ambria Freeman.

EBENSBURG, PA. PRSDAY, ::: SEPT. 16, 1869.

LOCAL AND PERSONAL.

TOUNG MAN, go to school; you will never get it. Go to the best school. Write for ircular of the State Normal School. Ad-

fr. James Convery, of the foundry firm this place, was thrown from a horse one last week and considerably bruised. he Fair of the Conemaugh Valley Agriural Society will be held in Blairsville the 13th, 14th and 15th days of October. Miss Maggie Hadz, an amiable and much remed young lady, died in Cambria townon Sunday night last, after a very brief

the dwelling house of Mr. Wm. Jamison. Taylorsville, Indiana county, and a on of his furniture, was destroyed by n Saturday week. The infant child of Mrs. Philip Phalon

in this place, one day last week, while trial of Holtzner for the murder of her shand was in progress. Mr Robert L. Johnston, of Burrell town-

Indiana county, had one of his feet crushed by being caught in a threshnachine, a few days since. In Berry township, Westmoreland coun-op Sunday week, Mr. Fred. Hughes was usly injured by being thrown down and upled upon by a fractious horse,

bur out of the five men arrested in Hunon county for the murder of Patrick key, a coal miner, have been held in \$2,each for their appearance at court. Some sharpers in Clearfield county have n caught planting zinc ore, which they ured in Sinking Valley, Blair county, th a view to selling lands at big prices. our readers will remember that the Cartown picnic comes off on Wednesday are the names of t, 22d inst. All who can spare the time the requisite "spawns" should not fail

slight "skirmmage" occurred in our on Tuesday. One of the parties got his George Bowman, pretty well scratched, and the other inself fined \$2.50 and costs before the John S. Luther, gess for doing it.

An employee at the Cambria Iron Com-'s blast furnace at Johnstown, named Broderick, had one of his feet badly shed, a few days since, by a heavy piece mder falling upon it.

cal correspondence, real estate transbusiness notices, advertisements, and ern atters have leen crowded out to make m for the murder trial and election procnation published in our paper this week. Smothy Connor cowhided Elias Huntzper on one of the streets of New Derry, amoreland county, not long since, and

Mr. L. Cohen, one of the enterpising firm of other witnesses called to corroborate him. Cohen & Bro., clothiers, Johnstown, Jacob Johnson, sworn.-Live in Susqueextensive mercantile business.

ba Cax, of Hollidaysburg, for Coroner.

sanneled a jury, and the conclusion ared at was that deceased came to her death an natural causes, superinduced by old age.

OUR RETRACTION .- A citizen of East Conugh, whom we have known and esteemmany years as a worthy, kind-hearted name of the author, that is simply out e question, unless permission is granted to do so. Our correspondent can and ubtless will make known his name if he asiders it necessary to relieve us from the ittle onpleasantness" which has resulted m the publication of his communication.

PRESIDENT GRANT AT JOHNSTOWN.-The item in our Johnstown correspondence we can find room for is the following: 1. Grant passed this Station at 9.40 this ning, (Sept. 14th.) and was waited on e station by about three thousand peo-Senator Scott was with the President, Hon. D. J. Morrell and a number of to Lewis, "You have whipped one Phaloaers were on the car. It is a somewhat perhaps you would like to try another?" and gular coincidence that on the same day the same month, three years ago, Presint Johnson passed this point, and at that tt on this occasion made a brief speech, d President Grant remarked that he heped he enthusiasm was far from being bois-

COURT PROCREDINGS. - In addition to the postponement of the Summer hill townss until next term, the Court disposed of differed. e following cases after the close of our

he store of Mrs. Jane Mullen, at Lilly's nized by witness, but he was not willing to tation, and abstracting therefrom a quanty of dress goods, etc. Found guilty.

Com'th vs. Thomas T. Williams—incult to establish.

The Susquehanna Township Tragedy. Trial of Lewis Holsner for the

In the Court of Oyer and Terminer of Cambria Connty -- Sept. Term, 1869.

Murder of Philip Phalon.

REPORTED BY C. W. EASLY.

Our readers will remember that a shocking tragedy was enacted at the saw mill of Messrs. Fry, Deurr & Co., in Susquehanna township, this county, on the morning of the 21st of July last. As the evidence adduced upon the trial of the perpetrator of the crime furnishes a complete history of this unfortunate affair, it is unnecessary for us to recapitulate the facts in advance of the testimony.

The trial excited a great deal of interest, and occupied the attention of the Court during the greater part of three days. The case was carefully prepared and ably conducted by the counsel for and against the prisoner. and reflected the greatest credit upon the respective gentlemen employed in the management of the trial. The prisoner was indicted for the crime of wilful murder, and the Grand Jury, after hearing the testimony of a number of the witnesses, returned a true bill on Thursday morning last.

THE COUNSEL. The Commonwealth was represented by F. P. Tierney, Esq., District Attorney, A, Kopeliu, Wm. H. Sechler and Jas. C. Easly, Esqs., while Messrs. Johnston & Scanlan and Shoemaker & Oatman were retained as counsel for the accused.

