Somerset Herald.
ESTABLISHED 1827.
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The Somerset Herald.

ESTABLISHED 1827.

VOL. XL. NO. 51. SOMERSET, PA., WEDNESDAY, JUNE 8, 1892. WHOLE NO. 2132.

—THE—
FIRST NATIONAL BANK
—OF—
Somerset, Penn'a.
—0—
CAPITAL - - - - $50,000.
SURPLUS - - - - - $7,000.
—0—
DEPOSITS RECEIVED IN LARGE AND SMALL AMOUNTS. PAYABLE ON DEMAND. ACCOUNTS OF MERCHANTS, FARMERS, STOCK DEALERS, AND OTHERS SOLICITED.
—DISCOUNTS DAILY.—
BOARD OF DIRECTORS:
LaRue M. Hicks. W. H. Miller,
James L. Pugh, Chas. H. Fisher,
John R. Scott, Geo. R. Scull,
Fred W. Biesecker.
Edward Scull, : : : : : President
Valentine Hay, : : Vice President
Harvey M. Berkley, : : : Cashier.
The funds and securities of this bank are securely protected in a celebrated Corliss Burglar-proof Safe. The only Safe made absolutely Burglar-proof.

Somerset County National Bank
OF SOMERSET, PA.
Established, 1877. Organized as a National, 1890.
CAPITAL, $50,000.
Chas. J. Harrison, Pres't
Wm. H. Koontz, Vice Pres't.
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DIRECTORS:
Sam'l Snyder, Wm. Findley,
Josiah Specht, Jonas M. Cook,
John H. Snyder, John Stuff,
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Jerome Stuff, Noah S. Miller,
Sam. B. Harrison.
Customers of this Bank will receive the most liberal treatment consistent with safe banking.
Parties wishing to send money east or west can be accommodated by draft for any amount.
Money and valuables secured by one of Diebold's Celebrated Safes, with most approved time lock.
Collections made in all parts of the United States. Charges moderate.
Accounts and Deposits Solicited. m.ar5-6m

CURTIS K. GROVE,
SOMERSET, PA.
BUGGIES, SLEIGHS, CARRIAGES, SPRING WAGONS, BUCK WAGONS AND EASTERN AND WESTERN WORK
Furnished on Short Notice.
Painting Done on Short Time.
My work is made out of Thoroughly Seasoned Wood, and the Best Iron and Steel, Substantially Constructed, Neatly Finished, and Warranted to give Satisfaction.
Employ Only First-Class Workmen.
Repairing of All Kinds in My Line Done on Short Notice. Prices REASONABLE, and
All Work Warranted.
Call and Examine my Stock, and Learn Prices. I do Wagon-work, and furnish Screws for Wind Mills. Remember the place, and call in.
CURTIS K. GROVE,
(East of Court House)
SOMERSET, PA.

B. & B.
EVERY HOME
that this paper reaches, is entitled to a copy of our
CATALOGUE & FASHION BOOK,
and ought to have one. It contains much information about fabrics and modes—will save you money in purchasing—and is to be had for the asking.
Some of the specials offered by this
Silk Department,
this week are—
New 20 inch Faille Francaise, 75c.
New 24 inch Faille Francaise, $1.00.
Both in assortment of about 50 choicest colors.
New 24 inch Crystal Bengalines, all colors, $1.35 and $1.50 per yard.
New 25 inch Black French Surahs, 75c.
New 24 inch Black Faille Francaise $1.00.
New 22 inch Black Crystal Bengalines, $1.25 to $2.50.
Above are all the best obtainable for the money.
NEW SPRING
DRESS WOOLENS,
at 32c., 50c., 65c., 75., 85., $1.00, $1.25 in elegant assortments—values that will demonstrate at once that its to your interest to trade with us.
Shall we send Samples or a Catalogue?
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115, 117, 119 and 121 Federal Street,
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It is to Your Interest
TO BUY YOUR
DRUGS AND MEDICINES
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SUCCESSOR TO
BIESECKER & SNYDER.
None but the purest and best kept in stock, and when Drugs become inert by standing, as certain of them do, we destroy them, rather than impose on our customers.
You can depend on having your
PRESCRIPTIONS & FAMILY RECEIPTS
filled with care. Our prices are as low as any other first-class house and on many articles much lower.
The people of this county seem to know this, and have given us a large share of their patronage, and we shall still continue to give them the very best goods for their money. Do not forget that we make a specialty of
FITTING TRUSSES.
We guarantee satisfaction, and, if you have had trouble in this direction, give us a call.
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in great variety. A full set of Test Lenses. Come in and have your eyes examined. No charge for examination, and we are confident we can suit you. Come and see us.
Respectfully,
JOHN N. SNYDER.

