

Found Guilty.

A Story of Circumstantial Evidence.

OUR district court was in session, and in the evening, during the recess a small party of us were assembled in the private room of the presiding judge, a man fully up to three-score-and-ten, with one guiding light while upon the bench, justice, strict and impartial; and to while away the time he told us a story as follows:

"Years ago I was Prosecuting Attorney for my judicial district. I was young then a little more than thirty—but had worked hard to instruct and improve my profession. When I became District Attorney I meant to do my duty, and as I felt myself, in a measure, pitted against the whole bar, I gathered my strength and prepared to marshal all the forces at my command.

"At length came what I had long desired—a capital trial. It was a case of murder, seemingly of the most atrocious character. The Attorney General came down to attend, but when he found how well I understood the case, and how thoroughly I had prepared myself, he did not propose to bother himself. He would leave me to conduct the prosecution, holding himself in readiness to render assistance, or offer suggestions in case of need.

"The case came on, and I presented the Government's complaint, and the grounds thereof. The prisoner at the bar was Charles Ashcroft, a young man of five-and-twenty—intelligent and handsome—and about the last man in the world one would have selected as a murderer. Yet he stood thus charged, and the evidence was overwhelming against him.

"The facts as elicited in evidence were these: Ashcroft had been a teacher in the academy of the town where he resided, and where the killing had been done. He had waited upon a young lady, named Susan Lattimer, and had evidently loved her very dearly; but it seemed that Susan was not inclined to be constant. A wealthy suitor presented himself for her hand, and she cast off the poor pedagogue and accepted the new comer.

"One Saturday afternoon Susan Lattimer went on foot to visit an uncle who lived two miles distant, and to shorten the way she took the cartpath through the wood that stretched down between the two sections of the town. Shortly after she was seen to enter this wood Charles Ashcroft was seen to follow her with a double-barrelled gun upon his shoulder. Susan Lattimer went to her uncle's, but finding only a servant of the family at home, she started back at once by the way she had come.

"In the wood on her return, she was met by Ashcroft, who stopped her, and upbraided her for her desertion of him. Two girls—one fourteen years of age and the other a year younger—who had gone to the wood for the purpose of gathering beechnuts, passed the twain while they were conversing, and heard Ashcroft 'swearing terribly,' as they expressed it, at Miss Lattimer. They heard him declare that he 'would as lief die as not,' and they heard her say, 'Don't kill me!' at this point the altercation frightened them, and they ran away.

"Charles Ashcroft returned to his boarding-place, pale and agitated, with both barrels of his fowling-piece empty but with no game. Later, the body of Susan Lattimer was found in the wood, not far from where the altercation had taken place. She had been shot dead, the whole of one side of her face and head having been shockingly torn by a heavy charge of pigeon-shot, evidently discharged with deliberate aim, and at a very short distance. Some of the shot were extracted and exhibited to a store-keeper in the village, who unhesitatingly declared it was exactly such shot as he had sold on that same Saturday to Ashcroft.

"In response to this Ashcroft could only deny, in the most solemn manner, that he had not thought or offered harm of any kind to the deceased. He admitted the truth of the statement made by the two girls; and he admitted that he had purchased the shot as the store-keeper had said. His story was, that on Saturday afternoon he had gone into the wood to shoot pigeons. He did not know that Miss Lattimer had gone that way. He met her unexpectedly, and foolishly allowed himself to give vent to his feelings of indignation. For words spoken on the occasion he hardly felt himself responsible. In fact he could not remember what he did say. After talking until they had both become exhausted by intensity of feeling, and Miss Lattimer had fallen to crying bitterly, he bade her farewell, and told her he had troubled her for the last time. She sat down upon the log by the side of the path, still crying, and asked him to leave her. He obeyed her, and saw her not again until he saw her dead. In explanation of the empty barrels of his gun, and no game, he said that he had met Miss Lattimer before he had seen any pigeons, and that after leaving her he had no heart for sport. He had discharged his piece in the edge of the wood into the empty air, as he had never allowed himself to deposit a loaded gun in a dwelling house.

