THE CAMBRIA FREEMAN.

Ebensburg, Pa.,

FRIDAY . . . . SEPT. 11, 1874.

W. L. FOULK,

Agent of the Western Pennsylvania, Ohio and West Virginia Press Association.

[illegible] Pittsburgh, who is authorized to [illegible] for advertisements in the CAMBRIA FREEMAN [illegible] advertising rates.

Death of Rev. J. W. Edie.

[illegible]

LOCAL AND PERSONAL.

This Place and the Other Place.

[illegible]

—On Thursday a fatal accident occurred at Penn station, Westmoreland county, on the Pennsylvania Railroad. A stock train had been sided, when a drover from Chicago, whose name was not ascertained, endeavored to cross the track, but was struck by a passing train and so horribly crushed that he died a very short time after. The body was embalmed and forwarded to Chicago.

—Two men named Blackburn and Stetter were overcome by the foul air in a cess-pool at Penn Station, Westmoreland county, on Monday last, one of whom expired before and the other shortly after being taken out of the vault. They had excavated a new vault and tapped the old one, when the poisonous gas overpowered them with the result stated, the former literally dying in the attempt to rescue the latter.

—Mr. William Baxter informs us, and we announce it to the public, that he is prepared to deliver to consumers either anthracite or the celebrated Summerhill bituminous coal, by the car-load or by the ton. Orders can be left at his store, on High street.—"Billy" is an enterprising young man, and assures us that he means to demonstrate that coal can be and will be sold at a considerably lower figure than has heretofore characterized the price of that article.

—The putting of a new roof on the Catholic church at Wilmore and the improvement of the pastoral residence has created a debt which the worthy pastor, Father McHugh, is desirous of liquidating, and hence it is that the ladies of the congregation have determined to hold a grand picnic in the delightful grove near that place on Thursday next, Sept. 17th. Of course it will be a most enjoyable affair, and equally of course everybody who likes fun of that kind will be there to help along the good cause.

—As we last week announced, the Altoona Steam Fire Engine Company will to-morrow visit this place, for the purpose of indulging in the recreation of a picnic. Our Dauntless Fire Company have been invited to participate in the festivities, and have accepted the invitation. A good time is promised, and those who give the promise are gentlemen who always keep their word. It is expected that the Altoona company will bring their elegant steamer along with them. They will reach here by special train at [illegible] o'clock, a. m.

—The Association of Congregational Churches held its annual services in the Congregational church of this place commencing on Friday evening last and closing the following Monday evening. Very large audiences attended on the deliberations of the body. The ministers present were Rev. R. E. Thomas, D. D., of Pittsburgh; Rev. O. Owens, Birmingham; Rev. David Davis, Brady's Bend; Rev. J. Thomas, Frostburg, Md.; Rev. J. M. Thomas, Summit Hill; Rev. E. W. Jones, Johnstown; Rev. T. Edwards, Pittsburgh, South side; Rev. J. G. Thomas, north of Ebensburg.

—The Bedford county Republican convention met on Tuesday, at Bedford, and nominated Cessna for Congress and Eshott for State Senate. Cessna received 32 votes as against 28 votes for Williams. Williams' friends, it seems, were not satisfied with the result, and withdrew from the convention and proceeded to run things on their own book. They nominated the aforesaid Williams for Congress, and gave him authority to select his own conferees, and the presumption now is that things are not altogether so lovely in the radical camp as they would like to have us believe.

—We are sorry to learn of the severe, tho' we trust not fatal, injury of our good lady friend, Mrs. Ignatius Bises, of Munster tp., who was precipitated a distance of twenty odd feet, on Wednesday last, in consequence of the giving away of a ladder by which she was endeavoring to ascend from the upper floor in the barn to a loft overhead. She was precipitated clear through to the lower story, where she struck on her side and fractured several of her ribs, besides injuring if not breaking her hip-bone. Dr. Oatman, of this place, who is in attendance on the injured woman, informs us that her condition is somewhat critical, though he has strong hopes of her ultimate recovery.

—The following excellent ticket has been placed in nomination by the Democracy of Blair county: Assembly, Col. J. C. Everhart of Martinsburg and Dr. H. U. Christy, of Tyrone; District Attorney, A. V. Dively, of Altoona; Register and Recorder, Abraham Lingenfelter, of Hollidaysburg; County Treasurer, Christ Honser, of Altoona; County Commissioner, Alex. Carothers of Catharine Township; County Auditor, Sims Maus, of Hollidaysburg; Poor Director, Joseph Riddle, of Frankstown; County Surveyor, Francis Cassidy, of Newry. Jesse L. Crawford was declared the choice of the convention for Congress and Wm. C. Barker of Hollidaysburg was elected Chairman of County Committee for the ensuing year.

—One of the most active, enterprising and whole-souled citizens of the goodly borough of Loretto, and consequently one of the most popular, is Mr. Andrew J. Christy. He has lived in that section nearly all his lifetime, and one and all who know him unite in conferring upon him the title of gentleman. Mr. C. is a candidate for the nomination for Prothonotary of Cambria county, and taking into consideration his own inherent merits as well as the fact that he hails from a neighborhood that is noted for its adherence to Democratic principles, we trust that his claims to office will receive proper consideration at the hands of the convention that will meet here on the 21st instant. If nominated and elected, he will make one of the most careful custodians of the public interests that Cambria county has ever had.

PRACTICAL FACTS.—When any organ or part of the body becomes diseased it gives out more than its accustomed share of particles from that part. These separated particles are carried out of the body through the medium of the kidneys, and may, by chemical analysis and microscopic examination, be definitely ascribed to the precise locality whence they are derived.

These are practical facts, not merely of value in ordinary cases alone, but scientific men—Todd, Bennet, Queckett, and others—have placed on record numerous instances wherein the correct diagnosis in obscure cases depended solely upon these kind of investigations.

We ourselves during an experience of over twenty years practice, have had many individual cases wherein the examination of the urinary secretion alone revealed the true nature of the disease after all the well known methods of the very best physicians of the country had signally failed.

When we propose to detect diseases by an examination of the urine alone, being prepared, as we are at our office, No. 182 Grant street, Pittsburgh, with all the chemical and microscopic apparatus for testing it in the most scientific manner, we base our proposition not upon clairvoyance, spiritualism, hocus-pocus, or legerdemain, but upon the incontrovertible facts, and make our deductions in accordance with the immutable laws of science.

