THE COLUMBIAN AND DEMOCRAT, BLOOMSBURG, COLUMBIA COUNTY, PA.

dier.

the man at all.

sand on him; Rea was killed on a Saturday,

agree ng to see him, and Smith told H ster

arrested; we went to Mike Graham's at

Beaverdale, and then went to Frenchtown

we stopped with a man named Owen Cowly ;

we then went to Hazleton and stopped with

Sheridan; the next night Tully, McHugh

and Smith hired a rigging and drove to

Wilkesbarre, and left me in Hazleton ; it was

reported that Hugh O'Donnell was after us;

a man by the name of Cull and Tom Boyle

were with them ; I then went back to French-

town and then to Tamaqua ; a good while af-

terward I met McHugh at Locust Gap, but I

never met Tully; I remained away a month

or two months, and when I came back Hester

was in jail ; after he got out he told me that

he went to Illinois ; he didn't tell me how

long he stopped, and he said he thought it

looked better to come back as he might be

taken out there ; I had no conversation with

Hester after he came back from Illinois; Mrs.

Dooley got Rea's pocket-book; the watch-

a gold one-I gave to Mike Graham to keep

for me, and I got it from him and gave it to

Con. Garrah for ten dollars, and then he gave

it to me and I gave it to McGuire for ten dol-

lars and gave that ten dollars to Garrah; I

fierward learned that that watch was broke

Efr Columbian. SAN. BROCKWAY& ELWELL, Editors. BLOOMSBURG, PA. Friday, Feb. 16, 1876 THE REA HOMICIDE.

JUDGE ELWELL RULES OUT HISTER' SPECIAL PLEA.-THE TRIAL PROCEEDS.

We went to press last week too soon to last wound was in the back of the neckgive anything more than a brief account of that is the ball entered the neck and passed the opening of this, the last and one of the out at the shoulder: either of five of the most important of what are known as the wounds would have caused instant death. "Molly Maguire" trials. The special plea Q. Describe the balls? A. They were entered by Patrick Hester was argued by such as could be fired from a Colt's revolver. Messrs, Ryon and Wolverton on behalf of and one of them might have belonged to a the privor er, and by Messrs. Hughes and Smith & Wesson; I am not acquainted with Buckalew for the Commonwealth. On the sizes.

Thursday afternoon Judge Elwell read his When Betterly had finished, Mr. Hughes opinion deciding that the plea was not suffiread

cient, and that the prisoner must plead over THE TESTIMONY OF JAMES KEALY, as given at the trial of Donahue : Am jus again to the indictment, to which ruling the ofense took an exception. The Court then tice of the peace at Centralia"; I held an inordered that a jury be called. This occupied quest on the body of Rea on the 18th of the entire of ernoon. The jury selected is October last : found the body perforated by as follow -: Franklin Shuman, Main town- six gun-shot wounds; first two wounds were ship: Amos Wanich, Mt. Pleasant ; William in the heart; found no other wounds but Miller, Mt. Pleasant ; Lewis Girton, Hemsix, except that the skin of his right finger lock ; H. N. White, Scott ; William Richart, and thumb were rubbed; clothing not torn; Hemlock ; Perry Christian, Madison ; Abrathe body was dressed in overcoat, undercoat ham White, Orange ; Isaac A. Dewitt, Green-&c.; examined his pockets and found a leath wood ; Benjamin McHenry, Greenwood ; er drinking cup and five keys; found n Edijah Yocum, Benton ; Joseph Lamon, Briwatch or pistol, but found some coppe azereek. John M. Clark, District Attorney, coins; the inquest was held on the body pened for the Commonwealth in the falwhere it was found." DAVID BACHMAN

loming speech :

May it Please the Court, Gentlemen of the Jary: Patrick Hester, Peter McHugh and Patrick Tuliy are charged with the fel-onious killing on the 17th of October, 1868, of Alexander W. Rea, and this killing is beyond a doubt murder in the first degree. We charge McHugh and Tully with being mathematics in the murder and us obscure participants in the murder, and we charge Hester with alding and abetting them. The law will tell you that an accessory before the found the body of Mr. Rea ; this was upon fact occupies the position of a principal and is just as guilty. Before going further I would mention that up to within a year there has been an organization called the "Mollia Maguires" in existence in the coal region and though the by laws and constru-tion of this order are apparently of a proper character the practices of the order are dimel; the body lay in a clear spot, but there was brush all around, and a path led from tion of this order are of the order are on character the practices of the order are on character the practices. We shall prove to you the road to the clearing ; there was a pretty strong frost that morning, and the body and murder were among the the order. We shall prove that ought to have been stiff, but I do not know that robbery and murder were among the practices of the order. We shall prove that Hester, MoHugh and Tully are or were members of this order, and we shall also prove that this is, if ever there was one, a 'Mollie Manufer and the body and the body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and the body home and body home and body home and body home and the body home and bod

"Mollie Maguire" case. Mr. Rea was mur-dered at a point called the "Water Barre," the body on Sunday morning, October 18 on the road leading from Mouni Carmel to Centralia. He was the superintendent of and it was pretty early ; Lewis Edwards was nearest to me when I found the body by, and was in the habit of paying the hands this colliery, and we shall prove to y at that Mr. Rea was murdered for the money he was supposed to have upon his person on that fatal day. He received six wounds, two in the breast, one back of the left ear, two in the glove lay right on the edge of the path found it? A. On his back, face up; his the check, and one in the mouth, any one of the wounds was mortal, but so brucal head was toward the turnpike ; I can's say of the wounds way mortal, but so brutal were these men that even after Rea fell one of the murderers walked up to him and shot him through the head. We shall show you that on the 16th of October, Hester, James Deadlers forthight formation to be be whether his legs were doubled up or ret, and I can't say how his hands appeared.

