opportunity was offered the combination of detectives and officers to make money.

"You will remember he was arrested on Saturday evening, and if Marshal Melick is to be believed offers of immunity were immediately made him. He told him if others were implicated by disclosing it he would get off easier. He was put in a cell, but I will not stop to detail the shameful conduct there. Jim Malone was there. He is the man who is looked to when evidence is wanted. He is a man of experience, it seems. And he is a man schooled in inquity. He made this poor man believe there was a mob in waiting for him. He piled him with this statement until the poor man was well nigh crazed, and under this great stress of mind this confession was made. This poor colored man appealed to Capt. Carder to save him from this mob. There he was; pressed on all sides; scared to death, and the question then arose how am I to save myself and under this condition told this doleful tale. And then on Sunday, about 11 o'clock, the mayor and officer aut him under this crucial test again."

The judge was still addressing the jury at 3:15, when THE CALL forms closed.

DAVID BUTLER.

A Rumor that He Is Among the Dead.

It is stated this afternoon that ex-Governor Butler died suddenly at his home near Pawnee City yesterday. A telegram from this office to Pawnee City to verify the statement has not brought a response up to the time of going to press.

EXCELLENT PROSPECTS.

And Farmers are Hopeful and Rustling.

Mr. J. W. Johnson of the railway commission was in the western part of the state last week and was at Curtis for several days. In speaking to THE CALL of crop conditions and the country in general Mr. Johnson said:

"Curtis is in Frontier county. That's one of the big counties out there. Its 24x48 miles in extent, and while there is some rough land there are hundreds of acres of beautiful, unbroken prairie of rich soil waiting for somebody to plow it up and turn it into a cornfield. You can't see the beauty of that country from the railroad. Railroads follow the streams and plunge through the draws and canyons, and if you view the country from a car window you'll deny the theory that God created all the earth and insist that the devil got in the work in Frontier county. But go out on the uplands and see the fine prairie and the wheat fields and you'll want to exchange the pessimist who preaches that western Nebraska is not an agricultural country.

"How did they get the seed wheat? They got it every way. Some of 'em saved it from last year's crop, some of 'em got it from the state relief committee and nearly every one of 'em had a friend in Iowa or Illinois who helped 'em out, and they got it by hook or crook, but they got it, and they put it in, and its a fine sight to see it now. They're having good rains all over the western portion of the state. Day before yesterday it rained seventeen hours continuously, a regular old fashioned quiet rain. They listed last corn mostly this year That's the lazy mans way of planting corn so they say, but I believe its all right in that light soil. Of course there's lazy men out there as there always are on the frontier.

"An industrious man goes west to build up a home and grow up with the country, but a lazy man seeks the frontier to get away from society, where he can live without changing his shirt.

"In Frontier county the farmers are all busy in their fields, and every man feels the inspiration of a new premise and a new hope. The railroads haven't cars enough to ship the grain that will be raised in this state this year if the present crop promise is fulfilled."

A little 4-year-old of an enquiring turn of mind wandered out of Miller & Palmer this morning about 10 o'clock while her mama was busily engaged shopping. After an absence of half an hour the little one was found, having been sight seeing on her own account, and restored to the frantic mother.

THE MARKETS.

Conditions of Today's Markets in Chicago.

Wheat Steady, Corn Steady, Oat Weak—Cattle Market Steady—Hogs Lower.

Neal Brothers brokers and commission, Sheldon block, furnish THE CALL the following figures on today's Chicago and St. Louis markets:

CHICAGO.

OPTIONS.	Opening.	Highest.	Lowest.	Closing.	Yesterday's Closing.
WHEAT—					
July	89¾	90⅛	89¼	90⅛	90⅛
Aug	90¾	91⅝	90¾	91⅝	91⅝
CORN—					
July	52⅛	54⅝	52⅜	54⅜	54⅜
Aug	52	53⅞	51⅝	53⅝	53⅝
OATS—					
July	41⅜	42⅝	41⅜	42⅝	41⅜
Sept	30	30¼	29⅞	30¼	30⅛
PORK—					
July	10 20	10 20	10 17	10 20	10 20
Sept	11 00	11 05	10 90	10 95	10 97
LARD—					
May					
July	6 37	6 37	6 32	6 35	6 35
SHORT RIBS—					
May					
July	5 90	5 90	5 85	5 90	5 87

ST. LOUIS.

OPTIONS	Opening.	Highest.	Lowest.	Closing.	Yesterday's Closing.
WHEAT—					
July	89¾	90⅝	89¼	90⅛	89⅞
Aug					
CORN—					
July	50⅞	52⅛	50⅝	52⅛	52⅛
Cash					
OATS—					
July	40	40	39	40	39¾
Cash					

GRAIN RECEIPTS—CHICAGO.

