Sunbury American.

H. B. MASLER, E. WILVERT. } Editors.

SUNBURY, JANUARY 20, 1872.

BOTH Houses of Congress have fairly commenced discussion on the tariff question. In the House on Tuesday last, a debate took place between Judge Kelly of this State, and Mr. Brooks, of New York, in which the latter was considerably worsted. His charges that the poor condition of American shipbuilding and the iron manufactures was due to the present high tariff were ably met by Mr. Kelly, whose remarks were forcible and to the point. The debate was a along and protracted one, lasting nearly the whole session. It was brought about by Mr. Brooks stating that the line of steamers plying between Shanghai and Tien-tsin could no longer be built in any part of the United States in consequence of the tax imposed on iron, copper, and cordage. Messrs. Farnsworth, Banks, Dawes, Brigham, and Leonard Myers participated in the discussion. In the Senate Mr. Sherman reported as a substitute for the House bill repealing the duties on coal, iron and salt, a regular tariff bill, at the same time moving its recommittal to the Committee on Finance. Considerable opposition was made to the motion by Mr. Trumbull, but after a short discussion the bill was recommitted by a vote of 31 to 19.

THE only important thing in the report of the Grand Jury last week was the recommendation to build a new county prison.—The Jury was composed largely of Republicans, there being only about six Democrats upon it, therefore our friends of the *American* and *Gazette* cannot draw on the report for political capital. We are sorry for them.—*Northumberland County Democrat.*

We do not know whether the Grand Jury was composed of a majority of Republicans or Democrats, but we do think that it was composed of sensible men. Every one knows that the county prison is anything but a credit to the county. If a building was erected such as is recommended by this Grand Jury, it would be highly creditable and a saving to the taxpayers. The exorbitant Sheriff's, accounts for keeping prisoners, and in some instances permitting them to run on our streets, would be dispensed with, and the amount saved to the county, as the labor of persons in such a prison would more than pay expenses. We do object, however, to the erection of a building by a sett of officers like those who have been managing the Court House building. The taxpayers well remember that a tax was levied sudicient to pay for the building in one year, which money was, or ought to have been collected. Now we find after a lapse of five or six years, that there is an indebtedness remaining on the county of some twenty thousand dollars. As the county officers during that time were all Democrats, will our neighbor of the *Democrat* give an explanation how it was managed. If the forty-one thousand dollars of outstanding taxes for 1870 were all collected, and the county indebtedness paid, there would be some fourteen thousand dollars left in the treasury, and the overplus that ought to remain from the amount levied last year, would probably swell the amount to $25,000. By proper management, a county prison could be built with this amount with the taxes for a few years at the same rate as at present, would pay off the whole indebtedness. Nor would the people complain of such taxes when they could see that their money was appropriated to the purpose for which it was intended. It is not the amount of taxes the people complain of, as much as the purpose it has been made use of for some six years past. The question is simply one of economy, namely, whether it is cheaper to put our criminals out to boarding or to board them ourselves. Dauphin, Schuylkill, and other counties are doing this, and saving money. But this is not the trouble with the *Democrat*. If the "Ring" could have the job, and all of them have a finger in the pie, we would never hear anything about economy for these Tammany Democrats, only squeal when measures are taken to prevent them plundering the people.

REPUBLICAN MANAGEMENT.—Secretary Boutwell, during his late visit to Philadelphia, delivered an eloquent and manly speech in which he gave a brief statement of the whole financial policy of our government. Under Mr. Boutwell's administration of the finances, the National debt has been steadily reduced to the extent of $281,624,848 87. This has been done upon the sound theory that every dollar thus paid, is returned into the channels of national industry. It was drawn from those channels to preserve the nation's life, and it flows back again to build up the nation's strength and greatness. The continuance of this policy of reducing the debt is urged by the Secretary, for it shows to the world our ability and determination to meet our obligation, and will raise our credit so high everywhere, that in case of any sudden contingency, the world's coffers will gladly open to us. President Grant was elected by a party which made the payment of the public debt a prominent part of its platform, and the annual payment of more then ninety millions of that debt, shows that the administration is honest in its purpose to carry out the will of that party. Mr. Boutwell does not insist upon maintaining the past rate of rapid liquidation, but rather indicates that fifty millions per annum will be the amount of reduction hereafter under his administration, and this policy involves a further reduction of taxation. When the Republican administration of Grant went into power, on March 4th, 1869, it found our people loaded down with war taxes, and our six per cent. bonds below par in the European markets—three years have not passed by, the internal revenue taxes have nearly all been swept away, and our national credit so high that the funding of our debt at 4 and 4½ per cent. is assured at no distant day.

JAY GOULD has been elected president of the Narragansett Steamship Company, in place of Fisk, deceased.

