The Somerset Herald.

GEORGE R. SCULL, Editor.

THURSDAY ..... September 28, 1889

Prices are on the wane.

The bell will soon ring for straw hats.

Bellans cases at Biesecker & Snyder's.

All kinds of trusses at Biesecker & Snyder's.

Eye glasses and spectacles at Biesecker & Snyder's.

Vaseline in all colors at Biesecker & Snyder's.

The days and nights will be equal on the first.

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

The leaves on the mountain trees are turning in wholesale quantities.

The new dog tax is already decreasing the number of dogs throughout the state.

Somerset town is over-run with watch and clock menders, all of whom are busy.

Westmoreland county is troubled with an organized band of midnight marauders.

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

The State fair is to be held at York this year, to commence on October 1st and continue one week.

Try Schock's Ohio Flour. You will save one dollar and forty cents on every barrel you buy. Every sack is warranted.

Farmers, Ground Alum Salt is the best for you, in the market. Only one dollar per barrel, at Schrock's Grocery and Feed Store.

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

The 21st State Convention of the Union Temperance League will be held in Harrisburg, on September 26.

Schrock's is the only business firm in town that runs a delivery wagon. Send your orders for groceries and feed and it will be delivered cheerfully, if it is a ton of goods or a pound of coffee.

We have on hand a large number of good coffins which we will sell in quantities to suit the purchaser. Prices very reasonable. Yard near the planing mill.

HOLBROOK BROS. & PARSONS.

Dr. W. W. Keen, the distinguished Philadelphia surgeon, will contribute to *Harper's Bazar* for October a paper upon "Recent Progress in Surgery," in which he points out astonishing advance in this department of medicine. He maintains that "America justly boast of playing the chief role in bringing the change that has taken place."

O, Yes! O, Yes!

Next week will be court. We have no doubt there will be a goodly number of people in town. If you will call at our store you will get the wonderful low prices we are selling goods at you will be convinced that we can save money in buying from us. Examine the advertisement in this week's issue.

PARKER & PARKER.

Oats Wanted.

Five thousand bushels of good White Oats wanted, for cash or trade.

M. SCHROCK.

Teachers' Special Examination.

A special examination announced for Somerset, October 5th, will be held on Saturday, September 28th, instead. Applicants have an opportunity to secure either temporary or provisional certificates.

J. M. BERKEY,
County Superintendent.

Notice.

Persons owing me note or book accounts please call and pay the same. Owing to sickness of the parties to whom I sold goods, I will be unable to come to see them. I need money badly and unless I can get money I will have to make costs on notes and accounts I hold.

J. B. SNYDER.

Wanted:

Furs, and Furs. I will pay the highest price for all kinds of hides, pelts and furs. I also want 500 cords of Rock Oak and Chestnut Bark. 100 cords wanted at once. Call on me at my residence, immediately west of the S. & C. Station.

H. G. CUNNINGHAM.

NEW GOODS!

— AT —

J. M. HOLDERBAUM'S.

Receiving a full line for fall trade of '89.

CLOTHING!

Men's, Boys', and Childrens' Suits and Overcoats, Pantaloons, Overalls, Jackets, &c.

FURNISHING GOODS!

Overshirts, Underwear, Collars, Cuffs, Hosiery, &c.

Hats, Caps, Shoes and Boots.

CARPETINGS.

Brussells, Ingrains, Hemp, Matting, Rugs, Oil Floor and Stair Oil Cloths..

Ladies and Childrens' Coats, Jackets Dolmans, &c.

Mike Will Pay.

"Hello Mike; shake! How are you?"

"I'm all right, Fisk; thank you."

"Where are you going, Mike?"

"Why, Fisk, I am going to Somerset to collect my account to J. B. Snyder; he has sold his store and wants his money."

"Yes, Mike, I paid him last week, and he told me that unless the persons owing him money would come and settle he did pay their accounts he would have to make costs, as it was impossible for him to get out and see every person that owed him. I know that Snyder needs his money and he should be paid."

"Well, Fisk, he will have what I owe him when I see him. Ta, ta."

A Cheap Trip to Pittsburgh.

The B. & O. Railroad will run a special excursion to the Pittsburgh Exposition on Friday, September 13th, and will sell excursion tickets at the following rates, good for three days, which includes admission to the Exposition, for train as designated below:

	Time. A. M.	Fare.
Rockwood	9:50	2.80
Meyersdale	9:00	2.65
Garrett	10:15	2.60
Deer Park Junction	10:19	2.55
Oakland	10:25	2.50
Altamont Junction	10:28	2.50
Oakton	9:50	2.60
Cumberland	10:51	2.40
Frostburg	9:20	2.80
Eckhart Junction	9:40	2.70
Cumberland	9:51	2.65
Ellerslie	10:11	2.45
Bowman	10:48	2.30
Hillman	10:58	2.25
Westernport	11:10	2.25
Piedmont	11:21	2.28
Gormania	11:35	2.25
Davis	11:45	2.15
Parsons Junction	11:57	1.95