FANCY WORK.
Some Great Bargains in
IRISH POINT LUNCH AND TRAY CLOTHS.
Bought below cost of transportation we are selling at great bargains white and colored Bedford Cord Table Covers, stamped ready for working. Singed Canton Flannel Table and Cushion Covers, Singed Plush Cushion Covers, Bargarran Art Cloth Table and Cushion Covers, all stamped with Newest Designs; Hem-stitched Hot Biscuit and Roll Napkins. A new and large line of hem-stitched, Tray and Carving Cloths from 60cts up.
Stamped Hem-stitched Scarfs from 35cts up. Table Covers from 50 cts. up. A full line of Figured
INDIA SILKS,
All New Patterns and Colorings. Also,
Figured Plush,
24 and 33 inches wide, in beautiful Colors and Designs. Art Satin Squares for the Central Covers and Cushion Covers.
Waban Netting,
46 inches wide, 50 cents per yard, in Pink, Blue, Olive and Yellow, THE NEW THING for Draping Mantles and Doors, and for Draping Over Draperies. A new line of Head-rests, from 25c. up.
Visit our Table Linen, Towel, Napkins, Muslin, Sheeting and Linen Department, by all means.
HORNE & WARD.
41 FIFTH AVENUE, Pittsburgh, Pa.

AMERICAN HOTEL.
Owned and Operated by
S. P. SWEITZER, Cumberland, Md.
This hotel is first-class in all its appointments, remodeled and refurnished, and the finest location in the city, at the head of Baltimore street. Street cars pass its doors every few minutes. First-class porters attend all trains. Luggage to the Hotel free of charge. Directly back of the Hotel is a first-class
Livery Establishment,
where rigs of all descriptions can be had at moderate rates. The bar of this Hotel is stocked with the finest grades of Whiskies, Wines and Beers. Also on hand a large stock of
Imported Cigars.
Persons anticipating matrimony can have their troubles and cares reduced to nothing by stopping at this Hotel, where license can be procured without extra charge. Don't be taken in by colored hackmen, but come direct to the Hotel.
The undersigned has on hand a large stock of
SOMERSET COUNTY WHISKY, Old Rye,
Which he offers at Wholesale and in small quantities, at the following prices:
Two Year old at $2 25 per gallon.
Three " " " $2 50 " "
Four " " " $3 00 " "
Address all orders to Nos. 107, 109, and 111 Baltimore St., Cumberland, Md.
S. P. SWEITZER, Proprietor.

Jacob D. Swank,
Watchmaker and Jeweler,
Next door west of Lutheran Church.
Somerset, Pa.
Having opened up a shop in this place, I am now prepared to supply the public with clocks, watches and jewelry of all descriptions, as cheap as the cheapest.
REPAIRING A SPECIALTY.
All work guaranteed. Look at my stock before making your purchases.

YOU WE Want Workers
Salary or Commission to good men. Fast selling imported Specialties; also full line GUARANTEED NURSERY STOCK.
Stock failing to live replaced FREE.
D. Lentchford & Co., Rochester, N. Y.

WHEN THE HAIR
Shows signs of falling, begin at once the use of Ayer's Hair Vigor. This preparation strengthens the scalp, promotes the growth of new hair, restores the natural color to gray and faded hair, and renders it soft, pliant, and glossy.
"We have no hesitation in pronouncing Ayer's Hair Vigor unequaled for dressing the hair, and we do this after long experience in its use. This preparation preserves the hair, cures dandruff and all diseases of the scalp, makes rough and brittle hair soft and pliant, and prevents baldness. While it is not a dye, those who have used the Vigor say it will stimulate the roots and color-glands of faded, gray, light, and red hair, changing the color to
A Rich Brown
or even black. It will not soil the pillow-case nor a pocket-handkerchief, and is always agreeable. All the dirty, gummy hair preparations should be displaced at once by Ayer's Hair Vigor, and thousands who go around with heads looking like "the fretful porcupine" should hurry to the nearest drug store and purchase a bottle of the Vigor."—*The Sunny South*, Atlanta Ga.
"Ayer's Hair Vigor is excellent for the hair. It stimulates the growth, cures baldness, restores the natural color, cleanses the scalp, prevents dandruff, and is a good dressing. We know that Ayer's Hair Vigor differs from most hair toilet and similar preparations, it being perfectly harmless."—From *Economical Housekeeping*, by Eliza R. Parker.
Ayer's Hair Vigor
PREPARED BY
DR. J. C. AYER & CO., Lowell, Mass.
Sold by Druggists and Perfumers.