"There is no need that I should give you the details of the trial. Suffice it for me to say that I felt my reputation at stake as Prosecuting Attorney. The State was my client, and she demanded that I should succeed. Able lawyers were arrayed against me, with money and social power to back them, and I must overcome them in the combat if I could. I marshalled my forces and disposed of them in the best possible manner. I threw my whole soul into the work, and used every means possibly presented. I took the connection of the prisoner with the homicide as granted. Then I drew a picture of the murder which made the jury shudder and quake as they sat; and I demanded that outraged justice should be vindicated; that the community should be protected; that our homes, and our highways, and by ways, should be safe to the innocent ones whom we loved. I held the prisoner up in colors so frightful and hideous that he fainted outright in his box; and then this circumstance I caught up and turned against him. I fairly carried the jury by storm; and our sympathetic and good hearted Chief Justice had allowed all his sympathies to be expanded upon the distressed and heart-broken parents and brothers and sisters of the deceased. The counsel for the prisoner were outflanked and overpowered, and they struggled hopelessly. In the end a verdict of the first degree was rendered, and the prisoner was sentenced to be executed.

"I was jubilant and proud at the close of the trial and both bench and bar complimented me. I went to my home expecting my wife to congratulate me warmly. She had been present through most of the trial, and had witnessed my triumph. But she said not a word. When I asked her if she did not join me in gratitude for my success, she shook her head.

"I am proud of my husband's legal fame," she said, "but I cannot feel grateful in the present instance. I think Edward, you have condemned an innocent man!"

"The words struck me like a bolt of lightning,—not only the words, but the more than human feeling with which they had been spoken. I recovered myself, and laughed at the gentle woman for her misplaced sympathy. I asked her to look at the evidence."

"Look at the evidence?" she demanded. "There are unseen evidences as strong as those which are palpable to sight and hearing. The heart feels them, and the calm judgment endorses them. As I live I do not believe Charles Ashcroft ever knowingly or willingly did harm to that dead girl. He knows no more how she met her death than do I."

"The flurry of conquest was over, and in my own sanctuary I sat down and reflected. I took up now the case of the defendant, and went over the whole business from beginning to end. Shutting out the evidence directly implicating the prisoner, there was no human being who could have believed him guilty. What, then, was this evidence? Did it directly connect him with the killing? No. Only circumstantially was he connected therewith. Was it possible that some one else could have done the deed? Aye, a thousand times. Was it more probable that some one else did it than that Ashcroft did it? Here was the rub. I had seen guilt in many forms, and had seen innocence accused. I had seen the guilty wretch attempt to hide his guilt and had heard him deny it *in toto*. And here came in the evidence which my wife had experienced, and which I could feel, but which could never be presented to a jury of ordinary men with moving power. In the bearing of the prisoner there had not been one shadow of that brazen impudence which is sure to crop out somewhere and somehow, in the demeanor of guilt long struggling to effect innocence. Nor had he displayed the despair of the hopelessly entrapped criminal. On the contrary, he had presented, as I could calmly review the scene, crushed and broken heart—a manhood staggering under a frightful incubus, and a shivering, shuddering sensitiveness under the suspicious resting upon him. Now that I had won the victory, I could afford to judge without prejudice, and I found myself, ere long, in trouble. I had condemned the man; I had consigned him to the gallows.

"How—how could she have come to her death if he did not kill her? What other way is possible?"

"I had mused loud at this point, and my wife had heard me."

"There are many ways," she said, with a directness which showed that her thoughts had been in company with my own. Ashcroft left her sitting upon a log crying. When she got up to start for home she blundered along almost blindly thinking of nothing but the betrayed lover she had sent from her. There have been plenty of pigeons in those woods, and others besides Charles Ashcroft were in all probability hunting there on that Saturday afternoon.

"Did you never hear of persons being shot by sheer accident in such places? What more easy than for Susan Lattimer to have suddenly come into range of a gun already aimed, with the finger of its owner pressing the trigger?"

"But," I cried, startled at the thought, had such an accident occurred the man would have come forward and owned it."

