

SHOT INTO THE CROWD.

James Roney Placed on Trial for the Murder of Peter Tierney.

ARGUED THE HIGH STREET CASE.

Suit Against United States Marshal Harrah to Recover for a Lost Boat.

SPARKS FROM THE FORGE OF JUSTICE

James Roney was placed on trial in the Criminal Court yesterday for the killing of Peter Tierney. The history of the case is that on the last of April young Tierney, with a number of other boys, engaged in a stone fight on the hillside above Twenty-ninth street.

Arthur Steele and Charles Brown, two of the boys engaged in the fight, testified to the facts as stated above, and also that Mr. Roney fired two shots. Dr. R. B. Tindell, of the Homeopathic Hospital, testified to the boy's death from lockjaw.

For the defense James Roney, the defendant, testified to going out of the house to chase the boys away, when he found a revolver lying on the ground. He picked the revolver up and fired one shot into the air to frighten the boys. They pelted him with stones, and in putting up his hands to protect his face the pistol was discharged, the second time the bullet striking young Tierney.

Mr. E. M. Bigelow, Chief of the Department of Public Works, Mr. J. P. Andrews, J. H. Hunter and others testified to Roney's good character, the defendant having been in the employ of the city for 15 years.

In the arguments to the jury William Beardon, Esq., asked for a verdict of acquittal on the ground that the killing was an accident. District Attorney Burleigh asked that the defendant be convicted of voluntary manslaughter. Judge Ewing charged the jury and explained the law to them.

When the jury retired they were told that the court would reconvene at 8 o'clock. Shortly after that hour the verdict was brought in. The jury found Roney guilty of voluntary manslaughter and recommended him to the extreme mercy of the court. The prisoner was at once remanded to jail.

SWEEP AWAY BY THE FLOOD

Marshal Harrah Asked to Pay for the Steamer Robert McCleary.

The case against Marshal Harrah to recover damages for the loss of a steambot, swept away in the flood of 1889, was taken up before Judge Acheson in the United States Circuit Court yesterday. The Marshal had seized the steambot Robert McCleary in an admiralty suit in the District Court. James F. Dravo, William B. Rodgers, Charles H. Bingler and Mrs. Elizabeth McCleary held a mortgage against the boat for \$3,000.

While the boat was in the Marshal's possession it was tied to the piers of the Herr's Island bridge. There came the famous rise of '89 and sank the steamer. The plaintiffs brought suit to recover damages; alleging carelessness on the part of the Marshal in

tying the boat. The defendant's counsel asked for a non-suit on the grounds that the loss was sustained purely through an act of Providence, but the Court overruled the motion. The case will be continued to-day.

CLAIMS DISCRIMINATION.

Mrs. Lee, Colored, Sues a Theater for Damages Because She Could Not Have the Seat She Paid For—It is to Be Bought for a Test Case.

The suits of J. W. Lee and Susanna, his wife, colored, against Harry Davis, of the Fifth Avenue Museum and Theater, for discrimination and breach of contract, will be filed in the Common Pleas Court No. 3 to-day by Attorney Morrison. Mr. Lee declares the suit will be pushed to the last extreme, not for the amount of damages claimed, but as a matter of principle. He says his wife is as much of a lady as any who frequent Mr. Davis' theater and, as her husband, he will not allow her to be subjected to discrimination and rough usage on account of her color, when there is a law to prevent it.

In Mrs. Lee's affidavit before Prothonotary Bradley, she declares that on the 23d of October, 1891, she visited the museum and in the department of curiosities, on the second floor, purchased tickets for the stage performance on the first floor. When she descended she was compelled, by the employees of the house, to use the stairway set apart for men only, and when she reached the first floor found that portion of the building occupied entirely by men, whereupon she attempted to pass over to the department set apart for ladies, but was refused admission thereto, and on her repeated request to do so was forcibly and willfully ejected from the building by a policeman called by the defendant's employees.

