The Somerset Herald.

GEORGE R. SCULL, Editor.

THURSDAY ..... November 13, 1889.

Wait for Young's Holiday Display.

Toilet Articles at Young's Drug Store.

Holiday Goods at Young's Drug Store.

Young's Motto, "Purity and Accuracy."

Perfume cases at Biesecker & Snyder's.

All kinds of trusses at Biesecker & Snyder's.

The season for sweet cider is drawing to a close.

Alabastine in all colors at Biesecker & Snyder's.

Eye glasses and spectacles at Biesecker & Snyder's.

For handsome dress goods, cheap, go to Mrs. A. E. Uhl's.

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

For men's underwear, good and cheap, go to Mrs. A. E. Uhl's.

Go to Young, the Leading Druggist, for your Family Medicines.

Prescriptions and Family Receipts filled at Young's Drug Store.

Palmer's Toilet Soaps at Young's Drug Store. Three Cakes for 25 cents.

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

The Brooklyn Times "thanks heaven for Pennsylvania." When everything else is cold and gloomy, it says; when the Democratic party Virginia and make inroads on the Republican strength in Maryland—not to speak of Ohio and Iowa—the grand old Keystone State can always be trusted to stand to the front in great shape.

Myself, or J. A. Berkey will always be found in my office. Call and settle your accounts. J. B. SNYDER.

A fist of corn broth is recommended for those who want to reduce their flesh.

I would be sorry to make you costs. Call and pay what you owe me, and save the cost. J. B. SNYDER.

James Crabtree and James Wrath have been held for court on a charge of cavesdropping, preferred by Mrs. Daniels, of Iron Bridge.—*Greensburg Democrat.*

My office, as before, is in the Odd Fellows' building, up stairs. You still owe me that bill. Call and pay it. J. B. SNYDER.

Hon. Francis E. Spinner, the well-known Treasurer of the United States, has now for some years had his home in Utica. He is 87 years old, but is still active and vigorous and takes a lively interest in public affairs. The peculiarity of Mr. Spinner's autograph has rendered him more widely known than most public men.

Instead leaving Somerset are long. You can save your account by settling with me for last month's work with a longer, so call of my office and settle and save costs.

J. B. SNYDER.

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

HOLBRUNER BROS. & PARSON.

Wanted!

Hides 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 Spice Bark. 100 cords wanted at once. Call on me at my residence, immediately west of the S. & C. Station.

H. G. CUNNINGHAM.

"Veni, Vidi, Vici."

The Exposition is closed until October 1892. We saw it. It was great, being in its infancy, but we saw enough to convince our selves of the fact that enterprise, such as displayed there, should not be passed by without some comment. But we still wonder why it was that only one wholesale liquor house was so boldly represented. You could see pyramid of bottles from any part of the great building. It was the prettiest display there. Max Klein has proved the public what he wants to be seen. His "Silver Rye" whiskey has now such a well earned reputation that he is proud of it and he invites everybody to see it. His goods are pure and reliable. You can have his Silver Rye at $1.50 per full quarts. His Gucken heimer, Finch, Overholt or Gibson at $1.00 per quart, or 6 quart for $5.00. Send for his price list and mention this paper. His address is MAX KLEIN,

82 Federal St., Allegheny.

EXTRAORDINARY EYESIGHT

Over Total Blindness to Objects Seen to Read the Finest Print.

It used to be considered good success when a person had been blind from cataract, if one out of two was restored sufficiently to tell a man about, and more were totally blinded for every one made to see to read common print. Miss Christiana McGillivanny, of Bucyrus, Columbiana county, O., four miles south of Wellsville, had been blind in one eye 15 years or more, when she came to Dr. Wolfe's, 84 Penn avenue, Pittsburgh, Pa., and operated on her. Last week he adjusted glasses, when she was able to read ordinary common diamond print (the smallest type) but chromo lithographic reductions much smaller. In the language of Mr. S. E. Littleson, of Bellaire, O., (after an examination for cataract by Dr. Sadler, and then fitted: "With my glasses I can see as well as ever in my life, and I believe have very strong eyes," expresses the feelings caused by Dr. Sadler in every case he has operated upon this year. These results are not excelled in the history of eyesight, a fact worthy the attention of the blind.

An Interesting Local Institute.

The local institute of Section No. 1, comprising Northampton and Allegheny townships and New Baltimore borough, was held at the Bridgeport school-house, on Saturday, November 2, 1889. The Institute was called to order at 10 o'clock a. m. by the temporary president, C. C. Heckle, after which the following officers were elected:

President, C. C. Heckle; Vice President, J. Brant; Secretary, L. H. Broadwater; Assistant Manager, L. T. Lancaster; Corresponding Secretary, G. H. Bauman. The day then read the first subject on the program, "Lessons and work for primary schools," which was opened by John Vogel followed by L. H. Broadwater and W. H. Bauman, J. M. Berkey. Song 224, "Sabbath Day Gems." "Method of teaching history," S. M. Brant. "Cause and remedy for irregular attendance," opened by J. Lancaster, followed by Messrs. Vogel, Brant, Heckle, and Prof. J. M. Berkey. Song by Miss Josie Shafer, entitled the "Mystic Bower." Song No. 83, "The Rock Is Higher than I." "Written work," opened by W. A. Bauman, followed by J. Vogel and G. H. Bauman.

