The Huntingdon Journal.

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The Huntingdon Journal.

J. R. DURBORROW, - - J. A. NASH,

PUBLISHERS AND PROPRIETORS.

Office in new JOURNAL *Building, Fifth Street.*

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1 In	$3 50	4 50	5 50	8 00	¼col	9 00	18 00	$27	$ 36
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JOB PRINTING of every kind, Plain and Fancy Colors, done with neatness and dispatch. Hand-bills, Blanks, Cards, Pamphlets, &c., of every variety and style, printed at the shortest notice, and everything in the Printing line will be executed in the most artistic manner and at the lowest rates.

Professional Cards.

D. CALDWELL, Attorney-at-Law, No. 111, 3rd street. Office formerly occupied by Messrs. Woods & Williamson. [apl2,71

DR. A. S. BRUMBAUGH, offers his professional services to the community. Office, No. 523 Washington street, one door east of the Catholic Parsonage. [jan4,71

E. C. STOCKTON, Surgeon Dentist. Office in Leister's building, in the room formerly occupied by Dr. E. J. Greene, Huntingdon, Pa. [apl28, 76.

GEO. B. ORLADY, Attorney-at-Law, 405 Penn Street, Huntingdon, Pa. [nov17,75

G. L. ROBB, Dentist, office in S. T. Brown's new building, No. 520, Penn Street, Huntingdon, Pa. [apl2.71

H. W. BUCHANAN, Surgeon Dentist, No. 228, Penn Street, Huntingdon, Pa. [mch17,75

H. C. MADDEN, Attorney-at-Law. Office, No.—, Penn Street, Huntingdon, Pa. [apl9,71

J. FRANKLIN SCHOCK, Attorney-at-Law, Huntingdon, Pa. Prompt attention given to all legal business. Office, 229 Penn Street, corner of Court House Square. [dec4,72

J. SYLVANUS BLAIR, Attorney-at-Law, Huntingdon, Pa. Office, Penn Street, three doors west of 3rd Street. [jan4,71

J. W. MATTERN, Attorney-at-Law and General Claim Agent, Huntingdon, Pa. Soldiers' claims against the Government for back-pay, bounty, widows' and invalid pensions attended to with great care and promptness. Office on Penn Street. [jan4,71

J. R. DURBORROW, Attorney-at-Law, Huntingdon, Pa., will practice in the several Courts of Huntingdon county. Particular attention given to the settlement of estates of decedents. Office in the JOURNAL building.

L. S. GEISSINGER, Attorney-at-Law and Notary Public, Huntingdon, Pa. Office, No. 230 Penn Street, opposite Court House. [feb5,71

R. A. ORBISON, Attorney-at-Law, Patents Obtained. Office, 321 Penn Street, Huntingdon, Pa. [my31,71

S. E. FLEMING, Attorney-at-Law, Huntingdon, Pa., office in *Monitor* building, Penn Street. Prompt and careful attention given to all legal business. [aug5,74-6mos

WILLIAM A. FLEMING, Attorney-at-Law, Huntingdon, Pa. Special attention given to collections, and all other legal business attended to with care and promptness. Office, No. 229, Penn Street. [apl9,71

Miscellaneous.

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The Testimony of the Whole World.

HOLLOWAY'S OINTMENT.

BAD LEGS, BAD BREASTS, SORES AND ULCERS.

All descriptions of sores are remediable by the proper and diligent use of this inestimable preparation. To attempt to cure bad legs by plastering the edges of the wound together is a folly; for should the skin unite, a boggy diseased condition remains underneath to break out with tenfold fury in a few days. The only rational and successful treatment, as indicated by nature, is to reduce the inflammation in and about the wound and to soothe the neighboring parts by rubbing in plenty of the Ointment as salt is forced into meat. This will cause the malignant humors to be drained off from the hard, swollen and discolored parts round about the wound, sore, or ulcer, and when these humors are removed, the wounds themselves will soon heal; warm bread and water poultices applied over the affected parts, after the Ointment has been well rubbed in, will soothe and soften the same, and greatly assist the cure. There is a description of ulcer, sore and swelling, which need not be named here, attendant upon the follies of youth, and for which this Ointment is urgently recommended as a sovereign remedy. In curing such poisonous sores it never fails to restore the system to a healthy state if the Pills be taken according to the printed instructions.

DIPTHERIA, ULCERATED SORE THROAT, AND SCARLET AND OTHER FEVERS.

