The Somerset Herald.

EDWARD SCULL, Editor and Proprietor

WEDNESDAY.....October 2, 1889.

REPUBLICAN NOMINATIONS.

STATE.

FOR STATE TREASURER,
HENRY K. BOYER,
OF PHILADELPHIA.

COUNTY.

FOR ASSOCIATE JUDGE,
GEORGE W. PILE,
OF SOMERSET BOROUGH.

FOR DISTRICT ATTORNEY,
LEWIS C. COLBORN,
OF SOMERSET BOROUGH.

FOR POOR HOUSE DIRECTOR,
FREDERICK WELLER,
OF SOMERSET TOWNSHIP.

Be he whom he may, Commissioner Tanner's successor will be a Republican. There is much comfort in that fact for the veterans, but not for the Democratic opponents of the National Administration.

THE Republicans, of Mississippi, have nominated a dark-hued brother, named Mollison for Lieutenant-Governor. It is to be hoped that Mr. Mollison carries a large life insurance for the benefit of his relatives.

CANDIDATE CAMPBELL, of Ohio, is the sixth converted Republican whom the Democrats have run for the Governorship in succession. The trouble is the fellows who do the voting change their political faith in the other direction.

WE have a first class State and County ticket requiring no apologies or explanations, and it should not only be elected, as it will be, but it should have a rousing majority, as it will have, if Republicans will only take off their coats and go to work. Pitch in boys! for the honor of old Somerset and of the "Grand old party."

THE Indiana school teachers, in convention assembled, ask that there be introduced into the public schools of the county a thorough course of instruction on the effects of tight lacing, painting the face with injurious cosmetics, and the wearing of all those appliances which are designed to give a false impression as to the outlines of the human figure.

Whew! The world do move.

THERE is a lively fight looming up between the friends of ex-United States Senator William A. Wallace and ex-Lieutenant-Governor Chauncey F. Black for the empty honor of being the Democratic candidate for Governor next year.

The wrangle is a little premature. But go it woman! go it bear! we don't give a darn which whips.

THE Governor of Missouri has given formal and official permission to a woman to wear a man's dress in all towns having 10,000 or less inhabitants. That shows the difference in localities. Down this way lots of women wear the trousers without regard to either the Governor or the size of the town—and their families would go to the bow-wows if they didn't.

THE offices of Associate Judge, District Attorney and Directors of the Poor are of direct and intimate importance to the citizens and taxpayers of the county. The Republican candidates for those positions are all men of high character, known throughout the county for their sturdy manhood and honesty, thoroughly conversant with its interests and desirous of its welfare, and our party friends should see to it that they are elected by an overwhelming majority.

THE canvass in Ohio is growing warm and is being pushed energetically by the Republicans. With a Free Trade platform, and a quasi protectionist as their candidate for Governor, the Democrats are having an unhappy time of it. Major McKinley and other well-known advocates of Protection are on the stump and they are making the fur fly. Governor Foraker's re-election is almost an assured fact, and the canvass apparently has one objective point left, which is the control of the Legislature, that will elect a successor to Coal Oil Payne. We have no doubt of a Republican victory in Ohio.

ONE of the questions the next Congress will have to struggle with, will be the re-apportionment of the country into Congressional districts. It is estimated that the new census will show the population of the United States to be 65,000,000. There are now 325 Representatives in Congress and the members elected from the new States on yesterday will raise the number to 330. The present apportionment gives one member to every 151,000 of population, and if this ratio be retained the number of Representatives in the first Congress held after the census is taken will probably be 430. If, however, the membership be confined to the present number (say 330) it will require an apportionment of one member to every 197,000 of population. Opinion appears to be divided on the subject, and as, if the ratio be increased, the older States will lose in Representatives, there will likely be a struggle between them, and the new and fastly increasing Western States. At all events the controlling power (numerically) in Congress is likely to be shifted to the West and South.