The institute then adjourned to meet at 1:30 p. m.

AFTERNOON SESSION.

Institute called to order at 2 o'clock by the president, followed with music. "School Attractions," opened by C. C. Heckle, followed by J. M. Berkey. "Teaching Arithmetic," opened by S. G. Coughenour, followed by G. H. Bauman and J. M. Berkey. An intermission of five minutes was given, after which some queries were disposed of and discussed by several of the teachers. Song No. 21, "Talking and writing English," J. M. Berkey. Select Reading, "Mary, Queen of the Inn," Alice Boyer. Incentives to good conduct," L. H. Broadwater. Study of Physiology and Hygiene," C. C. Heckle; Vocal, Coughenour, Broadwater. Select reading, "God is Everywhere," Ella Pontbaugh. Song by Ella Hendricks, entitled "Just One Penny," after which Prof. Berkey made a few closing remarks.

There were eleven teachers present. Considering the inclemency of the weather, the attendance was fair.

G. H. BAUMAN, Corresponding Sec'y.

Mr. J. Gorcesu, the popular agent for the Corliss Safe Company, is circulating among his Somerset friends.

The collection taken up by the children of the borough schools Friday for the public schools of the Conemaugh valley netted $30.03.

Three "Coons" were lodged in jail Monday evening charged with having committed a robbery at Sand Patch, one night last week. A white brother, who is suspected of having had a hand in the job, was "jugged" Friday.

Elder A. W. Connor has tendered his resignation as pastor of the Disciple's Church this place, to take effect on or before January 1st. We understand that he has accepted a call from the Disciple's congregation at Johnstown.

Register and Recorder Jacob D. Swank is confined to his home, suffering with a light attack of typhoid fever. During our long acquaintance with the 'Squire we have never known him to lose a day from sickness, and we trust that he will be up and about in a very few days.

With the new schedule that went into effect on the B. & O. R. R. on Sunday last, a through train service has been established between Pittsburgh and Chicago. This train leaves Pittsburgh at 7.30 p. m., and arrives in Chicago at 11.55 the following morning. It is equipped with Pullman's handsomest vestibuled sleeping cars. Breakfast is served in dining car attached at Garrett, Indiana.

The attention of the many persons passing up and down Somerset's principal business thoroughfare Tuesday, was attracted by the gang of men engaged in removing the big Corliss safe from the temporary banking room on the diamond to its permanent quarters in the new National Bank building. Mr. Andrew Parker, the cashier of the First National, expects to be doing business in the new building the first of next week.

County Commissioner David E. Wagner and family, comprising four or five children, met with a very ugly accident while on their way home from church in Shade township, last Friday evening. One of the horses they were driving in a spring wagon took fright while they were descending a steep hill, and the bit breaking, the animal became unmanageable and dashed down the hill at a furious speed. At the foot of the hill the wagon came in contact with the buggy of a neighbor, Mr. Berkeybile, tearing a wheel off that vehicle and upsetting the occupants of both wagon and buggy. All the occupants of the two vehicles sustained more or less bruises, but fortunately none of them were seriously injured.

Some time ago one of the young men employed by grocers Cook & Beerits, in the delivery department, unfortunately upset a shelf in the cellar of one of their customers while engaged in delivering a load of potatoes. The shelf wasladened with jars containing the winter's supply of pickles for a large family, and every last one of them was broken into smithereens. The boy never informed his employers of the accident but somehow or other his companions took to calling him "chow chow," and from the strangeness of the appellation Mr. Cook was forced to inquire how the youth came by it. It is needless to add that the pickles were speedily replaced with a famous brand, and we only mention the matter because we know who the broken jars belonged to.

It will be sad news to the people residing within a radius of many miles of Somerset and to hundreds of families throughout the county, to learn that Dr. Henry Brubaker is confined to his bed, suffering with an attack of typhoid fever. The past half dozen months have been days and nights of unusual activity for Dr. Brubaker, who, during his many years of successful practice, has possibly enjoyed fewer hours of leisure than any professional man in the county; but the arduous additional labor he has been called upon to perform this fall, administering to the many fever patients who have called upon his services, proved too much for the doctor's already over-taxed strength, and on Friday he succumbed to the encroachments of the disease that had been stealthily stealing away his strength. Dr. H. S. Kimmel has been in constant attendance at the bedside of his eminent patient, and he was joined Tuesday by Dr. Albert P. Brubaker, of Philadelphia. While Dr. Brubaker's condition is not considered alarming by his physicians, the mere knowledge of his illness is sufficient to arouse the gravest apprehension on the part of the entire community.

