The Nicely Boys.

Joe Nicely would have been recognized anywhere as a handsome man. When he was first placed in the Somerset jail his face had the ruddy color of good health, his eyes were bright and sparkling; a smile played around the corners of his mouth; a heavy dark mustache ornamented his upper lip; his clothes were of fashionable cut and well fitting.

Joe Nicely had a peculiarly striking voice, never to be forgotten after once heard. It was of the high tenor order, but careful training had not eliminated the peculiar tones that impressed the hearer. Joe used to teach singing, and during the first year of his imprisonment he made the walls of the old jail resound with the music of his voice. He showed a great partiality for sacred music, and persons passing by the jail without knowing the character of the building might have thought that a well conducted prayer meeting was being held inside every evening in the week. For the last year he has not sung a note.

Joe was always popular with the inmates of the jail, who seemed to recognize him as a superior man. All appeared to have been subject to his will and were ever ready to assist him to escape.

Although a little under size, Joe Nicely was an athlete and at the time of his arrest possessed remarkable strength. On one occasion when told that his father had been arrested for complicity in the murder of Umberger, he began to cry. Suddenly drying his tears, he exclaimed, "Jesse James once said the law can drive men to commit crime," and grabbing the bars of his cell door, he shook them until the old building rocked. He was fond of boasting of his feats of strength, and, in conjunction with other inmates of the old jail, had a sand-bag suspended from the ceiling and daily exercised his muscles.

Notwithstanding Joe's repeated assertions that he had never been in Somerset county but once, he admitted shortly after he was brought here and confronted with a gentleman acquainted with the facts that he had visited Somerset in the seventies for the purpose of playing poker, and had left a large sum of money with local "sports."

Joseph has had a very checkered career, and his versatile attainments have led him to commit all manners of crimes. He was imprisoned in Ohio for impersonating a U. S. detective, and it is said he was wanted in that State to answer for burning barns of well-to-do farmers. He was generally feared by the inhabitants of the Ligonier valley, where he lived, and was regarded as a bad man. Nearly every theft that was committed among the good farmers of that region was laid at the door of the Nicely boys. No matter whether it was the robbing of a chicken coop or the more serious crime of relieving a lonely widow of her money, the brothers were suspected. A feeling of relief was enjoyed by their neighbors when they were arrested for the murder of farmer Umberger, and since then all the residents of the Ligonier valley have felt more secure. They have been compelled to employ new butchers, bar tenders, choir masters, and jacks-of-all-trades over there.

Recently, when speaking of the attempts made by his brother and himself to escape, Joe said: "We are not guilty, and we know our innocence will be proven in time. We hoped to get away from this part of the country and live in seclusion until the truth of the Umberger murder came out, the actual criminals discovered and our reputation cleared. Then we would come back again.

"I was not near the Umberger farm on the day of the murder. I was at my home, 15 miles away, and that was proven at the trial. I was never in Somerset county but once, and I did not know Umberger nor anyone else around Jennertown.

"I always had money. I owned a little farm and worked for my father and the neighbors. I used to do all the butchering for the neighbors. I never was without a few dollars, and owed no one. I was happy and contented and coveted no one's wealth.

"Yes, indeed, I have a good wife. My eldest boy is teaching school this winter three miles away from home; but he walks to and from school every day that he may be at home at night to comfort his mother. He is smart and good."

For the last three months Joe has shown signs of weakening. He had grown thin and paid very little attention to his personal appearance. The injuries he sustained early in December, when the attempt of himself and brother to escape from the new jail failed so disastrously, were a constant source of trouble to him. In fact, he had not entirely recovered the use of his injured foot. He evidently had not despaired of making his escape, however, from the fact that thirteen saws were found by Sheriff Good in the cells of the doomed boys only three weeks ago.

Dave Nicely has proved a conundrum that not even his friends or counsel have been able to solve. He always lived near the old homestead in the Ligonier valley, and appears to have worked at nearly everything. He was suspected by his neighbors of having committed many petty thefts, and it is stated that on one occasion he was imprisoned in a neighbor's hen coop over night. The neighbor's wife having seen him steal his way into the coop barred the door, and refused to release him until the following morning.

Since he has been confined in the Somerset county jail Dave has kept his tongue well bridled and rarely ever talked without consulting his brother. He appeared to have been entirely under the influence of Joe and depended upon him to do the talking.

The watchmen at the jail felt satisfied that he would make a confession after deputy sheriff McMillen was shot, and when he proposed to make a confession none of them were surprised. But when he destroyed the written propositions he had made they were convinced that Joe had learned of his intention to confess and persuaded him to abandon it. Dave talked very well when he talked at all, and has won the esteem of all the jail officials. He always enjoyed a joke with them and occasionally repeated a story. One story that he was fond of repeating was told him by "Rev." Amos Sell at the time that unworthy shepherd was an inmate of the jail. His "Riverence" vouched for the truth of the narrative, which was as follows: "I knew an old farmer who lived in the county of ——, O. He was very profane and one bright morning in June was engaged in hoeing corn. The corn was not very promising, and the old farmer was very much discouraged. Halting near the middle of a row he raised his hoe to heaven and cursed the Almighty for not causing the stalks to flourish as his neighbor's. His blasphemy was interrupted by an invisible hand, and the venerable tiller of the soil was paralyzed on the spot. He is still to be seen standing there in the uncultivated field holding his hoe aloft, and no power has been able to remove him. I have seen him very frequently in passing, and he will remain there until the end of time."

Dave would laugh immoderately after repeating this story, and say, "I don't believe it, although "reverend" Sell declared it was true.

David Nicely has suffered all his life from heart disease. His left side is bulged out at least two inches, and the beating of his heart is noticeable above his clothing. He was very thin and tall and walked as erect as a Sioux chief. His eyes had always had a far-away expression, while his face was furrowed with lines of disease.

"A mistake has been made in convicting us of this crime," he said to a newspaper representative a few days ago, "and we were determined not to suffer if we could help it." This remark was made in explanation of the attempts made to escape. "I proved I was at home all the day of the murder, and if I had not been my physical condition should have been sufficient to prove that I did not climb the Laurel Hill mountain twice in one day. I was never in Somerset county but once in my life, and that was several years before the murder, when I helped to bring a traction engine across the mountain. I never saw Herman Umberger; did not know him, or any one else in Somerset county; I did not need his money, and I didn't kill him; I shall not commit suicide, because people would say that it was a confession of guilt; if I must be hanged I will walk upon the scaffold like a man and declare there, as I do now, that I am innocent of the Umberger murder."