Our sensitive neighbor of the *Gazette* is becoming irritable and splenetic because we cannot agree with him that a *home paper* printed in New York city is advantageous. He appears to be alarmed that the "little cotemporary, the AMERICAN," will take the lead in the Republican ranks, and threatens to leave us but a corporal's guard of subscribers within a year. If our neighbor is satisfied in this matter, we certainly have nothing to complain as far as our interests are concerned. We shall not grumble if he will continue his present course, as we have no fears that he will succeed any better than he did during the last campaign, in making his "large" paper more effective than the "little cotemporary, the AMERICAN." Our neighbor ought to have learned before this, that the largest boot is not always the best or the cheapest.

THE LOCAL OPTION QUESTION.—The West Chester *Record* says:

"In these days or "local option" agitation we may revert to the fact that twenty-six years ago, a law was passed by our State Legislature embodying almost the same provisions as are now proposed by the friends of temperance. It enacted that the people of Allegheny county, and of various boroughs and townships elsewhere, should vote at the spring election upon the question whether the sale of liquor should be sold or not within their respective limits. In case of a majority adverse to the sale, violations thereof were punished by a fine not exceeding $100. After the law had gone into operation a suit under its provisions was taken to the Supreme Court of the State. This body, through Judge Bell of Chester county, delivered an opinion declaring the law to be unconstitutional, because it delegated to the people the law-making power which had been placed by the Constitution in the hands of the Legislature. This opinion was united in by Justices Gibson Rogers and Bell, and dissented from by Justices Burnside and Coulter. It does not touch the principle of total prohibition by the Legislature, but by inference concedes that power to the law-making body. Whether new light upon the subject has been shed upon the Court is a question which we will not undertake to decide in anticipation of events.

DESTRUCTIVE FIRE IN READING.—A fire broke out in Reading on Tuesday morning, at about 2 o'clock, and destroyed property, it is estimated, to the value of $250,000. The fire was in the heart of the city, and Stichter's large hardware store, Holt & Millholland's banking house, Ebner's saloon, the Old State House, Bast's tobacco store, and Long's tinware establishment were consumed. The building in which was Stichter's hardware store was prized for its antiquity. It was known as the Old White Store, and was used as an Indian trading house by the distinguished Conrad Weiser.

A SPECIAL dispatch from Madrid, on the 9th says that General Sherman and Lieutenant Grant arrived there on the 7th, and were presented to King Amadeus. The King was pleased to see them, and expressed a desire that the present cordial relations between the countries may always exist. A banquet was given at the United States Legation in the evening, at which the Ministers were present, and much good feeling was exhibited. The excitement in Spain relative to America down. The marked attention to Gen. Sherman are considered as indicating a desire on the part of Spain for a continuance of peace.

Both branches of the Pennsylvania Legislature have adopted a resolution to finally adjourn on the 28th of March. A bill was on Wednesday passed in the Senate instructing the Congressmen from this State to vote for the land-warrant bounty act, giving 160 acres to those who served in the army or navy, volunteers or drafted. In the House several new bills were introduced, very few of which were, however, acted upon.

THE Lewisburg *Chronicle* urges upon the farmers and horticulturists of Union county to form societies or clubs in their different township or school districts, for mutual improvement and valuable interchange of experience in conducting the respective branches of their business. The advantages that result to farmers and horticulturists from such organizations are incalculable. Let them be formed in every township in the State.

THERE is a village in Luzerne county, called Mud Town, in which there are five gin mills licensed and unlicensed. A Pittston paper says its citizens had 17 fights on Sunday, the 12th ult., a shooting match for a barrel of beer, and closed the exercizes in the evening with an illumination—two geese were covered with tar and then set on fire and driven through the streets. What a lovely place for a residence—*in civilized America.*

GEN. HALLECK, who died in Louisville on the evening of the 9th inst., was born in Weston, Oneida county, New York. He was fifty-six years of age. He entered the military academy at West Point in 1835, and resigned his position in the army August 1, 1854. On the 19th of August, 1861, he was re-appointed with the rank of Major General. He remained in the army up to the day of his death.

THE German residents in London are signing a petition to Prince Bismarck, urging him to demand of the United States apology and indemnity for supplies furnished by American citizens to the French Goverment during the late war with Germany.

FOXES are calling on the poultry in Columbia county, and bestowing the compliments of the season on their own stomachs.

SUSQUEHANNA county is prolific in wildcats this season, notwithstanding the bounty for their heads.

ATTENTION is being directed in different parts of the State to the dangerous material now used to adulterate milk.

IT may interest somebody to know that there are in America and Europe more than 250 manufactories of India-rubber articles, employing some 500 operatives each and consuming more than 20,000,000 pounds of gum per year.

Two embezzling Treasury clerks have been sentenced to long terms of imprisonment and heavy fines at Washington.

A delegation of prominent Utah Mormons are now on their way to Washington to urge the admission of their Territory into the Union as a State.

The round-house of the Lake Shore and Michigan railroad, at Toledo, was burned recently, together with six locomotives, causing a loss of $100,000.

On Sunday morning the death occured, at Frankfort Springs, Beaver county, of the Honorable Thomas Nicholson, who was for several years a member of the State Legislature, and recently held the position of cashier in the State Treasury.