The attorneys for the Commonwealth in the case against the Nicely brothers are entitled to the thanks of all the law-abiding citizens of Somerset county for the conscientious duty they performed in that famous trial. From the day following the murder of Herman Umberger, when F. J. Kooser, Esq., was employed to assist District Attorney Biesecker in the prosecution of the case, to this, both gentlemen have labored fearlessly and conscientiously at what they believed to be their sacred duty, and it is only just to add that they were successful in their every step. Before the case came up for trial Hon. John Cessna was engaged to assist in the prosecution, but he confined himself entirely to the trial of the case and argument to the jury. Messrs. Kooser and Biesecker were alone in arguing against the granting of a new trial to the convicted men and were unaided in preparing their answer to the defendants' paper book and in their arguments before the Supreme Court. Never once in the prosecution of the case did any one of the Commonwealth's counsel exhibit any undue zealousness, nor was there the slightest indication that they were impelled by any motive other than love of justice and duty.

The Somerset council of the Royal Arcanum are certainly to be congratulated on the success of the entertainment given under their auspices in the Opera House Thursday evening. The program was made up with considerable care, and with one or two exceptions its every number evoked the spontaneous applause of the audience. The "star" of the evening, Miss Lillian Burkett, one of Pittsburgh's most popular young lady elocutionists, if she will pardon the criticism, might, if she had taken the character of the audience into consideration, have made happier selections in several instances; but then, after the admirable way in which she recited "Mammy's 'Li'l Baby Boy," we have no doubt that the audience cheerfully forgave her for "Searching Among the Stars." Miss Burkett also gave "A Baby's Soliloquy" in a manner that was decidedly the most artistic performance of the evening.

Miss Mayme Uhl sang with her accustomed brilliancy and sweetness, and as it was her first public appearance, many expressions of surprise were indulged in that Somerset should possess a vocalist of such glittering attainments. One of the chief beauties of Miss Uhl's vocalism is an entire absence of affectation and clearness of articulation, every syllable emitted from her smiling lips can be understood as far as her voice can be heard. This peculiarity—for it must be regarded as a peculiarity—is the more marked when Miss Uhl's singing is compared with that of other vocalists whose voices contain, perhaps, as much sweetness, but who "mouth" their words in such a miserable fashion that the hearer is at a loss to know whether he is listening to English or Choctaw. Miss Uhl rendered the delightful ballad, "Garden of Sleep," with such true tenderness of feeling and expression that the hands of all who heard her were voluntarily set to applauding, leaving no doubt of congress. For an encore she gave "Fisher Maiden."

Last, but not least, in the success of the entertainment comes the "Euterpean Band" who have improved so much that their old friends failed to recognize them. It is decidedly the best musical organization we have ever had in Somerset, and has the material to make one of the best orchestras in this part of the country. The entertainment throughout was one of the most enjoyable amateur performances we have ever had in Somerset.

DOOMED TO DEATH.

JOE AND DAVE NICELY MUST HANG.

The Court of Last Resort Overrules their Appeal and Sustains the Judgment of the Court Below.

No Chance Before the Pardon Board.

All that Remains is for the Governor to Designate a Day for the Execution.

Deputy Sheriff McMillen Informs the Prisoners Of the Supreme Court's Decision.

Full Text of Chief Justice Paxson's Opinion.

Ever since the argument of counsel before the Supreme Court of the State at Pittsburgh on the second Monday of October for a reversal of judgment in the case of the Nicely boys, convicted at May term of Court of the murder of Herman Umberger, and sentenced to be hung, the predominant question throughout the county has been: "Have the Supreme Court handed down their opinion in the Nicely case?" Interest in the famous case appears to be as great to-day as it was preceding and during the trial, and bids fair to continue until the awful penalty of the law has been carried into effect. There was never the slightest doubt entertained by the people of the county as to what the opinion of the Supreme Court would be, but when they stopped to think of the voluminous paper book of over 400 pages, submitted to their honors by counsel for the defendants, they had no idea that an opinion would be handed down before the first of the year, and still the case was so clear and doubt so unreasonable, that persons from the country were impelled to ask "Has the Supreme Court handed down their opinion in the Nicely case?" almost the first thing on meeting.

Shortly after 10 o'clock Monday morning a telegram was handed to F. J. Kooser, Esq., of counsel for the Commonwealth, which read: "The Nicely case affirmed." A smile of triumph could be seen creeping over the attorney's brow as he re-read the message. Not a vindictive smile, but such a smile as any attorney might proudly wear who has labored for and won an important case. The decision of the Supreme Court was soon noised abroad, and the same satisfied smile which the Commonwealth's attorneys wore could be seen on the faces of all who heard the decision.