FIDELITY TITLE AND TRUST CO.
121 & 123 Fourth Ave.,
PITTSBURGH, PA.
Capital - - - $1,000,000,
FULL PAID.
Undivided Profits $130,000.
INSURES TITLE TO REAL ESTATE.
Authorized to act as
Executor, Administrator, Guardian, Trustee, Assignee, Receiver, &c.
DEALS IN
RELIABLE INVESTMENT SECURITIES.
Rents boxes in its Superior Vaults from $5.00 per annum upwards.
Receives deposits and loans on mortgages and approved collaterals.
JOHN B. JACKSON, - President.
JAMES J. DONNELL, Vice President.
C. B. McVAY, - Secretary and Treas.

NEW GOODS
—AT—
Knepper & Ferner's.
It is our aim to present at every season a Line of Goods of the Newest Patterns and Latest Styles. We have labored hard in selecting a stock for the coming season, and are glad to say that we have succeeded in buying goods that are superb in style, and at prices that have the magnetic power to draw and retain trade.
CLOTHING!
Never before have we bought such fine styles in Mens' and Youths', Boys' and Childs' Clothing. These Goods are unapproachable in quality and price.
CARPETS.
This season we are offering a larger assortment, better styles and lower prices in all grades of Carpeting, Matting, and Oil Cloths and Rugs, than ever before.
DRESS GOODS.
We are daily gaining trade in this department, consequently have bought a large stock, adapted to fill the wants of everyone.
GENTS' FURNISHINGS.
A large and complete stock just received, and are now prepared to furnish all who want a specialty in this line. We introduce correct styles as soon as out. We also carry a full stock of
Window Shades,
Trunks and Sachels,
Rubber Clothing, &c.
We take genuine pleasure in having our friends inspect the above novelties.
KNEPPER & FERNER,
One Door North of Postoffice.

"THERE'S NO ROPE IN THAT!"

REMARKED GENERAL SIEGEL WHEN THE JURY ANNOUNCED THAT HE WAS GUILTY OF MURDER IN THE SECOND DEGREE.

The Jury Deliberate Eighteen Hours Before Finding a Verdict.

THE FIRST BALLOT STOOD 10 FOR MURDER IN THE SECOND DEGREE AND TWO FOR MANSLAUGHTER.

END OF THE FAMOUS "MOONSHINE" MURDER TRIAL.

WILLIAM C. MILLER.—The alleged "King of the Moonshine Band."

Eight o'clock Saturday morning the jury who had the life of William C. Miller in their keeping came into court and announced that they had agreed upon a verdict.

"Let the prisoner be brought into court," said Judge Longenecker, and a few moments later "General Siegel" stepped into the court room in charge of Deputy Sheriff Barron. His appearance was pitiful in the extreme. There were long, black rings under his eyes, denoting loss of sleep, and his eyes had the look of a hunted animal as he glanced nervously about the court room. When he stood up to receive the verdict his palsy and nervousness increased to such an extent that he could scarcely stand on his feet and a death-like pallor spread over his face. When the jury announced that they found the prisoner guilty of murder in the second degree the General sank down into his chair with a great sigh of relief. In a few moments his appearance underwent an entire change, the color returned to his face, the painfully nervous twisting of his muscles ceased, and he looked, and he no doubt felt that way, as though he had escaped the hangman's noose by a very close shave. As he walked back to the jail with Deputy Barron, he remarked, almost gleefully, to that officer, "well, there's no rope in that verdict."

Judge Longenecker finished his very able charge to the jury at 2 o'clock Friday afternoon, and at eight o'clock Saturday morning the verdict was returned, the jury having been out just eighteen hours.