Any of the above diseases may be cured by well rubbing the Ointment three times a day into the chest, throat, and neck of the patient, it will soon penetrate, and give immediate relief. Medicine taken by the mouth must operate upon the whole system ere its influence can be felt in any local part, whereas the Ointment will do its work at once. Whoever tries the unguent in the above manner for the diseases named, or any similar disorders affecting the chest and throat, will find themselves relieved as by a charm. All sufferers from these complaints should envelop the throat at bedtime in a large bread and water poultice, after the Ointment has been well rubbed in; it will greatly assist the cure of the throat and chest. To allay the fever and lessen the inflammation, eight or ten Pills should be taken night and morning. The Ointment will produce perspiration, the grand essential in all cases of fevers, sore throat, or where there might be an oppression of the chest, either from asthma or other causes.

PILES, FISTULAS, STRICTURES.

The above class of complaints will be removed by nightly fomenting the parts with warm water, and then by most effectually rubbing in the Ointment. Persons suffering from these direful complaints should lose not a moment in arresting their progress. It should be understood that it is not sufficient merely to smear the Ointment on the affected parts, but it must be well rubbed in for a considerable time two or three times a day, that it may be taken into the system, whence it will remove any hidden sore or wound as effectually as though palpable to the eye. There again bread and water poultices after the rubbing in of the Ointment, will do great service. This is the only sure treatment for females, cases of cancer in the stomach, or where there may be a general bearing down.

INDISCRETIONS OF YOUTH;—SORES AND ULCERS

Blotches, as also swellings, can, with certainty, be radically cured if the Ointment be used freely, and the Pills taken night and morning, as recommended in the printed instructions. When treated in any other way they only dry up in one place to break out in another; whereas this Ointment will remove the humor from the system, and leave the patient a vigorous and healthy being.—It will require time with the use of the Pills to insure a lasting cure.

DROPSICAL SWELLINGS, PARALYSIS, AND STIFF JOINTS.

Although the above complaints differ widely in their origin and nature, yet they all require local treatment.—Many of the worst cases, of such disease, will yield in a comparatively short space of time when this Ointment is diligently rubbed into the parts affected, even after every other means have failed. In all serious maladies the Pills should be taken according to the printed directions accompanying each box.

Both the Ointment and Pills should be used in the following cases:

Bad legs,	Cancers,	Sore Nipples,
Bad Breasts,	Contracted & Stiff	Sore throats,
Burns,	Joints,	Skin Diseases,
Bunions,	Elephantiasis,	Scurvy,
Bite of Moschetoes	Fistulas,	Sore Heads,
and Sandflies,	Gout, [ings,	Tumors,
Coco-bay,	Glandular Swell-	Ulcers,
Chiego-foot,	Lumbago,	Wounds,
Chilblains,	Piles,	Yaws.
Chapped Hands,	Rheumatism,	
Corns (Soft)	Scalds,	

CAUTION:—None are genuine unless the signature of J. HAYCOCK, as agent for the United States, surrounds each box of Pills and Ointment. A handsome reward will be given to any one rendering such information as may lead to the detection of any party or parties counterfeiting the medicines or vending the same, knowing them to be spurious.

*** Sold at the Manufactory of Professor HOLLOWAY & Co., New York, and by all respectable Druggists and Dealers in Medicine throughout the civilized world, in pots at 25 cents, 62 cents, and $1 each.

☞ There is considerable saving by taking the larger sizes.

N. B.—Directions for the guidance of patients in every disorder are affixed to each pot. [apr28,76-eow-1y

WEDDING CARDS!

WEDDING CARDS!!

We have just received the largest assortment of the latest styles of

WEDDING ENVELOPES, and

WEDDING PAPERS,

ever brought to Huntingdon. We have also bought new fontes of type, for printing cards, and we defy competition in this line. Parties wanting Cards put up will save money by giving us a call. At least fifty per cent cheaper than Philadelphia or New York.

ap7-tf.] J. R. DURBORROW & CO.

Printing.

J. R. DURBORROW, - - - J. A. NASH.

The Huntingdon Journal,

PUBLISHED

EVERY FRIDAY MORNING,

—IN—

THE NEW JOURNAL BUILDING,

No. 212, FIFTH STREET,

HUNTINGDON, PENNSYLVANIA.

—:o:—

TERMS:

$2 00 per annum, in advance; $2.50 within six months, and $3.00 if not paid within the year.

—:o:—

TO ADVERTISERS:

— Circulation 1800. —

A FIRST-CLASS ADVERTISING MEDIUM.

5000 READERS WEEKLY.

The JOURNAL is one of the best printed papers in the Juniata Valley, and is read by the best citizens in the county. It finds its way into *1800* homes weekly, and is read by at least **5000** persons, thus making it the BEST advertising medium in Central Pennsylvania. Those who patronize its columns are sure of getting a rich return for their investment. Advertisements, both local and foreign, solicited, and inserted at reasonable rates. Give us an order.

