was just as uncompromising as Mr. Dunn in his declaration of a fixed belief as to the defendant's guilt or innocence. As an eyewitness of the scenes at Homestead on July 6 he had a positive impression which nobody required him to reveal.

When he had trotted away the challenges showered down till Adotph Steubner, a finelooking man with a gray mustache and im-perial, caused a diversion. On the list he was described as a Justice of the Peace at Millvale, but he told Mr. Marshall he was not. The only charge he pleaded guilty to was that of being an artist. Amid some smiles Major Montooth challenged the juror on the ground of improper description on the list, a J. P. and an artist being widely dissimilar. That challenge not sufficing, Mr. Steubner was removed from the arena by a peremptory challenge from the defense

The challenging and standing aside went on monotonously till the last name in the panel was reached. There were only five jurors in the box when the men who had stood aside were brought out for the second heat. Detective N. A. Bendel, very slightly disguised under the appellation of clerk on the list, was one of those who trembled on the verge and then fell outside the box. But the jury began to grow quickly now, and the last six men trotted under the wire at a Nancy Hanks gait.

The Jury as Completed.

Completed the jury stands as follows: Peter Roth, stonemason, Thirteenth ward, Allegheny; John Herron, farmer, Shaler township; Jacob Miller, farmer, Mifflin township; Amos Mashey, farmer, Marshall township; Christ Wygand, merchant, South



Versailles township; C. S. Eaton, repair man, Nineteenth ward, Pittsburg; Christ G. Sende, clerk, Third ward, Allegheny; James M. Wright, farmer, O'Hara town-ship; D. I. Herelehy, clerk, Reynoldton borough; W. A. Freyvogel, wireman, Fourth ward, Allegheny; Burns Wadsworth, millworker, McKeesport, and Louis Jackman, machinist, Fourth ward, Alle-gheny. It will be noticed that four of the jurors are farmers, and all the others are apparently workingmen, chiefly from the mills in and about chiefly from the mills in and about Pittsburg. John Herron was the foreman in the Garvin jury. The defense was ap-parently better pleased with the jury than the prosecution, although both sides ad-mitted that the jurors selected appear to be of the average intelligence and the sort of men to give the case a fair hearing. One of those who narrowly escaped serving was Charles Gerwig, the Allegheny Council-man. The Commonwealth showed a preference for farmers, and the other side seemed to hanker after city men, especially

handicraftsmen. The jury was sworn at 1:30, and efter the indectment had been read an adjournment for an hour was taken.

MR. BURLEIGH'S OPENING.

He Says the Jury and Prosecuting Attorney Must Do Their Duty-The Degrees of Murder and Biot Defined-What Will Be Proved.

In the afternoon the court was slow reopened for the prosecution. When the 67 A. Yes, sit.

Dale, was almost the next called, and he that there are often alleviating and excus-

able circumstances. "I would add," continued Mr. Burleigh, "that there are few cases of intentional murder where the murderer is excused. It is not common sense. If a man should deis not common sense. If a man should de-liberately fire a gun into a crowd, it would be murder whether he ever knew whom he had killed or not. Malice against a class is the same as against the individual. At the same time if several people should fire into a crowd and only one was killed, every man who fired would be guilty of murder. Where an act unlawful in itself is done and death ensues, it will be murder. It is also said and I want to be fair, that if the act is and and I want to be fair, that it the act is done heedlessly and carelessly, then it is manslaughter. You understand it the un-lawful act is done with the intention to kill or do great bodily narm it is murder. What Constitutes a Riot.

"A riot is defined to be a disturbance of the public peace by the unlawful assembly of three or more people in the execution of some private object. It must be shown that the riot was accompanied by force and violence calculated to inspire terror, either violence calculated to inspire terror, either by carrying guns, making threats or turbu-lent gestures. Individuals, although not specifically parties to the killing who are present and consent to the assemblage, are principals where killing is the common design. If they should kill one man, they are all guilty, for they must abide the outcome of their acts.

