THE CENTRE DEMOCRAT, BELLEFONTE, PA., SEPTEMBER 7, 1905.

not

OSCEOLA MURDER TRIAL ENDED

Continued from page 1, first section.

District Attorney Runkle opened the case at 9:10 am., and closed at 9:25, at which time Mrs. Anna McHugh, widow into court and took her place at the council table.

Mr. John Quinn-civil engineer of Houtzdale, was called and produced the draft made by himself, showing the relative position of Moshannon creek, the county line, railroad, tramroad, public road, McHugh house, and the Gregg shanty, together with the place where McHugh's hat was found on the morning of the 12th of April, 1905, and the place where his body was found in the creek, together with a description of the Gregg shanty, and showing that the distance between Gregg's shanty and the Mc-Hugh house was about 1101 feet; and further testifies that the McHugh house is West of the Gregg shanty, and that

Barney McHugh-sworn ; lives in Rush township, is a son of deceased, and and do not know the cause of his death. conviction of the defendant, that the de- wealth has made out any case against aged thirty-three years, and a miner by He had no water in his lungs. A person fendant was entitled to a verdict of not said for it is that by conjecture you occupation. Lived in Osceola Mills in with alcoholic coma might drown in guilty and to be discharged from custody, might imagine the defendant to have April, about one-half mile distant from the place of residence of his father, and lungs, and it does not require the same the Court was concerned. last saw him alive on the 10th day of blow to cause death of a man addicted to April, not seeing him at any time dur- alcohol as one that is not. ing the 11th. That on the morning of the 12th he was standing on the street in Hayes and Huff to the cemetery and trial by jury, and prevents his being the 12th he was standing on the street in Osceola, and that Gregg came along and they viewed the body of Michael Mc-said, "Barney, don't you know your Hugh. Hayes and Huff to the cemetery and they viewed the body of Michael Mc-Hugh. father is lost and you will not find him this time." That he then called at his father's house, and went with his mo-body of Michael McHugh; found it in ther to the place where the hat was ther to the place where the hat was found by her, and from thence to the Gregg shanty, which he found locked. That he then looked around for his fath-That he then looked around for his fath-face, and he had nothing in his hands. er, and subsequently went back to The body was face downward. James er, and subsequently went back to Osceola. That he then started to look Dugan was with us. The body was in Dugan was with us. The body was in Dugan was with us. The body was in The District Attorney then where the around different places in and about the the bottom of the creek. We took the The District Attorney then, under the immediate neighborhood, and they sub- body out with a garden rake, and then ruling of the Court, moved the Court to has been shown and it is now admitted sequently met Gregg and went towards the sharty, and that Gregg said to hum, about half open, month partly open, guilty. the shanty, and that Gregg said to him. about half open, mouth partly open, guilty. "Barney, I am sorry to tell you that you didn't see his tongue. We got into the By the Court : will never find you father alive." That boat above the house, and floated down GENTLEMEN OF THE JURY :- You have even a verdict of manslaughter and we his father was subsequently found in the to where we found the body. The creek noticed that we have been very indulcreek below the bridge, being about an hour an half after the alleged conversa-the water where we found the body. The creek was a little higher than usual, depth of the water where we found the body was tion between the witness and Mr. Gregg; and further stated that Gregg said to general depth of the water was from two general depth of the water was from two him to look East of the shanty, and that for the balance feet, and the water is very low examined with the greatest care and patience. If there has been a crime Gregg did not offer to help to look for at