Indeed, it is these *facts* alone that give to our peculiar system its true value, that stamp it as a science. For that only is scientific which is based upon incontrovertible facts.

If we *fail* to detect the "morbid conditions," if any, or to determine the nature of the disease, or the organs affected, as the lungs, liver, stomach, brain, kidneys, womb, etc., there shall be no charge made.

Send us a vial of *morning* urine by *express* (*not by mail*), with name, age and P. O. address of the patient, and we can send the necessary medicines. DRS. OLDSHUE.
182 Grant St., Pittsburgh, Pa.

IRON CITY COLLEGE.—In calling attention to the advertisement, in another column, of this popular and successful school for the practical education of young men, we desire to state that on account of its admirable course of study and system of practical business training it has become a universal favorite among business men everywhere, and secured for itself the most extensive patronage of any business college in the United States. To persons desirous of securing a thorough business education, we can safely say that the Iron City College possesses advantages not surpassed. The course of study pursued here is not only the most complete ever devised, but the principal members of the faculty have been connected with the institution for the past twenty years, and are men distinguished alike for their ability and long experience.

The Tunnel Hill Tragedy.

Trial of Patrick A. Burns for the Murder of Manus Patton.

Brief History of the Case and Full Report of the Trial—Verdict, "Not Guilty."

On Tuesday afternoon at 4 o'clock the case of the Commonwealth versus Patrick A. Burns, the constable of Gallitzin borough, this county, against whom a "true bill" on the charge of murder had been returned by the Grand Jury a short time previous. The facts in this case have elicited such widespread attention and are endowed with so great a degree of importance to the general public, that we have deemed it proper to lay before our readers a full report of the trial.

COUNSEL.

The counsel for the Commonwealth were District Attorney Sechler, assisted by John Fenlon and S. S. Blair, Esqs. The defence was sustained by Messrs. Johnson, Linton, and Scanlan.

SELECTING THE JURY.

After twenty-one names had been drawn from the box, the following named gentlemen were chosen and duly sworn as

THE JURY.

Joseph Behe,	James Shorthill,
Clement Fresh,	James A. McKenzie,
Philip Thomas,	Israel Goughnour,
Philip Kearns,	George P. Stineman,
John S. Luther,	Wm. P. Gooderham,
Joseph Long,	Joseph S. Martin.

BRIEF SKETCH OF THE CASE.

Some time last fall, a young man named Francis Burk, a resident of Gallitzin, was shot at a number of times in that borough, but was not hurt. He imagined that one Manus Patton, a resident of Tunnel Hill, or one or more of his associates, were his assailants, and swore out a warrant for the arrest of Patton, Joseph Murphy, John Bigler, and John Smith on the charge of assault with intent to kill. All of the defendants, except Bigler and Smith, immediately fled the country, and on the 16th of February following, at Argument Court, a process was ordered to be issued to the Sheriff for the arrest of the defendants. Constable Patrick A. Burns, of Gallitzin, was deputed to serve the warrant. Patton and Murphy returned to Tunnel Hill on or about June 11th, last, and on the 15th day of that month the constable, assisted by Michael Fitzharris, burgess of Gallitzin, undertook to serve the warrant. They ascended the Hill, which is in the near neighborhood of Gallitzin, some time that evening, and at what is known as the Picnic House succeeded in arresting Murphy and Bigler. Patton was in the near neighborhood at the time, but attempted to effect his escape by running. Constable Burns gave pursuit, and Patton refusing to stop when ordered, the officer discharged three barrels of his revolver at the fugitive. One of the shots took effect in Patton's thigh and another in his shoulder-blade, and the nature of these combined wounds was such that he lived only a very short time.

Smith was taken into custody the same evening, and he and Murphy and Bigler were brought hither that night, and were released on bail for their appearance at the current term of Court.

Constable Burns promptly surrendered himself into the custody of Hon. R. J. Lloyd, one of the Associate Judges, and [redacted] Wednesday following the occurrence [redacted] event was brought before his honor [redacted] Dean on a writ of *habeas corpus* and [redacted] in the sum of $5,000 bail.

THE OPENING.

At 4:45 o'clock the case was [redacted] the Commonwealth by District [redacted] Sechler, who gave a brief summ[redacted] facts expected to be elicited by [redacted] tion.

TESTIMONY FOR THE PROSE[redacted]

JOHN BIGLER sworn.—Live on [redacted] Gallitzin, about 600 yards from [redacted] were there in June last; Manus [redacted] Smith, Jimmy Conway, Joseph [redacted] Callahan, John Smith, John Mu[redacted] eral others were sitting on [redacted] at the Fair house; I was sitti[redacted] of the road south of the Fair [redacted] past 8 o'clock. Constable Burn[redacted] Harris came up there to the [redacted] one said, "Here comes your [redacted] standing up at the time; wh[redacted] 15 yards distant from him [redacted] run; as he was trying to [redacted] fence, Burns fired and Manus fell at the top of the fence into the field, about midway in the field Burns fired again, when Manus sang out, "No more of that;" while running over another field a third shot was fired, and Manus fell into an alley-way, and lay there. I was arrested at the same time on the same charge, and went down to where Burns was lying; Fitzharris asked Burns if he thought he was hurt; Burns said, "No, he is only fooling." Burns then remarked that we had better take him away, and wanted me to help, but I wouldn't; they then dragged him down the lane a distance of about 40 yards; he never got up or spoke after I saw him there; while dragging him down the lane we met two women, who asked who that was; Burns replied that it was Manus Patton. The distance between Burns and Patton when the latter started to run was from 15 to 18 yards; when the first shot was fired they were about 10 yards apart; Patton ran about 20 yards before the second shot was fired, with Burns 8 or 10 yards behind him; Patton was on top of the fence when the third shot was fired, and Burns was about 6 yards from him at the time. Patton ran slower after the first shot than before, and about the same after the second shot. This was in Cambria county, some time in June last; Patton was breathing when I saw him lying in the lane; don't know that he died there, as I left before he was dead; believe he was taken home. While lying in the lane, he was examined by Burns and Fitzharris, who found a wound or hole in his shoulder; saw blood on his face and shirt; Burns and Fitzharris went to get a board or something to carry him home on; left nobody to watch him.