—:o:—

JOB DEPARTMENT:

With Fast Presses, all the latest styles of New Type, Borders, Cuts, and a full supply of all kinds of material necessary for the equipment of a FIRST-CLASS OFFICE, we are prepared to do all kinds of Jobbing, such as Posters of any size, Circulars, Business Cards, Wedding and Visiting Cards, Ball Tickets, Programmes, Concert Tickets, Order Books, Segar Labels, Receipts, Legal Blanks, Photographer's Cards, Bill Heads, Letter Heads, Pamphlets, Paper Books, etc., etc., etc., etc. Our prices are as low as those of Philadelphia, and our work will compare favorably with any done in the State. We make it a point to employ none but the best of workmen, and will not permit an *apple butter daub* to be done in our Job Rooms. Satisfaction guaranteed in every instance. Send along your work, and see what we can do.

— COLOR PRINTING A SPECIALTY. —

—:o:—

☞ All business letters should be addressed to

J. R. DURBORROW & CO.,
Huntingdon, Pa.

Trial of William Stutsman

FOR THE MURDER OF

Stephen Lawrence Madigan,

On Sunday Night, June 11th, 1876.

Commonwealth vs. William Stutsman. } Indictment: 1st count, Murder. 2d count, Manslaughter.

The trial of Wm. Stutsman for the murder of Stephen L. Madigan, on the 11th of June last, was commenced on Thursday afternoon of last week. The counsel for the commonwealth, Mr. Jackson, was assisted by Messrs. J. M. Bailey and P. M. Lytle and the defense was conducted by Messrs. M. S. Lytle and R. M. Speer.

The prisoner was arraigned at 3 o'clock, p. m., and the indictment read and plea of not guilty entered. Out of twenty-six jurors called from the general panel six were peremptorily challenged by the defendant and one for cause. Four were challenged for cause by the commonwealth, two peremptorily, and three were excused, when the panel was exhausted, eleven Jurors having been chosen, leaving one to be supplied from the bystanders. The following jurymen were sworn in the case:

Elijah Ganoe, of Warriorsmark.
Robert Bigham, of Shirley.
James Thompson, of West.
Joseph N. Hamilton, of Brady.
Benedict Stevens, of Springfield.
Chas. T. Baird, of Shirley.
Wm. Mundorf, of Henderson.
Geo. W. Cornelius, of Shirley.
Robert Green, of Barree.
A. W. Swoope, of Mapleton.
Geo. P. Wakefield, of Shirley.
Jos. Cornelius, (talesman) of Brady.

The formal opening of the case to the Jury, was made by the District Attorney, J. C. Jackson, esq., and at 5 o'clock the court adjourned for two hours.

EVENING SESSION.

Mrs. Alice Madigan, sworn—I live in West Huntingdon, and am the mother of Stephen Lawrence Madigan. My husband has been dead a year. I saw Stephen on Sunday, the 11th of June last, in the house, between 6 and 7, P. M., He was there for dinner, and left about two o'clock, and came in between 6 and 7; took a piece and went out again, and did not come back that day. He was a healthy boy, and would have been 20 years old on the 7th of July. I next saw him on Billy Watson's porch, in this town, lying for death. He had lain there all night and I saw him next day between 7 and 8 o'clock. He was lying with his eyes tight shut and his mouth shut, and his tongue between his teeth; saw marks and bruises on his face but did not examine him; they did not tell me he was struck; the bruises were under his left eye, down his cheek, and along his neck; he was there till evening. The Doctor told me not to move him. They brought him home in the omnibus. Dr. Miller was called and attended him before he died. He was not sensible after we found him, and never spoke from the time he was stretched on the ground, and died on the night of the same day we found him on the porch. He was a stone mason and worked for Powel Smith some time before his death, and was unmarried, and lived with me, and was my support.

No cross examination.

Andrew Meckbaugh, sworn—Saw Stephen Madigan on Sunday evening June 11th, at Billy Watson's house. He was not drunk when I left him; had been drinking.

Cross examined—Watson was with him when I last saw him. Madigan had a bottle with him and gave me a drink. It was whisky. This was at Heffright's brick yard. We came from there to Watson's house, and Stephen called him out; don't know whether Mrs. Watson told her husband not to go out. That is the last I saw of him. I saw him first about 4 o'clock. He called at my boarding house and asked me to go along. He had no whisky then. We took one drink on the way; did not empty the bottle. When I left him I went to the house near Watson's where a sick man was lying, and lay down and took a sleep there; don't know what time I got home.

Re-direct—By the brickyard was the nearest way from where I first met him to Watson's.

