LATEST NEWS BY TELEGRAPH.

From Tennessee.

NASHVILLE, April 26.—Eighty-four officers and men belonging to the 14th U. S. Infantry, who have been stationed here for some months, left this morning on a special train for Sioux city. There are now no troops in Tennessee, and both the general government and the people are confident that peace reigns supreme, and that there is no necessity for Military or Congressional interference. On the departure of one company of troops, yesterday, a warrant was issued for the arrest of Sergeant Robbins, charged with obtaining money under false pretences. The warrant was served at the depot, but disregarded by the commanding officer, who directed him to get on the cars. On this return being made, a requisition was obtained from the Governor of Kentucky, for Sergeant Robbins and his superior officer, and a despatch sent to Louisville ordering their arrest.

The Legislature assembles on the ninth of May. There are three important committees now in session at the Capitol—the School Fund, Investigating Committee, the Agricultural Scrip Investigating Committee, and the Railroad Investigating Committee. They set with closed doors, and nothing can be positively learned of their proceedings; but from well-informed parties it is learned that the Railroad Committee have made important discoveries, involving several well-known parties in fraud, which, when made public, will astonish every body. Rich developments are anticipated on the re-assembling of the Legislature.

Governor Senter is still absent. Information from him yesterday, states that in addition to the sickness of his mother, who is very low, his wife and sister are both very ill—the former, perhaps, dangerously so; the illness being occasioned by fatigue and ceaseless watching of his mother.

Forty illicit distilleries were seized in this district during the past month, by direction of Supervisor Elley.

The small pox is raging to considerable extent in Robinson county. It was brought from Hopkinsville, Kentucky, where it is also prevalent.

From Washington.

WASHINGTON, April 26.—The Navy Department has issued a General Order stating that secretaries to commanders-in-chief of squadrons, and clerks to commanders of vessels, are considered as officers of the Navy, consequently are entitled to ten cents per mile, while travelling under orders, their pay commencing from the date they leave their domiciles.

Secretary of the Navy having addressed a letter to the Commissioner, as to the manner in which the large quantities of navy tobacco now unfit for use shall be disposed of, the Commissioner says there is no authority to issue stamps for the unstamped packages, and that Congressional action will be necessary before it can be sold. The amount on hand is over 1,000 thousand pounds, most of it being at the Brooklyn Navy Yard.

Secretary Robeson is announced to deliver the address before the Cliosophic and American Whig Societies, of Princeton College, at the commencement in June next.

Hon. S. L. Hoag, and Commander James A. Green, are summoned as witnesses before the Dahlgren Court Martial to-morrow after which the Court will doubtless conclude its labors.

The City Councils last night passed a joint resolution that the Senate Committee on the District be respectfully and earnestly requested to report and secure, if possible, the passage of a bill for a reorganization of the public schools in the District of Columbia, and giving one Common School system, by which all children can be educated regardless of their color, to be governed by one board of trustees. At present the white schools are separated from the colored schools, the latter receiving a proportionate amount of the entire sum collected for educational purposes.

From Cincinnati.

CINCINNATI, April 26.—A large number of the fancy are departing for New Orleans, to attend the Allen-Mace fight.

At the Yale Club re-union last night, were the Hon. W. S. Groesbeck, D. W. Wright, Hon. J. C. Collins, E. P. Brandstreet, Starr H. Nichols, C. H. Taft, W. McAlpin, and Judges Taft and Collins. An interesting letter was received from James D. Dana, Professor of Yale, and read.

The City of Boston drifted message is regarded most certainly another hoax of the series so cruelly spread by the A. P. The suggestion is improbable in every respect, that at such a critical juncture any person should take the thought or care to inscribe such intelligence in such a manner, that if inscribed with pencil the marks would have been visible on reaching land with the accretions from the water and the wood, and that if written in ink the water would have blurred or soaked it out; secondly that such a piece of wood should come to light from among countless others neglected on the beach every day, that it should even have drifted near harbor, which on that coast are few and far between, owing to the rocky and precipitous shore, and that having even drifted in, it should be especially marked or noticed by the coast people, few of whom have intelligence enough to remark or heed such an inscription, even if brought to their notice since the publication of the story of the recovery of the dead. The burthen of the proof of the disaster is certainly ill-advised and is so regarded by our people.

The McFarland Case.