THE PRISONERS HEAR THE DECISION

Deputy-Sheriff Milt McMillen went into the prison shortly after dinner and broke the news to the prisoners. "Its hard if it's true," said Joe Nicely, his blanched face turning painfully pale. He said nothing more to the Deputy-Sheriff but crawled onto his bunk where the poor wretch was afterwards visited by the watchman who found him crying bitterly.

"I expected nothing else," was all that Dave said when the Deputy Sheriff told him of the Supreme Court's decision. He never changed color and for the first time seemed inclined to talk, but after meditating a moment he said:

"I suppose our attorneys will be in this afternoon" and with that he commenced walking up and down his cell with as much freedom as the chains at his feet would allow.

Attorneys Koontz and Coffroth, counsel for the defendants, visited their clients in the county jail Tuesday morning. It is not known what the result of their interview was, nor is it known what step will next be taken in behalf of the condemned men, but "hope spring eternal in the human breast" and we have no doubt that the case of these two unfortunates will be laid before the State Board of Pardons. Meanwhile all that remains to be done before the final chapter of this horrible crime can be written, is for the Governor of the Commonwealth to name the day on which the condemned men shall be executed, when the Sheriff of the county will carry the dread sentence of the law into effect.

OPINION OF THE SUPREME COURT.

Appeal of Joseph & David Nicely from the Judgment of Oyer & Terminer, of Somerset County.	Western Dist. No. 196, Oct. Term, 1889.

PAXSON, C. J.

"But four of the numerous specifications of error in this case require notice; none of them need extended discussion. The defendants below were indicted for homicide, and were convicted of murder in the first degree.

"At the trial of the cause the District Attorney appears to have been aided by private counsel, and the defendants complain that in many instances things were said by counsel for the Commonwealth either directly to the jury, or in their presence or hearing, which were not warranted by the evidence or which were unfair comments upon it. While the matter has been brought upon the record by exceptions, we have only isolated passages extracted from the remarks of counsel, generally three or four lines, and we can but imperfectly judge of their character and propriety; nor can we tell how they may have been qualified by what preceded or followed them. I am not aware of any way by which the speeches of counsel can legally be placed on the record; nor do I well see how the judgment of the Court could be reversed by reason of their remarks. I would regard any system of practice by which error could be assigned to the summing up of counsel as a very great calamity. In the instances complained of the record shows that whenever the attention of the Court was called to them, the learned Judge treated them as harmless and directed the jury to pay no regard to them. As an illustration I refer to the Eighth specification. It is as follows:

"The Court erred in its answer to the second exception of defendants to the remarks of counsel for the Commonwealth to the jury, which said exception and answer is as follows:

"This trial will go very far to show whether every merchant or mechanic is to be safe from masked villains."

The Court:—"This flight of oratory must not have any effect on the jury."

"These are fair examples of this class of specifications; while they do not furnish any legal ground for the reversal of the judgment, they are suggestions of a heated zeal on the part of the counsel engaged on either side in the trial in this case. It is difficult to measure the amount of zeal which is allowable or at least excusable on the part of counsel engaged in the defense of a man who is on trial for his life. Writers on professional ethics differ upon this subject, and I will not discuss it. We have no difficulty, however, in measuring the extent of zeal which counsel for the Commonwealth may properly display upon such occasions. The District Attorney is a quasi judicial officer; he represents the Commonwealth and the Commonwealth demands no victims. He seeks justice only; equal and impartial justice, and it is as much the duty of the District Attorney to see that no innocent man suffers as it is to see that no guilty man escapes. Hence he should act impartially; he should present the Commonwealth's case fairly and should not press upon the jury any deductions from the evidence that are not strictly legitimate, when he exceeds this limit and on hot zeal seeks to influence them by appealing to their prejudices, he is no longer an impartial officer, but becomes a heated partisan. When that officer allows private counsel to assist him in the trial of a cause, such counsel represents him to that extent and should be governed by the same rules of propriety.

"Upon the argument of this case at the bar much stress was laid upon the second specification which alleges that the Court below erred in excluding the cross-examination of Ella Menoher in regard to the pocketbook. To understand this point it is necessary to state that when the deceased, Herman Umberger, was murdered in his own home on the evening of February 27, 1889, two pocketbooks were taken from his person containing upward of $16,000 in money.

The Commonwealth has offered evidence to prove that David Nicely, one of the defendants, had, on the day of his arrest, while being conveyed to Somerset county, and when no one else was present, gave a pocketbook to William Thomas, the driver of the carriage; that Thomas gave the same pocketbook to Nicely's brother-in-law, Menoher; that Menoher had given the same pocketbook to his wife, a sister of the defendants, the witness on the stand. The latter testified that her husband gave her a pocketbook after the defendants were arrested; that she laid it upon a table; that her mother gave it to the officers, and that it was the same pocketbook she had received from her husband. At this point the defendant's counsel intercepted the cross-examination referred to, the object of which was to interrogate the witness as to the identity of the pocketbook. But the Commonwealth had not asked her a question as to its identity, they did not call her for any such purpose; on the contrary she was only asked to trace the pocketbook.