It has never been believed that Dave Nicely fired a shot on the night of the Umberger murder, and that he was only dragged into it through his brother. A great deal of sympathy has been felt for him by the public, who have always believed Joe to have been the murderer.

Both of the brothers were very hopeful that the justice would return the case for conspiracy brought by their mother and Joe's wife against Constable Rauch and Detective Camp, and that Governor Pattison would be compelled to grant them a respite until the suit was disposed of. That the justice would dismiss the case never entered their minds, and the news that he had done so was a terrible shock to both.

Their Ages.

JOE AND DAVE TALK OF THEIR BIRTH AND THEIR DEATH.

"How old are you, Joe?" asked one of his friends this morning, after the trip of inspection.

"I was born on the 17th of February, 1849, and am just a little over 42 years of age," replied Joe. "Not an old man yet," said he, as a suspicion of a smile brightened up his face.

"And you, Dave?"

"I was born on the 1st day of January, 1864, and am just 27 years and three months of age." His lip trembled as the memory of a youth all too short, and the improbability of a future struck him harder, perhaps, in that moment than at any time of his life, and perhaps the feeling of regret was more poignant than ever before.

Nothing more was said, and no one, again attempted to intrude the privacy of thier thoughts.

Faith in Their Boys.

Anthony Nicely, the father of the men convicted of the Umberger murder, lives three or four miles back of Ligonier. He is a straight, white-haired old gentleman, with a kindly intelligent face. For the past two years he has walked with his eyes constantly turned towards the ground and his head inclines forward as though in deep meditation. His wife is a delicate, small-featured woman, and has suffered unspeakable anguish since her boys were charged with murder. Until the murder both parents were happy in the enjoyment of the society of their children and and grandchildren, and were in comfortable circumstances. Mr. Nicely is well known througout Westmoreland county and is highly esteemed by his neighbors and friends.

Since the conviction of his boys he has not spent much of his time at home. He has been going here and there, seeking for new evidence or for clemency for his sons. He has been a frequent visitor in Somerset during the last two years, generally driving here from his home over the mountains. Mr. Nicely thinks his sons should never have been tried in Somerset county. "Every one was against them and the jury was afraid," he said a few weeks ago. "Over in Somerset they say that I have Umberger's money. Before this trouble I owned my farm clear of debt and I had money in bank. I have spent all I had and judgments for several thousand dollars have been entered up against me at Greensburg. I am not sure that so much money was stolen from Umberger. I think it will yet be found that the sum was considerably less. It's a very mysterious case, and I will never rest until I get to the bottom of it. My boys would never commit such a crime. They were both industrious. Dave could not work at very hard labor, but he used to help me and make shoes for the neighbors. Joe worked in sawmills when there was nothing else to do, and then he taught singing school in the evening.

"We testified in court that Joe ate supper with us on the night of the murder, and they did not believe us because we are his relatives. If we had testified against him they would have believed us. If we were not telling the truth why did we not say that Dave was here, too, Who is there to testify where Joe was, if not us? Out here in the country it would be hard to find witnesses for an alibi outside of the family. There are hundreds and hundreds of nights when there is no one here but ourselves. But other people saw Joe and Dave and knew that they could not have been at Jennertown. There was a large reward offered for the conviction of the murderers, and somebody had to be found guilty. I have not given up hope yet. If we can get an extension of time from the Governor I believe I can prove the innocence of my sons. It is going very hard with the boys wives. Joe's wife is breaking down, and so is Dave's wife. Joe has seven children. His oldest boy, Lorenza, is teaching school this winter. Dave has three little ones. Joe has a good little farm and I had bought one for Dave. He was to take possession of it the month after the murder. Joe belongs to the Evangelical church."

A MOTHER'S FAITH IN HER BOYS.

"How can they say my Joe committed that murder," said Mrs. Nicely. "Joe never gave me a moments anxiety in his life, and he never gave his father a saucy word in his life. Joe never disobeyed his father, and would not to-day. My boys never did that murder. They could not do it. David was too sick to walk that far, and Joe was here that night to supper. They say they traced them by their footprints. There was a soft snow on that day—why did they not track them home? They brought the pocket-book, overcoat, handkerchief, hat and overalls as evidence against them. The pocketbook brought into court was not the one Dave sent to his wife; the hat had no hole in it when it was taken away, and the handkerchief and overalls are just the same style and pattern that everyone wears around here. There must be thousands of them in the two counties. Both of my boys were industrious and they had money. They did not need to murder and rob."

Old man Nicely has spent a great deal of time looking for John Beach, the self-confessed murderer of Umberger. The alleged confession never produced much effect in the case and was always regarded by Commonwealth's attorneys and the public as unimportant, as it was believed to have been prepared for the purpose of causing a doubt in the minds of the Pardon Board as to the guilt of the Nicely boys. A witness named Burkholder, residing in Lower Turkeyfoot township, testified that he had known a man named Beach in Kansas and traveled with him as described in the confession; that he had a photograph of Beach at his home, in the vicinity of 'Squire King's, and had frequently shown it to neighbors and told them of Beach's mysterious disappearance. No witnesses, excepting 'Squire King, could be found who had ever seen Beach. Anthony Nicely scrutinized the photograph closely and ever since has been trying to find the face it portrays.

When his boys were first arrested for the murder of farmer Umberger old man Nicely was reputed to be one of the wealthiest residents of the Ligonier valley. He is said to have impoverished himself in the defense of his boys. They have required the constant services of the best legal talent obtainable. A half-dozen detectives and agents have followed and ferreted out every clue that it was hoped would fasten the murder on other parties.

The Fates Against Them.

GENERAL COFFROTH WARRANTS THE CIRCUMSTANCES THAT KILLED THE NICELYS CHANCES FOR LIFE.

In summing up his impressions of the Nicely case this morning General Coffroth said: "It is seldom in criminal history that there you find a concurence of so many adverse circumstance and at a time when each one of them was fatal to the scheme that we had projected for the defense of the Nicelys, and all of them by themselves. Look will you? Just the week before we went to the Supreme Court they broke jail and Joe shot Milt McMillen, the deputy sheriff. Then the papers of the county took up their escape and published them as desperadoes and desperate murderers, willing to try the issue of a daring escape rather than risk it with their attorneys and the highest court of this State. The impression that this dare devil deed produced was greatly against them. Well, we gathered ourselves together again and were just ready to go to the Pardon Board when the second and more successful effort at escape was made and this magnified, distorted, exaggeration came to the ears of the members of the Board to the detriment of the petioners, and, I think, destroyed their chances in this particular. And then right in the teeth of our meeting with Governor Beaver, the saws were found in the cells of the brothers and our hopes became despair. Finally when Joe became insane and Drs. Orth and Kimmel and others were called to examine him and after examination prounced him insane he had a lucid interval and the very morning of his death and at a time when reason was madness, is it not at least an odd combination of circumstances at once damming and provoking.

