

LANCASTER, PA., SATURDAY, JUNE 9, 1888.

THE TESTIMONY CLOSED.

VOLUME XXIV-NO. 240.-SIX PAGES.

SATURDAY TAKEN BY COUNSEL IN THE ARGUMENT OF THE CASE.

John W. Hudy's Sintement in Fall, as Sworn to On the Witness Stat & -No Material Contradictions of It During His Orors-Examination by LAwyers.

Friday Afternoon.-Promptly at 2:30 o'clock the trial of John W. Rudy for the murder of Christian Rudy, his father, was

Mrs. Frailch, a common wealth's witness, was recalled and cross-examined : 1 was at a window in my house on Sunday, De. cember 4, and saw Rudy at the Groff property about sun down; I cannot say how long I was at the window; I did not see anybody else on the premises but Rudy. Miss Margaret Rudy, sworn: I live at

No. 206 South Lime street, and did in December; I am a sister of Unristian Rudy, who was killed and an sunt of defendant 1 saw Christian at my sister's house on Sunday morning at 6.30, he ate breakfast with us and he was there some time; before I went to church I gave Christian Rudy twenty five cents to pay his fare on the street car, and that is the last time I saw him alive; my sister wanted Christian to remain for dinner, but he would not as he was afraid it was going to rain ; John W. Rudy was home whin I came from church and after dinner he went to bed ; I went away after dinner and when 1 returned at So'clock he was gone; he came back at supper time and after supper he remained in the house until between i and 7 o'clock when he told me to get his girl ready, as he was going to take her to her mother: he took her as far as the corner when he sent the girl back because it was raining; before he left the house I said to John I would not go to Elv's (Mrs. John W. Rudy's parents) with such dirty shoes, and at first he said they were good enough; finally he washed his shoes; when he left to go to Ely's it was about church time; I saw nothing but dirt on his shoes when I told him to clean his hoes: I was at home all of that evening and John came home between 8 and o'clock; thore were several persons in the house when John came home; I went to bed about 9 o'clock and John went to bed before me; the doors between all the sleeping rooms were open that night and there was a light in the hall; I have been working at the cotton mills for thirty years; John could not have come down stairs that night without my hearing him; I am the administratrix of Christian Rudy ; Christian was insured in the Conestoga Mutual Beneficial association: there was an assignment of the interest of John W. Rudy and his sister, Mrs. Luiz, Christian Rudy's only heirs, in the money to be received from the association to me, and that assignment I cannot now find ; I gave it to Jacob Lutz.

Jacob Luiz, sworn : The last I saw of the signment of the interest of John W. Rudy and my wife I gave to Elward E. Snyder and it was never returned to me. Mrs. Jacob Luiz, sworn : I signed a paper analgning my interest as an heir of Christian Rudy's estate in insurance money to Margaret Rudy ; John W. Rudy also assigned his interest ; it was signed a long time ago. at the time my father boarded at the Foun tain Ion, and Margaret Rudy paid his

had in the kettle. About half-past four o'clock that afternoon Mr. Widmyer gave ms the key, saying, "John, here is the key, ms the key, saying, "John, here is the key, I must go sway, I have some money to get where I was working at before I came out here to work." I took the key and put it in my jacket pocket and left it there all day

On Sunday morning I got up about balf-past six o'clock and came down stairs. When I came into the middle room my when I came into the middle room my father was there. He said "Good morning" to me and I said "Good morning" to him. When my sunt had break fast ready we all sat down together and ate. When I was through eating I went into the middle room and sat down. My father and some

more of the family came in. My little girl and he were cutting up, and he and 1 were talking in the presence of my uncle, sunts and cousins. My father staid until about eleven o'clock, when he went away, saying "Good bye" to me and to the others that were there, and said now he would not be in until the Saturday before Christman. Then he went away. I staid at home until two o'clock, at which time I went to the shut it. big bridge. On my way there I met my father about a half square east of Chestnut street. He was coming down the road that

runs south from Groffstown road to the pike, and runs from the pike north to the Groffstown road. I met him there and be asked me where I was going. I told him that I was going down to the bridge. I then asked him where he was going. He replied that he was only walking around a little, saying also that he was so stiff of sitting. I told him that he had no need to be in such a burry, that he might have staid for dinner as it did not rain after all. He then remarked that he was going to He then remarked that he was going to come in to stay. When I saked the rea-son, he replied that my sunt had gi on him some apples along and that he had seen one of the men taking them out of his pocket. He spoke to the man about it, when the latter commenced to growl and fuse. My father then thought he would walk away. 1 told him he should tell Mr. Worst about it, but he said that was all the good it would do; he then told me that they did not get enough to eat. I told him

I would have to go, and then went east, he going west. 1 went from there to the bridge, where stayed until about four o'clock, as near as I can tell. I then left and come up the Groffstown road to Orange street. Then it was necessary for me to attend a call of nature, so I went in the back of the reservoir a Hartman's ice house. After I was through I came out by the same way and got onto Orange street.

I saw William Price standing at his house and went over to him and talked with him a few minutes. 1 left and went direct in Orange street to Lime street. Between Grant and East King streets I looked at the court house clock and it wanted ten minutes of five o'clock then. I had about three squares yet to go before I reached home. When I got home it was about five o'clock. I ate supper and stayed about home until a tew minutes before seven o'clock. Sometime between six and seven o'clock Mrs. Delaley came over for some change for church. I offered her a penny, but she said it would not do : she then went sway.

