The Somerset Herald.

GEORGE R. SCULL, Editor.

WEDNESDAY ... March 6, 1889.

Perfume cases at Biesecker & Snyder's.

All kinds of trusses at Biesecker & Snyder's.

Tobacco and Cigars a specialty at Schrock's Grocery.

Eye glasses and spectacles at Biesecker & Snyder's.

All the different odors of extracts at Biesecker & Snyder's.

Old shell corn at bottom prices, at M. Schrock's feed store.

Fifty kinds of gent's and boys' pants can be seen at J. B. Snyder's.

Removed, and don't forget—J. B. Holderbaum's Hardware Store.

For choice sweet potatoes and cranberries, go to Schrock, the Grocer.

For a new, stylish hat, the best place to get it is at J. B. Snyder's.

Arbutus Flower is sold by M. Schrock only. It is warranted the best.

Muslins, Sheetings and Ginghams are very cheap at Mrs. A. E. Uhl's.

S. J. McMillan, Dentist, one square South of Diamond. Gas administered.

We want everybody to come in and see us next week. J. B. HOLDERBAUM.

M. Schrock is a leader of low prices in everything in the Grocery, Flour and Feed line.

Bedford Water, bottled, recommended by all physicians, to be had only at Biesecker & Snyder's.

Save money and buy your canned goods from M. Schrock. They are always nice and fresh.

When you go to town next week, don't forget to call and see J. B. Holderbaum's new store-room.

Two great enemies—Hood's Sarsaparilla and impure blood. The latter is utterly defeated by the peculiar medicine.

Hagerstown Almanacs, English and German, Wholesale and Retail, for sale at Fisher's Book Store all the year round.

Carpets! Carpets!! Carpets!!! One hundred pieces to select from, at J. B. SNYDER'S.

A nice new line of shirtings, ginghams, muslins, and a general line of dry goods, just received at J. B. SNYDER'S.

Every attention given to dental operations in operative and mechanical branches, at McMillan's Dental Rooms, over Trelwell's Store.

Chase & Sanborn's Java and Mocha Coffee is sold by M. Schrock only. It is guaranteed the best. Try it, and you will use no other.

Something Somerset can boast of—the finest carpet room in the county, at J. B. SNYDER'S.

Did you ever buy corn for 47 cents per bushel before Beachy sold it for that? Beachy has come to stay in the corn business, and don't you forget it.

Call at the economy shoe store, and be convinced that cash will do wonders in the way of buying boots, shoes, etc. SCHELL & SHIVLER.

There has in the past been some fine stocks of clothing kept in Somerset, but never has here been such a splendid line in the town as you will find now at J. B. SNYDER'S.

We have on hand a large number of good brick which we will sell in quantities to suit the purchaser. Prices very reasonable. Yard opposite the planing mill. HOLBROOK BROS. & PARSON.

Ladies, you can find all colors of ready-mixed paint, and in any quantity you want, put up in any sized tin cans; also, all kind of wood stains, tube colors, paint brushes, scrub and dusting brushes, at J. B. Holderbaum's Hardware Store, Somerset, Pa.

Do you want to see the best line of gents' fine pants ever shown in Somerset? Call at J. B. SNYDER'S.

I can sell you carpet at any of the following prices: 15c, 16c, 18c, 20c, 25c, 25c, 30c, 33c, 35c, 37½c, 40c, 45c, 50c, up to $1.00 per yard. All carpets cut to fit room, without extra charge, at J. B. SNYDER'S.

The Housewife

Can secure great bargains during the remainder of this and all of next month, in table linens, napkins, towels, bedspreads, lace curtains and scrim. Special prices will be made to all buyers until April 1st. Those coming early will secure the choice of selection. MRS. A. E. UHL.

One Moment, Please.

We wish to thank the public for their generous patronage in the past year. Our trade has increased steadily for which we are thankful. This year we propose to do business on the cash basis, which will enable us to sell boots, shoes, etc., much lower than the credit firms. Why? For many reasons. Chief among them, because we do not have to add larger profits to make up for bad accounts lost. Kindly give us a trial and we will demonstrate the fact that cash will buy big bargains.

SCHELL & SHIVLER.

What is Going on in Somerset?

The latest we know of in the last thirty days, is the removal of J. B. Holderbaum's Hardware Store to the new room one door North of Cook & Beerits's Grocery, where they have the largest and best finished room in Western Pennsylvania. Owing to our large and increasing trade we were obliged to leave the old stand, where we had been for many years, and find more room. We are now prepared to furnish the best Hardware and Implements at the lowest possible prices. Please call and see us when in Somerset, whether you want goods or not. We want you to see our room and goods, and learn our prices.

J. B. HOLDERBAUM.

Headquarters

For Prime Western Clover Seed.
" " " Timothy Seed.
For best Mackerel Fish on the market.
For lowest figures on Lake Fish.
For Ear and Shelled Corn.
For Chop Bran and Middlings.
For Wheat, Oats and Potatoes.
For Oranges, Lemons, and Peanuts.
For Molasses, Syrups, and Sugars.
For Coffees, Teas, and Spices.
For Crackers, Cheese, and Bolognas.
For Flour, Corn-meal and Bacon.
For Beans, Oat-meal and Rice.
For Canned Goods and Dried Fruits.
For Butter, Lard and Dried Beef.
For Salt, Lime and Cement.
For Carbon Oil by the gallon and barrel.
For Brooms, Buckets and Tubs.
For everything in our line.
For everybody at our store.

Respectfully,
COOK & BEERITS.

Here We Are Again!

"Hello, Fisk, shake!"

"How are you, Mike! How are all the family?"

"They are all right, Fisk; oh, by the way, Fisk, have you brought your spring clothing yet?"

"No, Mike, I have not, but I was in Somerset yesterday, and saw box after box of clothing unloaded at Snyder's store. Gemateriess! but don't J. B. sell lots of clothing! One thing is certain, Mike; when you go to Snyder's you can always find something new; you need not be afraid of getting old clothing, with new tags put on them to make them look new. Then, too, J. B. has such a beautiful room now; plenty of light, so you can see what you buy."

"Well, Fisk, my opinion is if anybody wants clothing or carpet—and did you see Snyder's carpet room?—well, any person who can't get what they want out of that lot of carpet, and the low prices, too, must be hard to please. By-by, Fisk, we'll meet again."

Several inches of snow fell in this section Sunday night.

The weather has been anything but pleasant for the past week.

Mr. Paul A. Schell and his sister, Edith, left for Washington Thursday morning.

A number of young men are endeavoring to organize a Young Men's Christian association in Bedford.

Put four more stars on the next flag you make—forty-two in all—for that is the number of states now.

There is some talk of an early spring but as long as it is all talk and no poetry nobody will be disturbed.

The bill increasing the daily compensation of witnesses attending court to $1.50 has passed the Legislature finally.

Miss Annie Sanner left Tuesday morning for Allegheny City, where she will spend several weeks visiting relatives and friends.

Mr. R. S. Scull left for Baltimore, Thursday. He expected to be in Washington Monday to witness the inaugural ceremonies.