It is generally understood that on the first ballot, taken early in the afternoon, the jury stood ten for murder in the second degree and two for manslaughter, and the remaining time was spent in bringing the two manslaughter men to agree to a verdict of murder in the second degree.

TUESDAY AFTERNOON SESSION.

M. J. Berg testified: I live in Middlecreek Twp.; am the constable; learned of the murder about 3 o'clock the next morning; I got a warrant and then went to Jacob Gary's; afterwards went to Wm. Miller's; but didn't find Miller at home; Harvey Hochstetler and James Beal and others went with me; I saw "Bob" Miller that day he came there while we were at the house; from there we went to where Hochstetler was killed; got there about 10 o'clock; saw the dead body; (condition of body same as described by others.)

Ross B. Saylor testified: Live in Middlecreek township, Somerset county, right at Trent; I knew Jonathan Hochstetler; Wm. Miller spoke to me about him last fall, at Miller's residence; were talking about the moonshine business; it happened in this way; I wanted him to give me something to drink and told him he ought to give it to me cheaper because I always paid for it; he said Hochstetler is trying to lead a raid in on us, and the dam s—of a n—might get shot some day.

Cross-examined by Judge Baer: I am not related to Yoney Hochstetler; I wanted Billy to sell me some of that moonshine liquor and wanted it under price because I was paying the cash for it.

Jesse Dugan testified: Live in Middlecreek township near Trent; know Wm. Miller the defendant; had a conversation with him when I was hauling lime stone in January or February; he asked me if I saw any detectives; I said yes, I saw six of them going to Trent; I asked him what was the cause of it; and he said to catch the moonshiners; he said Hochstetler is the cause of it, he is digging a ditch for us and he will fall in it himself; had a conversation with him in jail last week; I asked what are you here for? and he replied I am here for murder, and I am sorry they got me in such a bad place; I don't know how it will go with me; I am sorry for it if I did it and I won't do it again.

John Sleesman testified: Live in Jefferson township about three-fourths of a mile from Middlecreek township line; Hochstetler was my nearest neighbor; his house was north from me about one mile; Miller's house is in the direction of Trent about three miles from me; Wm. Pritts lives in Fayette county about four miles from my place; On Saturday March 26th I was at home; Hochstetler came there about 12 o'clock that day; I wanted him to come in and take dinner, but he said no, John, I thank you, I had my dinner; shortly after he left Wm. Miller and Wm. Pritts came over; I was at dinner yet; they stayed there that afternoon and night; left Saturday morning; Miller had a gun; John Reese was with Miller when he came back on Monday morning; I was sawing and Miller came and passed my house; I haven't seen Pritts from that day to this; Reese is a son-in-law of Pritts; It was Jonathan Hochstetler that was at my house on that Saturday.

Cross-examined by Judge Baer: Pritts is an uncle of mine by marriage and that is the reason they stopped at my place; at least it is the only reason I know for them stopping there.

Frederick Barron testied: Live in Jefferson township; about six rods from the Middlecreek line; about one-fourth mile from Jonathan Hochstetler and the same distance from Sleesman's; on 26th March saw Wm. Miller and Wm. Pritts at the cross roads by my house; the defendant had a dark beard all over his face; about five or six inches long; Pritts had a grey or white beard over his face; have known these men for fifteen or sixteen years: Pritts had a longer beard than Miller, the defendant.

Mrs. Annie Miller testified: Live a mile above Trent; I am the wife of Robt. Miller; remember the day Hochstetler was killed; Wm. Miller was at my house that day; he had nothing with him; he said: "Bob" don't you know the detectives are here? and the best thing you can do is to go with me; I think, he said there is a man out at the spring; he can tell you more about it than I can; they went out together; "Bob" came back and got the gun; I saw them cross the road; this was about 4 o'clock in the afternoon of the day on which Hochstetler was killed; the gun was an old musket.

Crossed-examed by Judge Baer: They said, we don't know how long we will have to keep away because we are afraid of the detectives.

Emma Miller testified: I live in Middlecreek township; I am 15 years of age and a daughter of Wm. Miller, the defendant; I heard of the killing of Hochstetler; "Bill" Pritts was there that day; I think he was there the day before; don't think he stayed all night; he and Pa left together between 11 and 12 o'clock; don't remember whether father was at home the night before or not; didn't see him take any thing with him; never saw father after he left until I came up here to court.