I think if I had followed out my own bent in the matter of conducting the trial, it would have been better for the Nicelys. I wanted a severance so did General Koontz and Mr. Rupple my partners. The Nicelys themselves, their father and their friends insisted that they be tried together, against my better judgement, I yielded to this request, and Joe who had such a splendid alibi was reunited with Dave. I think and still think they are innocent."

Guarding the Jail.

FEAR OF A NIGHT RAID CAUSES THE SHERIFF TO GUARD THE PRISON.

Last night Sheriff Good, placed a strong guard, both inside and outside of the jail in anticipation of any disturbance or attempt at rescue. Winchesters and double-barreled shot guns loaded with buck shot were placed in the hands of the guards, who were also furnished with a complete system of pass words and signals for their own use and those of the jail officials and guards they might be called upon to pass from one portion of the jail to the other or within the court yard. These guards were very vigilant as one or two who strolled into the yard discovered who gazed into the muzzle of the Winchesters and could hardly regain their breath in time to answer the challenge of the guards.

Sheriff Good was on the alert for any description of danger last night, as a result of a telegram from Ligonier notifying him to be on the lookout for a rescuing party that had started from that neighborhood early in the afternoon. This telegram was in harmony with information that the Sheriff had received earlier in the day to the same effect—that a company of 12 or 15 persons, mounted and armed, had been seen crossing the mountain from the direction of Ligonier toward Somerset. The last piece of information was given to the Sheriff by a gentleman in whom he had the most implicit confidence, and more upon his representation than upon other rumors he had heard, he began to take defensive measures. At midnight none but citizens or belated travelers were on the street, and at that hour little fear of a midnight raid on the county bastile was felt.

Their Last Night on Earth.

DAVE PARTAKES OF THE LORD'S SUPPER, AND THE CLERGYMAN REMAINS WITH HIM UNTIL MIDNIGHT.

About half-past seven o'clock last evening Elder Granger, accompanied by a number of the officers and members of the Disciple church was, admitted to Dave's cell, and spent some time with him in reading the Scriptures and in prayer. After he had partaken of the Lord's Supper all withdrew except the minister, who remained alone with the prisoner till midnight. About half-past 10 o'clock Sheriff Good, at the request of Elder Granger, withdrew the death watch from their places in front of the cells of the condemned men and left him to talk with them, free from the observation or hearing of any one. About midnight Elder Granger left the jail. He declined to say anything to the reporter who had been waiting in the lower corridor to interview him before he left the jail. "There will be no trouble here to-night. David has gone to bed, and I think will sleep. I will return in the morning. Good night," and the faithful, weary minister pulled the collar of his overcoat over his neck, and with a shudder stepped out into the storm and darkness and started for his home.

Both of the condemned men had gone to their beds before the minister left the jail, and both remained quietly in their cots during the entire night, apparently in sound slumber.

Dave Nicely said to one of the guards Tuesday night, "this has been the hardest day I have had yet. The suspense and worry about what is going to be done at Harrisburg is a great strain. It seems to me that if the Governor is going to grant a respite we ought to have heard from him by this time, and I am going to prepare myself for the end."

His spiritual advisor had visited him during the afternoon, and arrangements had been made at that time to have the rites of baptism administered.

Nothing had been heard from Harrisburg at 10 o'clock Wednesday morning, and at that time General Coffroth visited the jail, doubtless for the purpose of telling Dave that he had abandoned all hope of securing a respite.

The crowd in town at the execution to-day afforded a lucrative field for the operations of pickpockets, and we have heard of no less than four victims whose aggregate loss was $500.

JOE NICELY DECLARED INSANE.

Preparations for the Execution Busily Going On.

Another Peddler Confesses to the Murder of Farmer Umberger.

So many startling rumors have been in circulation the past three weeks in regard to a contemplated attack on the jail by friends of the Nicely boys, for the purpose of securing the release of the Umberger murderers, that the County Commissioners Wednesday evening caused a guard, composed of James M. Marshall, Tobias Yoder, Simon Berkey and George Cole to be placed on the outside of the prison. The guard are armed with Winchester rifles and are "made of the stuff" that would make a long fight in case an attack is made. Standing on guard nights such as we have experienced the past week has been a most unpleasant duty to perform.

Thursday morning a neatly-dressed, professional-looking gentleman arrived in town on the 9:16 train, and went directly to the office of of Gen. Coffroth. In a few minutes the stranger and the lawyer appeared on the streets and were joined by Dr. H. S. Kimmel. After the doctor had been introduced to the stranger, he conducted him to the jail. It soon became known on the streets that the stranger was a physician, and had presumably come to Somerset at the instance of the Nicelys for the purpose of examining the mental condition of Joe who is believed to be shamming insanity. The strange physician's name is Dr. Orth, and current rumor places him at the head of the State Insane Asylum at Harrisburg, and a close personal friend of Governor Pattison.

The two physicians spent several hours in the jail Thursday morning, noting the performances of the prisoner. Dr. Orth noticed that Joe had marked off a triangle on his cell floor, and always walked on its lines. For the purpose of testing the prisoner's sanity he entered the cell and took up his position at one corner of the triangle, while Dr. Kimmel stood at another. Joe continued his triangular walk, and when he would come up to either of the physicians he would stop short, look up quickly, and then shake his head and stamp his feet. Dr. Orth laughed heartily at this manifestation of the prisoner's and remarked, "you don't need to do that, Joe; really makes no difference it to me how you act." The doctor expressed a desire to see the prisoner eat, and was present when his supper was handed in. Joe took the plate containg his food and a tin filled with coffee, and carring it to the side of his cell set them on the stationary washstand. He ate several bites of his supper and then put the tin to his lips to take a sip of coffee. The coffee proved to be boiling hot and the prisoner took the tin cup between his hands and carried it around the triangle several times until it became cool, when he completed his meal.

Dr. Orth left on the morning train without expressing an opinion as to Joe's sanity or insanity. He intimated that on his return to Harrisburg he would make a report and submit it to Governor Pattison.