W. W. PICKENS, T. P. A.

Ear, Nose and Throat Diseases

CURED TO STAYS.—Hundreds write us trying to describe their case and ask if we can cure them, the cost, etc., etc. Our answer—There are hardly two cases alike, or requiring the same treatment, yet most of 99 can be cured or benefitted. To know if you without an examination is guesswork. You can't afford to guess on your sight or hearing. Symptoms that seem to you trifles, may be most dangerous. Delay is more than disease. It will cost you $1 to $5 for a complete examination, and I can tell you what can and what can not be done, the cost and all about it; you should know what you ought to do. If treatment is taken, the examination fee is credited on its cost. Take advantage of excursions and come during the Exposition. O. W. Sadler, M. D., 804 Penn avenue, Pittsburgh, Pa.

And still there are a few sap heads who insist that there is no need of a new jail.

Hon. A. J. Colborn's condition is slowly improving. He is still confined to his bed.

His Honor Judge Baer arrived home from Bedford, Sunday morning, where he had been holding a two weeks term of court.

Mr. Samuel Philson and Alison H. B., the Berlin bankers, were in Somerset Tuesday morning.

Application has been made for a charter for another National Bank at Johnstown. It will be styled "The Second National Bank of Johnstown."

A large party of tramps have been camping in the woods South of town for several days, much to the annoyance of the citizens of that vicinity.

The gang of thieves who have been committing depredations in the western part of Bedford County, have all been brought to justice, seven of them having been convicted in the Court last week.

The bids for building a prison for Somerset county are to be opened to-day. A number of foreign contractors are in town and each will endeavor to convince the Commissioners that he will put up the best structure for the least money.

Persons whose potatoes are rotting—and we learn there are many—can save them by sprinkling with lime. Pick out the rotten ones, give your cellar air, sprinkle on the lime and save your crop. This has been tried and found satisfactory.

Mrs. A. E. Tayman, of the Somerset House, met with a distressing accident for a lady of her years, this evening. In descending the stairs in her hotel she tripped and fell, spraining her right ankle severely. She is suffering great pain to-night.

Sheriff R. S. McMillen was away from home when the "Nicely boys" made their daring dash for liberty. He left for Dixmont on the Monday morning train, with a demented woman under his care. He returned Tuesday morning and was terribly shocked when he learned the condition his cousin, the deputy Sheriff was in.

We take pleasure in directing the attention our readers to the large advertisement of Parker & Parker to be found elsewhere in these columns. Read their advertisement and then visit their store, which has been greatly enlarged and improved. It is to-day the largest and handsomest dry goods and notion store in Somerset county.

Now, if counsel for the "Nicely boys" will only assert their conscientious belief in the innocence of their clients, our esteemed county contemporaries will step over with gush and renewed apologies for the murderers. The murderous assault on Deputy Sheriff McMillen will be attributed to the "sensational slush" published in the HERALD, that always gets the scoop on them, and the doors of the jail can once more be thrown open with perfect safety. If orders for large-sized paper-books quickly follow, it won't be taken amiss.

On no other score than that of innate modesty can the silence of our brilliant Meyersdale contemporary on the question of the most favorable site for the World's Fair in '92 be accounted for. While the New York, Chicago, Philadelphia, Boston and Washington papers are urgently setting forth the advantages of their respective towns the journal of the county Metropolis has never mentioned that much favored place in this connection. Its silence has been so profound that you could hear a pin drop, even a gum drop.

Among the announcements of *The Century* for last year was one of a series of "letters home" from Japan, by the American artist, Mr. John LaFarge. The letters have been revised and expanded into a series covering the landscape, art, architecture, life and religion of Japan, for which Mr. LaFarge has made a great number of illustrations, and these papers are to be a feature of *The Century* during the coming year. Mr. LaFarge's brief paper on Japanese art, published in Mr. Pumpelly's "Across America and Asia," was one of the earliest thoroughly appreciative essays on the subject of Japan.

The days are growing shorter apace, and the lengthening evenings admonish even the most indifferent of the near approach of autumn, with its pleasures and duties. Not only to the farmer, but to the dweller in cities as well, is autumn a season of delight, with its cool mornings and evenings, its genial atmosphere, its fruit and nut harvest, and its beautiful tints of earth, and mountain and sky. But we started out to say that during the month of September the days will become 32 minutes shorter, and at the close of the month there will be three hours and twenty-five minutes less of daylight than at the summer solstice, when the day was the longest of the year. Time is flying; and those are the wisest who make the best use of it.

Very soon readers of the HERALD will have an opportunity to secure an admirable History of the Johnstown Disaster, which the Harrisburg, Pa., *Telegram* is preparing to publish in book form. The volume will meet the popular demand for a full, well-written, trustworthy description of the great calamity. Besides literary and artistic merits of a high order, the fact that the net proceeds from the sales will be applied for the benefit of Printers, Orphan Children and Aged Men and Women who suffered by the flood commends the work to the favorable consideration of the public. It goes without saying that a book of this style, profusely illustrated by the best artists of the United States, written by an experienced editor from personal knowledge, and published to help a charitable object, will meet with an extraordinary sale over the entire country. Local canvassers should secure an agency, as the book will be sold by subscription in every part of the country.