Fayette county is to have a new jail to cost $108,000. The structure will be of stone. Laughead, Moclsette & Co., of Uniontown, are the contractors.

The attendance at Court last week was larger than at any term for years past. The crowd hung on till Court finally adjourned for the week Saturday evening.

In her first spasm of joy North Dakota has not only painted things red in the ordinary way, but scarlet fever has actually broken out at the capital of new State.

Much interest is manifested in McKeesport as to whom the President of the next Council will be. One member has been elected, but it is rumored that Burgess McClure will himself assume the position.

Mr. M. H. Hartzell, of Rockwood, is doing a land-office business in baled hay and straw this winter. He has shipped about eighteen tons from Rockwood, besides a large quantity from Bedford county where he has a baler at work.

H. Sellers McKee says that all Pittsburgh stockholders in the South Penn have sold their stock, and that he has received the money for his already. The statements about the building of the road were all, he declared, the variest rot.

John H. Jordan, Esq., of Bedford, is in attendance on the Somerset Court this week, where he is employed as counsel in an important ejectment case. Mr. Jordan has a large circle of acquaintances and many warm friends in Somerset county.

A bill before the Legislature delares quail, pheasant, red, black and grey squirrels, raccoon and deer, the personal property of the owners of the land on which they abide or range, and it makes a penal offense to hunt, trap or kill, except by the written consent of owners of the land, any of these animals.

Mr. A. O. Kimmell, of near Berlin, in another column advertises some valuable blooded stock for sale. Mr. Kimmell has been in the stock business for a number of years past and handles none but the best. Read his advertisement, and if you buy anything from him you can be sure it is what he represents it to be.

The constables and assessors elected two weeks ago will serve for three years under the provisions of an act of the legislature signed by the Governor on February 14. The act extending the terms of assessors provides that in townships containing more than one election district an assessor shall be chosen for each district. Somerset is the only township in this county that has two election districts.

Thirteen of the Butler county counterfeiters who were arrested recently, were taken to Scranton last night in charge of Deputy United States Marshal W. R. Chambers. The trial of the gang will be commenced next Monday morning before the United States Court, which meets at Scranton. The prisoners were taken out over the Allegheny Valley Railroad, and will be transferred at Buffalo for the place of their trial.

Dip one end of a sponge in water and the whole will soon be saturated. So a disease in one part of the body affects other parts. You have noticed this yourself. Kidney and liver troubles, unless checked, will induce constipation, piles, rheumatism and gravel. A timely use of Dr. Kennedy's Favorite Remedy will prevent these results. It is pleasant to the taste and may be taken freely by children and delicate females. It gives elasticity, life and checks with roses our them.

Judge Woodward, of Luzerne county, in charging the grand jury last week in regard to public highways, said: "While it is true that travel and transportation are largely accommodated by railroads, and while this fact may account for the neglect of the township roads by the supervisors, it is really no excuse for their failure to perform their plain duty. The public is entitled to have good roads and safe bridges, and the supervisors are elected to office to attend these highways and keep them in good order and repair. The grand jury was instructed that it was their province to return as common public nuisances such roads and bridges as are notoriously dangerous. Then the supervisors can be indicted for neglect and the evil can be reached and remedied."

The following letter from Somerfield, this county, appeared in the Pittsburgh *Commercial Gazette* of Saturday: The immense virgin tract of timber, coal and iron ore lands of the Upper Youghiogheny region lying south of this place in Fayette and Somerset counties, this State, and in Garrett county, Maryland, is soon to be developed and its product placed on the market through the medium of a railroad to be built from Confluence on the north to Oakland on the south.

The road will leave the Pittsburgh division of the Baltimore & Ohio near Confluence, crossing the Youghiogheny river below Sloans Ford, and continuing along the river on the Fayette county side to this place. From Somerfield its course to Garrett county is practically direct. After crossing the Maryland line the road passes through Selbysport, Friendsville and the "Singing Grounds," thence, probably, by the way of Deer Park to Oakland, at which point it will connect with the main stem of the Baltimore & Ohio.

The new line is being constructed by a company of Philadelphia and Baltimore capitalists. Among those of the latter place are the Swans. These parties own the valuable tracts touched by the road.

All along the proposed route there are dense forests of magnificent timber, rich deposits of iron ore and coal, an inexhaustible supply of white glass sand; and it is claimed by some of the older inhabitants that there are also deposits of lead. A large part of the timber land is owned by the company building the road.

From east and west the products of the many well-to-do farmers will be conveyed along the National road to Somerfield, making it a market place for all agricultural products and the principal point for shipping lumber on the new line. From here the line follows the west side of the Youghiogheny between the mountains to Selbysport, Md., which will also be an important shipping place for lumber. Between Friendsville and Oakland the principal timber lands are situated, embracing in one solid body over 16,000 acres.

The length of the line from Confluence to Oakland will be from forty to fifty miles. The work of constructing the bridge across the Youghiogheny, near Confluence, and of grading, will commence to-morrow. The company intends having trains run from Confluence to this place by July next.

SHOT THROUGH THE HEART.

AN AGED SOMERSET COUNTY FARMER FOULLY MURDERED.

HERMAN UMBERGER KILLED, THEN ROBBED OF FROM $30,000 TO $40,000.

Two Men in the Guise of Officers of the Law Do the Deed.

A Suspect Arrested.

Information of the most horrible tragedy that ever occurred within the confines of Somerset county, was brought to Somerset at an early hour Thursday morning. The scene of the tragedy was the residence of Mr. Herman Umberger, one of the most prosperous farmers of Jenner township, located at the foot of the Laurel Hill mountain, on the Somerset and Johnstown turnpike, about two miles north of the village of Jennertown. The dwelling in which Mr. Umberger resided was a cozy and substantial one, like that of most well-to-do Somerset county farmers, and the family consisted of Mr. Umberger, his wife, Nannie Horner, a grand-daughter of Mrs. Umberger's, ten years of age, Ella Stearn, a hired girl, and a hired man, George Horner, by name, who was temporarily absent from the place. The old gentleman, it appears, had a lack of confidence in banks, and rather than trust his surplus cash to them, he kept his money with him in his house. The fact that he always had a large quantity of cash in the house appears to have been well known in the neighborhood. During the past few months he had made a special effort to settle up his affairs, and had collected in considerable money that he had out in loans. When spoken to by friends and neighbors of the danger of keeping so much wealth in his house, he invariably replied that he was able to protect his property, as he always kept a sword and two loaded guns in his house. In his prime he was a powerful man and did not know what physical fear was, but of late had been greatly debilitated by increasing age and sickness.