some places in that creek. We caught committed, such as alleged in this preshis father. On cross-examination stated hold of his arm with the rake. this defendant was, that he had gone to Gregg's shanty and had taken a drink of that the second conversation he had with whiskey with him. That his father's Gregg homes and the place of finding sudden and suspicious death should not body was found about half past four on the body. the 12th of April by John Moston and Pat Foley, and that there were several fied the pictures offered in evidence, tosmall marks on his body that looked to gether with Shook's testimony. him like bruises, being three or four of them. Anna McHugh-sworn, is the widow ship. Helped to take out the body of McHugh, took it out with a rake. The ship, was married about thirty-two body was found on the Centre county years ago, and they had five children. side. The body floated away from us Mr. McHugh used to drink when he had and Pat Foley caught him by the arm. money. He was a miner by occupation. The deceased worked in the mines on have been a physician for about forty the 11th of April, coming home about years. Viewed the body of McHugh at three o'clock in the afternoon, and after his home in a back room on the morning he dressed himself went to the black. of the 13th of April. It was a one-story smith shop with three picks to have house. Viewed the body about eight them sharpened, the shop was near o'clock in the morning, and was inform- oc Gregg's shanty. Didn't see him after ed that the body was in the same condithat until he was brought home a corpse tion as when brought from the creek. in the evening of April the 12th. He The arms were in a semiflex condition. never stayed away at nights and didn't Had no water in the lungs and no froth never stayed away at nights and didn't start to look for him until five o'clock of in the mouth. The face was placid and the morning of the 12th, and went the only mark I noticed was in the ear, straight to Gregg's door. At this point saw no other marks on the body. The the witness was withdrawn. John Boozer-live at Osceola, and room was not well lighted. My examinahas been an undertaker for about ten years. Knew Michael McHugh when he saw him, and last saw him alive on Monsaw him, and last saw him alive on Mon- Do not know the cause of his death. Saw day the roth. Saw his body lying on a the body in the cemetery about the time stretcher on the bank of the creek on the that Doctors Hayes and Huff began evening of April the 12th, and the body their postmortem examination. was taken to the home of the deceased. Anna McHugh recalled-was at Mr. His hands were partly open. He em- Gregg's house and Gregg stated that he balmed him on the morning of the 13th. | was at my house until ten o'clock. Found no water in his lungs. There At this point the defense raised a queswas a scrape on the right side of his tion, that the Commonwealth had not head. One ear had a pierce, and the proven the corpse velicti. "After some other had a scratch on the inside. He little argument the Commonwealth was other marks on him. Dr. R. G. H. Hayes-lives in Belle- counsel for the Commonwealth opporfonte, a physician, has been practicing tunity to reduce their offer to writing, for twenty years. Was sent to Osceola and counsel for the defendant their obon April 28th by the District Attorney jections thereto. to hold a postmortem on the body of At the convening of court on Saturday cemetery. The coroner, Dr. Huff, and offered to show that at eleven o'clock on myself, found three or four abrasions on April 11th, 1905, certain witnesses, to be the side of the face, and the lobe of the called, overheard a conversation between was inclined to think that the blow above McHugh and knocked him off, the powmal condition, but colored from his oc- than I am and you ought to take some have bled if he had drowned; there you know it yourself. Both of you are Mr. McHugh drowned. The mark above brother Howard was present as a wittion. Have examined bodies drowned, right, he is your brother, but he aint and they have conjested stomachs. A mine. You are both trying to get me had very little putrefaction.