The twenty-fifth annual convention of the Pennsylvania State Sabbath school association will be held in the Second Presbyterian church of Williamsport on Tuesday, Wednesday and Thursday, October, 8, 9 and 10. An excellent program has been prepared and the convention is expected to be one of the best ever held in the state. Each county is entitled to elect six delegates, and each city of 10,000 inhabitants and over to six additional. All Christian workers, delegates or not, will be made welcome, and it is particularly hoped that such persons may attend from counties in which there are at present no organizations auxiliary to the state and international associations.

Delegates desiring entertainment or orders for excursion tickets should address Mr. George T. Banger, Williamsport, naming the railroads over which they will pass. Delegates will report at the Second Presbyterian church upon their arrival, where they will be received by the committee on entertainment.

WILLIAM S. ROSS,
Chairman Executive Committee.

Somerset County will send about 1,2000 children to school this fall. To furnish school books and school supplies to this large number of pupils, Fisher's Wholesale and Retail Book Store has laid in an immense stock, and is now prepared to fill all orders for School Books and School Supplies at wholesale rates from town and country merchants in Somerset, Cambria and Westmoreland counties. Merchants should get in their orders early to insure prompt shipments, as the rush will shortly commence. During court week merchants will do well to purchase, and in many instances save freights. Parents attending Court will have the opportunity to buy School-books for the winter. Tablets, slates, inks, pens, pencils, practice paper, copy books, and everything needed in the schools, at Fisher's Book Store. Courteous attention paid to pupils and parents buying at retail. Every effort made to please. Mail orders solicited. Inquire for Fisher's Book Store. Go to Fisher's Book Store.

DARING DASH FOR LIBERTY

Made by the Men who Murdered Farmer Umberger.

THEY SHOOT DOWN THE DEPUTY SHERIFF AND MAKE GOOD THEIR ESCAPE TO THE WOODS.

An Armed Posse of Citizens Pursue and Capture them, while the Blood of their Latest Victim is Still Fresh on their Hands.

The Man with Organic Heart Disease Proves a Good Sprinter, and Beats His Athletic Brother in the Desperate Race for Life.

The Italian Burglar Assists in the Escape by Covering Watchman Keifer with a Brace of Revolvers.

Intense Excitement Prevails, and Loud Threats of Lynching Freely Indulged in.

AN INTERVIEW WITH THE MURDERERS, AND THE WOUNDED OFFICER.

The Latter Lying at Death's Door.

The reign of terror that fastened upon Somerset county six months ago when old farmer Umberger was mercilessly shot down in his quiet country home, and before the eyes of his aged wife, seems to increase with each succeeding week, and will doubtless continue to do so, until a number of confederates of the Nicely boys have been apprehended and lodged in prison. The Umberger case reached its highest degree of horror and excitement at 12 o'clock Monday, when Joseph and David Nicely made a murderous attack upon Deputy-Sheriff McMillen, shooting him twice through the body, and made their escape to the woods east of town. The deeper awe and condemned villains had but a brief period in which to inhale the free air of the mountains, as by three o'clock they had been recaptured, and were again in the miserable old bastile, with ball and chain to their feet.

WATCHMAN KEIFER'S STORY OF THE ESCAPE.

"I go into the corridor of the jail at six o'clock every morning, and remain there throughout the day. I am not permitted to go armed. The prisoners are kept in their cells in the foreroom; I unlocked them just before dinner; "Milt" came up to the door at that time, and said I had better get a bucket of fresh water; I came out after he had unlocked the door and got the water; "Milt" again unlocked the door to allow me to go back into the prison; he pulled the door back, and was between it and the hall wall when I stepped into the jail; "Joe" Nicely was standing at the end of the table, close to the side of the door, where "Milt" couldn't see him, and as soon as I passed the door he jumped behind me and out of the door; I turned my head as he jumped, and saw him covering "Milt" with a revolver; at the same time the entire gang in the jail rushed between me and the door and pushed me away; "Shorty," one of the Rockwood burglars, covered me with two revolvers, and shoving them into my face, ordered me to get back; while this was going on I heard two pistol shots in the hall but couldn't hear anything that was said; "Dave" Nicely must have been standing close to the wall on the other side of the door when I came in with the water, as I didn't see him until he was in the hall, with a revolver in his hand; the shooting scared the prisoners in the jail, and they all ran back into their cells; meanwhile some one had locked the jail door; I looked through the opening in the jail door and saw "Milt" trying to pull his coat off; I remained in the jail until after the Nicelys were recaptured, and until I was relieved this evening, but I will continue on duty to-night."