Cross-examined—Burns was constable at Gallitzin at that time; he came on our party from the side next Blair county; Joseph Murphy saw him first, and said, "There comes your man;" Patton was standing up at the time and all the rest of us were sitting down; didn't hear Burns say "halt" or "stop." After they had crossed the fence Burns was between Patton and me; it was after night-fall; Patton was a stout, active man. I was arrested on the same warrant. Fitzharris asked Burns whether he had him (meaning Patton); Burns was standing over Patton when Fitzharris and I got there; examined while in the lane to see if he was wounded; they then asked me to help remove the body; I refused; they caught him by the shoulders and dragged him some distance, they held him up, his legs only touching the ground; I walked alongside; they carried him some 40 yards, and then went to get some means to take him home, or possibly to the lock-up. I was 50 to 60 yards distant from Patton at the third fire; it was not dark. Could not positively tell how much Burns gained on Patton; can only guess at the distance; Patton was on the fence at the time of the first shot; Burns had to cross the fence to pursue him. Patton probably ran because he knew that Burns was a constable and had a warrant for his arrest.

In chief—Am positive that Burns gained on Patton after the first fire; the latter fell off the fence into the field after the first fire; Burns didn't shoot the second time till Patton started to run again. Could see from where I was standing down to the lane; Burns was about 20 yards distant from Murphy when the latter said "there comes your man." Patton could not run very well after the first shot. I was arrested at the time, but saw no warrant for my arrest; Mr. Fitzharris arrested me; saw no warrant in the possession of Mr. Burns.

Re-cross-examined—Patton was at Gallitzin for a couple of days prior to this occurrence; he had been absent from the county six or seven months before then. Mind when Burk was shot at; Patton left shortly after that, and did not return until about two days before the attempt to arrest him.

Re-direct—Patton was at church the Sunday before, openly and without any attempt at concealment; don't know whether Burns was at church that day or not.

DR. R. DEVEREAUX sworn.—Am a practicing physician at Summit, Cambria county; made a *post-mortem* examination of the body of the deceased about dark of the evening following his death; he had received two shots, one under the left shoulder, in the arm-pit, from behind, and one in the right leg, above the knee, also from behind. The wounds were produced by pistol shots with about No. 2 cartridges. The wound in the knee shattered the bone and divided the artery. Think Patton could not have run after receiving that wound. The other wound was between the fifth and sixth ribs, the ball traveling upward; it was necessarily fatal, for it divided the artery and veins, and caused extravasation of blood. If Patton ran after receiving the wound in the leg, he must have ran lame. The wound in the knee would have produced death unless prompt attention was paid to it.

To the Court—The ball flattened itself on the bone, shattering the bone somewhat.

Cross-examined—With a wound in the shoulder, similar to the one described, a man might be able to run one hundred yards or so.

JOHN SMITH sworn.—Was near Gallitzin on the 15th of June last, in company with John Bigler, Manus Patton, and others; did not see Burns until he hallooed at Patton; when he hallooed Patton started to run; Burns said, "You're too late now, Manus;" saw Burns fire a shot at Patton while the latter was on the fence; he was about five yards from him; Patton fell off the fence after the shot was fired; Burns stood still until Patton got up and started to run, when he jumped the fence and ran after him. About 20 yards inside the fence the second shot was fired; Manus said, "That's enough of that;" don't know where he was when the third shot was fired; couldn't see distinctly; don't know where either of them was when the last shot was fired; didn't go down to the lane. Saw Manus at church the Sunday before; didn't see Burns.

Cross-examined—Was pretty well acquainted with Patton; he was a stout young man, but not very active. Knew Burns was constable of Gallitzin. Patton was standing up at the time Burns approached; didn't hear Murphy say "here comes your man." I board in Blair county; so did Patton at the time. Picnic house is 200 yards from the Blair county line. Patton ran in a southward direction; Burns gained on Patton by taking a shorter route; was not talking to Patton when Burns came up.

The hour of 6 o'clock having arrived, the jury was placed in charge of two officers, with instructions that no communication between themselves and others should be had, and the Court adjourned until 9 o'clock next morning.

WEDNESDAY'S PROCEEDINGS.

Court convened at 9 o'clock, A. M.

JOHN MURPHY called and sworn.—Was at Tunnel Hill on the occasion of the shooting. Burns is a car inspector, and inspected cars about 8 o'clock in the evening; the Fair house is some 300 or 400 yards from where the cars are inspected; heard Burns say to Patton, "you're too late," or "you're not off." Patton was absent from Gallitzin from the time of the Burk shooting case up to within a few days of his death. It was not quite dark that evening.

NEIL GILLIS sworn.—The mail train reaches Gallitzin at 20 minutes to 8 o'clock. (The rest of the evidence of this witness was simply corroborative of facts previously elicited.)

PATRICK RILEY and JOHN CALLAHAN were called and sworn, but their testimony revealed no new facts.

ANTHONY M'COY sworn.—Saw Patton the Wednesday before the killing; saw the body of Patton lying in the lane; there was nobody with it except his brother John and myself; afterwards Burns came, asked him why they left Manus lying that way, with his head down hill; he said that he had come to take him, dead or alive, and was going to do it; I helped to take Patton home; he lived in Blair county, a quarter of a mile away, or thereabout.

JOHN PATTON (a brother of Manus Patton) sworn.—Found the body of my brother in the lane after he had been shot; he was lying about half way down the lane; he was dead; he was lying on the broad of his back, with his head down hill, and his coat off and pulled across the breast; saw Manus at the Tunnel Hill from the Wednesday before the killing every day; he was at church the Sunday before he was killed; saw Burns at church the same day, at about 10 o'clock in the morning.

Cross-examined—Manus lived in Blair county; he slept at his mother's house every night after he came back, except the first night, when he slept at Anthony McCoy's hotel.

JOHN MURPHY recalled.—Map of locality shown. (Identified as correct, and accepted as explanatory of his testimony.)

JAMES LINEHAN sworn.—Live in Gallitzin; Saturday evening before the killing was talking with Burns on Tunnel Hill. Patton and Gallagher passed down the hill; Burns asked me who they were; told him; when he said they had better keep "those quarters" shortly afterwards told Patton what Burns had said, and it got round so that all might hear, this in the neighborhood of the Fair grounds.