Another specification of error is to the manner of receiving and recording the verdict. (See 27th Exception.) What occurred in regard to the matter may be briefly stated as follows. The jury came in with a verdict of "guilty in manner and form as they stand indicted." In this there was no finding of the degree of murder as required by the Act of Assembly. Before the verdict was actually recorded and before the jury had left the box the Court sent them back to their room with instructions to find the degree, they returned into Court and rendered a verdict of "guilty of murder in the first degree." Upon being polled each juror rendered the same verdict, which was then duly recorded and the jury discharged. We see no error in this. The verdict as just returned was not a compliance with the Act of Assembly and the learned Judge was entirely right in sending the jury back to amend it. He would have failed in his duty had he not done so. The allegation that there was nothing to amend is plausible but unsound. There was the Act of Assembly to amend it by.

"Had the verdict been recorded and the jury discharged, when they first came in, we would have had a different question before us. We might in such case be constrained to hold under the authority of Johnson vs. the Com. 24 Pa. 386, that the verdict as originally rendered was a verdict of murder in the second degree only. But there is neither reason nor authority for holding that where a jury comes in with a defective verdict the Court may not send them out again to amend it. Authorities are abundant upon this point, but it would be a waste of time to cite them.

"The time has gone by for a convicted murderer to escape upon mere technicalities. This harmless blunder of a perhaps inexperienced jury did defendants no injury. There was a time in the history of the English criminal law when great crimes were left unpunished because of harmless technical errors. This greater strictness was perhaps due to the fact that at that period the criminal code was especially bloody. Capital punishment was inflicted for very trifling offenses, and it may be the judges sought to ameliorate its rigor by holding the crown to the observance of the merest technicalities.

"We all know that Lord Hale declared these legal niceties, or dubbines, we may rather call them, as tending to allow many rogues to escape from punishment of serious crimes.

"With the advancement of judicial science and a more enlightened administration of the law, mere technicalities are less regarded when they work no harm to a defendant.

"We have closely examined all the assignments and find no error. The judgment in this case is affirmed, and it is ordered that the record in this case be remitted to the Court below for the purpose of execution."

The residence of Alexander Countryman, a half mile above Lavansville, on the Bedford and Greensburg pike, was entirely destroyed by fire shortly after midnight, Saturday. The fire originated from a defective stove pipe running through the roof, and the upper part of the building was a mass of flames before the fire was discovered by the occupants of the house. Mr. Countryman's son, George, who lives on the opposite side of the road, was aroused from his sleep by the bright glare of the flames and the cracking of burning timbers, and apprising his wife and step-son of his discovery, they all hurried to the assistance of his aged parents. Almost all of the household effects were gotten out of the burning building and carried to a place of safety, the flames having by this time gained such headway that no effort was made to check their progress. The loss is estimated at $1,200.

A full line of Jersey Cashmere natural wool underwear, in white, red, and gray, for ladies, cheap. MRS. A. E. UHL.

"Camp Tucker," the rickety old shanty that has been an eye-sore for many years on the corner of Main-Cross and Union streets, and which was recently moved into the latter street to make room for the new National Bank building, has been torn down and the timbers removed. "Tucker" will take possession of his handsome new room in the bank building during the week.

I must have money before the 6th of Nov. next. Call and pay your note or account at once. J. B. SNYDER.

The Universal Exposition, or World's Fair, held at Paris, France, this summer, was no doubt the grandest ever held. The contest for the prizes on machinery was the most animated ever known. Among the awards won by Americans was the Grand Gold Medal and the Cross of the Legion of Honor, by the White Sewing Machine Company, of Cleveland, Ohio, for the best family sewing machine. This Company won the first prize at the Cincinnati Centennial, in 1888. If awards at fairs mean anything, this is certainly the best sewing machine in the world. Joseph Crist, of Jenner X Roads is the agent for it in this county. Ladies wishing to purchase a machine should examine this one carefully, before buying any other. Crist takes pleasure in showing it to the ladies. Write him.

Breaking Out in a New Place.

Mr. J. Rutherford, of Braddock, arrived in Bedford on Tuesday at the head of a corps of civil engineers, and yesterday began work surveying a line between Bedford and Everett. The usual mystery that accompanies engineers is not wanting in this case, and nobody can be prevailed upon to give any information concerning the purpose of the work. It is believed, however, that this is one of the corps engaged in projecting a line between Shippensburg and Hyndman, to connect the Western Maryland and the Baltimore & Ohio. An alliance between the Baltimore & Ohio and the Reading has been talked of for some time, and it is supposed that this is a step in that direction.—*Bedford Gazette.*

Northampton Items.

Wild turkeys are plentiful.

William Poorbaugh, who has been seriously ill for the past several weeks, is slowly recovering.

One day last week Mr. John Miller cut down a bee tree which stood on his farm, and obtained about sixty pounds of choice honey.