NEW YORK, April 26.—The court room was crowded this morning. Dr. Vance was again examined and testified to the irrational manner of the prisoner. To the question, What is the particular form of insanity with which the prisoner was suffering at the time of the shooting? He replied, a paroxysm of mania, of a subject to mania. During the examination the witness said he was called by the defense and testified fort he prosecution, and also testified in the Chambers case and stated that Chambers was not insane. Chambers said he had triumphed over all the doctors but witness.

From Dayton, Ohio.

DAYTON, April 26.—A body was found in the river last evening dressed in full army suit and regulation cap. He is six feet high, sandy hair, and wears a beard in various parts of his trunk and limbs; no papers or any other clue.

Andrew Hinkley, a Lutheran minister and a mason of prominent standing, aged 40 years, died, and will be buried to-day with distinguished honors.

The barley crop in this part of the State is reported frozen and injured to the extent of a half crop at least.

Burglars Foiled.

LIMA, O., April 26.—An attempted entrance into a private residence, by burglars, was prevented by the wife of the occupant, who fired upon them and fought them off. Her husband was absent in the east. The burglars, as since ascertained, are escaped convicts.

Brickmakers on a Strike.

PERKSIEL DEPOT, N. Y., April 26.—Nearly 800 brickmakers are on a strike at Canton Landing, Haverstraw and Grassy Point. The Bosses had notified them of a reduction of twelve dollars per month on their wages. About twenty-five brickyards are concerned in the strike. There have been no disturbances as yet.

From Indianapolis.

INDIANAPOLIS, April 26.—Judge Butler, of the Clark County Criminal Court, has resigned. His position was filled by Hon. D. W. Lavallett.

The annual report of the State Board Statistics and Geologist, are announced ready for distribution.

From Louisville.

LOUISVILLE, KY., April 26.—All points heard from in the Third Congressional District, this morning, give Mr. Clay, the Democratic candidate a decided majority; it is now generally considered that he is elected. Very few negroes voted the Democratic ticket.

The Wrong Man Poulticed.

At a famous and fashionable watering place, a gentleman one night was suddenly seized in bed with an excruciating pain in the stomach, which neither brandy, No. 6, nor any other remedy could remove. His wife, after trying a number of things in vain, and having exhausted all her stock of remedies, left her husband's bed-side for the purpose of getting a warm application. Guided on her return by a light which she saw shining in a chamber, and which she supposed was the one just left, she softly entered, and was not a little surprised to find her patient apparently in a deep slumber. However, thinking he might still be suffering, she gently raised the bed-clothes, &c., and laid the scalding poultice upon a stomach—but not the stomach of her husband, which no sooner touched the body of the person than he, greatly alarmed, and writhing under the torture of the burning application, shouted: "Hallo! hallo! what in the name of heaven and earth are you about there?" then, with one spring from his bed, he made for the door, and, rushing down stairs, declared, in a frenzy of excitement, that some one had poured a shovel of hot coals upon him. The woman, overcome with excitement and alarm, gave frantic screams, which brought her husband hurriedly in from the next room to her rescue. The husband was so much excited, and also so much amused with the singular mistake and the ridiculous position of his better half, that he forgot all his pains; but early next morning he, his wife and trunks, left for parts unknown. The poulticed gentleman still retains the handkerchief—a beautiful linen fabric, with the lady's name on it, which he considers of rare value.

Thirty Minutes Old.

A few weeks ago, a babe was left at the New York Foundling Hospital by a *man*, that, at the farthest, could not have been thirty minutes old. It was merely rolled in a piece of cotton rag, when taken from the basket—the *gentleman* had the grace to ring the bell—it was thought to be dead, but restoratives were quickly applied, which produced a feeble respiration for a moment, and while the faint animation lingered it was baptized, and, in the hurry and lack of a better, named John Smith, The Christian rite was hardly over when the quivering eyelids above the eyes that had never opened were still, and the little spirit fluttered up to the glory of God; the mighty mystery of birth, life, and death solved in a single hour.

Local Intelligence.

Court Proceedings.

