ne county, is excited over the dis pper rance of the thirteendaughter of M. Altman. d to gute a store one mile away Asy and has not been seen nor

his not our custom to puil articles of andisc, but in duty to our subis we cannot belp mentioning the at bram of stoves sold under the

of Finn avenue and Forty-fifth ed, or feet by 100 feet deep, was sold has for \$410,000; that is \$8,000 a front and 80 a square foot. That is the d price ever paid for residence ery in the United States.

a look birthday of the mother of has Beck, who lives near Cherry Indiana county, was celebrated duesiay, Over 1,000 persons were t, and the aged woman, who looks not over seventy-five years was pleased with the presents and

I's John Stark, of Harrisburg, and tie Nettie Bender, of Pittsburg, are the sts of their sister-Mrs. Harry A. er-of No. 267 Conemaugh street. are daughters of Mr. Cornelius of Stoyestown, and have been gated since 1800. They will visit ar father before they return home-

The cleads, wrongly named locust by any, has made its appearance in apog mumbers in Fayette county. The alex ravenous eater. It is providr mature with an apparatus with thil pieces the bark of trees and ler shorts and thus sucks out all the the plant then withering away from

ab Himchaugh, of Company Ex day fifth Penusylvania Volunteers, leighty years, came to the city this me to participate in the parade. Hindaugh enlisted November 12, , and served throughout the War and transferred to Company F, One united and Eighty-eighth Regiment, institutia Volunteers, June 28, 1865. will hale and hearty, and was probone of the oldest, if not the oldest, son in the parale. - John stown Tri-

the annual conference of the German as Brothren, or Dankards, of the I States, which began at Frederick, yesterday, will be an exceedingly sting clurch gathering. Among est important matters before the es by a majority vote, care of dis ad missimuries, the most scriptural sim of holding lovefeasts, communion setings. Other important matters will placed before the conference by the

Dr. Lockwood, of Dunlo, Cambria mer, drank some nux vomica the erday, just to show a hesitating paat, for whom he had prescribed it, how miss it was. The doctor is dead, Joseph Spencer one of the best known sens of Blair county, was fatally inred at Roaring Springs Monday, while apting to save a neighbor's dwelling the flames. Mr. Spencer was stand gin front of the house, and directing dremen in their work. Suddenly the imacy directly above him toppled over ming the un fortunate man to the earth

less Willis, a prosperous farmer livg near ityot, Bedford county, is the sessor of a remarkably strange freak in order, only this one is a quintet, in such as there are five fally developed ads attached to one body. The freak is at a few weeks old, and a strange featabout it is that four of the heads have ed to show any signs of life and are ad-heads" in the true sense of the ord. An effort was made to amoutate deceased craniums, but it was finally ven up, and the ultimatum of the would surgeon was that the freak could fol-

Says a writer: For nervous headache, ing the back of the neck in hot wat-For sick or nervous headache, rubis imewater and sweet oil. For the sient both, muriated tincture of iron Theumatisms, oil of wintergreen, inenally and externally. For breaking the beginning of a cold, four drops ch of camphor and laudanum on a impuf sugar. For breaking up a cold weive drops of camphor in twelve teadisful of water, taken by the teaspoon each half-hour.

Capt. John H. Reed, of Dibertsville, suggest county, who had been the guest. his nephew-Mr. Will Reed-of Vine test, since Tuesday, returned home toisth Pennsylvania Volunteers, at Chaniplaced in the Veteran Reserve Corps. He is awindle wife is not improving as

A Cumberland dispatch published in Smon Hommer under sentence of death here, whose execution had been fixed for use I, to imprisonment for life. Hommer was convicted of murder in the first | ing. degree April 30, 1893, for killing Samuel ict asser, alias McCallister, in a South umberland saloon, where a number of strangers were drinking at a late hour at and other prominent people of that comwho were of the opinion that Hommer was a degenerate. Hommer's old school teacher at Elk Lick wrote Governor Loundes a pleading letter for lenieucy, ed "simple-minded." The Governor submitted the case to the State Lunacy Comadision, which, after examining Hommer and taking outside testimony, reported that Hommer was a degenerate, responsible for his act, not a fit subject to be hanged and too dangerous to be at large, and recommended that he be confined in some institution for life. Hom-

JAMES AND JOHN RODDY IN THE

All Hope of Saving the Lives of the Prisoner Believed to Have Passed.-Last Acts in the Famous Trial.-Roddys Declare They Are lunocent of the Murder of David Berkey.

Death Sentence Will Likely be Imposed at Argument Court, Which Meets on June 21st.

"Guilty of murder in the first degree," were the awmi words which a second time fell op be ears of the Roddy boys-James av John-at 9.10 o'clock Thursday night when they stood facing the twelve jurors, who for nine days had been sitting in judgment over them, and who had come into court for the purpose of announcing the result of their deliber-

Neither of the prisoners showed any outward evidence of emotion, further than that John swallowed an invisible lump that had gathered in his throat, and beads of perspiration appeared upon his brow. John folded his hands behind his back and looked steadily into the eyes of the men whose words were of such fearful consequence to him. Once mands. or twice a smile played about his lips, | mands, and when the trying ordeal was over he esumed his chair by the side of his counsel. Jim's face was ashen pale, but cruel outrage committed the preceding he was more composed than at any time during the trial. He chewed away at a wad of tobacco, occasionally leaning for- this county, by a pair of masked burglars ward to expectorate, while the jury was

being polled. Judged Longenecker charged the jury as soon as court convened Thursday norning. The delivery of the charge usumed about an hour and at 10 o'clock the jury retired. Shortly afterwards court took a recess until 1:3) P. M., when t again met and after a short session took a recess until the ringing of the bell, which was to announce to the public that

During the afternoon John Roddy amused himself by playing on his violin in the upper corridor of the county fail he strains of the music floating across he space between the jail and court house and into the room occupied by the jary, who were determining whether or not be esting programme has been prepared. should die an ignominious death.

There was much speculation on the treets during the afternoon and early er the defendants are the persons who evening as to the nature of the verdict, an overwhelming majority expressing the belief that it would be guilty of marder in the first degree, while others declared their belief that the jary would to commit a felony therein."

