

Somerset Herald.

SOMERSET, PA., WEDNESDAY, MAY 29, 1889.

LOOK SHARP!

SHER'S BOOK STORE.

BERGER MURDER AND THE YODER HANGING,

—LOWEST WHOLESALE RATES.—

Fisher's Book Store.

ABLES, ALBUMS, SUNDAY-SCHOOL TICKETS, CARDS, TESTAMENTS, GOSPEL HYMNS, PICTURES, FRAMES,

FISHER'S BOOK STORE.

LOOK SHARP!

HERR BROS.

Watches, Clocks, Jewelry, Spectacles, &c.

LOWEST CASH PRICES

HERR BROS.

R.M. KOONTZ ECONOMY IS WEALTH.

We understand what the people want. They want goods at the lowest possible prices. They want to pay cash and save 25 to 50 per cent. They don't want to pay enormous prices for the so-called "best goods in the market." They don't want to pay their neighbors' debts when dealing with a credit store, which they are obliged to do, because the dealer must put on enough profit to make up for his losses by those who don't pay. But they do want to buy from a firm that sells only for cash and one price to all, which is the lowest possible price, and who buys directly from headquarters and pays the cash, thereby securing to the consumer the advantage of a large discount; also, saving a drummer's salary, and lastly, saving the consumer a discount for paying cash. The policy of the Bargain Store is to give the buyer all the discount. Everything in the line of Clothing, Tinware, Shoes, Hardware, Notions, etc., to be had at panic prices at the BARGAIN STORE, South-east corner of Diamond and Somerset, Pa.

REAL ESTATE FOR SALE!

I have too much real property and want to sell. No. 1. I offer the Grand Hill farm, 17 acres well improved, with good house and barn and outbuildings. Situate west end Somerset Borough. No. 2. Four acres in adjoining. No. 3. A house building lot with good lot 60x200 feet, with stable and outbuildings. Situate in Somerset Borough. No. 4. A Tract of Land containing 80 acres, situated, miles from Somerset Borough, nearly all cleared and in a good state of fertility. J. M. HOLDREATH.

When the Somerset Herald, way back when the century was young, the good year 1827, made its modest bow to the people of Somerset county its editors in their wildest dreams for the prosperity of the child of their brain probably never thought that the day would come when it would contain more matter in two columns than was then published in their entire paper. Imagine their surprise on being told that the news of the farthest parts of the earth would be caught up each week and laid before the Herald's readers. That the happenings in New York, Philadelphia, Pittsburgh and Washington on Tuesday would be spread before the readers of the Herald on Wednesday morning. That happenings in Europe that they thought never if received within six months would now be considered stale, even in the mountains of Somerset, if printed six days after they transpired. If they ever dreamed of such a thing as a daily paper it was as of something as immeasurably distant as the Milky Way, as dim as a glimpse of the angel within the pearly gates. "Behold what a wonder God hath wrought." The lightnings have been chained and the daily events of one continent are flashed beneath the seas to the other. Farther India and the continent of the Pacific, figuratively, reach out their hands to grasp those of the giant liberty that has built himself an permanent abiding place on the shores first disclosed to Columbus of sturdy faith. The monster steam, controlled and regulated, rushes from ocean to ocean, distributing from palaces on wheels the missives of business and of pleasure that are sent on daily journeys that were once thought a life's pilgrimage. The printing presses now print as many hundred copies in a minute as they printed single copies then. The Herald has kept pace with the progress of the times, with the achievements of the age. From a small sheet, scarcely larger than the present sheet of foolscap and containing fewer words than are now to be found in one of its columns, it has gone on until it is now one of the largest, one of the best, one of the newest, neatest and most popular weeklies in the State. Rivals have risen and waxed and waned, but the Herald ever mindful of the motto of its founders "Country before party and party before self" has steadily pursued its way, advocating the right, and denouncing the wrong. With what success let its subscription list, the largest ever enjoyed by any paper in the county, answer. This week it makes a new departure. Unwilling that the particulars of the important cases now on trial in our county courts should reach the people of the county by way of "Robin Hood's barn" it will issue a daily during the sitting of the court and hopes that the day will soon dawn when the improved mail facilities of the county will enable it to be as welcome a daily as it now is a weekly visitor to the homes of the people of Somerset county.