"It was not a man; but a boy," said my

wife; "and the catastrophe frightened him out of his wits—a boy who knows not the grades of homicide—who fears that the gallows would follow a revelation of the deed."

"I cannot tell you, gentlemen, how that thing worked upon my mind. I came to believe that my wife had truly solved the problem; and the more I reflected the more firmly became that solution fixed in my faith. The time for Ashcroft's execution was drawing near. How could I save him? There was but one way. A new trial without some new evidence was out of the question. I must set him free. I could not see him hanged. I visited him in his cell, and came away sure that he was innocent. I asked my wife if she had the will and courage to help that man to break his bonds. She flashed in the glory of her woman's power like an impatient soldier. I told her I would set her on the track, but I must not know how the work was done, nor where the prisoner had gone. She comprehended and agreed. I lent my official influence to gain her access to the jail, and she did the rest. She came home one night radiant like a giant who had a glimpse of heaven. On the following morning I was informed that the condemned man had escaped. I asked my wife no questions and she offered no information."

"Search was instituted, but not a trace of the fugitive could be found. The time set for the execution passed, and not many days thereafter an honest farmer, living near to the uncle whom Susan Lattimer went to visit on that Saturday afternoon, came to me in great tribulation. His son, a boy of fourteen, had confessed the shooting of Miss Lattimer. I went over with the father, and saw the boy. I found him sick and nigh unto death—his life worried away by the fearful secret which he held gnawing in his bosom. I promised him, that no harm, should come to him, and he brightened up. It was exactly as my wife had suggested. The lad had seen a pigeon upon a tree, and had crept into a clump of bushes upon the opposite side of the cart-path, in order that he might raise his gun without frightening the bird. He cocked the piece, had taken aim, and his finger was pressing the trigger, when Miss Lattimer with her head bent down, came directly before the muzzle. She had come like a dark shadow between him and the bird, and not until his piece had been discharged did he know what had thus suddenly obstructed his sight. When he had leaped out from his cover, and had seen the fearful work he had done, he was for a moment paralyzed with a terror that was awful. Soon the phantom of Murder appeared to his appalled sense, and he ran away and hid. And from that time he had suffered, until his secret was so near killing him that he had to let it out.

"I returned home and asked my wife if she knew where Chas. Ashcroft was. She said she knew. I told her what I had discovered and bade her bring him back. On the very next day Ashcroft appeared, and delivered himself up to the jail.

"The final result you can easily comprehend. At the new trial the boy was able to attend, and Chas. Ashcroft, was set at liberty with but little ceremony, his character fully cleared from even the appearance of guilt, and his friends multiplied in number.

"And so the life of an innocent, high-minded man was saved. He would have surely been hanged had he remained in prison to the appointed day. People said it was an interposition of Providence. They little dreamed how much of that precious Providence lay in the subtle instincts and in the heart of my wife; nor did they suspect my own official treason. But I never blamed myself—never. And the teaching of that experience has served me well in the latter years."

Shaving in Spain.

An Irish gentleman, traveling in Spain, went into a barber shop to get shaved. The man of foam, with great obsequiousness placed his customer on the chair and commenced operations by spitting on the soap and rubbing it over the gentleman's face. "Blood and 'ounds!" was the illegitimate remark of the Irishman; is that the way you shave a gentleman?" at the same time preparing, in his wrath, to overturn the wig minister. "It is the way we shave a gentleman, senior." "Then how do you shave a poor man?" "We spit in his face, and rub the soap over that," was the Spaniard's reply. "Oh, then, if I remember nothing else but the one thing, it'll be the Spanish barber's distinction." And so saying, the Hibernian rose, paid the demand, and made tracks for his mother heath.

A Singular Suit.

A New York correspondent says: Suit is soon to be brought by a well known literary man against the publishers of a magazine in the city. The circumstances are these: The author wrote an article for the periodical and sent it to the editor, having marked, in large and legible characters, upon the margin of the MSS. that the price was \$150, and that it should be returned if the editor was not willing to pay as much. The article having been printed in due course of time, the writer was not a little surprised to receive a check therefor for \$100, instead of the amount he had expressly named. He has tried in vain, he says, to collect the \$50 rightly due, and now proposes to test the question at law. The editor's excuse is understood to be, that he did not notice the stipulation as to the use and price.