Tuesday Afternoon.—The court was occupied nearly all afternoon in the fornication and bastardy case of Alfred Bickham and Eliza Thompson. From the testimony in the case it appeared a terrible state of immorality existed among the parties to the case and the witnesses called by the defense. In charging the jury Judge Long remarked that he had never had before him a case exhibiting such a deplorable state of morals; and suggested that instead of sending soldiers and missionaries to Utah to suppress the vices of the Mormons, we had better send them to Churchtown, where if we may believe the parties and witnesses to this suit, who under oaths have proclaimed their own shame, a state of depravity must exist worse than anything that has ever been charged against the Mormons. The jury after an absence of fifteen minutes returned a verdict of "Guilty."

The case of the Commonwealth against Henry Burkey indicted several terms ago first for the seduction of Margaret May, of Strasburg, and second for fornication and bastardy, was next attached, and a jury empanelled, when the Court adjourned.

The following bills were ignored by the Grand Jury: Wm. Yorgheimer, Jackson Campbell and John Campbell, assault and battery on Samuel Gibson; James McDevit, assault and battery on Adaline M. Hutton; Wm. Marshall, assault and battery on Arthur Boots; Bernard Brecht, selling liquor to minors, selling liquor without license, and selling liquor on Sundays; George W. Engle, assault and battery on Philip Rife; Wm. Showers, for assault and battery on Samuel N. Brubaker, (complainant for costs;) Arthur Boots, assault and battery on Wm. Marshall, (complainant for costs;) Wm. Marshall, assault and battery on Arthur Bigels, (complainant for costs;) Christian Kautz, selling liquor on Sundays and to minors; Roland Patterson, assault and battery on Mary Stewart; Samuel H. Lochard, selling liquor without license; Benjamin Hershey; Frederick Miller, assault and battery with intent to kill Bernard Brecht, (complainant for costs); Charles Pantle, selling liquor without license (two indictments); Henry Sanders, larceny of money from Edw. Eherman; Frederick Wendler, larceny of rags from the warehouse of J. R. Bitner & Bro.; L. C. Witmer, larceny, as bailee, of pair of boots belonging to Martin H. Harnish; Bernard Brecht, assault and battery with intent to kill Frederick Miller (complainant for costs).

Wednesday Forenoon.—The case of the Commonwealth vs. Henry Burkey for seduction, and fornication and bastardy was resumed. The prosecution occupied but little time in examining witnesses, the balance of the morning being occupied by a tedious examination of witnesses by the defense for the purpose of proving the prosecutrix's bad character—most of whom knew little or nothing of the facts they were called to prove.

Court adjourned until 2 P. M.

Wednesday Afternoon.—Mr. Hiester presented to the Court a petition for the division of Rapho township, and asking that Commissioners may be appointed to inquire into the matter.

Henry Buck, prosecutor in a surety of the peace case, and against whom an attachment had been issued on account of his non-attendance, was brought into Court. He stated that he had misapprehended the case when it was returned by the Alderman; that he "was not afraid" of Miller, the defendant, and did not wish to prosecute the case. The Court dismissed the case with county for costs.

John S. Weinhold vs. Moses Miller, surety of the peace. Defendant held in $300 bail to keep the peace for one year.

The case of Com'th vs. Henry Burkey was resumed. Wm. A. Wilson, Esq., opened in an argument for the Commonwealth, in which he maintained that the indictments both for fornication and bastardy had been fully made out against Burkey. He was replied to at great length by N. E. Slaymaker and S. P. Eby, Esqs. S. H. Reynolds, Esq. closed in an able speech for the defence. Judge Long charged the jury, and ordered them to bring in a sealed verdict at the re-assembling of the Court at 7 o'clock, P. M. Court then adjourned.

Wednesday Evening.—The jury in the case of Com'th vs. Henry Burkey returned a verdict of guilty of both fornication and seduction. Sentence deferred.

In the case of Com'th vs. Chas. F. Wright, indicted for the larceny of a two-gallon demijohn filled with brandy, belonging to Wm. Brady; and the larceny of thirty or forty cents in currency from the till of the saloon of the prosecutor, on the 4th of February last, the parties all belonging to Columbia, the jury returned a verdict of guilty of the first charge, and not guilty of the second charge. In consideration of the fact that Wright was very drunk when he carried off the whiskey—that it was almost immediately recovered—and that he had already been in jail ever since the offence, the court imposed the light sentence of ten days' imprisonment and costs.

Wm. Werntz plead guilty to an indictment for fornication and bastardy. The usual allowance was awarded to Catharine Hess, prosecutrix.