DEPUTY SHERIFF MILT MCMILLEN'S STORY OF THE ESCAPE.

"I unlocked the jail door to allow Kiefer to go in with a bucket of water. He had just stepped in when Joe Nicely leaped out and drew a revolver from under his coat, I think. I only saw the flash of the revolver. He said something about making a break which I didn't understand. I had time to catch only a glance of "Shorty" through the hole in the door. He had two revolvers in his hands and was covering Kiefer, I suspect. I grabbed Joe by his right arm. He had his revolver in his right hand and was trying to point it at me and I was trying to keep it away. We scuffled about five feet from the jail door when Joe got a shot at me. I held on to him and we scuffled about ten feet further towards the hall door when he shot me a second time. I had hold of him all the while, but when he shot me the second time, I saw that I was playing a losing game, and shoving him away from me, ran into my room for my Winchester rifle. I didn't see Dave Nicely at all. He must have slipped past me in the excitement of the struggle. When I got my rifle I ran out of the house and around the corner into the court house yard, expecting that they would go in that direction. As they were not in sight I returned to the jail yard, and handing the rifle to Marcellus Hicks, asked him to take it and go after the Nicely's, as I had been shot, and couldn't. I was commencing to feel the effects of the shots by this time. I had forgotten to lock the jail door, and returning to the hall, I secured it. About this time Mrs. McMillen came up to me, and they laid me on my bed. Just at that moment Dr. Kimmel came in.

GIVING THE ALARM.

District Attorney Biesecker left his office in Printing House row and was wending towards his home on Union street, when just in front of the jail, on the opposite side of the street, he was startled by the report of a revolver. Starting towards the jail, he had gotten but half way across the road when he saw "Joe" and "Dave" Nicely rush out of the hall door, down the steps and around the east corner of the building, both cleared the iron fence at a single bound and in a moment were running down the jail alley with the speed of two wild deers.

The District Attorney's long limbs couldn't keep the pace in a race of this kind, but he gallantly pursued them to the brow of the Academy hill, yelling all the while like a Camanche Indian, "The Nicely's have escaped! There they go!"

The man with the "heart disease," the sickly David, of whom his counsel reverently said in arguing to the jury, "God Almighty has already stamped the seal of death upon his brow," took the lead at the outstart and led his robust and athletic brother down Green Lane, across the railroad track, over the creek and up through the meadows into the dense strip of woodland, known to all Somerseters as "Oak Ridge." "Dave" was several rods in the lead and to the surprise of the people who were watching them from the hill and were momentarily expecting to see the "red-faced" man with the abnormally developed heart, fall dead in his tracks he was observed to increase his lead at every jump. A number of persons saw them as they disappeared in the woods and hundreds were already in pursuit.

"The Nicelys have escaped," cried District Attorney Biesecker. The cry was taken up by tall "Tucker" Piedmont lawyer Lewis Colborn, and by all within hearing of their voices. It was Somerset's dinner hour and most of our people were seated before the family board, but the cry that these feared, desperate and convicted murderers had regained their liberty, caused many steady hands to drop their knives and forks and hurry to the streets.

Then came the cry, "The Deputy Sheriff has been murdered by the Nicelys," and look of unmistakable meaning was plainly discernable in every face as the entire populace turned into the streets. In a few moments dozens of men with rifles swung over their shoulders, mounted on trusty horses, were galloping in the direction taken by the escaped murderers. Hundreds of men and boys with all conceivable sorts of fire-arms, from a toy pistol to a repeating rifle, were hurrying on foot to the clump of woodland in which the desperadoes were concealed. Women and little girls were running here and there screaming and crying in terror. Hundreds of people collected around the Academy square, and when some excited individual exclaimed, "there they go across the meadow towards Koontz's," all exclaimed with one voice, "I hope they'll kill them before they bring them back to town."

THE SCENE AT OAK RIDGE.

When the Nicelys dashed down Green Lane, each clutching a revolver in his hand, ex-Sheriff Pile and his son Charles were standing in front of their house and recognized the rascals as they passed by at breakneck speed. In a moment the Sheriff was on his horse with his old double-barrel over his shoulder and was speeding over the Stoystown road to the hill-top which commands a view of the north and western sides of "Oak Ridge." Here he took up his position and remained on guard, cutting off escape to the adjoining woods only a few rods beyond. The Judge was soon reinforced by a number of armed men.

"Oak Ridge" contains about thirty acres and is the property of Val Hay, Esq. It is a perfect square of woodland and is dense with under-growth. While the belt of woods was carefully guarded on all sides to prevent any possible escape, mounted men were sent to town for re-enforcements and more arms.

Guards had already been stationed at every few rods, around the woods and a half-dozen venturesome fellows, heedless of the oft repeated warning, "they are desperate men and will fight to the death for their freedom," commenced searching in the timber among the heavy undergrowth.

DAVID ON A TREE.