OCTOBER is with us, and it is time to open up our political campaign. Seed time and harvest are past and gone; the garners of the farmers are heavily laden; prosperity sits in their households, content smiles from their faces, and with them all is well. They can now afford to take the time, and it is their duty to devote attention to affairs of state. Protection of home industries brings a market to their doors for all their surplus products, and to the Republican party alone can they look for a continuance of this boom. True it is, that in an election for State and local officers, the question of protection does not directly enter, but its continuance and its stability depends at all times upon the success of the Republican party. This is an "off year" politically speaking, but next year is one of portentious importance, when a Governor, a Congress, a Legislature and State officials are to be selected, and the result of this year's election will have an exhilarating or depressing effect upon that vital campaign. We have but a single State official to elect next month, but his success, by a large or small majority, will count much in the campaign of next year, and moreover it is due to the candidate himself, that he be elected by the usual full Republican majority. For Boyer is a clear, able man, without spot or blemish on his personal or political life. His name as Speaker of the House will bear the most searching light that can be turned upon it. He was nominated unanimously, without a struggle on his part or that of his friends, and stands before the people unassailed by even his political foes, and that he will be our next State Treasurer, is absolutely conceded by intelligent and well-informed men of all parties.

But so admirable a candidate as Mr. Boyer is entitled to every Republican vote, and we urge upon our party friends to see to it that he receives them. Let not his undoubted success and our well known party supremacy in the county create lukewarmness or over confidence. He should have every vote there can be brought out and polled for him, and every true Republican owes it as a duty to the party to make it a point to see that there are no laggards in our ranks.

Moreover, principles, not men, are at stake. This election may, and will have a far reaching influence upon that of next year when there will be a tremendous struggle, and we therefore urge upon our friends to be active, vigilant and unremitting in their efforts to secure a full vote at the coming election.

Captured and Made to Marry a Girl Whether or No.

NEW YORK, September 29.—A strange story was told at Police Headquarters to-night by two men about a young man, a friend of theirs, named David Kirchneroff, being forced into a marriage against his will. While the two men were looking for redress at headquarters the marriage ceremony was being performed in the Golden Star Hall, 92 Hester street. The father of the newly-made wife is a cloak-maker, and his name is Aarynson. Thinking some time ago that his daughter Rose should get marrid he paid $100 to a "Chadchin" to get her a husband The "Chadchin" got young Kirchneroff to fill the bill, and, it is said, gave him half of the money. The couple were made acquainted, but soon the bridegroom that was to be manifested a coolness toward his fiancee. He made up his mind to leave the city, and tried to carry out the design on Saturday last. He went down Grand street toward the ferry, but was followed by Aaronson and the "Chadchin," who captured him on a Williamsburg ferry-boat and brought him back. He was taken to a house in Christie street, and kept there till this afternoon under a guard of six men. To-night he was compelled to walk to the Golden Star Hall don a suit of wedding clothes and go through his part of the ceremony. Rabbi David Falk, of No. 65 Canal street, officiated. It is not yet known what step will be taken in the matter.

A Pauper's Great Fortune.

SHAMOKIN, September 29.—John Brenan, of this place, has fallen heir to $2,000,000, left him by his sister, Mrs. John Carson, who died in California a few weeks ago. Brennan occasionally worked at the mines and spent all his earnings in rum. He was frequently in the almshouse, and it was there he was found yesterday by the lawyer who bore to him the news of his great luck.

Brennan was brought to a barber's shop and subsequently to a clothier's, and, having somewhat improved his personal appearance, he started for California to claim his enormous legacy.

The Horrors of Lock-Jaw.

WASHINGTON, C. H., Ohio, September 29.—Isaac Larimer, aged 40 years, a well-known farmer several miles north of this city, died a terrible death from lock-jaw last night. On Friday last he was harrowing a field when the harrow struck a stump and threw the rear part of the harrow into the air. When it descended one of the sharp teeth penetrated Mr. Larimer's foot. The tooth was extracted and the injured man removed to his home. In a short time lock-jaw set in. Last evening his jaws became free again, but he was taken with spasms and died as stated above while writhing in great agony.

Laughed himself to Death.

CHICAGO, September 29.—Colonel Wiley S. Scribner, Recorder of Cook county, a local politician of note, laughed himself to death this morning. He was telling a visitor about a reference to Congressman Mason he had just been reading in the papers. "That's just like Billy," he said, and commenced laughing at the joke.

The exertion ruptured an artery of the heart, which had been diseased for the past few years, and in five minutes Colonel Scribner was dead.

Killed by a Boy.