Wheat	28,667
Corn	407,477
Oats	310,000

SHIPMENTS.

Wheat	203,000
Corn	417,700
Oats	142,975

GRAIN RECEIPTS—ST. LOUIS.

Wheat	17,000
Corn	107,000
Oats	69,000

SHIPMENTS.

Wheat	10,000
Corn	36,000
Oats	11,000

RECEIPTS.

Hogs, Chicago	30,000
Wheat, Minneapolis	
Wheat, Duluth	

ESTIMATE FOR TOMORROW.

Wheat, carlots	125
Corn	400
Oats	300
Hogs	21,000

LATEST VISIBLE SUPPLY.

Wheat, decrease	502,000
Corn, increase	1,134,000
Oats	455,000

LIVE STOCK.

Chicago Markets.

CHICAGO, May 25.

CATTLE — Receipts, 12,000. Steady and strong.

HOGS—Receipts, 30,000. Lower. Prime heavy and butchers' weights, $4 40@4 50; mixed and packers, $4 20@4 45; slips and lights, $4 00@4 20.

SHEEP—Receipts, 8,000. Active and firm.

New York Grain and Produce.

NEW YORK, N. Y., May 25.

WHEAT — Higher. July, 91 07 14-16@1 08

CORN—Higher. No. 2, 67@68c.

OATS—Firmer. Western, 42@50c.

PORK—Steady. New, $12 00@13 00.

LARD—Firmer. $6 15.

BUTTER—Steady. Western dairy, 10@16c.

EGGS—Firmer. Western, 18@18½c.

The Chicago Markets.

CHICAGO, May 25.—11 p. m. Close.]

WHEAT—Steady. Cash, 1 04; July, 1 00¾.

CORN—Steady. Cash, 52½c; July 54½.

OATS—Firm. Cash, 40½c; July, 42½c.

MESS PORK—Easy. No.

BARLEY—Nominal; No.

FLAX SEED—Firm; $1 12.

TIMOTHY—Easy; $1 25@1 30.

WHISKY—Firm. Cash, $1 07¼; July, $1 07.

PORK—Firm. Cash, $10 02½; July, $10 77½.

LARD—Firm. Cash, $6 20@6 27½; July, $6 37½@6 40.

SHORT RIBS—Firm. Cash, $5 72½@5 75; July, $5 87½@5 90.

Fruits, Vegetables, Etc.

Quotations furnished by Granger Bros., wholesale commission merchants, 1036 P street.

LINCOLN, Neb., May 25, 1891.

Choice table butter	per lb 20@25c
Cooking butter	per lb 14@16c
Eggs, fresh	12c
Full cream cheese, twins	12c
Full cream, Y. A	11c

EGGS.

Extra fancy new Messinas, 300 per box	$5 25
Choice new Messinas	per box 4 50

ORANGES.

Riverside	$2 50
California oranges, Ranchitos per box	2 75
California Downey per box	3 00

BANANAS.

Fancy large	per bunch $2 50@3 00
Fancy bluefields	1 50@2 00

MISCELLANEOUS.

Cucumbers, per doz	1 00
Green peas, per box	50c
Beets, per doz	50c
Fresh strawberries per crate	$3 00
Surprise onions, per crate	2 00
Canada Red Onions, per bu	1 00
Cabbage, Alabama, per crate	$1 75
Florida Tomatoes, per lu box	4 00
Potatoes domestic per bu	35c
Beans, medium, per bu	1 50
Turkeys, dressed, per lb	10@12c
Fowl, dress	9@10c
Geese	8c
Chicken, alive, per doz	$1 50 to 4 00

Good Looks.

Good looks are more than skin deep, depending upon a healthy condition of all the vital organs. If the Liver be inactive, you have a Bilious Look, if your stomach be disordered you have a Dyspeptic Look and if your Kidneys be affected you have a pinched look.... Secure good health and you have good looks. Electric Bitters is the great alterative and Tonic acts directly on these vital organs. Cures Pimples, Blotches, Boils and gives a good complexion. Sold at J. H. Harley's drug store, 50c per bottle.

Choice Lincoln property to exchange for farms. A. N. Wycoff, room 10, Richard's block.

IF YOU NEED SHOES

READ THIS:

Special Shoe Sale.

MEN'S SHOES.

James A. Bannester's Calf at $4.
Hathaway, Soul & Harrington's Cordovans, $4.25.
Smith's Welt Calf at $3.50.
280 pairs, former price $2.50 and $3 shoes, to be sold at $2.00.

LADIES' SHOES.

Laird, Schober & Mitchell's at $3.75.
Lot Kid and Goat $3 Shoes to be sold at $2.

ED. G. YATES, 1129 O STREET.

Stylish Paper Hangings,
This Seasons Designs,
Everything New and Cheap.