Bradley, a fugitive from justice, Jack Dal-ton, William Muldoon, another fugitive from justice, Ned Skivington, Peter McHugh, Pat Tully, and Dan Kull or Kelly met at Fat Tully, and Dan Kull or Kelly met at the saloon of Thomas Donohue at Ashland, and hatched the conspiracy to kill Rea. They remained in the saloon all night, and 'in the morning went to the "Water Barrel." Skivington and Hester only went part of the way. The others continued, and Tully and Dan Kelly went as far as the "Water Barrel," where the murder was committed. By the testimony of an eye-witness we will

earch? A. At night; we built a fire and stayed by it till morning. The following testimony sworn to prove what I have told you, and we will corborate this man's testimony in its minutes tails. We will prove that McHugh an details. We will prove that shid they fly Tully fled the county, and why did they fly if not guilty? We will prove that at that county delegate of me Pat Hester was county delegate of orthumberland county; and we shall prove nobody was with him in the wagon : I say Northumberiand county and we say I prove that his influence was so great in the order that he was enabled to get his companions to agree to divide the spoils with him, though he did not actually help them to commit the murder. With this statement of the facts I him give a man an envelope; I saw him be tween nine and a quarter past nine ; saw him take the Mount Carmel road Lafayette Fetterman, the sext witness, te will leave you, only asking you to do justice tified that he lived in Centralia in 1868. rn such a verdict as will accord with Drove from Centralia to Mount Carmel o We are not here as persecutthe 17th of October, 1868; passed the "Wators, but as the supporters of the law, and that the murder of a husband and father er Barrel" and stopped to water horses. Left may be avenged. All that we ask you to do is to acquit the innocent and convict the home about 9 o'clock ; saw four or five men near "Water Barrel" on right hand side of road ; they went into the brush and disap-

be had paid the men at the colliery on Fri- going toward Centralia is about a mile and a to the Gap with Mr. Farley : I next saw didn't steal it ; the warden gave it to me and ay, and that it was rather an unusual ocquarter. ence for him to do so. He also testified EDWARD SCHAEFFER SWORN him from the Gap to Ashland ; Hester got no I lived in Centralia in October, 1868; 1 that after the pay was made about a thou-

sand dollars remained, and this money was taken home by Mr. Rea, and that as a usual o'clock on the morning of the 17th of Octothing the money for a pay was expressed from Philadelphia to Mr. Rea. ber, 1868; I saw him driving away from Centralia in a buggy ; I saw him next when | and we met at Donohue's on Friday. DR E. L. BETTERLY SWORN, his dead body was brought home ; I did not I live in Wilkes-Barre now, but in 1858 I attend the inquest. Cross-examined.-Q. You saw Rea a lived in Centralia ; was a practicing physician then ; I had known Alexander W. Re-

Mount Carmel that morning? A. No, sir from 1859; I was called to hold a postmor n Centralia; he was about a hundred yard from his own house, and it was twenty min tem examination upon the body of Mr. Rea on Sunday, October 18, at his office; I utes past nine when I saw him, examined the body and found several pistol Q What kind of a horse did he have! wounds on his body ; one wound was near A. A black horse, Q Waso't it a large bay mare that he had ! the left nipple, another penetrated the lungs,

r wound was in the face; the ball must Q. Was there a cover on his wagon? have entered the left corner of the mouth A. I don't know, sir. and passed out at the left side of the cheek ;

that Donohue and Duffy were arrested, and the fifth wound was in the skull, and the cinity was produced and sworn to as correct Hester said, "It's near time that I should in all its details by Mr. Cuarles Patterson clear ont " and that night he did clear outof Ashland,

and we stayed around until the next night; Hester didn't tell us where he was going; I Court then adjourned until two o'clock, at went to Locust Gap that night and left Mewhich time Kelly was brought from the jail where he is carefully guarded by Captain Hugh and Tully at Hester's; the three of us Linden, and placed on the witness stand met at Harvey's on the next day and we all Before he was sworn, counsel for the prisagreed to clear out as we were afraid of being oners objected to his competency as a witness on the ground that he had been sentenced in 1867 in Schuvlkill county for that night; we traveled on foot and at night

highway robbery and that the sentence had not been fully served. He also said that there were other sentences which Kelly had not served. The Commonwealth answered the objection by producing a pardon from the Governor. After some argument th Court decided that Kelly was competent, and he was sworn. He told the story of his crime with fearful detail, and we give it in full, as the most important in the case.

RELLY'S TESTIMONY. Q. Where are you from, Kelly? A. came from Ireland in 1865, and landed at Castle Garden ; I went from Castle Garden to Wilkes-Barre ; then I went to Old Mines and then back again, and then to Malone, York State; in 1867 I left there and went t worn -Prior to 1869 I lived in Centralia Sunbury ; then I worked for a man named Q. Tell us how you found the body of lavage, on the road between Sunbury and Mr. Rea? A. Weil, the first thing that Danville ; in 1867 I went to Locust Gap ; I found was a glove, and I called the crowd know the prisoners at the bar; I met all and showed it to them ; we walked a few three in Locust Gap; I met Hester in the steps further, and there in the brush we winter I went there, and McHugh at the

same time, and I met Tully shortly after ; the 18th of October, 1868; the spot where I was intimately acquainted with them. found the body is not far from the "Water Q. Did you belong to any organization Barrel :" it was on the right hand side of the which they were members? road leading from Centralia to Mount Car-

> Maguires ;" we met frequently, but I never elonged to the body in Locust Gap;] worked at Green Ridge and met McHugh there often, and I used to meet the other men at the Gap.

ber, 1868 7 A. I met Pat. Hester, Peter McHugh and Ned Skivington at Big Mine Run in Barney Dolan's, on the 16th of Octoher, 1868; Hester was going down the mountain with Skivington : Hester was going to the Plane and he missed the train, so be came back to Dolan's and had a drink ;

ulties and one time the police got me but him

ay that charge.

noney, as I paid him seventeen dollars to

Q. What was done? A. After we agreed ishment for the crime.

In Sunbury. Q. Why did across the street and bought some powder ou change it ? A To

Hester in about three days, and rode with I asked no questions.