Samuel Coder, sworn—Live on corner of 5th and Oneida Sts., saw Madigan on that night between 9 and 10 o'clock; he came there hallooing and swearing very drunk. I said "hollos, Madigan, is that you?" He said "yes, Johnny." I said to him "come on Madigan and we'll go home," and he caught me by the arm and we started on. I took him to corner of 7th and Warm Spring Avenue and laid him on the grass. On my way back I heard him calling for Billy Watson, and some one came out which I supposed was Watson, and I heard no more of him that night. He was hallooing and swearing but not threatening any one when I was there.

Cross examined—He was about 300 yards from Watson's when I saw him first. He was leaning against the fence and in company with Anthony Langdon, Wm. Meredith —— Glouse and Florence Fogler. They were gone when I came back. I could hear him calling "Billy Watson!" with an oath. I did not hear him defy God Almighty to take him. It was was a continual swearing as I led him along, but to no one but himself. People lived all along in that neighborhood.

Re-direct—These persons that were with him when I first saw him were all sober. He was the only drunken one in the party.

J. W. Greenland, sworn—I assisted in making a survey for a map of the premises. J. S. Africa made the map.

(Witness explained the position of the premises to the Jury on the map.

Mrs. Mary Watson, sworn—I am the wife of Wm. Watson, and live on the corner of 7th and Oneida Streets. Madigan was twice at our house on that afternoon. The first time he came and rapped at the window and my husband went out, I went out some time afterwards and saw him talking to two men alongside the road. My son spoke to me from up stairs and said it was one of the Madigans.—My husband told me so after he came in, and said he supposed he had gone home, and then sat down and smoked in the kitchen, after which we both went up stairs and my husband went to bed and I went in to the children to do something. When I was coming out of the children's room I heard Madigan come to the fence and call for Watson, and I turned the lamp out and told the children to be quiet.—He then called Watson again and I said to my husband, "don't you go out and I'll go and see what he wants." And I went out and asked him what he wanted and he said Watson: told him Watson was down street and for him to go home, that there was no person here belonging to him, nor none of his people; then he swore at me rapidly, and I said "Madigan, you shall not come in here!" and he reached his hand forward to the fence and pulled a paling off, and said he would come in, and I told him if he did I would set the dogs on him. Then he kind of hunkered or slid down and did not say anything. He was very drunk, and kind of staggered when he came to the fence. Stutsman then came forward and reached his hand and put it on his shoulder, and said for him to get out of here; then I turned and came into the house, and met my husband inside coming out, and I begged of him not to go out. I put my hands up to him and begged of him for heaven's sake not to go out on the road that night, and I thought he was not going out, and went on down stairs to the basement kitchen and set down three or four minutes. I was on the porch when I spoke to Madigan and he was on the Warm Spring Avenue road, right beside the fence. Stutsman came from his own house, I suppose, and would have to come round the corner of our house to where Madigan was. Then I heard three or four slaps, like an open hand or leather belt; they came down smartly; did not hear any speaking at all; did not hear Madigan's voice; then I went on up stairs towards the porch and found my husband standing there looking out on the road. I saw Madigan afterwards that night lying on the road, perhaps ten or twelve minutes afterwards. Then Mr. McCahan came up and asked me for a match and I lit the lamp and handed it to him, and he went three or four steps away from me. I leaned over the fence and looked but did not go outside. Next I saw my husband take out water and a towel and wiping off Madigan's face. Before that I saw Stutsman coming back and said to him "he needed that," or "he deserved it," and he said "he got it." He did not say who gave it to him. I saw Madigan after that lying on the porch; don't know who laid him there; I done nothing further than look at him lying there; could not say how long he staid there; went away from home next morning about 7 o'clock; he was away when I came home in the evening about 6 o'clock.

Cross examined—I think Madigan first came to our house that evening about 8 o'clock or after; don't know who was with him; saw one man with him besides my husband; did not hear him say anything when he first came; he knocked at the window and my husband went out; not quite half an hour out, perhaps 15 or 20 minutes; when I saw them they were 6 or 7 yards from me, going towards the brick yard or Warm Spring Avenue road; my husband said nothing about Madigan's business with him; did not see any of them when out there. My son William was at the 7th street window when he called to me, he could see them from the window; I did not see Madigan then till he came back the second time; think my husband took his clothes off when he went to bed. It was a short time after that Madigan came back; might have been twelve or fifteen minutes. He was swearing rapidly, loudly and with ugly oaths; did not hear him till he got to the house; I was inside the room with door closed; think it was locked. He only called Watson twice before I went out. He did not say what he wanted with him. I came out and asked him what he wanted. I said Watson has gone down street. I was pretty badly frightened. He said L—d J—s Ch—t but did not call me anything that I know of; did not call me a lying b—h that I noticed; said he would come in any how and then seized hold of the fence and jerked off the paling; was then about ten or twelve feet from me; made no movement as though coming through the fence; that was the first I saw of Stutsman. I saw no more of Madigan till I saw him lying out by the stable; saw no blood and heard no blows whatever; think Stutsman had no coat on, and no hat; don't know what kind of shirt and pants he had on; suppose McCahan was the first person that saw him; he is Stutsman's son-in-law, and his son John was with him; saw nothing in Stutsman's hand when he was returning; think I was about five feet from him. He lifted the paling and threw it over into the yard.