ARRAIGNMENT OF THE PRISONER. At 101 o'clock on Thursday morning the prisoner was brought into Court, and the indictment, charging him with the felony of murder, read to him by the Clerk. He plend "Not guilty," and, according to the customary form, demanded a trial "by God and his country." The empanneling of a jury was immediately commenced, and after thirteen peremptory challenges by the prisoner, four by counsel and eight for cause, the requisite number were chosen. Following

THE JURY. Joseph F. Cooper, 1 John Kiper, Henry Anstott, David Fulton, William Koons, George Kring. David Trexler,

Andrew Carroll. William Dishart, Daniel Skelly. Upon the completion of the panel, which occupied two hours, Court adjourned. AFTERNOON SESSION.

Court convened at 2 o'clock. J. C. Easly, Esq., opened for the Commonwealth. He gave a brief but succinct history of the im portant case which was about to be tried before the Court and jury, and summed up the evidence by which it was designed to fix the guilt of wilful, premeditated murder upon the prisoner at the bar. At the close of his remarks the first witness for the prosecution was called, and as the statements made by this gentleman were in the main substantialatter retaliated by shooting his assail- ted by all the other witnesses, we have rein the leg. An old grudge led to the ported it pretty fully, thus avoiding unne cessary repetition in giving the full evidence

in to see us one day last week. Mr. hanna township; my property surrounds the s a sociable and energetic gentleman, saw mill of Fry, Deurr & Co; on the night we are glad to know that he is doing of July 29, 1859, was at the mill; the owners had a pile of waste for the purpose of The Democracy of Blair county re-assem- burning it; about 4 o'clock that evening it in convention on Monday and nomina- was fired; made a large fire, which abuted Rob't C. Galbraith, of Tyrone twp., for as darkness came on; the firm promised to sembly John R. M'Farlane, of Hollidays- treat when it was pretty well burned, and a g, for Commissioner; Emanuel Clapper, jug of whisky was brought about dark; the Allegheny tp., for P. H. Director; James | men were watching for fear of sparks setting M'Devitt, of Altoona, for Auditor, and mill on fire; some were talking, some playing cards; all drank; after dark prisoner and An od willow lady named Turner, some I were sitting talking; there was loud talking dd years of age, was found dead in and swearing near us; we sat still and soon , at her residence in this place, on noise ceased; they said it was only between esday morning of this week, by Mrs. Ed. John and Philip Phalon; all came back and agherty, who occupies a portion of the took a drink; after midnight quarrel com-The old lady lived by herself, all menced between Mr. Bockel and Wm. Holshildren being dead. . H. Kinkead, Esq., ner; scuffled around for a while, but were separated; didn't hurt each other; the trouble between them was something about their women; some of party were drunk; Mr. Deurr and Wm. Holsner got into holds, and William was thrown; Mr. D. told him he didn't want to hurt him, but that he must behave himself; I did not interfere; thought it would inoffensive gentleman, and one whom | not amount to much; considerable fuss was believed could take a joke as well as the going on behind me, but they appeared to at man, has written us a very indignant get things fixed; Lewis left with his brothers threatening letter, in which he takes Ben and Wm., but came back shortly; Lewis ision to say that he is the person spoken and Philip Phalon then got to talking about (in a communication published by us last something that had previously happened at

k) as having been "taken in" on a roast- mill; Phalon called prisoner a liar and prisear speculation—that the story is false oner retorted by calling deceased a d-d liar, m beginning to end-that we must retract | and rushed at him; got him down; I tried to take the consequences; and demands the prevent the quarrel, but when they got tome of the author of said communication. gether some said to let them fight; thought presumed that the story was nothing a fist fight would settle it, and so left them an innocent joke which would neither alone; deceased struck or pashed prisoner, are nor offend any one, and to promote a and latter appeared to go down; it was dark e fun and accommodate our correspond- and I could not see positively; Phalon seemwe gave it publicity. It was very far ed to fall on Holsner; they were in a struggle our purpose to wound the feelings of apparently; H. appeared to get on top; P. one, and are sorry that an apparently | then called "enough!" I was holding John mless joke has had that effect. We give | Phalon at this time, but soon let him go; offended gentleman the benefit of his de- reached for prisoner and tried to pull him up; in the same public way that we gave deceased appeared to have a hold of prisoner; licity to the objectionable story, and if John by this time got boisterous; I held him at does not suffice we presume that we will for half a minute and prisoner and his brothwe to submit to, though we do not fear, the er Ben went away in meantime; John asked eatened consequences. As to revealing me to let him go, as he wanted to see what was the matter with his brother; let him go; he went to where Phil was lying and directly exclaimed, "Here is a stabbed man!"we got a light and found it was so; he appeared to be living and was drawing a long breath, but did not speak except to articulate "enough!" Lewis Holener did it; heard two heavy strokes given on head of deceased by prisoner, just before he was lifted off: heavier than fist strokes; knife found there afterwards; saw Mr. Duerr with it in his hands; had saw dust and dirt on it; the conflict did not last more than half a minute until deceased called "enough"; before he knew that his brother was killed, John said

