

The Bloomfield Times.

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NEW BLOOMFIELD, PENNA.

HON. JOHN COVODE died very suddenly at Harrisburg, last Wednesday.

Our thanks are due Dr. Milliken, of the House of Representatives and J. R. Dunbar, Esq., Sergeant at Arms of the Senate for public documents.

THE WAR in Europe is progressing very slowly. The siege of Paris is vigorously maintained and the Prussians batteries have at last begun the bombardment though as yet not able to damage any portion of the city except the suburbs.

CONGRESS, since the holidays have been mostly occupied in "cussing" and discussing the San Domingo purchase.

SECRETARY Boutwell received, the other day, from the West, a curious letter. The writer said he was the father of triplets, and somebody had told him there was a fund set apart, out of which was given a bounty to parents having such a run of luck.

AS YET the State Legislature have done little more than form the various committees and get ready for business.

On the 6th inst., just as the evening train was leaving Albany to cross the Hudson river bridge, a man sprang into the American Express Company's car, and shot the express messenger, Thomas A. Halpine, through the neck, in the right eye, and in the right ear.

The crime was not discovered until the train had stood at East Albany depot some minutes, when the wounded messenger crawled to the door of the car and attracted attention.

Gov. Bowie has signed the death warrants of John Howard, convicted of murder in Allegheny county; of Mary Wallis, colored, convicted of murder in Prince George's county; of John Martin, also colored, convicted of rape in Frederick county.

THE BOYER TRIAL.

Last week we published the testimony of the Commonwealth, nearly entire; but as the trial is ended, resulting in the entire acquittal of Mr. Boyer, we will not occupy our space by publishing the entire testimony of the defence, but give the theory of his counsel, and the charge of the Judge, which briefly refers to all the main points of the evidence.

CHARGE OF JUDGE GRAHAM. The prisoner at the bar, Thomas J. Boyer, is indicted for the murder of his father, and mother, brother and sister.

The theory of the Commonwealth is that in this case Chloroform was first used so as to cause death or total insensibility, and that the house was set on fire and burnt to conceal the crime.

Thomas J. Boyer, the defendant lived in this town. The father, John P. Boyer, lived in the country, on his farm, near Markleville, a small village 7 or 8 miles from Bloomfield.

On Thursday and Friday, the defendant stated, that he and his father were engaged in cutting wood; that on Friday evening he milked the cows for his mother and assisted her in other domestic duties, and at night before retiring he filled the oven of the cook stove with wood, at his mother's request, assisted her to fill the lamp with coal oil, and went to bed about half-past ten o'clock.

The crime was not discovered until the train had stood at East Albany depot some minutes, when the wounded messenger crawled to the door of the car and attracted attention.

The theory of the Commonwealth's counsel is, as we have said, that the deceased were killed or rendered insensible by the use of Chloroform and the house set on fire by the defendant.

Ards' office, in Bloomfield, some time between Thursday the 13th of Nov. 1870, and the following Wednesday, at 6 p. m. Dr. Ard left town on Thursday afternoon, the 24th, and returned the following Tuesday evening, but did not miss the Chloroform until Wednesday evening.

In addition to the evidence to which I have briefly adverted, the commonwealth to show the motive of the defendant, has given evidence of the circumstances of the deceased. That John P. Boyer and his wife owned real and personal estate worth between seven and eight thousand dollars, and that the surviving heirs were two brothers and one sister.

On the part of the defence, the theory is that the fire was accidental; that there is no evidence that the bottle of Chloroform was taken from Dr. Ard's office by the defendant; that the evidence amounts to nothing more than vague surmise and conjecture; and that the evidence of the physicians show it to be very improbable and not all likely to happen that a person ignorant of the manner of administering Chloroform could so place 7 1/2 ounces on the floor, or on the bed clothing, sufficiently near the respiratory organs, as to cause insensibility, without awaking every one of the four persons sleeping in the room.

William Harvy states, in 1840 in Shirleyburg, he was present and witnessed the fact of three persons suffocated in their beds in a burning house before there was any fire in the room in which they were sleeping.

This evidence makes the fact that the deceased were found lying side by side, as they would be in sleep, of little value in proving that they were insensible from the effects of Chloroform, which prevented their escape from the burning house.

As to where the fire originated, the evidence is contradictory. While the evidence on the part of the Commonwealth tends to show that the fire originated in the southeast corner, the evidence on the part of the defendant tends to show that it first commenced in the south-west corner.

