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APRIL TERM A BU SESSION

The Grand Jury Was Discharged on Wednesday.

WOODWARD ROBBERY TRIED

Several Pleaded Guilty, One Convicted, and others Discharged--Philipsburg Murder Case--Report of Grand Jury--Reported by S. D. Gettig.

The regular April Sessions of Court convened on Monday morning at 10 o'clock, with the Honorable Ellis L. Orris on the bench; grand jurors called, absentees noted, and Joseph Ceader selected as foreman.

The constables of the several boroughs and townships of the county then made their quarterly report.

A writ of Habeas Corpus was asked for in the case of the Commonwealth vs. Chas. Stewart, Howard Stewart and Winfield Gregg, who are now in jail at this place charged with aggravated assault and murder of Barney McHugh. The date for the hearing was fixed for Tuesday of next week.

In the case of Commonwealth vs. Ed. Fultz, George Fultz and Harry Kessinger, being three of the men arrested for robbing the Ebys' near Woodward during last fall, and who were run down by detectives Baker and Millard, waived the finding of a true bill by the grand jury, and pleaded guilty to the charges of larceny and receiving stolen goods.

D. F. Fortney, chairman of the Committee on resolutions, appointed at the bar meeting at the time of the death of J. W. Gephart, made his report in a resolution reviewing the career of the deceased. It embodies practically the same points as published in these columns at the time of his death in our sketch of his life.

The following members of the bar spoke relative to the life of Mr. Gephart, after which court adjourned: D. F. Fortney, the Hon. A. O. Furst, John Blanchard, and the Hon. Ellis L. Orris. Court reconvened at 2 o'clock in the afternoon, and after hearing a number of motions and petitions proceeded to hear the case of Jacob Tests vs. George R. Mock, Administrator of, etc., of Jacob Mock, deceased. This case was from Philipsburg and was brought to recover on a note alleged to be given by the defendant deceased to the plaintiff, but could not prove the execution, and voluntary non suit was suffered.

The next case taken up was that of Thomas N. Ricketts & Son vs. T. F. Meyer of Millheim, being an action brought to recover for an order of gloves given to plaintiffs, glove manufacturers, of Johnstown, New York, through their traveling man goods to be delivered at certain date, but were not delivered until sometime afterwards but left by the defendant at the railroad station at Coburn, and after some correspondence part of the goods were returned, which the plaintiffs refused to lift. At the close of plaintiffs' testimony, the Court instructed the jury to find for the plaintiff in the sum of \$143.78, subject to a question of law reserved by the Court as to whether or not plaintiffs could recover at all.

Commonwealth vs. Robt. Ferenbaugh, indicted for larceny by employe, prosecutor F. Welch, Route Agent of the American Express Company. This defendant was the agent of the American Express Company at Philipsburg and received for transmission from L. Erlanson by the Express Company to Johanna Erlanson at Rostern, Frandefors, Elfsburgslaw, Sweden, the sum of \$273.25, which the agent converted to his own use, escaped the jurisdiction of this Court, but was recently arrested in a western state and brought back. No defense was made, the defendant pleaded guilty, and will be sentenced later in the week.

J. H. Weber vs. George Gentzel, being an appeal from the decision of a Justice of the Peace and an action brought to recover damages for failing to deliver hay and straw to the plaintiff, which the plaintiff alleges he bought from Mr. Gentzel and which was afterwards sold to another and the plaintiff sustained damages, and this action is to recover the damages by reason of the failing to carry out his contract on the part of the defendant.

Plaintiff's allegation is, that through some telephone communication between the plaintiff at Centre Hall and Allison's mill at Spring Mills, he got into communication with Mr. Gentzel, Mr. Gentzel giving him prices on hay and straw, and that he the plaintiff had asked the defendant to give him all of that day and he would let them know by evening whether he would take the hay and straw. That he the plaintiff had telephoned to Allison's mill as was arranged that he would accept the hay and straw.

The defendant alleges that he got no word from any one that Mr. Weber would take the hay and straw, and that he sold it the next morning to another man who had made an offer for it prior to Mr. Weber's offer but which he had not accepted until after he thought Mr. Weber did not want the hay and straw. The verdict on Wednesday morning in favor of the defendant.

Commonwealth vs. Jane Fultz, prosecutor Edward D. Baker, indicted for larceny and receiving stolen goods. This case is from Haines township and Mrs. Fultz is one of the parties arrested last February for being implicated in the robbing of the Ebys during October 1904. The defendant plead guilty and will be sentenced later in the week.