A telegram from Harrisburg Saturday night reads: "Governor Pattison to-night said that the visit of Dr. Orth, of this city, to the cell of Joseph Nicely was not by his direction. The Governor has not taken any action of the application for the respite of the murderer, and will not likely interfere with the execution of Joseph Nicely's death warrant. The evidence of the latter's insanity is not sufficiently conclusive to justify the Governor in staying the execution and as to the guilt of the Nicely brothers, nothing has been produced to convince him that they were wrongfully convicted. Gov. Beaver spent several months investigating the case before his successor was inaugurated, and he is said to be of the opinion, as a result of his inquiry, that the Nicelys were guilty of the crime for which they are to be hanged next Thursday."

About 7 o'clock Friday evening Sheriff Good received the following dispatch.

SALISBURY, March 27, 1891.

SHERIFF GOOD:—
Be on watch to-night. Parties on way to release the Nicelys.

A FRIEND.

The "friend" probably sent the dispatch as a joke, and the sheriff regarded it as such. Leastwise, the attack never materialized.

Saturday afternoon an attorney displayed an envelope at different places about town and volunteered the remark, "if the people of this town knew what this letter contained the death watch would be taken from the jail and the outside guard dismissed." He declined to reveal the contents of the letter, but it only required a few minutes for the story of the lawyer's mysterious letter to gain circulation, and in a half hour a dozen different rumors were current. The sheriff's office was visited by a large number of men later in the evening to inquire if it was true that he had received a message from the Governor telling him to relieve the guards from duty, as he had determined to grant the Nicelys a respite in consequence of Dr Orth's having reported Joe Nicely to be deaf, dumb and blind. The sheriff assured his visitors that he had received no such communication from the Chief Executive of the state.

FITZSIMMONS CHARGED WITH UMBERGER'S MURDER.

Fitzsimmons, the murderer of Detective Gilkinson, of Pittsburgh, is charged with nearly all the murders and robberies that have been committed in Western Pennsylvania for the past decade. The latest and most startling of all is that of charging him with the murder of Farmer Umberger, but as usual with all last hour canards there is but little stock taken in it. Below we append the letter in which the charge is made, which read and judge for yourself as to the truth or falsity of the statements contained therein. The letter was written Friday and mailed from Homestead, Pa.:

ACCUSED OF ANOTHER CRIME.

"I wish to inform the good people of Westmoreland county that they have unjustly accused the Nicely boys of the murder of Farmer Umberger. If they hang those boys for that murder they will commit a cold-blooded murder. How unjust; how unkind have those witnesses sworn in order to get the reward offered for their conviction! Think of all! Fathers, sons and brothers, place yourselves in the Nicely brothers' position and you will see the injustice of a jury law.

They were honest toilers of the soil—the most honest class of people on earth. They could not have been induced to have left their loved families and commit such an awful crime. No, never!

The acts of the State will leave these children fatherless, and these mothers weeping. Oh, how unjust! It is bringing their parents heartbroken to their graves. Governor of Pennsylvania, save the lives of the Nicely boys, for they are not guilty, and Westmoreland county will be free from the blood of two innocent boys.

I had a talk with a man from near the place where the Umberger murder was committed. He told me confidentially that he would have appeared in behalf of the Nicely boys, but was afraid he might get into trouble, as those scoundrels who were pushing the case were bent on having the reward. He had met two men near the Umberger homestead on the evening of the murder. They were peddling silk umbrellas, and tried to sell him one. They offered it at less than cost, but he would not buy. One of the men was taller than the other. The shorter man was a good talker.

IDENTIFIED BY MEYERS' FRIENDS.

I was present at the train on the evening Fitzsimmons, the murderer of Gilkinson, was taken to Pittsburgh, when suddenly my friend said to me, "That is the man I saw near the Umberger farm on the evening the old farmer was murdered."

That what is led me to write the above. I hope the publishing of it may shed greater light over the darkness and restore these boys to freedom and liberty. May God speed the day when civilization will reach a higher standard and the execution of human beings will cease to be a law. Then we will look back on this age as a dark age, as we now recall in history the stories of the headman's ax. Life is too short for such a law to exist. Christ said, "take not life, that which you cannot give." I only wish to say, take the ball that killed Umberger, and the one that killed Gilkinson, together with one from Fitzsimmons' revolver. Weigh each one and you will have the story of the Umberger murder in a nutshell. Count the furrows in the revolver and then count the furrows in the balls, and you will have sufficient proof to convict Fitzsimmons of both crimes. Notice also that the Smith jewelry robbery, the Umberger murder, and the McKeesport robbery were each done near the same hour of the day.

Yours truly,
JOHN MYERS.

MEYERS SAYS THE LETTER IS A FORGERY.

A search was made in Homstead for John Myers, the writer of the letter connecting Fitzsimmons with the Umberger crime in Somerset county. The only John Myers to be found in Homestead is a man who has lived there for six years. He came there from Latrobe. He was formerly a stonemason, but he is now the owner of a high hat, a clever tongue and a suit of black broadcloth. At present he is earning a living and making housewives happy by peddling clothes-wringers and washing machines. About murders he says he knows but little, and in an interview last night said:

"I did not write the letter. I do not even know who could have written the letter. All I know is that I have seen Fitzsimmons peddling silk umbrellas in and about Homestead. I never was in Somerset county. I was not acquainted with the man. I did not see Fitzsimmons taken from the lockup to the station, but I was on Seventh avenue at the time. I remember of talking in a crowd about seeing Fitzsimmons peddling umbrellas and someone may have overheard me and then built up the rest of the story. I expect the next thing will be the identification of Fred Fitzsimmons as Jack the Ripper. I know just as much about his connection with that crime as I do about the perpetration of the Umberger murder."

HAS NO DOUBTS OF THEIR GUILT.

Charles McPhail, of the Gilkinson agency, was talked to on the matter Saturday he says: "There is no doubt about the guilt of the Nicely boys. Fitzsimmon never committed that crime, and even though Fitzsimmons is a bad man, it is not fair to accuse him of murders that he did not commit. I believe the letter was only a clever scheme gotten up by friends for the Nicelys to secure a reprieve. The rifles in each pistol may differ slightly, but then it would be impossible to tell whether the groves marked by them in the bullets would be the same. The bullets are so flattened that it would be impossible to tell what the marks were. Of course all the 38-caliber bullets of the same make will have exactly the same weight even if they were fired from a thousands different pistols."