On the subject of the prisoner's conversation with Dr. Ard about replacing the bottle of Chloroform, defendant's counsel argue that from a conversation with Dr. Sweeney defendant was pressed with the belief that the missing bottle of Chloroform might result in his conviction although innocent; that greatly depressed in mind from the loss of his parents and tortured at the enormity of the crime with which he was charged, the murder of a father and mother, and little brother and sister, which the evidence shows he loved so well, his mind possibly partly unbeing, incapable of reflection or the exercise of his judgment; in this state of mind he made the request stated by Dr. Ard, rash, inconsiderate and desperately wicked as it was.

Again, defendant's counsel urge that defendant's conversation with Mr. Black is not evidence of guilt. Mr. Black states that in one of the many conversations with the prisoner, the prisoner said, "murder will out, the innocent shan't suffer."

the murderer would be discovered and that he, an innocent man, would not be permitted to suffer. And that this accords with the solemn appeal to his Maker, afterwards made in the presence of Mr. Black, that if he committed that act may God paralyze him on the spot he was standing.

The defendant's counsel have given evidence of the affection of the prisoner for the deceased members of the family. The evidence on this subject is full and uncontradicted. That he was a kind and affectionate son to his parents; would relieve and assist his mother in her domestic duties; that even after his marriage and after he had left the parental roof, when he visited his parents he would milk the cows for his mother, carry water for her, and do other acts of kindness; that he was kind and affectionate to his father, and brother and sisters considered him his father's favorite child.—The evidence as to his feelings for his little brother and sister is equally strong; that he evinced strong affection for them.

We have briefly reviewed the evidence in the case; and we say to you that, to justify a conviction, the evidence must produce on your minds more than a strong suspicion; more than a strong probability of guilt. It must satisfy you beyond a reasonable doubt, and to a moral certainty that the prisoner is guilty of the crime with which he is charged.

The evidence in this case is entirely circumstantial. An opinion is sometimes entertained that no one ought to be convicted of murder on circumstantial evidence, but this is erroneous, for circumstantial evidence may be quite as satisfactory and convincing as positive proof.

The law presumes every man innocent until his guilt is proven. The accused is not required to prove his innocence, that the law presumes, and he is entitled to the benefit of that presumption until his guilt is proved by the Commonwealth; and to justify a conviction the guilt of the accused must be proved to a moral certainty. A reasonable doubt, you will understand, to work an acquittal, must be serious and substantial, not imaginary nor the mere possibility of a doubt.

The tragedy you are now required to investigate, in which an entire household, consumed in their burning dwelling, if intentional and not accidental, is fearfully horrid, and has been called "the Perry county horror." It almost surpasses credulity to believe that a heart possessed of such demoralized attributes ever pulsed within a human body.

After thus considering the evidence, solemnly, calmly, carefully, and deliberately your minds free from passion, prejudice, bias, and from impression or opinion as to the guilt or innocence of the prisoner, if you entertain a reasonable doubt of his guilt, the law requires you to acquit him; if, on the contrary, you have no reasonable doubt of his guilt, then it is your duty to render a verdict of guilty.

A gentleman who suffered for years from Nervous Debility, Premature Decay, and all the effects of youthful indiscretion will, for the sake of suffering humanity, send free to all who need it, the recipe and direction for making and using the simple remedy by which he was cured.

READING RAIL-ROAD. WINTER ARRANGEMENT.

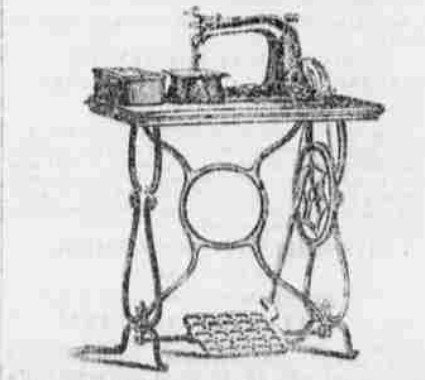
Monday, Nov. 21st, 1870. GREAT TRUNK LINE FROM THE NORTH and North-West for Philadelphia, Pine Grove, Reading, Pottsville, Tamona, Ashland, Shamokin, Lebanon, Allentown, Easton, Ephrata, Litz, Lancaster, Columbia, &c., &c.

Pennsylvania R. R. Time Table. NEWPORT STATION. On and after Dec. 4th 1870, Passenger trains will run as follows: WEST.

DUNCANSON STATION. On and after Sunday, Dec. 4th, 1870, trains will leave Duncanson, as follows: EASTWARD.

Stage Line Between Newport and New Germantown. STAGES leave New Germantown daily at four o'clock a. m.

THE BEST IN USE THE PARHAM NEW FAMILY Sewing Machine



I combines all the best features of other good machines, with New and Valuable Improvements, which make it THE EASIEST AND MOST QUIET RUNNING as well as the Most Simple Machine in Use.