She says that the defendant had no provocation for such conduct and deliberately and maliciously exposed her before the public in violation of his duties toward her as a citizen, against the peace and dignity of the Commonwealth and to her great damage, to wit, the sum of \$2,500.

Attorney Morrison says Lee will have no trouble in recovering on both charges, and he states that he has received instructions from Mr. Lee and friends, who have means to push the case to a finish. Mr. Morrison is also the attorney in the case of W. H. Austin, colored, against the Bijou proprietors, which comes up in Common Pleas No. 1 next week. In this case the plaintiff alleges that he bought a ticket personally for the parquet circle at the Bijou, but when he presented it for the seats called for on the coupons was denied the right to occupy the seats, and was seated in an inferior location in the building.

Trial Lists for To-Day.

Criminal Court—Commonwealth vs Henry and Barney Huser and W. J. Graft (murder), E. M. Neely, John Hanna, David Bradford, Charles Heinrich, Bridget Hanson, Mrs. A. Cain, William Glenn, Charles F. Goldstrom, Henry Weber, Thomas Paisley, Ross Koris, Oliver Peoples, Dallas Bumsbaugh. Common Pleas No. 1—Edgar vs Edgar, Lefkowitz vs Shapiro, Kinney vs Sauer, Walls et al vs McDonald & Co., Cleverly vs Graft, Watson vs McIntyre et al, Hadley vs Luther, Cummins vs Pennington, Fuller vs Morris, Larimer vs Metzer, Meek vs Liddell, Common Pleas No. 2—Hegner vs Peoples' Mutual Accident and Insurance Company, Havy vs Thomas, Commonwealth vs Lee vs Busch Bros. & Co., McDonough vs Citizens' Traction Company, Katslewski vs Gussall et al, Tannery et al vs Tannery, Altemaugh vs Penn Globe Gas Light Company, Betas vs Huff, Luce vs Citizens' Traction Company, Spielman vs Pittsburg Traction Company.

Injured at the Natorium.

The suit of Brady S. Richardson against the Pittsburg Natorium, is on trial before Judge Collier. The suit is for damages for injuries received by Richardson by falling into a plunge bath at the Natorium. Richardson was taking a Turkish bath and in going from a warm room to the shower-bath, he slipped and fell into the plunge bath, breaking one of his ribs. He alleges

that there was negligence on the part of the attendants and wants damages.

EIGHT CASES WERE ARGUED.

The Supreme Court hears the Attorneys in the High Street Case.

In the Supreme Court yesterday eight cases were argued. The most important was that of B. Rafferty et al vs the Central Traction Company. The case is one which involves the rights of all the street railways in the city, and the points brought out yesterday were published in THE DISPATCH several days ago.

An argument was heard in the case of H. C. Gearing vs D. W. Carroll, W. N. Kratzer and Samuel Miller, partners as D. W. C. Carroll & Co., Lim., appealed by the defendants from C. P. No. 1. The suit was to recover from individual members of a limited partnership, a debt of the firm.

An argument was heard in the case of William Foster against Robert J. and Agnes J. Carson, appealed by Foster from Common Pleas Court No. 1 of Allegheny county. The case is an action on a mortgage for \$700.

The argument in the case of Mary Davis against the Jefferson Gas Company, an action for damages for the right of way for a pipe line through appellant's property, was heard.

An argument was presented in the case of Hyman Browarsky against A. J. Milligan, appealed by Browarsky from Common Pleas Court No. 2 of Allegheny county. The case is an action to recover the price of a lot of empty beer barrels.

The appeal of Martin Quarters from the decree of the Orphans' Court of Allegheny county, distributing a fund in his hands as administrator for his deceased wife, was argued. The amount involved was about \$2,000, the earnings of Quarters which he turned over to his wife while living, and he in turn had deposited it in her own name. At her death the Orphans' Court distributed the money among three sons of the deceased wife by a former husband.