When the court bell announced at 8:50 that the jury had agreed there was a wild ing, conducted by the pastor-Rev. D. L. rush for the court house and in a few ninutes the exact room was crowded putting him in fear," with an eager throng. A number of ialies were in the andience. The jurymen were in their seats before the crowd appeared and some of them were visibly amused by the critical examination to which their countenances were subjected ballast has been put down and track lay- by those who were anxious to read in ading will be commenced soon. Excava- vance the verdict that was in their keepno and only to be made known wh asked for by the court,

Counsel for the Commonwealth and for Mrs. Rebecca Black Hornsby, daughhe defendants took their accustomed eats. A moment later the members of he bench entered. A dayblika stillness pervaded the room. The clerk of the nod from Judge Longenecker asked the asual question. After the jarors had aunounced that they found the defendants Lewis J. Esken the "Mansion House," at | guilty the verdiet was handed to Judge longenecker, who carefully scrutinized t and directed the clerk to return it to the foreman of the jury. The Judge then said: "Gentlemen of the jury, we instructed you this morning that your verome the owner of it will make a numdiet could be in only one of two forms, either 'Not guilty,' or 'Guilty of murder A crowd of several hundred friends in the first degree.' The court will wait and neighbors of Mr. Perry Schrock, of while you retire and put your verdict in proper form."

Three minutes later when the jury re turned to the coart room counsel for the lefendants asked that the lary be polled. Each juror arose as his name was called without a single hitch. An excellent and in response to the question by the eleck: "In the issue joined between the James Roddy and John Roddy defendants you say that you find the defendants murder in the first; is this your verdiet?" which will be made up largely of players who formerly belonged to the famous

recorded at 9:10 P. M. Lawyer C. F. Uhl, Jr., at once filed motion for a new trial, and Judge Longenecker directed the Court Stenographer to have the notes of testimony

onducted back to the county jail.

There are several coincidences in regard to the trial. One is that the second verdict was recorded on the first anniversary of the commission of the crime. The other is that the jury retired at almost the precise time as did the jury at the first trial and deliberated until about the same hour, both juries coming into court at the same time. The verdict of the first trial was recorded at 9:15 P. M., on December 24, 1896.

the Roddy boys both defendants were entirely confident that they would be acquitted. When John bade one of his sisters good bye. Tuesday afternoon, he said: "Don't worry about us; we'll be home next Monday." The hopes of both defendants ran high, up until the moment the second fatal verdict was delivered by the jury. On the way to the court room to receive the verdiet John remarked to Board, Monday evening, Mr. P. A. one of the jail officials "I feel sure the Schell was awarded the contract for heatverdict is not guilty." ing and plumbing the "Academy"

MAINTAIN THEIR INNOCENCE. After the prisoners had been conducted back to jail both stoutly maintained their innocence, and the next afternoon when they were visited by their counsel, the unhappy brothers separately and together declared they were innocent of the murder of David Berkey.

abandoned all hope of establishing their innocence, and their visit to the jail Friday afternoon was for the purpose of conveying this information to the prisoners. Counsel talked to them very plainly, saving that there was little, if any hope, im lay writhing on the floor stood dian, John L. Barner, in Shippensburg, of securing another trial, and but faint hopes of securing a reversal of ju igment hanged Mrs. John Short, of Elk Lick, been squandering his money it was rethey had anything to do with the Berkey Pa, a sister of Hommer, appealed to the fused. A quarrel ensued, during which robbery, and as an inducement to confess Long drew two revolvers and fired a shot | they were told that if any other person or ing that her brother was an imbecile, from each at Barner. Neither shot took persons were connected with the crime, effect. Long was arrested, but could not a confession might save the defendants secure ball, and was taken to Carlisle later from the gallows. In reply to the appeals and threats of his attorneys John Roddy firmly declared that he would go on the trap an innocent man. "I was never in Paint township," he said, "except the time the officers took me to

It is now a week since you were select ed and called into the box for the purposhave necessarily experienced some dis-

site, where the office had been located for so much patience thus far will soon be in Did the defendants commit the Manager, B. & O. Central Building, Bal- 31 years. A new postmaster was in- your hands, and, in the time of shall or participate in its commission? That is



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Genuine Oil Painting Free!

The styles make them desirable. Our prices move them.

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opportunity from June 12th to June 22d.

WILL be given away with every purchase of ONE DOLLAR at our store, begining Saturday Evening, June 12th. With every purchase of ONE DOLLAR we give you a coupon, entitling the holder to one of these elegant Oil Paintings with a small charge for the frame. We desire to state that the Artist who does this work comes to us backed by recommendations from the best firms in the country. Giving these paintings away FREE TO ALL, charging wholesale prices (half the usual price) for the frame. You can see them made at our store. A splendid opportunity to adorn your home. We extend this

THREE SPECIALS.

44 Inch ALL WOOL BLACK CREPONS, the price

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150 LADIES' BLEACHED VESTS, worth 35 cents each, we sell TWO VESTS for

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Respectfully yours,

in the least against these defendants. Notwithstanding the grave accusation against them the law presumes them inshown beyond a reasonable doubt that they are guilty. In view of the serious nature of the charge, the most serious known to our criminal law, it becomes testimony with great caution, without regard to any possible feeling outside,

be on the evidence alone.

Were James and John Roddy at the

ard Jackson, planned this robbery some-

ime in advance; that they went out into

good, locating their victim and prepar-

ing for the commission of the crime, and

as well as on the 21 of June, and, under-

saw the witnesses on the stand and heard !

them explain how and why they identi-

value and sufficiency of their testimony

this charge must stand or fall, as the

identity of the defendants with the per-

sons seen on the road and at Berkey's

when the crime was committed, is prov-

The defendants positively deny that

they were then, or at any other time be-

fore, in Paint township, and deny all

and complete as any that can possibly be

dence determine who is to be believed.

ed or fails of proof.

done this deed.

to identify the defendants.

committed the offense. Burglary at common law is "the break ing and entering a dwelling house of another in the night time with the intent

and healthfulness. Assures the food against

BOYAL BAKING POWDER CO., NEW YORK.