At this time I was holding John. Cross-Ezamined -F., D & Co. are ownthe terrible calamity which will ever ers of the mill; Wm. Holsner is a partner; remembered in this community, the fall- Ben and Lewis were employes; do not knew of the platform, occurred. Gen. Grant | that Lewis was empowered to oversee hands; s with the President at that time, but John and Philip Phalon were both employed s not been with him much since. Senator at the mill; Philip's disposition was quarrelsome all evening; prisoner went down when deceased gave him second push, and I think similar tragedy would not occur at this Phalon got on top, but was only thus for a me. The car moved off in a few minutes. short time; I was holding John for fear he would get on prisoner; Lewis lives nearer to oner, who made no resistance; found him dressing himself; Lewis did not say in my urder trial which we publish in full and presence that he did not wish to fight; they were angry about something which occurred ip homicide case and other criminal busi- in mill a week previous, and about this they previous witnesses was elicited.

was answered, "No, one Phalon is enough!"

om'th vs. David Defenbangher-in- clothes that night, but when arrested had cted for forcibly entering in the night time on different ones. (Clothes shown and recog-

Re Cross Examined -The old grudge apicted for rape. The usual amount of de- did not talk to me about it; their quarrel repeared to be mostly with Phalon; prisoner etable testimony was brought out on this sulted from Phalon refusing to carry out hal, but it failed to convict the defendant some slabs, which Holsner had ordered him externally; at this time, John Phalon oba crime which is always among the most to do; Phalon asked him at that time if he jected to having him cut open, for the rea-

fused to obey his order, and deceased called him a liar, and prisoner liared him, and then they went at it; do not mind that Lewis told him he would have him discharged right off.

John A. Hines sworn .- O O Beckel and Wm. Holsner were quarreling, and the prisoner and Lewis then came in contact; latter drew off his coat; stooped to pick up his hat, when he received a kick; asked who did it; deceased rep!ied, "I did;" prisoner said, "I'll get up to you;" Lewis was holding his brother, who had said he would "fix him off." (Witness detailed fight between Duerr and Wm. Holsner, partners in mill.) When separated Lewis exclaimed, "That's all I want to know about partnership!"-He took his brother William off with him stayed away nearly an hour and returned alone. Prisoner was accused by Beckel and deceased about some words he should have said on mill; he denied that this was so, and said, "I will die on this spot before I will acknowledge the story the way Phil has it;" Phalon then said, "You deny the truth: I would rather take a whipping than lay under that;" both then went at it. " o o Saw knife picked up by Mr. Duerr; it was driven in a sloping position in the saw dust. (Knife was produced and recognized by witness. It is a heavy brass-handled pocketknife, two bladed, the larger blade being about three inches long by one-half inch in

This witness was subjected to a rigid cross-examination, but nothing further elicited. Clinton Jones sworn .- The testimony of this witness did not differ materially from the foregoing. He stated that the prisoner had accused deceased of kicking him when John Phalon and him were in holds, and that this was about half an hour previous to

the fatal termination of the quariel. Jos. Hines sworn .- The evidence of this witness was only a repetition of facts which had already been given in testimony.

John Phalon sworn .- My brother (the deceased) and I were engaged in a quarrel during the evening; struck him once. (Detailed quarrel between prisoner and deceased.)-With the assistance of a couple of others arrested prisoner and confronted him with the body of deceased; prisoner remarked, "Well, what of it?" (Clothes worn by his brother on that night shown and recognized.)

John J. Beckel sworn .- (Described fight between himself and Benj Holsner with great minuteness.) Saw deceased swing over and tall, with prisoner on top, and Phalon "hollered" "enough!" Ben said, "He hollered enough—let him up." Prisoner then struck deceased on the head, and George Duerr re marked, "That cracks like steel!" This occurred about three yards from me; in raising Phil. up he fell on his face towards me .-(Com'th offered to prove that witness was asked by parties connected with the defense to make certain statements about a previous difficulty between deceased and prisoner, of which deceased had informed him. Objected to, and objection sustained by Court.) There were ten or twelve men there that night; if the whisky had not been brought there would have been nothing of it.

Court adjourned until Friday morning at

8 o'clock. FRIDAY-MORNING SESSION. George Duerr sworn. * * * Saw deceased give prisoner a kick and tell him if he couldn't settle himself he could have Holsner and Beckel then got to quarreling ; prisoner pulled them apart; Wm. H. and then had a quarrel; prisoner took his brother away to the house and came back alone in ten or fifteen minutes. He sat on a log along side Beckel and they got talking of an old quarrel that had happened at the milt. Lewis denied making the expression attribted to him. Beckel was at this time drunk and wanted to fight with him, but prisoner was not willing. Deceased then took up old difficulty. O O O Assisted an officer, a few days afterwards to find knife at John Phalon's request was preparing to draw off dam, as he thought it might have been thrown in; Hices was raking sawdust at scene of killing, and I accidentaly struck that knife from me on the 7th of June. the toe of my boot against it; it was buried in the saw dust, with blade down. Gave

Cross Examined .- Prisoner had been about two months at mill previous to this happening, and had charge of the men beonging to the big saw : Hines and Philip were working at shingle mill; deceased told me of difficulty he had with prisoner; their work belongs to big saw; heard prisoner tell John Phalon, after the first struggle, that he did not want to fight; saw the knife with prisoner the afternoon previous sounded like steel; I said they sounded different from first strokes.