Wm. Watson, sworn—Madigan came to my house that evening between 8 and 9 o'clock, with Meckbaugh, both in liquor; went with them to the corner of the nursery; Madigan pulled a bottle out of his pocket, about half a pint. I took a drink and handed it to Madigan and he took one and handed it to Meckbaugh; think he finished it. Madigan walked on a little and then inquired for Andy and staggered back and called for him. I went back and went to bed and a few minutes after heard him calling my name, and my wife said there is Madigan again; told her to tell him to go away. She went out and I heard him asking for me and swearing loudly. A short time after that I heard Mrs. Stutsman say "Bill, don't," twice, and immediately after I heard a foot under my window. A short time after that I heard her saying "Bill, there is the police!" I then heard the foot continued round the house, and got out of bed and groped for my pants, and could not find them. My wife said to me for heaven's sake don't go out, Stutsman is there. I went out and the first thing I saw was the paling off the fence, Madigan was standing near the fence and Stutsman two or three feet from him towards the gutter. I saw Stutsman putting both hands to his side, something like this way—witness describes the motion—and then saw him strike him. Madigan was kind of going back when Stutsman struck him; could not tell how often he struck him. The next time he struck him I saw Madigan put his hand up before his face. Stutsman struck him a little over handed.. I saw in his hand something of a dark color; could not tell what it was; could not tell how often he struck him; the blows went very quick. Madigan was still backing away after the first two, or he was knocking him away, could not tell which. He then said "that's right Bill," or "That will do Bill," don't remember which. They then got in a straight line before me and I could not see Madigan for Stutsman; I then heard Madigan crying twice and they got out of my sight beside the fence. I heard the sound of a heavy slap behind the stable and a groan, and a short time after that Stutsman came back, and about that time my wife came on the steps, and said something to him, either that he had got a good kicking, or got what he deserved; Stutsman said "I give it to him, did not you see him strike me?" Stutsman then went on home, and I went into the house and was searching for my pants, when I heard McCahan calling for a match. My wife handed the lamp to him, and I got my pants, and went down stairs through the kitchen and round to where Madigan was lying. McCahan was there then. Madigan was lying with his face towards me, kind of doubled with his face towards the gutter. I looked down at his face and saw blood on his mouth and nose; could not tell where it come from. I went and got a basin and towel and washed the blood off his mouth and nose. He was bleeding at the mouth and nose a little. I turned his head up and there was blood down alongside of his cheek; found a little scratch on the outside of his ear and a little blood coming out of his ear, from inside of his head; a little scratch was on his face. He was not able to speak, or move any of his limbs. I saw them lift him up and set him against the stable, and he leaned down as though he had no strength to support himself. A number of persons had gathered there, and one fellow named McBride was sent for his brother to West Huntingdon, and his brother and McBride, when he returned carried him on the porch and I carried the lamp, and then went and brought a pillow for his head and left him lying on his back. In half an hour I went out and he was lying in the same position. I awoke about a quarter of 4, and got up and looked at Madigan. He was lying in the same position, with blood or green stuff coming out of his mouth, and breathing heavily; I said to my wife that man is dying, and she said some one ought to go for his mother, and I wakened one of my boys and sent him for her, and then went into the garden. A short time after Stutsman came up and looked at him a little while and went away. Shortly after that Kyler came and looked at him, and others. I had got a cloth and basin of water and washed his face clean and they said he ought to have some water. I got a spoon and gave him a couple of spoonfuls. The first one he moved a little and Kyler said he has swallowed that. I could see down his throat and there was no movement there at all; think we gave him two or three spoonfuls, and I think my wife said some one ought to go for the doctor. Kyler said Stutsman had gone for the doctor, and we expect him here every minute. I went back to the garden and saw Dr. Weistling coming up and went up with him. I last saw him about 11 o'clock at night before I went to bed and he was lying in the same position next morning. Madigan and I worked together, as stone masons. Stutsman is a blacksmith.