A few minutes before seven o'clock 1 said to my Aunt Mag that she should dress my little girl and I would take her along with me down to my father in law's. My sunt dressed her and I went away with my little girl. As I got a short distance from the use it commenced to rain, so I took her and then Groff came up and awept the back and started away myself and when

wont down the yard and plied up some boards. After I had that done I went over to the stable to dig a post hole and set a heavy post on the line of the stable to hang a large gate, through which they could drive. Groff had told me on Saturday where I should put the post. He marked it with a stick. I didn't get it done on Saturday, so I went on Monday mothing to dig the hole and set the post. As near as I can tell, that was nearly 9 o'clock. I found it too muddy to dig and I took the shovel and the digging iron and stood them in the northwest corner of the stable. I tried to shut the door, but it would not close. I tried several times, but did not succeed. would shut on top but eatch below. I opened the door again and inside the door was a board pile and on that there was a tool box. In the tool box there was lying a loose plane bit. I took this plane

cut some of the door off so that I might Just about that time Groff, Kautz and Mr. Wohlsen's driver started to come down to the stable with a load of moulding. When they came down the yard I was standing outside of the stable with the plane bit in my hand. When they reed the stable Groff asked me what I was going to do. I told him that the door needed to be planed off. He told me to leave it till some other time ; I said, "all right." 1 put the plane bit in the box and pushed the door open so that Mr. Wohlsen's driver could drive close up to the door. He was standing up straight in the wagon and drove in the field. The ends of the moulding were sticking out behind the wagon about four or five feet. He drove far enough into the field so that the ends of the moulding were about past the centre of the door, so that we could just take the moulding and walk right into the stable with it cavily. I helped to un-load all that he had on the wagon, Groff and the driver also helping.

Groff was doing something in the stable -he was pushing the paint pots around. The horse had his head down eating grass, and kept moving away further from the stable. The lines were hanging down on the ground and I went and picked them up, When he came out of the stable he said to me, "John, turn him around off that grass." I did so and se I was turning him around Groff came out of the stable There was some moulding still in the wagon. After the wagon was unloaded the driver drove away and I stood myself against the corner of the door frame and was looking at Groff moving some boards. Groff said, "John,

you go up to the house and clean the dirt up, so they can put the casing on." I said. "all right." There were some snort boards standing in the north west corner of the stable. I said to Groff, lot me have two of these short boards. I wanted them for a door for a chicken coop. He did not say that I might have them, but said to me, "John, you go up and commence to clean out the dirt awhile." I said, "all right." I took the chovel and the digging iron and went up to the house and then I went over to th

west house and got an empty nail keg and came over to the east house and went up stairs and swept the dirt together, and I took the nail keg full down into the yard and emptied it. I went up stairs again

up a keg of coal. Then I went over to the west house and looked at the fire and put more coal on. I took the shovel and digging iron and west down the yard and piled up some boards. After I had that done I went over

awhile, when Groff said to me: "John, did you drag your old man up from this stone." I said : "No, what do I want to drag him for ?" Then he said that the milkman told him coming down the yard that he saw me have hold of him and drag-ging him. I said to Groff that all I did was to turn him around and pull his jacket down off his face, so I could see who he was. Then Groff and I walked up to where my father was lying. The milkman was standing there, and I said to both of them : "I didn't drag him : all I done was turned " I didn't drag him ; all I done was turned him around and pulled his jacket down off of his head and face so I could see who he was." We were standing there a little while and then Groff said that somebody ought to go and tell the coroner about it. I aid that I was going to come in and tell him about it. We started up toward the house and

when we got up to where I was working, I took my batchet off the fence rall and banded it to Groff, saying that he should put it and my asw away. He said, "all right" While standing said, "all right." While standing alongside the porch he said me, "I wonder if old Witch didn't do that?" I said to Groff, "Well, the person that done it surely must have done something with his cane, because my old man could not have came there without his cane." He said that he believed that it was old Witch and said to me, "Why look how he carried on last summer." I said to him that it might have been some one from over at the poor house. I told him that I had met him when I went down to the bridge. Then he walked over to the house where the plasterers were working and called in, sayslown bers lave a man in the field." The boss plasterer came out of the house first and said, "Who is the man, do you know?" Groff said it y := John's old man. The boss plasterer said to me, "Is it ?" I said "Yes." He, Groff and myself started to go down the field when the hod-carrier, another plasterer, Kautz and Widmyer came out of

the house and went along down in the field. When we got down the boss plasterer got hold of my father's hand and said, "Why he is as stiff as a poker," and said, "That must have been done sometime during the night," and then said that he believed old Witch killed him. He said it to me and all the men that were there. He said, "Look how he carried on this summer : and some one in the crowd said."Looks like f he was dragged." Then I said that Groff said I dragged him and I told all that were there that I didn't drag him. I told all that were there that all I did was to turn him around and pull his jacket down off of his head and face, so that I could see who he WAS.

Mr. Witch, his son and daughter, brother and a small son came up from his house to where we were standing and where my father was lying. Then the boss plasterer asked Mr. Witch whether he heard a noise that night. Mr. Witch said that he did not. We were standing there a while talking, when the boss plasterer said, "We better get out of here before the coroner comes out." The boss plasterer said to me, "John, are you going in and tell him ?" I said, Von.