A Kuklux raid came off in Bald Knob precinct, near Frankfort, Kentucky, on Saturday night last. A petition has been presented to the Legislature praying for relief from attacks of these outlaws.

The Grand Duke and party arived at North Platte, Nebraska, on Saturday, and immediately started for the camp, which is some fifty miles to the southeast of North Platte. The preparations for the buffalo hunt are on an extensive scale.

[Reported by A. N. Brice, Esq.]

TRIAL OF PERRY HAAS FOR THE MURDER OF MARTIN OBERDORF.

The Prisoner found guilty of Murder in the first Degree.

A Motion for a New Trial.

(*Continued from first page.*)

is a tree somewhere between the wagon house and where Perry Haas is said to have stood. The man who ran up by Haas, he said had a bag on his shoulder. The door from the wagon house faces south, in the direction of Martin Oberdorfs. If a man would come out of the wagon house, his right side would be towards the apple tree. He did not say he intended to shoot anybody. I think he said he shot low towards the ground. The ground at the wagon house door is lower than at the apple tree.

I don't recollect if there were powder marks on the vest of Martin. Perry did not give any reason for shooting Martin Oberdorf. I think Perry said he did not know Martin Oberdorf when he fired.

G. F. Oberdorf, sworn.—I was along when the gun was found. P. J. Oberdorf, and others were along when we found it. It was lying inside the fence. It was at the left side of the bars as we go up. The ground is rather rough. There were briers close to the gun. I am not positive whether the briers were around the gun or not. The muzzle was standing up. It might have been three feet high.

Samuel Campbell, sworn.—I am a son of Isaac Campbell's. I saw Martin Oberdorf at the wagon after my father had come from town. I don't know what time in the evening it was. I helped Perry Haas unhitch the horses from the wagon. I helped take off the harness, and Perry took them to the field. I did not see Perry Haas after he took the horses to the field. I did not hear any conversation between Perry and Martin Oberdorf. The last I saw Martin Oberdorf he was at the wagon talking to father. I was in the house when father come in. I was sitting down.

Cross-ex by Defendants.—I staid with Perry till the horses were unharnessed. He put two horses in the field. Father has 8 horses. I had a lantern. Perry started with the horses to the field when I started to the house. When Perry took the horses to water. I staid with my father and Martin Oberdorf. The barn is about 75 or 80 yards from where we stood as near as I can tell. The other horses were in the field. They were in the field when I came home.

Adjourned at 6 o'clock till Jan. 10, 8½ o'clock. Met again at 8½ o'clock.

P. J. Oberdorf, sworn.—I was at the home of Isaac Campbell on the morning of the 5th of October. I saw the body of Martin Oberdorf. I did not examine the wound. I made search for a ball. I searched in the direction of the house. I examined the trees and fences, and all around pretty closely. I examined the ground. I thought I could see where the ball had struck. I made the search in consequence of remarks made by Perry Haas as to where he stood. I was present when he told the jury where he stood when he shot. He said he stood west of the wagon house door about 70 feet near a little apple tree. He said Martin Oberdorf was at the wagon house door. That would be in a direct line with the house. I thought the ball would naturally go that way if he stood where he said he did. I did not find a ball in that direction. I discovered no marks on the ground.—I found no marks on the trees.

There is a mulberry tree, and a cedar or juniper tree, intervening. I examined them closely. I found no marks of a ball in that direction. I found no marks on the fence, nor on the house. Isaac Campbell assisted me in making the searches when I made a subsequent search. Mr. Coles, and Mr. Johns, and Forrest Oberdorf assisted in the search. The first we noticed was a dirge on a pair of steps which laid there. They were marked with lead. The ball had struck the step or riser, and planed on the other. After this we found a ball,—I have not got the ball. I gave it to Isaac Campbell. I found the ball about 22 feet from the steps, north. The steps were nearly south from the wagon house door, about 55 feet. I handed the ball at the time to some of the rest, and fitted into the dinge. The ball fitted the dinge. The marks on the steps looked fresh.

Cross-ex. by defendant.—It is 70 or 80 feet between the wagon house and the dwelling house. I did not examine any place else that night in the direction of the house. Afterwards I examined in another direction. I examined pretty closely the ground between the wagon house and house. There is no wood pile in a direct line. There are wood piles around there. They all looked at the ball after it was found, and they handed it to me. I fitted the ball into the indenture in the steps. The mark looked to me to be fresh. I don't know of any shooting being done around there. I made the second examination on the 8th. I think it was about the middle of the day. The mark on the steps was found on the second examination. When Perry Haas said he stood up at the little apple tree we were all there. I think he said that when he was at the tree a man run past him with a bag on his shoulder. He said that just after this another man jumped down out of the wagon house. Perry said he did not know who it was he had shot. I did not hear him say it was dark around there. I did not hear him say why he shot. Perry did not make any attempt to run away that day. Perry said he went up the road, west, crossed over above the hog yard, and came to the little apple tree. I did not hear him say why he went up the road. I did not hear him say anything about the dog. There were not a large number of people at Campbell's the morning of the 5th. It is an unusual thing for one man to shoot another in our neighborhood. I did not see a number of people at Campbell's, between the 5th and 8th of October. Martin Oberdorf was an old resident in the neighborhood. I am a cousin to Martin Oberdorf. There was no rubbish on a direct line from where Haas said he stood and the house. There was a wood pile about 20 feet to the right.