Suddenly a rifle shot rang out on the heavy rain laden air and in its echo came the cry "here he is." Snyder Louther and Ross Davis espied the sickly "David" among the thick branches of a young pine tree and leveling their guns on him commanded him to come down and hold up his hands. It didn't require a second summons as "Dave" cried "don't shoot for God's sake" and without attempting to climb let himself drop to the ground and held aloft his hands.

At this juncture Ed Richardson, the night watchman at the jail, come up, and, thrusting his revolver against Dave's forehead, demanded, "Who shot Milt?" There is but little doubt but that David's light would have been snuffed out that instant had not some one caught Richardson's arm and brought it to his side.

"It wasn't me. Here is my revolver. All the loads are in it. I never shot any person," pleed Dave. "Where is Joe?" asked Davis. "He is near here," was the reply. "Go with me and I'll show you."

His captors thought it best to bring Dave to jail rather than go with him to hunt for his brother, and he was accordingly escorted out of the woods to the open field. Several times the captured villain cried out, "You might as well give up, Joe."

ON THE WAY TO JAIL.

A more wretched looking object than the "red-faced" man never came under our observation. His ash-colored face was the very picture of terror, while his piteous appeals to his captors to protect him from the angry crowd who surrounded him and were crying for vengence were distressing to hear.

"For God's sake don't let them lynch me," he would whisper as rapidly as he could catch his breath. "Wouldn't you have tried to escape if you had been convicted innocently and the chances were all against you. I never did any shooting. Please don't let them shoot me," and like a wild beast run to the wall, he would turn his head from side to side as swiftly as the muscles of his neck would permit, while the terrorized expression on his face showed that he was in constant fear of an attack from the rear.

"It wasn't me that did the shooting. I never fired a shot, as my revolver shows. Don't let them kill me," he pleaded every step of the way into town. But the terror of the miserable wretch is not to be wondered at, as he was constantly surrounded by an excited and angry crowd composed of elders and deacons of churches, professional men, shop keepers, mechanics, women and children who cried with one voice "get a rope," "lynch the murderer," "don't let them take him to the jail alive." It was entirely owing to the courage of the brave fellows, Ross Davis and Deputy Richardson, who were dragging the cowardly wretch between them and who kept the crowd off by flourishing their revolvers, that his neck was saved from the lyncher's noose. One old farmer approached with a heavy piece of timber raised threateningly over his head and with a quiet look of murderous determination in his face seemed to ask for one single blow at the murderer of his neighbor Umberger. The jeers, howls and threats continued all along the line and did not subside until long after "Dave" had been returned to the jail, when the excited crowd went back to the Academy hill to watch the chase for "Joe," everybody supposing that he would never be taken alive.

THE CHASE AFTER JOE.

"Dave" Nicely had scarcely been placed behind the bars when a horseman dashed up to the crowd at the jail, and asked that more armed men join the party surrounding the woods, as a proposition had been made to scour every inch of it. The muskets in the Grand Army rooms were gotten out and distributed among men of courage, and in a few minutes a large posse was on its way to reinforce the guard at the woods. Every man at "Oak Ridge" had a weapon of some description in his hand, and all were aware of the desperate character they were in search of, and the thought that "Joe" Nicely could or would be taken alive never entered their minds. In the event that he should be captured alive, a rope had been prepared and a limb on which to hang the reckless assassin had been selected.

It required some little time to place the men in position, six feet apart, across the strip of woods, but when a pistol shot was heard the outside guard knew that the searching party were on the move. Many fears were expressed that Joe had given the guard the slip, but when the cry, "there he goes!" was heard, every man brought his weapon in position to fire.

Charley Uhl, it seems, saw portions of "Joe's" body, which he was unable to conceal beneath the bushes under which he was hiding, and not trusting the venerable horse-pistol he carried in his hand, beckoned to Alex Huston, who was next him. The next instant Alex had the hardened scoundrel covered with his Winchester and commanded,

"THROW UP YOUR HANDS!"

"Don't shoot, for the love of God. I am unarmed," cried the cowardly cur, who had but two hours before shot Deputy-Sheriff McMillen in cold blood. Getting on his knees, the convicted murderer who had always born himself with the fearlessness of a lion, begged that his life be spared him a little while longer. In a moment he was in the strong grasp of Alex Huston and M. R. Bowman, and the next instant some overly excited person dealt him a terrific blow between the eyes that caused the blood to spurt from his nose in streams.

LYNCHING PREVENTED.

"Let's hang him." "No, we'll torture a confession out of him first." "Get a rope." "He's not fit to live," and similar expressions were to be heard on all sides.

"You're among the Somerset county Dutch," yelled one, "and we always let the law take its course."

"The law's too slow," replied the excited mob.

The fellow who referred to the Somerset Dutch, struck a popular chord, and from that instant better council prevailed, notwithstanding the chorus of "get the rope." "Hang him." "He murdered two men and ought to die."