Q. When they gave you a suit of clothes money, because there wasn't enough, and he and boots, socks and shirt, did they give you beil was when Mr. Hester got me and Aleck and Campbell were right after me and they saw Mr. Rea at twenty minutes past nine said it wasn't worth dividing; Hester said a pair of kid gloves? A. No; they thought Lafferty, and Bear Dolan, and Tom Donohue fired when Rea first began to run. and Campbell to go and commit an outrage Rea would have eighteen or nineteen thou- I was refined enough without them, I supon Mrs. O'Brien ; we went and shot into the

pose, Q Did a man named Helms tell you in house and I know that I was struck with a Q. Did you see Hester about the 17th of that prison one day that you were the murstone or laid out with an axe. Q. Where is Jack Dalton? A. Dead.

derer of Alexander Rea? A. No. sir. Sovember? A. I don't remember the exact Q. Didn't he tell you that he hid in the day, but Smith, Lafferty, Tully, McHugh bush that day and saw the whole affair, and Is dead. and myself went to Hester's; I think it was

Q. Where are all the rest of the men exthat he saw you walk up to the buggy and he day after Tom Donohue was arrested : pull Rea out of the wag-n and shoot him? cept Hester, Meilugh, Tully, Dalton and think I saw one some where in the side. Hester went away that night, and we went off a couple of nights after; we met at Harvey's A. No, and he would have been foolish to stuidowney? A. I don't know, but I guess they have left the country. b fire we want to Hester's, and as we were say that, as he wasn't there. Q. You haven't seen them for years? A.

Q. Didn't you tell Ben, Thomas in jail | going Jack Smith said it was lucks he when't that litester was innocont of the murder of I hadn't the chan e, for I ve been in juil for arrested at Mahanoy City, and he was going to Hester as fast as he could to tell him to got Rea? A. No.: out of the road; we got to He-ter's af er

Q. Didn't you t-ll him that you would Q new long were you in Donohuo's beswear to any thing to get out of jail, and fore Campbell and Bradley ? A. They came in in the evening, and I was there before they that you didn't care's damn for an oath? A. I never held such a discourse in my life : I came in Q. What were you d ing before these men

never told Dan. Higgins that I would swear came in? A. Roger Lafferty was buying pow fifty men's lives away to get out, but him der and ball and we were drinking and smoking and me had some trouble and I struck him, Q. Who took Bradley and Campbell into and he said he would be revenged ; I never he plot ? A. Hester. went to John Gammon to try to get him to Q. Who made them acquainted? A. Oh swear to a lie, and I would have gone to the e knew them already. wrong man, for he is too much of a man to Q. Were any of you out of the saloon after swear to a lie : the mayor of Wilkes-Barre

Campbell and Bradley came into the saloon ? never arrested me for robbing a crippled sol-A. Not to my recollection. Q. When did the saloon close? A. About At this point court adjourned until ni eleven o'clock or so. m. on Saturday morning. Q. How many 100ms were there? On Saturday morning Mr. Ryon began th Only the bar-room.

oss-examination of Kelly as follows : Q. Then tell this jury who came into that Q. When you were in Pottsville didn't ; aloon from four o'clock in the afternoon unttempt to rob Mr. Sol. Foster, jr., of sixty til eleven o'clock at night? A. I don't recollollars, which was paid to him in the roon of the democratic standing committee, o Q. Was Tom Donobue Nr James Duffy at

which he was chairman? A. I don't kno the saloon that night? A. No, sir; they were at Pottsville operating to rob Claude Q. Didn't you stand over him with a knife White the next day, and Hester was going to and tell him that you must have money. A rob White also, only that he missed the train No. sir : not that I remember. at Big Mine Run and Jack Smith said that Q. Didn't you rob Dalton of his pistol? he would give up the order and leave the o, sir : but Hester and me stole three bar country if men could not be got in the coun rels of whisky from Hall's stable. try to rob Rea instead of sending to Phila Q. You stole a watch from Jack Smith delphia for them; Smith is dead now, and I mee? A. No, sir; and I didn't know that

vouldn't belie him. he had one. Q. You know James Dorsey? A. Ye

Q. You stole his watch. A. No, sir. Q. Where did you board at Locust Gap? I boarded a bit with Charlie Boyle, and stopped with Charlie and Johnny Gannon

Q. How much a week did you pay Boyle board ? A. Twenty dollars a month I Q. Did you board with him a month? A.

don't think I did. Q. Then out of a year and a half you only arded less than a month? A. I didn' live for a year and a half at Locust Gap ; was there off and on ; I went to Germantown and Dark Corner and back again ; I went to the Corner in the spring of 1868 ; I was elec-

tioneering around there. . Q. When did you go electioneering? 868 or 1869 ; anyway it was when Kase was

running against Fiske in Shamokin (he means Northumberland county); I went around with Hester, as I was a favorite of his; I eleconeered for Kase. Q. Who did you call on? A. Ob, on

the boys in the society. Q. How long did you take to canvass Lo cust Gap? A. Oh, I don't know. Q. You traveled on a pass given you by

Fiske, didn't you? A. Yes. sir. Q. You said that you were for Kase? Oh. I was a little for both sides. (Laughter.)

Q That's why it took you so long ; you vere electioneering for both sides? A. Well, was electioneering for money more than anything else. (More laughter.) Q. You received a pass from Fiske for a

whole party once and then charged them for their ride, didn't you? A. I got the pass Q. You and

Q. Where did they work? A. Bradley McHugh put his pistol on his arm and kept This was objected to, and not pressed by the commonwealth. worked in Centralia and I don't know where firing away and then Tully walked up and Campbell worked ; the first time I met Camp- put his pistol to his ear and fired ; Bradley Q. You say that you and "the other men" left Shamokin and ran away without paying your board; who were "the other men?" Q. Did you go up to Rea after he was Tully and McHugh.

killed? A. Yes, pretty near, and McHugh Q. What took you to Barney Toner's, in said that's a pretty good overcoat he's got Ashland, the day before the murder of Rea on and I've a good mind to take it, as I've was committed? A. I was in the hald of none myself, and I said "You'd be a lool, going there and meeting acquaintances, and Q. Where is Mu downey? A. I hear he man, to take it, because it has buliet holes I was in the habit of going to Barney Dolin it."