ternoon session

Huff and the undertaker, I am not sure his name is, started it all. Huff and the undertaker, I am not sure his name is, started it all. every safeguard and protection. The whether Dr. Reed was present, and do Counsel for the defendant objected to trial and conviction of men guilty of

the wind pipe, the heart had been punc- of its ambiguity.

with an alcoholic person.

water without drawing water into his so far as the immediate charge before been guilty of something that contribut-ed to the death of the deceased, but that

was one of the parties who found the ing proceeded to this point, and no in-

of the surroundings of the McHugh and the standpoint of public policy that any

At this point court adjourned until af- up behind him and hit him in the back price and the humblest citizens is enwith a pick. Howard Stewart then said, that God damned Stancy or whatever There were present at the autopsy Dr. that God damned Stancy, or whatever it is the duty of courts and juries to to throw around the life of each citizen

not recall saying to undertaker, that is the offer because it did not impute any what we doctors call an alcoholic stom- guilt to the defendant or show any comach, and believes that the abrasions were bination of purpose, and that it was in- and the person who has been slain, but anti-mortem; found about an outce of competent, irrelevant and immaterial. of Michael McHugh, the deceased, came food in the stomach; found no sand in The Court ruled out the offer because

tured by the undertaker. The lungs The counsel for the Commonwealth this Commonwealth. So, as we have tured by the undertaker. The lungs were in a normal condition, excepting that they were deeply stained with coal dust from his occupation. There were no abrasions on his hands and no evi-dence of sand or dirt, and that it would require a much less blow to prove fatal with an alcoholic person require a much less blow to prove fatal punish the infraction thereof in this death of a citizen of this Commonwealth within the county. It was a sudden particular case; that as the Court had re- death. There were some elements of Dr. S. M. Huff-live at Milesburg, is fused to receive the evidence it was the suspicion surrounding it. coroner of the county. Went with the duty of the Commonwealth's officers to to conjecture toul play. The fact that the duced Wm. Groh Runkle to pick a few District Attorney and Dr. Hayes to say that they had no further or addition- accused was with the dead man the same evening his death occurred, and immedi-Osceola to hold an autopsy on the body al evidence that could affect Mr. Gregg, ately prior thereto, demands a rigid inof Michael McHugh. Mr. Boozer took and therefore were in the position of us to the cemetery, and we found the being compelled to ask for a noll. pros. statements, but having made that invesbody in a good state of preservation. Be- Counsel for the defendant strenuously body in a good state of preservation. Be-lieve that abrasions were ante-mortem, objected to a noll. pros. being granted that he is presumed to be innocent until and there was a lack of evidence to in- and insisted that inasmuch as the Com- he is shown by the Commonwealth to be the body of Michael McHugh, as indica-dicate drowning. Skull was not frac- monwealth's counsel had stated they had guilty beyond a reasonable doubt. That ted by him, was found East of the Gregg dicate drowning. Skull was not trac- monwealth's counsel had stated they had bressent tured and wounds could have taken offered all the evidence in their posses- presumption is still between him and the Commonwealth and he is entitled to it. place in various ways. None of the sion, and had admitted their inability to wounds were of a dangerous character, offer such evidence as would warrant a dence we fail to see that the Common-

The Court then said to the jury :-

The Constitution of Pennsylvania John Boozer recalled-I took Doctors guarantees to the prisoner his speedy Patrick Foley-live in Osceola, and custody of this jury, the testimony hav-

ent trial, every opportunity should be af-forded within the law to prove that be treated lightly in the community. Life, in the eyes of the law, is beyond of prosecution and 6 months in jail.

Daniel Knauff, for not paying a board bill, sentence suspended until November make good.

Wm. Long, vagrant, who had been in homicide has not wholly the elements of retribution or punishment, it does not only involve the rights of the accused there is a higher purpose, and that is to protect the lives of all other persons in The

eing, and to prove that such crimes canbe committed with impunity in some compliments as to the manner in It is possible which he conducted his office; that inaccused was with the dead man the same daisies and return the courtesy with a snap that made the hearers relish the envestigation into his conduct and his gagement. There were no fatalities. tigation the accused is entitled to all his After carefully examining this evithe defendant. The best that could be is not such evidence as a court of justice can entertain. The guilt of a defendant To the Farmer bringing in the cannot be arrived at by conjecture or largest number of pounds of butter

PISO'S CURE FOR

CURES WHERE ALL ELSE FAILS Best Cough Syrup. Tastes Good. Use in time. Sold by druggists.

CONSUMPTION

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Bellefonte.

implication. His guilt must be established by evidence, either direct or cirduring month of August : cumstantial, of such a character as to remove any reasonable doubt. Under no IST LARGEST NO. OF LBS. - \$2.50 circumstance has any malice been shown in this case. So the defendant could not 2ND be guilty of murder either of the first or 3RD death follows, perhaps, accidentally, but accompanied with malice against the person killed. But in this case no malice So far as this case has developed noth-

This particular case was thus disposed of, but there are other indictments for conspiracy to commit assault against the defendants and these cases were continued.

Tuesday morning at a short session of court, the following sentences were imposed:

RAILROAD SCHEDULE.

court; evidently given an opportunity to PENNSYLVANIA RAILROAD. Schedule in effect May 28, 1905.

Trains arrive and depart from BELLEFONTE as follows :--

Jahr for several months, sentence suspended, in the hope of him giving this section a wide berth or better deportment.
The charge of murder against the three men from Osceola is practically dropped by the result of the trial. They still are indicted for conspirate and the set of the set of

VIA LOCK HAVEN-WESTWARD. Leave Bellefonte 1:25 p. m. week-days, arrive at Lock Haven 2:16 p. m., Buffalo 7:35 p. m.