A year ago this hour the community was shocked at the spreading news of a

night on David Berkey at his home in

Paint township, in the northern end of

who had forced their way into his house

shortly after midnight. It is alleged the

death, which occurred on the 3d of Octo-

ber last. These defendants were sus-

pected of having perpetrated the crime,

were arrested, indicted, and are here to

The indictment contains two counts, bu

both relate to the same offense, and

charge the defendants with the murder

Some facts connected with the case are

free from controversy. It is not disputed

or questioned that on the night mention-

ed a burglary was committed at the

house of the deceased for the purpose of

robbing him. Nor is it denied that he

was tortured and that he lingered and

died in consequence, as the indictment

alleges. The disputed question is wheth-

answer that charge.

of David Berkey.

injuries he then sustained caused his

alum and all forms of adults ration common

to the cheap brands.

Here the felonious purpose was to rob and steal, "Robbery is the theft of property from the person or in the presence of the owner, accompanied by violence or

The testimony shows that after the door was broken open and the parties had entered, they were asked by David Berkey what they wanted and they replied, "Money, by Gol, and we will have it." and that they then rausacked the house and took all the money they could find, To accomplish their purpose and com-

pel the old man to disclose the whereachair, his hands and feet tied, revolvers presented to his face with throats of violence, he was struck in the face, while in this position and his fest barnel in the horrible manner described by the phyourts called the roll of jarors, and at a sicians and other witnesses; all for the purpose of forcing him to reveal the other money and Government bonds they supposed he had.

If this undisputed testimony is believed the crimes of barglary and robbary were complete.

The doctors told you of the fatal character of the injuries, of the shock to the old man's vital energies resulting from them, and that they were the direct cause of his death. There does not seem to be any reason to doubt that his death is chargeable to the unspeakable outrage committed on him that fateful night.

Yet the burden is on the Commo wealth to show affirmatively that those injuries caused his death, or, at least, oncurrently with other causes, contribu ted to his death. It is the first step nec essary to a conviction. So your first inquiry will be whether David Berkey died from the effects of the wounds received at the hands of the two burglars. If this is found in the affirmative, then

what is the offense committed by the perpetrators of those acts of cruelty? The Commonwealth says it is murder and so charges it in the indictment. Murder is "where a person of sound mind and discretion unlawfully kills a

easonable creature in being, in the peace of the Commonwealth, with malice aforethought, either expressed or im

That was the definition of murder ommon law, as it is with us to-day. You will observe that malice is a nece sary element of the crime. But this means malice in its legal sense, as distinguished from the ordinary use of the

term. That is to say, it does not merely mean ill-will, a spite or grudge, or a revengeful spirit; but denotes wickedness of disposition, hardness of heart, cruelty, recklessness of consequence, and exists, as has been said, where one is possessed of a heart regardless of social duty and fatally bent on mischief, or where wrongful act is intentionally committed, without cause or excuse. To constitute murder, malice, as thus defined, must be present. It may, however, be inferred rom the act done, the manner of doing it, or other attending circumstances showing a perversely wicked heart. It is presumed where an unlawful killing i shown to have been committed, and no circumstances of mitigation or justification appear. When a person in flicts se rious bodily injury on another without cause, malice is implied from the unlawful act, and if it results in death it is

It is not necessary to complete the of fense that the person injured shall instantly or speedity die but if the injury continues to affect the body and health of the victim until death ensues, if within a year and a day, or four months, as in the present case, it is enough. This, we think, will give you a sufficient comprebension of the nature of the common law

crime of murder. If, therefore, you shall find that David Berkey's death was caused by the injuries suffered on the night of the burglary and robbery, and that the ingredient of malice, as we have just defined it, was present in the act, it was murder at com-

capitally punished; and our legislature, recognizing a difference in degree of guilt between marder committed deliberately. when the formed intention to kill exists, to take life appears, passed an act as ear ly as 1704 classifying it into two degrees. In 1860, when our criminal statutes were codified, the same distinction was kept up, and is found in Section 74, as follows: "All murder which shall be perpetrated by means of poison, or by lying in wait, or by any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration of, or attempt to perpetrate, any arson, rape, robbery, or burglary, shall be deemed murder of the first degree; and all other kinds of murder shall be

"When, therefore, a malicious homicide accompanies, or arises out of, the perpetration of or attempt to commit a burglary or robbery, the perpetrator of there are discrepancies in the testimony, acter as that of persons who were person the crime is chargeable, under the pro- it is your duty to reconcile them, if you ally acquainted with the accused. visions of this act, whether he did or did can, on such theory as will sustain the Answer-This amounts to saying that not intend to kill. If he maliciously in- integrity of all the witnesses who are in persons who best know an individual circumstances, which results in death, he will consider what opportunities the sev- course be questioned. The point is af-

deemed murder of the second degree."

of murder has been made out in this case

on must decide it from a fair and impar- making it out to the satisfaction of the sciences will always approve. If a fair, tial consideration of all the evidence jury. Practically all the testimony of impartial, and unbiased consideration of submitted. While you will necessarily the defense is directed to this issue. All the evidence satisfies your minds bebe impressed with the brutality and While it applies to the 27th and 28th of youd a reasonable doubt that these deenormity of the offense charged, such May, as well as the 2d of June, it is suffi- fendants committed the crime charged is the largest and best 25 cent show on the consideration must not bias your minds cient if it completely covers that portion against them in the indictment, your road, traveling in their own special cars. nocent and it is your duty to so regard | while the crime was being perpetrated, other is not, your verdict should be mod- R. R. Shows together with a fine acrobatthem, unless the Commonwealth has they could not be convicted for being in lifted accordingly. Paint township or at Berkey's on the previous days. In determining the alibi, therefore, such testimony on both sides as relates to the afternoon, evening, all the more your duty to weigh all the | and night of the 21 and morning of the 3d of June should be considered. The value of testimony depends in some instances on the ability of the witand without a thought as to whether ness to fix satisfactorily the date in quesyour verdict will strike popular sentinent favorably or unfavorably, or shall evoke favorable comment or otherwise; by associating there with other events