In Chief .- I sent John Phalon for the first whisky-a gallon; told him to take it to work done after he arrived than before. the house and empty some of it; he took out one quart. Second liquor was brought that deceased and John Hines paid for it. Catharine Keith Sworn .- On night of July 20th was living in the capacity of domestic at Wm. Holsner's house, I was in house and awake when prisoner brought William home; prisoner said to him, "you go to bed and I'll go home and go to bed; if they don't watch I'll knife some of them." William then went to his room and prisoner

Cross Examined .- Had been living there a long time and only left a couple of weeks ago; do not speak German, but understand it; the conversation was in English; prisbut to no one else until I was subpoenaed : did not tell any one I did not know what I was subpoenaed for; do not remember of telling Daniel Soyder that I was glad I did not know anything about it. An attachment was sent for me by this Court.

Lawrence Smith Sworn .- I was chosen as one of the guards to watch prisoner after his arrest until Jacob Johnson would change his clothes; prisoner asked John Hines, another guard, privilege to walk up along tram road; we went up with him and all sat down on track; a man unknown to me came up and said to prisoner, "Lewis, this not." He answered in German, "Nothing

ventured, nothing found out." John B. Baum testified that the knife was brought to him by Mr. Duerr on the 27th mill than the Phalons; helped to arrest pris- of July; it was never closed by him, and it spite against him. is his impression that there were bleod-

marks upon it in places. Luke A. Platt was next sworn, but nothing additional to what was sworn to by

In Chief .- Thought from their talk there ry Tree; messenger came for me early on utes till 3 A. M., and recognized the voice morning of July 21st to go and see a man of accused saying, "I don't want to fight;" who was stabbed, it was thought fatally, am positive it was his voice. Our house is but something might be done; went imme- fitteen rods distant from the mill. less; told them to call a jury and hold an inquest; they did so, and I examined him externally; at this time, John Phalon ob- I had a little quarrel; he pushed me down.

Cross Examined.—I was pretty tight, and fice, 631 Arch Street, Philad'a, Pa. Sold everywhere by Druggists and others. [aug 26] anake payment without delay.

ANNIE J. BUNN, Adm'x.

that that was the case, made a vulgar an- | butchered; went away, but at solicitation | last witness; remember of accused bringing swer to the effect that he did not care if he of Esq. Baum returned in atternoon and my husband home at 2 A. M; heard him tell was; when quarre' commenced on morning made a careful examination; found seven my husband to go to bed and he would go of 21st prisoner told l'halon that he had re- stabs-three upon the breast, one upon the and find his hat, and then go to bed himhead, two on right arm, and one on left | self; talk was all in German; they always hip; opened his chest, and found that the weapon had penetrated right ventricle of heart; this was a mortal wound, but none of the others would have produced death; the wounds were made with a sharp-edged instrument; a knife would produce them; his physical condition otherwise seemed to be good. Drs. Oatman and Maucher were present at a subsequent examination, but I was alone in this. Am a regular practi-

sing physician. Cross examined-Only the one wound would produce instant death; this one knife. passed between the fifth and sixth ribs and upward into the heart; cuts in clothes corresponded with stabs in body.

Drs. Maucher and Oatman, practising

physicians at Carrolltown, were respectively called, and testified that they had assisted at post mortem examination on night of 21st. Their evidence corroborated that of preceding witness.

monwealth rested.

THE DEPENSE. At 11 o'clock, R. L. Johnston, Esq., opened for the defense by proposing to prove that witness' character nutil this sad occurrence was unimpeachable; that on the night in question, he was not at himself, being of a peculiarly sensitive disposition, which was decidedly aggravated by the liquor drank; that three of these employees, deceased among the number, had conceived a grudge against accused beeven to taking his life, and that he had good reason to believe that he was in danger of death or great bodily harm; that all a quarrel out of him on that occasion; that another knife was found in the immediate vicinity of the quarrel, and it would As the hour for the noon adjournment

had nearly arrived, a few witnesses were called to prove the good character of prisoner previous to his removal to this county. James C. Ridgly, John S. Miller, and Josiah Fogle were respectively called and sworn. Prisoner had worked on saw-mill for Mr. Ridgly, 12 miles from Baltimore, fied that he heard persons say that Mr. Md., for the space of three years and four months. He bad known him for five years and during all that time he bore an unblemished character; quit his employ on account of failing health in March last. The other gentlemen named likewise testified to the excellent character borne by accused during his residence in Baltimore county, Maryland.

Court adjourned till 2 p. m.