Cross-ex. by Commonwealth.—I saw the wounds on Martin Oberdorf. The edges looked blue.

Oscar Heller, sworn.—I was at the house of Isaac Campbell on the morning of 5th of October. I saw the body of Martin Oberdorf. He was dead. He had been wounded in the side. I saw the wounds. The edges seemed to be somewhat bruised. There were two holes in the back. The one hole was long; the other round. The skin was turned out. Some of the intestines had been carried away. Part of the liver had been carried away in front. I can't say whether part of the liver had been taken away through the back wound. Perry Haas said he stood at a small apple tree. He told me he came up the road moving east and west, above the corn crib and hog pen, crossed the fence and came to the tree. He said he went back the same road he came up. That would lead him towards the north side of the house. He said he entered the house on the east side. I saw the ball after it was found. I saw the steps which were spoken of. I saw the ball placed in the mark on the step. It fit exactly.

Cross-ex. by defendant.—There is an open yard around Campbell's house to the west part. There was not a great deal of talk among the neighbors that day there. There was a good deal of excitement among the neighbors on account of the killing of Martin Oberdorf. Perry told me he entered Mr. Campbell's house at the east door. We were standing near the wagon house when he said this. There are high steps on the east side of Campbell's house. Martin Oberdorf was lying on his back when I saw him first. The holes in the back were in a direct line with the hole in front of Martin Oberdorf's body. There was blood or something protruding from the holes. The holes on the back were an inch or 1½ inches apart on the back. One was a long hole, and the other round. The wounds appeared to be bruised. Perry said he went in to the house at the lower door. On the east side of Mr. Campbell's house there is a steep declivity. The out kitchen is down from the mansion house in a low place. I think there is a door on the south end of the house. There were some other persons present when Perry said how he got into the house. I am not related to Martin Oberdorf myself, my wife and he were cousins. When I had this conversation with Perry Haas, A. D. Moore was present. There were others present. I do not know if they heard it. I don't know where Perry Haas usually slept.

Alex. D. Moore, sworn.—I saw the body of Martin Oberdorf on the morning of Oct. 5th. I saw Perry Haas. Perry said he went from where he stood at the apple tree, and went back to the house the route he came. We could go to the house on either side. He would have gone to the west door if he come down the road. The direct route would be to the west side of the house, and by the wagon house. The wound around Martin Oberdorf was a large one and torn. The wound seemed colored and appeared bruised.

Cross-ex by defendant.—Martin Oberdorf was my wife's cousin. I was one of the Coroner's jury.

Cross-ex. by Com.—The route Perry said he took back from the tree to the house would have taken him out into the road in front of the house. The distance from the road to the kitchen of the house is about 80 or 90 feet.

Peter Moore, sworn.—On the night of the 4th of October, 1871 I was at home. It was very light. I was in my own door step. I heard the report of a gun that night. I heard but one report.

Cross-ex. by Def.—I live three-fourths of a mile from Isaac Campbell's, at Klinesgrove.

William Huff, sworn.—On the night of 4th of October, when Martin Oberdorf was shot, I was at Mr. Krigbaum's. I had occasion to be out of doors. I was sitting up with Krigbaum. The night was very nice. It was very moonlight. It was clear.

Cross-ex. by Def.—I was out at 10 or 11 o'clock at night. I was sitting up with a sick man.

Anthony Huff, sworn.—On the night Martin Oberdorf was shot I was at Krigbaum's. I was out of doors that night. It was about 11 o'clock. I am not sure just what time it was. It was very clear after the moon was up. The moon rose something after 9 o'clock.

Joseph M. Wolverton, re-called.—I conveyed Perry Haas to jail. We talked on the way about the shooting. I made no promises to him and made no threats. He told me what he did voluntarily. I was bringing him to jail after the inquest. I asked Perry Haas why he watched that night. If Isaac Campbell told him to watch. He said he did not. I asked him if Isaac Campbell ever told him to watch persons about stealing. He said he did not. He said he (Perry) thought there had been people there before. He said he wanted to be ball out. He said he had a big load in the gun. He said, "look at my finger, how it is torn." I examined the ground, the fences, and trees I found marks of a ball. I found none. I examined carefully about the wagon-house. I found one mark on the wagon-house, or the foreboard, as if something struck it.

Cross-ex by Def.—Perry never said anything about dogs. Perry never said so. Perry never told me there was flour and salt missing from the wagon-house. Perry told me that Campbell never told him to watch around there. I never had any particular acquaintance with Perry Haas until this occurrence. I knew him when he was a little boy. I have not been taking considerable part in this suit. I did not hear Perry Haas say that he had been watching Mr. Campbell's property. I don't know that Perry Haas is not altogether solid. I asked Perry but one question. I wanted to know why he had shot. The principal talk coming down to Sunbury was about the ball. He questioned me. I was only anxious to know about the reason why he shot Oberdorf. I told about this testimony this a. m.