We started and left the field and went up toward the house. On the road going up I said to Groff, "Where do you think I can see or find the coroner ?" He said if 1 would stay there he would go. I told him

a'ter I was in Captain Spreeber came and opened the door for Smith and Lewars and Margaret Rudy, recalled: When I received the paper in reference to Christian Rudy's insurance the arrangement was that I should receive the amount I paid for him as dues into this association, and hey came in the cell and Smith said to me "John, put your feet on this bench." I did so, and then they looked at my pants and shoes to see if they could find or see any blood on me. Smith saked me in the presence of Captain Sprecher and Lewars what 1 did with my hatebat. I told him I all other expenses and the balance if any was to go to his children. Henry Ransing, swore; I had a conver-mation with Emanuel Hamp about the "A fail of with my hatches. I told him I laid it on the fence rail; then he said to me, "A fail your hatches got a nick in?" I said, "Yes, two of them. He said, "How did your hatches get that blood on?" I told him that it had no blood on. "They then man and the said the man who called for Caristian Rudy at the almshouse on the afternoon of December 4th, and Hamp said the man who called there had side whiskers. Counsel for the defense stated that

They then went away and shortly alter They then went away and shortly alter that Captain Sprecher came and opened the door. Dr. Compton, another man and Cap-tain Sprecher came in the cell and the doctor told me to put my feet on the bench, and I did so. He looked at my shoes and pants and at my stockings, and then at my hands, and then at my finger nails. He then went away. After that Mr. Murr fetched Mr. Kleffer up to me and he saked me what 1 did with my batchet. I told him I laid it in the fence rail. He said to me Groff told him that my balchet disap-peared. I told him I didn't make it disappear. He also asked me when I saw my father the last time. I told him on Sunday afternoon, between two and three o'clock on the Groffstown road.

In conclusion, the witness emphatically ienled having killed his father, or been a party to the killing. Mrs. Caroline Rudy, wife of the prisoner

was called to the witness stand. The com-monwealth objected to the testimony, but the court overruled the objection and she was alle wed to testify.

While the oath was being administered Mrs. Rudy was greatly affected, and cried for a few minutes. This appeared to affect, her husband and the tears came to his eyes Her testimony was :

I am the wife of John W. Rudy, and was married two years ago ; we have four chil-dren living and one dead; 1 am the daughter of Frederick M. Ely, who lives at 352 Beaver street, and was staying there last December; I had two of the children with me; on Sunday evening, December 4, I was at my father's house; my husband paid my board; he visited me on that evening ; he came there about church time and re-mained at the house until twenty minutes or half-past sight o'clock; I asked him where the little girl was, and he said it was drizzling and did not bring her. Cross-examined: We had been separated

September; I never sued him for maintenance.

Frederick M. Ely, sworn: John Rudy is my son-in-law; on December 4, in the evening he came to my house to see his wife; he came there at fifteen or twenty minutes after seven o'clock and left for home about twenty minutes after eight o'clock.

Albert Anne, sworn: I live on Plum street and know John Rudy; I saw him at the corner of Locust and Lime streets, on Sunday evening, between a quarter of seven and a quarter after seven; there was child with him and he told the child to to go home, as it was raining.

Edward E. Edgerley, jr., sworn : On the morning of December 5, between 6:30 and 7 o'clock I saw Eudy at the corner of East King and Plum, leaning sgainst a lamp post ; he had a kettle with him ; he was waiting for some one to come or he had called to some one to hurry up.

speech was made by E. K. Martin, for the Frank Everis, sworn : 1 new John Budy near the corner of East King and Plum strests on Monday morning, December 5, followed for defendant. between half-past six and seven o'clock.

Mr. Eshleman concluded his argument

SIX PAGES -- PRICE TWO CENTS

THE BICYCLE MEET.

MANY PROPIR WITHERS THE PARADE OF OVER A BURDRED WREELEEN.

The Fairville Band Furnishes Music For the Procession-Olube That Participates in the Wheel About Town-Large Crowds at the Racos at McGrass's Part.

The Lancaster Bioyole club was busy all morning receiving and entertaining wheel-men from other cities, who intend to par-ticipate in the races at McGrann's park this formers. Some of the visitori came in afternoon. Some of the visitor i came in the early trains, but some of them did ned arrive until the 12:58 train this afternoon, just in time to take part in the parade which ormed at 1:30.

The visitors here this morning were shown around town and created a great deal of interest by the beauty of their uni-forms, and the great variety of the bicycles on which they rode. Many of the bicycles on which they rode. Many of the bicycles were polished very brightly, and there was no little discussion as to which make was the fastest and the casiset to ride. There was a good deal of diversity of opinion as to what would be the result of

the races, but among some of the best Lan-caster riders a fear was expressed that the aliver cup would go to Beading.

THE PARADE.

