

OUT ALL NIGHT.

The Jury in the Haggerty Murder Case Deliberating.

Judge Van Fleet's Able Charge--The Arguments--A Juror's Brilliant Condemnation.

The trial of old John Haggerty for the murder of his son, John D. Haggerty, was brought to a close in Judge Van Fleet's court yesterday.

District Attorney Ryan made his opening argument to the jury as soon as court convened, and went over the facts in the case in considerable detail.

The trial of old John Haggerty for the murder of his son, John D. Haggerty, was brought to a close in Judge Van Fleet's court yesterday.

The District Attorney made a brief closing argument, and then Judge Van Fleet gave his instructions to the jury.

These instructions were particularly interesting, by reason of the fact that the subject of insanity, such as may be brought on by years of excess in the use of intoxicating liquor, was ably and clearly treated.

Judge Van Fleet incorporated in his instructions a number of propositions submitted to him by both the defense and prosecution.

"But you must understand that it is not every degree of insanity or unconsciousness of mind, that will render a man irresponsible for his act. A man's mind may be unsound in some respects--in some, but not in others--and yet his mind may be sound in all other respects.

"The law does not require that the mental infirmity should have existed for any definite period of time, nor does it make any difference what cause may have produced it, but it must be made satisfactorily to appear to the jury at the time of committing the act was laboring under mental derangement to the extent I have indicated above, or it cannot avail him as a defense.

"In other words, as I have before instructed you, his mind must be shown to have been in such a diseased condition that he was incapable at the time of the commission of the act of distinguishing between right and wrong.

"There is evidence tending to show that the alleged insanity of the defendant, if he was insane, may have been produced partly from the effects of an injury to his head received many years before the homicide, and partly from the long-continued use of intoxicating liquor.

"The question for the jury to consider and determine, and as I have said, is not what the producing cause may have been, if you should find that he was in fact insane when he committed the act of killing, insanity is his defense.

"LONG-CONTINUED INTOXICATION. Affects responsibility in the same way as insanity produced by any other cause. But it must be settled insanity, and not merely a temporary mental condition produced by the recent use of intoxicating liquor. The mere fact that a man is drunk does not excuse him. The law is that no act committed by a party while in a state of voluntary intoxication is less criminal by reason of his having been in such condition.

"On the question of insanity it is proper for me to instruct you further, that the burden of proving that he was insane at the time he committed the act rests upon the defendant. The law presumes every man sane until the contrary is shown, and the prosecution may rest upon this presumption and need not prove the insanity of a defendant. But when a defendant alleges that he was insane at the time the act was committed as a defense to a criminal charge, he is bound to prove his insanity clearly and satisfactorily to the jury before he can be acquitted upon that ground.

"If you should come to the conclusion that the defendant should be acquitted on the ground that he was insane at the time of the commission of the act charged, your verdict must not be guilty by reason of insanity."

"It is usual in cases of murder for the Court to instruct the jury that, if certain facts are presented, a verdict of manslaughter may be rendered, and he declines what manslaughter is. But in this case Judge Van Fleet said nothing about this degree of the crime, much to the surprise of the attorneys for the defense. The latter had little hope of seeing Haggerty entirely, and depended upon getting him off with a sentence of imprisonment for manslaughter.

Judge Van Fleet directed the attorneys, after the trial, that, under the evidence, it would have been impossible for him to have incorporated manslaughter in the charge.

TO MOUNT SHASTA.

Delightful Excursion Enjoyed by Newspaper Men.

Members of the Press Association View the Country--What They Saw--Receptions--Etc.

The California Press Association excursion train passed through this city yesterday morning on its return from the neighborhood of Mount Shasta, where the party enjoyed a most delightful outing.

The excursionists filled three Pullman sleepers, and were a jolly party. Their cars were attached to the Oregon Express as far as Redding, which was reached on Tuesday morning in time for breakfast.

At the railroad hotel the time was arranged in a tasteful manner a fine exhibit by ex-senator George McWright, who was the guest of honor at the dinner given at the hotel.