Earnest Starkloff, sworn.—I have been in the military service. I have been in over three years. I have been in the infantry service and naval. I was in the U. S. Navy five years. Gun shown witness. This is a Springfield Rifle. The point blank range of the piece is 300 yards. I have been in several engagements. I am familiar with the character of gun shot wounds. A ball fired from a musket a distance of 70 feet through a human body it would make a straight cut. The skin on the surface at the entrance would be a small hole. A large ball would make a larger hole where it went out than where it went in. If a paper wad is used it would not carry 5 feet. The ball would make a smooth hole through the clothing. The wound might be black and bruised.

Cross-ex.—A ball used out of this gun would make a larger size at the exit than at the entrance. A round ball would make a larger hole at the entrance than at the exit. I was in the battles of Fort Fisher, Mine Run, Gettysburg. I was Sergeant and first Sergeant. I was not in the hospital on the occasion of either of these battles. I first enlisted in 1861. I was first discharged in 1862. I enlisted again in 1863. I was discharged in 1865. I then enlisted for a year, and was transferred to the Navy. Twice I was discharged for disability, and twice I served my time out. I examined the wounds of soldiers particularly, at the Naval Hospital, Portsmouth, Va. I was at this Hospital 5 weeks. I was at Fortress Monroe Hospital 4 weeks. If the wadding was wrapped around the ball it would carry more than five feet.

Geo. Forrest Oberdorf, re-called.—I made search for a ball. I searched on the morning Martin Oberdorf laid dead. I searched in a straight line from where Perry Haas said he stood to where Martin Oberdorf stood to the house. I looked over the ground thoroughly, and in the pale fence, and examined the house. I examined the Mulberry tree and shrubberry at the fence in a direct line that day. I made a search again on the Sunday following. John Campbell, O. B. Coles, G. W. Johns, P. J. Oberdorf, and perhaps Isaac Campbell were along. P. J. Oberdorf found the ball.

I saw him pick it up. There was a flight of steps lying on the premises. I examined the steps, and found a mark, and then looked for the ball. The mark was fresh on the steps. I put it in the dint of the curve, and thought it fitted exactly.

Cross-ex by defendant.—There might have been other shooting around there. I am a first cousin of Martin Oberdorf. I have taken some interest in this case. There were not many present at the inquest nor at the jury. I don't think there was a great deal of tramping around.

Henry M. Oberdorf recalled.—Steps shown witness. These steps laid away from the wagon house. I took them off of the flight of steps. The indentation on the step I don't know how high it was from the ground where the shot struck it.

Cross-ex. by defendant.—I can say the steps have not been removed. I helped to put the steps there in the first place, when we tore Mr. Campbell's house down. We tore the house down the last of May, I think. I cannot say the steps are in the exact position they were when we put them there, but they were in the same place. I did not mark the place. I know they were in about the same place, because the grass did not grow under them. I say the steps were lying in very nearly the same position they did when we put them there last May. No one was with me to-day when I got this but my son. I tore this part off. I am a son of Martin Oberdorf. I don't remember that I saw these steps there on the 5th of October. I did not see the steps every day. The steps did not lay very far from the road—the private road. I know the steps settled in the ground. There was considerable rubbish taken out of Campbell's old house. There was some rubbish put on the wood pile. I don't know how far these steps were from the wood pile.

Cross ex. by Commonwealth.—There was no rubbish put on or near the steps. There was a pile against the smoke house about ten or 15 feet from the steps.

Cross-ex. by defendant.—The lumber pile is there yet. The lumber pile would be in a line from the steps North. The wagon house is N. W.

Isaac Campbell, re-called.—I recognize these steps. They are taken from an old flight of steps taken from my old house. They were put East of the road. They were there on the evening of October 4th last. They were there on the 5th of October. I think they were never removed from that position till to-day. I think they were in the same place ever since. I don't think the steps were ever moved from the time they were put there till to-day. I saw the ball which was found on the ground. The ball was found on the 8th of October on my premises.

Peter J. Oberdorf, recalled.—Ball shown witness. This is the same ball I picked up on the 8th day of October. I placed it in the possession of Isaac Campbell. Steps shown witness. These are the same steps I saw on the 8th of October.

Isaac Campbell, recalled.—This is the ball I got from P. J. Oberdorf.

Dr. Isaac Huff, sworn.—Bullet shown witness. It has been in my possession till to-day.

Cross-ex. by defendant.—They gave me another ball. It was a fresh ball; it had not been used.

Earnest Starkloff recalled.—Ball shown witness. This was a conical ball. It is too small for a cartridge ball.