"Now, what are the facts in this case? We are not trying any treason or murder cases. We are simply trying the case of the Com-monwealth against Sylvester Critchlow, to find out what he had to do with the killing of T. J. Connors. These are the facts: On the morning of July 6 several barge loads of men went to Homestead. They were on lawful business, and violated no law of the State, of the United States, or of God. While trying to land they were fired upon from behind a steel barricade and from the hillside. After the first fire, hostilities ceased for a while. During the day we will show you that all kinds of deadly weapons were thrown upon these helpless people. Cannons, guns and revolvers were used.

Dynamite Among the Weapons Used. "Attempts were made to blow them up with dynamite and to burn the barges with oil. We will show that Sylvester Critchlow took an active part in the warfare; that he was behind the barricade shooting his he was behind the barricade shooting his rifle into the barges; that he was in range of the barges and shot in the direction of Connors. We will show that Connors was shot, brought to the Union depot, where he was in a dying condition. A priest was sent for and delivered the extreme unction of the church. Connors was then taken to the West Penn Hospital, where he died during the night. In view of what I have said, I think you will find Sylvester Critch-

low guilty of some crime. "One word in conclusion. This case will be tried by the officials of the county, and private counsel will not be allowed to interfere. The Commonwealth never seeks vic-tims. It only wants justice. It is our duty to investigate charges made against the detendant. If the evidence shows that ing to tell you so. By a parity of reason if it is shown that he is guilty, then it is your duty to find such a verdict.

CAPTAIN COOPER'S STORY.

The Pinkerton Chief Describes the Attack on the Barges-Connors Was Shot in the Right Arm About 11:30 in the Morning.

Dr. McKennan, resident physician of the West Penn Hospital, was the first witness called. He testified that he saw Connors about 9 o'clock in the evening of July 6. He was suffering from a gunshot wound in the right arm. The ball entered about three inches above the elbow, deflected upward and then downward. "I should say," he continued, "that the wound was caused by a large bullet, and it severed the main artery of the arm. He lived one and one half hours after I saw him. His death was due to the loss of blood, shock and exhaustion from the gunshot wound."

Mr. Brennen cross-examined.

and knives. They called us _____, scabs, blacksheep, and ordered us not to come ashore. We said we had come there to protect the property. They said they would protect it. The talk from the shore was loud, threatening and full of profanity. Q. How large was the first volley from the shore!

A. From 15 to 20 shots. The firing was continual for a time. About a minute after the shooting on the banks had started we opened fire. Kline, Hinde and Hoffman on the boat had been hurt before we fired. After the volley from the boat the crowd scattered, and we went into the barges. The men injured were on the bows of the barges. The bows pointed up stream, and the sides of the barges were toward the shore. After the people ran up on the hill the firing ceased for 2% hours. It was about two or three minutes from the time of the first vol-ley from the shore before the people ran up on the bank. The wounded were put on the Lattle Bill and taken to Pittsburg. T.J. Connors was not hurt in the first engage-ment.

ment. Q. What were the people on the bank doing during the first cessation of hostilities? A. Building breastworks. Q. How high were the breastworks? A. From iour to five feet and longer than a barge. The people on the boat did nothing toward those building the breastworks on the shore. They finished the job in about three hours. There was a large crowd in the mill yard, and the total number now was about 800.

bout 8 A Description of the Battle. Q. How far back into the yard could you see from the boat? A. Four hundred to 500

eet. Q. What kind of barges were there! A. Closed barges with doors in the front and

Here Captain Cooper was handed a pho-tograph of the scene, showing the location of the barges, the barricade and the build-ings on the fatal day.