An argument was presented in the appeal of James M. Chadwick from the decree of the Allegheny County Orphans' Court, in the estate of B. H. Landwehr, deceased, excluding two heirs from a pro rata share of the estate.

The case of the Leechburg Foundry and Machine Company vs Jennings Bros. & Co., Limited, appealed by the plaintiffs from Common Pleas No. 2, was argued. The suit was an action on an account.

A BADLY MIXED HOMESTEAD DEED.

A Strange Building and Loan Case Brought Out in Court.

Sidney Fuller yesterday filed a bill in equity against the East End Homestead Loan and Trust Company to compel them to give him a deed to some property. The property was owned by Sidney McClure, who owed the loan and trust company a balance on it, and to secure the company he gave them a deed to it. McClure owed Fuller money, and when McClure died Fuller issued an execution. The property was sold at Sheriff's sale and Fuller bought it. To complete his title he offered, he alleges, to pay the company the balance owed by McClure and obtain from them a deed. They refused his offer and asserted that the property belonged to them. Fuller now asks for a decree that a mortgage from McClure to the company was a deed or security only for money loaned, and that the defendant be compelled to give him a deed to the property upon the payment of the balance of the loan to McClure.

Notes From the Courts.

The case of James Stratton vs Wm. Bellan action on a contract is on trial in Common Pleas Court. G. M. Roberts & Co., secured a verdict yesterday against Wilson and Phillips for \$38 77 on a book account. A divorce was granted in the case of

Ellen J. McPherson against John McPherson. Desertion was the charge.

A divorce was granted yesterday in the case of Julia K. Stiering against R. F. Stiering. Infidelity and desertion were the allegations.

Tax suit of Huokenstein & Co. against the Kelly & Jones Company, an action on a contract for the erection of a machine shop, is on trial before Judge Stone.

The jury is out in the case of Miffin township against the Carnegie Natural Gas Company and Patrick Foley, contractor; an action for damages for injury to a public road, caused by laying a pipe line on it.

In the case of Elizabeth S. J. R. B. E. and W. P. Wylie against the McKeesport & Bellevue railroad company, a verdict was rendered yesterday for \$600 in favor of the plaintiffs as damages for right of way through their property.

Brown J. Porter, in Criminal Court yesterday Mrs. J. Conway and Patrick McTigue, of Homestead, were tried for selling liquor without license, on Sunday and to minors. The suits were brought by Constable William McDermott, of Homestead. The jury is out.

HEAVY HUSBAND, Barney Huser and W. J. Graft will be placed on trial before Judge Ewing to-day for the murder of Henry Kelly. The murder was the result of a saloon row at Webster, Westmoreland county, in which Kelly was stabbed several times and died from his injuries.

A BILL in equity was filed yesterday by Thomas J. Ford and L. B. D. Reese, trustees under the will of Emma C. Strickler, against Mary Cordier, Emma M. Cordier, Henrietta F. Cordier and Annie McDonald. The plaintiffs and defendants are joint owners of two lots on Ross street, near Third avenue, and the suit is brought to secure a partition of the property.

Its Excellent Qualities

Command to public approval the California Fruit remedy Syrup and Fruit. It is pleasing to the eye, and to the taste, and by gently acting on the kidneys, liver and bowels, it ensures the eyes and stomach, thereby promoting the health and comfort of all who use it.

Procure it Before Leaving Home. M. B. Kilborn left the West and settled in Orange Valley, New Jersey. He now finds that his favorite remedy for croup is not sold there and is anxious to get a supply. Here it is in his own words: "Can you let me know if Chamberlain's Cough Remedy is to be got in New York City or is sold by any one in New Jersey? I want to get some; it being the best remedy I can find for croup. Since leaving the West I have not required any, but cold weather is coming on and I may need it and am only sorry I did not bring some with me." For sale by druggists. W. W.

The Farmers' Deposit National Bank Invite the public to call and examine their new safe deposit vaults. Information concerning the renting of boxes and deposit of valuables cheerfully given. M. W. F.