After an hour spent in viewing the substantially-constructed and rapidly-growing town of Redding, a special engine, in charge of George McWright, was attached to the excursion train and it proceeded north as far as Mott, stopping for a short time at Soda Springs.

The afternoon was spent in viewing beautiful scenery around Mott, from which place one of the very best views of Mount Shasta is had, and in the evening the excursionists were met at Soda Springs by the citizens of the town, Mr. Blum delivering the speech of welcome, which was responded to by ex-senator George McWright.

Nothing more was heard from the jury until 11 o'clock, when word was received that they desired to be brought into court.

Judge Van Fleet was sent for, and also the attorneys in the case. The lobby was quite crowded when the jurors were brought in.

Clerk Wachhorst made the usual query, and Foreman Brundage stated that they had been unable to reach a verdict, and desired to be discharged.

But the Court thought that a few more hours' deliberation might bring about the desired result, and ordered them locked up for the night.

It was rumored that the jury stood eleven for a verdict of murder in the second degree and one for acquittal.

Early last evening, while Officer Gibson was in the vicinity of Eighth and K streets, he was informed that an old man was at Third and K streets in evident distress and suffering from a beating at the hands of somebody.

The officer hastened down town and found the venerable victim at the place named. He proved to be Augustus Lynn, an old and crippled man, nearly seventy years of age, who runs a chicken "ranch" at Twenty-seventh and Q streets. He was covered with blood that flowed from various slight wounds about his head and face.

Lynn was taken to the Receiving Hospital, where he stated that he had been assaulted by two men and robbed. He said he came down town early in the evening with \$40 in his pocket, of which he spent about \$5.

While drinking in a Third-street dive he exposed his wealth, and shortly afterward, while passing through the alley between K and L streets, he was attacked by two ruffians, who beat and robbed him of \$35.

He was somewhat under the influence of liquor when Officer Gibson found him, but his story about having that amount of money a short time before he was assaulted, was corroborated by the proprietor of a saloon which he had visited.

When he had washed the blood from his face and began to feel better he was taken to the Receiving Hospital, where he was attended to by the nurses, as there was nobody to look after him. It was very dark in the alley where he met and was assaulted by the two men, hence he could give no description of them.

Lynn was taken to the Receiving Hospital, where he stated that he had been assaulted by two men and robbed. He said he came down town early in the evening with \$40 in his pocket, of which he spent about \$5.

While drinking in a Third-street dive he exposed his wealth, and shortly afterward, while passing through the alley between K and L streets, he was attacked by two ruffians, who beat and robbed him of \$35.

He was somewhat under the influence of liquor when Officer Gibson found him, but his story about having that amount of money a short time before he was assaulted, was corroborated by the proprietor of a saloon which he had visited.

When he had washed the blood from his face and began to feel better he was taken to the Receiving Hospital, where he was attended to by the nurses, as there was nobody to look after him. It was very dark in the alley where he met and was assaulted by the two men, hence he could give no description of them.

Lynn was taken to the Receiving Hospital, where he stated that he had been assaulted by two men and robbed. He said he came down town early in the evening with \$40 in his pocket, of which he spent about \$5.

DISASTROUS RUNAWAY.

A Gas-House Equine Makes Splinters of a Buggy.

Early last evening a horse attached to a heavy business buggy belonging to the Capital Gas Works ran away. Somewhere between the gasworks and Third and K streets the vehicle collided with something and came to grief, and the horse dashed through Third street with the front wheels only.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

COINTEGRITY.

Bridge Repairs Paid For--A Bridge Wanted at Elk Grove.

The Board of Supervisors resumed its session yesterday, but devoted nearly the entire day to auditing bills which have accumulated against the county during the past month.

Among the bills was that of George B. Dean for \$1,446 for repairing the suspension bridge at Folsom. The petition from Elk Grove of John Craddock, C. H. Dixon and others, for assistance from the general fund of the county, for the purpose of constructing a sixty-foot bridge across a slough between the lands of William Dixon and Mrs. Matland, was presented.