Cross examined—I was at the inquest on the 2nd or 3rd day after Madigan's death, and knew then as now all about this occurrence. I don't believe that I said then anything about seeing anything in his hand. I expect I said I saw Stutsman hit him once or twice. I was through other and did not mind then half that I do now; had never been before a jury before. I can't give the size or shape of what was in his hand. It was of a dark color and about 15 inches long as near as I can tell.—I could only see his hand a short time above the fence. I saw him come back and pick up the paling; saw nothing in his hand then; the fence was between him and me at that time and I only saw it when his hand was raised. I think I swore then about hearing the voice say "don't go, Bill," twice; don't know whether I mentioned anything about saying "there is the police," I am not sure; could not say how far from where the paling was off to where Madigan's body lay; perhaps 20 or 25 feet; not positive; nothing between me and the stable on a direct line; some rose bushes on the right and trees; don't know the heighth of the paling; they were regular paling, with a board under them of 12 inches wide. I did not get off the porch; was standing there in my shirt; could not tell whether what Stutsman had in his hand was hard or soft; I saw nothing in his hands before I saw him make that motion; did not see him till then; that was when I came out. He was nearer the fence when he came back, and his hands would be below the top of the paling. When I came out he was right opposite where the paling was off. That is the time I saw this movement. I think it was not moonlight that night. I don't think there was anything in his hand when he made that motion. I found no weapon lying on the pavement next morning; did not see any mark of scuffling. I was not under the influence of liquor; don't get intoxicated easily; it takes a good deal of whisky to make me tight; did not feel the liquor that evening; was not drunk next morning; was not drunk all day on Monday; working all day. McCahan and Stutsman's son were the first persons I know of reaching Madigan's body. They had a lamp; I did not see them examining him. They were there while I was hunting for my pants. I did not say next morning that it was simply a dose of poisoned whisky. The doctor did not say anything to me about it; did not ask him about it; could not say what time in the morning Stutsman went for the doctor. I got up a quarter before 4 o'clock next morning and went out into the garden a while. I did not know he was going to die. I think I went to work before the doctor came; don't know who brought him. Madigan and I were not butties and no way related, but on good terms; He never was at my house but twice before; Stutsman and I have been on friendly terms several years; had some trouble a long time ago; don't remember anything about that; that must be from 3 to 6 years ago; I have been living there since 1865; have been in Stutsman's house; could not say how long; in his yard twice in May last looking at his trees and I think once looking at his hogs; think it is 4 or 5 years since the trouble about the cow; never said I would swear hard against Stutsman here. I believe I have said I would swear differently, for I was so much excited at the time that I could hardly speak; never said I did not want to swear him away all at once, but would fix it when I came into court; made use of no such language to any one; no person with me on the porch at that time; I have a goose house below the stable between that and Stutsman's, and keep my pigs at the end of the stable from the house; don't think I had any then; had a cow; don't know where she was that night; have three dogs; don't know how many there were that night; dogs and geese make a little noise sometimes. Stutsman had no coat on that night; think he had no vest; could not say about his hat; think he had a light shirt, not quite white; looked like an inside shirt; wont be certain; could not say whether he had pants or overalls on; did not see any suspenders; cant tell the color of his pants or overalls; could not say whether he was fully dressed.

Court adjourned till 9 o'clock to-morrow morning.

FRIDAY MORNING.

Maggie Watson, sworn—Am a daughter of last witnesses; saw this occurrence between Stutsman and Madigan; was up stairs getting ready to go to bed and heard some one outside calling to father; looked out of window and saw father going out and two men standing at the gate. He went out and sat down on a stone and one of the men sat down beside him. Madigan leaned against the fence, and they talked some time and then went to the corner; saw the man that was with him going to the German's house, and Madigan start on the road leading towards the Warm Springs. I went back to bed, and after a while heard him again; got up and looked out and saw some one with him, who took him over to the fence and left him lying on the grass; Madigan asked him to give him his hand, and he helped him up and left him and went away, and I heard him coming back again to the house; was looking out of the second window on 7th Street. He then called, "Watson!" and mother went out and asked him what he wanted; he said Watson; she told him Watson had gone down street and he had better go home, that there was no person belonging to him there. He still talked with her, and I went into another room, and heard Stutsman coming up to Madigan, and telling him to go out of there or away from there. They still continued to talk, and I came out and mother came in. I went down off the porch to the walk when Stutsman came up to Madigan, and as he turned to go away from him I saw Madigan raise his hand to strike Stutsman, and I came away from the fence and turned around to see where I was going. Next I heard Stutsman saying "you will strike at me will you?" He then struck Madigan two or three times. While he was striking him Madigan said "that will do Bill," or "that's enough," and then he raised his hand half way to his face and commenced to cry. I saw Stutsman put his hand down to his waist and take something from it, which seemed to me like a leather belt. When Stutsman was done striking him he came away, and Madigan staggered over towards the stable and kind of slid down against it. Madigan put up his arms in front of his face. Stutsman struck him with what he had in his hand. (witness describes the motion as being an overhanded stroke.) (Army belt shown to witness.) The weapon he had resembled that, only I dont think it was double.