Dr. Isaac Huff, recalled.—Draft shown witness, I made this draft. The dwelling house of Isaac Campbell is 5 rods and 3 feet from where the body of Martin Oberdorf was said to be when Perry Haas shot him. The distance from the little apple tree to the wagon house door is 4 rods and 4 feet. If a ball had been fired from the apple tree to the point in front of the wagon house, in a direct line, it would have struck Campbell's house. The measures, and courses, and distances are accurately laid down in this draft.

Draft offered in evidence. Objected to by defendant's counsel, for the reason that the location of Martin Oberdorf is incorrect; that the hog pen is marked, and it has been torn down, and is calculated to mislead the jury.

Objection overruled by the Court.

Isaac Campbell, re called.—Draft shown Isaac Campbell. The hog pen as marked down was there when the shooting took place. The spot Perry showed where Oberdorf stood was about three feet from the wagon house door.

Draft accepted and put in evidence.

Dr. Isaac Huff, recalled.—Draft explained to the jury by witness. I am a practicing physician. I have been practicing several years, 5 or 6. I am a graduate. I examined the body. I did not make a dissection. He was dead. From an examination, there were two apertures on the back of body. One was large, the other smaller. The larger one was quite large. The lip of the one was turned out. The size of the smaller one on the back, was not half as large. It was turned out. There was a portion of the liver protruding through the smaller aperture. From the looks of the wound I would say the shot had entered the front of the body. The wound in front of body was bad. It was large enough to stick your fist in. The intestines were torn off. The large wound run around to within an inch of the anterior wound. The large wound was six inches at least in width. The wound was a little to the right of front. The wounds on the back were about 1 inch apart. The shots must have entered from the front. The wound in front presented a bluish appearance, and was turned in. If a ball had been fired a distance of 68 or 70 feet to and against a body in front, the wound would be lacerated and bruised. I think a ball that distance could not have made such a wound as I saw on Martin Oberdorf's body.

Vest shown to witness.—This is the vest they gave me as the one Martin had on. I saw him have one on like it. The two holes in vest shown. These holes could not have been made so large by firing a distance of 68 feet. I have no experience in gun shot wounds myself, I have seen them.

Cross-ex. by the Commonwealth.—The one side was blue of the wound. When I saw Oberdorf's body he was lying on the back, with his head down hill. The liver on the back wound was forced out. I think his suspenders were all before he fell. The liver could not be forced out by breathing, or by lying on his back. I think the wounds were not lacerated by his hand. The holes were not torn with the hand. I am inclined to the belief that the balls did it. The vest was on him when I went there. There was blood on it. There is no blood on it now. If it was washed it might be made bigger. It looks like an old vest.

Cross-ex. by Commonwealth.—Isaac Campbell assisted me in making the measurement on draft. From my opinion as a physician, I consider that from the nature of the wound the instrument of death must have been close.

Cross-ex. by defendant.—I don't think such a wound could possibly be made at a distance of 60 or 70 feet, notwithstanding a gun were used which would carry 300 feet.

Dr. John G. Markle, sworn.—I heard part of Dr. Huff's testimony. I think two balls would have scattered at a distance. As two holes were made on the back, and only one in front, I think the shooting must have been close. It would be impossible to shoot two balls a distance of 70 feet, and not have a deflection of at least 3 inches. I am familiar with the use of firearms. A paper wad could not be carried a distance of 70 feet; a wad might be carried 15 feet. It is considered proof positive that the entrance is turned in and exit turned out. If liver protruded out on the opposite side, it would look as though the shot had come from the front. In case of all gun shot wounds, the exit is larger than the entrance. The closer the gun to the body, unless it were against the body, the hole would be smaller.

Cross-ex. by defendant.—If the paper wad were wrapped around the ball it would go something farther than if loose.

Dr. W. W. Moody, sworn.—I think that a wound such as Dr. Huff described could not have been made unless the gun had been close to the body.

Cross-ex. by defendant.—Such wounds could not be made at a distance of 70 feet, and I am acquainted with gun-shot wounds. I never saw an army musket wound. I believe the army musket shoots with more force.

G. Forrest Oberdorf, sworn.—I made a note of the measurement of the width of the wagon house stairway. It is 3 feet 4 inches wide. From the outside sill to step is 4 feet 2 inches. The door is 2½ feet wide.

Isaac Campbell re-called.—Vest shown witness. This is the vest which Martin Oberdorf had on. I saw the vest washed. It was washed in a patent wash machine. I did not notice the cuts particularly before the vest was washed.

Cross-ex. by defendant.—The vest was washed two weeks after the death of Oberdorf. It was buried in the ground. It was buried about 50 yards from where he was found, together with his other clothing. I did'nt know that the vest had been taken up.

Cross-examined by the Commonwealth.—I did not at any time order Perry Haas to watch around for intruders. I did not have occasion to believe there were any thieves about, or that there was a necessity to have a watch.

Cross-ex. by defendant.—I did tell Perry last spring to look after the sheep dogs.

