The Somerset Herald.

GEORGE R. SCULL, Editor.

WEDNESDAY, March 3, 1897.

Mahlon Schrock wants 1000 tons of timothy No. 1 Timothy baled hay.

The Missouri Legislature has repealed the Vagrancy law, which permitted persons convicted of vagrancy to be sold by auction from a block.

Mahlon Schrock is headquarters for Stock, Mill Feed, baled Hay and Straw.

The House of Baltimore, in vetoing a bill for a City Council, says a City Council has as much right to require women to wear bonnets or bald-headed men to wear wigs so as to interfere with big hats.

Country produce always taken in exchange for goods at

MAHLON SCHROCK'S

It is announced from Canton that Nicholas Bell, editor of the New York Tribune, could have had a Cabinet position, but his health would not permit its acceptance. A foreign embassy was under consideration, but was abandoned for the same reason.

Low rate for boarding made to jurors and witnesses at A. E. Pisel's, near court house.

A bill to abolish kissing the Bible as a necessary part of taking an oath was defeated in the Delaware legislature this week, the patent argument seeming to be that many ignorant persons thought the thing to be the especially sacred part of the book, and that many liars were awed into truthfulness by it.

For groceries where you can get the best goods for the least money, Mahlon Schrock's is the place.

Probably the prominent victim of the grippe is Willie Williams, three years old, son of Thomas and Agnes Williams of West Newton. Attention was first attracted to Master Willie and his love for horses by his visits among the neighbors with a toy horse. Willie became so fond of the use of the toby as to affect his health.

Use Gonzda flour. The best in the world. For sale by

MAHLON SCHROCK

Relative to the much-discussed question of constables' pay for mileage, Judge Smith, Jury of Clearfield county, handed down an opinion last week in a test case brought for back compensation. Judge Smith holds, contrary to many decisions in the state, that fees of this class do not deprive constables of their ordinary compensation, and he allows the commissioners to pay the mileage. This means a neat sum to every constable in Clearfield county.

Low rate for boarding made to jurors and witnesses at A. E. Pisel's, near court house.

The four children of English parents born in America was Virginia Dare. She was born in Roanoke Island, North Carolina, in 1587, and was a granddaughter of Sir John White, the governor of Sir Walter Raleigh's colony, sent to Roanoke Island in 1585. Mrs. Sallie A. Cotton, of North Carolina, has organized the "Virginia Dare Association," a historical society, to perpetuate the memory of this and the historical matter in her State. A similar society has marked the outlines of the Old Fort on Roanoke Island.

Low rate for boarding made to jurors and witnesses at A. E. Pisel's, near court house.

A test suit which will be of much interest to railroad men was instituted in Butler County Courts at Hollidaysburg last week by H. C. Monk, a brakeman, against the Pennsylvania Railroad Company to recover $10,000 damages for permanent injuries to his right hand, sustained while coupling to cars, one of which was equipped with a Janney coupler and the other with a standard coupler. If the Company is held responsible for such coupling, other suits for similar injuries will be entered, it is said.

For Sale—Mrs. A. E. Pisel offers her stock of groceries, confections &c., store and ice cream and oyster parlor fixtures for sale or tenable terms. Possession from April 1st, 1897. Here is a good opportunity for the right person to purchase a well established business. Call on or address Mrs. A. E. Pisel, Somerset, Pa.

Mahlon Schrock keeps the best grass seed in stock.

A recent newspaper started a new career of opposing. Every item was printed to the person giving it. For instance if John Jones was arrested for drunk and disorderly conduct, the item would be preceded by "Given up by Marshal Johnson." Other items were "Marshal Johnson is a fool," furnished us by John Jones. "Jonathan Brown was drunk last night," furnished us by the city solicitor. The method was kept up about two weeks and then an issue appeared which read "We have two black eyes" furnished us by the general public.

Anyone a sufferer from that terrible pain, locking Pains? Doan's Ointment will give you instant relief and permanent cure. Get it from your dealer.

The recent purchase of 58,000 tons of steel rails by the Receivers of the Baltimore & Ohio Railroad Co., at a cost of over $1,000,000 is another evidence that Moses, Cowen and Murray intend putting the B. & O. in first-class physical condition. It is understood that these rails will be placed in the track as soon as possible, and that by fall the tracks between Baltimore and the Ohio River will practically be entirely relaid with new and new oak ties. As fast as the old rails taken up it will be relaid on the less important branches, or used in repairing much needed side tracks.

For Rent—The store room and rooms occupied by Mrs. A. E. Pisel as an ice cream and oyster parlor in the First National Bank building. Possession April 1st, 1897. Call on or address Mrs. A. E. Pisel, Somerset, Pa.