Cross examined—My bedroom window was next Stutsmans house. I had not gone to sleep; my two little sisters were in the bedroom with me. Madigan was at the paling when I left my room. I dressed myself before going down. I suppose I was five minutes in the room before I went on to the porch and father was in his room. I left the porch and went out to the fence: don't know where my brother was then; saw him last standing on the fence outside of me. That was when Stutsman was done striking him; first saw father when he came for the water after the trouble was all over; did not see him or mother during the fight; did not hear Madigan calling mother a b—h, or her telling him she would send for the police; heard Madigan say that God Almighty could not take him, before I came out; I heard him swearing violently before I came out; did not hear him while in my bed-room; heard him calling for Watson and tearing off the paling and swearing he would be in; mother said he must not come in; did not see Stutsman going up from the room window; he was there when I went out; I did not say to him that Madigan was there tearing round; did not hear a voice saying that; heard brother Willie saying Stutsman is coming up when I was standing in my room door, and when I went out I saw Stutsman and Madigan fighting; I heard Stutsman tell him to get up and go out of there; did not see them meeting; the first thing I saw was Madigan going over towards the stable, and Stutsman following him, and Stutsman turned to go away and then Madigan raised his hand to strike him; Stutsman was then in the act of walking away from him up to this time no stroke had been struck that I saw; could not say how far they were away from me, perhaps not five feet. I went towards the gate when I walked out into the porch; saw the paling off then and Stutsman had thrown it over the fence into the yard just as I went out. What striking was done was not with the paling. Stutsman had no coat on; think he had his hat on; don't know whether he had suspenders on or not; no moonlight but not cloudy; don't know how far from the gate to where the paling was off; perhaps half way from the corner of the house; don't know how many rose bushes there are along the porch; they would be between me and the fence from the porch; you can see through the rose bushes after night; think I was out there ten or twelve minutes. I saw this instrument in his hands when he first went to strike him; saw him put both hands to his person; it might have been to pull up his suspenders. Madigan fell with his head against the stable and his feet slid out on the pavement. When he staggered over towards the stable he kind of leaned up against it and then slid down; his back first struck the stable. He fell on his right side, and after the fall he was lying on his right side with his feet over towards our house, perhaps five feet from the gate. I think this strap was about 12 inches long and two inches broad, and soft; could not tell the color; no white about it. I saw Stutsman from the time I went out till he went home he; passed immediately outside of the fence where I was; did not notice his hands; could not see them from where I stood; did not notice any weapon in his hands or about his person; did not see him throw away any weapon; found none on the ground next morning. McCahan and John Stutsman were the first persons to see his body.

Re-direct—When Stutsman was following Madigan towards the stable Madigan was walking forward with his face from Stutsman; I could not tell how long this weapon was.

Mrs. Sarah J. Green, sworn—Live on 7th Street 125 feet from Stutsman's house. About a quarter before 10 o'clock I saw Stutsman come out and start up towards Watson's, and as he was going out Mrs. Stutsman said "don't go Bill," twice, and as he got up to Watson's she said "Bill, the police is coming!" I could not see him turn the corner from where I was standing. About three minutes afterwards I heard Stutsman speak on Warm Spring Avenue; heard him say if you don't get out of this I'll give you a thrashing.—Madigan said, if you do, Stutsman you will pay dear for it; I then heard some two or three strokes and then a fall, like something falling against the fence. I did not hear Madigan say anything.

Cross examined—I was about 175 feet from Watson's house. In a straight line we would strike the yard above the house between that and the stable; could not see any stroke from where I was standing; did not see where the paling was pulled off. (Map shown.) I don't think I heard the paling torn off; don't remember whether I was out then; heard Madigan calling Watson; could hear that plainly at my house; heard him taking his maker's name in vain; heard him call some one a liar and a b—h before Stutsman went up; heard Mrs. Watson telling him to go away, and that if he did not she would send for the police; heard him say he was going into the house; don't remember whether he used any oaths or not. That was after she told him to go away. That noise had continued between 5 and 10 minutes before Stutsman went up; Stutsman lives nearer to Watson than I do, on the other side of the street; think there was a sick man in a house nearer still to Watson's; did not hear Stutsman telling him to go away, that there was a sick man there; could not tell how Stutsman was dressed. He was up stairs when the swearing began, and came down while it was going on; don't know whether he was in bed.