Dr. H. L. Orth, of Harrisburg, has submitted his report to the Governor. He says he came to Somerset at the request of General Coffroth and A. A. Nicely. He then goes on to describe the patient and the jail in which he is confined. The doctor then says: "He (Joe Nicely) moved in a seemingly methodical manner around the rear half of the cell, starting from the washstand, which he would seize hold of, shake and pound, then to the smooth wall, passing his right hand along the surface until it met the projecting rib, which he would fumble a short time, then to the corner of the room, where he would pass his fingers over the rivit heads and up and down the angle iron, then pass on to the side and along the wall to another projecting rib, go through the same maneuvers with the same hand. Then, with his left hand and arm continually moving up and down in an aimless way, he would cross the room and repeat his walk, as if seeking some starting point to work his way through the walls. He never approached the cell bars. Noise in the corridors did not apparently in any way attract him.

"Inquiring of the deputy sheriff and death watch I learned that this manner of walking was almost constant until dinner time. After dinner he would lie down and sleep for some time, then rouse up and pursue his aimless walk; that he was a light eater, but only ate when he was led to the table on which food and drink are placed; that he was cleanly in personal habits, performing the usual calls of nature without suggestion, went to bed of his own volition, and did not require to be often roused; got up when he awoke, but would not wash unless urged by gentle force; that he slept well at night, and did not toss and turn in bed, or moan or utter any cries. His color was sallow, his appearance unkempt, not having been shaved for several days; countenance heavy, laggard, indifferent; skin of forehead wrinkled by a constant frown; eyelids half closed and under lips constantly working; his face devoid of any indications of intelligence. He was indifferent and stolid in manner. His attention could not be aroused and maintained except by taking hold of him and retaining him in the position you desired. This attention was not mental. He was tractable to any guiding physical force, but he would not talk. His silence was persistent and obstinate; neither promises nor threats seemed to arouse him from his apathetic condition. His eyes were expressionless, sensitive (the pupils dilating and contracting in darkness and light), constantly in motion, could not be fixed. The tongue slightly coated and reddened at edges. The pulse small and rapid; about 120 beats per minute. Temperature not taken. The skin appeared cool; lungs in a normal condition; heart hypertrophied with impairment of artic valves. Reflexes normal. Nothing could be learned as to the sensitiveness of the skin.

"Interference with him in his usual walk, obstructing his access to his accustomed points, caused him much annoyance which he expressed by frowning, compressing his lips, shrugging his shoulders and stamping on the floor, and then again starting on his rounds with a repetition of his anger when he failed to find his well-known projections, which seemed to engross his whole attention. Twice during my frequent visits to him I awakened him from sleep, but failed to detect any gleams of intelligence in his manner or facial expression.

"The medical officer in charge of the jail tells me that about four months ago the prisoner escaped, remaining in the woods three or four days, then gave himself up to the authorities; that he was in a half-starved and nearly frozen condition, and during and after his recovery he had frequent fits of depression which gradually increased in frequency until about three weeks ago, when failure to have his case reheard by the Pardon Board seemed to totally depress him and his present imbecility followed, and he has not, as far as can be discovered, spoken one word since that date.

"After every effort to secure a reversal of the verdict or a pardon had proved abortive the motive to simulate disease was so great, the carrying out of the details of this simulation was so easy, even under the eye of a keen observer, in the time and place that could be secured for this investigation, that I approached the examination with great hesitancy, but the history of the prisoner (as learned from Dr. Kimmel and the jail attendants) his appearance, his physical condition, his manner of action all combined to sweep away my prejudices, and convinced me of the present mental and moral irresponsibility of the prisoner, and I undoubtedly believe him to be insane and a proper person to be committed to the care of an insane hospital."

The report was handed to Gov. Pattison by Lyman D. Gilbert and S. J. McCarrel, counsel for the prisoner, but the Governor did not indicate what action he would take.

General Coffroth and Anthony A. Nicely visited the Sheriff's office Tuesday morning and gave notice that the would demand four tickets of admission to the execution. Mr. Nicely also visited his boys in the jail. Joe refused to speak to his father, but before he left shook hands with him. The watchmen in the jail think they observe a vast improvement in Joe's condition since Dr. Orth's visit.

Old Mr. Nicely has been seen on the streets frequently to-day, wearing a fur cap pulled down over his forehead and his pants in his boots. His face is the very picture of distress, and calls for the generous sympathy that is bestowed upon him by all who have seen him.

Postmaster Keller receive the following letter on the 9:16 train Tuesday morning:

RUSSELLVILLE, Tenn., March 28, 1891.
Sheriff at Somerset, Pa.

Dave and Joe Nicely did not kill Umberber no more than you did. It was Fitzsimmons and myself, and I hope you will not hang them men for they are innocent. I would far rather come back and be hung than them to hang. If I get tired of lite I will come and surrender.

I am a peddler, so was Fitz; and I don't know where he is, but somewhere near Pittsburgh I left him. I am going away to try and forget it.

PEDDLER.

This makes the third man who has confessed to the murder of farmer Umberger.

Anthony A. Nicely asked the clerk at the Somerset House, where he has always stopped when in Somerset, if he would not do him the favor of witnessing the execution of his boys in event they were not granted a respite. The clerk agreed to do so when the old father said he wanted two men from Somerset to be present so that they could tell him about everything that was done and every word that his sons might say, if they said anything. He said he would send two men over from Ligonier who would do the same and would take charge of the remains after the execution. He does not want any one excepting those in the jail to see the remains and the men sent here by him from Ligonier will take them to their homes across the mountain immediately.

What Their Lawyers Say.

Lawyers Coffroth and Koontz, the leading counsel for the Nicelys, have always insisted in their firm belief in the innocence of their clients. General Coffroth is reported to have gone to Dave one day recently for the purpose of testing his innocence. He told the prisoner that there was but little hope for he and his brother. The Governor might interfere, but that was only a bare possibility.

"Now, Dave," said the General, "there is but one thing we can do. We might carry the case up to the United States Supreme Court on constitutional grounds, but before we make a move it will cost $100. Your father has exhausted his money in fighting the case, which, as you know, has cost several thousand dollars for actual expenses. Can you raise $100?"

"No, I cannot," replied David.

"Can't you get it from some of your friends?"

"They have spent all they had, and Joe and I have but $4 between us. It is utterly impossible for me to raise the money."

HAD NONE OF UMBERGER'S MONEY.

"Now, Dave," said the General, "you must be frank with me as your counsel. The time for your execution is drawing too close for you to hesitate to confide in me without reserve. Is there no place where you could get this money, or your friends could find it for you? Don't answer too quickly; remember it is a case of life or death with you and your brother."