JOHN BIGLER recalled.—Had a conversation with Burns about a month after the writ of *habeas corpus* had been applied for in his case, and he had been released on bail; he said to me, what I swore to on that hearing was true; I then swore that Burns did not command Patton to halt.

The Commonwealth here rested.

THE DEFENSE.

The case for the [redacted] was opened by [redacted] briefly indicated [redacted] that would [redacted] the Defendant [redacted] the Commonwealth [redacted] and others, F. [redacted] charging [redacted] offered in [redacted] docket of [redacted] the [redacted] for the ac[redacted] evidence.

[redacted] of Cambria [redacted] in Gallitzin. (The witness [redacted] for [redacted] 8:25 o'clock that [redacted] inspected the wheels [redacted] I went up to Tunnel Hill to the east end of the Fair house and saw Patton, said "good evening" and walked on; found a crowd sitting on the road; remarked to Burns that that was a pretty large crowd; recognized Manus Patton amongst them, when we advanced; he ran in a southerly direction; Burns said, "Manus, you're too late—stop;" as Manus jumped over the fence Burns fired a shot; Burns also jumped over the fence, Patton was then 25 or 30 yards ahead, and apparently gaining ground; after the two had run some distance, heard another shot; heard the third shot, but couldn't recognize the parties across the field; I then hallooed to Burns "Have you got him?" adding, "I will be around there in a minute;" meantime had arrested one of the other parties. I then went to the alley; when I got there, asked if Manus was hurt; Burns said he thought he wasn't hurt much; we turned him and examined him, found blood on him; Burns took hold of one arm and I of the other, and we carried him about 100 feet, when finding him too heavy, we laid him down and went for a board; tried to carry him on that, a large crowd had by this time assembled; I said it would be better to leave him in until we could see what was best to be done; afterwards allowed them to take him home, with the understanding that the inquest of the body should be held inside Cambria county; this about 9 o'clock at night. (Draft of locality shown, and route traversed while going to and from Tunnel Hill explained.) It was a dark night; there was no moon; after the shooting, heard Patton's brother say, "You've killed Manus!" Burns replied, "It's done now and cannot be helped." Remember the attempt to shoot Burk on the 21st of October last; Patton left Cambria county shortly after that affair.

Cross-examined—Burns deputized me to go along with him to Tunnel Hill and assist him in arresting Patton; he said we might find him up at the Fair house.

In chief—Burns and Patton were personally acquainted; never knew of any difficulty existing between them.

PETER KISNER sworn.—Knew Patton; saw him twice after his return; saw him that Monday evening; told him that there was a warrant out for him; said he knew it—that Burns had sent him word to that effect.

PATRICK SMITH sworn.—Saw Patton the Sunday before his death; told him I understood there was a warrant for his arrest in the hands of the constable; he said he knew that was so, and added that he thought Burns wouldn't shoot him and couldn't run him down.

Cross-examined—Heard on Saturday evening that there was a warrant for Patton's arrest.

In chief—The defence proposed to put in evidence that on the night before the alleged murder, the deceased stated to witness on being informed that a warrant for his arrest was in the hands of the constable, that he could run faster than the constable, and that he didn't think the constable would shoot him, and that the next morning, the morning of the day of the killing, witness communicated this conversation to the constable. Ruled out by the Court, and a bill of exceptions filed.

PATRICK KEENAN sworn.—Was at the Fair ground that Monday evening; saw Patton between 6 and 7 o'clock; think Joseph Murphy was with him.

MICH'L FITZHARRIS recalled.—(Draft of the locality referred to in the testimony submitted and sworn to as being correct.)

WM. H. SECHLER, Esq., District Attorney, sworn.—On the morning of the 16th of June last, I was called on by Mr. Burns; was called on in the capacity of a public official; Burns said that while attempting to arrest Patton, he had shot the latter; he desired to surrender himself to the law, providing he had done anything wrong; we had some more conversation, but this was the purport of it. I took Burns to Judge Lloyd, who directed him to place himself in the hands of the Sheriff; the hearing was had the following day; Burns placed himself in the hands of the Sheriff.

CHARLES O'DONNELL, Deputy Sheriff, sworn.—Have heard the testimony of District Attorney Sechler. Burns surrendered himself to me, in the absence of the Sheriff, and remained in my custody until released on the writ of *habeas corpus*.

MICH'L FITZHARRIS recalled.—(The defense proposed to prove by this witness that Patton was not of good character; that he had several times before attempted to escape arrest for a criminal offense, and that in this case he had threatened to inflict bodily harm on any one who would attempt to arrest him. Objected to, and objection sustained. Bill of exceptions filed.) The witness stands aside.

An almanac for the year A. D. 1874 was offered in evidence.

MICH'L FITZHARRIS recalled.—Knew Patton; he was about 23 to 24 years old; he was strong, active man; have known Burns about 12 months; he is a resident of Gallitzin, and has always borne a good character.

Cross-examined—Never had occasion to test Patton's strength or activity.

PETER KISNER recalled.—Knew Patton; he was a strong young man; have known Burns 17 years; he was a good and upright citizen.

R. J. TROY sworn.—Knew Patton; he appeared to be a stout, active young man; have known Burns 17 or 18 years; he is a man of family, and resides in Gallitzin; his character is and so long as I have known him has been beyond reproach.

GRIFFITH BOTTNER affirmed.—(Draft of locality shown.) This draft was made by me, from actual measurement; knew Patton; he was a pretty fine looking man, and fleet of foot; Burns has always borne a good character.

John J. Troxell, Francis J. Parrish, Joseph M. Christy, Patrick Keenan, Thomas Bradley, Cornelius McCloskey, George Myers, John T. Storm, John Callihan, George Bertram, Samuel Craig, J. H. Gibson, Charles Selvidge, Dr. R. Devereaux, Capt. D. Bradley, Jacob Gaitner, James McCloskey, J. M. Thompson, Jas. Maher, Matthew Connery, F. J. Christy, Joseph Miller, and George Gutwalt were severally called and testified to the uniform good character of Burns. Some of these witnesses had been companions-in-arms with the accused in the late war, but a majority of them were his neighbors in domestic life, and their acquaintanceship with him extended over a period ranging from one to twenty years.