Commonwealth vs. Thomas D. Bowersox, prosecutor Edward D. Baker, indicted for larceny and receiving stolen goods. This is one of the defendants arrested in February last for being implicated in the robbery of the Ebys in Haines township, and according to the Commonwealth's allegations the defendant sometime during May or June of 1903 while driving through one of Mr. Eby's fields towards the mountain in company with another, passed the place where Mr. Eby was plowing and had his vest hanging on the fence. That this defendant jumped off the wagon and took either \$60 or \$100 out of Mr. Eby's vest. The defendant admits driving up through there, but says that it was in 1902, and that he got no money out of Mr. Eby's vest. Verdict on Wednesday forenoon of guilty and recommended to the mercy of the Court.

Commonwealth vs. Ralph Fish, indicted first count larceny, second count receiving stolen goods, prosecutor James Kephart. This case is from Philipsburg, and the defendant plead guilty. The defendant having been in jail for nearly three months and the amount of goods taken being of a minor character, sentence was suspended.

Com. vs. Grant Hoover, Anna L. Hoover, Mary Goheen and Mary E. Moore, indicted for secreting goods under levy by constable; prosecutor H. H. Montgomery, constable. The prosecutor had an execution issued out of the office of a justice of the peace against Grant Hoover, one of the defendants, and had levied upon the personal property in the house, which was claimed by Anna L. Hoover, wife of Grant Hoover. On or about April 1st of the present year Mr. Hoover moved his family to Williamsport, with the goods levied upon and claimed by his wife, after which this prosecution was instituted, the last two named defendants for aiding in the removal of the goods from the county, but at the opening of the case the Commonwealth stated that they had no evidence against them, and the trial proceeded against the first two. At the close of the testimony the Court held that Anna L. Hoover could not be convicted, she being the wife of the co-defendant and what she did was presumed to be under the direction of the husband, and that there could be no conviction; that the title to the property was claimed to be in the wife and that the Quarter Sessions could not try that question.

The case went to the jury on a question of costs. Verdict, that the county pay the costs.

Arthur Norris vs. Henry Swank, an appeal from judgment of justice of the peace. This case grows out of the plaintiff selling a cow to defendant, the defendant paying one dollar on purchase price and the plaintiff to deliver the cow at Lemont a few days later, and before the cow could be delivered she sickened and died and this action is brought to recover the balance of the purchase money. The defendant claims that it was not a completed contract, that he would lose the dollar but was not liable for the balance as the sale was not completed until the cow was delivered and the plaintiff lost the cow. Verdict on Thursday morning in favor of

GRAND JURY REPORT
Was filed Wednesday afternoon and in substance is as follows:

That they have acted upon thirteen bills of indictment, of which twelve were found true bills, and one not a true bill; and also upon two bridge view bills, which were approved.

We beg leave further to report: that we have visited and inspected the county buildings and find the court house in fairly good shape, with the exception of the main corridor, the floor of which is very rough and the walls badly in need of painting and papering. The grand jury room also needs new paper and paint.

We further report the jail corridor in a deplorable condition; the floor is broken in several places and so thin in others that it is actually unsafe to walk on, and would recommend that the proper parties be instructed to give this their immediate attention. We also find the hall of the residence portion, where all visitors are received, to be badly in need of paint and paper, and should be done promptly. We also recommend that the plastering on the inside of the jail yard be removed and replaced with cement. We suggest this as a matter of economy, as the weather is slowly destroying the wall in the present condition.

PREPARATIONS FOR THE EXECUTION

The Two Men Realize that Their Time is Short.

SCAFFOLD IS BEING PREPARED

They Have Many Visitors--Selling Photos, Jewelry and Poems to get Spending Money--Keeping up Courage.

Since the Pardon Board refused to interfere in the case of Ira Green and Wm. Dillen, convicted of the murder of Jerry Condo, special interest centres about the county jail. Tuesday, May 9th, is the date for the execution, and the time is so near at hand that a dread seems to come over the average individual at the mere mention of the affair which is only a little more than a week distant.

The refusal of the Pardon Board was their last hope. The decision was sent here on Wednesday of last week. Thursday morning John Trafford, the day watchman, informed them of their fate. Soon after Sheriff Taylor directly informed them of the action of the Pardon Board. They displayed no marked feeling over the news, they were serious, and since then there has been a perceptible change in their manner.

Before leaving their apartments the sheriff had a thorough search made. All pins, tacks, glassware, pens, knives, in fact everything that a man might use to take his life, under such circumstances, was removed, as a precaution so that the sentence of the court might not be defeated.