Urias Poorbaugh, a respected citizen of Allegheny township died on Friday, November 1st, and was buried in the Kammerer cemetery the following Sunday. His age was about 60 years. SPY.

Grand Opening of the Confluence Railroad—A Gala Day for the Yough Valley.

EDITOR HERALD:—The new railroad from Confluence up the Youghiogheny river was opened on Thursday, the 7th inst., under most favorable circumstances. So complete were the arrangements that the somewhat elaborately printed program for the occasion was carried out to the very letter, from beginning to end.

A word as to the enterprise. It can be safely said that no public work in this, or any other state, was ever so quietly projected and expeditiously executed as this new road. The first pick struck in its construction was about the middle of last April, and yet without any great ado the roadbed was completed, good bridges built, first quality ties and the best of steel rails laid, and most of the road substantially ballasted by the first of November—the length of time being less than seven months. This unparalleled achievement of railroad construction is largely, if not entirely, due to two Philadelphians, Mr. J. B. Henry, the president of the road, and Col. J. W. Crawford, its chief engineer. Their wise policy, indomitable energy, and their sticking to it kind of pluck, accomplished in a few months what would have required years of work under the proverbially dilatory course of railroad builders.

The citizens of Confluence, at least those who know a good thing when they see it, appreciating the benefits their town will derive from this new outlet and inlet, showed their appreciation of it on the morning it was opened, by a profuse display of flags, and by assembling at the railroad station, where a capitally good welcome speech by Prof. R. R. Sanner was delivered, and appropriately responded to by some of the railroad officials.

The ride over this new candidate for public patronage from Confluence up to its temporary terminus at the Manor Club House, in Garrett county, Md., (which is within seventeen miles of Oakland), proved it to be a first-class road in every particular. It was gratifying to see large and convenient station houses, nearly completed, at Somerfield, Somerset county, Pa., and at Friendsville, Md.

At 11:30 a. m. the excursion train, well filled with invited guests from Pittsburgh, Confluence, Somerset, Philadelphia, and other points, pulled out from the Confluence station, crossed the Youghiogheny, and hugging the beautiful river, reached Somerfield, nine miles south of Confluence, in about twenty minutes. Here the people from the surrounding country had gathered to the number of several hundreds, with the Addison brass band, in honor of the occasion, and to partake of the barbecue, consisting of an ox-roast, and the usual viands of a first-class feast, provided by the generous citizens of the old town and immediate vicinity.

The next stop was at Selbysport, Md., ten miles above Somerfield. Here, as at the latter place, floats, transparencies, and banners were to be seen by the dozens, some of which had printed on them in large letters the word "Welcome." Friendsville, Md., was the next stopping point, at which place two or three hours were spent. The decorations and general arrangements reflected great credit upon the wide awake people of that entire section of country. The first question asked by the excursionists, on alighting from the cars, was, "Where did this vast multitude of people, numbering several thousands, come from?" Wagons, carriages, buggies, and horses, could be counted by the scores. Using a popular slang phrase, the denizens of that part of Garrett county "did themselves proud" by the ample preparations to feed and entertain the multitude. A roasted ox, and a liberal supply of other substantials, with all the delicacies of the season, were the features of their sumptuous repast.

Repairing to the platform erected for the occasion, the first thing in order was music by the two brass bands, one from Listonburg, the other from Oakland, (the Addison band having remained at Somerfield. Then followed the welcome speech, by Dr. Bartlett, of Oakland, who said, among other things, that the celebration of the opening of this new road was only the beginning of the end, as by this time next year the last link of the chain connecting the main line of the B. & O. road at Oakland, with its branch at Confluence, would be in its place. Responsive speeches were then made by Col. Crawford, and President Henry, in behalf of the guests of the road.

Col. Crawford stands conspicuous among the foremost civil engineers of this country, and has an intimate personal knowledge of all the great railroads not only of the United States, but of Europe, China, and Japan. He not only spoke in glowing terms of the resources of the Youghiogheny valley, but enthusiastically of its bewitching beauty. President Henry, who has almost literally watched every inch of the construction of the road, and whose genial qualities have made everybody his friend, not only emphasized the Colonel's declarations by numerous happy illustrations, but by convincing facts. He closed his appropriate and popular address by paying the highest possible compliments to the integrity, industry and intelligence of the people of the whole valley.

After a short address by Gen. Koontz on internal improvements, the excursionists again boarded the cars and soon reached the Manor Club House, where they were entertained in a most royal manner. It goes without saying that full justice was done by one hundred and thirty hungry men and women to as fine a dinner as a Delmonico caterer could provide.