Flour is comparatively dear, and corn is phenomenally cheap. The temptation to use corn flour for a part of our flour by mixing the two has been irresistable, and a great deal of such mixture of wheat flour and corn flour has gone into the distributing channels and into the hands of consumers. The mixture is not harmful, although it was a fraud upon the purchaser. Corn is good food, and at the ruling price for it adding wheat products in many families. To what extent its use as a substitute for wheat flour may affect the consumption of wheat and restrain an increase in the price of the latter cereal remains to be determined. It is probably a factor of greater importance than many of the wheat speculators have supposed. But consumers who pay for wheat flour should get it straight; and when the ground products of wheat and corn are blended the mixture should be sold for what it is. The combination of the two is not a new thing; but some of the mixers have overdone it lately, and have been detected because they used too much of the cheaper product.—Philadelphia Record.

When a person is losing flesh and wasting away there is cause for alarm. Nothing worries a physician. Consumption would never die if they could regain their usual weight. In fact there would be no consumption if there was no wasting of the system. The cause of this loss of flesh is a failure to properly digest the food we eat. Symptoms of all our diseases date back to some derangement of the stomach.

The Shaker Digestive Cordial will stop the wasting of the body. It acts by strengthening the food we eat to be digested so as to do good, for undigested food does more harm than good. The Cordial consumes food already digested and is a digester of foods as well.

Every mother hates to make her children take Castor Oil. Laxol is sweet Cinnamon Oil.

Farmers throughout the county are making preparations for sugar boiling.

Landlord Samuel Custer, of Stoyestown, was shaking hands with his numerous county seat friends, on Monday.

Robert Beerits and George Harrison started for Washington this morning. They will make a visit to Philadelphia after the inauguration.

Perry Baradt, of near Sipesville, and Zachariah L. Tannehill, of Lower Turkeyfoot township, have been granted increase of pensions.

Town Council reorganized Monday evening by electing Harvey M. Berkley, president; Joseph Swank, treasurer, and R. E. Meyers, secretary.

The sale of the personal property of Addie S. Countryman, deceased, will take place, at her late residence near Lavansville, on Saturday, March 13th, at 12:30 o'clock sharp.

After attending the funeral of their relative—Mrs. Black—at York, Mr. and Mrs. F. J. Kooser went to New York for a short visit with their daughter, who is an art student in the Metropolis.

General Passenger Agent Chas. O. Scull, of the Baltimore & Ohio, arrived in town Sunday morning and spent the day with his father, who has been confined to his home for the past week by sickness.

Mr. Hiram C. White, the well known merchant tailor and clothier, of Chambersburg, Pa., will be in Somerset about March 12th, with samples of choice spring suitings. Satisfaction guaranteed at reasonable rates.

Mrs. A. J. Endsley left Saturday for Washington, where she will be the guest of President McKinley until after the inauguration. En route to the Capital she had the company of Murat Halstead and other distinguished Ohioans.

Agent Bauman informs us that he has sold eighteen tickets to Somerset county people for points west of Chicago during the past ten days, the largest number sold during a similar period since he has occupied his present position.

The Ashland Coal Company, at Hooversville, which shut down about a year ago, expect to resume operations next week, when employment will be given to 150 men. Supt. William Curran, of Houtzdale, returned to Hooversville last week.

During the remainder of this week the B. & O. will have a flagman stationed at intervals of one mile along the main stem between Cumberland and Washington, and along the Pittsburg division, in order to insure the safety of passenger trains.

The dedication of Meyersdale's new public school building on Saturday attracted a large crowd. The programme published last week was faithfully carried out. Supt. Pritts, Principal Stewart Schell, and Elder Mullendore, of Somerset, took part in the exercises.

Two strolling Hungarians with a large brown bear were arrested yesterday and taken before Esquire Knepper to answer a charge of cruelty animals. It appears that the Huns were compelled to resort to force in order to make bruin climb a pole. The Justice dismissed the case.

Albert J. Yauman, of Helsopple, died at the Memorial Hospital, Johnstown, last Thursday from the effects of an operation for the removal of a cancerous growth, aged 36 years. Deceased is survived by his wife and two small sons. He was a brother of Joseph Yauman, the Lavansville merchant.

Mr. Ralph Irvin Richardson and Miss Zella, daughter of Mr. and Mrs. Norman L. Berkebile, both former Somerset county families, were united in marriage at noon Thursday, the ceremony taking place at the home of the bride's parents in Johnstown. The bride and groom are visiting with friends at Backstown.

For several days last week the water in the Potomac overflowed it banks and covered the B. & O. tracks for a distance of sixty miles between Cumberland and Washington. During the period mentioned B. & O. trains were run over the Pennsylvania railroad between Martinsburg and Connellsville.

Alonzo Ellsworth Ream, son of Mr. and Mrs. Garrett Ream, of Scalp Level, died on February 8th, after a prolonged illness. Early in the present winter he contracted a cold which developed pneumonia and hemorrhages, from which he died. Deceased was 25 years of age and had been clerk in his father's store for many years.