Com'th vs. Benj. Loney, colored, indicted for assault and battery on Margaret Myers, of Columbia, on last Christmas morning. Benny had been taught that a white woman had a right that a colored citizen was bound to respect and so he shied a lump of cinder at Mrs. Myers' head while standing in her own door, knocked her down and lacerating her head very badly. Benny has been in jail ever since, and was sentenced to go back to the old quarters for twenty months longer.

A surety of the peace case, in which Arthur Boots, colored, was prosecutor, and Wm. Marshall, colored, defendant, was dismissed, the parties paying for costs.

Com'th vs. Jacob Trier, indicted for assault and battery on his wife Elizabeth Trier, on Sunday morning, July 18, 1869, at their home in Safe Harbor, this county. The testimony of the wife, who is a good looking, delicately formed, plainly dressed woman of about 25, was to the effect, that on the day above stated she told her husband, that the children were very ragged, and that he ought to get them some clothes. He replied that he could not afford to get them any; when she answered that he got other things that cost more money than clothing, and were not so much needed about the house. Whereupon with oaths and abusive language he caught her by the throat, struck her, and threw her out of the house. When she returned in again, he caught her roughly by the arm, and seizing his shoemaker's strap, whipped her unmercifully over the back and shoulders. She was *enceinte* at the time. On another occasion he drove her out into the street when she had a baby three weeks old. He had often whipped her and otherwise abused her before, but she was afraid to bring suit as long as she lived with him, for fear he would either kill her or her children as he had frequently threatened to do. She now lives with her father, Mr. Palmer, in East Lampeter township. On cross-examination, Mr. Hay, counsel for the husband, intimated that whatever had treatment she had received, was the result of her conjugal infidelity. With unfeigned astonishment, indignation, and tears, the witness repelled the charge and hoped that she might be stricken dead on the witness stand, if she had ever been anything but a true and virtuous wife to her husband. The husband offered no testimony, and without leaving the box, the jury rendered a verdict of guilty.

A surety of the peace case, between the same parties, was next heard. Mrs. Trier testified that on the 5th of February last, her husband staid out very late at night; that she sat up for him a long time, but becoming drowsy, she finally went to bed and fell asleep. She soon afterwards heard her husband coming towards the house, and got up and let him in. He brought with him some things that her mother had sent her. He then fell to cursing her and her mother and upbraided her for loving her mother more than him; that she would do everything for her mother, but would not care for him if he was hanging by the neck. After much more abuse he took a lamp, went into the cellar, saying he might as well go to hell now as at any other time. He picked up an axe that was in the cellar, and as he was returning up stairs she ran across the street, believing he intended to kill her. Then, fearing he would kill the baby, that was in the bed, she returned to the front door and remonstrated and pleaded with him. Receiving no answer, she ventured in and saw him lying in the bed with the baby, the axe lying across his breast. She urged him to put it away, but he paid no attention to her except to lay it on the back part of the bed. Hoping to pacify him, she also went to bed. He afterwards became reconciled to her and promising never to take her mother's part any more. He had frequently at other times abused and beaten and threatened to kill her, and she brought these suits for fear that he would put his threats in execution.

The evidence of Mrs. Trier was given in a sad and tremulous voice, and evident y carried conviction of its truth to the judgment of all who heard it. At this point, the District Attorney stated that there were two other indictments against the prisoner—one for larceny, and the other for desertion, and asked the Court to defer the sentence until these were heard. At the request of prisoner's counsel, the prisoner was permitted to make a statement to the Court. He is rather a good-looking man, thirty odd years of age, and spoke very intelligently, and with as much feeling and apparent truthfulness as his wife.

He said that it was with the profoundest grief and shame that he stood before the Court to make a statement of the wrongs that he had suffered, and the disgrace that had been brought upon him by his wife, who had been so false to him while he had been so true to her. He had married her about seven years ago, and for a year or two things had went well enough—at least he thought so. But he soon found that other men had greater attractions for her than he had. To wean her from her sinful ways, he had removed to Milwaukee, Wisconsin, but there she pursued the same disgraceful course of conduct; and finally when he was absent from the city at his usual work, she sold all his furniture, pocketed the money, and ran off with another man. He then removed to Summit county, Ohio, and after his wife had been absent from him fifteen months she wrote him a letter expressing repentance for her conduct, asking him to receive her back her more than him; that she would do everything for her mother, but would not care for him if he was hanging by the neck. After much more abuse he took a lamp, went into the cellar, saying he might as well go to hell now as at any other time. He picked up an axe that was in the cellar, and as he was returning up stairs she ran across the street, believing he intended to kill her. Then, fearing he would kill the baby, that was in the bed, she returned to the front door and remonstrated and plead with him. Receiving no answer, she ventured in and saw him lying in the bed with the baby, the axe lying across his breast. She urged him to put it away, but he paid no attention to her except to lay it on the back part of the bed. Hoping to pacify him, she also went to bed. He afterwards became reconciled to her and promising never to take her mother's part any more. He had frequently at other times abused and beaten and threatened to kill her, and she brought these suits for fear that he would put his threats in execution.