The next day the county commissioners sent a carpenter up to the jail to inspect the old scaffold, which was stored in the dungeon since the execution of Hopkins and Andrews in the spring of 1890. The handling of the timbers was heard and the prisoners inquired as to what was going on. The watchman replied that the commissioners were putting a new floor in the jail. Green spoke up "You can't fool me; they are getting that old neck-breaker out." From that time on the boys seemed to realize that the fatal moment was fast approaching.

Sunday afternoon Rev. Crittenden with a number of singers from town conducted a special song service in the prison that was appreciated by all the inmates.

Green and Dillen had their photos taken some time ago by Capt. Caulkins and they are selling them to the visitors at 25 cents a piece, from which they are deriving some revenue. They also have copies of the poem entitled, "My home on the hill," recently printed in this paper, which they sell at 5 cents a copy and in this way secure money for purchasing tobacco and other articles.

The old scaffold was built by carpenter Samuel Gault; it is of white oak 15 feet high, platform 12x12 feet square and 10 feet from the ground with one double trap door, to drop a single man. The sheriff insists that both men be hanged at the same time and for that reason there will have to be some alterations. The structure should be enlarged to allow a double trap door for each one, so that the drop will be clear and direct.

West Susquehanna Classis.

The forty-ninth annual session of West Susquehanna Classis will convene in Trinity Reformed church, Hublersburg, Pa., May 3, 7:30 p. m. The classis embraces the Reformed churches in the counties of Centre, Clinton, Lycoming, Union and Snyder; including 23 ministers, and 62 congregations and 5781 members.

The opening sermon will be preached Wednesday evening by the retiring president, Rev. A. M. Schmidt of Bellefonte. Subjects pertaining to church work will be discussed during the evenings of the week. Friday evening will be devoted to Home Missions and Sunday evening to Foreign Missions. Rev. D. A. Dittmar, of Jefferson, Md., will represent the Home Board and it is expected that Rev. W. E. Hoy, returned missionary from China, will speak on Foreign Missions. The sessions are free to all. Respectfully yours, H. I. Crow.

A New Order.

An order has been issued through the passenger department of the Pennsylvania railroad which must be obeyed on every branch road where passenger trains are operated. The men have been instructed to call distinctly the name of the station and the length of time the train will stop at each place, especially where a stop of two minutes or over is made. Under the present rule the trainmen call out only the name of the station. Passengers apparently are not in a hurry to leave the train, and often a few minutes over the scheduled time is taken up at the different stations, especially on the local trains where the passengers do not check their baggage.

THE EASTERN WAR.

Another week has passed by without any important happenings. No news has come from the two great armies in Manchuria, and they evidently are preparing for another general encounter.

The long promised naval battle also failed to materialize. Last week it was known that the Russian fleet had stopped at a French port to secure supplies and there was danger of this act bringing on serious complications. The Japanese filed a protest, as this was a breach of the neutrality laws. The French government denied any intention of aiding the Russians, and soon after Rojstvensky left the port. Just where Togo is with his sea fighters, or what his plan of battle will be there is no news. The Russians have received additional help and they have a larger fleet than the Japanese, but many of the vessels are old and their efficiency may not be great.

Among naval experts, opinions differ much as to which side will have the greater strength in a modern naval battle. For that reason the result of an encounter is a matter of great doubt.

Some time ago the Russian government made overtures for securing peace, but the enormous indemnity demanded staggered them. Since a strong Russian fleet is in the East, they have made another move in the same direction, hoping to secure more favorable concessions, before the two great navies clash. Up to this time no definite understanding has been reached in this direction. The two great fleets are not more than a day's voyage apart, therefore important news is possible at any hour.

ASSAULT FISH WARDEN.

The fish wardens of the State Department of Fisheries are having strenuous times just now. Warden C. R. Holland went up to Beech Creek on the opening day of the trout season to watch some foreigners who have been breaking the law. Somehow, word had reached the camp that a fish warden was in the neighborhood and nobody was fishing.

Holland stopped to speak to a man, and the Italians took this stranger for a fish warden. A short time afterward Holland heard a shot, and found that the man, whose name is John Bergner, had been shot and badly wounded, just because he was suspected.

A short time afterward Warden Holland himself narrowly escaped a bullet from a Winchester rifle held by a man behind a tree 200 yards distant. The man got away before the warden could recognize him.

Warden George D. Shannon took a run up the Schuylkill the same day and got two fellows for fishing illegally. He then arrested a third man, when a crowd of about fifty or sixty roughs dropped down upon him with shouts, "Throw him overboard!" "Kill him!" and others more profane.