The family had partaken of a late supper Wednesday evening and the inmates of the house were together in the sitting room when, the hour being about 7 o'clock, a knock was heard at the front door and the hired girl was told by the mistress of the house to go to the door and see who was there. The door was opened and two men stepped into the room, saying, "Good evening, Mr. Umberger." They were invited to sit down and took chairs facing Mr. Umberger, and with their backs to the females. After some conversation, they said they were officers; that a jewelry box had been lost between Jenner and Johnstown, and they had a search-warrant to search every house between the two places unless the box was found; and that, although the duty was unpleasant, they would have to search his house. One of the strangers was a large man, with a yellow spotted handkerchief tied over his ears and one tied around his chin. The other was a comparatively small man, dressed in dark clothes and wearing a derby hat and gum boots. The latter did all the talking and made the search; his companion remaining in a standing position in the sitting room. Mr. Umberger, accompanied by his wife and granddaughter conducted the stranger into the parlor, which adjoins the sitting room, where he made a cursory examination of the articles in it and then passed into the room adjoining—Mr. Umberger's bed room. In a bureau drawer in this room were two long pocket books in which Herman Umberger had laid away the earnings of a long life of labor, toil and strict economy, from twenty to twenty-five thousand dollars in currency, besides papers to the value of from fifteen to twenty thousand dollars. On opening this drawer farmer Umberger said, "these pocket-books contain a little change, I guess you don't want to examine them." The stranger replied that he did not and the little party returned to the sitting room. By this time the suspicions of Mr. Umberger began to be aroused, and stepping back into the bed room he took the pocket books from the drawer, and, being without his coat, placed them in the inside pocket of his vest, and again returned to the sitting room. As he stepped into the sitting room the smaller of the two men whipped out a revolver and pointing it full in the farmer's face demanded the money or his life. Then ensued a fearful scuffle. The contents of the pocket books, representing a life of toil, were not to be given up without a struggle. The robber fired four shots from his revolver, and as he did so, the little girl and the hired girl rushed out of the house, and Mrs. Umberger ran into the kitchen and rang the large dinner bell. She had given the bell rope but one or two pulls when she heard one more shot, when her husband staggered into the kitchen and fell dead at her feet, shot through the heart.

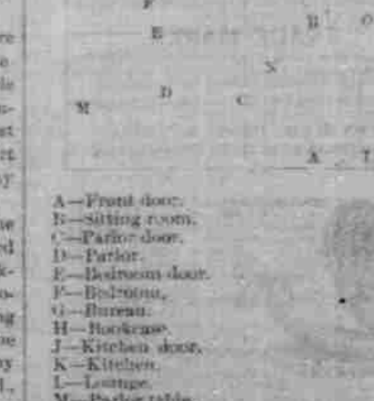
The ringing of the bell and the screams of little Nannie and Miss Stearn soon brought a number of terrified neighbors to the farm house who were horrified to learn of the ghastly tragedy that had been enacted there. The murderers with their booty escaped in the darkness.

The news of the terrible crime spread with great rapidity throughout the community and caused the most intense excitement. People for miles around flocked to the scene of the murder early the next morning and searching parties were organized and started out in every direction. The murderers could be tracked for some distance through the snow, the tracks leading in the direction of the mountains. The women did not recognize either of the men and they left no clue as to their identity. At this writing but one arrest has been made in connection with the crime and that not an important one, it is thought.

A HERALD REPORTER VISITS THE SCENE OF THE TRAGEDY.

A representative of the HERALD, accompanied by Sheriff McMillen, drove to the Umberger residence and procured a diagram of the house and the following details of the shocking event from Mrs. Umberger. The house stands in from the pike about twenty feet and is on the left hand side of the road as you go toward Johnstown. It is built against a hill, the front part being two stories high, with a porch along the entire front. The back part of the building is only one story high and is used as a kitchen. The large dinner bell is hung on the roof of the kitchen and the rope attached to it is suspended in the middle of the room.

DIAGRAM OF HOUSE.



A—Front door.
B—Sitting room.
C—Parlor door.
D—Parlor.
E—Bedroom door.
F—Bedroom.
G—Bureau.
H—Bookcase.
J—Kitchen door.
K—Kitchen.
L—Lounge.
M—Parlor table.
N—Sitting room table.
O—Stove.
P—Bed.
Q—Bell rope.

Mrs. Umberger, the widow of the murdered man is about sixty-eight years of age, although her dark hair and general youthful appearance would indicate that she was much younger. The following account of the murdering and robbing of her husband, which she told in German, was taken down accurately by the HERALD reporter.

MRS. UMBERGER'S STORY.

"About half-past six o'clock, Wednesday evening, Mr. Umberger, my little grand-daughter, Nannie Horner, our hired girl, Ella Stearn, and myself were in the sitting room. Mr. Umberger was in his shirt sleeves and was lying on the lounge. I was sitting at the table knitting and the girl and my grand-daughter were sitting by me reading. We had just finished supper a few moments and had lighted the lamps. There was a knock at the front door and I told Ella to see who was there. She opened the door and two men walked in. One of the men said 'good evening, Mr. Umberger.' We placed chairs for them and asked them to be seated. They sat down by the stove, one of them remarking that they were cold. Herman told me to stir up the fire as it was not very warm. They sat so near the stove I could not get at it. They were sitting so as to face Mr. Umberger but with their backs to us. I put a chair between them and told the large man to take that chair, which he did. The girl then fixed the fire. One of the men was much taller than the other. He had yellow striped overalls on and an overcoat. He had two handkerchiefs tied about his head which partly concealed his face. The small man was dressed in dark clothes. He wore a low crowned, brown derby hat and gum boots. He had a long gray beard. The small man did all the talking.

After the fire had been fixed the small man asked how far it was to Somerset. Mr. Umberger said you are strangers to me. The small man said they were from Bedford and mentioned his name but I don't remember what name he gave. Mr. Umberger asked if they wanted to go to Somerset. He replied that they did. Umberger then said you are off of your track if you want to go to Somerset. The small man then said: "You don't know our business. I am a constable and have a warrant from Bedford for a box of jewelry that was lost between Jennertown and Johnstown."

Umberger asked if they had had their warrant renewed in this county. He said Justice Rauch had renewed it.

The small man then pulled a large paper out of his pocket and read from it as though he had a search warrant. After sitting a little while they got up and said they did not like to do it but that they would have to search the house and we should not think hard of it. He said they had been at Frank Helple's and had left their buggy there; that they had searched Helple's and Gillian Friedline's house and that they must search all the houses between Jennertown and Johnstown.

Umberger assured them there was no jewelry here; so did I.

The small man then said "have you no hired man or anybody with you?" I replied that we had a hired man but that he had gone to the postoffice just a few moments before they came. He then said they would have to search the house; that some one in it might have the jewelry and we not know it. He then said it was getting late and we should go with them through the whole house.

Mr. Umberger got up and lit a candle and he and Nannie and I and the small man walked into the next room, which is the parlor. The large man got up and stood at the door leading from the room we were in, the sitting room, into the parlor. Ellen Stearn remained where she was, at the table. At the far end of the parlor was a table covered with toys belonging to Nannie. The small man walked over to this table and handled the toys. He then said I see nothing here, and we went into the next room, which is our bed room. There is a bureau in the bed room and he asked that the drawers of it be opened. Mr. Umberger opened the upper drawer, and the small man examined its contents very closely. He then said he wanted to examine all the drawers, and then for the first time, I began to suspect that something was wrong. In the second drawer was Herman's pocket books containing his money and valuable notes and papers. I quickly opened the lower drawer and he told me to take everything out. I said that was not necessary. He then said we should open the second drawer. Herman asked me if he should open it. I think Herman at this time began to suspect something. I told him to open it. He then opened the second drawer in which he had his money, and said, "here I have a pocket book in which I keep my change, but I guess I will not have to open it." The small man said they did not need to see that. He then went behind the door and examined some clothes that were hanging there.