"No," replied David, firmly, "I know of no place in the world where I or my friends could find a dollar. If $100 would save our lives, we shall be executed."

Since that interview General Coffroth is ready to swear that his clients are innocent.

The County Jail.

The Somerset jail is new, only having been completed last October, and if it were not for the iron gratings over the windows, could easily be mistaken for a private dwelling. The Sheriff's residence is immediately in front of the prison and is cut off from it by a solid brick wall. Entrance to the jail is gained from a neat veranda on which a door from the Sheriff's office opens. A door in the east wall of the office opens into a guard's corridor and in this corridor a set of iron steps leads to a similar corridor above. The two floors of the jail are exact counterparts. In the upper guard's corridor a solid iron door opens into a barred cage three feet square and in it are two levers operating the locks in the doors of the side corridors. A very narrow door opens into the exercise corridor where the execution took place. This corridor is 14x40 feet running east and west. Six feet from the east wall are two steel traps in the floor, secured by bolts and operated by a lever. When the lever is drawn the traps are received by springs and held firmly in place. In the ceiling ten feet above the floor and immediately over the traps are two heavy iron rings to which the ropes were secured.

Two grated doors lead into side corridors—east and west—and three feet wide, into which four cells open. Grated fronts expose the interior of all the cells. The Nicely boys occupied cells on the east side but were removed to others on the opposite side this morning and had to walk only about ten steps to the place of execution. The coffins for the reception of the law's victims were placed in the lower corridor immediately under the traps, and when Joseph and David Nicely were pronounced dead the ropes were gently slackened until they had been lowered into them. The lids of the coffins were closed immediately by an undertaker in compliance with a request from the father of the victims, that no one be permitted to view the remains. Two men sent by old Mr. Nicely from Ligonier took charge of the remains.

THE HAUNTED FARM.

VALUABLE REAL ESTATE DEPRECIATED BY A GHOST.

The Umberger homestead has passed into the hands of strangers. After the tragedy, Mrs. Umberger and her grandchildren went to live with her son-in-law, Reuben Horner, two or three miles away. Ella Stern, the other witness to to the murder, hired out to another family several miles from Jennertown.

For a time the farm was rented to a man named Humbert, who came from Berlin. He did not stay long, and when he went away he said the house was haunted. The story as told by the neighbors as they sit around the fireside in the long winter evenings, is that when the dusk begins to fall, and familiar objects become indistinct and assume fantastic forms, the old alarm bell on the roof will toll dismally two or three times. Then three shadowy forms are seen to issue from the back door leading out of the kitchen where Farmer Umberger fell dead at his wife's feet two years ago. First come two men, one tall and one short, both with their faces concealed. In hot pursuit follows the gaunt form of old Farmer Umberger, with the pallor of death upon his face and blood flowing from his breast.

PHANTOMS PURSUED BY A PHANTOM.

On press the two men in advance, and closely follows the ghost of the old farmer. On they glide—through dewy grass without bending a blade, over soft-plowed land without leaving a track, melting through fences like a mist. Over the fields and down the hollow flee pursued and pursuer, until they are finally lost in the wood where the murderers rested before they attacked their victim.

The story of the ghost depreciated the value of the farm. It contains 135 acres of the best land in Somerset county, with large and substantial farm buildings. The homestead is comfortable, but old, and not of great value. Finally the administrators of the estate found a man named Schafer who was willing to buy the farm, apparition and all, at a reasonable figure. He believed that it was easier to lift a ghost than a mortgage. He got the place for $4,000 cash.

When the farm was visited by the writer Mrs. Schaefer was exercising evil spirits by hard work, and had succeeded in putting a polish on the stove which was bound, by its brightness, to put to flight a legion of ghosts.

ONLY A MEMORY OF THE TRAGEDY REMAINS.

Few signs of the tragedy linger around the house now. There are still a couple of bullet holes in the wall, showing that the assassin twice missed his victim, but the stains of blood have been effaced, and the old bell, with its rope coming through the ceiling into the kitchen, has been removed. The work of plowing, sowing and reaping goes on just the same as ever through the varying seasons, for nature never changes her habits though a thousand men be killed.

The property will not long be known as the Umberger farm, but will soon take the name of its new owner, and the ghost of Farmer Umberger will be but a shadowy memory, brought up occasionally by the matrons of Jennertown to keep their children indoors o'nights.

This fanciful tale is taken from the Pittsburgh *Dispatch* which recently published "The Narrative of a Crime" from the defendants, point of view. "The Haunted Farm" yarn contains a few threads of truth.

Joe Nicely's Song.

The following poem was composed by Joe Nicely a few months ago. It's title is "A Prison Song," and is evidence of his early religious training.

When my mind wanders back
To my happy childhood days—
The days that are now forever past—
Where my brothers and sisters played
Around the dear old cottage house—
These are thoughts stamped on memory to last.

Chorus—
If your heart was ever sad,
Then these thoughts would make you glad:
When you think of the morning you'll be free;
For then you'll cross the prison floor
And go out the prison door:
For there're many happy days you yet may see.

But as days or months pass by;
Ah, the years! how swift they fly!
But our future, there is no one who can tell,
For this is left within the hands
Of the One that ever stands
And says: "Trust in Me and all things will be well."

In the dark and gloomy cell
There is no one who can tell
How anxiously we wait the news to hear—
That our freedom we have gained
And no longer will be chained,
And the laws of Somerset no longer fear.

Oh, the sadness in my heart!
When I think that I must part
From the friend of life who is dear to me;
That I never more may be
Roaming o'er this land as free,
As the birds that sing upon the leafy tree.

But these thoughts may not be so,
And from prison we may go
If a trial fair by jury we may see.
Then with friends we may rejoice,
And, with one united voice,
Praise the God whose hand did surely set us free.

Other Somerset County Murders.

DIFFERENT MURDER CASES TRIED SINCE THE ERECTION OF THE COUNTY IN 1795—ONLY TWO HANGINGS.

Somerset county was taken from Bedford county by Act of Assembly of 6th April, 1795.

The year the new county was erected, but before the Act of Assembly creating it had gone into effect, a murder was committed in the town of Berlin. A German Reformed preacher, Von Spangenberger by name, was brought before the church council on a charge of improper conduct in connection with one of his female parishoners. At the hearing, which was held in the church, one Glessner, an officer of the church, was giving in his evidence, which was of a very damaging nature, when the preacher jerked out a large butcher knife and made a savage lunge at the witness, striking him in the region of the heart and killing him instantly. Von Spangenberger was arrested and taken to Bedford, where he was tried and executed.