The march from the woods to the town was one of wildest excitement. The crowd increased at every step and the cries for vengeance grew louder and louder. The streets were crowded with women who anxiously asked "which is he?" and then in tones of deepest hatred, hissed "kill him, he's not fit to live." When the crowd reached the Academy square there was a scene of intense commotion, and for a few moments it looked as though the lynching suggested at the woods would be carried into effect right there. But cooler heads again prevented any such attempt from being consummated, and after comparative quiet had been restored, the "little man" was hurried up Union Street and back into the jail from which he had escaped.

"Joe" Nicely hung his head like a craven coward, insisting all the while that he had not shot McMillen and begging to be saved from the crowd who gibed and taunted him as he passed by.

IN THE JAIL CORRIDOR.

"There are more pistols in the prison, have the boys look out for them," said Deputy McMillen to our reporter as he leaned over the bed to inquire after that officer's wounds.

This information was at once given to Watchman Richardson who asked the ten prisoners in the jail, one after the other if there were any more pistols in the prison. All denied knowledge of any excepting the two the Nicely boys had taken with them.

When Garno—the little Italian Rockwood burglar—denied that there were more revolvers in the jail, he was confronted by Watchman Kiefer who said "what's the use lying, Shorty, you pointed two revolvers at me?"

THE ITALIAN "FESSES UP."

At this Richardson caught the Italian by the throat and choked him until he turned as white as your shirt front. "I'll tell you where they are," he gasped as Richardson released his hold. "O, I threw them down the water closet."

"A search of that apartment failed to reveal anything and the Italian was again subjected to the choking process and several light (?) slaps.

"Come with me and I'll get them for you," he said when again released from the watchman's grasp, and leading the way to the closet he lifted up a board and brought forth two new 38 calibre Smith & Wesson revolvers.

A TALK WITH THE NICELY'S.

When our reporter stepped up to "Dave" Nicely's cell he was invited to "go to h—l and mind your own d—d business. You fellows have done all you could to convict us."

"Well, tell us when the revolvers come into jail?"

"That's none of your d—d business," was the curt reply.

Dave subsequently told one of the guards that the revolvers had been handed in before the attempt to break jail several weeks ago had been discovered; and that they were handed to Joe through the ventilator.

JOE'S OILY TONGUE.

"How's Milt? Where did the balls strike him?"

When told that the Deputy Sheriff was in a very critical condition and that the bullets entered just below the heart, he quietly remarked:

"It won't kill him. They are too low."

"How did this affair occur Joe?" "Well, now, I'll tell you all about it. We were convicted when we were innocent, and as the chances were all against us we determined to escape. Letters have been received, too, saying that the jail was to be blown up with dynamite, and we didn't want to be here when that happened."

"You have gotten yourself in a nice position by attempting to murder the Deputy Sheriff," ventured the reporter. "I can't understand why innocent men would make a break of this kind."

"I didn't shoot Milt."

"Now, see here, Joe," interpted Richardson, "if I'd been at the door you would have shot me. We have all treated you boys kindly and have done you lots of favors and I can't see why you shot Milt?"

"Well, it was a good chance," replied Joe. "We wouldn't have tried it if you had been at the door. We made up our minds to go about a week ago. The Sheriff went away this morning. Everybody in town was likely at dinner, and I thought we could scare Milt. Instead of that he grabbed me by both wrists when I jumped out of the door. I had never handled a self-cocking revolver before and it went off accidentally. Milt held on to me and we kept on scuffling when the pistol again went off. I'm sorry if the shot hit Milt."

"How does it come that Dave left you so far in the rear when you were running?" asked the reporter. "You know he's sickly."

"That's something I can't understand. I used to do three miles without stopping. I guess this long confinement is the reason. Dave run like a deer, I couldn't begin to keep up with him."

"This knocks your case in the Supreme Court high and dry," suggested some one standing by.

"I suppose it will," said Joe, "we've made a bad mess of it all around and I'm mighty sorry for it."

"Were the boys close to you in the woods?"

"I should say they were. One time I had to draw in my legs to keep some fellow's horse from trampling on them. Dozens of people passed within a few feet of me. When I first got into the woods and was running, a bullet whistled by my ear, that I think must have cut my hair. When we got to the far end of the woods we saw that escape was cut off. Just then some one shot and Dave and I got separated. I dug myself half way underground and threw my pistols away."

"When were the pistols handed into jail."

"Let me see; this is Monday; they were handed in through the ventilator Sunday night."

"That was last night" "That's right they were handed in Sunday night."

"But the other boys say they have been in here for a week."

"I tell you the arms were put in Sunday night," said the oily tongued scoundrel, and then as we drew away from his cell door, he requested us to "tell Milt I'm sorry I shot him and that I hope he'll get well."

LIBERALLY PROVIDED WITH BULLETS.

When Dave Nicely was searched a loaded revolver and an unbroken box of cartridges were found in his pockets.

Joe had thrown his revolver away before he was captured and it was picked up a few feet from the spot by M. H. Hartzell. Two chambers had been discharged. A large number of loose cartridges were found in his pocket.