I then said you have been here long enough, it is time you would go out. All then went back into the sitting room.

We had scarcely gotten back into the sitting-room when the small man said he had forgotten to look under the bed and told Mr. Umberger to go with him while he did so.

Mr. Umberger took the candle and went into the bed room, Nannie following them in. I stayed in the sitting room. Nannie came back and told me that Mr. Umberger wanted me to come into the bed room. I went into the bed-room when Herman said to me they want me to pull the bureau from the wall. He had partly done so. The man examined it and said there was nothing there. He then said, "I want the upper drawer pulled out again, maybe there is a drop-bottom to it."

Mr. Umberger took it out and the man could see into the drawer where the money was. He then asked that the second drawer be pulled open, which Mr. Umberger did.

I then said in German, it is now time that you get out of here. He said he didn't understand German. I replied if you don't go out I will soon learn you to understand it.

The man walked out into the parlor and Herman took the two pocket-books out of the drawer and put them in his inside vest pocket. I think the man saw him do this. We all went back into the sitting-room. Before we had time to sit down the small man drew a revolver from his pocket and pointing it at Mr. Umberger's heart, said:

"I WANT THAT MONEY OR YOUR LIFE."

He repeated this several times, advancing toward Umberger, who screamed and put out his hands and tried to fight him off, backing till he was against the wall by the book case, near the kitchen door. When he drew his revolver, Ellen Stearn ran through the kitchen and Nannie ran out of the front door. The small man fired four shots and I then ran into the kitchen and began to ring the dinner bell. The bell rope hangs near the centre of the kitchen. I had only given it one or two pulls when I heard another shot and at the same time Mr. Umberger staggered backward into the kitchen and fell at my feet. I reached down and asked him if he was hurt. He gasped once and was dead. I at once ran back into the sitting room and found the front door open and the two men gone. I then returned to the kitchen and rang the bell till the neighbors came. Nannie, who was outside of the house, heard the robbers running away and came back into the kitchen. The least possible sum Mr. Umberger had in the two pocket books was $30,000, and I think it was considerably more. I helped him count his money about two years ago and he then had between $16,000 and $17,000, and since then he sold a farm and collected in a great deal of money that he had out on interest. I had a good bit of money of my own in the house at the time, but it was up stairs. I believe Mr. Umberger recognized one of the men and that they killed him on that account, as they could have easily overpowered him and secured the money without doing him any bodily harm."

THE INQUEST.

Justice Rauch empaneled a jury and held an inquest on the body of the murdered man, Thursday. On examination by Dr. Walker it was found that one ball had struck Mr. Umberger in the right breast and passed through his body. It was found between the skin and his shirt. It was a 32 calibre ball. Another bullet entered the left side and passed through the heart. The first three shots did not hit Mr. Umberger. Two of the balls were found embedded in the wall, above the book case, and the third was discovered in the ceiling, which indicates that there was a struggle or that the first shots were fired with the intent of frightening Mr. Umberger and not of injuring him.

A SUGGESTIVE INCIDENT.

About eighteen months since Mr. Umberger's outbuilding, containing harness, etc., to the value of about $300, was burned, and it was supposed at that time that the parties who set fire to the building did it as an inducement to get him out, but he did not move, but remained in his house, suspecting the parties wished to get him out and then plunder the house.

DESCRIPTION OF THE ASSASSINS.

Mrs. Umberger and Miss Stearn and little Nannie give the following description: The larger of the men is about five feet ten inches tall and weighing probably 170 pounds, and wore a cap, dark overcoat, and overalls with yellow stripes.

When this man came in, and all the time he remained, he kept his mouth, lips and cheeks covered with two red handkerchiefs with white dots, the one having larger dots than the other. He appeared to be about thirty-five years of age, and Mrs. Umberger distinguished him from the other as "the red-faced man."

The other man was about five feet seven inches tall, and wore a brown derby hat, with a hole in the crown, and wore it set back on his head. He had long mixed gray whiskers and moustache, but both had the appearance of being false; also his hair, which was kind of curly and tangled, and which Miss Stearn thinks was not real. He wore a dark overcoat, dark cloth trousers, and gum boots. Judging him in this guise, they think his age would be in the fifties.

JUST BEFORE THE ROBBERY.

Mr. Friedline, named above, who lives within a mile from Mr. Umberger's, saw two men going through the fields last evening, coming from the Westmoreland line and going in the direction of Umberger's.

They were a distance from him, but one was larger than the other. They kept off the road and seemed to keep in or close to the thicket.

TRACKING THE MURDERERS.

Shortly after the alarm was sounded by Mrs. Umberger, the neighbors came running in and made every possible effort to follow the murderers but the trail was soon lost in the darkness. Thursday morning the tracks of the men were traced from the house to the mountain. The footprints revealed peculiar marks of gum boots. About one-fourth of a mile from the house, pieces of bread, etc., were found, indicating that the robbers had lunched there. The footprints were plainly discernable in the snow and led across the field to the mountain. The entire neighborhood, in small parties, scoured the mountain and surrounding country Thursday.

A SUSPECT ARRESTED.

Three young men from the neighborhood returned to Mr. Umberger's house Thursday evening and reported that they had followed the trail of a man to and from the toll-gate near Laughlinstown, ten miles northwest from the scene of the murder. There was no trail beyond the toll-gate, and this circumstance led to the suspicion that Collins Hamilton, a noted criminal, who makes his home with two old-maid relatives—keepers of the toll-gate—was one of the guilty parties. He answered the description of the man who did the shooting. He tallied also with the description of one of two men seen by Farmer Friedline going in the direction of Umberger's about 5 o'clock Wednesday evening.

A WARRANT ISSUED.

Chief Harris, of the Johnstown police force, and Constables Varner and Waters, of Johnstown, were at Mr. Umberger's house and to these officers the young men made their suspicions known. Hammer Caufield, a resident of the neighborhood, on the strength of this information went before Justice Rauch and swore out a warrant for the arrest of Collins Hamilton and a man unknown, on a charge of murder. The warrant was placed in the hands of the Johnstown officers, and they, accompanied by Mr. Caufield started for the toll-gate. The party arrived there about 1 o'clock in the morning, leaving their teams a quarter of a mile in their rear, to avoid noise, and approaching the house on foot.

THE OFFICERS AT THE SUSPECT'S HOME.

A knock at the front door received a prompt response, a female voice on the inside inquiring what was wanted. Chief Harris announced that he wished to speak to the person inside a few minutes. The door was at once opened and the officer was confronted by an elderly woman, who promptly began to swear and go on at a terrible rate, even before the officer had mentioned the object of his visit, saying among other things: "What do you want to come here disturbing the boy for when he is as innocent as a child, for I can swear that he has been in the house for three nights."