Or the barges, the barried such that the barried sy.
Q. What proportion of the firing came from the barrieddes? A. The greatest portion. The firing commenced from the barriedde about \$250 in the morning. The weapons used were rifles, shorgans, dynamite, cannon and burning oll. The shooting from guns and revolvers came from the water tower, the breck building, breastworks and the Pennickey Bridge. The cannon shots came from benind the barriendes, I couldn't see the cannon, but knew it was a cannon from the shot. They didn't use regular balls, but loaded up with nuts, bolts, shugs and other articles. I knew they were cannon shots from the load reports. The shots tore holes in the barges where they struck.
Q. Where did the dynamite come from?
A. From behind the breastworks. I couldn't see, but I supposed they threw sticks. If a plece struck the roof it tore a big hole and went down through the bottom of the barge. Trying to Burn the Barges.

Trying to Burn the Barges. Q. How about the oil? A. A car was loaded with oil, set on fire and run down the bank

with oil, set on fire and run down the bank within 40 feet of the barges. The track ex-tended beyond the barges. Q. How about the oil raft? A. It was started about 400 feet in the river above the barges, set on fire and allowed to float down. It lodged along the shore about 50 yards above the barges. Q. How did the oil get into the river? A. I don't know. It must have been trans-ported there. I didn't seel it junited, but I saw it burning. The closest it goited, but I saw it burning. The closest it goited, but I saw it burning. The closest it goited barges was about 75 feet where it burned out. Q. How long did the use of these deadly weapons continue? A. Until about 1:20 in the afternoon. There was no firing after that.

that. Q. When did you last see Connors unin-jured? A. On the outer barge, forward part inside, about 11:30 in the forencon. He was going to the forward part of the boat that pointed up stream. Q. What distance was Connors from the door leading out of the barge? A. About 12 feet. The next time I saw him some of the man ware nickling him you from the floor

feet. The next time I saw him some of the men were picking him up from the floor. Q. How long was it from the time you saw him uninjured until he was picked up? A. About a minute. I turned my head when 1 first saw him, and when I looked around he was lying on the floor. He had been shot in the arm. He was placed on the dining room table.

Within Range of the Barricade.

Was Connors within range of the door and the barricade? A. He was. Shooting was going on from the breastworks. He was walking toward the door when I last saw him uninjured. The five men wounded in him uninjured. The five men wounded in the barge were taken out afterward to the Munhail station. They were carried out ahead of me. I saw Connors at the station, and heiped to take him off the car at the Union depot. I think he was between 23 and 24 years old. Q. Did you see Connors alive after he was taken from the depot? A. No, sir. I saw him buried from his home, No. 31 Montgom-ery street, New York. Q. What is your business? A. I am a de-tective employed by the Pinkertons. I have been working for them since 1867. At this point the avamination of wit-

At this point the examination of wit-

PANIC AT CITY HALL.

The Allegheny Municipal Building Used as a Pest House.

OFFICIALS ARE BADLY SCARED.

A Smallpox Fatient Promenades Through the Offices.

HE CALLED ON CHIEF ELLIOT ALSO

Charles Probert, afflicted with a welldeveloped case of smallpox, walked through several of the offices to Allegheny City Hall yesterday afternoon and terrorized the officials. Previous to this he had paid a visit to the Pittsburg Department of Charities and left the people there in an uneasy frame of mind. Probert is about 20 years of age, and his

father lives on Shady avenue, Allegheny. He has not been at home for a number of years, but has spent his time knocking about the world. Yesterday afternoon he turned up at the Pittsburg Department of Charities. He said he was very sick, without money and wanted aid. Mr. Hoffman found that the man belonged in Allegheny, and he sent him over. There were some of

the symptoms of smallpox about the fellow, but Chief Elliot and his men thought the man was suffering from auother disease. Probert went directly to Allegheny. He entered the health office and passed through it, Superintendent Muth's and Mayor Kennedy's offices, and then upstairs to the Chari-ty Department. Chief Grubb thought the nan was suffering from a severe attack of chickenpox, or possibly smallpox. He had him removed to the hospital department of Central station, and sent for City Physician Hazzard. The doctor was horrified when he caught sight of the man. A hasty ex-amination showed that Probert's face and entire body was covered with pox marks. He ordered him sent to the pest house at