As all anticipated the multitudes are here—from every section of the county—here from Cambria, from Westmoreland and Fayette counties—here even from border sections of both West Virginia and Maryland—here in such numbers as to fill houses, stores, shops, offices and streets. And, yet, vast as the crowd now is, it will be greatly enlarged when the great murder and robbery trials will take place. Our houses of public entertainment—the Somerset, West End and the Commercial hotels are taxed to their utmost capacity seemingly to accommodate their hundreds of guests; and yet their proprietors say they can still find room for more. Like omnibuses and street railway cars they are never too full not to take in a few more. Thus far, up to Tuesday afternoon, court's time has been taken up by disposing of several minor cases—in order of point of comparison with the big ones in reserve. The most interesting one disposed of is that of the Commonwealth against Mr. Clark Benford, one of our popular druggists. On the side of the Commonwealth some dozen or fifteen men who were suspected of buying liquor at Mr. B's store took the stand as witnesses. Their examination, and the two speeches of opposing counsel took up nearly all of Monday's afternoon and Tuesday's forenoon session. The Judge's charge was delivered immediately after court met on Tuesday, at 1:30. The jury retired at 2 o'clock and have not agreed upon a verdict at this writing. The renovated Court-house, with its improved accommodations for lawyers, jurors and spectators, is found to be much better adapted to court proceedings than formerly. That the proceedings will be very fully reported and printed in dailies and weeklies, in Somerset and other papers, may be inferred by the fact of the number of both short and long hand reporters at the tables. The wide spread interest in Court matters for this term is shown in the large subscription list to our Daily—more than 1500 names being already on our books. We are sending copies to places all over the State, and a good many to points in other States.

Mr. Sam Deau, of Addison, is attending court.

Matthews & Kimmel keep the best groceries in Berlin.

For Fine Cigars go to M. Schrock, opposite the Somerset House.

Editor George T. Swank of the Johnstown Tribune, spent the morning in Somerset.

Baby Caps and Baby Dresses in great variety, at Mrs. A. E. Uhl's.

Temperance drinks on ice at M. Schrock's, opposite the Somerset House.

"Gassy" Kimmel and Ed Hoover, of Brothersvalley, are taking in the May Court.

All the latest spring and summer goods at Matthews & Kimmel's, Berlin, Pa.

A full line of colors of Wool, Cotton, and Linen Carpet Chain at Mrs. A. E. Uhl's.

Constable M. F. Allison, of Ogle, was a welcome visitor at the Herald office last evening.

Sheriff George Steinman, of Cambria Co., one of the most popular Republicans in the 20th district, is in town.

Mr. "Rube" Linton is reporting the court proceedings for the Johnstown Democrat, of which paper he is local editor.

Mr. Charles McMillen, of Ligonier, this county, is spending court week with his brother, Deputy Sheriff M. W. McMillen.

Back numbers of the Herald containing full accounts of the Ueberger, Yoder, and Shanley tragedies, can be secured at Fisher's Book Store.

From Ligonier to twenty carriages from the Ligonier valley drove into town early this morning, bringing witnesses in the Nicely case.

The Grand Jury only examined three witnesses when they returned a true bill against the Nicelys.

The McClellandtown and West Virginia contingent in the case against the alleged Fayette county bandits, presented a sorry spectacle as they marched in a body from the station to the Court House, Monday noon.

Hon. Sam Snyder, of Friends, Chairman of the Prohibition county committee, and a reader of the Herald from way back, spent an hour in this office this morning and subscribed for the daily before leaving.

Do you know that Sipe Bros. are to-day the Leading Merchants of the county for General Merchandise. We don't need to blow about our goods and prices, our customers do the blowing for us.

Sipe Bros., Spessville, Pa.

The Seventh Annual Convention of the W. C. T. U. will be held in the Lutheran Church, at Somerset, Pa., on the 26th and 27th of June, 1889. All members of Unions, parsonages and persons interested in the advancement of the temperance cause, are requested to attend. Delegates will be received and entertainment assigned by committees in the waiting room at the Station. Please wear a white ribbon.

The place to get the celebrated Clover Club Cigar, the best brand Tobacs and fine Tobacco.

E. B. CORNISH.

Dr. Fichtner and ex-Sheriff Kyle, who were the prime movers in arresting the "McClellandtown gang," paid us a friendly visit yesterday. The Dr. is anxious that the cases be disposed of as speedily as possible, as his professional duties require his presence at Confluence.