A WOMAN IN THE WAY.

Then came a voice from the far side of the room, the speaker being a female and occupying a bed on the floor, suggesting to the officers that they "had better go to the stable, as there is lots of hay there" and they "might find it there." No attention was paid to this remark, and Chief Harris said: "We want to see Collins Hamilton." The woman who had opened the door quickly replied: "You cannot see him. He's got a revolver, and if you go up there you will be shot, for he will kill the first man who enters his room." Then she braced herself against the stair door and said: "You can't go up. I don't want to see anybody killed, and if you go up there you will be shot." This was spoken in a very loud tone, evidently that it might be heard by Hamilton up stairs. It had no effect on the officers, however, for the Chief removed the woman by force, opened the door, and, going ahead with a lighted lamp, was followed by Varner and Waters, Varner carrying a lighted candle.

THE ARREST.

Proceeding up stairs they entered a room at the head of the stairs. It contained a bed, but it had no occupant. The door of the next room visited was closed. Over the doorway, written with chalk, in large letters, was the blood-curdling inscription: "Death to anyone that enters." This did not, however, deter the officers from opening the door. As they did so they saw Hamilton in a half sitting posture in a bed. He made no demonstration, nor did the officers exhibit any weapons. He was informed that his visitors were officers of the law and that they had a warrant for his arrest.

Before the officers had time to say what the warrant was for, Hamilton remarked: "I have been at home for three nights, and can prove it." He was then ordered to get up and dress himself, the officers in the meantime searching his clothes, but finding nothing except a few dollars in his pants pocket. Being slow about getting out of bed, the officers again ordered him to rise, which he did.

HIS ROOM AN ARSENAL.

As soon as he was dressed he was handcuffed to Constable Waters, while Officer Varner turned down the bed-clothes and tossed aside a pillow. Under the latter were two revolvers, both loaded; a twenty-dollar gold piece, and a ten-dollar bill. In a corner of the room stood two rifles, also loaded, and a double-bitted ax.

THE HOUSE SEARCHED AND WHAT WAS FOUND.

As soon as the prisoner was handcuffed to Waters the other officers made a search of the rooms. The search was thorough. The articles found were a mask; a stiff-rimmed, brown hat, with the top dinged in; a red bandana handkerchief, and a pair of overalls. All these things corresponded with those worn by the small man at Umberger's the evening of the murder. A large empty pocket-book was also found in a bureau drawer. It answered the description of one of the books taken from Umberger. The things were taken possession of by the officers.

HAMILTON COMMITTED TO JAIL.

Constable Waters and Mr. Hammer Caufield started for Jennertown with the prisoner, while the other officers went to Ligonier and took the train for Johnstown. The party with the prisoner in charge arrived at Justice Rauch's about 3 o'clock in the afternoon, and the Justice accompanied the party to Mr. Umberger's. Mrs. Umberger was taken into the prisoner's presence first. She said he was not the man. That he corresponded in size but in no other way. Miss Stearn and the little girl both failed to identify the prisoner, and were of the same opinion as Mrs. Umberger. The Justice decided to hold the prisoner and he was committed to the county jail.

Constable Rauch arrived in Somerset with the prisoner in charge about 9 o'clock Friday night and lodged him in jail, where he still remains. While there is nothing to show that he was an active participant in the crime he is generally believed to have been an accomplice.

ON ANOTHER TACK.

Constable Rauch and Hammer Caufield appeared before Justice L. M. Hicks, of this place, Saturday morning and procured a warrant for the arrest of two men living in Westmoreland county, who are suspected of being the guilty parties. They took the west bound train on the B. & O. Railroad Saturday morning, but have not since been heard of. A rumor is afloat at this writing that one of the guilty parties has been arrested and made a confession, in which he implicates five other persons in the crime. It is said that they are a regularly organized band of outlaws and that many of the crimes committed in this and adjoining counties of late years, among them the shooting of farmer W. F. Weller, some months since, can be traced to their door. Our reporter failed to trace this report to any authentic source.

The people of the entire northern section of the county are still intensely excited over the tragedy, and all sorts of rumors and stories concerning it and the perpetrators are afloat among them. If all the parties said to be suspected of committing the crime were to be arrested, the county jail would scarcely hold them.

THE FUNERAL.

The funeral of the murdered man was attended by an immense concourse of people, almost every one for miles around being present. It took place from his residence at 10 o'clock Friday morning, and his remains were laid to rest in the cemetery of the Mt. Zion Church.

Herman Umberger was born on the 27th day of October, 1817, and was consequently in his 72nd year at the time of his death. He had resided on the same farm for forty-eight years. He was fully six feet in height; heavily built; of powerful physical development and well proportioned in every part. He was of a humane and hospitable nature, and strangers always found a cordial welcome at his home. His manner of life was very plain, and his home was comfortably, but by no means richly, furnished.

A TALK WITH HAMILTON.

A HERALD reporter called at the county jail Tuesday morning, and through the courtesy of Sheriff McMillen had a short interview with Collins Hamilton. Hamilton is a young man, just 30 years of age; stands 5 feet 6 inches in his stocking feet; weighs 140 pounds, and is perfectly proportioned. He has brown hair, dark brown eyes that have a keen, restless, wary look; is dark complected, and wears a light brown moustache. He is quick and wiry in his movements, and reminds one of a thoroughbred game cock. He is powerfully built, stands very erect, and looks as though he would be able to hold up his end of the string in a foot-race or hand-to-hand fight. He talked freely and in a pleasant voice, although his sentences were somewhat jerky and his manner nervous.

He said to the reporter, among many other things: "I was at home the night this affair happened, and can prove it by as good witnesses as there are in the Ligonier valley. I make my home with my two maiden aunts, who live at the toll gate between Jennertown and Laughlinstown, when I am not doing time for some offense, or supposed offense; I was sent to the House of Refuge by this court when I was only 17 years of age, having been convicted of burglary; I was only a boy, and with two other lads burglarized Silas Cover's store at Jenner X Roads; I was guilty then, but I am not now; I was only kept at the Refuge for eight months, and was then let go because of my good behavior while there; I was sent to the "pen" by the Greensburg court for three years and eight months, on a charge of larceny; I was innocent, but because of my bad character was convicted; if it were not for my bad character, they would never have arrested me this time.

They have no evidence against me. Mrs. Umberger, the hired girl and the little girl all said when I was taken before them that they had never seen me before. I never saw Mr. Umberger to know him in my life. I never got a bad mark while I was in the Pen. My record there was good.

The night this crime was committed Edward Carns brought up a load of hay for my aunts. I helped him unload the hay. It was just about dark when we finished. How could I have been there and at Umberger's at the same time. They talk of tracks to the house. There was snow on the mountain and on this side till a short distance above where I live and from there on down there was no snow and the officers could follow the tracks no farther, and because this was close to my home they arrested me. The mask they claim to have found in my room was not in my room but in the down stairs room. It was an old false face that I had bought at Mr. Grove's, in Ligonier. If they have any evidence against me they ought to let me know. They may think that because I know a good many bad men I know who did this, but I don't. I have my suspicions and gave them to the officers."