AFTERNOON SESSION. G. Fry called for defence and sworn | journed. -Employed accused in May last in the capacity of toreman of my mill, in charge of the hands, with power to discharge men. (Prosecutor objects to testimony as irreleand filed) After I placed him in charge, I was told that the men were not obeving my partner's orders or his. I told him if he would not discharge men who would red to their private box. disobey orders, I would discharge him; on a subsequent visit to the mill, he told me Hines were not removed; he would find an- find?" other place; asked him why? he said that they were constantly swearing in their con- was the reply. versation; told him I would be at the mill ere long, and did go down once before this affair happened. On the day after the occurrence, I went down to discharge these men, but when half way on the road, I heard of the killing. Lewis has been peaceable : as much or more so than any man I know never knew him to drink. (Knife shown.) I keep and sell knives like that; sold three in that neighborhood. Prisoner bought

Cross Examined .- Told the hands on two occasions that accused was in charge; told Hines and Beckel also; Mr. Deurr is a part-ner, and was boss previous to Holsner's ar-will be awarded to owners of fast horses, init to E-q. Baum. (Knife shown and recog- Hines and Beckel also; Mr. Deurr is a partrival. One week after he came, I gave him cluding one premium of \$500 to the fastest the power to hire and discharge. Heard Mr. Deurr complain once that his wife did he never complained of Philip Phalon. I did not know that the men were troublesome previous to prisoner being employed. Did not tell John Weakland that I'd give between a fast horse and a steam velocipede. \$10,000 to have him acquitted; know that he has a wife and four children, that he to the tragedy; did not say the strokes had no friends; know that he has two brothers; my private counsel are defending him, in addition to the legal gentlemen employed by himself. There was twice as much

Jacob Johnson, re-called-Prisoner bore good character; saw him take one or two turned free of charge. Any further inforabout 12, M.—half gallon. Ben told me drinks the night of the trouble; my impres- mation desired, may be had by addressing sion is that he was sober all the time; I E. B. McCrum, Secretary of the Association. was not much about him. Do not know at Altoona. that the character of deceased was bad Philip Phalon was married; had one child. born after his death. (It may be proper to remark that this infant died during the attendance of Mrs. Phalon at the trial.)

John Engle, sworn .- Am off-bearer'at big saw in Fry & Co's mill : hinted to prisoner some time before this affair that he had better be careful of deceased; Philip had asked me to show him fair play when he would be fighting the Holsners; he didn't At once their radiance shed. want more than one at a time; he didn't like prisoner-thought they wanted to run oner was there five or ten minutes; I repeat- the whole machine; thought he could whip ed conversation to Mrs. Holsner next day, any one of them at a time; thought he could get a chance on the 3d-if not, on the 4th -of July; shortly before his death, Philip told me he had a difficulty with accused; that he wasn't going to work under him, and that if he didn't watch "he would lay him out;" told him I thought he had better get another job, and it would save trouble the first conversation was in presence o John Hines. Told accused that deceased threats had been made. Prisoner smilingly said. "I am not aware that I have abused him." Wasn't present at the conflict ; prisoner's character is good as far as I know.

Cross Examined .- Lived there since April: near the line; deceased and I were middling good friends; he was a little rough with my children when he would be passing; would make them cry; I did not have any

A. H. Engle, sworn .- Was at home the night of the killing; heard prisoner's voice once during the night, saying he would not

Dr. E. Brallier, a firmed-Reside at Cher- at the window with my husband at 10 min- to use the Bitters.

talk in German to each other.

Cross Examined .- Lewis can talk English; sometimes they talk together in English; I scolded my husband in German for getting tight; prisoner did not bring the nat

Wm. Lahr testified that he was sleeping at the house of Wm. Holsner that night was awake when accused brought William home; they were talking in Dutch, but prisoner told William in English, to go to bed; did not hear anything said about a

Ben Holsner, sworn .- Was present during that night; saw my brother Lewis drink four times; I felt my liquor that night, but did not get into a fight; I took three or four drinks.

Daniel Snyder testified that his wife, in a conversation with Catharine Keith, at his house, a few weeks ago, denied that she knew what she was subpensed for and de-At conclusion of their testimony, Com- clared that all she knew about the affair was that she washed Mr. Holsner's clothes. She stated she was going to Pittsburg, and they would have a happy time getting her to Court. Jucob Koons testified that he found a four

the scuffle took place; (knife shown and recognized-defence proves that it was the BY THEM, wherever exhibited in competition. property of deceased.) The knife was shut when I picked it up. Defence rests. The counsel for Com'ch discredits the tescause he had been placed in a position of defence. The following testimony is elici-

bladed pocket knife on the saw-dust where

witness. John Hines, re-called-Was never present at any conversation between John Engles that evening, he desisted and refused to and deceased, when latter should have asked fight ; that deceased was bent on picking | Engles to show fair play when he would fight the Holsners; never heard deceased say anything about picking a quarrel out of the Holsners on the 3d or 4th of July; A. be proven that it belonged to prisoner, &c. G. Fry did not inform me until just previous to this occurrence, that accused had charge of hands at mill.

J. B. Baum, Esq., re-called-Do not know anything of Mr. Engle's character where he lives now; where he formerly resided, I heard several persons say that he couldn't be believed ; and John Porter, Esq., testi-Engles' character for truth was not good. Robert Hughes, G. W. Lloyd, and J. Douglass were severally called and sworn as to what they knew in regard to Mr. Engles'

character for truth and veracity, but they could not state anything derogatory to it. and at 6 o'clock A. Kopelin, Esq., commen- toms of the disease have disappeared. These

Court met, and F. P. Tierney and Wm. H. Sechler, Esqs., for the prosecution, and R. L. Johnston, Esq., for the defense, severvant; Court overrules; exceptions taken ally addressed the jury.
and filed) After I placed him in charge, At 2 o'clock, p. m., Wis Honor Judge Taylor commenced his charge to the jury, and finished it at 34. The jury then reti-

THIRD DAY.