Two of the performers of Taylor's King's Fool Company, who played an engagement at the Opera House last week, were united in marriage in the Hotel Vannear parlor, at 9 o'clock Sunday night. Rev. Cameron, of the Methodist church, officiated. The ceremony was witnessed by all of the people employed in the Company and a number of local friends.

Mr. Charles E. Herr, son and daughter, of Butler, Pa., arrived in town Friday, and have since been guests at the home of the former's brothers and sisters. Yesterday they were joined by Mrs. Herr and this morning Mr. and Mrs. Herr will proceed to Washington, where they will witness the inauguration ceremonies. Mr. Herr is the editor of Butler's leading newspaper, The Record.

The residence of Dr. W. H. Gardner with all of its contents, at New Centreville, was totally destroyed by fire at an early hour Wednesday morning, entailing a loss of between two and three thousand dollars. Insurance unknown. The origin of the fire is unknown, but it is generally supposed to have been from a defective flue. The burned property was one of the most comfortable and conveniently located in the town.

A number of the friends and relatives of Miss Elizabeth Hugus assisted in celebrating her seventy second anniversary of her birth last Tuesday at her home on West Main Cross Street. During the afternoon she entertained her nieces and grand-nieces at dinner and in the evening her older friends. The house was transformed into a veritable garden by the immense bunches of American Beauty roses and other choice flowers sent by absent friends.

Washington Rector, of Garrett, is suffering from injuries sustained while at work in the Hawkins coal mine, near that place, about ten days ago. Rector was riding on a loaded car coming out of the slope when he was caught by the roof and in this position was dragged for a distance of sixty feet before the engineer at the engine house learned of his predicament and stopped the engine. When released it was found that five of his ribs were broken and that his spine was injured. He is in a critical condition, with only faint hopes for his recovery. Mr. Rector is a veteran of the late war and is well known throughout the county. He is being attended by Dr. Pollock.

Norman Trent, a popular and leading young farmer of Somerset township, died at his home, three miles north of town, at an early hour Monday morning, aged 34 years. About two weeks ago Mr. Trent contracted a severe cold which developed quinsy and later on other complications. He was a son of the late Uriah Trent. He is survived by his wife, who is a daughter of Mr. and Mrs. Frederick Weller, of Somerset township, and by three brothers, S. U. Trent, Esq., of Pittsburg, Wilson Trent, of Somerset, and Ezra Trent, of Kansas, and by four sisters, one of whom if the wife of Mr. Albert Ferner, of Somerset. The funeral will take place from the late residence of deceased at 2.30 o'clock this afternoon. Interment will be made in the Somerset Lutheran cemetery.

News of the Court.

The feud between the Neiderheisers and Hochstetlers in the "moonshine district," which was aired in the court last week, resulted in Henry Neiderheiser being convicted of assault and battery. He was sentenced to pay a fine of $1.00, the costs of prosecution and to undergo thirty days' imprisonment in the county jail. Neiderheiser, when on the witness stand, admitted that he had struck young Hochstetler a blow that bounced him ten feet and deposited him on a stone pile, but declared that he had used no unfair means and that the fight was a fair one. Hochstetler averred that Neiderheiser, who was known throughout the region as "Ike Puddy, the champion of the big survey," and who claimed that he "never was licked," had struck him on the head with a stone. The jury evidently accepted Hochstetler's statement of the fight.

In the case of the Commonwealth vs. Robert Herdman, charged with perjury on information of James Roddy, the grand jury returned "Not a true bill."

Owing to the illness of Gen. A. H. Coffroth, who is suffering from a severe attack of quinsy, at his rooms in the Somerset House, argument in behalf of the Roddy boys, who have applied for a new trial, has been postponed until week after next, when it will be heard by Judge Longenecker.

Thirty of the thirty-two applications for retail liquor dealers' licenses were granted by the court last Friday. The application of Keyser Kimmell, of Garrett, was held over to await the result of the prosecution pending against him for violation of the liquor laws. The application of Charles Mitchell, of Benscreek, was refused. The court instructed the successful applicants to close their bars at 10 p. m., and intimated that neglect to comply with this request will operate against applicants in the future.

On to Washington in a Special Car.

A party composed of Messrs. John R. Scott, George J. Krebs, Will Kantner, James M. Cover, Edward Hoover, Franklin P. Saylor, Simon Krebs, James McKelvey, Harvey M. Berkley, M. H. Hartzell, J. B. Winters, F. W. Biesecker, L. C. Colborn, of Somerset, J. J. Hoblitzell, James H. Black, W. T. Hoblitzell, Hooker Naugle, of Meyersdale, Noah Scott, of Ursina, John Biesecker, of Jenners, Kore Kaufman, of Benson, Frank McDonald, James McSpadden, Agent Sapp, of Rockwood, George Hoblitzell, of Hyndman, John C. Weller, of Gebharts, Judge J. H. Longenecker and John H. Weller, of Bedford, will leave here for Washington on the 10:02 train this morning. This party will occupy a special Pullman car during their absence at the inauguration of President McKinley, and expect to return home Friday or Saturday.