TWO MORE ARRESTS.

Just as we go to press Tuesday evening we learn that Constable Rauch, with several deputies, arrested Joseph and David Nicely, who live four miles from Ligonier. A search of their premises failed to show any indications of their guilt. The officers claim they have sufficient evidence to warrant them in making the arrests. The prisoners were taken to the Umberger residence for identification this morning and will probably be brought here this evening.

A CALL

For a Meeting in Favor of the Constitutional Amendment.

The undersigned urge the citizens of each election district of Somerset County to select delegates, irrespective of party affiliations, to meet in Convention, in the Court House, at Somerset, on

WEDNESDAY, MARCH 27, 1889,

at 1 o'clock p. m., for the purpose of effecting a county organization by the election of a County Chairman, County Committee, Executive Committee, &c., in order to secure as many votes as possible in favor of the Amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Let every election district in the County be represented.

Aamuel Snyder,	J. B. Holderbaum,
A. J. Colborn,	S. G. Baltzer,
A. C. Holbert,	I. F. Brant,
Valentine Hay,	E. G. Mostoller,
Wm. Endsley,	James Lambert,
J. M. Hay,	H. S. Endsley,
George Ortin,	W. H. Ruppel,
Henry F. Schell,	H. L. Sipe,
John H. Zimm,	George J. Black,
S. H. Brook,	W. S. Kuhlman,
E. H. Werner,	J. B. Davis,
A. H. Coffroth,	J. C. Cunningham,
P. S. Hay,	J. R. Coder,
Wm. S. Morgan,	J. H. Zimmerman,
James M. Cover,	M. L. Young,
N. B. Critchfield,	William Statler,
C. W. Williamson,	E. S. Johnston,
D. E. Wagner,	Henry Lucas,
George M. Neff,	Fred Shaulis,
A. J. Hileman,	Joseph Horner,
Jacob Hoffman,	H. C. Beerits,
John H. Snyder,	W. H. Platt,
B. Wolfhope,	W. H. Barron,
Hiram King,	Josiah Pile,
Peter Miller,	Jacob Baker,
J. B. Snyder,	John Enfield,
E. Menges,	A. W. Miller,
Eugene B. Floto,	Solomon Pile,
Wm. H. Miller,	J. J. McMillen,
William Maurer,	C. B. Moore,
O. P. Shaver,	Aaron Schrock,
E. C. Welch,	J. R. McMillen,
J. M. Berkey,	Jonas M. Cook,
Samuel Philson,	Charles F. Uhl,
C. A. Walter,	Gottlieb Straub,
J. C. Knable,	J. E. Faust,
H. L. Hay,	George H. Love,
D. G. Miller,	Charles J. Harrison,
J. J. Walker,	M. J. Pritts,
S. C. Bridigum,	Wm. B. Frease,
J. L. W. Seibert,	Oliver Knepper,
Josiah Woy,	E. J. Walker,
John G. Sanner,	W. A. Rink,
John H. Bird,	Josiah Shafer,
A. Evans,	Wm. H. Welmer,
Harrison Snyder,	J. D. Meese,
Philip Smith,	B. S. Fleck,
D. H. Wolfersperger,	Benj. Bowman.
Amos W. Knepper.	

Prospects for a Neck-tie Party.

THE MURDERERS OF HERMAN UMBERGER RUN DOWN BY CONSTABLE RAUCH.

HE CAPTURES THEM NEAR LIGONIER AND LANDS THEM IN THE COUNTY JAIL.

THE "LITTLE MAN" AND "RED FACED MAN" BOTH POSITIVELY IDENTIFIED BY MRS. UMBERGER AND ELLEN STEARN—NO DOUBT AS TO THEIR BEING THE GUILTY PARTIES.

Just as the HERALD was about to go to press, at 9 o'clock Tuesday evening, Constable John O. Rauch, of Jennertown, arrived in Somerset with David and Joseph Nicely in charge, and lodged them in the county jail. The feeling in this town, and throughout the entire northern end of the county, has been intense ever since the announcement of the murder was made, and we feel assured that the news of the capture of the fiends who perpetrated the horrible crime will be gratifying news to many of our readers.

The story of the arrest and identification of the criminals is as follows:

Constable Rauch appeared before Justice L. M. Hicks, of this place, Saturday morning and procured a warrant for the arrest of two men—names unknown—on a charge of murder. He and a deputy, Hammer Caufield, left the same morning for Laurelville, a short distance this side of Mt. Pleasant, where they had reason to believe they would find the parties they wanted. When they got to Laurelville they discovered they were on the wrong scent, the men they suspected had not been away from home the day or night of the murder, but while there they gathered some important information, after learning which they made a bee line for Ligonier.

They arrived at Ligonier about 11 o'clock Monday morning, and after getting 'Squire Glessner to renew their warrant, they hired a carriage and drove to the residence of David Nicely, about three miles distant from Ligonier.

ARREST OF THE "RED-FACED MAN."

David Nicely lives on a small farm in Ligonier Township, Westmoreland County, with his wife and two small children. His reputation throughout the neighborhood is unsavory. His wife responded to Constable Rauch's knock at the door and to his question as to whether Mr. Nicely was at home replied that he was in the shop. Just as she said this Mr. Nicely came out of another door and started for the constable. Constable Rauch knew his man, and, drawing his revolver, ordered him to throw up his hands. After handcuffing his prisoner and leaving him in charge of his deputy he proceeded to search the house. Among other things found in the room was a pair of

YELLOW STRIPED OVERALLS,

a red handkerchief with white spots, an overcoat, and a pair of boots. There were also several letters relating to "green goods" found among Mr. Nicely's effects. The prisoner's wife cried and protested violently against his being taken away, while he himself, took the matter quite coolly.

The constable, with his prisoner in charge then started for the residence of his brother, Joseph Nicely, about a mile distant.

ARREST OF THE "LITTLE MAN."

Joseph Nicely was found at a blacksmith shop close by his house and was arrested without any great difficulty. His family consisted of a wife and seven children. When arrested he had on a pair of

GUM BOOTS,

which, when compared with the tracks made in the snow by one of the murderers, corresponded precisely.

A search of the house was made, and among other things discovered was a wallet, a low-crowned derby hat with a hole in the rim, and a suit of dark-colored clothes. Joseph Nicely, the "little man," is a well-known criminal character who has "done time" more than once, and for more than one offense.

The constable took his prisoners to Ligonier, where he kept them over night, and at an early hour Tuesday morning started with them to Jennertown, where they were given a hearing before 'Squire Rauch, and were

FULLY AND POSITIVELY IDENTIFIED

by Mrs. Umberger, Ellen Stearn, and Nannie Horner, as the men who murdered and robbed Herman Umberger, on Wednesday evening last.

THE HEARING.

The gum boots worn by the "little man" were compared with the tracks made in the snow by the murderers, and were found to fit exactly, as were the boots found in the house of the "red faced man."