Wm. Oberdorf, sworn.—I am a son of Martin Oberdorf. At the time of my fathers death I was living in N. J. I came home on the 13th of the same month. I visited Perry Haas in prison, when I came home. I asked Perry where he had spent his time when the horses had been put away up to the time my father had been shot. He said he took the horses to water after Isaac Campbell came home, and brought them back, put them in the stable, took the harness off of them, and fed them; then he went over to the house, but did not go in; he looked in the window, saw Mr. Campbell eating his supper; then he went down to the shanty, and was there awhile, and then back over to the barn to turn out the horses, but they were not done eating; then sat down behind the house, and waited there till they got done eating; then he turned them out; then he went back on towards the house, as he got over to the road, the dog started up the road growling. Then he took the gun and went up the road as far as above the hog pen. The dog was on ahead of him always, and then the dog came back, and crossed over towards the wagon house, and then he (Perry) crossed over, and just as he got to the little apple tree a man run by him with a bag on his shoulder; he said he could have reached him with his gun, but he did not know who it was—a stranger; just at that another one came down out of the wagon house, and as he did this he shot, but I did not know it was your father or I would not have shot him. I told Perry it was light as day, and asked him if he could not see who he was shooting. He said not.

Adjourned Jan. 10, 1872, at 6 o'clock.

Met Jan. 11, at 8½ o'clock.

Dr. R. B. McCoy, sworn.—I am a physician and surgeon. I was in the employ of the U. S. Government as a surgeon during the late rebellion—about 5 years. I am familiar with the character of gun shot wounds. (Springfield musket shown witness. Ball shown which was found.) The kind of wound produced depends on the shape of ball. A globular ball would produce a shape which would be modified by the manner of entrance. If it struck at right angles it would produce a circular opening. If it were a Minnie ball, or one of the conical kind, it would be difficult to say what kind of an opening from such a gun it would make, for the reason that a smooth bore gun has not the force of directing a ball of the conical description with point foremost. If a conical ball would strike side ways, as it might, it would make a more lacerated opening. If, in either case such a ball entered the human body at a distance of 68 ft. the wound would present a clear cut. The exit hole would be larger than the entrance. I think the spiral motion of a gun in discharging a ball, would make a cleaner cut than a smooth bore musket. The ball cutting the flesh would naturally press the skin inward. The point of exit would be lacerated, torn and bruised. The hole in the clothing would be small, and would make a clean opening at the entrance. If the clothing were folded, the hole in it would be larger. The closer the gun to the body, if within the range of powder, the larger would be the wound. A portion of the body might be blown away by the force of the powder alone. If close to the body there ought to be powder marks. I cannot conceive it possible that such a wound as you have described could be produced at a distance of 68 feet.

Cross-ex. by defendant.—If the balls were fired from a gun at a distance of 68 feet, it would not produce such a wound. The natural tendency would be for intestines to protrude.

Cross-ex. by the Commonwealth.—I would not think that a part of the body and a piece of the liver could be shot away at 68 feet, even by the use of two balls.

Commonwealth close at 10.10, Jan. 11, 1872.

Defendant opens by L. T. Rohrbach, Esq., at 10.20, a. m.

John Cambell, sworn.—When I am at home with my father, I live near Kilnesgrove. My father is Isaac Campbell. There have been sheep bothered by dogs on our place. My father had sheep killed last spring. I don't think there was orders given either to Haas or myself to shoot dogs. While we slept in the barn, I called Perry up at one time about 12 o'clock at night, about the first of Sept., 1871. I told him to go to the granary, that the gun was there. He took the gun and was gone about 15 minutes. He came back once and told me the sheep were in the barn yard. Once before this, I think he got up again at night to see about the sheep. I cannot remember that I called Perry Haas up four times before the 1st of September. We were both watching dogs one night. I was froze out, and went to the house to warm myself, and left Perry in the straw watching. This was between 12 o'clock and daylight—spring of 71. Perry and I were ploughing. Perry said something about some one having cut his bee tree. I said to him it was hardly fair that these fellows cut the tree. He very quickly responded that they got the honey and the stings, but not enough honey to pay for the stings. He said he did not care, and asked me if I cared anything about it. This was in September, about, perhaps, a week or ten days after the tree had been cut.

Cross-ex. by Commonwealth.—My father never told me nor Perry to shoot either men or sheep dogs. I never told Perry to shoot men either. I think I could have told who Martin Oberdorf was at night.

James H. Campbell, sworn.—I saw Perry Haas have this shot gun. He put in two balls. They were round balls, like this. He loaded the gun about two weeks before Martin Oberdorf was shot. I am a cousin of Isaac Campbell.

Cross-ex. by the Commonwealth.—We were in the barn in the granary when the gun was loaded. Perry and me were alone. I said to him it is a big load. He said it would kick pretty hard. Perry said if it kicked him over he could get up again, but the one it hit would not get up again. Perry said I should not say anything about it.