It was withdrawn upon the recommendation of Mr. Bates, for the reason that the petition asked for money from a fund which cannot be used for road purposes. It should have asked for assistance from the general road fund.

DISASTROUS RUNAWAY. A Gas-House Equine Makes Splinters of a Buggy.

Early last evening a horse attached to a heavy business buggy belonging to the Capital Gas Works ran away. Somewhere between the gasworks and Third and K streets the vehicle collided with something and came to grief, and the horse dashed through Third street with the front wheels only.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Between J and I the horse ran against a pile of lumber, which held the wheels of the buggy, and the horse was thrown against the side of a street-car and fell, when he was caught.

The driver, however, escaped, but the horse is thought not to be seriously injured.

Changed Daily for Weinstock, Lubin & Co

TO-DAY AT 9:30 A. M., SPECIAL SALE OF Hemp Carpets, Portieres, Table Covers and Remnants.

LOT 1.--Consists of a number of lengths of Striped Hemp Carpet, 36 inches wide, which were purchased from a large dealer at prices below regular value. As we do not carry this brand of Carpets in stock we have decided to sell the lot at special sale. They may be had in lengths as follows:

- 10 YARDS CARPET FOR \$1 10. 13 YARDS CARPET FOR 1 65. 23 YARDS CARPET FOR 2 75.

LOT 2.--A variety of Fine Portiere Curtains, in Turcoman or Chenille. These odd pairs of Portieres have been selected from our regular stock and have been reduced in some cases to nearly one-half their former price.

LOT 3.--Handsome Brocade Velvet Table Covers, in rich designs. Size 36 inches square, \$1 45 each; size 54 inches square, \$2 45 each.

LOT 4.--Remnants of Oilcloths, Carpets, Mattings, Screens, Draperies, and a few pairs of soiled White Lace Curtains.

The Leading Stock of Shoes in Sacramento.

Many feet have been ruined forever by wearing cheap and poorly made shoes. We keep no such qualities at any price. For this reason, it will pay those especially who do not wear the more expensive grades to deal with us.

Our Boots and Shoes are made expressly for us by the leading manufacturers of the country. They are the best obtainable for the purposes for which intended. We keep no "shoddy" goods of any kind.

Weinstock, Lubin & Co.

400 to 412 K St., Sacramento.

BLACK TIPS! BLACK TIPS! BLACK TIPS! 25c Apiece, 25c Apiece, 25c Apiece, WORTH 50 CENTS, --Now on Sale at-- MRS. M. A. PEALER'S, 619-623 J St., Sacramento.

Something New in Patent Rockers, See Our New Spindle Back Patent Rocker at \$3 50.

SOME ELEGANT PATTERNS IN THREE-PLY AND BRUSSELS CARPETS. CHAS. M. CAMPBELL, 409 K St. FURNITURE AND CARPETS.

W. D. COMSTOCK, FURNITURE, BEDDING, MIRRORS, ETC.

ONLY A FEW OF 'EM LEFT. NOTE BOOKS, COMPOSITION BOOKS AND TABLETS

THIS (Thursday) MORNING. --YOUR CHOICE OF-- 10c Lot at 6c; 5c Lot at 3c.

Every purchaser to-day will be given a fine 24-page Composition Book. W. F. PURNELL, 609 J Street.

DRINK Sisson's LEMONADE.

Great Reductions in Prices at the GOLDEN RULE STORE, 300 J STREET. FANCY CASSIMERE SUITS, \$4; FANCY CASSIMERE PANTS, \$1 75; BALBRIGGAN Underwear Suits, 75c; Fancy Striped Socks at 5c a pair; Fancy Colored Shirts 25c; 15 Candles for 25c; Fancy Soap for 25c a dozen; Face Powders, all brands, 5c; Quilts from 75c upward; Blankets from \$1 25 upward. N. ZEMANSKY, Proprietor.