Q. Then you saw the bullet holes? O Where did you part with the party that went to Ashland? A On the moun

tain, after we divided the money. Q. Who divided the money? A. Mo Hugh aid.

Q. You got your share? A. Yes, sir ; we livided all of the money among ourselves, and didn't keep any for Hester or Lafferty; I got my share and the pocket book and the

"Then you got more than your share?" emarked Mr. Ryon. Kelly didn't answer. Q. What did you do when you went to irabam's? A. I took a drink. Q. Who gave it to you? A. I think Mrs.

Graham did Q. Who was there? A. I think the been man was there. Q. Who treated ? A. I am not sure ; we

weren't particular who would treat. Q. Did you see Graham that day? No, sir; I did that night when I gave him the wat h ; I went to Locust Gan that after noon on the beer wagon, and went back to

watch

Graham's from Jimmy Dooley's in the after Q. Did you swear before the justice that you gave it to Garagh? A. I wasn't asked.

Q. You say that you intended to kill Ren as well as rob him. Why did you not sweat to this before the justice? A. Because,

guess, I wasn't asked, and if I said the ar rangement was only to rob him, I did not tell exactly the truth. Q. Hester told you to kill Rea, how wa it that he afterward told you that he was

sorry ? A. He was sorry because there was no money in it, I suppose. (Laughter.) Q. Did Hester say that this was his reaso

sight.

prisoners.)

Q. When Tom. Donohue was on his tria tor being sorry ? A. No. for this murder why did you not come for-Q. You swore before the justice that Mc ward and testify is his behalf? A. Because Guire broke up Rea's watch on a rock? A I din't want to be convicted myself. (Laugh-I swore that I heard so.

Q. What did Jack Smith want to go away Q. Then you would have allowed an inne ent man to be hung? A. Life is sweet. that robbed Claude White. Q. You never confessed to Captain Linder Q. When any of these men ran away do ntil you were charged with this murder ? A

ou know of any one who suspected you of I wasn't charged with the murder at that he murder? A. Some might have without Q. Did you ever confess before the 5th of telling me.

Q. How do you know that Tom Donohue April, 1876? A. I don't remember the date knew who killed Rea? A. Because I told Captain Linden came to me one day and him myself, and Jack Dalton told him, and asked me if I knew anything about the mur-Lafferty was keeping bar for him, and I guess der, and I denied it; I then talked with a he told him, too. man named Donnelly in the cell, and in two Q. If you were afraid that Donohue would or three days I sent for him and I confessed split on you when he was arrested, why did voluntarily and received no promises, and and willing to take the consequences, for it has you come back before he was tried? A. Because I didn't care much whether I was prseen a load on my mind ever since it was rested or not, but I couldn't very well squeal

ommitted. Q. Did it load your mind when innocent non were being tried? A. Those men knew that I was in the murder, and they could have subpænaed me if they wanted me, but they didn't want me.

Q. Which Lafferty was it went for powder and ball? A. Roger.

Q. Did you not swear before a magistrate no remarks. n Pottsville that Aleck Lafferty bought cartridges and not powder and ball? A. I think I said Roger Lafferty, and if I said the oppome that it had Rea's name on it. site I made a mistake, and he got both ball and cartridges, and I now say that he bought Mr. Ryon. powder and ball and cartridges, and the reason why I did not say so before is because

Q. You and these nine people that were and then Graham and Callaghan and myself with you slept in the saloon that night? A. e slept in the bar and couche nan drew the money and the on the table. shared it. Q. Did you put Hester on the bar? Q. After politics gave out what did you do? He took his chances along with the rest of A. I went from place to place; some of the Q. He remained in the saloon all night 'Mollies" of the region would want me to help do a job, and I was always well taken A. Yes. care of, and so it continued until I got sick Q. When did you leave the saloon? A. In and tired of hearing of robberies ; Kelly got the morning. sick of it himself and at last said to Mr. Ryon. Q. Didn't you swear before the 'I'll own up to all that I have done but I defy the peace in Pottsville that you all left the any man to prove that I ever stole until I saloon in the evening? A. No, sir. ined the "Mollie Maguires" and after l Q. You are as certain that Hester was in the bined the society I would do anything; the saloon that night as you are of anything you have testified to in this case? A. Yes, sir, first robbery that I ever committed was in Q. If Hester was not in the saloon that Wilkesharre and was egged on to it by a man named Peebles, who kept a saloon and who night you have not told a word of truth? A. He was, and I have told nothing but the dead used to drug his customers that I might rob facts since I have got on this stand. them and divide with him. Q. When you got to the "Water Barrel" "Your plan was to knock a man down an then pick his pocket, wasn't it," asked Mr how far did you secrete yourselves from the road? A. Oh, forty or fifty yards. Ryon. "No." was the answer, "it wasn't ; I used Q. From the time that you entered th o get my man drunk first, if possible and bush until you jumped out upon Rea did any then when he had lain down, go through me but Dalton and Bradley appear upon th him. read? A. Yes, sir: once when we heard : Q. When did you go to Shamokin after vagon coming Rea was killed ? I think it was on the Sun Q. What brought you out on the road an's regular, as it was an old calling place of mine ; I met Skivington there, and three other men there ; Dolan kept his saloon at Big Mine Run. Q. Was Tom Donohue's saloon a meeting dave for the society in Ashland? "I object to that question," said Mr.

Runn After discussion the Court overraled the jection. Upon the question being repeated to the witness the atter said, "It was a resort (requested by men of the order, but I don't know that a meeting was ever hold

there. Q. How did you know that Daify knew that you committed or help, d to commit the murder? A. I told Donohue, but I never told Duffy, but it was a general thing among the order to tell one another what happened Q. Who fired the third shot at Rea? A.