Portraits for Christmas Presents. This month, a handsome 8x10 frame with every doz. cabinet photos. Also genuine crayons at special low prices. Also genuine LIES' STUDIO, 10 and 12 Sixth st. M. W. S.

We'll sell you best Alaska seal coats at a saving to your pocketbook. See them at \$150, \$175 and \$200. The new shapes and a perfect fit. BOGGS & BURL.

Autofret, the Eminent Photographer, is doing a large business at his new and only gallery, 77 Fifth avenue, Pittsburgh, because of his fine cabinets at \$1 per dozen.

He made his wife smile when he brought home a fine Crayon Portrait of himself from Juvene Elite Photo Parlor, 515 Market st. W. F.

SIMEN'S children's shoes are the cheapest and best. Have a look at them. 78 Ohio street, Allegheny, Pa.

JAMES H. AIKEN & Co.'s neckwear display, 100 Fifth avenue.

LATE NEWS IN BRIEF.

Premier Abbott will reconstruct the Dominion immigration policy.

Recent storms have swollen the Punj-lup and Stik rivers in Washington out of their banks.

James Bosquet, colored, one of the Tennessee convicts liberated at Briceville, has been liberated.

In the month of October, the Brooklyn Bridge was operated at a loss of \$75,153. The expenses were \$181,745.

Blaine was the favorite Presidential candidate by all odds at the Republican jollification meeting at Topeka Monday night.

Engineers and firemen of the Belt Line Railroad at St. Louis are on a strike which may extend to railroads entering the city.

Four indictments against the Louisiana Lottery have been found by the Federal grand jury at San Antonio, for unlawfully using the mails.

The troubles between the French glass-blowers and their employes, which arose a month ago over the questions of time and wages, have been settled by compromise.

The United States Secret Service in Chicago, has suppressed newspaper cuts of all metallic tanks on the spar decks of naval vessels, and forbidding inflammable liquids

cuts is claimed to be a violation of the laws against counterfeiting.

A party of three men, H. Sibert, John Brinkman and Fred Larson, all under the influence of liquor, were boating at Vermilion, S. D. The boat upset, and only Larson was rescued alive.

Oregon's Democratic Governor, Penneyer, says New York by common consent will have the name of the next candidate for president, and the logic of events points to Governor Flower as the man.

The body of Rose Lawless, the youngest sister of Lord Clonoury, was found floating in a large lake on the family mansion grounds, near Naas, Ireland, yesterday. How she came to drown is unknown.

Two freight trains near Somerset, Ky., on the Cincinnati Southern Railway, collided Monday, killing L. Pierson, superintendent of the Jellico Company, fatally injuring Walter Clark and injuring five others.

Matthias Pierowski was applied yesterday for four other employes were so seriously affected that they will probably die, by the breaking of a gas main at the Illinois Steel Company's mill, South Chicago, Monday night.

The Secretary of the Navy has issued an order requiring spirits of turpentine, alcohol, all varnishes and liquid dyes to be kept in metallic tanks on the spar decks of naval vessels, and forbidding inflammable liquids

or explosives, except those permitted by the allowance books, to be brought aboard. The order is a result of the recent explosion in the forehold of the Atlanta.

Willie, the 5-year-old son of John Redding, of Trenton, N. J., was bitten by a dog on August last and has just died of hydrophobia. Two of his brothers who were bitten at the same time are ill, and the greatest fears are felt regarding their safety.

The Department of State has just issued, for the information of exporters, a new edition of the new Dominican reciprocity arrangement, containing an alphabetical list of all articles of American product or manufacture entitled to free admission into San Domingo.

J. K. Craigmiles, editor of the Brisson City, N. C., Times, is in jail at Atlanta charged with forgery. Sunday night he attempted suicide with morphine. Craigmiles says a young lady, well known in Atlanta society, is the cause of his trouble. He denies the forgery charges.