The parade was to have formed at Duke and Chestnut streets at 1:30 o'clock, tus there was much delay in forming and in was 2 o'clock before the line got into mo-tion. It finally moved in the following o:der:

o'der : Pace-Makers-H. B. Ammon, W. A. Reist, Henry M. Eichley. Fairville cornot band in wagon. Marshal of Parade-Samuel B. Downey and staff. Harrisburg Wheel club, Captain J. Frank Packar and 25 man. barn ; he was inside the stable on Monday morning when I went there ; Mr. Eicholtz did not go out to the houses with me on

the Monday morning when the body was found ; Rudy only gave me his hatchet after the body was found, after 1 asked him;

have killed his father ; John Rudy was inside the stable all of the time that the lumber was being unloaded ; Johns did not tell

Rudy to turn the horse and it he had told him so witness would have heard it; he did not tell Rudy to clean out the rooms

Harrisburg Wheel club, Captain J. Frank Rohrer, and 25 men. Reading Bioyole club, Captain I. W. Wilheim, 20 men. Columbia Wheelmen, Captain Howard Oberlin, 15 men. Littiz Bicycle club, Captain John G. Zook, 15 men. Delegations from Denver, Ephrata, par-adise, and other towns in the county, numbering 20 men. Lancester Bicycle club, Captain Samual B. Downey, 35 men. A great many of the visiting wheelmen and some of the Lancester men did not par-licipate in the parade, but went directly to the park, to make preparations for the ranks.

The route of the parade was somewhat shortened, it being impossible to counter-march on South Queen street, the band wagon being too long to make the turn. The streets along which the parade period were thronged with lookers-on, and there is a large crowd at the park witnessing the

LODAL OHIPS.

The Lancaster Meonerchor will give a family entertainment and sociable, prior to the Baltimore excursion, on Wednesday

the Baltimore excursion, on Wednesday evening next. A regular meeting of the Lancaster Bar association will be held in the court room on Monday, at 2 p. m. A strawberry festival will be held at 24 Centre Square on Thursday, Friday and Saturday evenings of next weak by the Young Folk's society of SL Stephen's Lutheran church.

Young Folk's solety of di, Siephen Lutheran oburoh. Oity Superintendent Bushris examin all the city teachers at the boys high sono building to-day. The teachers will receiv their certificates next week. Rev. Asron Rittenbouse, D. D., profess of literature at Dickinson college, Carlies will preach in the willersville M. E. chury

Con Sunday morning. Edward H. Van Veghten, of New York, who was here about a year ago with the Temple Theatre company as Lord Dolphing in the " Little Tycoon," is the guest of Jos. in the "Little Tyccon," is the guest of Jos. Royer, of this city. W. B. Page, the champion high jumper of the world, in retiring from the sthictle field, says: "I have left behind me one whom, I think, will in a short time be able to make a six feet jump, and even may ex-ceed my own record of six feet four, which was made last Ostober on the University grounds. This man is Mr. I. D. Wester, of the University of Pennsylvaula." He is a nature of Fulton township, this county. jury. The case will be given to the jury

rd ; I and John signed the p tarily.

Margaret Rudy, recalled : This assignment of the benefits of the policy of the insurance to me was made I think in 1880; the amcunt advanced by me to Christian Rudy in his life time was more in amount than the amount of the policy ; I advanced the money chiefly in the payment of board and the dues on the policy.

Cross-sxamined: I do not have an itemized state ment of what I paid, as I did not keep an account.

Mrs. Elizabeth Shatt, recalled : 1 had a conversation with Mrs. Jacob Rudy about the murder ; I did not tell ber that John W. Rudy was not at home for supper Sunday evening ; I did say to her that John was not at home when we sat down to supper, but that he came in soon after.

Catnerine Shatt, sworn : I live on South Lime street and did last December; John Rudy was at my son's house where 1 live on Sunday, December 4; they had supper at 5 o'clock, and as they were sitting down John came into support after supper John went out, remained away about 10 minutes, and between 7 and 8 he left to go and see his wife; he returned before 9 o'clock;] went to bed about 9 o'clock, and John W Rudy went to bed before I did.

Miss Mary Shatt, sworn : I live with my parents on South Lime street ; John W. Rudy was at supper on Sunday, December 4th ; and after supper he went for medicine ; he returned in a few minutes and remained until the church bells rang when he started with his child to see his wife ; the child came back in a few minutes and said her father sent her home because he was afraid it would rain ; John came back between 8 and 9 o'clock and before 9 o'clock John went to bed ; 1 retired between 11 and 12 o'clock and John could not have come down stairs without me having heard him, up to the time I went to bed.

Gustave Abraham, sworn : I live in South Christian street, and work at No. 2 mill ; I know Philip Shatt and his family ; I became acquainted with John W. Rudy at Shatt's ; 1 was at Shatt's on Sunday evening, and saw John Rudy when I went in the house at 7 o'clock ; I saw John Rudy go away and saw him when he came back between 8 and o'clock ; I left Schatt's house between 11 and 12 o'clock that night : John went to bed about 10 o'clock, and he did not come down stairs again while I was there.

Mrs. Elizabeth Hyneman, sworn : 1 was t Philip Shatt's house on S inday evening. December 4 : it was a quarter of eight when I got there ; John Rudy came in that evening before half past eight o'clock.

Annie Deis'ey, sworn : I live next door to Philip Shatt's ; on Sunday, December 4, I saw him a little before seven c'clock and spoke to him in the yard.

THE DEFENDANT'S STORY.