JOHN T. STORM sworn.—Patton was a middling active man; know this to be a fact, for I once had a warrant for him and when I tried to serve the same on him he outran me.

Cross-examined—The warrant for Patton in this case was for threats uttered and for having burned some lumber. He afterwards surrendered himself into my custody.

The Quarter Sessions docket of Cambria county was offered in evidence, to show the fact that Burns was a legally elected constable of Gallitzin borough at the time of the homicide.

An almanac for 1874 showing that the sun set at 7:35 p. m. and the moon rose at 9:27 p. m. on June 15th, was put in evidence.

At 3:15 o'clock the defense rested, and the evidence closed.

THE ARGUMENTS.

Mr. Fenlon, of counsel for the prosecution, made the opening address to the jury. He spoke for one hour, and was followed by Mr. Johnston, for the defense. This gentleman spoke until 5:30 o'clock, when Court adjourned.

THURSDAY'S PROCEEDINGS.

Court met at 8 o'clock, A. M., when Col. Linton proceeded to address the jury for the defense. He spoke for over an hour, and was followed by Mr. Blair, who summed up for the Commonwealth. At the conclusion of Mr. Blair's address, his Honor Judge Dean charged the jury, reviewing the evidence in the case, and explaining, at length, the principles of law as applicable to the same. It was an able, exhaustive, and impartial effort, but inasmuch as we have been promised a copy for publication next week, we will not further refer to it now.

THE VERDICT.

At 1:15 p. m., the Court House bell rang, and in a few minutes the hall of justice was crowded with anxious spectators. The jury filed into the box, and a silence like that of the grave ensued till the Prothonotary asked—"Gentlemen of the jury, in the case of the Commonwealth against Patrick A. Burns, how do you find, guilty or not guilty?"

"NOT GUILTY!"

was the response, and Patrick A. Burns emerged from the bar at which he was on trial for his life, or at least his liberty, without blame or blemish attached to him either as a man or an officer of the law.

OTHER PROCEEDINGS.

Previous to the taking up of the above reported case, the following causes on the criminal calendar were disposed of:

Com'th vs. Manus Patton, John Kilduff *alias* John Stout, Jos. Murphy, John Bigler *alias* Kehoe, James Smith and James Nihil.—Indictment, assault and battery with intent to kill. Murphy, Bigler and Smith plead "not guilty," and in the case of the latter a *nolle prosequi* was entered by leave of Court, Patton being dead and Kilduff not arrested. Murphy and Bigler were placed on trial and acquitted by the jury.

Com'th vs. Andrew Englehart.—fornication and bastardy; Lucinda Crayonan, prosecutrix. Defendant enters bail for his appearance next term.

Com'th vs. Wm. Smay and Com'th vs. Francis and David Smay—cross suits for assault and battery. Not guilty, but the costs to be paid by defendants in equal proportions and William to pay a fine of $1 and Francis a fine of $5, in addition.

Com'th vs. Jos. W. L. Gallagher—assault and battery with intent to commit rape; Elizabeth Jenkins, prosecutrix. This was one of the most disgusting cases ever brought to trial, but, alas for fallen humanity, there can be no [illegible] to disgust, so [illegible]. The scene of outrage is in [illegible] township, if this case may be taken as a criterion, is at a very low ebb indeed. Verdict, not guilty, but defendant to pay the costs.

Com'th vs. Wm. Connor—fornication and bastardy; Elizabeth Vonkins, prosecutrix. Def't not appearing, his recognizance was forfeited.

Com'th vs. Matthew Burns and Henry Sangster—arson. Defendants plead guilty and submit. Sentenced to the House of Refuge.

Com'th vs. F. J. Bradnock—fornication and bastardy; Mrs. Tillie Jones, prosecutrix. Defendant plead guilty, and was sentenced to pay the lying-in expenses and $1 per week for seven years for the support of the infant, with the usual bond that the child should not become a charge on the county during that time.

Com'th vs. John McGraw, Honora Patton and John Wilson—burglary and larceny. Jury find defendants guilty, but recommend the latter, on account of his youth, to the mercy of the Court. Not yet sentenced.

Com'th vs. John B. Julian—fornication and bastardy; Mary L. Nagle, prosecutrix. District Attorney enters a *nol. pros.* on payment of costs by defendant.

Com'th vs. Charles McDougal—assault and battery; John Hersey, prosecutor. Disposed of as above.

Com'th vs. Evan Michaels—assault and battery; Mary Bradley prosecutrix—and Com'th vs. Wm. Bradley—same offense; James Henry prosecutor—were also disposed of as above.

Com'th vs. Thomas Bradley—arson; John Fordy, prosecutor. Grand Jury return "not a true bill," and that the prosecutor pay the costs.

The cases of D. S. Dunmire, fraud and embezzlement, Ellen Varley, threatening to burn property of G. A. McGonigle, and John [illegible] McMullen, fornication and bastardy, were all continued until December term.

Ellen Varley, whose case is erroneously reported as continued, was sent to the Poor House—insane.

PRESENTMENT OF GRAND JURY.

The Grand Jury, after inspecting the Court House, Poor House, and Jail, made the following report:

To the Honorable the Judges of the Court of Quarter Sessions of Cambria county.—The Grand Inquest, inquiring in and for the body of said county, respectfully present: That in the discharge of their duties they have visited the public buildings, and report as follows:

The County Prison is in an excellent condition, in that it is kept scrupulously clean, and no complaints have been made to us by any of the inmates. The condition of the jail, the several wards, and the adjacent grounds, reflect great credit on Sheriff Reamer and his lady.

This morning we visited the County Poor House in a body and found everything connected with that institution in good order. The steward and matron are entitled to our commendation for the condition of the building. The inmates seem well cared for in every respect, and none of them made any complaints to the Grand Inquest.

We have also inspected the County Court House, with the various offices, vaults, etc., therein contained, and feel it our duty to condemn the same, and in our opinion the new offices now contemplated to be built for the use of the county officers should not be built, and that in their stead a new Court House, with county offices, vaults, etc., should be built, sufficiently large and secure for the increasing business of the county.

A. WALTERS, Foreman.

Ebensburg, Sept. 9, 1874.

THIRTY-ONE THOUSAND STEINWAY PIANOS.—The Messrs. Steinway & Sons have just turned out their thirty-one thousandth Piano.