Mrs. Anna Rogers was the first witness. She affirmed that she lived on Duke street near Chestnut; that her house was burglariously entered on the night of the 24th of March. The first thing she saw was a light on the stairs leading from the dining-room to her chamber, which is on the second story over the dining room. Then she saw a man coming into her room with a lighted lamp. He was followed by two other men. They got as the stairs and were going to break it open. She was going to tell them where the key was, when one of them, who was masked by having a handkerchief tied over the lower part of his face, came forwarded, took hold of her, put a pistol to her mouth and threatened to shoot her if she spoke. They then ransacked the desk, and took a watch, about $5 in change and some other articles, throwing the papers over the floor. They next went to her bed, tied her legs together and pulled her out on the floor, pulled some of her nightclothes off, and examined her person to see if she had money concealed in her under-garment; there were two beds in the room; one of the burglars got at one bed, and another at the other, and took off the bed clothing piece by piece, and laying it on the floor, examined each piece; they then took off the beds, and found the money between the bed tick and the slip with which it was covered; they then said they had all they wanted and left, after throwing her on the bed clothes on the floor; they had threatened to shoot her a dozen times; the one who held the pistol at her head told one of the others to go down stairs and get butcher knives and cut her throat; he was rather a small man, and his hand smelled of paint when he put it over her face; she could not recognize Le Barron as the man, bringing to mind his size; the robbers took two $500 government bonds, $100, more or less, in greenbacks, a watch, half a dozen silver-plated spoons and some other teaspoons, $2,000 in certificates of deposit with Bair & Reed, and three promissory notes amounting to $800, together with some other little things not worth noticing; the robbers gained an entrance by boring around a panel of the kitchen door and knocking it out; they then reached in and unlocked the door; from the kitchen they went into the dining-room, and came up the stairway between the dining-room and kitchen; the next morning she found a sleeve button under the bed clothing, a pocket knife, an old shoe knife, and a brace and bit. (The articles were shown and recognized.)

Cross-examined by F. S. Pyfer, Esq.—Becky Kendrick was in the house with her at the time—nobody else; she was in the room next to Mrs. Rogers, but the stairway was between them; her room is over the kitchen; could not describe the robber's lamp, but it was black, and round, and low, and made a very bright light; he first set it on the desk; it was the second man that came into the room that had the pistol; the first and third men rummaged the desk; the front part of the house was being painted at the time of the burglary, but not the back-building—the painters had been at work that day; Becky had no beau; the former hired girl had left two months before; Becky heard the burglars but said she was afraid to give the alarm; they were there between 1 and 2 o'clock; it seemed very long to me; I fix the hour by the town clock; I heard the clock strike two after they left; the private watchman came some time after I gave the alarm; white, green and brown paints were used to paint the inside of the house.

Re-examined by Mr. Reynolds—There was no smell of paint in my room before the burglary; the doors between my room and the front room were closed.

✓ I had not come down stairs before Mr. Sowers came; I know my money and bonds were in the bed at the time they came into my room.

John Sowers, sworn.—I am private watchman for several families in the neighborhood; I was on duty that night; I heard the cry of murder; ran to Mrs. Rogers', who said three men were in the house; I went into the alley; saw the men and fired twice at them; went into the kitchen in the dark; struck a match; went into the dining room and lit the gas; went up stairs; everything was scattered over the floor. It was about 1 o'clock when I arrived.

Amos Devert, sworn.—I know Himes and Le Barron; I saw both on the night of March 24th at Hopple's Restaurant between 11 and 12 o'clock at night; Himes asked me for a cap as he was going out riding; Le Barron heard the conversation; I loaned it; he returned a different cap; I got my own at his house afterwards; I don't know whose cap they returned to me. (His own cap shown and recognized.)