but with the sole object and purpose of | which were known or were fixed by arriving at the very truth of the issue. books or papers. But after all, such If the defendants are found guilty it must | proof, or association of one fact with another, depends on the memory of the witness as to whether the fact in issue showered rice upon them just as they did indeed happen on the same day as were entering a north-bound train, and Berkey home on the night of June 2. 1880? Are they the two men who tortured the admitted fact. The defendants having testified in their and robbed the deceased? If the evidence own behalf, the Commonwealth put on most popular teachers in the borough satisfies you beyond a reasonable doubt that they are the guilty parties it is your the stand a number of witnesses to imduty to say so by your verdiet, regard- | peach their character for verseity, and less of the consequences to them which | they said it was not good. It is proper may follow. During the course of the that we should say such proof does not

views as to the propriety of capital pan- defendants out of the case. You are still housekeeping in a handsomely furnished round trip. ishment. This is a matter which you to consider, in the light of that proof, residence at Kantner's station. need not and should not consider. You | whether they testified truthfully or falsehave nothing to do with the penalty ly in the case. It goes to their credibilsworn to determine the issue of fact alone. how much importance shall be attached We do not propose to review the testi- to their testimony, You have been repeatedly told that no mony in detail. It was arraed exhaus-

tively and with exceptional ability on conviction can be had if, on a consideraboth sides during the sessions of an eu- tion of all the evidence including that are day. It is therefore quite familiar relating to the alibi, there is a reasonable you and fresh in your recollections, doubt of the guilt of the defendants; and But in brief, the theory of the Common- such is the law. The presumption of inwealth is that the defoulants, with Rich - nocence must prevail unless the evidence removes every fair and reasonable doubt he vicinity of Berkey's residence the

It must not, of couse, be a mere cap week preceding and on the 25th, 27th and | tious doubt, but such as your judgment Sih of May, passed about the neighbor- throws into the solution of the question; a doubt which springs from the evidence submitted, or the lack of evidence; a that their visits of those days were but doubt which touches you conscience and oreliminary steps to the act of June 24. which your reason repects, which, after a number of witnesses appeared who fair and candid effort to resolve it and estified to seeing three persons in the clear it up by the other evidence submitricinity on the days mentioned in May, ted, continues to cloud your judgment. Counsel for defendants request u ook with more or less cortainty, to iden- instruct you further as follows:

ify the defendants as two of them, and First-That under all the evidence lackson as the other, some being more the case there could be no conviction of positive in the identification than others. the defendants, or the parties who ac-Besides these witnesses you have also the | tually committed the acts of ernelty on estimony of Mrs. Berkey, who was in David Berkey, of murder in the first or

the house when the bargiary and rob- second degree. bery took place, and who also undertakes | Answer - After what we have already said you will understand that this point

Then there is the dying declaration or must be refused, and it is refused. statement of David Berkey, which was a Second-The defendants are pressure read in your hearing, in which he ex- to be innocent of the crime with which presses the belief that the defendants they are charged, and this presumption re the guilty parties. Two witnesses stands as a shield of defense until it is were also called who claimed to have overthrown by evidence on the part of seen the defendants on the morning of the Commonwealth which establishes the the 3d of June along the B. & O. Railroad, guilt of the defendants beyond a reasonabout the Osborne cut, when, it is argued, | able doubt, they were returning to their home. You

Answer-Affirmed. Third-A reasonable doubt is that state of the case which after the entire comparfy the defendants, and will judge of the ison and consideration of all the evidence, leaves the minds of the jurors in for that purpose. We will only add that that condition that they can not say they feel an abiding conviction, to a moral

certainty, of the truth of the charge. Cummins Post G. A. R. Answer-This is the definition laid down by Chief-Justice Shaw, in the celebrated case of the Commonwealth vs. Webster: has been frequently approved, and the point is affirmed.

Fourth-In criminal cases like this, the knowledge of, or complicity in, the bur- burden of proof never shifts, but rests glary. They say they never knew the upon the Commonwealth throughout, deceased and were never at his home un- and if the evidence offered by the defense til taken there by the officers after their | tending to establish an alibi, in conjune arrest. Even if it should be believed tion with all the other evidence in the that they were there on the 27th and 28th case, leaves upon the minds of the jurors of May, it would not follow from that a reasonable doubt of the guilt of the defact that they were there also on the 2d of fendants, the jury should acquit. Answer-Affirmed.

June and participated in the crime for Fifth the atrocious nature of the which they stand indicted. But the evidence as to those two days was offered crime charged and the cruel torture inflicted upon David Berkey must not bias only as it bears on the nature of their errand and the probability of their return | the minds or warp the judgment of the on the 24 of June, and for the purpose of jurors to the prejudice of the defendants, dentification. In addition to the posi- but the fact that a crime of such high tive denial of the defendants, they set up grade and atrocity is charged upon the what is known in law as an alibi, which defendants requires the Commonwealth means, in plain terms, that when the of- to produce proof of a high and convinc fense was committed they were else- ing character, upon which the minds of where, and could not, therefore, have the jury can safely rest, before a conviction can be had. Answer-Affirmed That defense, when established to the

Sixth-Before the jury can render satisfaction of the jury, is as conclusive verdict of guilty against the defendants the jury must be satisfied beyond a reainterposed; for a man can not, in the sonable doubt that the whole of the evinature of things, be in two separate places at one and the same time. If on dence in the case excludes every reasonthe evening or night of June 21 the de- able hypothesis except that of guilt.

fendants were in Morrellville, as they Answer-Affirmed. say, it is manifest they could not have , Seventh-As the theory and evidence been at Berkey's and are necessarily inno- of the Commonwealth tends to establish cent of this charge. You heard their ex. the fact that if either of the defendants planations of how they spent the day of | participated in the burglary and torture the 2d, going from their home up to of David Berkey, then the two defend-Johnstown and returning in the after- ants, and Richard Jackson, who is joined noon about 4 o'clock, of the persons in the indictment with the defendants whom they met on the way and in Mor- were associated in the perpetration of the or it occurs in the attempt to commit a reliville during the evening and that offense, therefore if the jury find as a felony, and cases where no specific intent | night, and of their finally retiring and | fact from that evidence that an alibi has A number of witnesses sustain them in prisoners, such alibi inures to the benetheir testimony. George Carpenter and fit of the other defendants charged in the Harry Doughlas speak of seeing them | indictment with the commission of the about 4 o'clock near the P. R. R. crime.