Cross-ex. by defendant.—When I said to Perry it would kick him over, I asked him if he was going to shoot any one. He first said he would shoot my father. I started out. Then he called me back, and said it was some one else. When he called me back he laughed. I asked him what for when I came back. He said he saw some one at the corn crib some time ago. He did not say he loaded the gun to watch the corn crib. He did not laugh when he said he would shoot some one else.

Cross-ex. by the Commonwealth.—He said I should not say anything to anybody.

Philip Hall, sworn.—I never heard anything about the bee story.

Charles Hallet, sworn.—I am acquainted with Perry Haas. He lived with me. He lived with me till he went to Campbell's. I don't think he has a father or mother living. He cannot read or write. He was a good boy while he lived with me.

Dr. Isaac Huff recalled.—The moon would rise just over Campbell's house. If the moon rose directly behind the house and trees, it would have to be about an hour high. If the moon were between the house and tree, it would shine directly upon the spot where Martin Oberdorf stood when shot. The tree is a large one, below the house, south.

Cross ex. by the Commonwealth.—The moon rose that night at 9.29. I don't know where the moon rose that night. It may have been north or south. If the moon were half an hour high, a man could be recognized.

Mrs. Hannah Campbell, recalled.—Perry Haas lived with us nearly a year. While he lived with us I had opportunity of seeing him a great deal.

Both parties close at 11.37.

The case was opened before the jury first by A. N. Brice, Esq., for the Commonwealth for about two hours. He was followed by L. T. Rohrbach, Esq., for the Defendant, and then by Geo. W. Ziegler, Esq., for the same side, both of whom spoke about two or three hours. The closing argument was made on behalf of the Commonwealth, by Gen. Clement, District Attorney. It was able and eloquent, one of the best ever delivered in such a case in the county. The charge of Judge Rockefeller was excellent, and a clear exposition of the law. The jury returned a verdict of guilty of murder in the first degree on Friday evening. On Saturday morning his counsel moved for a new trial, on the ground that the jury had separated themselves pending the trial and had conversed with outsiders, &c. On this motion a rule was granted returnable to March Term, to show cause why the verdict should not be set aside and a new trial granted, and the prisoner was remanded to jail, instead of being sentenced as everybody expected. The juryman, who thus misbehaved himself, and separated himself from the remaining jurors is J. Wilson Hess, of Chillisquaque twp. He should be heavily fined, as well as the two Constables in charge, Jacob Cable and Philip Frank, and the people expect it.

In the case of Com. vs. Charles White, alluded to last week, I would say that the technicality, I mentioned in his indictment found at November Term, was the fault of the Grand Jury. The indictment was quashed because the witnesses were not marked *sworn*. The District Attorney, Gen. Clement, was not in fault. I desire to state this, as the General is proving himself a very valuable and efficient officer, and makes few mistakes. A perdexous effort has been made by the friends of the defendant, to have him escape the the penalty of his crime in committing a robbery upon Mr. John Emerick, and they would have succeeded before had it not been for the vigilance of the District Attorney who cannot be eluded into any thing like an attempt at settling felonies.

We were pleased to see, not long since in one of our exchanges, some pretty severe remarks addressed to several persons who, during an interesting lecture by Rev. Jno. S. C. Abbott, kept a continuous coughing, which prevented many from hearing. People who cannot refrain from coughing, had better stay away from such places, or else take a bottle of Johnson's Anodyne Liniment with them.

The importance of giving Sheridan's Cavalry Condition Powders to horses that have been out in the cold rain, stood in cold wind, or drank too much cold water, cannot be over estimated; no man should be without them who owns a good horse.

Fisk's brain weighed fifty eigh ounces. Daniel Webster's weighed but fifty-three ounces and a half, Ruloff's, the murderer, who was hanged has spring, weighed fifty-nine ounces.

New Advertisements.

ORPHANS' COURT SALE!

OF valuable real estate will take place at the Court House, in the Borough of Sunbury, ON SATURDAY, the 10th DAY OF FEBRUARY, next, pursuant to an order of the Orphans' Court of Northumberland County, at which time and place will be exposed to public sale, all that certain

TRACT OF LAND,

situate in the township of Shamokin, bounded on the north by lands of Thomas Smith; on the east by lands of Humphrey Wright and David Brosious; on the south by lands of Isaac Chamberlain and Thomas Smith; and on the west by lands of Samuel Campbell's estate, containing

ONE HUNDRED AND NINETY-TWO ACRES

and Sixteen Perches, Strict Measure, whereon are erected Two Dwelling Houses, a Bank Barn, Wagon Shed, and other out-buildings, a superior well of water near the buildings and two never-failing Springs of finest water upon the premises. Also, a large Orchard of choice fruit. About one-third of the tract is of the best chestnut and oak

TIMBER LAND,

and about twenty-five acres of the finest quality of meadow land. Late the estate of Alexander Sober, deceased.

Sale to commence at 1 o'clock p.m. on said day. One-third of purchase money (after payment of debts,) to remain in premises, and 20 per cent. cash on property being struck down,—the conditions of the sale will be more particularly made known on said day, by

A. J. SOBER, Trustee.

January 15, 1872.—ts

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