McHugh. Q. Where was he standing ? A To the eft of me and he fired when Rea made a jump for the bushes and McHugh kept firing at him right along; one time he got dose up to him and then he was sideways; that is Rea was sideways to him.

Q. Did you look in the buggy after Rea was killed ? A. Yes, sir; and we found a lot of gum rings; I don't remember what

size they were. Q. When you left Ashland that day, was nything said about the road to be taken ? A. No, sir; we just started on the road to Ashland.

Q. To which of you did Hester say to put Rea out of the way and make a clean job of it? A. To the whole of us,and he said it duing the night in Tom Donohue's saloon. "Now, may it please the court" said Mr. Hughes, "I have drawn up a formal offer

that I wish to make, and will read it or hand it to my friends on the other side to read." "We'll read it," remarked Mr. Ryon,

While the offer was being read, Mr. Buckalew asked the following questions : Q. Where did Hester live in 1868? A

A. Because he was one of the fellow At the junction. Q. What junction? A. I don't know

what the name of it is; the passenger train used to stop there; it was some little dilance from Locust Gap and the house stood by itself; Hester kept a tavern and had

onrders. Mr. Hughes .- Q. Who was Jerry Hall, rom whom Hester stole the whisky? A.

He kept the Union house in Ashland ? Q. Tell us exactly where Hester left you on the morning of the murder? A. About

two hundred yards above the toll gate. Q. Kelly, you told us that Hester was to

have a share of the money you took from Rea, how about Skivington? A. He was for if I did I would have been shot or to get his share.

Q. How about Roger Lafferty and Mut-Q. Who would have shot you? A downey ? A. There was no tack of them get-These very men in court (pointing to the ting any.

Q. State whether or not Hester was an of-What sort of a watch did you take from ficer in this society to which you made men-Rea? A. A gold watch, with a white face. tion. and I think it had a steel chain, but I passed

"I object to that," said Mr. Ryon, "as it relates to what is contained in your offer." Q. When did you take that watch to Al [The offer of Mr. Hughes was to prove ebach? A. Never; Con O'Garragh told the existence of the "Mollie Maguire" organization ; its general character and its ob-"Well, I guess that's all at present," said jects : the protection afforded by it to criminals, &c. Mr. Hughes made a most able Mr. Hughes then took the witness and exhaustive argument in favor of the of-

fer and at its conclusion the Court ac Q. Did you tell Graham who was with you journed.

when you got the watch? A. I think not. The greater portion of the morning was Q. Did you tell O'Garragh? A. Only taken up in the argument of Mr. Hughes hat it was Rea's watch. offer relative to evidence concerning Q. Why didn't Donohue subpœna you "Mollie Maguire" organization. "Because he was a member of the society Mr. Ryon objected to the testimony of Q. When did you tell Donohue of the Kelly on the ground that he was an incompenurder? A. About a week afterward, but tent witness as he had been convicted for ie knew about it already. many crimes: he had acknowledged* while Q. Was Graham a member of your socie upon the witness stand, that he had particiy (the "Motlie Maguires")? A. No, sir, pated in outrages and crimes of nearly every Q. Was Con. O'Garragh? A. He was description, A. K. Race, under keeper of nember, but he left after getting married. Pottsville jail in 1869 was called and sworn. This ended the proceedings for Saturday. Histestimony was to the effect that Daniel On Sunday the jury attended the Lutheran Kelly was committed to the jail under the Church and listened to a sermon by Dr. name of Dennis Kelly, charged with having McCron. This sermon treated of the murcommitted highway robbery. In September der of John the Baptist by Herod, and bearof that same year he was found guilty. He ing as it did on the subject of homicide afwas senter led to imprisonment for the term forded an opportunity for the defendants' of two years. Kelly paid no fine or costs. counsel in the present trial to offer objections The next witness was Mr. O. J. Angood, the On Monday morning, therefore, Mr. Freeze clerk of Quarter Sessions of Schuylkill counone of the counsel for defendants, rose and ty who being sworn testified that he was the said : clerk of the board of commissioners of that "I make the following motion in this case county in 1869. Kelly was discharged from that of the commonwealth against Hester. the county jail by order of the commission-Tully and McHugh, that the court dis-

Cross-examined by Mr. Ryon.-Q. How old are you Kelly? A. About thirty-seven. O. Is your right name Daniel Kelly ? A Objected to, Objection overruled, Not my right'name-Manus Cull is. A. Yes, sir; some called it the "Mollie Q. How many names besides your right one have you borne in this country? A. One Q. You first stopped at Wilkesbarre? A. Yes; I don't know how long I stopped, bu until the fall and from there went to the Old Mines ; I landed at New York on the 2d or Q. Did you meet these prisoners in Octo 3d of June, 1865; I boarded with my mother in Wilkesbarre ; in Tamaqua I lived with

an uncle Q. You robbed a Jew peddler when you left Wilkesbarre ? A. No, sir. Q. How many crimes did you com Wilkesbarre? A I got into several diffiwe then walked to Ashland to Donohue's

got away from them ; when I went to Sun saloon; Hester said I lost something by not ary it was for helping to rob a man of his going down the mountain to-day, but there's a good thing to be got to-morrow ; "Rea will watch and money ; Davy Sheehan was the man ; I got some fourteen dollars and a go to Bell's Tunnel to-morrow," said Hester, "and there's money in it for us." small watch : it was at night we robbed Q. Who was there? A. Hester, McHugh

Tully Skivington, Brian Campbell, Jim Bradtey, Billy Muldowny and Lafferty and Q. Now tell us about the peddler you obbed of overcoats and watches? A. I de myself.

Q. Did you all belong to the same society Q. You robbed John Travers in Hazleton A. He accused me of it, but I didn't get his

Q. Was Jack Dolphin there? A. Yes ettle ; I left then because I was under ban

to go, Roger Lafferty, alias Johnstone, went Q. Where did you change your name ? A

d ball and came back at

another penetrated the stomach, and anoth A. No. sir.