L. A. Green, sworn—Was not at home when the fight occurred; came home soon afterwards and they told me Stutsman had a fight up the road and I started up past Stutsman's house. He was standing in the corner of the yard and said "is that you Green," and I said "yes, what is this row about?" He walked across the street to me and told me that Madigan had come up to Watson's and was carousing and swearing around, and he went up and ordered him away and Madigan did not go, and he started to come away when Madigan hit him on the back of the head, and that he turned round and Madigan jumped or tried to jump on his back; that he then hit him or gave him an underhanded lick, and then he said I took my belt and hit him a few slaps with it. I then went up and Maggie Watson was standing at the gate and I asked her where Madigan was lying and she said by the stable, and Watson got a lamp and went with me. McCahan and John Stutsman were both there. Watson looked at him and said the boy was hurt. I took him up and set him against the stable and his arms fell down limber and his head on his breast. I straightened his head up and the blood ran out of his mouth, and his face was blood all over; blood and water ran out of his mouth. I shook him and called him by his name but he made me no answer, and Watson gave me the light and got a basin of water and towel and came out and washed him.

Cross examined—I don't know whether McCahan and John Stutsman were there before I came, or whether they came when I was in the yard with Watson; don't think Watson had seen Madigan before that. I did not speak to Mrs. Watson till afterwards; don't know how long Madigan was lying there before I saw him, only what I heard them say. Stutsman said he had turned round to go away when Madigan struck him on the back of the head, and I think he said he had fallen on his knees, and that Madigan had done this to him before he had done anything to Madigan, and that afterwards he had tried to jump on him, or something of that kind. He said he either struck him or gave him an underhanded lick when Madigan was trying to jump on him; don't mind whether he said Madigan had knocked him on a stagger or that he had fell on his knees, but something of that kind, and then that he had given him a lick or a few slaps with his belt. It was all one fight from the time Madigan struck him till he struck him with the belt; no cessation; he did not say anything about the sick man, but that he had told him to go away and not make so much noise and that was all he had done before Madigan struck him.

John Zick, sworn—Witness lives about 160 yards from Watson's; heard the noise from his window of some one swearing, and heard some one say, three times, "go home," after which he heard three pretty hard strokes, sounding like a piece of belt or board; sounded very heavy; after the first stroke the man answered, "that is right, Bill"; after the second, "that is enough, Bill"; and the same after the third, after which he fell against the stable; pretty hard fall; saw them afterwards by the light washing him off.

Cross examined—Saw no one strike and heard nothing before the fight began.

Mrs. Eliza J. McNamara, sworn—Witness lives opposite Watson's stable, and on this night heard the voice of a drunken man on the street, and saw two men going past; drunk man swearing and the other trying to make him hush; heard the same voice again afterwards, and saw the drunken man at Watson's fence, talking very angrily to Mrs. Watson; heard him say he would be in, and pulling at the fence, and the fence cracking, then went away and heard no more. Afterwards heard a man telling him to go away out of this; and heard a blow, and then another, and him saying, "that's enough, Bill!" the one that was hurt kind of crying a little; think the blows were with the open hand.

Cross examined—Saw no blows struck; was badly frightened by the oaths and noise; did not hear him call Mrs. Watson any names; heard him say he would be in, and taking the name of God in vain; heard no one fall.

Stephen S. Place, sworn—Live about 700 feet from Watson's; heard on this night a disturbance, loud talking and barking of dogs and three blows; thought some one was striking the fence fighting the dogs; heard loud talking just before the blows were given; did not hear any one say that's enough.

Cross examined—Could not distinguish the words; would not say I heard swearing; suppose this was between 9 and 2 o'clock; went to bed at 9 and had no means of telling the time till 2.

Mrs. Bridget Carrol, sworn—I saw Stephen Madigan on the 12th of June. He had a mark round his left eye, and had great difficulty in getting his breath; saw blood running out of his ear and wiped it off three different times.

Cross examined—I never spoke to young Wm. Watson since the occurrence; did not try to get him to run off and not be a witness; never called Stutsman a stinking heretic.

Dr. D. P. Miller, sworn—Was called on the 12th of June last to the house of Wm. Watson; found Stephen Madigan lying there on the porch suffering from what I supposed to be compression of the brain; examined him and left, to call again in the evening; went up in the evening and found he had been removed to his mother's in West Huntingdon; went there and found him to be in about the same condition; next morning esq., Murray informed me that he was dead. His breathing was slow and stertorous when I first called to see him; assisted at the post mortem examination on the 13th with Drs. Brumbaugh and Weistling and I think a man named Cain, to bring us water; removed the scalp and muscles covering the cranium; found no external marks except a slight bruise below and to the left of where the blood was settled on the brain; removed the top of the head and found clotted blood pressing the brain, perhaps 3 ounces, on the left side of the brain. On examining the brain we found a ruptured blood vessel, that lay on the surface of the brain. The blood was between the *dura mater* and the *pia mater*. I believe the blood to be the cause of his death. The brain looked to be otherwise healthy. I have heard the evidence relating to the degree of violence received by him on the night of the 11th of June. If the violence was as sworn to here it would be sufficient to produce that blood on the brain if he suffered that violence I believe that was the cause of the