Dr. W. H. Gardner testified: Live in Centreville borough; am a practicing physician for 25 years; was called upon to make an examination of the body of Jonathan Hochstetler on the 31st of March but did not go until the next day; found the body of Jonathan Hochstetler in an outhouse at his home; we found 3 distinct wounds on the head; chief one on front part of head from bridge of nose taking in the eye up to top of head; the skull was broken in very fine fragments, some only ¼ inch square; the breaking of the skull in fine pieces indicated that he must have received more than one blow on the front part of the head; the effect of that wound would cause death, especially if there was no physician there; the wound behind the left ear was depressed about ¼ inch; this wound would produce death if not treated at once; the third was a scalp wound on the top of head, with a staving in of the skull about ½ of an inch; either of these wounds would have produced death; the wounds were produced by a hard substance, wood, iron, steel or other hard object; we had a stone at the inquest that fit very nicely in the wound on the crown of the head or the one in the frontal region; the front wound couldn't have helped but produce death; the body had been prepared for burial but the blood was oozing out of the nostrils, ears and wounds and that was the condition when we first saw it.

Cross examination by ex-Judge Baer: None of the wounds could have been produced by a gun or stone.

Dr. H. D. Moore testified: Live in New Lexington; have been practicing for 10 years; I was called on to make an examination of the body of Jonathan Hochstetler on March 31st and went the next day; (Dr. Gardner corroborated as to character and effect of the wounds, etc.) scalp wound on the front of the head was 1½ inches long; the other had an angle in it, the one arm of which was 1½ inches long, the other 1½ inches long; didn't measure the wound in the skull, but it extended beyond the scalp wound. It was an inch and a half long. These wounds might have been made either by the stock of a gun or this stone. (Witness picks up stone on table). I am a surveyor; I made this draft at the request of the District Attorney. This draft shows the road from Trent to Jonathan Hochstetler's, buildings, etc.

Cross examination by ex-Judge Baer: There were trees between the main road and the side road; at the place where the murder took place the underbrush and timber is less dense than most places along the road; at some places along the road there is laurel; the wounds might have been made by a stone or a gun. (The Commonwealth now offer two drafts, the stone, and articles found on the body of Jonathan Hochstetler).

Sheriff Isaiah Goad testified: I am the Sheriff of Somerset county; a warrant was placed in my hands on the 2nd of April; the warrant was handed to me at Trent, at which place I divided my company; had quite a "posse"; we had about 27 men; we were after Wm. Pritts and Wm. Miller; Wm. Gilbert had charge of one squad, Fred Dupont another and I had one; I went up the County line road to Jonathan Hochstetler's; two of the squads met at Wm. Pritts's and then went to Paul Miller's for supper; that night we made a raid on Wm. Miller's house but didn't find Mr. Miller. We left here on Saturday morning and returned here on Sunday at 2 o'clock a. m.

Cross examination by ex-Judge Baer: On the morning of the 7th of April I got up for the 6 o'clock train; I went down street and found Mr. Miller in the barroom with Wm. Gilbert; I was going away and told Gilbert to take care of him.

Wm. Gilbert testified: I am Chief of Police of Somerset borough; I went with the Sheriff's posse on the Saturday after the murder; the posse was divided into three gangs; I took one gang and went down the middle road; I arrested Paul Miller; Pletcher went with me and we went over to Pritts's in Fayette county; there we arrested young Pritts and took him with us; we searched all night and returned the next day.

Cross examination by Mr. Kooser: I had a warrant for Abram Pletcher.

James H. Beal recalled: I saw the tallest man strike with a gun; I then turned away but heard the other blows; it sounded like a rattle; the rattle seemed as though there was something loose on the gun.

Cross examination by ex-Judge Baer: When I first saw the man in the road he was nearly down; afterwards he was down on his knees. I only saw him raise up once and that was after he was struck the first time.

WEDNESDAY MORNING SESSION.

When Court convened at 8 o'clock Wednesday morning J. G. Ogle, Esq., opened the case for the defense. He spoke for about one-half an hour and made a telling speech.