The Citizens' Executive Committee on the National Encampment of the Grand Army of the Republic, to be held in Washington next year, has decided to recommend the second week of October as the date for holding the encampment, and this action will be laid for approval before Commander in Chief Palmer and the National Council of Administration at a meeting in Washington to-day.

**WHEN OUR SHIP COMES IN.**

I. There's a trite old saying, known all nations o'er, It will meet you in whatever country you may roam, It is like a spark of home-life—always welcome, 'Tis the promise—"When our ship comes in."

II. It is haply twined together with Hope's blissfulness, And it always leaves Life's greeting at your inn, Promise parents or your true love with all tenderness—The end is, "Well—" "When our ship comes in."

III. If your health has flown, and with much pain you suffer, It may be Grim Dyspepsia has its grip within, You needs must starve, or misery endure forever, At least, "Until our ship comes in."

IV. Life's a misery, your pleasures are so very few; Perhaps you're dissipated, your liver's all out of trim, You lose all hope—there's nothing left for you, "Though friends say wait—" "Until our ship comes in."

V. Most certainly you wonder, and you speculate, "Can I be cured, or must the Reaper win?" The Doctor tells you plainly 'tis best to calculate "That you can live—" "When our ship comes in."

VI. That precious ship, so full for you of blessings, So laden with Health—and Hope, its priceless twin; 'Tis Nature's Remedy that gives you happiness; You'll bless the day, "When our ship comes in."

VII. The name? 'Tis Carlsbad Sprudel Salts, remember it forever, Its mission? To overcome—like virtue over sin—Dyspepsia, Constipation, and liver troubles sever From mankind, and now "Your ship has come in!" Laden with a consignment of Carlsbad Sprudel Salts for Elmer & Manderson Co., Sole Agents, 6 Barclay St., New York. Write them for a descriptive pamphlet. Sent free. The Salts at any druggist's.

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Everything you want in

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Glassware! Silverware!

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Stoves! Trunks!

**THIS BEDROOM FURNISHED COMPLETE AS SHOWN, \$54.50**

IF YOU NEED A BED LOUNGE OUR STOCK WILL PLEASE YOU.

**THIS IS A PICTURE OF OUR \$32 PLUSH PARLOR SUIT.**

If you want to spend more money look out our \$40, \$55, \$65, \$72 and \$80 Suits, made in plush and tapestry. They are exceptional values.

We could not begin to tell you here how many sorts we have of

**Jackets, Coats, Reefers, Newmarkets.**

Let a few words tell you volumes: **We have a stock that is equaled by no other in Pittsburgh.**

**PLUSH COATS, \$13, \$15, \$18, \$21.**

**CLOTH COATS, \$3, \$5, \$6 50, \$9, \$12, \$15.**

Worth 1/2 more elsewhere; and if you can't pay all Cash at time of purchase we will Trust you.

**Ranges, \$13.50, \$18, \$20 Stoves, \$9.50, \$13, \$17**

See if you can buy this fine Ebony Clock for the jewelers for less than \$14. Our price \$9.77. 10 inches high, 16 inches wide, gold dial, bronze trimmings, half-hour strike, guaranteed to keep correct time. We've only a few of them. You'll not get them again.

**THIS FINE Tapestry Covered COUCH, \$15.00.**

**MATTRESSES \$3.00, \$4.00, \$5.00, \$6.00, \$7.00, \$8.00, \$10.00.**

**BLANKETS \$1.00, \$1.25, \$1.50, \$2.00, \$2.50, \$3.00, \$4.00, \$5.00.**

**BED SPRINGS \$1.00, \$1.25, \$1.50, \$2.00, \$2.50, \$3.00, \$4.00, \$5.00.**

**THIS BRASS TRAY 16c—Size 14x18 inches—16c**

**THIS TRIPLE-PLATED TRAY, SIZE 14 INCHES, 8 CENTS.**

**THIS TABLE CASTER \$2.19.**

**THIS KITCHEN KNIFE, 9c.**

**This Griddle Greaser, 9c.**

**This Egg Beater, 5c.**

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