This Club House merits a paragraph. It is situated on a picturesque bluff at the present terminus of the new road, and overlooks the limpid waters of the rapidly flowing Youghiogheny, and on land owned by the Yough Manor Land Company. In its design and mechanical construction the Club House is a marvel of rustic beauty. It is built of nicely hewn pine logs, the intervening spaces being filled in with plaster, after the fashion of a century ago. Its dimensions are 80x30 feet, and it is surrounded by large covered porches. Its internal arrangement is perfectly adapted for the comfortable accommodation of a large number of guests, as was shown by the fact that all the excursionists had seats at the several dining tables. The ceiling in the commodious hall was the subject of many compliments during and after dinner. In form, it may be said to be semi-elliptical and finished with white pine interlaced in the most artistic manner. As to its order of architecture it would be rather hazardous to venture an opinion, inasmuch as Col. Crawford, who designed the building, hesitated to give it a name. But at a venture it may be said to partake of all the orders, except the plain one of Tuscan, and, therefore, may be called the Composite. In some respects it is not wholly unlike what now passes as the Queen Anne style. But call it what you please, it is both unique and beautiful, and does honor to its designer and builders. We predict that it will become one of the most popular summer resorts of the Allegheny mountains.

The return trip was made on schedule time, arriving at Confluence about 6½ o'clock p. m. All the excursionists were loud in praise of the road, the scenery, the entertainment, and of the delicate attention of those in charge of the excursion train. Nothing occurred by way of detention or hitch in carrying out the printed program to mar the pleasure of the occasion. Taking it all in all, it was a memorable day in the history of the beautiful and picturesque Youghiogheny Valley.

A SOMERSET GUEST.

As the weather gets cooler, you will want furs. All styles of muffs and sets, cheap. A handsome muff for 50 cents.

MRS. A. E. UHL.

Frank Baer, Henry Hetzel, and Charles Francis, charged with burning the flouring mill of Rumbaugh & Brinker, at Greensburg, were convicted Saturday; the jury arriving at their verdict after an absence of forty-eight hours.

I have just received another new stock of dry goods. Come and see them.

MRS. A. E. UHL.

Sudden Death of Dr. Brubaker.

Never within our recollection has our community received so severe and sudden a shock as that experienced Tuesday evening, when the death of Dr. Brubaker was announced. He was stricken suddenly Friday evening with typhoid fever, and while it was known that he was seriously ill, a fatal termination was not looked for. His death occurred at 9:30 p. m.

There is mourning in every Somerset household to-night and sorrow rests in the hearts of all of her citizens. All feel that in the death of Dr. Brubaker they have met with a personal loss.

Wraps—Cheap and Stylish.

Don't fail to go Mrs. Uhl's for Ladies' and Childrens' Wraps. Their Jersey Jackets, Divedoire Jackets, Cloth Jackets, and Newmarkets, are all tailor-made, and their Plush Jackets, Plush Coats and Dolmans, are the nicest and cheapest in town.

A large assortment of childrens' new style wraps, cheap. MRS. A. E. UHL.

Flooded Barb Wire.

I have in stock a lot of Johnstown flooded barb wire, at the low price of two cents per pound. This wire is strong and guaranteed to stand stretching. Send in your order at once, is you want cheap fencing.

J. B. HOLDERBAUM.

ROYAL BAKING POWDER

Absolutely Pure.

This powder never varies. A marvel of purity, strength, and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low test, short weight, alum phosphate powders. Sold only in cans. ROYAL BAKING POWDER CO., 106 Wall St., N. Y. jun17,'89 1y

ORPHANS' COURT SALE

— OF —

Valuable Real Estate.

BY VIRTUE of an order of sale issued out of the Orphans' Court of Somerset County, Pa., and to me directed, I will expose to public sale on the premises in Allegheny Township, in said county, on

SATURDAY, DEC. 7, 1889,

at 1 o'clock p. m., the following real estate, situate in Allegheny Twp., Somerset Co., Pa., bounded by lands of Jesse McVicker, Mrs. Jordan, Wendel Werner, Martin Ansler, Francis Engel, Andrew Werner, Francis Wambaugh and Francis Stiffer, containing

290 ACRES AND 62 PERCHES,

there being a two-story log house and log barn on the premises. About 100 acres clear, 30 acres of which is in meadow, and the balance well timbered with white oak and rock oak. The farm is in good condition, and in a good neighborhood.

TERMS.

One-third in hand, the balance in three equal annual payments, without interest. Ten per cent of hand money to be paid on day of sale.

HENRY F. WERNER,
nov13. Ext'r of Henry S. Weber.

YOUNG'S

RELIABLE DRUG STORE.

When you need anything in the line of

PURE DRUGS OR MEDICINES,

Don't Fail to Give Me a Call. Being a Graduate of the Philadelphia

— COLLEGE OF PHARMACY, —

I am prepared to fill all Physicians'

Prescriptions and Family Receipts

with safety and accuracy. My line of

TOILET ARTICLES,
PERFUMERIES, SOAPS,
SPONGES, TRUSSES, &c.

is the largest and best in the County.

Palmer's Fine Toilet Soap.