The introduction of this horrible disease into the municipal offices came near driving every one out. The offices probert had passed through on his way to Chief Grubbs' room were all well-filled and each person was afraid they would catch the disease. Dr. Hazzard at once ordered the whole disinfected, but even this did not allay the fears of the fliocials. There were a number of people near the fellow for several min-

"The public health offices of Allegheny should be removed," said Superintendent Muth last night. "This smallpox case proves my claim. Probert walked through my office this afternoon where seven or eight people were congregated and I nor any of the rest had the least idea that the man had the disease. I am not particularly afraid of catching the malady, but I do not care to unnecessarily come in contact with a person who is suffering from it. None of is may take the disease and we may all take it. The Health Department should be isolated from all other public departments,

and steps should be taken at once to secure a proper location for it. "I understand that the medical fraternity

of the two cities expect an epidemic of smallpox this winter and if this be true something should be done at once to remove the Health Department as far from City Hall as possible. So many people of both sexes come here every day and night, that with the Health Department located where it is, the Health Department located where it is, smallpox or any other contagious diseases would spread from here easier than from any other part of the city. I believe in act-ing at once in this matter."

HUNTING A PATIENT.

Superintendent Baker Searching for Wanderer Who Has Smallpox.

Superintendent Baker, of the Bureau of Health, has a grievance against the West Penn Hospital authorities. He received a telephone message yesterday from them saying they had sent a smallpox patient to the Municipal Hospital. The victim has

found.

pital.

SHOT IN THE FOREHEAD.

A Man Unconscious From a Bad Wound Found on a Highway.

Several young men about 7 o'clock last evening found a man in an unconscious condition on the Evergreen road in Reserve township, near Millvale. Thinking he was stupefied from drink they carried him into a neighboring stable. One of the party struck a match to get a look at the man and was horrified to find a bleeding gunshot wound in his forehead, over the right eye. Dr. F. M. Fife, of Millvale, was imme-mediately sent for and after a careful examination pronounced the victim in a critical condition. He was at once removed to the Allesbury Gameral Homital and to the Allegheny General Hospital and Burgess Reed, of Millvale, notified. The place where the man was found was visited and a 32-caliber revolver with two empty chambers was picked up. After a thorough investigation Burgess Reed reports that the identity of the man remains a mystery. At the hospital the doctors say they can find nothing in the man's pockets to lead to the discovery of his friends and it is evident he tried to commit suicide. He is a little below the medium height, weighs about 180, is slightly bald, has heavy brown moustache and eyebrows and is fairly well dressed. His age is placed at 40 years.

NO MEETING HELD.

C. L. Magee Says the People Must Select the Mayoralty Candidate.

C. L. Magee denied emphatically that a meeting of the local Republican leaders was held last night for the purpose of deciding upon who should be the Republican candidate for Mayor of Pittsburg.

"The people must decide who the Republican candidate for Mavor will be," Mr. Magee said. "You see, I am not attending any meeting. I know nothing of any meeting, ing, and, as far as I am personally con-cerned, I want the people to nominate a Republican candidate for Mayor, and then I will help to elect him." Mr. Magee spent last night with a friend at the Hotel Duquesne. He had no con-sultation with political friends regarding

the Mayoralty nomination.

THE MARSHALSEA OF AMERICA.

This Is the Railroad Name of the New City Farm.

Marshalsea is the name of the station at the new City Farm. The name was selected by Superintendent J. J. Turner, of the Panhandle Railroad, and is very timely. This was the name of the old English prison where people were confined who would not or could not pay their debts. In Dickens' "Little Dorrit" the place was made famous, her father being character-ized as the "Father of the Marabalsea." The station is a mile west of Hastings and one mile east of Boyce. The order took effect yesterday. Trains leave Pitts-burg at 7:15 and 7:35 A. M., with stops there. Trains will leave there for Pitts-burg at 2:30 and 6 P. M.

Progressive.