Doughty old John Cessa stumping the small towns of Somerset County in the interest of the Prohibition Amendment is an evidence that his heart is in his work and that he is not proud, as he is one of the most eloquent and one of the best informed men in the country, and his services are in demand for any cause he champions in all of the largest cities. He is an indefatigable worker and enthusiast, with more energy and endurance than many men of one-third his age. Yesterday he came on from Boston on the 2:32 train and soon after took a hack to ride over a rough road eight miles to Scalp Level, where he delivered a great speech; will make speeches at other points in the county to-night and to-morrow night, and on Monday commence work on a famous murder trial in the Somerset Court, continue probably during the week at it, and then resume his lecturing in the smaller towns, and probably speak at night on temperance if not engaged in court. He is a great and good man—Johnstown Tribune.

Do you use Arbutus Flour? The best in the market. You can get it from M. Schrock, who has the exclusive sale of it in Somerset county.

Every man attending court will want to take a new Summer Hat and Necktie home with him. F. L. Cassebeer keeps nothing but Gents' Furnishing Goods. Latest Styles and Cheapest Prices.

Reymers Fine Candles constantly on hand at A. E. Pikel's.

If you want the worth of your money, go to Matthews & Kimmel's, Berlin, Pa.

Lace Curtains, 50 cents up. Curtain screen, 50 cents up. Mrs. A. E. Uhl.

M. Schrock never allows himself to be undersold in the grocery, flour and feed line.

Editor Smith, of the Meyersdale Commercial, dropped into the Herald office for a short while last evening. He is reporting the court proceedings for his paper.

For Georgia Marble Monuments and Head Stones go to W. F. Shaffer, Somerset, Pa. Georgia Marble takes the lead for monumental work at W. F. SHAFER.

Mr. C. Bott, of Bottsville, Westmoreland county, who is a witness in the Nicely case, left an order for forty copies of the Herald yesterday afternoon.

Revolvers, Cartridges, and Fishing Tackle at J. B. Holdreath's.

Fine Dress Gingham, 8 cents, at Mrs. A. E. Uhl's.

Charles E. Roberts, John Embury and Basil Bird, of Addison, and A. S. Sembower, of Upper Turkeyfoot, are spending the week with A. J. Hilman.

The "milk shake" at Zimmerman's tobacco store, is doing a flourishing business this week. Try it.

Matthews & Kimmel are the leading merchants at Berlin. A visit to their store will pay you, as they are offering bargains that defy competition.

Eye-glasses at Blescker & Snyder's. Can suit everybody's eyes.

Hon. Ed James, of Ebensburg, Pa., is taking in the Somerset court.

You should get my prices before you let your orders for monuments and head stones, also Granite Work furnished to order W. F. SHAFER, Somerset, Pa.

The bill posters for John Robinson's circus have plastered the town with gaudy advertisements of that great show, which is to exhibit in Somerset on Wednesday, June 13th.

Neil & Cassebeer are the leading Jewelers of Somerset. Call at their store for anything you want in that line.

"Milk Shake" at Zimmerman's tobacco store. Don't you know what it is? It costs but a nickel to find out.

Ladies will find it greatly to their advantage to come and see my large stock of Millinery Goods before making their purchases. My stock is the largest, prices lowest, and trimming and work of the best. Mrs. A. E. Uhl.

Dr. DeHass, who has achieved an enviable reputation in the scientific world, was one of our welcome visitors to-day. The Doctor's love for the mountains of Somerset is as warm as ever.

Ice-cold soda water at Blescker & Snyder's Drug Store. The only place in town where you can get this delicious and cooling drink.

Our Silk Warp Cashmeres and Silks, are good and cheap. Mrs. A. E. Uhl.

Dr. W. S. Harrah, of Lower Turkeyfoot Township, one of the best known physicians in the south of the county, died yesterday morning. The doctor leaves a large number of friends and acquaintances who will sincerely mourn his loss.

Handsome all-wool silk-finished Henrietta Cashmeres, from 50c to \$1 a yard. Mrs. A. E. Uhl.

All kind of Marble and Granite work furnished at the lowest possible price. Call and see at W. F. Shaffer's works, Somerset, Pa.

The rule of court reserving the space inside the railing for the exclusive use of officers of the court, practitioners, suitors and representatives of the press, is being rigidly enforced. A tip-staff is stationed at every entrance to the bar, with orders to enforce this rule.

Ladies' Muslin Underwear is good and cheap, at Mrs. A. E. Uhl's.

What's the use of carrying a watch that won't keep time? Better take it to Neff & Cassebeer and have it cleaned and repaired.