"Bridget, did the fishman have frog legs?"
"Sure, mum, I didn't see. He had his pants on."

INTERIOR DECORATIVE CO
1134 N STREET.
A. C. ZEESER, President. CARL ELWICK, Manager

J. C. McKELL,
SUCCESSOR TO THE BADGER LUMBER CO.,
Wholesale and Retail Lumber,
Largest stock in the city.
Special attention given to mail orders.
Call and examine our Oregon Pine, Cedar Shingles.
Telephone 701, or Address P. O. Box 951
O Street, Between 7th and 8th. Lincoln, Nebraska.

MOVED SLOWLY.

Only $17,611 the Real Estate Transfers of Saturday.

The following is a list of the real estate transfers filed in the office of the register of deeds May 23:

T O Bivin to R Robinson, lot 22, blk 3, Madison Square add, wd—$2,000.

N O Dristy and wife to N W Pynchon, lot 8, blk 8, Capitol View add, wd—$4,000.

N O Dristy and wife to F W Pynchon, lots 22, 23, 24, blk 2, Crescent Glen add, wd—$200.

W F Ainsworth and wife to Wm B Lynch, lot 13, blk 15, Peck's Grove, wd—$2,000.

Estate of A E Touzalin, deceased, to J H Hammond, lots 4, 5, 6, blk 12, Hillsdale, wd—$1,600.

Estate of A E Touzalin, deceased, to J H Hammond, lots 7 and 8, blk 1, Second Hillsdale, wd—$1,190.

Estate of A E Touzalin, deceased, to J H Hammond, lot 11, blk 1, Second Hillsdale, wd—$409.

Nebraska Christian Educational board to Martha L Reed, lots 11 and 1, blk 17, Betsony Heights, wd—$600.

R K Johnson and wife to J W Kerns, lots 1 and 2, blk 5, Raymond, wd—$550.

Sadie E Blakeslee to O & R V Ry, lots 1 and 2, blk 260, Lincoln, qcd—$10.

H B Blakeslee to Sadie E Blakeslee, lots 1 and 2, blk 260, Lincoln, qcd—$1.

T F Hardenbergh and wife to Carl J Olson, lot 9, blk 1, C C Burns' sub-div, wd—$950.

Bruce, Munsen and wives to Wm Acken, lot 13, blk 1, Ens End add, wd—$750.

Minnie Snyder and husband to George Baker, lot 4, blk 2, Madison Square add, wd—$1,200.

Total, $17,811.

DIED.

CHATLEY—At 1528 P street this morning about 7 o'clock of typhoid fever, after a week's sickness, A. L. Chatley.

The deceased has been employed in the West Lincoln stock yards. His friends and relatives to whom word has been sent are living east. In the meantime Undertaker Thomas will take charge of the remains. Notice of funeral later.

FOR FALLS CITY.

The Knights Leave on the M. P. Tonight.

Arrangements have been made with the Missouri Pacific folks by which the uniform rank of K. P. of this city and their friends will leave for Falls City tonight in a special chair car. The boys will occupy this during their stay and come back Tuesday night, thus giving good accommodations and a chance for a nice ride and time to sleep, getting back to Lincoln Wednesday morning in good shape. The occasion of this trip is the dedication of the new park at Fall City under the auspices of the Knights of Pythias, and the Lincoln knights go by special request to assist. A large party of ladies go with the boys.

Guaranteed Cure for La Grippe.

We authorize our advertised druggist to sell you Dr. Miles's New Discovery for Consumption, Coughs and Colds, on these conditions. If you are afflicted with la grippe and will use this remedy according to directions, giving it a fair trial, and experience no benefit, you may return the bottle and have your money refunded. We make this offer, because of the wonderful success of Dr. King's New Discovery during last season's epidemic. Have heard of no case in which it failed. Try it. Trial bottles free at J. H. Harley's drug store. Large size 50c and $1.

A TRUE MICHIGAN KILLER.

A New Discovery and Specific

For the cure of all chronic diseases found in Kidd's Germ Eradicator," that is warranted before all dissapears because it kills the microbe, germ, parasite animalcule or their intermediate worms or insects in the air, water, food or tissues in milk and fruit, that are causing the disease. Such diseases as malaria, consumption, blood diseases, cancers, tumors, diabetis, Bright's disease, eczema, scrofula. Retailed in $1, $5, and $10 later $1 gain sizes. Sent everywhere prepaid on receipt of price. All druggists deliver and the public supplied by J. H. Harley, Lincoln, Neb., who bonds to guarantee to cure

Edward Matthews files an answer to the petition of his wife, Mary A. Matthews, for divorce, in which he himself prays for a divorce while reciting the ups and downs of the twain. He alleges Mary assaulted him with a stick of wood and deserved him as to her chastity before marriage.

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

Royal Baking Powder

ABSOLUTELY PURE

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