Progressive. The Henricks Music Company, Limited, olds the leading position in the piano and organ business, and the members of the firm give their personal attention to every detail in the already large ousiness which they enjoy. Mr. John R. Henricks, the President of the company, is well known in this community, and has been connected with the music business for years. W. P. Hanna, Secretary and Treasurer, and Mark Pariti, Manager, are both pianists of note, so that customers can rest assured that as regards, style, tone, volume and general workmaship any instrument disposed of by this firm will be just as represented. firm at 101 and 165 Fifth avenue is almost piace about the 6th of December. The ware-rooms are a marvel of grandeur, and the fa-spitch in solid oak, the ceiling is con-structed of iron, and it is, to say the least as novelty as well as a beautiful work of art, histed in solid oak, the ceiling is con-structed of iron is worthy of the success an overly as well as a beautiful work of art, hist, the whole building is well worth a site attending their endeavors to carry on the solid oak, the ceiling is con-structed of iron is worthy of the success an overly as well as a beautiful work of art, hist, the whole building is well worth a site and the firm is worthy of the success on a then firm is worthy of the success on a sector of the building is well worth a site of iron is a the success to carry on a sector of the success of the success on a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of a sector of the success of the success of the success of a sector of the success of the success of the success of a sector of the success of the sponse will be a hearty one.

IT WAS A COSTLY EXPERIENCE. A German Wine Grower in Carrying

Present to a Customer Is Arrested and Fined-He Failed to Fulfill the Requirements of the Revenue Laws.

Joseph Bruening, of 636 Fifth avenue, arrived home yesterday from Germany, where he had been for five months. It has been the custom of Mr. Bruening to cross the ocean every year and spend at least a part of the time in the old country. The last trip was made on account of his failing

health, and he returns to Pittsburgh much recuperated and invigorated. Mr. Bruening, last evening, in speaking of his trip mentioned many interesting ineidents of his jaunt on the continent and while on the water. An accident befel a fellow passenger on the steamer Havel. It was decidedly embarrassing, and caused the gentleman not a little inconvenience for a time.

Anton Voight, a wealthy wine grower of Furnishings! Mainz, Germany, on leaving home for a trip through this country, was handed a small package with the request that it be given to August Busch, of the Anheuser-Busch Brewing Company, St. Louis, Mo., as a present from an old friend. It con-tained five large diamond lockets which were valued at \$2,000. Assortments that for completeness of variety and excellence of values are second to

none in the whole country. Mr. Voight slipped it in an inside pocket for safe keeping, and things went along nicely until the ship arrived at Quarantine. The staff Custom House officer boarded the For the convenience of our many gentlemen friends who cannot find it convenient to do their buying during the day our vessel, and began a search for dutiable goods. When it came Mr. Voight's turn to MEN'S be examined he declared he had nothing subject to a duty except a bottle of patent medicine worth \$1 50, and upon which he GOODS STORE paid a duty of 75 cents. He was allowed to Is kept open every Saturday evening until

0855. special Inspectors Brown and Donohue noticed that Mr. Voight was very uneasy as he came down the gang plank. Inspector ne came down the gang plank. Inspector Donohue, apparently stumbling on the dock, fell against the passenger. He put his hand, and felt something like a case in Mr. Voight's pocket. Inside the room they told him he must be searched. He flushed a deep red, protested and then asked the instant of the source hum such a discrease

the inspectors to spare him such a disgrace. They insisted on a search and in his pocket found the package containing the jewelery. Mr. Voight was dumfounded, but could do nothing. He protested his innocence, apparently never dreaming that he was violating the custom laws by carrying a present to a friend. Greatly chagrined and lispleased at his predicament, he was placed under \$10,000 bail and the duty on the goods doubled. In all it cost him about \$500 to square himself with Uncle Sam's officers and his opinion of the United States tariff aws was considerably lowered by this costly and unpleasant episode, if his expressions were to be taken as an index to his inner

THE SISTERS WANT HELP.

An Old-Fashioned Thanksgiving Dinner at Mercy Hospital.

thoughts.