ENIGMA DEPARTMENT.

All contributions to this department must be accompanied by the correct answer.

Geographical Queries.

1. Take D from a strait in North America, and leave a girl's name.
2. Take B from a city in Europe, and leave repose.
3. Take R from a cape in North America, and leave a unit.
4. Take F from a river in North America, and leave an animal.
5. Take L from a city in Europe, and leave a portion of land.
6. Take T from a river in Europe, and leave a worthless plant.
7. Take H from a city in Europe, and leave illness.
8. Take S from a cape in North America, and leave a word signifying power.

Answer next week.

Farmer Bent's Pledge.

Some years ago the good people of the town of L—, Mass., assembled for the purpose of forming a temperance society. After the usual preliminaries, the pledge was submitted to the audience for signature. At that Deacon Smith arose and addressed them thus: "My friends, I should have no objection to signing your pledge but for one thing, I have been accustomed to my plum-pudding at Christmas. Now, you all know that plum-pudding is good for nothing without sauce, and sauce is insipid without a little good brandy in it. Now, if you can fix your pledge so that I can have my brandy sauce and plum-pudding at Christmas, I will sign it with great pleasure." After a little arguing pro and con, a clause was added, allowing Deacon S. his brandy sauce at Christmas, but at no other time, and Deacon S., signed the pledge.

Soon after farmer Jones arose and said: "My friends, I have no objection to signing your pledge if you allow me one thing, I always want liquor in the harvest-field to counteract the bad effects of so much cold water as is usually drunk at that time. If you can fix it so that I can have my liquor in the harvest-field, I will sign your pledge."

Again, after considerable arguing, there was a clause added allowing the farmer his liquor in the harvest-field, but at no other time.

After farmer Jones had taken his seat, his neighbor Bent arose.

"My friends," said he, "I will sign your pledge if you will do one thing to it, that is, fix it so that I can have my liquor at sheep-washing. I think it very necessary for men to have some strong liquor to drink when coming out of the water after washing sheep to prevent the bad effects that arise from standing in it so long.

After a good deal of talk, a clause was added, allowing farmer Bent his liquor at sheep-washing, but at no other time. When all had signed the pledge, the meeting was adjourned for one week.

The next morning one of farmer B's neighbors was passing his house, and the old gentleman stepped out just then gloriously drunk.

"Why, Uncle John, how's this?" said the neighbor, a good deal surprised, "I thought you signed the pledge last night."

"So I did," replied Uncle John, "but (hic) I was wash-ah-ing sheep."

He led the way to the barn, the neighbor following. On arriving there he saw standing in the middle of the barn-floor a big wash-tub about half-full of water, and the old ram tied to it, wet as he could be and shivering with cold. Close by stood a two gallon jug. Uncle John, pointing to the ram with an air of triumph, said:

"I (hic) have washed that (hic) sheep twelve times (hic) this morning."

The Society bursted.

A Boston Man's Mistake.

A polite young Bostonian, while in church on a recent Sunday morning, dived down to the bottom of a pew to pick up a parasol which a fair neighbor had just dropped. He grabbed the parasol, and at the same moment saw an embroidered edge of her pocket handkerchief sticking from under her dress. He thought he would pick that up too, and commenced tugging at it. There was a fierce little struggle for a few moments, and two very red faces appeared in that pew, and the young man sat pondering all through the rest of the service how he could have mistaken a white undershirt for a cambric handkerchief.

Several passengers on the lower Mississippi were attracted by the alligators basking in the sunshine. "Are they amphibious, captain?" asked a looker-on. "Amphibious, thunder!" answered the enthusiastic officer, "they'll eat a hog a minute!"

The ghost of Noah Webster came to a spiritual medium in Alabama not long since, and wrote on a slip of paper, "It is titetimes." Noah was right, but we are sorry to see he has gone back on his dictionary.