This is the best and cheapest Soap on the market. One trial, and you will always use it. Remember,

3 *Cakes for 25 Cents.* 3

— For a —

FINE CIGAR,

I only ask you to try my leading brands. Call and examine my fine line of

Holiday Goods.

VISITORS ALWAYS WELCOME. BOTH

ENGLISH AND GERMAN

Language spoken. My motto,

"Purity and Accuracy."

RESPECTFULLY

Charles Young,

Successor to C. H. Benford,

SOMERSET, PA.

ORPHANS' COURT SALE

— OF —

Valuabe Real Estate.

BY VIRTUE OF AN ORDER OF SALE issued out of the Orphans' Court of Somerset County, Pa., to the undersigned directed, I will expose to public sale on the premises, in Somerset Twp., in said County, on

FRIDAY, DECEMBER 6, 1889,

at 1 o'clock p. m., the following real estate, late the property of Catharine Rhoads, dec'd, viz:

A certain tract of land situate in Somerset Twp., Somerset County, Pa., adjoining lands of Josiah Weigle, S. S. Modlodler, Wm. Schrock, Samuel Rodemer, Elmer Rhoads, and others, containing two hundred and twenty acres, and allowance. There is a two-story frame

DWELLING HOUSE,

bank barn, horse stable, spring house, and other outbuildings on the premises. About 125 acres clear; 25 acres in meadow; there is a good sugar camp of about 600 trees and 300 feeders; also, an orchard of choice fruit on the premises. The farm is in a good state of cultivation.

TERMS.

$1,000 in hand; $1,000 remains a lien, the interest of which is payable to Mary Rhoads. The balance in annual payments of Two hundred dollars, to be secured on the premises; ten per cent. of hand money on day of sale.

FRANK C. RHOADS,
nov14. Administrator.

AUDITOR'S NOTICE.

In the estate of John F. McGregor, late of Shade Township, dec'd.

21th of September, 1889, account of Administrator confirmed. 12th of November, 1889, on motion of Messrs. Colborn & Colborn, Attorneys for the Administrator, the Court appoint F. W. Biesecker, Auditor, to make a distribution of the funds in the hands of the Administrator to and among the legal representatives, according to law.

Extract from the minutes,

[SEAL.] J. D. SWANK, Clerk.

The undersigned Auditor hereby gives notice that he will sit to attend to the duties under the above appointment, at his office in Somerset, Pa., on Wednesday, the 4th day of December, 1889, at 9:30 a. m., when and where all parties may attend, if they think proper.

FRED. W. BIESECKER,
nov13. Auditor.

Stone IN THE Bladder.

HOW IT WAS REMOVED, AND THE UNBOUNDED GRATITUDE OF THE SUFFERER.

Mr. E. D. Paenn, a well known book-keeper of Rochester, N. Y., writes: "One day I was seized with a pain in the lower part of my back. Next came a stoppage of the urine, and acute pain. I sought advice, and was told that my symptoms were those of stone in the bladder. I will not try to describe what I went through. None of the means taken produced any benefit until I began the use of Dr. David Kennedy's Favorite remedy of Rondout, N. Y. Gradually the more serious symptoms began to yield. The pain ceased, the calculous or stone having been

Dissolved by the Medicine.

From this time my recovery was complete, and I am ready to testify that Dr. Kennedy's Favorite Remedy saved my life." Mr. Lyman Crawford, druggist, of Springfield, Mass., says "For years I was afflicted with Kidney Disease in its most acute form. I tried different kinds of treatment and spent a great deal of money, only to find myself worse than ever. Dr. Kennedy's Favorite Remedy—I say it with a perfect recollection of all that was done for me—is the only thing that did me the slightest good. It gave me

PERMANENT RELIEF.

I am now well and strong. I have recommended this medicine to many people for Kidney Disease, and they all agree with me in saying that Dr. David Kennedy's Favorite Remedy has no its equal in the world for this distressing and often fatal complaint." Mr. W. Monroe, of Catskill, N. Y., says: "For many years I suffered from gravel. Finally my wife induced me to try a bottle of Dr. David Kennedy's Favorite Remedy. To gratify her I bought a bottle. I used that and two or three bottles more, and, to make a long story short, I am a well man."

DR. KENNEDY'S FAVORITE REMEDY.

PREPARED BY

Dr. David Kennedy, Rondout, N. Y.

$1 per bottle. Six for $5. By all druggists.

EXECUTOR'S NOTICE.

Estate of John Grady, dec'd, late of Quemahoning Twp, Somerset County, Pa.

Letters testamentary on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same will present them duly authenticated for settlement to the undersigned, at his residence, on Saturday, the 14th day of December, 1889.

HERMAN W. BEMKEY,
nov6. Executor.
F. W. BIESECKER, Attorney.

RULE TO ACCEPT OR REFUSE.

To Christian H. Yoder, of Sugar Creek, Tuscarawas County, Ohio; Daniel H. Yoder, of Gestown, Cambria County, Pa.; Barbara Yoder, intermarried with Isaac W