THE FRENCHMAN.

The first murder case tried in Somerset county was at the February term of court in the year 1807, when Noel Huguel or Hugues was tried and convicted for the murder of one Pollock. The murder was committed on the Allegheny Mountain, in the neighborhood of where 'Squire William Reel now lives, in Shade township. Pollock was a drover, and was supposed to have a large sum of money on his person when he was waylaid and shot by two Frenchmen, brothers. In trying to evade arrest one of the brothers was shot and killed; the other being arrested and brought to Somerset and placed in jail.

At the time of the trial of Noel Hugues the Oyer and Terminer Court was holden before John Young, President Judge, and Robert Philson, John Kimmell and William G. Elder, Associate Judges.

The following is an extract taken from the brief record of the trial of the case. The record is a small book, about the size of a pocket diary, which in that day was sufficient to contain the criminal records of the county courts:

"Commonwealth
vs
Noel Huguel, al } February Term, 1807
Noel Hugues } Murder.

Jury—Henry Wey, Henry Bowsinger, Michael Troyer, Emanuel Smith, Patrick Nelson, Conrad Shultz, Jacob Meyers, William Ogg, Peter Augustine, William Morgan, Henry Weimer, Jacob Swank.

Who upon their oaths and affirmations aforesaid respectively Do say that the prisoner is Guilty in manner and form as he stands indicted of murder in the first degree. Whereupon the prisoner being brought before the Court on the 27th of February 1807 to receive his sentence, the Court thereupon adjudge and direct that he be taken back to the Jail from whence he came and from thence to the place of execution and there to be hanged by the neck until he is dead."

The record contains no certificate or mention of the fact of the dread sentence of the Court being carried into effect, but it was, nevertheless, and Noel Huguel, or Hugues, was hanged. The execution took place on the hill where the Lutheran cemetery is now located, and the remains of the criminal were interred at the side of the public road, within a few feet of the spot where the execution took place.

GEORGE AND NICHOLAS GIBLER.

At the September term of Court, 1834, George and Nicholas Gibler were tried for murder, charged with killing their brother, in Larimer township. The members of the jury that tried this case were Jacob King, Thomas Hanns, Henry Mowry, George Meese, Bernard Connelly John Spangler, Jacob Lambert, Peter Copp, David Simpson, Samuel McClure, Daniel Berkey, David Crossan.

Nicholas was acquitted and George was found guilty of murder in the second degree.

The record of the case contains the following entry:

"8th September, 1834. The Court sentence the deft George Gibler to undergo imprisonment in the State Penitentiary for the Western District of Pennsylvania in the county of Allegheny for a period of eleven years and six calendar months—there to be kept at labor and in separate or solitary confinement during the said period and to be fed and clothed and treated as is provided by the Act of Assembly in such cases made and provided—that he pay the costs of prosecution and stand committed until this sentence is carried into effect."

WILLIAM MILLER.

The next murder case to be tried was at April term, 1839, and the Defendant was one William Miller, charged with killing his young son in Quemahoning township. The jury in this case was composed of William Harden, John Heiple, (of John,) Solomon Brucker, Jonas Peck, Daniel Martz, Gillian Koontz, Emanuel Cover, Isaac Husband, John Creamer, John Horner, Jesse Berkebile, Peter Augustine and their finding was as follows:

"The jury find that the prisoner, William Miller, is not guilty in manner and form as he stands indicted, and that he was insane at the time of the commission of the offense charged against him and that he is acquitted by the jury on the ground of insanity."

CHARLES HOYLE.

In 1844, at the January Session of Court, Charles Hoyle was tried for killing a boy, in Stonycreek township.

The jury who tried the case were Samuel Rhoads, David Philippi, (of C.) Michael Chorpening, Michael Mowry, Absalom Casebeer, Joseph Justice, Jacob Carver, Henry L. Holbrook, Benjamin Hershberger, David Hinebaugh; David Husband and John Bowlin.

Their verdict was "not guilty."

HENRY BAUGHMAN.

Henry Baughman was tried for the murder of his son Henry, at September term, 1849. It was charged that he killed his son, in the woods, and burned the body. From the record of the case we take the following:

Sept. Sess. 1849.
Commonwealth vs. Henry Baughman, Clerk Stewart, Att'y Gen'l Ethe, Sh'ff Griffith. } 5th Sept., 1849. A true Bill. George G. Walker, Foreman.

And now to wit, 6th Sept., 1849, at a Court of Oyer and Terminer held at Somerset, in and for the County of Somerset, before the Hon. Jeremiah S. Black, President Judge of the said Court, and George Chorpenning, one of the Associate Judges, the prisoner being present in Court and being arraigned and the bill of indictment being read to him, pleads not guilty *et de hoc*, etc., Att'y Gen'l *similiter et issue*. Whereupon a jury of the County being called, selected and empaneled, namely: John Countryman, Michael Mowry, Jonathan Barnworth, Hiram Morrison, Joseph Cochenour, Jacob Shaffer, Jonas Horner, Daniel Glotfelty, John Hoffman, Mark Ross, John Hanna and Henry L. Holbrook, were sworn severally and respectively, the Court proceeded with the trial of the prisoner. Court adjourned till to-morrow at 8½ o'clock. 7th Sept., 1849 Court met pursuant to adjournment, and the prisoner being present the trial proceeded during the day, when the jury retired to deliberate. Court adjourned until notice from the jury that they were prepared to render their verdict, which notice being given, the Court met at 11½ o'clock, p. m. of Saturday, 8th Sept., 1849, when, the prisoner being present, the jury rendered a verdict of "Guilty in manner and form as he stands indicted, of murder in the second degree. 8th September, 1849 F. M. Kimmel moves for a new trial for reasons filed. Court adjourned until Monday morning at 10 o'clock, 10th September, 1849. Court met pursuant to adjournment, and the prisoner being brought in was remanded until to-morrow morning. Court adjourned to meet 11th September, 1849, at 10½ o'clock. 11th September, 1849, court met. His Honor Jeremiah S. Black, President Judge, and George Chorpening, Associate Judge, being present, prisoner was brought in.

Motion for a new trial refused and the Court sentenced the Defendant, Henry Baughman, to pay the costs of prosecution, to undergo an imprisonment in the State Penitentiary for the Western District of Pennsylvania, in Allegheny County, there to be kept in solitary confinement and at labor, for the period of eleven years and nine calendar months, and to be in custody until this sentence is complied with; and that he be conveyed from the jail of Somerset county to said penitentiary for the purpose of carrying this sentence into effect.