A Faithful Officer.

Sunday night the star of Mayor Wellley set and on Monday morning the reign of Mayor "Tucker" began.

For a period of 19 years Mr. Wellley has faithfully and efficiently served the people of the municipality of Somerset as their chief executive officer, having been elected Burgess fifteen times, his last election being for a four year term. Not a breath of scandal has attacked any of his various administrations, during the last one of which he successfully carried out the most important public work—the construction of water works—ever undertaken by the town. Much of the credit for this enterprise is due to the untiring efforts of Mr. Wellley. To his watchfulness and business tact the tax payers are largely indebted for the economic construction of that work and to its being already on a firm paying basis. If the policy adopted by his administration is adhered to in the future the borough's indebtness will speedily be wiped out. In all public matters officially coming before him Burgess Wellley acted for what he believed to be for the best interests of the town, and it is pleasure to thus recognize the services he has rendered.

His successor has a high standard before him, but there is every reason for believing that he will carry out the policy adopted by his predecessor and that the people of the town will not suffer by reason of extravagant and unnecessary expenditure of public funds during the next four years.

Successful Business Methods.

The trite maxim "nothing succeeds like success" is well illustrated in the business life of Somerset by the steady growth and popularity of the dry goods, notions and millinery establishment of Mrs. A. E. Uhl, which from its inception has been conceded a place among the leading mercantile houses of the county. Several things have conspired to develop and popularize the Uhl store, among which may be mentioned a thorough knowledge of the home and foreign markets, sound judgment of values acquired by long familiarity with goods, a stock of the finest staples and the latest patterns in dress fabrics and white goods, securing for their customers every new novelty that is accepted by the public, judicious selections in fashionable millinery, and an undeviating rule of selling at a legitimate profit. In addition to the features mentioned the Uhl store is centrally located and occupies more floor space than any similar establishment in town. The clerks are all trained to their duties and are uniformly courteous. Their announcement appears elsewhere.

Death of Mrs. Mary F. Black.

A telegram received by Mrs. Harriet Ogle, last Wednesday morning announced the death of her sister—Mrs. Mary F. Black, widow of the late Judge Jeremiah S. Black—at her home, "Brocklie," near York, Pa., in her 8th year. Mrs. Black had been in declining health for several years, but a sudden termination of her life was not anticipated. Her son—Ex-Lieutenant Governor Chauncey F. Black—was in Washington and unable to reach her bedside before she died. In addition to her son she is survived by two daughters, Mrs. Hornsby, of Washington, and Mrs. Clayton, who resided with her.

Mrs. Black was a daughter of Hon. Chauncey Forward, who came from New England to Somerset, in 1817, and entered upon the practice of the law. He was a scholarly man and soon became one of the leaders of the bar, contesting for that honor with Charles Ogle. Judge Black is authority for the statement that Chauncey Forward and Charles Ogle were the two ablest lawyers he had ever known, high testimony from one who was ranked among the ablest members of the legal profession in the United States. Mr. Forward served as Prothonotary and Register and Recorder of Somerset county, and was subsequently elected to both branches of the State Assembly and afterwards to the lower house of Congress. He was a very religious man and was one of the Elders of the Christian Church of Somerset, frequently preaching for the congregation. His brother Walter, who lived in Pittsburg, was successively editor, lawyer, Congressman, Comptroller of the Treasury under W. H. Harrison, and Secretary of the Treasury under Tyler, Minister to Denmark and Judge of the Allegheny county courts.

Judge Black was clerk to the County Commissioners when he first came to Somerset from his home, seven miles east of here. Afterwards he read law in the office of Mr. Forward and married his preceptor's daughter in 1838. His successful career is familiar to every Somerset countian.

Mrs. Black was a woman of great intellectual force and possessed so very many womanly and christian virtues that she exercised a wide spread influence, not only among her former friends and neighbors in Somerset and York, but wherever she was known. She was sympathetic and kindly, and her life was filled out with honorable deeds.

The regular services will be held in the Presbyterian church next Sabbath morning and evening conducted by the pastor.

DR. MITCHELL CONVICTED

OF PERFORMING CRIMINAL MALPRACTICE ON SADIE E. BEAL.

Motion for a New Trial Filed.---The Dr. Released on Bail Pending Argument.

Dr. William F. Mitchell, an educated and cultured gentleman, who has attained high rank in his profession during the thirty years of his continuous practice at Addison, a member of the local board of pension examiners, a man of honorable ancestry and excellent social position was on Friday found guilty by a jury, of having performed malpractice upon Sadie E. Beal, at the Hotel Vannear, on December 30th, and who died seven days later in the Allegheny General Hospital.

The trial of the case consumed the greater part of three days and was ably conducted by skillful and experienced members of the bar. The jury retired at 10 o'clock Friday morning and at 5 o'clock in the afternoon rendered their verdict.