Shannon had a deputy, who got so frightened, that he ran away, leaving Shannon to fight it out alone. The crowd was too big for the warden to handle, and in the struggle the prisoner got away.

Off for Sunbury.

Quite a large delegation of the Bellefonte Lodge of I. O. O. F. left yesterday morning in a special car for the great state turn-out at Sunbury, headed by the noted Coleville band, and equipped in the garb of the Order. They marched from their lodge room to the 6:40 L. & T. train, and returned by special at night. From Lemont, Oakhall, Linden Hall, Centre Hall, Spring Mills, Millheim and Coburn members of the Order boarded the same train for the same destination. Altogether, taking other points in the county by other roads, there was a large representation of Centre county Lodges at the turn-out, and we vouch that there was not a finer looking set of men from any other section of the State. The day opened with clouds and light rain.

Will It Be Enforced?

Governor Pennypacker has signed an act which makes it unlawful for boys under 16 years to frequent public pool rooms, billiard rooms, bowling saloons and ten-pin alleys. If such places are not considered fit for boys, what business have men there! There must be something wrong somewhere. Now let our officers see that the law is rigidly enforced.

Hard Coal Found in Blair County.

Ten feet below the earth's surface a vein of anthracite coal has been discovered near Royer, Blair county. Some of the coal was taken out and burned, and found to be of excellent quality. The extent of the vein has not been ascertained. Much excitement has resulted among the farmers in that locality.

Quite a fleet of rafts arrived at Lock Haven a few days ago, a reminder of old days of lumbering and rafting, in which many of the older readers of THE CENTRE DEMOCRAT took a hand.

HISTORICAL REVIEW OF CENTRE COUNTY

An Account of Former Executions in Centre County.

PUBLIC HANGINGS THE CUSTOM

The Rope Broke for Byers the Mulatto, and Seely Hopkins--Interference of a Mob at an Execution--Last Executions, Hopkins and Andrews in 1890.

As the execution of William Dillen and Ira Green is a little more than a week distant, it is appropriate at this time to devote one chapter of our Historical Review to former executions in this county.

DANIEL BYERS' EXECUTION.

"The first capital case tried in Centre county was that of Daniel Byers. On the evening of the 15th of October, 1802, a mulatto, named James Burrows, in the employ of John Dunlop, was shot dead upon his horse, as he was driving his team between Bellefonte and the Valentine works. For this murder Byers was tried and convicted, and the jury in accordance with the law at that time, returned with their verdict--a valuation of him, valued him at two hundred and fourteen dollars."

Byers killed Burrows on account of an intimacy which sprang up between Byers and Burrows' wife. The night the murder was committed Byers stole a rifle from his master and waited for his victim.

When he came up close he shot him through the body. He was riding on the night horse behind and stuck on for about fifteen perches. When he fell the wagon wheels ran over the entire length of his body, which was supposed to have occasioned his death until the bullet hole was discovered by the inquest which sat upon the body.

Byers was executed December 13th, 1802, by James Duncan, Esq., then high sheriff. A large crowd, consisting of foremen and other original characters, had assembled to witness the execution, and a company of horse, in the command of Capt. James Potter, was drawn up near the scaffold. With the first swing the rope broke and Negro Dan fell to the ground unhurt. With that the crowd shouted "Dan is free!" and headed by Archibald McSwains and McKibben, they made a move to rescue him. Sheriff Duncan, who always carried a lead-loaded riding-whip, drew it promptly and struck McSwains a blow that would have felled an ox. McSwains scratched his head and said: "Mr. Duncan, as you are a small man, you may pass on." With that Capt. Potter's company made a charge and William Irwin, of the troop leveled McKibben with a blow of his sword, cutting his cap rim through. Meanwhile William Petriken stepped up to Dan and patted him on the shoulder, saying, "Dan, you have always been a good boy, go up and be hung like a man," which he did.

MONKS' EXECUTION, 1819.

James Monks, a native of Potter township, was tried and convicted at the November term of court 1818, for the murder of Reuben Guild. The murder, which from the prisoner's confession, appears to have been entirely unprovoked, took place on the evening of Sunday, November 16, 1817. It appears from the confession of the prisoner, written in jail while awaiting execution, he was returning to his home on Marsh Creek, Howard township, from Clearfield, and met Guild, who was mounted on a horse, in a lonely part of the road. Having passed the time of day and proceeded a short distance, an uncontrollable desire came upon Monks, who was armed with a gun, to shoot Guild. Apparently powerless to resist the impulse, he raised and shot him through the body. The victim uttered a shriek and fell from the horse, and as Monks approached him said, "My friend, you have killed me." Monks, feeling that the shot had proved ineffectual, struck him two blows on the head with his tomahawk, which silenced him forever.