Wm. C. Miller, the defendant, was the first witness called and placed upon the stand. The "General" looked as though he had spent a sleepless night. He told his story very deliberately.

Wm. C. Miller testified: I have lived in Middlecreek township all my life; I was never out of the State, but once when I was in the army; I enlisted in Co. K. 171 Reg., Pa. Vol.; the second time I enlisted in the 85th Reg., Pa. Vol.; have opened out a farm at home and have been connected with the whisky business; am the father of eleven children; the youngest is three years of age; lived about a mile and a half from Hochstetler's; was at home on the fore part of the day Hochstetler was killed; that afternoon a Mr. Pritts came to me and said that revenue officers were in the mountain and that he was on the alert; (objected to as irrelevant); we were trying to keep out of their way; was at my mother's house in the forenoon; we concluded we had better keep out of the way of the officers; we went over to my son Bob's and told him that he had better keep away as they might take him as a witness. The three of us then went up the mountain to the county line road, where we heard wagons going by; then we went to where the road crosses Crab run; we stood there for about ten minutes and concluded that we would go over to "Abe" Pletcher's empty house and spend the night as we would not be interfered with there; about this time I saw Jonathan Hochstetler coming; he was on the other side of Crab run; he picked up a stone and sail as he rushed towards me: "Now, G— d— you! I've got you where I want you." He threw the stone and it struck my gun; I fired my gun in the air and cried "halt!"; he picked up another stone and rushed at me swearing tremendously and I struck him with my gun, as I thought my life was in danger; he had sworn to cut my heart out the first time he met me; I called to Pritts and "Bob" to come and take him off but they were slow in coming and I struck him three times; I then said, "he is not dead, come and help to take him off the road"; we dragged him down to Crab run and laid him on the bank; about this time we heard shots and thinking that they might have been fired by "Billy Gabe" and that he was coming to kill us; we left and went over to "Jake" Gary's shanty to avoid him and the revenue officers; we left there the next day; Pletcher went away during the night and in the morning "Bob" and Gary went home; in the evening I left the shanty in company with Pritts in the direction of his home; we parted at a lime quarry and that was the last I saw of Pritts; I came to jail and gave myself up; can't remember the day; came to town on foot; quite a number of threats Hochstetler had made were carried to me; he said he would kill me on sight; John Landis, who worked for me, told me that I was in danger of my life, that Hochstetler would kill me on sight; on the Sunday preceding the killing Fred Barron told me that Hochstetler wanted him to spread the report that I was the man who brought the detectives into the country in order to get the people down on me. Allen Forespring told me that Hochstetler had said that if he was arrested he would follow me to the bottom of hell to kill me. Wilson Tinkey told me that Hochstetler told him that when he got hold of me he would sting me to the heart, that he was a white headed hornet and stung deep. Amos Pletcher told me that Hochstetler had said he would drop me in my tracks. John Pletcher told me that I was in danger of my life, that Hochstetler was making threats against me. "Jake" Gary told me one day after the raid was made that Hochstetler said he would cut my heart out and that if I took the law on him he would burn me alive; he was plotting with my son Albert to get him drunk and kill me and that he would swear him out of it. Wesley Miller told me that Hochstetler wanted him to take his repeating rifle and put 16 bullets into me if he could; I know that Hochstetler shot at me one time. "Jake" Pritts told me that Hochstetler would cut my heart out or shoot it out; these threats had the effect on me that I felt sure he meant to kill me whenever he got his eyes on me; I couldn't sleep in consequence of them; I have known Hochstetler for 25 or 30 years; he was a ferocious man and was looked upon by the neighbors as a very spiteful man; he was a quarrelsome, fighting man and he was looked upon as being very dangerous; I had a Spencer repeating rifle; it shot 9 cartridges; there were six wads in it that day; I shot one off; "Bob" had a musket and Pritts a revolver that day; in my estimation the place at Crab run was the most open place on the road; Hochstetler swore he would brain me; the stone he picked up would weigh several pounds; I was on the right-hand side of the road as you go west; there was a big tree to the right of the road that we stood beside when we first went up there; when we started I was in the lead; we started to go to the empty house where we were talking of spending the night; I have palsy contracted in Richmond while in the army; it came from sun stroke.

Cross-examined by Mr. Colfroth: I am 48 years old; have lived within 1½ miles from Hochstetler for thirty years. We had no difficulty till the time he wanted me to help kill Dr. Hunter.