CHARLESTON, W. VA., September 28.—A boy named Egan shot and instantly killed a colored man named Joseph Rose at Greenbrier White Sulphur Springs Friday night. Rose was intoxicated, and, catching a boy named Ashley, he held his head back against a hot stove. Egan tried to release Ashley, but failing, ran out of the depot, produced a revolver and shot Rose through the breast.

Report of Grand Jury on Court House and Jail.

$4,500 Additional Recommended for the New Jail.

REPORT OF GRAND JURY ON COURT HOUSE AND JAIL.

To the Honorable the Judges of the Court of Quarter Sessions of Somerset County.—September term, 1889.

We, the members of the Grand Jury respectfully report: That in pursuance of instructions of your honorable Courts, we considered and passed upon all bills and views that were placed in our hands; that we also visited the jail, which we consider unsafe and unhealthy, and we would recommend that four thousand five hundred dollars additional be appropriated and that a foot bridge be built from said new jail to the court room for the safe conveyance of prisoners to and from court. We found the jail and surroundings clean and in good order and the same well guarded. We would also recommend that the privy in the rear of jail be removed at once and wire screens placed over windows on the first floor.

The court house we found in good order; the offices and surroundings cleanly. We would further recommend that a water closet be annexed to court house on second floor for the comfort and convenience of the members of the bar and juries; also that the court house be heated by steam.

A. E. FINNIGAN, Foreman.

REPORT OF GRAND JURY ON POOR HOUSE.

We, the members of the Grand Jury, respectfully report:

That in pursuance of the instructions of your honorable court we visited the House of Employment of Somerset county on the 27th day of September 1889, and examined the farm and buildings. We found the condition of the buildings good, except the red house and wash house. We would recommend that the red house be torn down, as it is a nuisance, and a new building erected. The wash house should be repaired; also two rooms in main building should be papered. There should be a new pig pen built as the old one is too small. There should be a better supply of water obtained. There should be an addition to the wagon shed as it is too small. We would further recommend that the buildings be heated by steam, as we think the stove pipes in a dangerous condition. We would further recommend that the Directors give more attention to the small repairs. The Steward has all rooms, kitchen etc. very clean. The inmates appear to be well cared for.

A. E. FINNIGAN, Foreman.

COURT NOTES.

The report of the jury of an inquest held on the bodies of John Spiker, C. H. Scott and Charles Lessing were approved.

The Court appointed George W. Anderson tax collector for Ursina Borough and M. F. Allison, for Ogle Township.

A petition for the discharge from custody of Ross Bird was filed.

(Continued from Third Page.)

THE DEFENDANT TESTIFIES.

Henry J. Patterson, sworn: I was 20 years of age on the 15th of last February; have been living in Elklick since the 1st of April; my father was John T. Patterson; he died May 6, 1881; left a wife and three children; Joseph, 15 years old, Martha Beachy, married to Peter Beachy, and myself; mother was married to John Spiker in '82; Spiker came from close to Grantsville; the first year after they were married they lived in Meyersdale, and moved from there to Grantsville, Md., from there to Grassy Run, in Elklick township; I rented the house; Spiker made threats against me from the time they were first married; on the 23d of June, when I quit work, I went to supper; Spiker had been to Grantsville; mother had taken the two little girls and gone to Salisbury to a show; I was in the room washing; Spiker was quarreling with mother; they were still quarreling at the supper table; he was standing at the back door; he went down to the cellar; I had used his scythe, and put it in the cellar, he said, 'G—d—m 'em, if they didn't clean the scythe he'd cut their throats; I then went to Herman Rauch's shanty, laid down on one of the bunks and fell asleep; Herman wakened me and we started to the ball ground; when we got to the head of Fair View plane heard mother calling; she said come down quick; went down; Mother said, "Henry you'll have to come in and do something John's kicking and beating me;" she was crying; she told me John had said if she didn't take her things out of the house before Monday he'd pitch everything out; she wanted to know who was paying the rent; told her I was; started to go up the steps; she said, "my God Henry don't come in the house,

HE'S GOT A RAZOR AND WILL KILL YOU."