After finding a suitable place he hid the body, first stripping it of everything of value, even to the shoes, which he vainly endeavored to get on his feet, but found them too small. After disposing of all tracks of the deed, he mounted the murdered man's horse and pursued on his journey. It transpired however, that in his hurried preparations to get away, and being considerably under the influence of liquor, he dropped his song book on the spot, which latter circumstance eventually led to his arrest on suspicion.

On examining his goods the next morning he found written upon the fly leaf of his victims pocket book the following: "Reuben Guild's pocket book. This pocket book is my property now, but I know I won't own it long." The

CAT NURSES YOUNG RABBITS.

Adopts the Orphans and Cared for Them as if Her Own.

We often read stories of cats mothering the young of other animals and here is one from Lock Haven.

A pet rabbit belonging to Jacob Smith gave birth to a litter of young rabbits and when they were a few days old the mother rabbit disappeared. A cat belonging to the family was raising a family of kittens and the young rabbits were placed with the kittens and developments watched. The cat promptly adopted the little orphans and cared for them the same as if they were her own offspring.

This shows how strong is the mother instinct in the cat, for rabbits are a favorite game with the feline tribe, but the mother love in this cat was so strong that she overlooked the fact that the little strangers would make her a toothsome meal, and cared for them with all the solicitude of a mother.

Continued on page 4.

FACT, FUN AND FANCY.

Bright, Sparkling Paragraphs--Selected and Original.

Spring is giving us the frozen face. Even the night watchman works for his daily bread.

It is sometimes hard to love and honor if you also must obey. You can lead a boy to college, but you can't make him think.

The lazier a man gets the more he brags about what he used to do.

It isn't the girl with a cold manner who is apt to freeze onto a fellow.

A man is in suspense when he realizes that he has broken his suspenders.

The fellow who looks out for number one naturally objects to being a back number.

THE JAIL POET.

Several weeks ago we published a poem entitled "My home upon the Hill," written by a young man, who unfortunately was then an inmate of the county jail. It proved a good hit, and to-day Ira Green and William Dillen are making enough money, selling copies of it at 5 cents apiece, to visitors, to secure most anything they desire while waiting for execution day. On Monday the young jail poet got free, and before leaving penned a few lines, which we publish:

EASY TO GET IN--HARD TO GET OUT.

I have been waiting three months, for the day to come.

When I would know what is going to be done; And when I think of it, it makes me smile. As the judge said, "We will try him on his honesty for a while."

My prosecutor was the kind of a man he ought to be.

For we have settled my case and I am free. I know it was wrong to do what was done. But it was only a joke, and to have a little fun.

They got out a warrant and drove me from home. Then in this wide world I had to roam; I could stand it no longer and came back to see

My friends at home, and they arrested me. I was given a hearing and put under bail; I could not raise the money, so they sent me to jail!

But since I came here and got used to it, They have treated me alright, and I didn't mind it one bit.

But now I am going to see if I can start over again and be a better man; But you know it is hard when the people all shout,

"There is a fellow from jail, and just got out," But I will start over again if they let me alone.

And then I will always be happy at home; I will do the right things and bother no one, And then you can find no fault with the new life I have begun.

Now, stranger, if you will take my advice, And if you keep straight you will be wise-- For after you get here and look about, You will see, it is easy to get in but hard to get out.

Jail Hill, Wednesday, April 26th. R. F.

John Then, John Now.

Nowadays when Johnnie is bad at school, the teacher takes down her book and gives a black mark. Next day Johnnie is worse than ever.

Fifty years ago, when Johnnie was bad at school, the teacher took down a dog wood sprout, made about a dozen black marks around his bare legs and Johnnie never repeated the offense.

Fifty years ago Johnnie got up at daylight, started the fires, fed the horses, milked a dozen longhorned cows that gave barely enough milk to go in the coffee, chopped and brought in wood enough to last his mother all day, ate a hearty breakfast, and walked three miles to school.

Today Johnnie don't get up at all unless he is forced to do so, eats little or no breakfast, goes out behind the barn to smoke a cigarette, and if the school house is over three blocks away, grunts about the long distance he has to walk.

The Johnnie of fifty years ago is now a hale, hearty man.

Fifty years from now the Johnnie of today will be dead and buried.

Isn't this true of Johnnie?--Taken from "Big Bend" Wilson Creek Wash.

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