The stupendous success of this firm is owing to their great and patented inventions in piano fortes—rendering them the most perfect and durable piano the world ever saw. One can tell the Steinway from the ordinary common trash as far as it can be heard. Then they outlast any two pianos of other makers. A nineteen-year old Steinway, owned by Mrs. Florence Kramer, of this city, is to-day as good as ever. Moreover the prices are not higher than those of other makers—the sole agents—Kleber & Bro., being determined to sell at the smallest possible advance. From $450 to $1,000 will buy a fine Steinway. No person of sense, rich or poor, should waste their money on inferior goods, so long as the Steinway is within easy reach. Hundreds of persons thus bitten have, after two or three years' use, gladly made a sacrifice and exchanged their shoddy pianos for the Steinways. In addition, the Messrs. Kleber & Bro. sell the popular Boston Pianos of Hallet & Cumston for half price. An $800 piano for $400, a $600 for $300, and so forth. The Great Burdett Organ also can be found at Kleber's, 122 Wood street. A single hearing will cause the listener to reject all other organs and buy the Burdett in preference. The best and cheapest instruments can be had only at H. Kleber & Bros., on Wood street, Pittsburgh, Pa.—*Chronicle, Aug. 15.*

FREE OF CHARGE.—Dr. Morris' Syrup of Tar, Wild Cherry and Horehound combines all the medicinal virtues of those articles which long experience has proved to possess the most efficient qualities for all diseases of the Throat and Lungs. Coughs and Colds are speedily relieved by it and in Croup it acts like magic. Call at R. J. Lloyd's Drug Store and obtain a sample bottle *free of charge*, or a regular size for $1; or at F. M. Wohlsingle & Son's Store, Wilmore. J. R. Morris, 112 North 2d St., Phila. [5-15.-1y.]

California Correspondence.

CRESSEY STATION, Merced Co., Cal.,
August 27, 1874.

DEAR FREEMAN—Permit me to pay my respects to "Independent," the author of the following, which I find in the last issue of your paper received:

"I think 'Rob Roy' tells some big California stories sometimes. Shearing a sheep in six minutes is rather too rapid a process for anything short of a streak of lightning to perform."

Now I think nothing of being called a liar, for I am used to that, although I never wilfully told a lie in all my life, but a mild insinuation that I am lying wounds me to the heart. One could not expect that a man who farms ten acres, hauls his harvest in on a half-sled, feeds his horses on straw, threshes ten bushels of wheat in a day, and who has not heard the news of Noah's flood yet—I say one could not expect that a man of that stamp could believe in the wonders of this progressive age; and yet there is now on this ranch a sheep-shearer who says he can shear one hundred and twenty-five (125) sheep in a day, and he don't require it as a very good day for sheep-shearing either, or that he can shear any sheep in the State in six minutes, or fleece any sheep in Taylor township in five minutes. And that you may know that this is not mere braggadocia, just look at the shears they do it with, an idea of which may be gathered from the following, which I clip from the *Morning Call* of a late date:

Charles Crocker, of Sacramento, was last week presented with a pair of scissors, the blades of which are three feet long and resemble a couple of immense cavalry sabres joined.

Why, the fact is, "Independent" couldn't lift a pair of California shears. Of course he will say that that is a lie too, and that this is another one:

Rufus Clark, known as "Potato Clark," has 200 acres of potatoes which will probably produce 25,000 to 30,000 bushels.

That is the way business is done here.

I saw a notice in the Merced *Tribune* the other day in regard to a man living near Stockton who threshed 4,770 bushels of wheat in a day. I sent the slip to some paper either in your county or Westmoreland. But, speaking of lies, here is another one:

The Parrott Grant, Butte county, produced 75,000 sacks of wheat this season. It is the intention of Mr. Parrott to ship his grain direct to Liverpool himself.

At a sack holds 2½ bushels, this would be 75,000 bushels of wheat, or seven hundred and fifty hundred bushels. And Mr. Parrott is not much of a farmer neither. Here is another lie:

The church property of San Francisco is valued at upwards of $6,000,000, of which the Catholics own more than one-half.

The church property of Taylor township is valued at $600. Isn't that a whopper?

Candidly speaking, I wrote nothing but the truth about sheep, yet of course it was natural for some relative to correct what he thought was a blunder on his part. But it was not a blunder on my part, but the truth, and the worst of it is, the poor sheep can't help it.

Everything is done here on a grand scale. There must be 250,000 bushels of wheat threshed here every day, or people would never get done threshing; and everything else is in like proportion.

We have big timber out here too, but I do not want to tax my veracity on big timber. I tell the truth, however, when I say that a day's work clipping is one hundred sheep, or one in six minutes. Why I even knew a man to make $6,000 in six minutes, or $1,000 a minute, in the fleecing business, and his entire outlay or investment was only three little bits of pasteboard, costing about one bit. More than that, there is a man out here, a neighbor of ours, who shaves a sheep every week.

SIX MORE LIES.

The public school in Esmeralda district, Solano county, has been closed for several months, owing to the fact that the trustees have been unable to procure a teacher.

Up to Sunday last forty-one cars of California fruit had been forwarded to the East since July 16th. During the same period last year the shipments were only half that amount.

F. B. Crane, of Marysville, realized $2,421.50 for the first car-load of pears and plums shipped this season to New York. The plums were not wrapped, and did not arrive in good order. Had they been in good condition the car-load would have brought $3,000.

We were shown last week says the Humboldt Register of Aug. 26th a specimen of mammoth barley, grown on Charles Wood's ranch, in Paradise Valley. He raised a lot of barley this year from sixty pounds of seed.

Last Tuesday some boards were torn from one side of Mrs. Wainwright's house, at San Bernardino, when there was discovered from three to four hundred pounds of beautiful fresh honey, which had been stored there by some thrifty bees.

J. M. Culp, of Linton, says the *Sun*, has taken up a string on the Bartlett road, the properties of which are rather peculiar. It will take out grease spots from the finest fabrics without affecting in the least the color. The most delicate ribbon may be made as greasy and dirty as possible, and the water will in a moment take it all out, leaving the ribbon as bright as ever. It will take freckles off the face, dandruff from the head, or do anything of that sort. It is Mr. Culp's intention to bottle the water and offer it for sale.