The Rockwood burglars threw a quantity of cartridges down the water closet where they were afterwards discovered.

CHAINED TO THE FLOOR.

Shortly after four o'clock four stalwart blacksmiths—the Weimer's—appeared at the jail with sledges slung over their shoulders, and in a comparatively short time the Nicely brothers, the Rockwood burglars, Lehr, who shot and killed young Scott at Confluence, and the colored gentleman were in chains secured to the floor of their cells.

A WARM WELCOME.

A few minutes after ten o'clock the sleepless residents of town experienced another thrill of terror when five shots fired in rapid succession in the neighborhood of the jail, sounded forth in the inky darkness of the night. In less time than it requires to write it, 50 men were at the jail door, all armed to the teeth.

It seems that Watchman Richardson was in Joe Nicely's cell a few minutes before. Joe being very sick at the stomach after having breathed the free air for a season in the afternoon, when his attention was called by Joe to a noise outside of his cell in the rear of the jail. Richardson slipped quietly around the corner of the prison just in time to see the form of a man disappearing in the dense darkness of the night. The watchman emptied his revolver at the retreating figure. A lantern was procured and the fresh footprints of a man wearing a good-sized boot were found leading to and from the window in Joe Nicely's cell.

It is supposed that some scoundrelly sympathizers of these red handed villains was making an effort to communicate with them.

THE JAIL THOROUGHLY GUARDED.

A guard of ten men armed with repeating rifles were on guard in and about the jail last Monday night, and from the character of the guard it would have been rather unwholesome for any one to go prowling about that structure after ten o'clock.

OLD MAN WEAKLAND IN CHAINS.

Samuel Weakland, a one-armed gentleman of more than fifty summers who is serving out a sentence for assault and battery, confided to one of the jail officers Tuesday morning that he had known of the revolvers being in jail for a month past "You did," said the guard, "and after all the liberties we have given you, you would see arms handed in here to kill the officers with and never acquaint them of the danger they were running. Into hobbles you go, old man, until you learn how to repay a kindness." Weakland said he wanted to tell but was afraid the other prisoners would kill him. He was promptly ironed.

SOME ONE PEACHED.

Several letters were received in Somerset during the latter part of last week warning the people to be on their guard as the Nicelys would attempt to break jail. Prothonotary Horner received a communication from Ligonier Saturday evening in which the writer said that he had overheard a conversation in which the escape of the Nicelys was hinted at and urging him to put the people on their guard and prevent their escape. Several telegrams were received Saturday asking for particulars of the escape of the Nicely Boys.

It is manifest that some one who was in the confidence of these desperate and condemned outlaws gave the snap away prematurely.

NERVOUS PEOPLE.

The streets of Somerset were filled with people from all parts of the county and from round about the home of the Nicely's, in Westmoreland, all day Tuesday and the only topic of conversation was the attempted escape of the murderers. There is apparently as much interest taken in the famous case on the other side of the mountain as there is in Somerset, and the only fear of the people residing in the Ligonier valley is that the criminals will escape.

All sorts of rumors are afloat throughout the county and fears are entertained by many that an attempt at rescue will be made.

THE WOUNDED OFFICER.

When our reporter called at the county prison Tuesday morning, and was shown into the bedroom of the wounded Deputy Sheriff, on the first floor, he found that officer seated in a reclining chair, apparently comfortable, and resting easy. Rev. N. B. Critchfield, of Jenner, and William Barron, of Middlecreek, have charge of the sick chamber, and are doing all in their power to alleviate the sufferings, and supply the wants of their patient. Drs. Kimmel and Brubaker are in constant attendance, and will take every means to save the life of the brave officer. The first shot entered about four inches below and two inches back of the left nipple, and passing back and downward, came out about six inches from the place it entered. The second ball entered not a half inch below the first, and up to this time the physicians have been unable to locate it. It is entirely too early at this time for the physicians to express an opinion as to the results of the wounds, which both consider very dangerous.

A QUIT NOTICE SERVED ON A. A. NICELY, THE FATHER OF THE MURDERERS.

Anthony A. Nicely, father of Joseph and David Nicely, arrived in Somerset on the noon train Monday, just a few minutes before his two sons made their felonious assault upon Deputy Sheriff McMillen. He stopped at the Somerset House, and went at once to his room. A few minutes after he had reached his room the alarm of the escape of the prisoners and of their shooting the Deputy Sheriff was spread. The clerk at the hotel rushed to Mr. Nicely's room and told him of the occurrence. When he was told that his sons had escaped he seemed pleased; but at the further announcement that they had shot and probably killed the Deputy Sheriff, he broke down and wept bitterly. He said that he had always counseled them against committing any act of violence and expressed great regret at the assault upon Mr. McMillen, whom he said had always treated the boys and their relatives who came to see them with the greatest kindness.