John W. Rudy, sworn : 1 sm the defendant and son of Christian Rudy ; I am a carpenter and have a wife and family ; my mother has been dead 30 years; she died the second day after I was born in this city my father was a carpenter in his healthful days : 1 was employed at my trade with Henry E. Groff. 1 went to work for Harry Groff on Thursday afternoon, December 1st. about half-past three o'clock and worked until five o'clock that evening. On Friday morning I went to work again and about ten o'clock that morning my father came over the field from New Orange street with two other men and stopped where I was working and talked with me awhile. That evening 1 worked until five o'clock, when 1 went home. On Saturday morning 1 went to work at sawing boards for the fend and wagon shed. I she set some fence posts. My father came over to where I was working and asked me whether 1 had any dinner along with me. I told him I had. He then asked me to give him some and I told him to go and get my kettle out of the house ; he said I should go and get the kettle for him. I got it for him and he sat on the toard pile and ate everything I

got to the corner of Lime and Locust street met Albert Anne. I went directly down to my father-in-law's house on South Beaver street. When 1 came into the house my wife, two children and my father inlaw were there ; that was all. I stayed there until after eight : how much after eight o'clock I can't tell. I was down in the water closet when the church clock struck eight. I came up and went into the house, saying to my wife that it had struck eight o'clock. I sat down awhile and talked with her, and then started off. She and I stood at the front door and talked

awhile. 1 was supporting her. I never was in court for not doing so. I left and went up Beaver street to An drew, up Andrew to South Queen, and between Andrew and South Queen streets I met Samuel Fritz. I said "Good even ing " to him, and he said the same to me, but I don't think he could recognize me. because it was pretty dark. I crossed South Queen street, going up Andrew to North street. There I met some colored folks but they did not know me, nor I them. I went up North street to Christian, crossed Christian and went up North street to South Duke street and up Duke to Middle. At

the corner of Duke and Middle streets 1 met David MacDonald and wife. I crossed over onto the north side of the street and walked up Middle street.

When I came to where Mr. Hood lives, Alex. Hood and Mr. Benedict were standing there on the pavement. I said, "Good evening," and they said the same to me. 1 waiked up Middle street to Rockland and there I met a young country man with a horse and buggy and he asked me whether I could tell him where Brubaker's house was. I told him to follow me, that I would pass the place and would show it to him. From there I had a little more than a square yet before I reached home. 1 lived at No. 206 South Lime street. I went directly into the house, where the following people were present : Mr. Philip Short, Mrs. Short, Margaret Rudy, Mrs. Heinsman, Mamie Short, Maggie Short, Augus Abraham, Mrs. Catharine Short, Sadie

Rudy.

1 was home before nine o'clock-how much before I can't tell. Mrs. Heinaman left the house at nine o'clock, and I had been home a considerable while before she left. I was reading a while and talking with my cousin before 1 went to bed.

I staid in bed until 6 o'clock on Monday morning, when my sunt called me to get up and go to work. I went down stairs and got ready and ate breakfast. After that I sat there talking with my sunt and with the old lady; Mrs. Short, until about 20 minutes before 7 o'clock; then 1 took my dinner and started off to work. I went up Middle street and there met Mr. William and Mr. Leonard. At the corner of Frei berg and Middle streets I met a young

man named Blankmeyer. 1 went straight up Middle to East King street, and at the corner of East King and Plum streets 1 met Frank Everts and Al bert Reidenbach and Edward Edgerley. Then 1 met one of the plasterers. Mr. Als pach, and he and I went out to work together. When we got there I told him had something to attend to. I had had bad attack of diarries for some days before ; so I stood my dinner kettle down and isid my cost co the porch and went down the yard bet and a bcard pile and then ame up and s.ood on the porch with Mr. Widmyer, who was standing on the porch when the plasterer and I came out to work I stood around there awhile and then went over into the west house and cleaned the ashes out of three stoves, and cut wood and gathered up shavings. I then made fire and while I was working around the sloves Groff came in and was talking to me. went down into the cellar and fetched up two nall kegs full of coal and put the coal on the fire and then went over to the east house and cleaned out one stove and cut wood and fixed that fire and then letched

the keg and carried it down in the yard.

When that job was done Groff said to me, "we will go down in the yard." He and I went down and when we got outside Groff asked me if I knew where he could borrow a wheelbarrow. I told him he might get one at Slaik's. He told me he didn't like to ask them and told me to go over to the next house and get my hatchet. I asked him where it was and he told me. I went and got it for him and then went over into the east house and went up stairs in the garret and got my hatchet and crosscut naw out of my tool box. I came over and went outside. Groff said, "John, you and me will go down and put the roof on the wagon shed." So he and I started down the yard and when we got down to the shed he changed his mind and said to me, "we will go and nail boards on the fence." I laid my hatchet and my saw on the board pile, and then he and I commenced to carry boards over to the fence and stood them up against the ralls. When we had enough boards carried over to the fence, Groff said to me, "John, you commence to work up near the pike and I will work here near the stable." I took my hatchet and my saw off of the board plic and went up and started in. As I did that I cutinto some nalls and broke two pieces out of my hatchet. Then 1 called down to Groff and asked him if he had a cold chisel He said "he had not." He asked me for what I wanted it. I told him that I could not cut the block out of the post, as the post was full of nails, and I also told him that I broke two pieces out of my hatchet. Then he said he would come up and cut it out with his old hatchet. So he came up and commenced to cut at the post and while he was working the milkman came driving in off of the pike past Groff and I, and drove

down in his yard, down almost to his stable. He then turned round and drove up to his house and stopped. He got out of his wagon and went into his house, and the other man that he had along with him staid in the wagon. Greff was still working round that post

And I said to Groff, "while you are working here I must go to the water closet." also said to him, "I wonder if the milkman would say anything if 1 would go in his water closet." Groff said to me, " Don't go in there ; he won't like it." I said, "all right, I won't go in."