Yours, &c., ROB ROY.

P. S. I have seen "trails" out here that can put to shame any in Taylor township. Punt is not a lie, though it may be *fib*.

COMMUNICATION.

SUMMERHILL, Sept. 2, 1874.

EDITOR FREEMAN—Dear Sir: I see in a late issue of your worthy sheet a communication, which I presume was intended as a reply to "Uncle Sam's" letter, and which I am sorry to say is devoid of everything but misrepresentation and a shameful perversion of facts; but as I do not propose to occupy more of your valuable space than I am possibly help, I will not attempt a reply to all of his vague and no doubt very sarcastic assertions. It is only to be discovered where the sarcasm comes in.

In regard to the church house in our quiet and peace-loving village, I desire to say once for all that the house was built for the use of the Lutheran denomination, with the understanding that other sects should have the liberty of worshiping therein when not occupied by the Lutherans. With this understanding everything moved on quietly and satisfactorily until in an evil hour a few "rebs" from South Fork sowed the seeds of discord in our midst, thereby creating some dissatisfaction among a portion of our people. With an earnest desire to promote peace and good will among all, our worthy school directors thereupon leased the school house in this place to those who were dissatisfied with the church arrangement. By this means peace and order was once more established in our midst, and nothing occurred to again mar the prevailing harmony until a few weeks ago the school board, for several good and substantial reasons, declined to rent the school house any longer for religious purposes. Hence it was that a few of the citizens of this place and vicinity, without regard to denominational distinctions, including one or two of the school directors themselves, joined together and erected another neat little church building (of which mention has already been made by your correspondent "S. & H.") for the use of all who desired to worship God therein.

Permit me to say just here, however, that during all this time and up to the present, as it will be in the future, the Lutheran church door was open to all who came to worship God within its walls. It was built as a union church, and is today still, and had it not been for a few rebellious spirits at South Fork there would never have been any cause for dissension on this question.

"Demetrius" also boasts very loudly of secession and how much better they fare now on the tax question, etc., than they did under the old order of things; but I have it from some of the best citizens of South Fork, who would gladly return to the Union, that their taxes have been nearly thribbled under the new dispensation. These are facts based on figures that won't lie.

"Demetrius" talks very fluently about Washington having been a secessionist, which again sounds true to a certain extent, but his secession sentiments were far from being of that stamp which the South Fork rebels indulge in. He favored and fought for secession from a foreign and tyrannical government that had no right to demand obedience when it refused to grant the right of representation, and the grand result of such secession sentiments as he entertained is to be found in the fact that this vast country was thereby made and has long continued to be the home of the brave and the land of the free. When the South Fork secessionists, some of whose characters, if depicted on a blackboard, could be whitewashed with a piece of charcoal—when they, I say, accomplish anything that will bear the least possible comparison with the grand work which Washington and his compatriots accomplished in their secession, it will be time enough to hold him up as their great exemplar.

As I find nothing else in "Demetrius's" long drawn out communication worth wasting ink and paper in replying to, I will "let up" on him and pay my respects, very briefly, to my rebellious nephew, "B. E. E.," who evidently had one of his toes very badly pinched, if we may judge by the way he swings about and pricks up his ears as if in mortal pain. I think, however, like an old man out of breath, that he is a very dutiful boy, because he didn't hit me after knocking me down.

My dear nephew intimates that I am wrong about the South Fork Sabbath School report. Well, all I have to say on that subject is that I had my information from one of the most reliable citizens of South Fork, and if he was mistaken or misinformed I am in the same boat.

In conclusion, I would advise my rebellious nephew, who says nothing else worthy of a reply, to come back to his dear old uncle, and learn to behave himself in the future and refrain from meddling in other people's business. UNCLE SAM.

OBITUARY.

JONES.—Died, in this place, on Tuesday evening last, Mrs. ANN JONES, relict of the late Thos. M. Jones, aged 84 years.

HYMENEAL.

McMULLEN—BYRNE.—Married, at Carrolltown, on the 8th inst., by Rev. Raymond, O. S. B., Mr. JOHN MCMULLEN and Miss SUSAN BYRNE, both of Susquehanna township.

WEAKLAND—HENRY.—Married, at St. Augustine, Sept. 8th, by Rev. Thos. McAvene, Mr. LUKE WEAKLAND, of Susquehanna township, and Miss BRIDGET HENRY, of Clear Springs.

ACCOUNT NOTICE.—Notice is hereby given that the second and final account of E. Kreimer, Esq., Assignee of Jonas J. Gates, of Allegheny township, has been filed in the Prothonotary's Office at Ebensburg, and will be presented to the next Argument Court for confirmation unless cause be shown to the contrary. By the Court, J. K. HITE, Prothonotary.
Prothonotary's Office, Ebensburg, Sept. 8, 1874.-3t.

ACCOUNT NOTICE.—Notice is hereby given that the first and partial account of WM. B. BONACKER, Esq., Assignee of JOHN B. GRAMMAER, of Johnstown borough, has been filed in the Prothonotary's Office at Ebensburg, and will be presented to the next Argument Court for confirmation unless cause is shown to the contrary. By the Court.
J. K. HITE, Prothonotary.
Prothonotary's Office, Ebensburg, Sept. 8, 1874.-3t.

ADMINISTRATION NOTICE.
Estate of JAMES FARREN, dec'd.
Notice is hereby given that Letters of Administration on the estate of James Farren, late of the township of Washington, county of Cambria, deceased, have been granted to the undersigned by the proper authority. Persons indebted to said estate are requested to make payment forthwith, and those having claims against the same will present them duly authenticated for settlement.
MARY FARREN, Administratrix.
F. O'HAREE, Administrator.
Washington Twp., Sept. 11, 1874.-6t.

LAMB'S KNITTING MACHINE

Is the ONLY Machine that can knit all sizes of work, and narrow and widen it; shapes and completes, without hand-finishing, seamless Hosiery, Gloves and Mittens, or knit them in ALL SIZES, and knits over 100 different Garments, Fancy-Work, &c. [illegible] Pedlars, Manufacturing Knit Goods. The Farmer [illegible] $ a day with it. Agents Wanted. Send stamp for Sample of work and REDUCED Price List. Address LAMB KNITTING MACHINE CO., 389 West Fifth St., Cincinnati, Ohio.