Q. You used to be good friends? A. We did.

Q. You used to make moonshine whisky together? A. We did.

I remember when Hochstetler was tried for making illicit whisky but don't remember that I was a witness for him; the difficulty between us commenced about three years ago.

Q. Did he become jealous of you because you became the leader of the moonshiners?

A. No, he got mad because I wouldn't help murder detectives that he thought were after the moonshiners.

Q. Did you hear of "Yony" Hochstetler being murdered?

A. I heard that he had been found dead; I didn't see him when he was dead; I heard it the day he was found; Abram Pletcher told me and said there was a warrant out for me for killing him; I was about home on Tuesday; I saw Pritts Tuesday, but did not see him on Monday; on Sunday I went with Pritts up to John Reese's and from there Pritts went home; I stayed there till Monday morning; we were in the woods Saturday forenoon; don't remember where I was Friday; Pritts and I were together most of the time after the first raid was made, in February; I think Pritts and I went to "Bob's" house; I went in and told him the revenue men were about again and that they would take him for a witness again; I told him there was a man out by the spring who could tell him all about it; he went out, then went back and got his gun and then we went to the place where this occurred; we were standing there to see if there were any more coming; we had passed a lot of them in buggies on the road; we stood there for a little while looking to see if there were any more coming; it was snowing pretty lively; on the other raid there was 25 officers and we wanted to see how many there were this time; it was about the head of Crab run where we stood; it was about 50 feet to the road; it wasn't dark yet; it was snowing, and that made it kind of dark like; I don't think "Yony" was more than 50 feet away from me when I first saw him; I was walking out to the road and was almost on it when I saw "Yony" Hochstetler coming up; he rushed up to me; the fight occurred about the middle of the hill; he was about fifty feet from me when he picked up the first stone; I said, halt! "Yony," I want to talk to you, and I fired my gun in the air; he was about 25 feet from me when he picked up the second stone; I didn't want to shoot him; could have done so easily if I had wanted to; I did not turn to run for fear he would kill me on the spot; I didn't know but that he had his big knife under his coat, or a brace of revolvers that he always carried; I struck him three times but can't say which end of the gun I used; nobody hit him with a stone; Pritts did nothing but help drag him off the road; "Bob" did nothing; we were scuffling when "Bob" got to us; he got between us and the third time I struck I hit "Bob"; "Bob" told me directly after this happened that he had seen a man running up the road; we all helped to take the body from the road and laid it beside the run; we carried him as well as we could; his feet dragged on the ground; we did not try to conceal him; he wasn't dead when we left him; he was warm and breathing; I didn't hear him groan; we thought he would get in better shape after a bit, and we would take him home; we heard shooting up the mountain and thought it was the revenue officers coming and wanted to get off the road for fear they would pick us up; we took the nearest road from the place where this happened to Jake Gary's; I didn't know that we walked in the run; we stayed about an hour at Gary's; we didn't tell him or Pletcher or Peter Miller that we had left "Yony" down by the run; Jake Gary was with us all night in the shanty, but we told him nothing about it; I went home from Pletcher's; the next morning I went to the woods; Abram Pletcher told me that there was a party out searching for me and it was reported that the Sheriff would be down with fifty men to scour the mountain; I was hiding in the woods Saturday night when the Sheriff and his party were hunting; I was out all day Sunday and Sunday night; I was out Monday, too; I had nothing to eat but some bread I had in my pocket, and once my wife brought some cakes and apples out to me; I was in no barn or house up to the time I came up here; I had a horse blanket to put over me and spent all the time in the woods; I was out the night of the big hail storm; I think I had my overcoat on that night; I had a beard all over my face, had on a slouch hat, dark clothes, gum boots, and my pants in my boots; Pritts had darkish clothes on and wore a full gray beard; "Bob" had no beard; I never sent Hochstetler a challenge of any kind; I was never considered a fighting man; I only saw him once that winter; I spoke to him as he passed and he tore along and glared at me as though he'd eat me up; "Yony" said that he was an old, white-haired, hornet man and when he'd sting he'd sting to the heart; he shot at me once last summer, after oats harvest; it was after night, but I saw his face by the flash of the gun; I was afraid to take the law on him; he'd have followed me to hell if I had.