The Sisters of Marcy at the Mercy Hospital are preparing for the annual Thanksgiving dinner given to the patients of that institution. With this end in view they issued an appeal to the charitably inclined public asking for donations for this purpose. During the past year the hospital has done an immense amount of work. At pres-ent all the wards are full.

All the substantials and luxuries which All the substantials and luxuries which go to make up a Thanksgiving dinner will be gladily received. Turkeys, chickens, meats, celery, fruits, jellies and eatables of all kinds can be left at the hospital on Stevenson street any day between this and Thursday. This is the first time the Mercy has appealed for public aid in getting up its any disparse and it is to be housed the reannual dinners, and it is to be hoped the re-

AFTER a night with the boys Yours for a clear head-Bromo-Seltzer.

MEN'S WALL PAPER. WINTER GLOVES:

New designs and colorings received daily. Our stock comprises a collection, unsur-

passed, of the very latest and most fash-ionable styles and shades of Men's Gloves in the leading world-famed

or lower prices than you would pay elsewhere for makes inferior and less We sell the finer to finest sorts in Wool, Merino, Silk-and-Wool, and pure Silk. The specials for to-day and to-night are: A lot of fine Natural Wool Shirts and Drawers at \$1.25 per garment; usua price, \$1.50.

Other equally good values at 75e to \$1. A lot of fine Camel's Hair Shirts and Drawers at \$1.50 per garment; usual price, \$1.75.

Many who have heretofore purchased

It is an excellent time to make selections.

Special attractions are always offered in the way of extra low prices on the best

The best goods in the world at the same

furing the day have been coming of late on

NEW ADVERTISEMENTS.

Dry Goods House. Saturday, Nov. 19, 1892.

JOS, HORNE & CO,'S

PENN AVE. STORES.

Gentlemen's

Winter

Pittsburg, Pa.,

The Leading

MEN'S

O'clock.

goods.

MEN'S

WINTER

UNDERWEAR:

Saturday nights.

- WINTER
- HOSIERY:

The "Stag's Head" brand is on the best medium grade Hosiery in the world, without exception. Cotton, Merino and

Wool Sox at 24c per pair. A complete new stock of the heavy winter weights in Cotton, Merino, Wool and Silk, in all qualities to finest made.

To-day and to-night we offer an unusual bargain in A lot of fancy striped Merino Sox, mostly Silk stripes, in good, fashion-able colors, at 25c per pair; regular price, 50c per pair.

morning supplemented by a number of millworkers rushed in. The little enclosure in the rear of the room was soon jammed. The people manifested the most intense interest in the case and listened attentively and orderly all afternoon to the testimony. The veteran Thomas M. Marshall took

seat alongside the witness box and watched the proceedings carefully. Once he interrupted Mr. Burleigh in his opening address to the jury to make a suggestion that the District Attorney partially accepted.

To Mr. Brennen was assigned the job of cross-examining the witnesses, but he didn't have much to do. His work will begin this morning, when he will put Captain Cooper, the Pinkerton, through the mill. W. W. Erwin, the St. Paul lawyer, who is said to be a hard fighter and a good orator, deposited his elongated frame in a chair back of Mr. Brennen. He whispered frequently to his colleague and made a note of what he thought were weak places in the evidence.

The Man From Sloux City,

Argo, the Sioux City man, who wears his hair brushed back from his forehead as it a cyclone had passed through it, sat at the remote end of the table with his law clerk. William Reardon, John Cox and Major E. A. Montooth sat nearby apparently taking things very easy.

On the prosecuting side were District Attorney Burleigh, John S. Robh, D. F. Patterson and E. Y. Breck. Mr. Burleigh is conducting the case for the Common wealth. In his opening to the jury, Mr. Burleigh dwelled to a considerable extent on the law as expounded by Wharton. He explained very clearly the distinctions be-tween the degrees of murder and how they are defined.

In his speech the District Attorney said: "This is the case of the Commonwealth against Sylvestor Critchlow and others for for the murder of T. J. Connors. The duty of the jury and counsel in this case is the same as in any other. Under this indictment it will be your duty to render one of four verdicts. You can find the defendant guilty of murder in the first or second degree, voluntary manslaughter or not guilty. The verdict in any instance will depend for its validity on the law and the facts.