THE VERDICT. At 101 p. m., the Court House bell was that deceased refused to obey his orders, rung as a signal that the jury had agreed (in regard to carrying out slabs, &c.) I upon a verdict. The Court room was went out to where Philip was working and | speedily filled with an anxious crowd. The asked him why he did not obey orders; he prisoner was brought in; the jury filed told me he did not refuse; I then repeated down from their room, and the crier called hopes every sufferer will try his remedy, as it what accused had told me; said he did not the Court to order. The usual question will cost them nothing and may prove a blessing more. The quarrel was then settled. Wm, disobey, but acknowledged to making vul- was asked as to whether they had agreed gar answer when ordered to do the work. upon a verdict, which was answered in the Perhaps a week after this, accused came to affirmative. Then came the next question. my store for packing, and then told me that "In the issue joined between the Commonhe couldn't stay if this man Phalon and wealth and Lewis Holsner, how do you

"Guilty of Murder in the Second Degree," The prisoner was then remanded to his cell to await sentence.

ALTOONA PARK ASSOCIATION .- The first Annual exhibition or the Altoona Park Association, at Altoona Pa., will be held Sentember 28th, 29th and 30th, and October 1st 1869. The premium list foots up \$2,750. On stock, the premiums range from \$5 to \$50, according to the grade and quality. On manufactured articles, cearels and vegetables, the premiums are equal to those of troter-mile heats-best three in five. There is an excellent half mile course, forty feet not like John Hines, because he was too wide, and of easy grade, within the Park. loud-mouthed and saucy about the house; There will be a grand fireman's parade and a trial of Steam Fire Engines, for a purse of \$25, on Thursday September 30th. Aiso. slow time and velocipede races, and a race All entries, except horses entered for speed, are free, and competition open to all parts of this and other States. Excusion lickets will be issued from all stations on the Pennsylvania Railroad, and all stock or articles shipped over the road named, on which full fare to Altoona has been paid, will be re-

> THE COMET .-·Who has not seen, and seeing mourn'd, And mourning smiled, and smiling scorn'd In wild ambition flaming down, Some comet from a country town? See, see him in his motley hues: Funeral blacks and brimstone blues, And lurid green and bonfire red.

ever looked like that if he bought his clothes at the Largest Clothing House, Sixth and Market Streets, Philadelphia. "Neat but not gaudy" is the Oak Hall style.

GRAND BENEFIT CONCERT .- The International Troppe, consisting of Miss Llywvo Lewis, Mr. W. Apmadoc and Prof. L. W. Lewis, (Llew Llwyvo.) assisted by the Ebensburg Choral Society, will give a grand scribe for it; only \$1.50 per year; the most concert at Evans' Hall, late Welsh Independ-useful journal printed Address was not pleased with his bossing-that ent (brick) church, on Wednesday evening next, Sept. 22d. For full particulars see programmes. The delightful treat afforded our citizens some months ago by this excellent troupe of vocalists, should induce every person who can do so to attend the promised will make trouble whether you done it or previous to this resided in Indiana county, entertainment. Let them have a full house.

> More Testimony .- From the Times, New Poltz, N. Y.:-We take pleasure this week in calling the attention of our readers to the advertisement of "HOOFLAND'S GER-MAN BITTERS." It is the only Tonic for the Invalid that commends itself. Our druggist, E. Van Wagenen, in this village has sold two gross the past six months, and in EVERY Mrs. Rachel Engle, sworn.—Was sitting instance it gave satisfaction. Now is the time Hoofland's Bitters is entirely free from al-

coholic admixture. HOOFLAND'S GERMAN TONIC

A lad at Altoona, named Bentley, fell was "running that machine," and when told son that his brother was already sufficiently Mrs. Jane Holener, sworn .- Am wife of frem a tree and broke his arm the other day.

GROVER & BAKER'S THOMAS CARLAND, FIRST PREMIUM ELASTIC STITCH FAMILY

495 BROAD AY, NIW YCIK. 730 Chestnut St., Philadelphia.

POINTS OF EXCELLENCE. Beauty and Elasticity of Stitch,

Perfection and Simplicity of Machinery. Using both threads directly from the spools. No fastening of seams by hand and no waste FEED AND PROVISIONS,

Wide range of application without change of adjustment. The seam retains its beauty and firmness Between Julia and Careline, - ALTOONA.

after washing and ironing. Besides doing all kinds of work done by other Sewing Machines, these Machines execute the

exhibitions of the United States and Europe. freights from the principal cities and no dray have been awarded the GROVER & BAKER

THE VERY BIGHEST PRIZE, THE CROSS OF THE LEGION OF HONOR, was conferred timony of one of the witnesses called for on the representative of the GROVER & BA-KER SEWING MACHINES, at the Expositrust over them; that threats were made, ted to disprove the statements made by said | tion Universelle, Paris, 1867, thus attesting their great superiority over all other Sewing Machines. For sale by C. T. Romars,

[June 3, 1869.-1y.