I went down the yard and went in the field behind a pale fence ; I took my jacket off and also my vest and hung it on the fence. In a few moments 1 took my vest and jacket and put it on, and then, as] turned myself round to go where I was working, I saw this body lying up about two hundred or two hundred and fifty feet from where I way. I waiked up and, be fore I got to where the body was lying, I passed the hat. It was lying about twentyive feet west of the body, and he was lying n his face ; his jacket was lying over his head. I walked around on the north side of him and got hold of him and turned him on his side. I could not recognize him, and I turned him round on his back and looked at him in the face. Then I saw that it was my father. Then I looked around for his ane. I saw a stick lying between Squire Irman's lot and Clark's lot. I walked over to see if that was his cane, and when got there I saw it was a part of a boy shiany. I turned around and went back to where my father's body was lying and got hold of his hand and turned him on his ide so that I could put his jacket down of his head. Then I turned him on his back. I was just about turning him around when iroff called down to me and asked me what I was looking at. I told him that here laid a man. He asked me if knew the man. I said to him, " it looks like my pap." The he crossed over on the milk man's yard and as he got at the mlikman's kitchen, the mlikman came out of his door and both of them came down together. Groff walked right up to my father's head with his hands behind him and then said to me, " John,

the house he started right off, and, when he got on the pike near the road that runs down to the poor house, he called me and I walked about half way toward him, and asked him what he wanted. He said, "John, you go down to the stable and nail some boards on the fence awhile until I come back, I won't stay long." I then said to him, "I won't nall no boards on for you

to-day." He came right in town and had me arrested. When he started off and went into town I want back and want in the house where the plasterer was working and I was talking with him awhile, and then came out and started to go down in the field. Charles Kautz came out of the house and he and I walked down together. When we got to where my father was lying Mr. Slay. maker and Mr. Lechler came there : also Winfield Burns and Frederick Kline, I stayed down there in the field until all the men went away. Then a boy came with a dog. Charles Kautz and myself left the field and went up into the house. When we came in the house the boss plasterer asked me who was down in the field. I told him a boy and a dog. Then I staid in the house awhile, how long I can't tell. I came out of the house and as I got on the porch Chief Smith came into the front yard, As he got up to me he said, "Where is this man lying ?" I told him down here in the field.

He and I went down together and there Smith said that this man was beat to death with his cane. I told him that my father said to me on Sunday that he had a fusi over there with one of the men about tak ing his apples and some of his tobacco out of his cost pocket. We were standing there awhile, when he said to me, " John, want you to go along with me in town. said. "What for ?" He told me I mus testify before the coroner I told him " All right. "

He and I and another man he had with him walked up to the house and I got my cost and went along with him down the poor house lane. Then he handed the man over to the man that has charge of the work house. He and I turned back and, as we got on the pike, Officer Lewars go off of the street car and he had the warrant for my arrest. 1 went along with them to the station house and on the road going in said to Smith and Lewars, "My God What would I want to kill my old man

for ?" Smith said to me. " Did you ever make any threats against the old man ?" told him, "No, sir, never did." He said to me, "Didn't the old man cwn any property ? " I told him, " No, sir, neve did. " Then he said to me, " I thought he did," I said, "No, sir, he never did. Then I said, "I wonder if he was at th poor house last night ? "

We went up to the station house and there he said that the man was beat to death with his cane, because the cane was not there. That he said in the presence of a number of man that were there.

Smith searched me and found nothing but my rule and pocket handkerchief. He also looked at my clothing to see if he could find any blood on me. Then we left the station house and came to the jail. On the road out he asked me how my wife and I settled that lawsuit that we had. I told him we paid the costs. told him that was the way we settled it Then he asked me if I didn't see a man out here on a roof. I said, "See a man ?" said I did not see a man. He mentioned some name. 1 told him I did not know such a man with that name. Then he said to me that the man worked for Kiefler & Herr at tinning, and said that that toan saw me with my old man this morning, coming out of the barn. He also said to me that my father was alive this morning. Lewars said he drank a many a glass of beer with my old msn. We got out to the jali, and cutside of the jall he said to me "Let me look at your finger nails." I did

We went inside of the jail, and shortly

yards from where the body of Christian Rudy was found ; I saw the body in the field when the crowd went down from Groff's building; my attention was attracted to the field by the men being in it Jacob Witch, sworn : I saw an object in the field about seven o'clock in the morning, but did not pay any attention to it some time afterwards I saw a crowd and went up and saw that the object that attracted my attention was the dead body of Christian Rudy ; when I arrived at the body John Rudy said "this is my father some poor house people killed him ; I was at home all of the Sunday afternoon before

Cross-examined : John Rudy volunteered the statement that the poor house men killed him.

David McDonald, sworn : I saw John W. Rudy on the evening of Sunday, December i, nearer 9 than 8 o'clock, at the corner o Duke and Middle streets.