I went up to Jacob Buskey's; met Adam Berg outside of the house; he had Buskey's gun; I asked him to let me see it; took it and went into Jake's House asked him for a load of powder; he poured some in my hand; put it in the gun; he said if I put all that powder in, it would burst; he then gave me a load of shot; he handed me some buckshot which I put back in the glass; went outside; Adam Berg went with me; just as I got outside mother said John isn't here; Adam tried to take the gun from me; I was excited and pushed him away; went up the plane and through a sugar grove and across the fence; as I got on top of the fence I saw Spiker; I called to John; he turned around; I stepped on the railroad and made about three steps toward him and stopped; he came toward me as fast as he could walk; when he got within 20 or 25 feet from me he put his hand on his hip pocket and with his left hand toward me said you—of a b— I'm not afraid of you or your gun; he then started to come faster toward me; I knew he had a revolver on his person and thought he had a razor; he always carried a large sized pocket knife with a razor edge on it; he could shave himself with it; he came toward me with his hand on his pocket; I saw that he was mad and thought that he was going to shoot me; I let him come 10 feet closer to me; I knew it was all day with me if I didn't shoot; I put up the gun intending to shoot him in the legs; it was so heavily loaded with powder that it raised up and shot him in the stomach, over a foot higher than I intended to shoot him; (witness takes gun and shows how he held it and how it kicked up;) I knew if I didn't shoot him he'd shoot me; I had no intention of killing him; he came on toward me; I had no idea that I had hit him; he came almost up to me when I struck him with the gun; I turned and he followed me; after taking a few steps he fell down; I went to Buskey's and gave him the gun and told him I had shot John and that he should help bring him to the house; I then went to the ball ground and told Joe to go for a doctor and then went to Salisbury to give myself up; when I went down to where John was I went there for the purpose of talking to John about his quarreling with mother.

Cross-examined: I got the gun to protect myself; knew he had a revolver; I loaded the gun; did not say I was going to kill Spiker; don't remember saying to Buskey or Berg that if they didn't stay away I would shoot them; walked up the plane and down the path; didn't go faster than a fast walk; the fence is about 25 feet from the railroad; after I had hit him with the gun he took five or six steps and fell on the ties; think I backed several feet before I hit him with the gun; did not say anything to him but 'ho, John'! did not break the gun when I struck Spiker; was worse excited than I ever was in my life before; had my gun ready loaded in my hand, hanging down by my side; don't know that Spiker traded his gun for a bed the day before; after I hit him with the gun he said, 'you shot me!' and placed his hands on his stomach and hollowed murder; did not say to Sam Lowry that I would as soon shoot John as a dog; felt it my duty to go to Spiker and talk with him about the way he was beating and ill-treating mother; would never have touched him if I hadn't thought he was going to shoot me; if I had turned around and started to run he could have popped me in the back; never owned a gun or revolver in my life; heard him say at the house that he had a razor and would kill me, and thought he would kill me.

Constables Scott and Conrad sworn to take charge of the jury. Court adjourned at 11:55 A. M. to 1:30 P. M.

AFTERNOON SESSION.

Court called at 1:30 P. M. Jacob Hoy'e, J. J. Hoblitzell, Wilson Ringer, Peter Beachy, Abraham Folk, Michael Knecht, Casper Wahl and Urias Polk all in turn testified that they knew Patterson, knew the people of the community in which he lived, and that his character as a peaceable and orderly citizen was good.

Mrs. Anna Spiker, sworn: I am the widow of John Spiker decd.; was married to him 7 years; had 3 children; one is dead; my first husband was John T. Patterson; had three children to him, Henry, Martha and Joseph; on Friday Spiker went to Grantsville; I went to the show, at Salisbury; Spiker came home Saturday evening and commenced to quarrel; I said to him,

OH YOU CHEESE IT JOHNNY.

If you go out to Grantsville and get your sack full of news and then come home and quarrel, you had better stay there; I called Henry; told him to come down there; he came running; I said, "Henry for God's sake don't come in here John's got a razor and will kill you;" Spiker said, "yes if you bring him in I'll cut his guts out"; Henry went away then; I was crying and told Henry he had slapped me and kicked me three times; he knocked me deaf that I couldn't hear for a good bit; he kicked me twice on the leg very hard and once higher up; Henry went toward Buskey's; next I saw him going over the hill; was home when Spiker was brought there; Spiker was a very violent man; he was quarreling and wrangling with me, and Henry went out; Henry often saw him abusing me and I often told him about it; Spiker threatened to me that he would kill Henry more than a dozen times and I told it to Henry; he had a razor and put it back in the drawer when I told Henry; I didn't see the razor; Spiker was 27 years, 1 month and 11 days old.