Ebensburg.

DANGEROUS -The chief danger from Dyspepsia is that the reduced strength of the system may disable it from surmounting othes intercurrent diseases. Sympathetic affections of the liver and lungs often have their origin in Dyspepsia, and may become organic diseases and constitute not only a source of inconvenience but danger. Hence, the sooner treatment is commenced after the first symptoms of Dyspepsia are manifest, with more certainty can the disease be thoroughly expeded. Do not delay to seek advice from unwarranted sources, but procure Roback's Blood Pills, take them in small doses to stimulate the stomach and intestines and gently act upon the liver. Then take Roback's Stomach Bitters regularly after each meal to tone the stomach and assist the digestive apparatus, and you will find the relief will be almost immediate and the care like magic. The Bitters This concluded the testimony in the case, should be continued for a while after all sympced his argument for the prosecution. He medicines are prepared with the atmost care of was followed by F. A. Shoemaker, Esq., for | materials having especial reference to diseases the defence, when, at 6 o'clock, Court ad- of the blood and internal organs, and can at all times with confidence be relied upon.

TO CONSUMPTIVES.

THE ADVERTISER, having been restored to health in a few weeks by a very simple remedy, after having suffered several years with a severe lung affection, and that dread disease, Consumption, is anxious to make known to his fellow sufferers the means of cure.

To all who desire it, he will send a cory of the prescription used (free of charge), with the directions for preparing and using the same, which they will find a sure cure for Consumi TION, ASTHMA, BRONCHITIS, &c. The object of the advertiser in sending the Prescription is to benefit the afflicted and spread information

Parties wishing the prescription will please address Rev. EDW ARD A. WILSON my20.-ly. Williamsburg, Kings Co., N.Y.

CALLAN HOUSE FOR SALE.—
The well known, commodicus and popular summer resort, the Catfered at private sale on accommodating terms. It is a most desirable property, the buildings being all new and in the best of order. The wish to sell is prompt ed solely by a desire to quit the business. For price, terms, etc., apply in person or by letter to WILLIAM CALLAN. Sept. 16, 1869. 2m. Cresson, Pa.

NOTICE,-The undersigned appoint-ed Auditor by the Orphans' Court of Cambria county to make distribution of the fund in the hands of James E. NEASON, Administrator of the estate of John E. McDen MITT, deceased, will sit for that purpose, at his office in Ebensburg, on FRIDAY, OCTOBER 1sr, 1869, when and where the parties interested may attend if they think proper. JOS. M'DONALD, Auditor.

Ebensburg, Sept. 16, 1869. 3t. INSOLUTION. - The partnership heretofore existing between the under-dersigned in the LUMBER BUSINESS has been this day dissolved by mutual consent .-The books of the firm have been lett with

F. BEARER. OWEN CUNNINGHAM. Ebensburg, August 24, 1869.

Owen Cunningham for settlement.

ARTNERSHIP.—The Lumber business will hereafter be conducted by the firm of Cunningham & Stonebeck, who will be prepared at all times to fill orders for Poplar Ash, Cherry, Linn and Pine Lumber, Sawed and Shaved Shingles, and will purchase all kinds of Lumber at the highest market rates CUNNINGHAM & STONEBECK.

HOR SALE! PURE BRED HOGS AND FOWLS. WINTER SEED WHEAT and other FARM SEEDS, from Deitz's Experimental Farm, Gaambersburg, Pa.

Diehl's and Boughton Beardless; Week's and No man from either the city or country | Treadwell's Bearded White Wheats; French White and Red Chaff; Purple Straw Bearded Red Mediterranean, and German Amber Beardless, are the best, earliest, hardiest and most productive Wheats that can be recommended for general cultivation. 4 pounds of any kind by mail, post paid, for \$1. Twenty heads of different varieties sent, post paid, for \$1.— Twenty other varieties of Wheat, Barley and Oats, of last year's importation. See DEITE's | crally that he has commenced business in Sup EXPERIMENTAL FARM JOURNAL; send and sub-

GEO. A. DEITZ. Chambersburg, Pa. The Earliest, Hardiest and Most Productive Red Wheat is the French White Chaff. September 9, 1869, 4t.

WALUABLE TOWN PROPERTY AT PRIVATE SALE!

The undersigned offers for sale a LOT OF GROUND situate in the West Ward of Ebensburg Porough, fronting 66 feet on High street and extending back 132 feet to lot of Wm. S. Lloyd, adjoining tot of Robert Evans on the east and an alley on the west, having thereon erected a TWO STORY FRAME HOUSE, with a PLANK KITCHEN attached, and a ONE STORY FRAME HOUSE. The property will be sold CHEAP FOR CASH, or on easy terms.