A map of the scene of the murder and vi

At the close of Mr. Clark's sneech Court peared. Could not tell who they were, bu djourned. hey were dressed in black ; they did not

look like workingmen, or were not dresse Court opened on Friday morning with souse packed to overflowing, the expectation like them; they were medium sized men; ng Kelly the "informer" on the witcould not tell what countrymen they were, ness stand increasing the excitement of as I did not get nearer to them than twenty the public to a high pitch. The prisoners rods; I saw their faces when they looked to were brought in by the guard and placed ward me. near their counsel, the wife and two daugh-Cross-examined .- When I saw the me

ters of Hester sitting by him. Mrs. Alex. W. Rea, the widow of the murdered man was the first witness called

She testified as follows : "Prior to the 17th of October, 1868, my

husband lived in Danville, and at the time of his decease I lived in Centralia ; we move ed from Danville to Centralia ; my husband was the agent of the Locust Mountain Coal and Iron Company and of the Coal Ridge Improvement Coal Company; I saw my as if they had overcoats on; I can't tell what husband last alive on October 17, 1868; he sort of head gear they wore. left home ...bout eight o'clock in the marning and drove to Ashland in a one-horse ve hiele, returned to Centralia, and then went to the Coal Ridge colliery ; that is on the road from Mount Carmel to Centralia; 1 know what is called the "Water Barrel ;" is about a mile and a half from Centralia ; next saw my husband on Sunday morning he was dead; at the time of his death my

husband was forty-five years of age." Q. He laft a widow and how many chil-

"I object to that," said Mr. Ryon Mr. Rea left six children.

. Was he in good health when you say him last? A. Yes, sir.

Mr. Hughes-Q. How soon after these Cross examined by Mr. Ryon .-- Q. Did men looked at you did they go into the you see your husband leave in a horse and woods? A. A couple of minutes I guess; agon ? A. I did; I did not see him going I saw them when I was a quarter of a mil to Ashland, but he spoke of going; I saw away, and they went into the woods when I him go to Coal Ridge ; I did not see him afgot within twenty yards of them. WILLIAM H. HUMAN

ter he returned to Centralia, but I believe the children did ; the horne he drove that worn .- In October, 1868, I lived at Cen morning was a dark brown, almost black ; tralia; on the morning of the 17th of Octothe wagon was a covered one, a failing top ber, 1868, I left the store between eight and when I saw it that morning the top was hall half past eight o'clock, breaker time, and I down.

O. He was not going to make a pay that way between Gorrell's breaker houres and day? A. A few blils had been left unpaid from the day before ; the day before was pay woods and look up the road and then go day, at least the men were paid that day the agent of the company had been up the except Fetterman, who passed me between day before and had paid. the "Water Barrel" and the houses; it was

O. How was your husband dressed that after Fetterman passed me that I saw this morning? A. In light drab hat; the rest man, and when I looked back Fetterman of pis dress was dark ; it was a mediam high appeared to be past the "Water Barrel." Cross-examined .-- The man that I naw hal, not solt.

Mr. Hughes-Q. What day was this, Mrs. Real A. Saturday,

dinary height; I was driving a truck wagon THE TETETMONY OF LOWADD SWAYNE. and was going slovly ; at some places along the agent of the Coal Ridge company, as the road a man can conceal himself ten feet given at the trial of Thomas Donohue, was from the road, but generally the brush is Hester the same night at Graham's; the read by Mr. Hughes. Swayne testified that | sparse; from the spring to the first house crowd was there at about nine o'clock ; I drove

of Donohue by tols ; each one of us had a pistol ; we drank SAMURI, RICHARDS then read: Knew Rea very well ; say

they were at the right side of the road near

Q. Can you tell whether there were fou

or five? A. They looked to be four or five

there was nothing to obstruct my view o

them ; I don't think that I ever saw them

before: considering the distance they looked

like strangers; I didn't see their faces to

know who they were; they appeared to be

sort of head gear they wore.

Q. You were a witness in

and Duffey case ? A. Yes, sir.

Q. Didn't you swear that these m

Q. Well, what is your recollection

A. I suppose it is that they wore hats.

of pants on? (Kelly.) A. No, sir.

Witness shook his head.

was too far off to see.

hats? A. Well, I don't swear now that they

Q. You didn't see among this crowd a dir

y looking fellow, with only one suspender

over his shoulder, no coat, and an old pair

Q. Could you tell the color of their hair !

me out of the brush appeared to be of or

Q. Did any of them wear whiskers?

three.

also.

shooter, I think.

lay where he fell ; he was laving face down

Q. Who fired the first shot. A.

dressed in black clothes ; they looked to me

the "Barrel."

didn't.

Cross-examined by Mr. Ryon .- We found

Q. Where it had been dropped ? A. I

Q. How was the body lying when ye

Q. Where is Lewis Edwards? A. I don't

Q. Which side of the road is the "Water

Barrel" on ? A. On the left side going to-

Q. On the same side as you found the

Mr. Hughes-Q. When did you begin th

uppose so, but I can't say.

cnow.

ward Mount Carmel.

osy? No. sir.

and drank and staid all night ; all but Laf Q. When did you work in Sunbury ferty went out in the morning to meet Mr. in 1867. him on the morning of the 17th of October Rea and rob him ; when we got as far as Ger-Q. Did you live in Shamokin? A. Yes 1868, on the streets in Centralia, is a buggy mantown, Muldowney left us, saying he was sir ; I boarded along with Tully with a wo-

A. Yes, sir.

lame ; when we got above the toll gate Hesman near the depot ; I forget her name. ter and Skivington left us, and Hester Q. You do? A. I do.

anded me his pistol, saying, "Kelly, your Q. Didn't you shoot at Weimar Youn one day and try to kill him? A. I didn' pistol is no good, take mine for I know it's sure," and he said he would go to Shamokin try to kill him, but I shot at him once.