Cross-examined: I saw Henry running after Spiker; I called to him, "Oh, Henry," he said, "mother hush; I'm not going to shoot him, but only want to scare him"; did not say that Henry was a very bad boy and had been making threats; did not tell Mr. Evans that John was always good to me; I don't remember talking to Mr. Evans at all; I was so excited that I was clear out of my mind and don't know what I said.

Joseph Patterson, sworn: Am a brother to Henry; knew John Spiker; lived at home; he was a violent man; if you would say anything he'd get mad enough to kill you; he said he'd kill Henry; that he'd let his d—n lights out of him; Henry called me and told me to go for the doctor that he had hurt John; there was a quarrel at the house about the scythe that evening; he said he'd kill Henry and got to knocking me around about it; I saw him strike and kick mother that evening; he picked up a mine shoe with big nails in to hit mother with; I grabbed it out of his hand and told mother to be quiet.

Cross examined; I am not sure that it was the same day that he was shot that I heard him threaten to kill Henry; I told Henry shortly afterwards.

Martha Beachy, sworn: Am Henry Patterson's sister; John Spiker was a man of violent disposition; I often heard him make threats against Henry in the presence of mother.

Cross-examined: Couldn't say just when it was that I heard him make threats; was married about two years ago, but went home almost every day.

SPIKER WAS A MAN OF VIOLENT TEMPER.

Peter Beachy, re-called: Knew Spiker for 20 years; was raised about a mile frm me; he was a man of violent character.

Cross-examined: He had a killing temper; heard him make threats against others; said he would split Johnson's head open with an axe.

Josiah Durst, re-called: Knew John Spiker very well; used to go to school together; he was a man of violent, passionate temper.

Cross-examined: Henry Patterson is my nephew; never saw Spiker do any one any violence; saw him quarrel with his parents.

Edward Durst, re-called: Knew John Spiker well for about 15 years; never heard a neighbor speak a good word about him.

Mrs. Wm. Hause, sworn: Live about a quarter of a mile from Spiker's; was in Lowry's part of the house the evening Spiker was shot; Spiker said 'in two minutes' time I'll give you something you won't need any more; if it wasn't for this other family over here, I'd work the whole Patterson family away'; he said if Henry would come in he would cut his guts out.

Cross-examined: Could hear who was there, and everything that was said.

Reuben Folk, affirmed: Live in West Salisbury, about half a mile from Spiker's; have known Patterson since he was a little boy; character good; knew John Spiker; his reputation was that of a violent man.

Wm. Hause, affirmed: Know Henry Patterson; know the people of the community; his reputation as a peaceable man is good.

J. C. Lowry, Esq., sworn: Am acquainted with Patterson; know his neighbors; his reputation as a peaceable citizen is good; John Spiker's reputation was that of a violent man.

As Mr. Lowry left the stand the defense announced that they would rest.

The Commonwealth recalled Levi Lichliter, Esq., in rebuttal, to testify in regard to the distance from the door to the corner of the Buskey house. He was the last witness called and the case was closed at five minutes after three o'clock.

Both sides cited a number of authorities, and the defense submitted several points. Mr. Hay consumed the remaining hour of the afternoon session in making the opening argument for the defense.

Mr. Cessna made the closing argument for the defense, in a speech of an hour and a half in length, Saturday morning. He made a clear and ingenious argument, and worked strongly on the sympathies of the jury, referring to the brutal treatment the mother and little brother of the accused had been subjected to at the hands of John Spiker for years back, and closed with a touching appeal for the life and liberty of his young client.

District Attorney Biesecker spoke for nearly two hours. He insisted that the jury must not be swayed from their plain duty, by the eloquence of counsel for defense or by any feeling of pity, compassion or commiseration they might have for the defendant. A human life had been taken, and the guilty party must be punished. The majesty of the law must be vindicated and justice must be done, though the heavens fall. His argument was an exceptionally strong and forcible one.