Geo. Bonce, sworn : I knew Christian Rudy and saw him on Sunday afternoon December 4, about three o'clock on th Groffstown road, near the new railroad bridge ; he was coming towards town and was in company with two men who thought were inmates of the poor house he was about 100 yards this side of the bridge when I saw him. Geo. Delmont, recalled : On December

between 4 and 5 o'clock I walked to the houses Groft was erecting ; I saw a man about 40 years old standing on the line fence of the houses Groff was building that man was a stranger to me ; I took him to be a tramp ; he wore a seedy looking mit of clothes, he had a large red moun tache : when he saw me he turned around and walked to the lower end of the lot this man was not a cripple and walked erect.

AN EVENING SESSION.

Friday Evening .- John Rudy, who was on the witness stand when coart adjourned was called for cross examination when ourt re-assembled at 7:30 o'clock. For the first time since the trial : the court hous was crowded. His testimony was :

1 was not out at Groff's on the 4th of De comper: I was there on the third, when I was at work ; on the morning of the fourth . was away from home for a short time when I went to Bill Butler's to get shaved The witness detailed at length his where abouts on Saturday, Sunday and Monday, a narrated in his testimony in chief. The only other cross-examination of interest was : I had the key of Groff's stable from Saturday evening until Monday morning, but I was not in the stable between Saturday and Monday ; I was not digging in the stable on Monday morning, as testified to by Mr. Grott ; I had not walked with my father since he be came paralyzed in 1875 ; I never said there was blood on my hatchet or pants ; I heard that testimony and it was not true ; 1 made the request after I was arrested to be taken down Orange street to avoid the crowd His cross examination lasted nearly at hour and he reiterated substantially the

C. A. Gast, sworn : Was one of the cor oner's jury and took down the testimony o' the witnesses at the inquest ; 1 think a the material facts were taken to which the witnesses testified ; that part of the testimony taken at the inquest as sworn to by Mr. Frailch was read to Mr. Gast, and h testified that all the material facts as testified to by Mr. Frailch, so far as he could get them in writing were taken down, but some of the witnesses spoke so rapidly that it was an impossibility to get all ; if Fralich testified that he saw Rudy at the Grot premises he would have got it down.

Mrs. Philip Shatt testified that she neve said to Mrs. Jacob Groff that John Rudy was not home to supper on Sanday even log.

J. F. Luiz, recalled : 1 examined the clothes of Christian Rudy after his death, and found in the pockets a plug of tobaco and twenty-five or thirty cents.

and when court met at 2 Mr. Brosius made the concluding argu ment for the prisoner. District attorney Weaver closed for the defendant, after which Judge Livingston instructed the

Francis H. Kilburn, a material witness,

was sick and reserving the right to ex-

amine him if he can be brought in before

the testimony closes they rested their case. The court gave them the permission asked

IN REBUTTAL.

garet Rudy was at my house after 5 o'clock

on Sunday, December 4; and when she left at 20 minutes after 5 o'clock, Miss Margaret

was still there and did not have her supper.

She had testified that she was at home and

eat supper at 5 o'clock on that day ; cross-examined : 1 am on good terms on Mrs.

Margaret Rudy and with John W. Rudy.

A. M. Sinde, sworn : As a reporter

heard the testimony at the coroner's in-

quest, and a witness swore that he saw

port as printed it was Fralich who gave that testimony.

Mrs. Margaret Groff, sworn : Mrs.

Philip Shatt told me on Monday, December

, that John W. Rudy did not eat suppor

H. E. Groff recalled : I never gave John W.

Rudy orders to dig a post hole near the

never said to Rudy that Jake Witch might

and I did not shovel the dirt and he did not

carry ! out ; I did not say to Rudy on Monday that he should put a roof on the

E. E. Snyder recalled : The paper as to

the insurance on Christ Rudy, as I remem

ber it, is that J. W. Rudy and his sister, Mrs.

Lutz, should reimburse Margaret Rudy for

any money she should pay as dues in the Conestogs Beneficial and any other asso-

lation to which she paid dues for Christian

Herbert Elcholtz, sworn : I did not go to

Groff's building on Monday morning, De-

comber 5, as testified to by John W. Rudy.

Adjourned to Saturday morning at

TESTIMONY CLOSED.

Saturday Morning .- Court metat 0 o'clock,

and the defense called Francis H. Kliburn

as the last witness in the Rudy murder

trial. His testimony was that he saw Chris-

tian Rudy coming out of the poor house gate about noon of Haturday, December 3, but he did not see John Rudy and his

This closed the testimony and the first

ommonwealth. Col. B. Frank Eshleman

ather go into Groff's stable.

Rudy.

o'clock.

ith them on the evening before.

ome one in Groff's yard, and from the re-

Mrs. Margaret Rudy, sworn : Miss Mar-

FRANKLIN AND MARSHALL,

ate this afternoon.