Iron City College
PITTSBURGH, PA.
The most complete institution in the United States for the thorough, practical education of the young and middle aged men, having the largest patronage and the best facilities for instruction of any business college in existence.
Students Received at any Time.
For circulars giving full information as to course of study, method of instruction, necessary expenses, etc., address J. C. SMITH, A. M.,
[9-11.-2m.] Principal.

STATEMENT of SETTLEMENTS with the Collector and Treasurer of Gallitzin Township School District for the year ending June 1st, 1874.

F. J. PARRISH, Collector.—DR.

To amount of Duplicate	$1,427.34
CR.	
To amount of exonerations $ 27.68	
" " paid Treasurer 1,321.36	—$1,377.09
Balance due Township from Collector	$ 50.30

JOHN J. TROXELL, Treasurer.—DR.

To am't rec'd as last settlement $ 270.26	
" State appropriation 174.96	
" am't from Allegheny Twp. 52.80	
" " Coll'r C. O'Hagan 86.25	
" " of Election court 5.00	
" " for rope, books sold 6.45	
" " Inst. (Institute entert.) 1.84	
" " from Coll'r F. J. Parrish 1,321.36	—$1,905.85
CR.	
By Orders lifted	$1,880.18
Balance in hands of Treasurer	$ 2.44
Due Township from Coll'r F. J. Parrish	62.21
" from Allegheny Twp. for tuition	45.00
Cash with Treasurer and claims due Twp.	$ 142.25

The School Directors of Gallitzin Township having examined the above accounts, find them to be correct as presented in the foregoing statement.
MAT. DUNNAN, President.
CHARLES HERTLE, Secretary. [9-11.-3t.]

LIST OF CAUSES set down for trial at the ensuing term of Court, commencing on Monday, Sept. 7th, 1874.

SECOND WEEK.

The County of Cambria	vs.	O'Friel.
The County of Cambria	vs.	Kennedy.
The County of Cambria	vs.	Auth.
The County of Cambria	vs.	McHolland.
The County of Cambria	vs.	Hoch.
The County of Cambria	vs.	Bray.
The County of Cambria	vs.	Farrell.
The County of Cambria	vs.	Lilly.
Little et al.	vs.	Kirk et al.
Strong	vs.	Carpenter.
Brown & Co.	vs.	Dumbauld et al.
Hipps	vs.	Barker.
Hoehn	vs.	Hoehn.
Cambria Iron Company	vs.	Christy et al.
Burns & Shoemaker	vs.	Fisher, garnishee.
Hopkins et al.	vs.	Douglass et al.
O'Donnell et al.	vs.	Arnold.
Hoppe & Lloyd	vs.	Eagley.
Gallaher	vs.	Gallaher.
O'Leary	vs.	Campbell.
Dalrymple	vs.	Gallagher.
Williams	vs.	Lloyd.
Hughes	vs.	Penn'a Rail Road Co.
Owens	vs.	Rodgers.
Hughes's executor	vs.	Burk's executor.
Shartsaugh	vs.	Penn'a Rail Road Co.
Burgoon's executor	vs.	Burk.
Brooks & Hawks	vs.	Christy.
Herrod	vs.	Griffith.
Hughes	vs.	Rahm.

J. K. HITE, Prothonotary.
Prothonotary's Office, Ebensburg, Aug. 10, 1874.

UPHOLSTERING.—Having located permanently in this place, (at the Carriage Shop of D. M. Christy,) the undersigned desires to inform the people of Northern Cambria and parts adjoining that he is prepared to do all kinds of UPHOLSTERING, such as trimming carriages, buggies and other vehicles, upholstering sofas, chairs, ottomans, bedding, etc., and in fact doing all work in that line. Old articles of furniture, vehicles, etc., made as good as new in this particular, and perfect satisfaction guaranteed in every instance. Charges moderate and work attended to promptly. FELIX WEBER.
Ebensburg, July 31, 1874.-3m.*

DISSOLUTION.—Notice is hereby given that the partnership heretofore existing between the undersigned in the manufacture of sawed shingles, under the firm name of J. E. Nearon & Co., has this day been dissolved by mutual consent, Mr. McGough withdrawing therefrom. The business will be continued by the remaining partners under the same name as heretofore.
JAS. E. NEARON,
WM. McGOUGH,
JOHN McMULLEN.
Clearfield Twp., Aug. 4, 1874.

LETTING.—Sealed Proposals will be received at the Commissioners' Office, Ebensburg, Pa., until MONDAY, SEPT. 21st, 1874, at 11 o'clock, M., for the erection of a Building for County Offices. Plans and specifications can be seen at the Commissioners' Office. The Commissioners reserve the right to reject any or all bids.
W. D. McCLELLAND,
A. ANNA, } Commissioners.
M. CAMPBELL,
Attest—J. A. KENNEDY, Clerk.
Commissioners' Office, Ebensburg, Aug. 21, 1874.

ADMINISTRATION NOTICE.
Estate of JOHN MISEL, deceased.
Letters of Administration on the estate of John Misel, late of Carroll township, Cambria county, having been granted to the undersigned, all persons indebted to said estate are requested to make payment forthwith, and those having demands against the same will present them properly probated for settlement.
THOMAS MISEL, Administrator.
Carroll Twp., Sept. 4, 1874.-6t.*

ENGINE FOR SALE.—One new ENGINE, cylinder 12x20 inches. Price low. Address W. H. NIVLING & CO., Founders and Machinists, Tyrone, Pa.
Aug. 14.-3t.

F. A. SHOEMAKER. WM. H. SECHLER.
SHOEMAKER & SECHLER,
Attorneys-at-Law,
[9-10-3] EBENSBURG, Cambria Co., Pa. [1y.]

T. W. DICK, ATTORNEY AT-LAW, Ebensburg, Pa. Office in front room of T. J. Lloyd's new building, Centre street. All manner of legal business attended to satisfactorily, and collections a specialty. [10-14.-tf.]

DANIEL McLAUGHLIN, Attorney-at-Law, Johnstown, Pa. Office in the old Exchange building, (up-stairs,) corner of Clinton and Locust streets. Will attend to all business connected with his profession.

$5 to $20 per day at home. Terms free. Address Geo. Stinson & Co., Portland, Me.