A strong suspicion has existed in the minds of many persons that the "old man" was a party to the different attempts made to escape and after the "boys" had been captured and returned to the jail a large crowd repaired to the Somerset House and served notice on Mr. Nicely that he must leave town at once. He became greatly alarmed and sent to a livery stable for a team to convey him to his home, but before it arrived Mr. G. W. Benford, a respected and influential citizen, came upon the scene and succeeded in dispersing the excited crowd, and persuading them to allow the old, gray-haired father of the murderers to remain quietly at the hotel.

Mr. Nicely has been a frequent visitor to Somerset and the county jail since his sons have been incarcerated there, as have been his wife, daughters, sons and sons-in-law. He was here on the Monday preceding the Wednesday on which the attempt to escape by digging a hole through the jail wall was made. The tools with which the hole was made and the revolvers used by the desperate men, were unquestionably carried into the prison by visitors. Almost every week since their incarceration the "Nicely boys" have been visited by one or more of their relatives. Is it any wonder that a strong suspicion should exist as to who furnished the tools and weapons. Despite the protest of many citizens, but rather relying upon the assertion of the prisoners' counsel, that the men would not leave the jail if the doors were thrown open; that it was an outrage to keep them confined in cells; and, probably, influenced by some of the namby-pamby trash that has appeared in several of our county papers in regard to public sentiment, and a sensational newspaper (meaning the HERALD,) condemning innocent men, railroading their case through court, etc., the officers of the jail allowed the friends and relatives of these desperadoes to have intercourse with them almost without restraint. And, what is the result? Milt McMillen, one of the bravest and best souls into whom the good God ever breathed the breath of life, lies at the point of death, with two ghastly bullet holes in his body. The entire community is thrown into a tumult of excitement and the lives of other men are jeopardized in the pursuit and recapture of the assassins.

This may all be "sensational newspaper slush," but the cold fact remains that Herman Umberger was brutally murdered and that Joseph and David Nicely stand convicted of the crime, and that Deputy Sheriff McMillen is lying at death's door, placed there by the deed of the same red-handed assassins. Publishing communications from weak-minded jurors, anonymous letters, written by no one knows who, perhaps the publisher, assertions of counsel that their clients are innocent and that they are conscientious in saying so, may be part of the game to be played, but it should have no effect on those who have the murderers in charge. They have been placed in their custody and they will be held to a strict account for their safe keeping. Herman Umberger's money has not yet all been spent, as witness the apologists for his murderers that are daily springing up. That others and more desperate attempts to liberate the murderers before the day for their execution arrives will be made is as certain as that day follows night. That the Sheriff's responsibility is great, doubly so on account of the mean, pitiful, disgraceful old jail in which he has to live and keep his prisoners confined, all will agree; but that there must be no more permiscuous visiting the inmates, no more allowing condemned men the freedom of the prison, and that every possible means of escape must be cut off, is also certain.

The Sheriff must not bear the responsibility alone. Let the County Commissioners employ a sufficient number of men to assist him in keeping a strong guard on duty day and night. The childish cry of expense and saving money for the tax-payers will no longer go down. The Sheriff must not be expected to do the work of a half-dozen men, but must have all the assistance he needs.

We know whereof we affirm when we say that a well defined plan has been matured to release the "Nicely boys" from prison; that the men concerned in it are daring and desperate and have unlimited money at their command, (there was from $20,000 to $30,000 stolen from Herman Umberger,) and that unless every precaution is taken their efforts will be successful.

Monday's lesson is a sad one, but it should also prove an effective one to the officials in charge.

Mr. Anthony A. Nicely left for his home in Westmoreland county Tuesday afternoon, his son-in-law having driven over with a team to fetch him.

The Criminal Calendar.

LIST OF CASES TO BE TRIED AT SEPTEMBER SESSIONS.

They Number 46 and Embrace all Manner of Crimes and Misdemeanors.

TWO MURDER TRIALS FOR NEXT WEEK.

The regular term of Court will commence at 10 o'clock Monday morning of next week. There are forty-six cases on the calendar for trial. Among them are two murder cases. James Lehr will be tried for the killing of Charles A. Scott, at a fishing camp near Confluence, a few weeks since. This case will be warmly contested, and will probably consume the greater part of a week in its trial. Thomas M. Marshall, Esq., "Glorious Old Tom," the celebrated Pittsburgh criminal lawyer, with W. H. Koontz, Esq., will defend the prisoner. Messrs Coffroth & Ruppel will assist District Attorney Biesecker in the prosecution. Henry Patterson will be tried for the murder of his step-father, John Spiker. He will be defended by Val Hay, Esq. The mysterious Jefferson township case is again down on the list, together with a great many others of less importance.

Following is a complete list of the cases down for trial.

CRIMINAL LIST.

Commonwealth vs. A. V. Carpenter; furnishing intoxicating liquor on Sunday, &c., on information of Charles Cummins.

Same, vs. J. W. Cribbs; same charge and same prosecutor. [These two cases grew out of the prosecution of Edmund Cummins, convicted of the burning of