bridge, going in the direction of Morrell- Answer-We affirm this point, and say ville. Mrs. Roddy, Mrs. Lightner, Mor- that it does inure to the benefit of the ris Roddy, Mr. and Mrs. Arnold, Mrs. other defendants; and, further, that it is Green, Mrs. Overdorff, Mr. and Mrs. not necessary to establish an alibi for all Dixon, A. J. Leonard, and others say the defendants, because an alibi made they saw them in Morrellville during the out for the two on trial is sufficient.

evening and night of that day, while | Eighth-Evidence as to identification Robert Hill says John worked in his given by the persons who only saw the mine the next day. If the statements of accused on one or two occasions, and who these witnesses are believed, they would had no previous acquaintance with them, seem to make out a complete alibi, and who did not see them for ten days Their credibility, like that of all wit- or more after meeting them on the road, nesses in the case, is for the jury. If is not of as positive and convincing char-

which they testified and on all the levi- formance of a higher or more solemn and defendants introduce a separate issue in- ly appreciate its gravity and will disdeliberate on the verdict, I bespeak for the real issue for your determination and to the case, and assume the burden of charge it in a manner which your con-

of the night of the 21 of June during vertict should be guilty of murder in the The finest troops of performing Ponies, which the crime was committed. For if first degree; if they did not, it should be Dogs, Goats and Monkeys of any show the defendants were in Morrellville simply not guilty. If one is guilty and the

Pretty Home Wedding.

A pretty home wedding was solemnized at 2 o'clock Thursday afternoon at the home of the bride's parents-Mr. and Mrs. Michael Kifer-on East Street. The high contracting parties were Mr. Charles Emert and Miss Grace B. Kifer, and the ceremony was performed by tion. Certain witnesses cought to fix dates | Elder William Mullendore of the Disciple church. A number of the most intimate friends of the bride and groom were present and following the wedding banquet accompanied the happy young couple to the railroad station, where they cast the traditional "good luck" old shoe after them. The bride was one of the public schools during the term recently

Mr. and Mrs. Emert returned home for return passage until June 26, inclu- or less arguments counsel have expressed their necessarily throw the testimony of the Monday afternoon and have gone to sive, at rate of one single fare for the

Recent Deaths.

John Manges, Sr., a highly respected home on May 28, 1897, aged 71 years, 11 can't be cured, months and 16 days.

He was born in Shade township, and where, when 13 years of age his parents moved If your doctor can't cure you, perhaps to the farm on which he lived until the he has mistaken the cause. Anybody is time of his death. He was married to liable to make a mistake sometimes. Miss Sophia Seese in 1865, and to this | One in three of us suffer from indiges union there were born 13 children, two of tion, and one out of three dyspepties whom are dead. The living are: Mary, wife of John W. Zimmerman, of near he is sick, but he blames it to something Stoyestown; Sadie, wife of Hulbert Mes. else. senger, of Salem, O.; Jacob L., of near Scalp Level; Lizzie, wife of J. C. Wal- dangerous diseases. lace, of near Reitz: John G. and Abram F., who live at home; Kate, wife of tonic medicinal roots and herbs, is the Frank B. Good, of Johnstown; Rebecca, most natural cure for indigestion. It rewife of Jacob Wonders, of Johnstown; | lieves the symptoms and cures the dis-Henry W. and Charles A., who also re-

side in Johnstown. Deceased was one of the most highly dyspeptics, esteemed citizens of Shade township and his death is sincerely regretted by all of cents. his neighbors and friends,

Germany and served 9 years in the army to teach. of his native country. When 31 years ofage he came to America and soon afterwards located in Somerset, where he married Mrs. Hester Auman. One child, a promising son was born to them but he died when I6 years of age. Schweis enlisted in the Federal army at the outbreak of the war and was a member of the 19th Infantry, R. A. At the battle of Chicamauga he was wounded in the left arm and afterwards captured by the Confederates. His arm was amoutated several inches below the shoulder by a rebel surgeon. Afterwards he was exchanged and returned to Somerset. The funeral took place at 6:30 o'clock Saturday evening and was conducted under the auspices of R. P.

SAD CASE OF SUICIDE.

Robert S. Kuhn Shoots Himself at Ligonier Was to Have Been Married Yesterday to a Hooversville Young Lady.

LIGONIER, Pa., June 7,-On the eve of his wedding day, Robert S. Kuhn, form erly a prominent attorney of Pittsburg. Subject to the decision of the Republican Pr mary Election, to be held Saturday, June 28, 1897. and a man possessing considerable wealth committed suicide in his room, at Frank's hotel. Shortly before 8 o'clock this evening he called a porter to bring him some water. When the man returned he found the door locked, and could get no response to his repeated knocks. He reported the circumstances as the office, and it was decided to investigate. Entrance to the room was secured through a window and Kuhn was found lying on the floor dead, a built from a revolver still clutched in his hand, having entered his brain, just above the right eye.

Kuhn has been living in this vicinity about 10 years, making his home with Samuel Leasure, of Hooversville, Somerset county. He was to have married Leas ure's daughter, Minnie, to-morrow, and came here to-day to draw \$150 from the bank. He secured the money and stopped at the hotel for supper. While there he appeared to be in a pleasant frame of mind, and talked cheerfully to his acquaintances. He was about 40 years of age, and it is said was worth from \$75,000 10 \$100,000.

A letter was found in his pocket from the young woman he was to marry, dated last Saturday. In it he is advised not to worry, but the contents do not indicate what might have been worrying him. His will was also in his pocket, and it bequeaths \$5,000 to Minnie Leasure and the balance of his estate to his brother, Rev. at Altoona.