Mrs. Rogers re-examined.—Thought that cap was worn by the man who held her eyes; it was one like it.

Adjourned until 9 o'clock to-morrow.

Friday Morning.—Henry Miller, convicted of the larceny of $50 25, the property of Wm. Sterritt, was sentenced to an imprisonment of three months.

The case of Himes and Le Barron on trial for burglary was resumed.

Theodore Wenditz, sworn—Knows Himes and Le Barron; saw them on the night of March 24th at my saloon, opposite the eastern end of the Railroad Depot; don't know exactly where Mrs Rogers lives, but the end of her lot is not far from my saloon; Himes asked me to lend him an old Kossuth hat or something of the kind as he wanted to go out riding; Le Barron said it made no difference and then they went out.

✓ By Pyfer—I presented Devert with the cap presented here yesterday. I have one nearly like it but mine has a velvet band.

John Sowers recalled—The man running down Mrs. Rogers' yard was dressed in light clothes; between 11 and 12 o'clock he saw Himes and Le Barron coming out of the Cadwell House; Le Barron had light clothes on like the man in the yard, but he could not swear to them.

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✓ By Price—No lights were lit on the night of the burglary, but it was bright star light; there is a little shrubbery in the yard; I came in through the front gate, and fired at the man when about ten steps from me.

To Mr. Reynolds—Can't tell how far Mrs. Rogers' lot is from Wenditz's.

John Flory sworn—Was a Police Officer, on duty the night of the burglary; saw Himes and Le Barron painting Mrs. Himes' house at North Queen and Lemon the morning of the burglary; they were painting the outside of the house; I next saw Himes the morning after the burglary between 1 and 2 o'clock near his mother's house; I know it was Himes I saw; he was walking very fast as he came towards me; had something under his arm; going home before; he usually entered from North Queen street, that night he went around the corner of Lemon; did not see him go into the house; next saw Himes go into the barber shop under the Cadwell House; then took out a warrant and arrested Himes and Le Barron near South Queen and German streets about 9 o'clock; examined their hands a week after they were in prison and found a cut on Le Barron's thumb and little finger.

✓ By Pyfer—Examined the door through which the burglars entered; saw the blood and bed clothes the night of the burglary; saw no other marks of burglars; Le Barron, but found $38 on Himes, at time of arrest; examined their hands at time of arrest; saw no cuts on them; W. Fisher and Saml. Fisher assisted in the arrest; did not tell Fisher to go to Le Barron to confess, in order to convict Himes; did not urge his mother to get him to confess, or tell her that he should then go free; told Mr. Le Barron that if Le Barron had committed the burglary he had better confess, and save himself; I did not search either Mrs. Le Barron's or Mrs. Himes' house; did not recommend that James Curtis or anybody else should be put in Le Barron's cell and represent himself as a horse thief; never spoke to Dr. Compton on the subject of the burglary.

To Reynolds—As soon as I heard of the burglary, I suspected Himes, went and got a warrant and arrested them, took them before the Mayor and was at the hearing before any reward was offered.

Henry Lint, sworn—Is paper hanger and live next door to Rogers'; the rear of Mrs. Rogers' lot is about seven yards from Wenditz's saloon; saw Himes and Le Barron at half-past 11 P. M., on the night of the burglary; heard Amos Devert ask Devert to lend him his cap; saw Le Barron painting at Mrs. Himes' the day before; Le Barron had on light clothes daubed with paint the night of the burglary; Fisher showed me a rusty stain that looked like paint on the blade was the same as that used by Le Barron on Mrs. Himes' house.

Jerome Sharp, sworn—Knew the prisoners; saw them at Zaepfel's beer saloon the night of the burglary; Himes was playing cards with others; Le Barron came in and spoke in a low voice to Himes; Himes asked him if he wanted to play cards; I was in the saloon; Himes answered no; it was between 8 and 10 o'clock; I was sitting next to Himes when they were playing cards; I was in jail once; I was put there by my father for driving off with the horse and buggy.

Simon J. Bear sworn—Saw Himes the morning after the burglary on Duke street, between Lemon and Walnut; he was coming down towards Lemon; thought this was the time to rob the house; I knew it was Himes I saw; he was walking very fast as he came towards me; had something under his arm