Miscellaneous.

A Prosperous Career

DOES NOT MEAN A SUCCESSFUL LIFE. There is something vastly more important than that which is the result of the essential stepping-stones to a prosperous career. If you are a sufferer you can probably be relieved.



W. A. COX, 539 O street, this city, a well-known and popular gentleman, writes: "I have doctored with many physicians for the past three years, but only derived temporary relief. I suffered greatly from rheumatism, heart and kidney troubles. I placed myself under the care of Dr. Williams' Pink Pills for Pale People, and after the first four weeks of treatment I found myself cured. I give this testimonial to enable others suffering as I have been to learn where they can be speedily cured, if the case be curable, or if otherwise will be cheerfully informed."

NERVOUS DEBILITY, resulting from errors of youth, marital excesses, etc., and causing exhausting drains, loss of memory, ambling and mainly physical, impeding to marriage, and wrecking the victim mentally and physically. BLOOD AND SKIN diseases, such as Scrofula, Syphilis, Ulcers, Bores, affecting blood, throat and bones, are speedily and thoroughly eradicated from the system, cure you, you will waste your time and money trying elsewhere. Every character of disease treated. CATARRH, Catarrhal Discharges, loss of taste or smell, Bronchitis, and all throat and lung diseases permanently cured.

Our Boots and Shoes are made expressly for us by the leading manufacturers of the country. They are the best obtainable for the purposes for which intended. We keep no "shoddy" goods of any kind.

SOUTHERN PACIFIC COMPANY OGDEN ROUTE Dining Car Service Daily. 7:30 Fast Mail Leaves 7:30. Leaving San Francisco 7:00pm. Making almost continuous Dining Car Service to Omaha, Chicago & New York. Ticket Agency: F. K. Goodman, New York, N.Y. San Francisco, Cal.

Hardware, Blacksmith Supplies, Lawn Mowers, Rubber Hose, Wire Cloth.

Schaw, Ingram, Batcher & CO., 217 and 219 J Street, Sacramento.

C. SCHNERR & CO. (Successors to Patel & Schnerr). Nos. 111 and 113 Front Street, Sacramento, Cal. PROPRIETORS CAPITAL SODA WORKS and General Agents Fredericksburg Brewing Company, dealers in Wines, Imported Mineral Waters, Carbonated Drinks, Flasks, etc.

CAPITAL PHARMACY, S. W. Corner Seventh and K Sts., J. S. O'CALLAGHAN, Sacramento, Cal. Druggist and Apothecary.

SHERWOOD HALL NURSERIES, Timothy Hopkins, MENLO PARK, SAN MATEO COUNTY, CAL. Carnations, Roses, Chrysanthemums. SWEET PEA SEED A SPECIALTY. HAMMER'S GLYCEROLE OF TAR For Coughs and Colds. A SPEEDY AND RELIABLE CURE. Fourth and K streets and all Sacramento Druggists.

CURE YOURSELF! It troubled with Gonorrhoea or Gleet, Water, spermatorrhoea, or any unnatural discharge, your druggist for a bottle of this medicine. It cures in a few days without the aid or publicity of a doctor. Non-painful and guaranteed not to stricture. The Universal American Cure. Manufactured by The Evans Chemical Co. CHICAGO, ILL. U.S.A.

DR. PRICE'S DELICIOUS Flavoring Extracts. NATURAL FRUIT FLAVORS. Vanilla - Of perfect purity. Lemon - Of great strength. Orange - Economy in their use. Almond - Flavor as delicately and deliciously as the fresh fruit. MARRIED. BARTON-KERR--In this city, October 1st, at the residence of the bride, 627 M street, by Rev. F. G. George, Thomas Lanson Barton to Hattie Kerr, both of Sacramento. HEALTH-MENDIS--In Oakland, October 4th, by Rev. Father Gramble, in the Church of the Immaculate Conception, John Healy to Kittle Mendis.