Oil Paintings Free. Messrs. Shepherd & Kuykendall will

on Saturday introduce a novelty at their popular store that promises to attract widespread attention. The novelty is nothing more or less than a ten days' engagement of a prominent artist who will paint pictures on canvas in their show window. The pictures will be done in oil and one picture will be presented to every customer who makes a purchase to the amount of \$1.00. Shepherd & Kuykendall have, also, arranged to furnish frames for the pictures at wholesale rates, which will make the cost only a trifle. The artist will be here from June 12th to June 22d. See display ad. elsewhere.

Reduced Rates to Pittsburg.

Account of the meeting of the Junior Order American Mechanics at Pittsburg, the B. & O. will sell excursion tickets from all points on its lines east of the responsible duty than the decision of Ohio River at one single fare for the round In setting up the defense of an alibi the | this issue, and we have no doubt you ful- | trip for all trains of June 13, 14, 17 and 18, valid for return passage until June 20, inThe Circus Next Monday.

John H. Sparks' big one ring 25 cent circus will exhibit in Somerset, Monday afternoon and evening, June 14th, This on earth are to be seen with Spark's New ic performance and a grand free balloon ascension will be given from the show ground at 2 p. m. Don't miss it.

Try Grain-0! Try Grain-0!

Ask your Grocer to-day to show you s package of GRAIN-O, the new food drink that takes the place of coffee. The children may drink it without injury as well GRAIN-O has that rich seal brown of Berg Lefever Co. land, Jacob Hochstetler's grains, and the most delicate stomach receives it without distress. I the price of certain tract of land situate in Southamptor coffee. 15c and 25 cts per package. Sold

Sanngerbund Festival.

Philadelphia. The R. & O. will sell tickets from all

closed, while the groom is a well-known points on its lines east of Ohio river, for employe in Kantner's Woollen Factory, all trains June 19 to 23, inclusive, valid For further information, call on near-

est B. & O. Agent.

citizen of Shade township, died at his nothing seems to give you relief that you There must be a cure for you some

doesn't know it. That is, he may know

Indigestion is the cause of half of our

Shaker Digestive Cordial, made from ease gently, naturally, efficiently, giving fresh life, strength and health to sick At druggists. A trial bottle for

At a teachers' examination in Decatur Augustus Schweis, a well-known one Indiana, last Saturday, before the county

armed veteran of this place, "crossed to superintendent, Rovillo Shearer the 12 the other side" at an early hour Friday year-old son of William Shearer, success morning, aged 71 years. He was born in fully passed, and was awarded a license **ANNOUNCEMENTS** FOR THE

Republican Primary

To the Editor of the Somerset Herald : You will please announce the follow named gentlemen as candidates for the vari-ous offices designated, at the Republican Pri-mary Election, to be held on

SATURDAY, JUNE 26, 1897. H. M. BERKLEY,

For Poor Director, MANASSES SHOEMAKER,

Of Somerset Township, bject to the decision of the Republican Pri-

For Jury Commissioner, EPHRAIM COLEMAN, Of Somerset Township.

For Delegate to State Convention. E. D. MILLER, Of Rockwood Borough.

Subject to the decision of the Republican Pri mary Election, to be held Saturday, June 25, 1887. For Delegate to State Convention, J. W. MOSTOLLER,

Of Quemahaning Township. rbject to the decision of the Republican Pr mary Election, to be held Saturday, June 26, 1897. For Delegate to State Concention,

JAMES M. COVER. Of Somerset Borough.

thjeet to the decision of the Republican Pri-mary Election, to be held Saturday, June 26, 1867.

Notice is hereby given that the undersign has made application to the Secretary of Internal Affairs for a warrant for a tract of unimproved land situate in Summit township, Somerset county, Pennsylvania, adjoining lands of Lewis Menninger and Jacob Brenizer on the east, and — Shuech Christmer on the worth Lorech Christmer on the worth.

In reestate of Alexander C. Moore, dee'd. The undersigned auditor, appointed by the proper authority to distribute the funds in the hands of the administrators, to and among those legally entitled thereto, hereby gives notice that he will sit in his office in Somerset, Pa., for the purpose of attending to the duties of said appointment, on Tuesday July 6, 1897, when and where all parties interested may attend.

L'XECUTORS' NOTICE.

township, Somerset county, Pa., dec'd.

Letters testamentary on the above estate having been issued by the proper authority to the undersigned as executors of the above eshaving been issued by the proper authority to the undersigned as executors of the above es-tate, notice is hereby given to all parties in-debted to said estate to make immediate pay-ment, and all parties having claims against said estate wiii present them duly authenti-cated for settlement at the late residence of said deceased on Saturday, 19th June, 1897. HENRY WEIMER, JOHN M. WEIMER,

OHIO SAWED STONE. I have decided to bundle the Ohio Sawer Paving Stone this season. All persons wishing a nice, good pavement should let their or-

ders now. Orders can be left at W. F. Shaf-

JEREMIAH RHOADS.

DISPLAY

Orphans' Court Sa'e

-0F-

Valuable Real Estate

SATURDAY, JUNE 19, 1897.

No. 1. A certain lot of ground situate in Wellersburg borough, Somerset county, State fourth (1%) acres more or less,

No. 3. The undivided one-half interest in a certain iract of land, situate as aforesaid, adjusting lands of Jacob Suyder, Valentine Hukle, Alex Plank and others, containing three and one-half (3%) acres more or less. No. 4. The undivided one-half interest in a certain tract of land situate as aforesaid, a d-joining lands of John A. Snyder's heirs, A. Wilmoth's heirs, Somers t Coal & Iron Co.,

ate as aforesaid, adjoining lands of the Som-eriet Coal & Iron Co., and others, containing four landeed and fifty (40) acres more or k-No. 6. The mineral right in a certain tract. taining one hundred and twenty-five (125) seres more or less, known as the Valen-Hinkle truct.

the mineral right in a certain tract of land situate as aforesaid, adjoining lands of Eli Shaffer, Christian Engle, James Thomas and others, containing one hundred and fifty (the acres more or less, known as the Close tract. No 8. The undivided one-fourth interest in the mineral right of a certain tract of hand situate as aforesaid, adjoining lands of Jacob Vitt, George J. Eckhart, Anthony Getz and

No. 9. The undivided one-tenth interest situate as aforesaid, adjoining lands of Jerry Wingert, LeFever Coal Lands and others All of these lands are underlaid with valu-

All of these lands are underlind with valuable minerals, coal, iron ore, fire clay, aluminum and other uninerals, known to abound in paying quantities. They are easy of access to the market, only about three miles from the Cumberland and Penn'a Railroad, with an old road parity built, about 7 miles from the R. O. Bailroad, and only 3 miles from the Mount Savage Fire Brick Works, of the Union Mining Co.