When the court house bell rang announcing that the jury had agreed upon a verdict there was a wild rush on the part of the people on the streets for the court house. Dr. Mitchell and his brother, Rev. Silas Mitchell, of Braddock, Pa., who sat by his side throughout the trying ordeal, were among the first to arrive. The Dr. took a seat at his counsels' table and faced the jury. His expression was unchanged and he betrayed no sign of nervousness during the painful minutes before the members of the bench came into court. The grave countenances of the jurymen boded ill for the Doctor.

When Judge Longenecker directed the clerk of the courts to take the verdict there was deathlike silence throughout the court room, and when the question, "Gentlemen of the jury have you agreed upon a verdict?" was asked, several of the jurors replied in an undertone, "Guilty." The clerk then read the formal question "In the case of the Commonwealth versus Dr. W. F. Mitchell, what say you, guilty or not guilty??' to which the jury replied in chorus, "Guilty."

Counsel for the defendant asked that the jury be polled and each juror arose as his name was called and in reply to the usual question by the clerk, said "Guilty."

Counsel for the defendant then asked leave to file a motion for a new trial and Judge Longenecker made an order giving them ten days in which to do so.

Robert E. Ross entered bond in the sum of $1,000 for the defendant's appearance at court, and the Doctor left the court room and returned to his hotel, where he remained until Saturday morning, when he left for his home.

Rev. Mitchell was greatly affected when he heard the verdict, and was assisted to the library room. He is reported to have expressed his willingness to be substituted for his brother and bear the penalty the Court will impose, in case the verdict stands.

Dr. Mitchell stoutly maintains his innocence, and has many friends who believe that the testimony offered in his defense should have created sufficient doubt in the minds of the jurors to warrant an acquittal.

SELECTING THE JURY.

The time of the court from Monday until Wednesday morning was consumed with the trial of petty criminal cases, and the large number of witnesses and spectators were anxious that the trial of Dr. Mitchell should begin. At 10 o'clock Wednesday morning the decks were cleared for action and the work of selecting a jury in the Mitchell case was begun. The caution that is usually observed in sifting a jury in an oyer and terminer case was not lacking on this occasion and it was 12 o'clock before twelve of the honest yeomanry of the county had passed muster.

District-Attorney Colborn and F. J. Kooser, Esq., conducted the case for the Commonwealth, while Coffroth & Ruppel, Koontz & Ogle, John R. Scott and John H. Uhl appeared for the defendant.

Mr. Colborn opened the case in a fifteen minute address to the jury in which he faithfully outlined the facts which the Commonwealth expected to establish and on which they would ask for a conviction.

Mrs. Maggie E. Madore, a pretty young matron, clad in black, was the first witness called. She testified that Sadie E. Beal, her sister, came to her home at Scott Haven, Pa., on October 8th and continued there until about half-past seven o'clock on the morning of December 30th, when she left, saying that she was goirg to a hospital in Allegheny for the purpose of undergoing an operation for a chronic trouble. She described the clothing worn by her sister and identified a duplex rebate ticket found in Sadie's pocketbook after her death, a satchel and a number of other articles she had taken with her.

Miss Lizzie Thomas, who has charge of the postoffice at Scott Haven, testified that during the latter part of December Sadie E. Beal had given her two letters to mail, one of which was addressed to "Dr. Mitchell, Somerset county, Pa." Witness was unable to say to what point the letter was addressed.

Miss Lizzie Bellman and Miss Florence Cummins, telegraph operators for the B. & O. at McKeesport and Confluence respectively, testified in regard to a telegram, which turned out to be one of the most important factors in the case. Miss Bellman said that about 15 minutes of eight o'clock on the morning of December 30th, a woman dressed in black and heavily veiled, filed a message with her. (Message shown witness and identified. It is addressed to Dr. Mitchell and reads "Will be on No. 6 instead of No. 14. Meet me," and is signed "S. E. B. Andrews. The first three letters are the initials of Miss Beal's name.") Miss Cummins testified to having received the message and to delivering it to Dr. Mitchell just as he was about to step on traln No. 14 at Confluence.

Conductor Waite of the Somerset & Cambria R. R., identified a duplex relate ticket which he had given to a young woman who rode on his train from Rockwood to Somerset on the morning of December 30th. The same woman returned to Rockwood on the afternoon train. Mr. Waite's attention was attracted to the woman by her apparent distressed and troubled expression. She was the only passenger having a ticket for Pittsburg on the afternoon train.

Conductor Murray, of the West Newton accommodation, testified that he knew Miss Beal by sight and that she made occasional trips on his train, the last one being a week or ten days before her trip to McKeesport on Dec. 30th.