Headquarters For good things to eat and drink. With 50 years experience in preparing the above goods, I can honestly recommend my place to the public. When hungry and thirsty don't go to the Side Show when you want to see and get the best. It is not necessary to say anything to my old customers that have dealt with me for years, except to thank them for their patronage and good will; but those coming to our town as Strangers and in want of something to eat and a good cold drink, Pikel's is the place and don't you forget it. Opposite the court house. A. E. Pikel.

A full line of fresh ground feed always on hand at Schrock's Feed Store.

The First Day's Grist.

Hier and Broderick Acquitted.

True Bills Found Against Joseph and David Nicely for the Murder of Herman Umberger.

AND AGAINST THE "McCLELLANDTOWN GANG" FOR THE ROBBERY OF CHRISTIAN YODER.

THE LATTER CASE NOW ON TRIAL.

The first case called this morning was the case of the Commonwealth vs. Thomas Hier and Michael Broderick, the two boys charged with the larceny of a lot of candy and peanuts from a Baltimore & Ohio Railroad car, standing on the siding at Salisbury Junction.

Mr. Habel, the agent of the B. & O. R. R. at Salisbury Junction, was the first witness called and testified that he saw the defendants the morning of their arrest. The car was locked on the previous evening. In the morning the car was found to have been broken open. A pall of candy and a barrel of peanuts had been tampered with and some of their contents taken.

On cross-examination he said that the car was on a side track 90 feet from the station. Didn't know who took the candy or nuts.

F. U. Dougherty lives at Meyersdale and is Assistant Agent of the B. & O. R. R. at Salisbury Junction. He saw the car and locked it on the previous evening. Four or five pounds of candy and a quantity of peanuts were taken. Saw defendants after their arrest. Did not see boys take the stolen articles.

M. Costello the next witness, lives at Meyersdale and is a brakeman. He saw the prisoners on the 15th of May; they came down the road on the same train with him; they had been switched off from the main track the previous night and had slept in a box car. Did not see the boys in the car or have candy and nuts.

Fred Macey, the next witness, is a laborer in the employ of the B. & O. R. R. Company, and testified that he had seen the prisoners in the box car and had tried to catch them; that when he thought he had them, the little fellow jumped out of his coat and that he had got it. The coat was here shown and identified.

F. O. Dupont, the car inspector, testified that he had arrested the boys and that they had resisted.

The Commonwealth offered a motion to amend the indictment by striking out the B. & O. R. R. company as owners of the stolen property and insert the name of D. M. Dively & Co. Motion admitted and Commonwealth rested.

The defense made a motion for a non suit which was overruled, after which Thomas Hier, one of the prisoners, was put upon the witness stand and told the jury that he was 15 years old and lived in Pittsburgh. He got on the box car at Rockwood and went to sleep. A man saw them and he jumped out and ran. Did not break the car open and did not take anything. Intended to go to Cumberland. Has been in jail here two weeks. Went from Pittsburgh to Rockwood in a freight train because we had no money. Said before the Justice that we slept in a barn; said it because he was scared and admitted that he had lied to the Justice.

Michael Broderick, the other prisoner testified that he got into the box car at Rockwood, with two buns; is 17 years old, and lives in Pittsburgh; jumped in another car at Salisbury Junction, but was not in ten minutes; don't know who took candy and nuts; was going to Cumberland to get a job; saw two men get out of car in which candy and nuts were; changed car, hoping to find a fire; didn't take any candy.

John G. Ogle, in his address, said there was a distinction between burglary and larceny; the prosecution has abandoned the burglary charge, and seek to convict on larceny. Witnesses for prosecution had failed to show anything connecting prisoners with the theft; not one of them said the boys took the articles; even if they, being hungry, did take a little candy and a few peanuts, who would say they should be put behind iron bars for months? He illustrated taking from necessity by reading the Scriptural incident of how the Saviour and Disciples ate corn when passing through a field, and only pharisees condemned them. There is that in man that will lead him to seek nourishment; it is so now, and always has been, and always will be; the idea of the B. & O. Railroad arresting two little boys and trying to send them to prison for five pounds of candy and a handful of peanuts was absurd.

The District Attorney said the B. & O. Railroad was as much entitled to protection as any other corporation or individual. The value of the goods taken has nothing to do with the offense alleged. Crimes are not usually measured by the amount taken. The question simply is, was it a theft, and were these prisoners the thieves? Remember, these tramps stealing rides on cars without any plausible reason are the most dangerous element of general society. The presumption is that these boys, being found in the busen open car, and jumping off and trying to escape when discovered, are the parties who did the stealing.