Q. Didn't "Bob" want to go and tell the people of the killing of Hochstetler? A. I believe he did say up at the shanty if he was dead he would go and give himself up; I told him he had better wait till we were sure he was dead.

It was after I came here that I learned that the party we saw in buggies were not detectives, John Scott told me he was one of the party; he might make a pretty good detective.

We had a rope with us the night of the killing I had it in my pocket; I got it at my house; I never saw Pritts after we parted that night.

Alber P. Miller called but did not answer.

Jacob Pritts, testified: Live in Fayette county about three miles from where Jonathan C. Hochstetler lived; I was working near there for a week last summer and shantied in one of his houses. Hochstetler told me he would kill Miller he said by "G—d I'll kill him."

He said what made him so mad at "Bill" Miller was that he laid 'round and made whiskey and drawed a big pension and was too d—n lazy to work and such a man he would kill. I told Wm. Miller of these threats coming home from love feast last May; he would make big threats against Miller almost every day; his reputation in that community was that he was a very bad man; when he got balked at a person it was best for them to keep their distance from him.

Cross-examined: "Yony" talked a good deal and was fond of bragging 'Bill' Pritts is my uncle; we live about 150 yards apart; I haven't seen him since Monday before this happened; I used to see William Miller over at his home.

Court adjourned at 12 a. m. to 1:30 p. m.

WEDNESDAY AFTERNOON SESSION.

Court convened at 1:30.

Allan Fourspring, affirmed: Live in Middlecreek township; have lived there over fourteen years; I was at Hochstetler's in February after the raid and wanted to sell him some fruit trees; he said he wouldn't buy any now, that he didn't know whether he would need them, that Billy Miller and his subordinates had been giving him away for moonshining and that he would follow "Billy" to the bottom of hell but that he'd get even with him; I told Miller what Hochstetler had said.

Cross-examined by General Colfroth: Yonys' principal offence was his loud talking.

John Slessman testified: Live in Jefferson township, about one mile from Hochstetler's; talked to Yony the day he was killed; William Miller and William Pritts were at my house on Saturday before the homicide; Hochstetler told me that "Billy" Miller and John Pletcher did the informing; he said the d s—of a b— wanted to get me into trouble; if the officers had come they would have gone to my home; I want the dam s—of a b— to tackle me; if he tackles me he'll never tackle another.

Q. Did you report this to Mr. Miller? (Objected to by Mr. Rappel as irrelevant and immaterial. Objection overruled.)

A. I don't remember all I told him; he came there Saturday while I was eating dinner; I talked to him, but I don't know whether I told him all Hochstetler said or not; the day that he was killed he talked in the same way.

Daniel C. Barclay, affirmed: Live in Middlecreek township; know the defendant, and knew Jonathan Hochstetler; have lived in Middlecreek about 20 years and am pretty well acquainted in the township; I bailed Miller at Squire Miller's office and after that Hochstetler treated me very cool.

Frederick Barron testified: Live in Jefferson township; Hochstetler never made any threats to me against Miller.

Q. What was Mr. Hochstetler's reputation for peace?

A. I would rather be excused from answering that question, as the man is dead and gone; if he was here, I would answer.

The court insisted on the witness answering; he replied it was good by some and bad by others; "Yony" read the New Constitution to me; "Yony" told me once that if Wm. Miller would tackle him on the road all that would be left of him would be a chestnut snag.

Cross examined: He claimed that Miller was reporting him as a moonshiner.

Urias Saylor, affirmed: Live in Jefferson township, about 1½ miles from Hochstetler's; Hochstetler's reputation for peace was not good; he told me that he didn't want Miller to tackle him; that if he did, he would never tackle any one else; I told Miller this; "Yony" had long arms and was about six feet tall; he was sickly for the last year or more and was not very strong.

Cross-examined: Hochstetler was very quarrelsome, and appeared to be angry all the time; I saw him have a fight about ten years ago; most all of the quarreling was about moonshine; Miller and Hochstetler blamed one another for giving the business away; I heard, "Yony" make threats against "Seigle" several years ago; Hochstetler was sick the last year; I was not in the moonshine business.

Albert C. Miller testified: (The witness is a son of the General's.) I knew Hochstetler; his reputation was not very good; I met him last fall at the blacksmith shop at Trent and we walked

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