L. W. Vannear, clerk at the Hotel Vannear, testified that a woman dressed in black and heavily veiled, came to that house about noon on December 30th, registered as "Mrs. Keim, Elk Lick, Pa.," and was shown to room No. 8. She asked if Dr. Mitchell was stopping at the hotel and told Mr. Vannear to request him to call at her room at 2 o'clock. The message was delivered and the Dr. said "All right." (Hotel Register offered in evidence.)

Station Agent Bauman testified to a woman dressed in black alighting from the 11:30 train on December 30th. She asked witness to take charge of a package for her until the arrival of the 3:40 p. m. train, when he checked it to Pittsburg. The lady, he said, did not ride to or from the station in any of the hotel hacks.

Frank Berkley, clerk at the Hotel Vannear, testified to the woman, registering as "Mrs. Keim" stopping there on Dec. 30th. Dr. Mitchell was also a guest at the hotel on that day, it being his custom to stop there every Wednesday when he comes to Somerset for the purpose of attending to his duties as a member of the Board of Pension Examiners. Witness said he saw the Dr. coming down the stairway from the sleeping floor above the office about 2:30 p. m.

J. H. Robinson, a traveling salesman, testified that he knew Miss Beal through having seen her at Appel's store in Meyersdale. He saw a lady dressed in black on the train going from Somerset to Rockwood on the afternoon of Dec. 30th., whom he took to be Miss Beal.

Harry Lehman, newsboy on the S. & C. train, testified that when he entered the door of the ladies' coach at Somerset on the afternoon of Dec. 30th., he observed a woman dressed in black and heavily veiled, who occupied the rear seat. She looked out of the window constantly. When the train arrived at Rockwood Dr. Mitchell and this lady were the last two passengers to leave the train. The Dr. said to witness, "This lady is sick and wants to remain in the car until the "Flyer" arrives. Lehman spoke to conductor Waite about the matter, and later heard the Dr. tell the lady that the "Flyer" was due at 4:13.

Charles Flick, employed about the Rockwood station, testified that he had seen Dr. Mitchell assist the woman described off the train when the "Flyer" arrived.

George Farner, brakeman on the "Flyer," testified that a woman dress d in black and heavily veiled, rode on his train from Rockwood to Pittsburg on the evening of December 30th. She looked sick and was evidently in distress. He directed her how to reach the Hotel Federal, Allegheny, after the train arrived in Pittsburg.

J. T. Watson and J. M. Hodell, clerks at the Federal Hotel, testified that a young lady described by former witnesses came to that house between 8 and 9 o'clock on the night of Dec. 30th, where she registered as "Miss Andrews, Johnstown, Pa." About 11 o'clock the same night she asked to be conducted to the Allegheny General Hospital, and Mr. Hodell escorted her to that institution. She appeared to be weak and suffering.

Miss Margaret Kaufman, night matron at the Allegheny General Hospital, testified to the admission of the young woman described by the previous witnesses to that institution about 11 o'clock on the night of December 30. She gave her name as Sadie E. Beal. The patient was very nervous, but her temperature was normal. Witness identified duplex railroad ticket, which she found in the young woman's pocketbook after her death.

Dr. Stanley Smith, resident physician at the Hospital, testified that he had examined her within an hour after her admission to that institution. The operation from which she was suffering had in his opinion, been performed not mor than ten hours prior to her admission. Witness was present at the post mortem examination and said that death resulted from blood poisoning.

Dr. James S. Brown, another Hospital physician, testified that he had conducted the post mortem examination and found that death resulted from blood poisoning produced by an abortion. Witness declared there were the best of reasons from a professional standpoint to justify the conclusion that the young woman had been criminally operated upon.

A. O. Beal testified that he had not seen his daughter alive after she left home on October 7th. Witness identified his daughter's signature on the Vannear and Federal Hotel registers. The telegram written at McKeesport signed "S. E. B. Andrews," he said was written by his daughter.

Mrs. Madore also identified the signatures and the telegram as having been written by her sister.

At this point the Commonwealth rested. Counsel for defendant made an unsuccessful effort to have the testimony in regard to the mailing of a letter addressed to Dr. Mitchell ruled out.

THE DEFENDANT'S SIDE.

At Wednesday night's session of court W. H. Ruppel Esq., opened the case for the defense. He said that much of the testimony in the case was uncontroverted and that when all of the testimony had been heard it would put a different light on affairs and would firmly establish the innocence of his client. The telegram sent from McKeesport, he said, had suffered in transmission so that when it was delivered to Dr. Mitchell at Confluence it was signed "Seb Andrews." We will show, he continued, that the defendant never had any communication with Sadie Beal prior to the receipt of this message. He was in the habit of receiving messages at Confluence, and when he received the message in controversy he thoughtlessly tore it up. He waited for train No. 6 at Confluence, and after he had looked through the coach and no one came forward to claim his acquaintance, he took a seat beside Judge Horner. A little later, a woman, who has since turned out to be Sadie Beal, beckoned to him to come to where she was sitting. She inquired if he was Dr. Mitchell and if he was going to Somerset, and ascertained that he stopped at the Hotel Vannear. He afterwards went to her room where she solicited him to perform a criminal operation which he firmly declined to do. Then she said that she had recently sustained a heavy fall and injured her abdomen, and later on admitted that she had attempted to produce an abortion upon herself and implored him to examine her, which he reluctantly consented to do. It will be shown by eminent physicians that the operation could have been performed one or two days before he saw Miss Beal and that it was performed by an inexperienced person.