Defining the Crime of Murder.

"Murder at common law is where a man of sound mind and memory unlawfully kills a reasonable creature in being and under the King's peace with malice aforethought, either expressed or implied. Murder is the unlawful and malicious killing of another. uniawiul and malicious killing of another. The term malice in law is more reaching and comprehensive than the term is ac-cepted in common life. It implies in the law not only ill-feeling or a private grudge, but where a person in the killing acts with cruelty, savagery or brutality, or is unduly reckless, having no regard for his relation or responsibility to society. In the old common law no distinction was made between cases where the man intended to kill and where he had no intention of striking a fatal blow. Our own State about 100 years ago was among the first to divide murder

"The different degrees are defined by statute. If this defendant is found guilty, it must be because the murder was wilfu deliberate and premeditated. If the jury is satisfied and finds from the evidence that the defendant intended to kill in the act complained of, then it is murder in the first degree. Thus it a man who uses a deadly weapon like a gun on a vital part without any qualifying circumstances, it is a rule of common sense that he intended to kill.

The Lower Grades of Murder.

"All other kinds of murder except where the intent is proved, is murder in the second degree. Now manslaughter is the unlawful killing of another without malice expressed

Mr. Marshall interrupted, and suggested

first about 9 o'clock? A. I said I saw him between 8 and 8:30. Q. Didn't you swear then that the ball en

tered the right arm two inches above the elbow, striking the anterior part and emergine downward? A. Not that I know of. Q. Was this necessarily a fatal wound? A No. sir.

Superintendent Cowan, of the West Penn Hospital, was the next witness. He said: Connors was brought to the hospital in an ambulance. He arrived there about 8 o'clock in the evening. His condition was bad. The man said his name was Connors and he lived on Montgomery street, New York. Was with him when he died. He died in the ward of the hospital. The un-dertaker got the remains at 12 o'clock that night. No cross-examination.

The Ambulance Driver's Testimony. John Williner, ambulance driver of the

hospital, told how he went to the baggage room of the Union depot about 8 o'clock in the evening. He found a man at the sta-tion and took him to the hospital. He got back about 8:15. Mr. Cowan was in the operation room. He brought two men to the hospital that night. Didn't know their names. Both were living when taken

Mr. Cowan was recalled and said Williner drove the ambulance in which Connors was brought to the hospital.

Father Leonard Lynch affirmed. Mr Brennen objected to some of Mr. Burleigh's questions as leading. Father Lynch said: "I went to the Union depot and found five wounded men there. I asked one what was his name. He said it was Tom Connors, and he lived either at 31 or 33 Montgomery sweet, New York. He was suffering from a wound in the right arm. I saw the blood running from it. I heard his contession." Mr. Brennen-We object to that. No further questions were asked by the prosecution and there was no crossxaminatio

Captain J. W. Cooper was the first of the Pinkertons on the stand. He speaks in low tones and is hard of hearing.

tones and is hard of hearing. Mrr. Burleigh-Where were you on the morning of July 67 A. On the barges at Home-stead; we had two barges lashed together. Q. Where was Connors. A. On the barges. Q. Where did you land? A. In front of Carnegie's mills and above the Penickey bridge; the Little Bill took the barges there. We had 200 men on the barges; Sheriff Gray and the crew were also on board. It was just breaking day at 3:30 when we tried to iand. Before we got to the bridge a large crowd on the bank fired upon us. When we got out the gang plank the crowd ran down and one man threw himself upon the plank to keep us (rom landing. The Battle of the Barges Begun.

The Battle of the Barges Begun.

They fired upon us and then I ordered my men to do the same. The first volicy evi-dently went into the air, for nobody fell. The second volley was more effective, for I saw some fall. The crowd numbered from 400 to 500, armed with clubs, rifles, pistols to-day for the first time."