A man by the name of Beener testified that he was going down the mountain, in the direction of Ligonier, the afternoon of the murder; he met a man coming toward Jennertown, whom he took to be David Nicely. A little farther on he saw another man, who turned off into the woods. He identified David Nicely as the man he had passed on the mountain.

Mr. Friedline, a neighbor of Mr. Umberger's, who had seen two strangers in that vicinity a short time before the murder, testified that the prisoners corresponded in appearance with the men he had seen.

Mrs. Joseph Walter, who lives on the Haines place, near the top of the mountain, saw two strangers going in the direction of Umberger's the evening of the murder. It was about half-past five o'clock when she saw them. One was a tall man and the other was a small one. The tall man was on the side of the road next her house, and she got a full view of him. She recognized David Nicely as one of the men, and believed Joseph was the other.

THE REVOLVER.

Constable Rauch produced a 32 calibre, five shot revolver, and a number of cartridges which he had found in the house of the "little man." The cartridge balls were precisely the same as the one taken from the body of the murdered man and those found embeded in the wall above the book-case in his house.

When Mrs. Umberger was brought into the presence of the prisoners she said that she believed they were the men who had murdered her husband. That they were alike in size and appearance but that she could not positively identify them.

ELLEN STEARN,

who is a bright, intelligent young lady, about 20 years of age, positively identified both men as the parties who robbed and murdered her employer, Herman Umberger. The overcoat found in David Nicely's house she recognized as the one worn by him the night of the murder, also the yellow-striped overalls. A red handkerchief, with white spots, taken from the person of David Nicely, was shown her and she said it was exactly similar to the ones worn by the masked man. She recognized the voices of both men and was positive that they were the guilty parties. The brown derby hat with the hole in the rim, found at the house of Joseph Nicely, she said was the one worn by the "little man" the night of the murder.

Nannie Horner, Mrs. Umberger's little grand-daughter, identified both prisoners.

COMMITTED TO JAIL.

'Squire Rauch committed both prisoners to the county jail to await trial at the next term of court.

The news of the arrest of the murderers had spread like wild-fire through the surrounding country, and the entire population came trooping into the village to get a sight of the malefactors.

The feeling and excitement was unbounded, and when the Constable started for Somerset with his prisoners, a number of the citizens mounted their horses and, notwithstanding the horribly inclement weather and the almost impassible condition of the roads, insisted on accompanying the party and seeing that the murderers were safely delivered into the custody of Sheriff McMillen. The party reached Somerset at about 9 o'clock, and Constable Rauch delivered his charges into the custody of the Sheriff.

DESCRIPTION OF THE PRISONERS.

David Nicely, the "red faced man," stands about 5 feet 10 inches in his stocking feet; is about 25 years of age, and weighs about 145 pounds; has a sandy moustache and hair; his face is very red.

Joseph Nicely, the "little man," is about 5 feet 7 inches high; dark complected, dark hair and moustache, both slightly sprinkled with gray; weight, about 150 pounds.

The Will of Elizabeth Dibert.

Following is the last will and testament of Elizabeth Dibert, who died at Stoystown on Monday, the 18th ult. The will was probated Tuesday, the 26th inst.:

In the name of God, Amen. I, Elizabeth Dibert, of Stoystown Borough, in the County of Somerset, and State of Pennsylvania, being in infirm health, but of sound mind, memory and understanding (praised be God for it), considering the certainty of death and the uncertainty of the time thereof, and to the end I may be the better prepared to leave this world whenever it should please God to call me hence, do therefore make and declare this my last will and testament, hereby revoking and making void all former wills by me at any time heretofore made; and first and principally I commend my soul into the hands of Almighty God, my Creator. Second, I order that all my just debts, funeral expenses, and charges of proving this my last will be in the first place fully paid and satisfied. Third, I give and bequeath all my clothes that may be found in my wardrobes and closets, after my death, to my sisters, the same to be equally divided between those that may survive me, and to the daughters of my deceased sisters, the daughters only to receive the mother's share. And all my household furniture, carpets and bed clothing, shall be equally divided between my sisters the same as my clothing, share and share alike. I give and bequeath the sum of two hundred dollars, the same to be deposited in the Johnstown Savings Bank at Johnstown, Pa., the interest of fifty dollars of said money to be applied annually to repairing the graves of Abraham Dibert and his wife, in the graveyard at Jenner X Roads and the interest of the remaining one hundred and fifty dollars to be applied to the repairing of the graves of the Dibert family in the graveyard west of Stoystown Borough, and the rest, residue and remainder of my estate shall be equally divided between my brothers and sisters, share and share alike. And I do hereby order that all my real estate shall be sold one year after my death, the purchase money to be paid in three equal annual payments, and I hereby authorize and empower my executor, hereinafter named, to sell and convey my real estate either at public or private sale, as to him may seem best. And I do hereby nominate, constitute, and appoint Wm. Maurer, of Quemahoning Township, Somerset Co., Pa., executor of my last will and testament.

In witness whereof I, the said testator, have to this, my last will and testament, set my hand and seal the 19th day of June, A. D. 1885.

[Signed] ELIZABETH x DIBERT, her mark.

Attest:—
ADA HERSHEY,
B. F. DOWMAN.

Black Township Items.

Mrs. Lavinia Sechler has been confined to her bed by serious illness for the past week.

The farmers have made good use of the limited amount of sledding we have had, in hauling lime, coal, etc.

Black Township was well represented at Court last week, a number of our citizens serving as witnesses, jurors, etc.

The protracted meeting at the Laurel church, which had been in progress for the past three weeks, closed last Wednesday night.

Sleighing has entirely disappeared, much to the disappointment of some of our young folks, and sugar boilers are getting ready for their work.

Henry Vought, one of our most wide awake farmers, has purchased a farm on the south side. Henry has an eye to business and knows a good thing when he sees it.

T. R. Pritts, the successful teacher of the Weimer's Grove school, is all smiles these days. He is supposed to be the happiest man on south side, for reasons best known to himself. Tommy, we wish you success in your new venture, and long may your joy continue.

Mr. Samuel Critchfield gave several very good magic lantern exhibitions at the school house last week, some being Bible scenes, others bird's-eye views of the great battles of the civil war. Samuel is bound to please and if he cannot please with the pictures, he can entertain you with a speech.

ONCE IN AWHILE.

Confluence.

The Bird Brothers, of Addison township, bought of Savage and Farnum, of Michigan, the celebrated horse "Un," and are standing him at the stable of David Ankeny, near Harnedsville. This is said to be the finest imported horse ever brought to this country.

On the evening of the 2nd inst., Mr. Jeremiah Liston, of Listonburg, and a man by the name of Smith, of Addison township, were struck by a passing train, while in the act of crossing the track at the public crossing near Ursina Station, with horse and buggy, and badly injured. Mr. Liston's head and face were cut and bruised in an ugly manner. Mr. Smith had one leg broken and a dislocation of the ankle joint. The horse was killed and the buggy broken into smithereens. Drs. Fleldner and Kuhlman were called and they think both men will recover.

X.

Nothing in the Wide World so Good.