Judge Baer's charge was fair, clear and impartial. The jury retired to their room for consultation at 12:15 and at 2:30 came into court with their verdict.

MURDER IN THE SECOND DEGREE.

"Henry J. Patterson stand up" said the Clerk. The youthful prisoner arose and looked fearlessly at the jury; continuing the clerk said: "Prisoner look upon the jury, jurors look upon the prisoner, how say you, is the prisoner guilty of the offense with which he is charged."

Foreman J. B. Gerhard then read the verdict which was that they found the defendant guilty of murder in the second degree. In repeating the verdict to the jury Clerk Horner said "you find the prisoner guilty of murder in the *first* degree." As he said this the prisoner turned deadly pale and looked up at the Judges in a startled way, but when the Clerk quickly corrected his error the color returned to his face and he resumed his wonted appearance.

Brothersvalley Items.

The centennial at Cumberland, la t week, was well represented by Brothersvalley and Berlin.

H. W. Brubaker and his two daughters, Maggie and Grace, Wm. Schrock and Joseph Hauger took in the exposition at Pittsburgh last week.

The new school house at Sugar Grove is finished and the contractors, Messrs. Dickey and Broucler deserve credit for the mechanical work. The house is a model one and, I think, there is not a better house in any of the rural districts in the county.

Harvey Schrock was kept busy all of last week with his hydraulic press. Up to date he has made, this season, over 11,000 gallons of cider.

The following gentlemen wear broad smiles: E. L. Knepper, a son; Wilson Brant, a son; and N. W. Knepper, a son—all three staunch Republicans.

Elias Lichty from Carleton, Neb. who has been visiting friends and relatives in this section for the last four or five weeks, and, since his stay here has chosen a life companion, will return to his western home accompanied by his newly chosen bride, next Tuesday.

The teachers, for this township, opened their schools on the 23rd of September. Their wages are not what they ought to be nevertheless I have the confidence in our corps of teachers that they will all do their whole duty in the school room. A few are teaching their first term. Those young men will have an excellent opportunity to make a good record for themselves during the term.

A small girl of Robert McLuckis, while eating chestnuts last evening, had one lodged in her throat from which she strangled to death. All that could be done to save the child was done, but of no avail. The girl suffered extreme agonies all night and died on Friday morning.

ZERO.

Pittsburgh Exposition Attractions

in the music line are best seen at Mellor & Hoene's stand, but even this display cannot compare with their exhibit in the piano and organ line at their immense establishment at 77 Fifth avenue. They have the Hardman and Krakauer Pianos; Palace, Chase and Cottage Organs, besides other standard makes; the best creations of the piano and organ builders. It is real a treat to see their magnificent warerooms filled with pianos and organs in rare and costly woods. If you visit the great Pittsburgh Exposition, stop at Mellor & Hoene's stand, see the superb instruments, hear the sweet music, and then call at their mammoth store, 77 Fifth avenue, where you will be cordially welcomed; if you cannot come, be sure to write for catalogues and full particulars of our easy payment plan—it will pay you, and costs but a cent. Low prices and easy terms prevail. Address Mellor & Hoene, Palace of Music, 77 Fifth avenue, Pittsburgh, Pa.

A Million Dollar Blaze.

BUTTE CITY, MONT., September 29.—Fire this afternoon destroyed an entire block in the business part of the city. A strong wind prevailed during the fire, and for a time it was feared a disastrous conflagration could not be prevented. It was brought under control with a loss of about $1,000,000. The fire started at noon, and a violent wind fanned the flames into fury, while an insufficient supply of water prevented effective fighting against the flames.

Quarter Sessions Court.

List of Criminal Cases Disposed Of.

"Shorty" Garno Pleads Guilty to an Indictment for Burglary

AND ACKNOWLEDGES TO HAVING HELD WATCHMAN KEIFER UP WITH A BRACE OF REVOLVERS TO ASSIST THE NICELY BROTHERS TO ESCAPE—HE WILL PROBABLY GET TEN YEARS—O'BRIEN ACQUITTED, BUT REFUSES TO LEAVE THE TOWN—THE CIVIL LIST CONTINUED AND JURORS SUMMONED FOR THE SECOND WEEK NOTIFIED THAT THEY NEED NOT ATTEND—VIEWERS APPOINTED.

