

BOROUGH OFFICERS.

Burgess—D. S. Knox. Councilmen—North ward, L. J. Hopkins, H. M. Foreman, S. D. Irwin, South ward, J. C. Newcomen, Wm. Smearbaugh, J. F. Profer, Justice of the Peace—S. T. Brennan, D. S. Knox. Constable and Collector—S. S. Canfield. School Directors—G. W. Robinson, A. B. Kelly, J. H. Dingman, D. S. Knox, D. W. Clark, J. T. Brennan.

FOREST COUNTY OFFICERS.

Member of Congress—JAMES T. MAFFETT. Member of Senate—J. H. WILSON. Assembly—CHARLES A. RANDALL. President Judge—W. D. BROWN. Associate Judge—LEWIS ANNEN. JNO. A. PROFER. Treasurer—SOLOMON FITZGERALD. Prothonotary, Register & Recorder, &c.—GALVIN M. ABERNETHY. Sheriff—GEO. W. SAWYER. Constables—WM. D. SIELDS, C. F. LEDERER, J. J. PARSONS. County Superintendent—GEO. W. KERR. County Auditor—P. M. CLARK. Jury Commissioners—C. H. CHURCH, AMOS L. COOPER. County Surveyor—H. C. WHITTEKIN. Coroner—DR. J. W. MORROW. County Attorneys—E. L. JONES, R. Z. GILLESPIE, WM. BLUM.

BUSINESS DIRECTORY.

TIONESTA LODGE No. 369. I. O. O. F. MEETS every Tuesday evening at 8 o'clock in the Lodge Room in Paradise Hall. F. R. LANSON, N. G. W. SAWYER, Sec'y. FOREST LODGE, No. 184, A. O. U. W. Meets every Friday Evening in Hall, Tionesta. GEO. W. DUNKLE, M. W. E. WENK, Recorder.

CAPT. GEORGE STOW POST, G. No. 274, A. R. Meets on the first Wednesday in each month, in Odd Fellows Hall, Tionesta, Pa. S. D. IRWIN, Commander.

AGNEW & CLARK, ATTORNEYS-AT-LAW, One next door to P. O., Tionesta, Pa. F. M. CLARK, District Attorney.

L. DAVIS, ATTORNEY-AT-LAW, Tionesta, Pa. Collections made in this and adjoining counties.

F. RITCHIEY, ATTORNEY-AT-LAW, Tionesta, Forest County Pa.

LAWRENCE HOUSE, Tionesta, Pa. S. D. W. Agnew, Proprietors. This is centrally located. Everything well furnished. Superior Accommodations and strict attention given to guests. Vegetables and Fruits of all kinds served in their season. Sample for Commercial Agents.

GENERAL HOUSE, Tionesta, Pa. Wm. Brownell, Proprietor. This is a new house, and has just been fitted up for the accommodation of the public. A portion of the patronage of the public is solicited. 46-ly.

GENERAL HOUSE, OIL CITY, PA. W. H. BOTH, Proprietor. Largest, Best Located and Furnished in the City. Near Union Depot.

DR. J. W. MORROW, M. D., Physician, Surgeon & Druggist, TIONESTA, PA.

W. MORROW, M. D., PHYSICIAN & SURGEON, Tionesta, Pa. Armory county, having located in Tionesta is prepared to attend all professional calls promptly and at all hours. Residence two doors north of residence house. Office hours 7 to 8 A. M. and 11 to 12 M.; 2 to 3 and 4 to 7 P. M. Sundays, 9 to 10 A. M.; 2 to 3 and 4 to 5 P. M. may-18-81.

DENTISTRY. DR. J. W. MORROW, Having purchased the materials, &c., of Readman, would respectfully announce that he will carry on the Dental business in Tionesta, and having had over 20 years successful experience, considers himself fully competent to give entire satisfaction. I shall always give my medical practice the preference. mar22-82.

PAY, PARK & CO., BANKERS, Corner of Elm & Walnut Sts., Tionesta, Pa. Bank of Discount and Deposit. Interest allowed on Time Deposits. Collections made on all the Principal points of the U. S. Collections solicited.

GIORNO FULTON, Manufacturer of and Dealer in HARNESSES, COLLARS, BRIDLES, And all kinds of HORSE FURNISHING GOODS. TIONESTA, PA.

H. C. WHITTEKIN, Civil Engineer and Surveyor. TIONESTA, PA. Land and Railway Surveying a Specialty. Magnetic, Solar or Triangulation Surveying. Best of Instruments and work. Terms on application.

F. W. LAW, Practical Tinner. All kinds of Sheet Metal Work promptly attended to. TIN ROOFING & SPOUTING. BONNER BUILDING, Up Stairs, TIONESTA, PA.

WATCH CLOCK & JEWELRY REPAIRING. THE UNDERSIGNED would respectfully announce to the citizens of Tionesta and vicinity, that he has removed his watchmaking establishment from Tyndersburg to Tionesta, in the room over Wm. Smearbaugh & Co's store, formerly occupied by Dr. Morrow as an office, where he is prepared to repair watches, clocks and jewelry. 27 years experience will enable him to give satisfaction. Give him a trial. R. BALLEE.