to buy hair to mix lime with, and Skiving Q. He was sitting in his own door when ton said he would go and work in the mine you fired at him? A. He was sitting or to throw off suspicion the rest of its went standing, and my gun went off before on to the " Water Barrel" and stopped there; oticed it ; it was the time of the eight hour we then talked about Res and his boy and law, and Young said that he would shoot we agreed that if the boy was with Rea we the first man that passed his door, and as would send the boy home with the horse if crowd of us passed he stood there and I cockwe had to shoot Rea ; Bradley said he was ed my gun and it went off ; more than me not known in Centralia, so he went and got had gans. quart of whisky and some crackers and we

Q. You robbed Anthony Early. A. I was at them; five of us didn't know Rea, so blamed for it. Dalton got on the road to signal; soon a

Q. Who beat him? A. Pat. Dolan, Pete man came along in a wagon, but Dalton Benner and Pat. Hart and the others I didn't didn't shake his hat, so we allowed him to know: I didn't beat that man, but I got pass; then another man passed with a light

part of his money and I don't deny anywagon, and we let him go by as Dalton thing that I'm guilty of ; there was a war didn't wave his hat ; before this man came rant out for me charging me with robbery. up Dalton went out on the road to see who Q. Wasn't Graham one of the men who was coming, and then he came into the woods tried to arrest you ? A. He had plenty of again ; then a buggy came along and Daltor chances to arrest me and he wasn't one of gave the signal, and when the wagon got

the men. opposite the "Water Barrel" we jumped ou Q. Graham was supervisor and didn't he him; Rea got out of the buggy when we tell his man to watch for you ? A. I never told him to; he handed his watch and beard it until this minute.

pocket book to me, and he said nothing ; Q. Didn't you tell Tom McDonnell that asked McHugh what we would do with you would pay Graham Fack for trying to the man, and McHugh said, "I won't be arrest you ? A. I don't remember anything hunted around the country by any living of the kind.

man;" then the shooting began ; Rea rat Q. You beat John Sh loo and left him for into the woods and Tully ran up to him and dead taking his hat. A. I had some words shot him through the ear; we then went up with him.

the mountain and divided the money, sixty Q. Dido't you beat Euch O'Donnell ? loliars; Dalton got a ten-dollar bill with

corner off; Tully and McHugh and I got Q. After you robbed Early where did you into Graham's some time that day, and in A. After I was charged with the robgo ? the atternoon I drove to Locust Gap with a bery I went to Mount Laffee. beer man; when I got to Dooley's 1 sent

Q. How long a time have you spent Mrs. Dooley out for a pair of clean stock Schuylkill jail? A. About fifty one months ings; I got home about half-past two or Q. When you left the jail where did you go? A. To a picture gallery. Q. When did you meet Rea? A. B.

Q. With whom ? A. A gentleman sittin tween nine and ten o'clock, I think ; he ran near you (Captain Linden.) into the bushes himself, and we left him Q. Did you exchange ? A. No, sir.

Q. Then where did you go? A. Te a sa when we left, and we left right away; we oon and had a glass of beer.

led the horse out of sight in the woods ; the Q. What boarding house do you torse was turned off the road while we were here? A. I don't know the name of shooting Rea ; I fired two shots, but I don't fort up here.

know how many shots were fired; all of us Q. You were in Schuylkill jail for twentyexcept Dalton fired ; McHugh fired one or two months ? A. Yes, sir, for robbing two shots that I saw, and I saw Tully fire man named Abel White

> Q. He was a farmer? A. he was a watchman.

myself, I don't know which ; the shot of one Q. Did you rob him ? passed the "Water Barrel;" when I was half of them struck Rea in the check ; I left Hester's pistol at Graham's, and I had given my Well, did you? A. He said so

the spring I saw a man come out of the own to Bradley ; Hester's pistol was a sort of Q. Did he tell the truth? A. Yes, si a navy, and I think it held five loads; I beback ; I was driving ; I saw no other person lieve Hester's pistol was loaded at Donohue's (Laughter.)

Q. You received a pardon for yo Dalton had a small pistol, and McHugh's crime ? A. Yes, sir. Q. You were in jail several land

wasn't as long as mine, or Campbell's or Tully's; we had horse pistols and McHugh chuylkill county ? A. Some three or four had a seven-shooter, I think ; I can't exactly tell what sort of balls Lafferty bought nor I Q. You were in for malicious mischief,a so

wasn't there when he loaded them ; mine was assault and battery, and something wome loaded for me; my own pistol was a six-A. I believe so

Q. Where did you get that suit of clothe A. In Pottsville jail. Q. When did you next see Hester and the Q. From whom ? A. I can't tell. others and talked of the murder? A. I saw

Q. From Philadelphia ? A. I don't knew didn't order it and I didn't pay for it and

day after the Sunday after Rea was killed I rode down with a doctor who came to Lo cust Gap on a sick call; 1 can't remember his name now, but he was a smallish mar back again. with a chin whisker and fair hair.

Q. Where were you on Thursday before Rea was killed? A. I think I was in Loeast Gap, but I'm not positive. Q. When did you go to Barney Dolan'

A. In the forenoon on Friday, from Ashland from Barney Toner's, the tailor. Q. Who went with you. A. No one O. When you went to Toner's where die

ou come from? A. Locust Gan. Q. What was your business? A. None O. Whom did you meet on the road going to Dolan's? A. I don't know; I passed no re

marks. Q. Who was in Dolan's? A. Barney him self and one or two more, but I don't recollect who they were ; they were strangers to me.

Q. How long did you stay at Dolan's? A Until the afternoon; we left there between half past two or three o'clock. Q. Where did you eat your dinner that

day? A. I believe I got it at Ashland. Q. Who was there? A. Pat. Hester, Me-Hugh, Tully, Skivington, Barney Dolan and myself.

Q. Did any persons pass in and out besides those you have mentioned when you were there ? A. I believe so, but I can't recollect who they were.