at Lock Haven 2:10 p. m., Buffalo 7:35 p. m. VIA LOCK HAVEN-EASTWARD Leave Bellefonte 9:32 a. m. week days, arrive at Lock Haven 10:30 a. m.; leave Williams-port 12:35 p. m., arrive at Harrisburg 3:20 p. m. Philadelphia 6:22 p. m. Leave Bellefonte 1:25 p. m. week-days, arrive at Lock Haven 2:10 p. m.; leave Williams-port 2:58 p. m. arrive at Harrisburg 5:00 p. m. Philadelphia 7:32 p. m. Leave Bellefonte 8:16 p. m. week-days, arrive at Lock Haven 9:16 p. m.; leave Williams-port 1:35 a. m., arrive at Harrisburg 4:15 a. m., Philadelphia 7:17 a. m. VIA LEWIEBURG

VIA LEWISBURG Leave Bellefonte 6:40 a.m., week-days, arrive at Lewisburg 9:05 a.m., Montandon 9:15 a.m., Harrisburg 11.30 a.m., Philadelphia 3.17 p.m.

a. m., Harrisong H.S. a. m., Timas open 3.17 p.m.
 Leave Bellefonte 2.00 p. m., Montandon 4.45 p. m., Harrisburg 7.00 p. m., Philadelphia 10.47 p. m.
 For full information time tables, &c., call on ticket agent, or address Thos. E. Watt, Pas-senger Agent Western District, No. 360 Fifth Avenue, Pittsburg.
 W. W. ATTERBURY J. R. WOOD.

W. W. ATTERBURY, J. E. WOOD, General Manager. Pass'r Traffic Manager. GEO. W. BOYD, General Passenger Agent

BALD EAGLE VALLEY

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Market price will be paid fo Butter. are therefore compelled to instruct you to return a verdict "of not guilty." HOMAS WOOD & CO. TON & MONTREAL E. T. ROAN Edw. Stover, implicated in the Eby robbery, was sentenced to \$1 fine, costs Bishop St.,

John Moston, Jr-live in Rush township. Helped to take out the body of Dr. F. B. Reed-live in Osceola, and body lay opposite the window, but the I

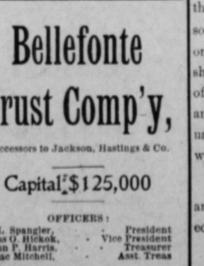
was buried on the 16th, and know it was requested by the defense to put their ofthe body of Michael McHugh. Saw no fer in writing and court adjourned at Q 4:30 to Saturday morning at 8:30 to give

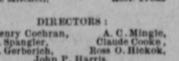
Michael McHugh. Saw the body in the morning counsel for the Commonwealth left ear was pierced, a spot of discolora- Charles and Howard Stewart and Win- Q tion over the left eye. There were other field Scott Gregg, in which Charles Stediscolorations of the body. , That he wart said to Gregg-you know you hit the left eye was made before death. der keg there, referring to keg tanding There were postmortem discolorations against the wall; that Charles Stewart of about the hips, his lungs were in a nor- said to Gregg-old man, you are older of cupation, being that of a coal miner, but advice; that Gregg replied, he didn't contained no water or air in them. The want any advice, and said to Charles lung did not bleed when cut, and would Stewart, I can read your mind as well as would be a congestion of the abdomen. trying to get me into a scrap, that From my examination I don't think that Charles Stewart further said that his the eye was a round, irregular discolora- ness, to which Gregg replied, that is all conjested stomach is also an indication into a scrap, I can read Howard's mind of excessive use of alcohol. This case too; that when one Irishman kills another some other Irish s. of b, will come

independent.

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NOW is the time to start. **OFFICERS** The plan is within the reach of all. Remember it is not what you EARN, but what DIRECTORS you SAVE that makes you





The Result

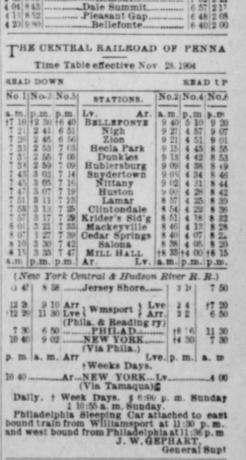
The presence of this bank in your home is equivalent to having a branch of our savings department always at hand. You don't miss it when you drop it in and what comes out surprises you. To

Temptation to Spend

so constructed that moneys once dropped in cannot be shaken out. This system is of SPECIAL IMPORTance to every salaried individual and working man or

It teaches children to save and encourages thrift and economy.

If busy, telephone or write, and our representative will call and deliver the bank free of charge.



WESTWARD.				BASTWARD.			
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VARIAREONTE CENTRAL RAILROAD

We want an account with every person in this vicinity. All business treated as confidential.