A DISPATCH ADLET

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ness by the prosecution ended. It was 5 o'clock and Judge Kennedy suggested that the court adjourn until 9:30 this morning, though he was willing to remain if the counsel desired. Mr. Brennen said he would like to cross-examine while the testimony was fresh in his mind. It was inally sgreed to quit for the day. The ase will be resumed this morning. finally

GROUNDS FOR APPEAL

Mr. Brennen Claims That the Slips in the Jury Wheel Are Not Uniformly Folded -The Possibility of Fraud Always Pres-

ent. After the jury had been drawn in the Critchlow case Attorney Brennen asked that the indictment be quashed for two reasons. He claimed first, that the grand jury

had not been impartially drawn, and secoud, that the slips put in the wheel from which the grand jury was selected were not folded uniformly, the 1,500 slips deposited by Judge Slagle were folded at one corner, while those of the Commissioners were turned over at both ends. Judge Kennedy overruled the motion. If Mr. Brennen's point had been sustained the indictments found in all the Homestead cases would probably have fallen. Mr. Brennen says trankly if the verdict should

to \$27,300. be adverse to Critchlow he will appeal to the Supreme Court on the same ground. When seen last evening Mr. Brennen said: "I do not accuse anybody of tamper-ing with the jury wheel, but the slips should certainly be uniform. The wheel was filled with 4,500 names last December and about 1,000 remain. Suppose in draw-ing the jury someone should put his hand into the wheel. He could easily tell from the folding of the tickets whether Judge Slagle put them in or the Commissioners. Naturally a judge deposits the names of business men, and it might not be good policy to have them on a jury in some cases. These slips could be turned aside.

Why, of the 60 jurors called to-day I know that 26 of them were Slagle men. This should not be. If the tickets were uniform nobody could tell what was coming out of the wheel. I can say that if the Louisians Lottery was conducted on such a principle, it would soon be turned down. The man-agers would know where the big prize was and they could draw it when they saw fit.

"Now, I do not accuse anybody. I don't believe for a moment that the slips were folded as they are intentionally, but I will wager that they will be uniform in the fut-ture. With such a system of irregular fold-

ing there is always the possibility of fraud and jobbery. If the case should go against us, we have the best grounds for appeal. No, all the cases tried this year could be upset in the same way, for the reason that

sessed at \$21,513. The appent was based on the fact that the properties were not rated alike. Mr. Loughrey represented the ap-peals on both pieces. These appeals occu-pied the attention of the master the entire afternool asked to extend the time in which the appeals may be heard.

A LUCKY SPORTSMAN.

Dr. Burgoon, of Allegheny, Makes a Big Record at Huntsville. .

Fish Warden Hague returned from Huntsville several days ago, and yesterday he was followed by Dr. J. A. Burgoon, of Allegheny, who accompanied him there. The place abounds with both fish and game. This was evidenced by the bag full Mr. Burgoon brought with him. He had 193 quails, 67 rabbits, 14 mallard ducks, 9 pheasants and 3 wild geese. They were all bagged in four days, and the doctor only devoted three hours each day to shooting. The birds were all shot on the wing and the

rabbits, while running. Mr. Hague is getting up another party for there next week and still wants some recruits. Huntsville is 75 miles northwest of Columbus.

A NEW RICHMOND.

John W. Jiles Said to Have Entered the Fight for the Postoflice.

Jury Commissioner Mullen said last night that John W. Jiles, of Harrisburg, a clerk in the office of Secretary of State Harrity, was circulating a petition in Lawrenceville asking for his appointment as

ostmaster of Pittsburg. Mr. Jiles has not been in Pittsburg since the electron. He is a warm personal and political friend of Secretary Harrity, and his friends in Pittsburg are confident that his application for the postoffice is significant.

DR. B. M. HANNA. Eye, ear, nose and throat diseases exclusively. Office 720 Penn street, Pittsburg, Pa.

Go to the obrysanthemum show to-day or this evening; it is the finest display ever made in this city, and this is the last day.