Q. Where were you when you saw Heste that day? A. I was sitting in Dolan's. Q. When did you see him previous to this

day? A. It may have been a week or two weeks, but I think I saw him at Jimmy Burke's within a fortnight. Q. Where were you when Hester tried t

get on the cars? A. I was there. Q. How many of you left Dolan's to go Ashland ? A. Four of us, Hester and I

Skivington and McHugh ; we walked to Ash Q. Who saw you on the road between Do lan's and Ashland? A. I don't know. Q. When did Hester first mention Rea's

name that day? A. In Donohue's saloon. Q. Had you seen Tully that day until your saw him in that saloon ? A. No, sir. Q. Where did Brian Campbell live? A

In Ashland with a man named Morris Conway; he and Bradley hoarded in the same

1

charge the jury from the further consideration of this case, because at one of the churches at which the jury attended service

on Sunday the subject of murder in all its when Dalton gave no signal? A. Because various bearings was discussed by the min we saw the buggy coming and saw Dalton ister in their hearing the, special subject be walk up to it, and when he passed it we went ing the murder of John the Baptist by Herod and the tenor of the discourse seemed t

Q. Could that man have seen Dalton? A be tending to give credit to the testimony of Yes, sir Daniel Kelly the witness." After further remarks from Mr. Freeze Q. Did you swear before the justice that

an with a buggy passed before Rea did? A Mr. Buckaley for the prosecution opposed Yes sir; I said that a buggy and a team the motion, Mr. Hughes and Mr. Ryon expassed. pressed their variant sentiments and

Q. What length of time claused between Jourt overruled the motion. the time the buggy and the team passed interrogated Kelly as follows, A. It may have been two hours or an hour but it couldn't have been half an hour, but

am not sure of the time. Q What kind of a coat did you wear that norning? A. I don't remember.

O. Did you wear any? A. Yes, sir Q. Give your positions when Rea came u A. I stood about twenty vards ahead of Re with Tully on one side and McHugh on the other, and the others stood in front of Rea who jumped out when he got to the "Wate

Barrel Q. Did you make a demand for his mon A. Yes, sir; Tully demanded it and I took

Q. What did he say? A. Not a word. Q. Didn't he ask you to spare his life A. No. sir. Q. Or ask for merey? A. No, sir. Q. Didn't you swear before the justic

that he asked you to spare his life ? A. No Q. Did you take the watch and money A. Yes, sir; I put both in my pocket.

Q. Tell us the color of Rea's horse? think he was a brown looking horse. Q. Who shot first? A. It's between m and Tully ; both shots went off at the same

Q. Where was he when he was shot first Standing on the road. Q. Where did that shot strike him

On the cheek ; I saw the blood, Q. What did Res do then? A. He rat for the bushes, and then all hands began fir-

Q. Before he ran did any one but you an Tully fire at him? A. No, sir. Q. Did you aim at his face?

know; I was excited; I was unven or eight feet from bim when I fired; McHugh ran after him when Rea took to the bush, and

Messrs, Wolverton and Ryon spoke strongy against the offer of the prosecution and

Mr. Buckalew for the Commonwealth. The Court decided to admit the evidence. nd Kelly was again placed upon the stand He said : I belong to the Order called the Ancient Order of Habernians ; I belonged to them before they were called the Ancient Order of Hiberniaus ; joined them in Scot-

land : in the fall of 1867 I joined them in Wilkes Barre ; I joined a division of the order at Barney Dolan's in Big Mine Run have met Hester as a member of the order ; Hester was "put through" in Thomas Donobue's stable; I mean by being "put through" he was made a member of the or-

Q. Kelly, you say that you stopped ler; he was made the Body Master of the hernlan's, in Harleton, and that "these Division at Locust Gap ; I joined the order men" were with you ; what men ? A. Tuliy, at Barney Dolan's, about Christmas in 1867; McHugh and Jack Smith. first met McHugh and Tully at Locust Gap; Q. Did you go to jail when you beat

I was not then a member, so that I cannot hitoo 7 A. No, sir tell whether they were members of the or-O. Why? A. Hester bailed me out and der: McHugh was the County Delegate of

evented me from going. Northumberland county ; this I found out Q. How long was Ben Thomas in jail with atter I joined the order ; Alexander Lafferty you ? A. I can't say. Roger Lafferty, Dalton, Campbell, Mul Q. When was it ? A. He came to jail in

downy were also members ; the County Del-March I think ; his wife wanted a divorce or egate gets "the goods" and he gives them to omething. the Body Master ; "the goods" are the pass Q. Did you ever talk to him abont the Rea words and signs of the order; the County

aurder ? A. No, sir ; never. Q. You say you stole whisky from Jerry Hall, of Ashland? Yes, sir; we stole three

barrels. Q. How did you steal it ? A. Tom Don hue planned the affair and Hester was there

with a buggy and one horse and a wagor and another horse : Hester and I and Jack Smith, Tom Donohue, "Snow-bird" Butler and Rhoad were there; Donohue opened the back door and we took the whisky out.

Q. How much did you get out of the affair ? A. Sixty cents ; all that Hester gave me and that was to get a drink.

Q. You said you were electioneering for beyed the orders of the Body Master, br both Kase and Fiske Did you electioneer fined or suspended for six months for Hester? A. Well, I can't say that I first offense ; the second time they we electioneered for Hester, but Hester didn't pended for one year; the third time want to go in with the republican party and suspended for life; if a member rehe told me to work for them so that I could obey any commands of the Body Mast would stand a very strong change

get some stamps. Q. Did you help Hester to manage the township ? A. He didn't need much help would try for he could rule it without help.

Q. You say that you were employed to go about beating men by these "Mollie Maguires ;" who employed you?

Delegate gets "the goods" from the State Delegate ; when Rea was killed McHugh was the County Delegate and Hester was the Body Master ; the Body Master would say to some of the members in whom he could place dependence, that he had received orders from other Body Masters that men we wanted to do work for them and they m make a clean job of it ; by this I mean f they wanted men to commit different of and they wanted them to shoot men of them ; if they fulfilled their orders and not arrested it would be a clean job; rule of the order was that if a member

knocked over himself by

bers; they would be down on

some of a