No civil case has been tried in our county courts since the February term. At noon Friday it was discovered that it would be impossible to do more than try the important criminal cases at this term, so the Court directed the Sheriff to notify the jurors who had been summoned for the second week that they need not appear. An order was also made continuing the entire civil list, and all the criminal cases that were then undisposed of except that of the Commonwealth vs. James H. Lehr. The winesses in this case were told that they could go to their homes, but must be in attendance when Court would open, at 1 o'clock Monday.

Before adjournment Friday evening Henry Garno, the redonbtable "Shorty," was brought into Court and plead guilty to an indictment for burglary, in breaking into the store and residence of Mr. Elwell Ash, at Rockwood.

John O'Brien, who was indicted jointly with "Shorty" for the same offense, plead not guilty to the same indictment Saturday afternoon.

O'BRIEN ACQUITTED.

The first witness called was the prosecutor, Mr. Ash, who related the story of the burglary; told what property had been stolen, and identified a watch that was found on the person of "Shorty" when arrested, as his.

Dr. Gildner next took the stand and told how he traced Garno and O'Brien to Cumberland, Md., and procured their arrest.

Charles Pitt related the story of the arrest and produced a kit of burglar tools, consisting of keys, dark lantern, gimlet, knife, saw, screw driver pincers, &c., &c, that were taken from the person of O'Brien when he was arrested.

John Hoover, sworn: Live in Black twp.; saw John O'Brien and Garno at Rockwood the night the burglary was committed, between six and 8 o'clock in the evening; saw them pass Miller's store; they were walking along the street; saw them next in Cumberland, Coming up Baltimore street; Mr. Gildner and I arrested them; was present when they were searched at justice's office. (Tools shown witness.) These tools were found on O'Brien; it was on the morning of the 17th that I saw them in Cumberland

Henry Garno, sworn: Have no regular home; last home was on a boat on Chesapeake Bay; was at Rockwood on 15th of July, 1889; got there at half past three, from Somerset; was there till half past four next morning; nobody was with me; went into the town and came back to the car track and met O'Brien in the evening; I took him to Mrs. Snyder's for supper; had supper at half past eight; O'Brien wanted a place to sleep; I took him to a box car and we laid down; that was about 10:45; I got up three-quarters of an hour afterwards and left O'Brien sleeping there; I went and broke in to that gentleman's house; no one was with me; I met O'Brien the next morning; we started east together; I gave him the burglar tools wrapped up in paper and told him they were some carpenter tools, and asked him to carry them; he carried them and had them in his pocket when we were both arrested at Cumberland; I buried the money; I told Dr. Gildner that it was buried in the wrong place; afterwards told a friend of mine, Thomas O'Toole, where it was, and he went and got it; I never received any of it; he was to bring me some but never showed up; don't know where Thomas O'Toole lives; he came to the Somerset jail to see me; I met him at Johnstown; we were both working for Contractor McKnight; I am an Irishman; don't know O'Brien's nationality, but would judge from his name that he is an Irishman; I work in the winter if I can get it; if I can't get work I beg, and if I can't beg I steal; I got the tools from a gentleman at the coal yard below Somerset.

Commonwealth rests.

John O'Brien, sworn: I don't know where I was born; never seen my folks; have no home; met Garno at Rockwood, between six and seven o'clock; he took me to get supper; never saw Garno before that day; we went to a box car after supper and I went to sleep; didn't see Garno again till the next morning when I was walking down the track from Rockwood; he gave me some tools, saying they were carpenter tools; I didn't know they were burglar tools till we were arrested at Cumberland; he didn't give me any money; I didn't know he had committed a robbery till we were arrested.

Cross examined: I don't know where I was born; think in Michigan; never saw my folks; am subject to fits. When the defendant left the stand Judge Baer told the jury, that there was not sufficient evidence to convict, and a verdict of not guilty was taken.

O'Brien informed the Court that he would like to stay in jail till Monday morning, when he would go to Johnstown, where he had been at work, prior to being arrested.

Sheriff McMillen took O'Brien, who is a frowsy, red-headed, wild looking Irishman, back to jail, where he kept him till Monday morning, when he accompanied him to the railroad station intending to buy him a ticket to Johnstown.