The Programme of the Commencement Ex ercises Which Begin To-Morrow

The commencement at Franklin and Marshall college will be inaugurated on Sunday morning, when Rev. Dr. Thos. G. Apple will deliver the baccalaurests ad-dress. The remainder of the programme will be as follows : Monday Evening _ junior orstorical con-

Monday Evening—Junior oratorical con-tast in college chapel. Tuesday Afternoon at 2—Meeting of the trustees in the First Reformed church.

trustees in the First Reformed church. Tuesday Evening—Address before the literary societies by Rev. N. C. Schaeffer, Pb. D., on "Brain and Brains." Wednesday—9 o'clock a. m., society re-unions : 10 o'clock, meeting ot the Alumni sesociation : 12:30, Alumni dinner; 3 o'clock, class day exercises ; evening at 8, Alumni address and Gouthean reunion. Tuesday Morning—Commencement ex-ercises, one session, beginning at 9 o'clock in the morning. There will be 17 gradu-ates, and all the exercises, will take place in college chapel.

college chapel. The sophs have finished their test ex-smination which included the studies taken up during the freshman and soplo-

The Gelbach memorial window for the The Gelbach memorial window for the college chapel arrived from Philadelphia last evening and is being put to its place, it is to the memory of Hon. George Gelbach, one of the old and prominent trustees of the college. His children have contributed it

entributed it. Exercises of commencement week begin with the baccalaureate sermon on Sunday, Among those who have already arrived for the commencement exercises are Miss Net-tie Shaimon, of Mercersburg, P.4, a guest of Dr. Gerhart's, and Miss Mame Siagle, of Hanover, Pa., and Rev. C. S. Siagle, o Westminster, Md., both of whom ar guests of Dr. T. G. Apple.

guests of Dr. T. G. Apple. The regular closing examinations are in progress now. Examination for admission have also begun. Franklin and Marshall academy furnishes eight candidates for the coming freshman class, as follows : A. A. Heiler, C. L. Leonard, H. H. Ranck, S. H. Parch, W. W. Schow and F. D. Thommer, S. H. Ranck, W. K. Satow and E. D. Thompson, of Lancaster; Harvey Newcomer, of Robrerstown, and G. B. Walker, of Hoyt, Pa. There are also four or five applicants from the high school, among whom is Jos H. Appel.

Declared Unconstitutional. Judge Simonton, of Dauphin county, or Friday decided the act of 1885 relative to the election of county fax collectors uncorstitutions, on the ground that it was a local and special law repealing the attairs of counties because it limited the operation of the general law, which existed before its passage. This same act has been before the supreme court three times on other grounds and each time its constitutionality was affirmed. The question now raise was never argued before the supreme court.

Judge Livingston declared it unconstitutional for another reason, but the supreme court reversed him. If the law should finally be declared unconstitutional about half of the townships in this county would be affected as to the mode of selecting their tax collector.

Attention, Democrats !

The delegates and party from Lancaster to the St. Louis convention will arrive in this city on the second section of the Day Express about 5 p. m. to-day. They will be met by a reception committee of the local Democracy with a band and escorted to the rooms of the Young Men's Democratic club. Let all Democrata turn ou and give them a warm reception.

WBATHEN ISDICATIONA. WASHINGTON, D. C., June 9 .-. For Eastern Pennsylvania and New Jersey : Light to fresh southeasterly winds, warmer, occasional local rains.

Children's Day at First M. E. Church To-morrow will be observed as Child-ren's Day of the Methodist Episcopal church. In the First church the special aschurch. In the First church the special mar-vices will be beld in the morning at 10:20 when the church will be beautifully decorated. The contributions made will be divided between the board of educa-tion and the conference education society. At the evening service at 6 o'clock Rev. G. W. Brindle, a former pastor, now of the Upper lows conference, will preach. The evening service at the church until September 1, will be at 6 o'clock and Sun-day solool at 9 o'clock. church. In the First church the spec

day school at 9 o'clock.

Going to Kausas City.

Mr. A. R. Bair, of the INTELLIGENCER left Lancaster to-day for Philad where he will take the 11:10 p. m. tr to attend the convention of the International Typographical Union in that city on June 11. Mr. Bair is a delegate to the from Typographical Union No. 70, of this ity.

Dangerously Ill at Dayton.

Dangerously III at Dayton. Samuel and John Seldomridge went to Dayton, Ohio, on Friday on receipt of a telegram stating that their brother Ohris-tian, a resident of that city, was dangerously iii. Ohristian moved to Dayton from Far-mstaville some years ago. A telegram was received to-day stating that Mr. Seldom-ridge had slightly improved and there was now some hope for his recovery.

Remanded to Jail. Charlotte Clark, charged with con the death of her infant child, was taken before Judge Patterson on a writ of ba corpus to-day, to enter bail for trial at co On account of the absence of one of he bondamen she was remanded to jall until Monday.

Children's Floral Day.

Children's floral day will be observed at the Bethel church, corner Prince and Orange streets, to morrow evening. A special programme of exercises has prepared and the church will be ha somely decorated. All are invited.

A Pension Measure Signed by the Preside WASHINGTON, June 9.-The presid has just approved the set of Congr WASHINGTON, June 9.-Inc providing that pensions heretolors of providing that pensions heretolors of hereafter granted to widows of soldiers of the war of the robellion shall commence at the date of the death of their husbands. The legislation favorably af-fects all claims of widows of the lais war, which have been filed in the reason of the date of fling the claims, but will not favorably af-fect the cases of such widows as were filed be-fore July 1, 1880, and which have been allowed to commence from the date of fling the claims, but will not favorably af-fect the cases of such widows as were filed be-fore July 1, 1880, and which have granted in those cases from the date of their husband's death. The commis-sioner of ponsions gives notice thas in the settlement, under this law of claims already allowed, no formal application will be required, and that the services of attorneys will not be necessary. Widows entitled under said law need only write a letter giving name, ponton

as practicable. This legislation mended by Gan. Black in his

facts as given in his testimony in chief.

the body was found, but saw nothing unusual.