"Oofy Gooft" is of the opinion that "When a feller makes his arm around his gal, and she is liken dat poofy well, den dat vbas skripture, on akound it vbas maken happiness come on waist blaces, don't it?"

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THERE are no diseases so debilitating in their effects upon the constitution as the above, and none more difficult to cure by the usual modes of practice. The Fever and Ague Powders will effect a cure in cases of the longest standing, as well as prove a preventive in the forming stages of disease. Being purely Vegetable, they act with certainty on the disease, totally eradicating it from the system, and preventing a return at any future period. Why waste your money and health in trying every medicine you hear of, when Thompson's Fever and Ague Powders have never failed to cure the Chills in any case.

REASONS WHY THEY ONLY SHOULD BE USED:

Their Reputation is Established.—Thousands of testimonials have been received, showing that these Powders have performed miracles in curing cases of long standing, many of them considered hopeless.

There is no Risk in Taking Them.—They contain nothing injurious, and, therefore, cause none of those lingering diseases so often the result of the many nostrums of the day. Physicians recommend them as far superior to Quinine, or any other known remedy, for they leave the system in a healthy state, and the patient beyond the probability of a relapse.

BEWARE OF COUNTERFEITS.—The genuine are put up in square tin boxes, with "Thompson's Fever and Ague Powders" stamped on the lid, and the signature of "Thompson & Crawford," on the wrapper.—No others can possibly be genuine.

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RHEUMATIC AND HORSE LINIMENT,

The Great External Remedy for Rheumatism, Neuralgia, Sprains, Bruises, &c., &c. EQUALLY GOOD FOR MAN OR BEAST.

This Liniment has earned for itself a reputation unequalled in the history of external applications. Thousands who now suffer from Rheumatism, Neuralgia, &c., would find immediate relief from all their pain by using this certain remedy. It is equally effectual in Cuts, Burns, Scalds, Stiffness of the Neck, Sore Throat, Swellings, Inflammations, Frost Bites, Pains in the Side and Back, Bites of Spiders or Stings of Insects. One rubbing will in all cases give immediate relief, and a few applications complete a cure. On account of its powerful penetrating properties it is beyond doubt, the SUREST REMEDY for the most troublesome diseases to which horses and cattle are liable. It cures Scratches, Old and Fresh Cuts and Sores, Chafes produced by collar or saddle. Injuries caused by nails or splints entering the flesh or hoofs, Bruises, Sprains, Swellings, Spavin, Thrush, and all diseases which destroy the hoofs or bones of the feet. Full directions accompany each bottle. Prepared only

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We will pay strict attention to the sale of all kinds of country produce, and remit the amount promptly. 5341

New Pension Law.

UNDER an act of Congress approved March 3, 1875, widows of officers who were killed or died of disease contracted in the service, are now entitled to \$2.00 per month for each of their children.

The guardian of a minor child of a soldier who heretofore only received \$5.00 per month pension is now entitled to \$10. per month.

Soldiers who receive invalid pensions can now have their pensions increased to any sum or rate between \$5. and \$15. per month.

Soldiers who have lost their discharges can now obtain duplicates.

Fathers and mothers who lost sons in the service, upon whom they were dependent for support, can also obtain pensions.

The undersigned having had over 20 years experience in the Claim Agency business will attend promptly to claims under the above act. Call on or address

LEWIS POTTER, Attorney for Claimants, New Bloomfield, Perry Co., Pa.

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Dissolution of Co-Partnership.

NOTICE is hereby given that the co-partnership heretofore existing between the undersigned, under the name of Rough, Snyder & Co., is dissolved by mutual consent. The books of the firm will be found with J. W. S. Kough, and notice is given that accounts must be settled within thirty days from this date.

J. W. S. KOUGH, W. S. SNYDER, W. H. KOUGH.

Newport, Aug. 30, 1875.

The business heretofore conducted by Rough, Snyder & Co., will be continued by the undersigned.

J. W. S. KOUGH, W. H. KOUGH.