R. S. STEWART, Clerk.

19th Sept. 1839, Receipt of the Warden of the Western Penitentiary for the body of the above defendant filed.

R. S. STEWART, Clerk.

DANIEL LICHTY.

In March, 1852, Daniel Lichty was tried for the unlawful killing of Michael Ferner. Messrs. Lichty and Ferner were both farmers living in Somerset township. Ferner attempted to chastise a young son of Mr. Lichty's when the child's father struck him a severe blow on the head, with the handle of a heavy whip, inflicting injuries from which it was alleged Ferner died.

LUDWICK BAER.

In Auguest, 1854, Ludwick Baer was tried for the murder of an Irish laborer who was engaged on the Sand Patch tunnel. It was alleged that Baer got into a fight with a number of Irishmen at the tunnel and afterwards meeting one of the number in the woods clipped him over the head with a billet of wood and killed him. The record in this case is very concise and contains nothing but the finding of the jury, which was "not guilty."

HENRY PRITTS.

The most famous murder trial ever had in the Somerset courts was at February Term, 1860, when Henry Pritts was tried for the killing of Elias Weimer. Judge F. M. Kimmell was on the bench, and counsel for the Defendant were Wm. H. Postlethwaite and John R. Edie.

The jurors who tried this case were: Conrad Fair, John Wigle, Jacob P. Speicher, Thomas Swank, Jacob Berkepile, Elias Caton, William Troutman, Jacob Frank, Peter Long.

The following is an extract from the record of the case:

"The jury retired at 12½ o'clock in charge of constables S. P. Snyder and Isaac Wendle, and at 2 o'clock returned a verdict, 'that the prisoner Henry Pritts is guilty of the felony of murder, whereof he stands indicted in the first degree, 'now to wit' in February 1860, the prisoner was brought into court by the Sheriff, all the Judges being on the Bench' Mr. Meyers, the District Attorney, moves the Court for Judgement upon Henry Pritts, the prisoner at the Bar. Whereupon the Court asked the prisoner whether he had ought to say why the sentence of the law should not be pronounced upon him, for the murder of Elias Weimer. The prisoner being thus interrogated, replied, that he had nothing to say.

"Sentence was then pronounced upon him as follows:

"'The judgment of the law is, that you be taken from this to the County Jail of the County of Somerset, Pennsylvania, and from thence to the place of execution, within the Jail yard of the said prison, and on a day to be appointed by the Governor of Pennsylvania, that you be there hanged, by the neck, until you be dead—and may God have mercy on your soul.'

"Warrant from W. F. Packer, Governor of the Commonwealth, to Sheriff Walker, for the execution of Henry Pritts, on the 22nd day of June, 1860, between the hours of 10 o'clock a. m. and 3 o'clock p. m. of said day, dated 7th, day of April 1860, and exhibited 13th, April, 1860.

"Certificate of Perry Walker, Esq., High Sheriff, of Somerset County, that Henry Pritts was executed by him, within the walls of the jail of said County, between the hours of 10 o'clock a. m. and 3 o'clock p. m. on the 22nd. day of June 1860, in accordance with the warrant of the Governor of the Commonwealth, filed on the 23rd, day of June 1860."

CHARLES MANSFELL.

Was tried for the murder of Michael Roach at September sessions 1869. The Defendant was a contractor on the Pittsburgh and Connellsville Railroad. Roach, who was in his employ, one night took one of his horse from the stable, and started to go to the town of Ursina, a short distance away. Mansfall was informed of Roach's departure, and starting in pursuit of him, overtook him, when an altercation ensuing, Manfall drew a revolver, and shot Roach dead. The murder created intense feeling throughout the southern end of the county, and the trial was a most interesting and exciting one.

The Jury was composed of Thomas Gallagher, Casper Wahl, Charles A. Walter, Samuel M. Fike, Jonas J. Fike, Augustus Rosenburger, George McKinzie, David E. Wilson, E. P. Baer, George Spangler, Charles Rhoads and Peter Heffley.

They brought their verdict into Court, shortly after midnight. The Court-house was densely packed, and upon the announcement of the verdict of "not guilty," the immense audience burst forth into applause, much to the displeasure of the late Judge King, who was then on the bench.

WILLIAM SHAFFER.

At May Term, 1871, William Shaffer was placed on trial for his life, charged with the unlawful killing of George Marshall. Shaffer was a lad of 15 years of age, while Marshall was two years his senior.

The trial resulted in a verdict of "not guilty."

JOHN J. SEESE.

On the 19th day of April, 1876, John J. Seese, a farmer living in Paint township, struck one Jacob Rose on the head with a piece of slab, inflicting injuries from which it is alleged Rose died, the following day. Seese was arraigned on an indictment for murder, at August Session, 1876.

The Jury was composed of: Jacob Kimmell, Alexander J. Rhoads, David Swank, Samuel Metzler, Washington Megahan, John Hocking, Jr., Chauncey F. Dickey, Joseph J. Miller, Joseph H. Miller, Abraham Lenhart, Abram Landis and G. M. Foy. Their verdict was guilty of murder in the second degree. Seese was sentenced to the penitentiary for seven years.

WOLFGANG HOFFMAN.

The last murder case tried in the Somerset county courts was that of Wolfgang Hoffman, at August Session, 1880. Hoffman was charged with killing his wife Elizabeth, in June, 1880, by striking her on the head with a hammer.

John Smith, Cornelius Tressler, Robert Guthrie, Gabriel Good, Elijah Holiday, William L. Hoover, Jacob Bittner, Rufus Hay, John Ravencraft, John Blake, John Mowry and Edward Rhoads composed the jury.

The verdict was "not guilty."

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A Complete History of the Umberger-Nicely Case to be Issued in Book Form.

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Preceedings of all the preliminary hearings are given; also many remarkable occurrences of the most thrilling character attending the arrest of Hamilton and the Nicelys. The detection and recovery of the pocket-book of Herman Umberger—the work of Chief Gilkinson—as given in the latter's own language and forms probably the most interesting chapter in the whole book. The trial of Joseph and David Nicely with its many stirring scenes and incidents is given unusual prominence; all the important evidence on both sides is reprinted in full from the report of the

OFFICIAL COURT STENOGRAPHER

of the Court, besides the full charge of the Court, the refusal of a new trial, the sentence of the Court, the appeal to the Supreme Court of Penn'a., etc., with full text of decision of Supreme Court.

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