I was afflicted with Kidney disease. Dr. Kennedy's Favorite Remedy, of Rondout, N. Y.—I say it with a perfect recollection of all that was done for me besides, is the only thing that gave me permanent relief. I have recommended this medicine to many people for Kidney disease and they all agree in saying that it has not its equal in the wide world for this complaint.—Lyman Crawford, Druggist, Springfield, Mass.

New Dress Goods.

New styles of Spring Dress Goods, with all the new shades and colorings, will be opened on Friday. Prices low.

MRS. A. E. UHL.

Wanted.

A solicitor for Somerset County. Must be a man of ability. $80 per month.

J. P. DAVIS, Manager.
New Florence Pa.

Corn, Ear and Shelled.

If you want corn at the lowest prices, call soon. It may go higher any day.

M. SCHROCK.

FEBRUARY TERM OF COURT.

Almost the Entire Week Devoted to the Trial of Liquor Cases.

Is Cider Intoxicating, and is it a Vinous or Spirituous Liquor?

RETAIL LIQUOR LICENSES.

MOST OF THE APPLICANTS LEFT IN THE SOUP.

SOMERSET STAYS DRY.

Meyersdale Scores a Point on the County Seat.

ROAD VIEWERS APPOINTED.

THE DRUGGISTS.

From Monday morning till Friday evening, the time of the Court was taken up in hearing applications for liquor licenses, and trying liquor cases. Court called at 10 o'clock Monday morning, with President Judge Baer and Associates Shaver and Pile on the bench. The bar list was called and a number of motions were heard, and then the Court buckled down to the work of the week—trying liquor cases. At the December sessions an indictment had been found against W. S. Mountain, charging him with selling liquor without license, to minors, on Sunday, to persons visibly affected, and more than once on one prescription. This was the first case called for trial. The Commonwealth was represented by District Attorney Biesecker, Messrs. Coffroth & Ruppel, and Val Hay, Esq. W. H. Koontz and A. C. Holbert, Esq's appeared for the defendant. Dr. Mountain is a regularly registered physician, practicing his profession in the town of Confluence, where he also has a drug store. The allegations of the prosecution were that at this drug store the doctor had committed the offenses charged. They produced quite a number of witnesses who swore they had gotten liquor from the defendant, but on cross examination most of them admitted that they had a prescription for what they got. The case was warmly contested, and it was noon Tuesday before the jury was charged. The Commonwealth took the position that the defendant, although a regularly registered physician, had no right to sell liquor on his own prescription. This view of the law was not sustained by Judge Baer, who ruled that a physician—also being a druggist—acting in perfect good faith, had the right to sell on his own prescription. The jury was out from Tuesday noon till Thursday morning before they could agree upon a verdict. During this time they frequently sent word to the Court that they were unable to agree and asking to be discharged, but the answer was sent back each time that the time had not yet arrived when the Court would discharge them. They came into court Thursday morning, looking somewhat careworn, with a verdict of "not guilty, but the defendant to pay the costs." The costs will amount to over two hundred dollars.

The second case tried was that of the Commonwealth vs. David Gildner, of Rockwood. Mr. Gildner is a physician and druggist, and the charge against him was selling liquor without license. At the Commonwealth's table sat Messrs. Coffroth & Ruppel, H. S. Endsley, F. J. Kooser, A. J. Colborn, and Val Hay, Esq's. For the defense, were W. H. Koontz, J. R. Scott and Dennis Meyers, Esq's. The case, like the preceding one, was very hotly contested, and hinged much upon the same questions. While the Commonwealth proved quite a number of sales of liquor by the defendant he, in almost every instance, produced the written prescription of a regularly registered physician as his authority for the sale. The jury were out some time when they returned with a verdict peculiar to Pennsylvania juries, of "not guilty, and the defendant to pay the costs." Dr. Gildner had been returned by the constable of Rockwood borough at the instance of a young man named Wm. H. Rayman, who had a misunderstanding with the doctor, and took this means of getting even. In return, Dr. Gildner had Rayman arrested for furnishing liquor to minors. This was the next case tried, and resulted in a verdict of "guilty in manner and form as the defendant stands indicted." In this case the defense was conducted by Messrs. Colborn & Colborn and H. L. Baer, Esq., while John R. Scott, Esq., conducted the case for the Commonwealth.

THE DISTILLERS.

At the September sessions of 1888 Jesse Baughman, Simon P. Sayler and Abraham Shultz had been returned by the Constable of their respective districts for selling liquor without license. True bills were found against the defendants by the Grand Jury at December sessions, and these were the next cases called for trial. As these cases were all alike, involving the same questions of law, the three were tried at one time, before the same jury. W. H. Koontz, H. L. Baer, Dennis Meyers and John H. Uhl, Esq's, appeared for the defendants, while the Commonwealth was represented by Messrs. Coffroth & Ruppel, Val. Hay, A. J. Colborn, F. J. Kooser, H. S. Endsley and A. C. Holbert, Esq's.

The defendants are distillers, and their applications for distiller's license had been refused by the Court in the spring of 1888. Acting under the advice of counsel, they took out a Mercantile License at the County Treasurer's office, the same that they had always sold under heretofore, and which was the only license required for distillers prior to the Act of 1887, and proceeded to manufacture and sell. Their counsel took the position that the Act of 1887, (the high license law,) did not require distillers to procure a license from the Quarter Sessions Court to sell the product of their stills, at their distilleries, in quantities of not less than one gallon, and the only license they needed for this purpose was that issued by the County Treasurer. At the time they took out their license the Supreme Court had not yet been called upon to pass upon the question and different County Judges had ruled that the Mercantile License was all that was necessary. The prosecution argued that when the defendants sold without having procured a license from the Court they violated the Act of Assembly of 1887. They also showed that one of the defendants had sold C. O. D., which they maintained was a violation of the license laws, whether the defendant had a license from the Court or not. Judge Baer held that the sale of liquor C. O. D. was illegal. Considerable time was consumed in the trial of these cases. The jury were out for several hours when they returned with a verdict of guilty. A motion for a new trial was promptly filed by the defendant's counsel and it is probable that the cases will be taken to the Supreme Court.

THE CIDER CASE.

The next case taken up comes from Meyersdale, the Metropolis of the County and town of soft drinks. The defendant is a groceryman, A. A. Miller by name, and according to the testimony adduced by the Commonwealth, during the hot days of the past summer he dispensed over his grocery counter sweet, and at times, sour cider among other soft and cooling drinks to the thirsty citizens of that ancient and moral village. On an evil day for the innocent dispenser of these harmless beverages, an over-virtuous constable dropped into his grocery, and, anxious to show his deep reverence and respect for the law, he invited this representative and embodiment of it to refresh himself with a glass of cider. The officer condescendingly consented; the cider was brought; he took a deep draught and, setting the vessel down, pronounced it "hard." Being a conscientious officer, nothing was left to him to do but return the groceryman to the next Court of Quarter Sessions for violating the liquor license laws of the Commonwealth, in consequence of which, Friday morning, Mr. Miller was arraigned before a jury of his countrymen charged with having sold, within the jurisdiction of the Court, at various times within the two years last past,

(Continued on Second Page.)