Dr. Mitchell testified that he has been practicing medicine for a period of thirty-two or three years; is a member of the Pension Examining Board, which calls him to Somerset ever Wednesday. Witness said that he was accustomed to receiving telegrams at Confluence and admitted having received one shown him on Dec. 30th, signed "Seb Andrews;" had no knowledge of the one offered in evidence by the Commonwealth until it was produced in court. Never received a letter from Sadie E. Beal and had no knowledge of the one testified to. Never knew any person by the name of Beal. Was just about to step on the accommodation at Confluence when the message was delivered to him; read it carelessly and tore it up. Waited for train No. 6 and when he got on looked around to see if there was any one he knew; took a seat beside Judge Horner, who shook hands and called him "Dr. Mitchell." Shortly afterwards he observed a lady, heavily veiled, who signified that she desired to speak to him. When the train reached Ursina he approached the woman. She inquired if his name was Dr. Mitchell, and asked if he was going to Somerset and something in regard to the hotels there. He remarked that he did not know her, when she said that she was "Mrs. Keim, of Elk Lick." The Dr. thought he was at dinner at the Hotel Vannear, when Mr. Lewis Vannear came to him and said a lady in room No. 8 wanted to see him, to which he replied, "All right." After dinner he visited the pension office, did some shopping and visited the bank, when it occurred to him that a woman wanted to see him at the hotel. He went to her room, knocked at the door and was admitted; did not then know that she was the same woman he had met on the train. She locked the door and turned her back to it. The Dr. did not introduce himself but asked "Are you the lady who sent for me?" She replied that she was. He then saw the condition she was in; she said a friend had sent her to the Dr. and that he would give her relief. He replied that the person who had sent her was no friend of his and that under no circumstances would he comply with her request. (Witness wanted to tell how the woman had implored him to hide her condition from the knowledge of her parents, but the court would not permit him to do so.) She then told him that she had had an operation performed but that it had not been successful. He at last consented to make an examination. He said that he had inquired if she had a mother and advised her to go to her, as she was her best friend. She then confessed that in her desperation she had performed the operation herself. She was very much excited and frequently exclaimed "My God, what shall I do?" Afterwards she said that she had slipped and fallen on a plank or down stairs. The Dr. said that he was in the room about three minutes, and did not see the woman again until the train arrived at Rockwood, when she touched him on the shoulder as he was about to leave the car, and said "I am sick and would like to remain in the car," and that he had spoken to the newsboy about it. He denied that he had assisted her on the Flyer. The Dr. denied emphatically that he had performed an operation upon her. Continuing, the Dr. explained his knowledge of antiseptics. Witness said that he had gone to the District-Attorney's office and made a statement of his connection with the case.

On cross-examination the Dr. denied that he had said in the District Attorney's office that the message he received read "There is a woman (or Mrs. Keim) on the Flyer; wait for her."

Mr. Kooser asked him if he had not made the statement in the District Attorney's office for the purpose of deceiving them or of preventing a prosecution of himself. Witness at first refused to answer the question without having consulted his counsel, but said, without doing so, that he had not. The sender of the message signed "Seb Andrews," he said, he supposed to be a man.

Miss Florence Tildesley, Superintendent of the Allegheny General Hospital, testified that Sadie E. Beal had told her, when first admitted to the Hospital, that her condition resulted from a fall, and a day later sent for her and said that she wanted to correct her former statement, which was untrue, and that she was suffering from a self-inflicted injury.

Drs. Garman, of Berlin, Mountain, of Confluence, Carothers, of Somerset, all testified to Dr. Mitchell's professional standing and his skill as a practitioner.

The physians agreed that it was possible for Miss Beal to have been in the condition described by Dr. Mitchell, for several days or a longer period, before she was examined by the defendant, and that it was impossible to tell just how long the alleged operation might have been performed.

Drs. Harrison and Getty, of Meyersdale, corroborated the testimony of the preceding witnesses for the defense, and with their statements the defense rested.

IN REBUTTAL.

A. O. Beal testified that on January 13th Dr. Mitchell made a statement at the District Attorney's office in the presence of Messrs. A. J. Colborn, George Donges, H. J. Wilmouth, J. G. Ogle, Robt. E. Ross and himself, in which he said that the telegram he received at Confluence read "Wait for the Flyer; there is a woman (or Mrs. Keim) wants to see you." Witness also said that the Dr. had there described the condition in which he had found his daughter in an entirely different way from the statement he had made on the witness stand. (This testimony can not be published.)