As the Sheriff was about to purchase the ticket, O'Brien told him not to do so, as he was not going to leave Somerset at present, so the Sheriff could do nothing but let him go where he pleased.

"SHORTY" AGAIN PLEADS GUILTY.

After the O'Brien case had been disposed of the case against Garno for Felonious Assault, in "holding up" Watchman Kiefer the day the Nicely brothers made their desperate dash for liberty, was called for trial.

The defendant plead guilty to assault and was remanded to jail. The maximum penalty for burglarly is ten years in the penitentiary, and one year for assault. Sentence will be imposed this week, and it is not likely that "Shorty" will get off with less than ten years.

Com. vs. Simon Wagaman; cutting and removing timber trees, on information of Henry Geary. Verdict, guilty. Motion in arrest of judgment filed.

Same vs. Ezra Young; assault with intent to kill, on information of Harvey Speigel. Verdict, guilty of assault.

Same vs. Demetrius Bisel and Robert Guthrie; A. & B., on information of A. J. Ringler. Verdict guilty as to Demetrius Bisel, and not guilty as to Robt. Guthrie, Jr. Motion for a new trial filed.

Same vs. John Boyer; A. & B. and surety, on information of E. C. Rhoads. Case called, and neither party appearing, case was dismissed.

Same vs. E. C. Rhoads. Neither of the parties appearing, case dismissed.

Same vs. Henry Risheberger; misdemeanor in office, on information of Frank Roberts. Verdict not guilty, and the prosecutor and defendant each to pay one-half the costs.

E. O. Rederick, charged with assault and battery in knocking down Esquire John Ream with a poker, was next placed in the dock. Rederick is the constable of Confluence borough. The jury found the defendant not guilty, the prosecutor to pay the costs. So much of the verdict as imposes the costs upon the prosecutor set aside by the Court.

The two cases against Josiah Zerfoss, Daniel Darr, George Bittner, and Adam Sumpstine, Supervisors of Somerset Township, indicted for neglecting to keep certain township roads in repair, and open a certain highway, on information of David Casebeer, were then taken up. Verdict, guilty in the one case and not guilty in the other. Motion for a new trial filed.

Com. vs. Charles Spangler. Statutory burglary, on information of Josiah Specht. Verdict, guilty of larceny.

Same vs. Simon Snyder; malicious mischief, on information of Joseph King. Grand Jury return a true bill, and case continued.

Same vs Anna Saylor and George W. Saylor; A. & B, and surety, on information of Eliza Saylor. Grand Jury return not a true bill, and county to pay costs.

Same vs, Perry Critchfield; surety, on information of J, H. Miller. Recognizance of the defendant forfeited, and process awarded. Defendant arrested and incarcerated.

Same vs. Levi Deal; A. & B., on information of John T. Ravenscraft. Grand Jury return not a true bill, and the prosecutor to pay the costs.

Same vs. Dora Kreger; adultery, on information of Henry C. Kreger. Grand Jury return not a true bill, and county to pay costs.

Same vs. Josiah Specht, selling liquor without license. Grand Jury return not a true bill, and the county to pay costs.

Same vs. Harrison Oldham; A. & B., on information of John Custer. Grand Jury return a true bill, and case continued.

The remainder of the cases on the criminal list were continued.

ROAD AND BRIDGE VIEWS.

Petition for viewers to view the superstructure of a bridge over Gladdens Run in Southampton township. Samuel Poorbaugh Surveyor; Herman Martz, Solomon Emerick Viewers.

Petition of citizens of Summit township, for a bridge over Casselman river at the ford between George Werner's and S. P. Meyers, H. D. Altfather, Surveyor: Peter Snyder, A. J, Sterner, Viewers.

Petition of citizens of Summit township, for viewers to view the bridge over Fishghorty, at or near Adam Cover's. Wm. Baker, Surveyor; George F. Kimmel, Josiah W. Pile, Viewers.

Petition of citizens of Greenville township, for re-view of road from point on public road, near Lowry's sawmill, to public road at Maryland line. M. D. Miller, Surveyor; Jacob M. Lichty, John J. Lentz, Viewers.

J. J. Keim was substituted on a former appointment vice David Lichty.

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