A DMINISTRATRIX'S NOTICE. borough, Somerset county, Pa., dec'd. Letters of administration on the above estate having been granted to the understan

MARY E. KAYLOR, Fred. W. Biesecker, Attorney.

Letters of administration on the above estate

Estate of Archibald Bird, doc'd. Letters of administration having been grant

A DMINISTRATRIX'S NOTICE. Letters of administration on the above on Letters of administration on the above es-tate having been granted to the undersigned by the proper authority, hotice is hereby giv-en to all persons indebted to said estate to make immediate payment, and those having chims against the same to present them duly authenticated for settlement, on Friday, July 2, 186, at the residence of the deceased in said township.

BELINDA KORNS, Attorney.

A UDITOR'S NOTICE. Estate of John Sweitzer, dec'd. The undersigned auditor duty appointed by The undersigned auditor duty appointed by the proper authority to distribute the funds in the hands of D. W. Will, executor and trustee of John Sweltzer, dee'd, to and among those legally entitled thereto, hereby gives notice that he will sit in his office, in the borough of Somerset, Pa., for the purpose of attending to the duties of said appointment, on Thursday, July X, 1897, at 10 o'clock a. hi., when and where all parties interested may

RUFUS E. MEYERS,

In re estate of Peter D. Miller, late of Gree The undersigned, duly appointed by the Orphaus' Court of Somerset county, Fa., auditor, to distribute the finds in the hands of the executor to and among those legally entitled thereto, hereby gives notice that he will attend to the duties of his appointment on Wednesday, July 14, 1887, at one o'clock p. m., at his office in Somerset borough, when and where all parties interested may attend.

In re-estate of Samuel R. Critchetold doesd. In re estate of Samuel R. Critchfleid, dee'd.

The undersigned auditor appointed by the
proper authority to distribute the funds
in the hands of the administratrix to
and among those legally entitled thereto, hereby gives notice that he will sit in
his office in the borough of Somerset
for the purpose of attending to the duties
of his appointment, on Wednesday, July 7, '97,
when and where all parties interested may
attend.

C. W. WALKER

Estate of Henry Landis, dec'd. Estate of Heary Landis, dee'd.

The undersigned duly appointed auditor to make a distribution of the fund in the hands of Daniel J. Brubaker, surviving executor of Henry Landis, dee'd, to and among those legally entitled thereto, hereby gives notice that he will attend to the duties of his appointment at his office, on Thursday, June 2s, 1887, when and where all parties interested may attend.

mer was indifferent to his fate, and took to interest in the efforts that saved his

A pension has been granted to Emanuel Atcheson, of Berlin. Rev. John M. Barnett, D. D., of Markcton, was in town between trains yester-Mr. John K. White, of Hyndman, was Sunday visitor at the home of Sheriti M. H. Hartzell,

I aughlin-town, at the foot of the Lanrel Hill mountain, celebrated its center nial anniversary on Monday. Miss Fannie, daughter of V. M. Black of Confluence, is visiting at the home Mr. A. J. Hileman, in this place,

> themselves of the cheap rates to visit California during the summer months. Mr. and Mrs. W. B. Parker are visitng at the home of the latter's father-Capt. Wm. H. Jordan-in Mt. Pleasant.

A number of Somerset people will avail

Lt. Chester M. Knepper, U. S. N., Ensign Orlo Knepper, U. S. N., and their sister-Miss Flossie Knepper-are visiting at the home of their parents. Mr. John Johns, who for the past thir-

ty years has been a resident of LaGrange, Ind., is visiting at the home of his brother Joseph in Conemaugh township Mr. Herman P. Pritts and Miss Elmira Smith, of Brothersvalley township, will be united in marriage at the home of the bride's parents at 8 o'clock to-mor-

Rev. Hiram King will conduct religous services in the Lavansville Reformed church, at 10 o'clock next Sabbath morning, and in the Somerset Reformed church at 7:30 p. m. Mr. William Peters and Miss Edna

Blough, of Listie, were united in marriage one day last week at the home of the officiating Justice of the Peace, Noah Casebeer, of Somerset borough. At the State Encampment G. A. R. held at Johnstown last week, Capt. C. J.

Harrison, of R. P. Cummins Post, No. 210, was elected a delegate to the National Encampment, which meets in Buffalo. The Fifth Annual Sunday School Convention of Somerset Classis of the Reformed church will be held at Lavansville, on June 15th and 16th. An inter-

J. S. Hartzell's ginseng warehouse, at Addison, was destroyed by fire at a late hour Friday night; loss \$1800. This makes the third incendiary fire that has occurred in that village during the past Childrens' Day services will be conlucted in the Evangelical church, at

Yoder, Rev. Yoder will preach at Pearltown at 3 p, m, the same afternoon, The work of double tracking the B. &), from a point half-mile west of Meyersdale east to Sand Patch is being pushed rapidly forward. At some places the

ter of the late Judge Jeremiah S. Black,

eft Monday morning, for York, Pa., af

making the work very expensive.

Husband, at 10 a.m., next Sabbath morn-

ter spending a week at the home of he ousin-Mrs. F. J. Kooser. Mrs. Hornswas born in Supersat and has many riends here. She resides in Washington. Mr. A. B. Falknor has purchased from Rerlin, the consideration, we learn, being \$2,500. Mr. Falknor has successfully onducted this popular hotel during the past two years, and now that he has be-

er of needed repairs.