For further particulars amply to Ebensburg, June 3, 1869. tf.

diately, and got to place about daylight, at Wm. Holsner, sworn .- Am a partner in Bitters, with runs Santa Cruz Rum, or age, of the Borough of Ebensburg, Cambria county, Fry's mill, and saw lying on a bank of saw the firm; was present at the burning until anise, etc., making a preparation of rare medi- deceased, having been granted to the under- be obtained in the cities or elsewhere. dust, a few rods from the mill, the body of 2 A. M., on that morning; Lewis took me cinal value. The Tonic is used for the same signed by the Register of said county, all per and see specimens and judge for yourselves Philip Phalon; his shirt was open, and his home; he stayed about ten minutes; he diseases as the Bitters, in cases where some sons having claims against said estate are here- as to the merits cheapness of my work. body besmeared with blood; he vas life- did not say he would knife some of them. Alcoholic Stimulant is required. Principal Of- by notified to present them properly authenti-

EDWARD H. PLANK, Adm'r. Ebensburg, Aug. 19, 1869, 6c.

WHOLESALE DEALER IN

GROCERIES & QUEENSWARE, WOOD AND WILLOW WARE.

STATIONERY AND NOTIONS, FISH SALT, SUGAR CORES MEATS

BACON, FLOUR,

NO. 136 VIRGINIA STREET.

All such goods as Spices, Brushes, Wood, and Willow Ware, Shoe Blacking and Stationerv will be sold from manufacturer's printed ornamental work.

price lists, and all other goods in my line at Philadelphia, Baltimore. One must and Pittsburgh current prices. To dealers I present the THE HIGHEST PREMIUMS at all the fairs and peculiar advantage of saving them all freight and dravage, as they are not required to pay age charges are made. Dealers may rest as SEWING MACHINES, and the WORK DONE | sured that my goods are of the best quality and my prices as moderate as city rates. By doing a fair, upright husness, and by promptly and satisfactorily filling all orders, I hope to merit the patronage of retail dealers and others in Cambria county and olsewhere. Orders respectfully solipited and satisfaction guaranteed in all cases. THOMAS CARLAND.

> WOOD, MORRELL & CO., WASHINGTON STREET

Altoona, July 29, 1869, if.

Near Pa. R. R. Depot, Johnstown, Pa., Wholesale and Retail Dealers in

FOREIGN AND DOMESTIC DAY COODS MILLINERY GOODS,

QUEENSWARE. BOOTS AND SHOES. HATS AND CAPS.

IRON AND NAILS CARPETS AND OIL CLOTHS. READY-MADE CLOTHING, GLASS WARE, YELLOW WARE, WOODEN AND WILLOW WARE,

PROVISIONS and FEED, ALL KINDS, Together with all manner of Western Produce, such as FLOUR. BACON, FISH, SALT, EARBON OIL, &c., &c. EW Who'esale and retail orders solicited and promptly filled on the shortest notice and most reasonable terms

WOOD, MORRELL & CO. Johnstown, April 28, 1869. ly. GEO. C. K. ZAHM, JAS. B. ZAHM

ZAHM & SON.

DRY GOODS, GROCERIES, HARDWARE, QUEENSWARE, BOOTS AND SHOES, HATS AND CAPS.

AND ALL OTHER ARTICLES Usually Kept in a Country Store.

WOOL AND COUNTRY PRODUCE

STORE ON MAIN STREET,

TAKEN IN EXCHANGE FOR COODS!

Next Door to the Post Office, EBENSBURG, PA. June 10, 1869.

AWSON & BAKER, FRANKLIN STREET,

In the Old POST OFFICE BUILDING,

Johnstown, Pa, WHOLESALE GROCERS

AND DEALERS IN WESTERN PRODUCE!

LAWON & BATTH keep constantly on hand a large supply SUGARS, STRUPS, MGLASSES, TEAS, COFFEES, FLOUR, BACON, POTATOES. DRIED and GREEN FRUITS, TOBACCO CIGARS, &c., &c. Orders solicited from retail dealers, and sat

isfaction in goods and prices guaranteed.

Johnstown, April 28, 1869. ANDREW MOSES. MERCHANT TAILOR.

SUPPES'S BUILDING, CLINTON ST., JOUNSTOWN,

HAS just received his fall and winter stock of fine French, London and American CLOIHS, CASSIMERES and VESTINGS. and a full assortment of Gent's FURNISHING

Mr. Moses has been for eight years cutter at Wood, Morrell & Co.'s establishment, and now desires to inform his friends and the public genpes's building, on Clinton street, with a stock of goods adapted to the fall and winter, which he is prepared to make up in the latest style and at moderate prices for cash, hoping by at tention to business to merit a share of pub! pitronage, and maintain that success which has heretofore attended his efforts in producingood fitting garments. Give him a call. Johnstown, Sept. 2, 1868.-tf.

REVERE THE MEMORY OF FRIENDS DEPARTED!

MONUMENTS, TOMBSTONES, &c The subscriber still continues to manufacture of the best material and in the most

workmanlike manner, at the Loretto Marble Works all kind of MONUMENTS AND TOWN STONES, as well as TABLE and BUREAU TOPS, and all other work in his line. None but the best American and Italian Maril HOOFLAND'S GERMAN TONIC

Is a combination of all the ingredients of the

Nortice.—Letters of Administration used, and perfect satisfaction guaranteed to on the estate of R. S. Bunn, M. D., late all cases at prices as low as like work scan

> JAMES WILKINSON Loretto, March 12, 1868.1y.

GOOD, BETTER, BEST. - The lower and cheapest Tobacco and Cigars at tour are at M. L. Oatman's. Go and see-