Mr. Beal was corroborated by Messrs. Donges, Wilmouth and Colborn.

Messrs. Ogle and Ross testified that the four gentlemen who had preceded them on the witness stand were altogether mistaken as to what Dr. Mitchell had said in regard to the telegram, as well as in other matters which they had stated.

The case was closed at 3 o'clock, and after counsel for defendant had submitted several points of law on which they desired the Court to instruct the jury, Mr. Ruppel began his argument for the defendant. He was was followed by Mr. Koontz. F. J. Kooser, Esq., summed up for the Commonwealth. All of the speeches were of a high order.

Judge Longenecker delivered his charge to the jury Friday morning. The delivery of the charge occupied about forty minutes, and was so impartial throughout that no one who heard it was able to say which way his honor leaned. The jury retired at 9:50.

It is reported that the jury took only four ballots, during the seven hours they remained out, the first one resulting in 8 votes for guilty and 4 for acquittal; the second stood 9 to 3; the third 11 to 1, and on the fourth all voted unanimously for conviction.

THERE WILL BE BUSINESS AT SCALP

Contractors on Hard Arranging to Build the Branch Road.

The citizens of Scalp Level believe that the coal lands which have recently been purchased in that vicinity are to be developed at once, and that the coming spring and summer will see a considerable amount of the work done in that community, over all of which they are naturally very much elated.

Yesterday afternoon a contractor was there, looking up stone for bridge-building purposes and making arrangements to secure the same. This morning three more contractors arrived. They were engaging lumber to put up buildings and wanted to rent houses. They were also inquiring for laboring men, and for stable room, available in a few days, for fifty horses, to be used until such time as they could build stables of their own.

It is understood that the stone above mentioned are to be used in a railroad bridge across Big Paint Creek, at or near the Falls. This is sufficient indication that the new coal fields will not be tapped from this side, but from the Dunlo Branch. It is said a spur will be run off from this branch at Lovett, the terminus being near Scalp.—Johnstown Tribune.

Notice.

The Books of Parker & Parker will be in my hands until April 10th. Persons knowing themselves indebted to us will please call and settle without delay by cash or note. I will be at the old stand until the above date. Accounts not closed by that time will be put in the hands of an officer for collection.

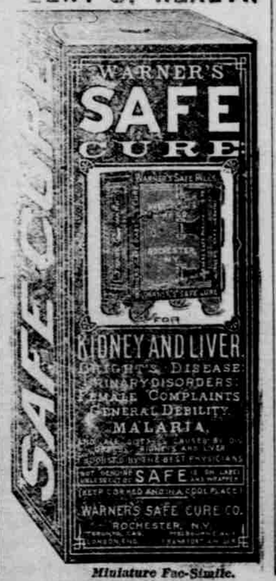
G. R. PARKER.

Vertical Writing Favored.

Replies from many public school principals to inquiry by Superintendent Edward Brooks, of Philadelphia, as to their estimate of the value of vertical handwriting are nearly unanimous in favor of the system. It has been tried during the past three years in 147 schools, about one-third of all in the city, and from one school comes an unsatisfactory report.

The teachers commend vertical writing because of its legibility, the ease with which it is acquired and the hygienic improvement over the old system for the pupil's body and eye. By correspondence with superintendents in other large cities Dr. Brooks has found that vertical writing has met with approval wherever tried.

THE ADVANCE AGENT OF HEALTH



Miniature Fac-Simile.

ROYAL

BAKING POWDER

Absolutely Pure.

Celebrated for its great leavening strength and healthfulness. Assures the food against alum and all forms of adulteration common to the cheap brands.

ROYAL BAKING POWDER CO., NEW YORK.

ADMINISTRATORS' NOTICE.

Estate of Kate A. Knavel, late of Paint township, Somerset Co., Pa., dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, on Friday, April 9, 1897, at the residence of Peter Knavel, said township.

W. C. KNAVEL, Administrator.

Fred. W. Biesecker, Att'y.

ADMINISTRATOR'S NOTICE.

Estate of Mary Kifer, late of Somerset borough, Somerset county, Pa., dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, on Saturday, March 20, 1897, at the office of J. H. Uhl, Esq

MICHAEL KIFER, Administrator. c. t. a.

J. H. Uhl, Att'y.

ADMINISTRATORS' NOTICE.

Estate of Peter F. Shaulis, late of Jefferson township, dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, on Saturday, March 27, 1897, at the late residence of dec'd

PHILIP H. WALKER, H. E. SHAULIS, Administrators.

J. H. Uhl, Att'y.

ADMINISTRATORS' NOTICE.

Estate of Addie S. Countryman, late of Somerset township, dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, on Saturday, March 27, 1897, at the office of Kooser & Kooser, Somerset, Pa.

GEO. F. COUNTRYMAN, FRANK D. BAKER, Administrators.

ADMINISTRATORS' NOTICE.

Estate