Milford township, assisted in raising a barn 40x90 feet on his farm last Thursday. The frame work prepared under the direction of Jacob Gerhart was perfect in every detail and slipped into place linner was served to all present. Somerset is to have a base ball club his season, although the boys ar a little late in getting the organization perfected. Sam Walker will manage the team,

'Maroons." A schedule of games with Berlin, Meyersdale and Rockwood will be arranged at an early day. "Ben" Edda, the toughest 14 year-old boy in Jenner township, was committed to jail vesterday to await trial on charges of larceny, malicious mischief and carryng concealed weapons. The youth in stantly adapted himself to his new surroundings and requested on of the jail

officials to buy him a supply of "tobies" and some chewing tobacco. The 21st Annual Convention of the Somerset County Lutheran Sunday School Association met at Rockwood, June 7-9. Ten clergymen and over 100 delegates were in attendance, 4,000 scholars, teachers and officers compose the Association, which is the first organization of the kind in the United States. having been organized 21 years ago.

rom Johnstown announced that Mrs. Roddy, the mother of the two young men under conviction of murder in the first legree, had fallen over dead when she learned the verdict. The sad intelligence was at once conveyed to the prisoners when both were evercome with emorslarg, Pa., in twenty-two hours in | tion. The same evening news was received that Mrs. Roddy had simply swooned from shock and that she will At a meeting of the Somerset School

school building, and the annex now un-

der construction. The contract calls for

semi-direct hot water heat (which in-

cludes ventilation.) Mr. Schell will re-

ceive \$2,500 for the work. Mr. Frank

Friedline, the well-known builder, was appointed by the School Board to superintend the construction of the new build-Christ Long, Jr., son of Christian Long, well known in Somerset county, who died a few years ago the richest man in gia. Hommer, it was alleged, shot the Cumberland valley, and left an immense estate, attempted to kill his guarer him with a smoking revolver, and last Wednesday. Long went to Barner's office and demanded that his monthly on appeal to the Supreme Court. Appeals After Hommer had been sentenced to allowance be advanced. As Long has were made to the prisoner to confess i

> in the day. Henry Rish, postmaster at Davidsville. has been deposed from his office and has given bail for a hearing at Altoona on a charge of rifling United States mail. Rish is a prominent citizen of Davidsville, having held, in addition to his office as postmaster, the tax collectorship, He also was proprietor of a store. Some time ago complaint began to be noised about concerning the disappearance of letters supposed to have been received at the Davidsville postoffice. Finally In- es of this case, during which time you spector D. C. Owens of Pittsburg obtained enough information to warrant the comfort under the restrictions which the arrest of Rish for opening a letter contive Frank Campbell, of Connellsville, Inspector Owens went to Davidsville

Twice Condemned

SHADOW OF THE GALLOWS.

the jury was ready to report.

either acquit or disagree.

Commonwealth of Pennsylvania and James Roddy and John Roddy guilty of promptly replied "Yes, sir." Immediately following the verdict was taken and

ranscribed on or before the 21st inst., when argument will be heard as to why new trial should be granted. There was no demonstration on the part f the audience when the verdiet was taken, the large crowd quietly retiring from the court room. The prisoners were Only three ballots were taken, the first and second standing 11 to 1 for conviction.

From the time a new trial was granted

Counsel for the Roddy boys have about

Berkey's." Judge's Charge to the Jury.

Gentlemen of the Jury.

law imposes in such trials, and the protaining money. Accompanied by Detectracted sessions of court occupied by this investigation have doubtless grown fliets serious bodily injury under such conflict. If that can not be done, you can best identify him, which can not, of wearisome to you. I congratulate you, The R. & O. R. R. has just issued a last Tuesday and arrested Rish. At the therefore, on the approaching end of the may be convicted of murder in the first eral witnesses had of knowing, fixing, fixing, case and your speedy return to your degree. So, it follows that if the offense or remembering the date and the facts to You have never been called to the perhomes and several business occupations. The case which you have heard with it is murder of the first degree.

Every few days brings new attractive FABRICS to our store in Organdies, Dimities, Dress Goods, Underwear and Hosiery. -----

Mineral Lands.

At I o'clock P. M.,

township, county and State aforesaid, adjoining lands of the Somersel Iron & Conl Co; LeFever Co. lands, Alex Plank and others, containing seven (7) acres more or less.

No. 7. The undivided one-half interest in

others, confaining eighteen its acres more or les. known as the Dennis Witt tract,

TERMS : -- Cash on day of sale.

the having been granted to the undersigned by the proper authority, notice is hereby giv-en to all persons indebted to said estate to make immediate payment, and those having cialms against the same to present them duly authenticated for settlement, on Thursday, July 1, 1897, at the late residence of the decid in said borough.

MARY F. KAYLOR.

A DMINISTRATOR'S NOTICE.

all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, at the office of Coffrod & Ruppel, in Somerset borough, on Friday, June 18, 1867.

NANNIE B. BENNER,

W. MEGAHAN.

Administrators.

ADMINISTRATOR'S NOTICE.

F. W. Biesecker,

AUDITOR'S NOTICE.

AUDITOR'S NOTICE.

C. W. WALKER A UDITOR'S NOTICE.

te-mark of "tierland" Stoves and Alot of ground in New York at the

Mrs. Charles N. Miller, of Stoyestown;

meking his skull,

"Topsy's" footsteps and "jist grow." ing peppermint oil on the temples. For ginning of a runaround, pricking it adpainting it with todine. For an in-

17. He is in his eightieth year and parputed in yesterday morning's parade old soldiers. The Captain organized unpany D, One Hundred and Twentymonth of August 1802. He had his theid paralyzed December 13, 1802 at redericksburg, after which he was member of Emory Fisher Post 30, G. . Il. The many friends of the Captain wastry to learn that the health of ished for. - John stown Tribune. enday papers says: Governor Lowndes

She produced affidavits from lawyers amonty who knew Hommer well, and stating, among other things, that even when a boy at school, Hommer was call-

very handsome little pamphlet describ- same time he deposed him from office leg beer Park, illustrated with a number and located the post office in another ery fine engravings. Copy can be had building across the street from the old by sending two cent stamp to D. C. Jones,