WANTED. RELIABLE AGENTS to sell our New High Arm Automatic Sewing Machine. The No. 9 Liberal Inducements. Address WHEELER & WILSON MFG. CO., Philadelphia, Pa. Established 1848.

JAS. T. BRENNAN, REAL ESTATE, RENTING AND COLLECTING AGENCY, TIONESTA, PA.

PARTICULAR ATTENTION GIVEN TO THE PROPER ASSESSMENT OF LANDS AND THE PAYMENT OF TAXES. ALSO TO THE PURCHASE AND SALE OF REAL ESTATE, AND TO THE RENTING AND MANAGEMENT OF THE SAME.

Condensed Time Table Tionesta Station.

NORTH. SOUTH. Train 28... 7:57 am Train 63... 9:14 am Train 62... 2:25 pm Train 29... 12:32 pm Train 30... 3:52 pm Train 31... 8:16 pm Train 28 North, and Train 29 South carry the mail.

Church and Sabbath School.

Presbyterian Sabbath School at 9:45 a. m.; M. E. Sabbath School at 10:30 a. m. Preaching in M. E. Church every Sabbath evening by Rev. Rumberger. Services in Lutheran Mt. Zion's Church, German Hill, every Sunday at 10:30 a. m. English and German alternating. S. S. every Sunday at 9:30 a. m. R. J. Graetz, Pastor. Preaching in the F. M. Church every Sabbath evening at the usual hour. Rev. A. D. Gaines, Pastor. United Presbyterian services will be held in the Presbyterian church next Sabbath, morning and evening. All are cordially invited to attend. Rev. J. R. May, will officiate.

LOCAL AND MISCELLANEOUS.

Oil market closed yesterday 86 1/2. Opening this morning at 86 1/2. —Thanksgiving one week from tomorrow, 29th inst. —Mr. George Wagner of Brookston, paid Tionesta a business visit Monday of this week. —A daughter was born to Mr. and Mrs. S. W. Brace, of Braceville, on Monday morning last. —Master Harry Saul, of Tryonville, is paying his former young Tionesta associates a visit. —A new gas torch is being erected at the corner of Elm and Hillsdale Sts., in or to fill a long felt want. —Remember that August Morck, the Optician, of Warren, will be at the Central House, Tionesta, to-day and to-morrow. —A famous Washington gambler, it is said, will soon go to preaching. He would have begun it ten years ago, but he has only just now found a cure for his cough. It is Dr. Bull's Cough Syrup. —Squire Beebe, of Brookston, this county, has purchased a store at Garfield, and is moving to that place. Sorry to lose the Squire as a citizen of our county, but wish him success in his new field. —Treasurer Fitzgerald is in Erie, receiving medical treatment at St. Vincent's Hospital. Late reports from him say he is gaining nicely, and will likely be able to return home within a week or ten days.

—Prof. August Morck, the Optician and Specialist, of Warren, will be at the Central House, Tionesta, on Wednesday and Thursday Nov. 21 and 22. Those afflicted with eye troubles should see the Professor. Examinations free of charge. It. —Miss Mary Lamb, teacher of Jamieson School, makes the following report for month ending Nov. 16, '88: Carl Carlson, John Jamieson, Charlie Jamieson, Frankie Brown, Henry Walters, Hannah Johnson and Emma Salegiver have not been absent a day during the month. No. enrolled 10. Per cent. of attendance 75. Visitors, Co. Supt. G. W. Kerr.

—Mr. W. R. Dunn announces in the last issue of his paper, the Fredonia, Kansas, Chronicle, its demise, giving as a reason that it is not a paying investment. He does not intimate what his future intentions are, but we judge he will remain in his present locality, and embark in some paying business. At all events, we join his many friends here in wishing him a good bundle of prosperity in whatever he may undertake.

—When the Soldiers' Orphans' Schools close on June 1st, 1890 (if they close then) there will be 1,549 children left to shift for themselves in the manner of securing an education. A law should be framed to keep the schools open and consolidate them as the number of scholars decreases until every child now on the rolls be properly graduated. By the gradual closing of schools and consolidation this can be done in a few years at a small cost to the State.

—The overstocked market in the lower river coal industry has brought the price of coal down to five cents per bushel, in consequence of which the coal operators along the Monongahela River are compelled to shut down their mines for an indefinite period. This state of affairs has caused a serious loss to the boat builders along the Allegheny River and its tributaries, and the price of boats has gone down very materially; in fact, it might be truthfully said there is no market for them whatever.

—Reliance Flour stands at the head now. Try a sack, at H. J. Hopkins & Co.

—Work on the Titusville gas line is progressing favorably and it is hoped to complete it by the first of next month. Large gangs of men are at work on it, but the weather has been unfavorable and some of the country through which it passes is very rough and rocky, blasting being necessary in many places. The trench in which the pipe is buried, is three feet deep. The line has not yet been laid across the river and the water is so high that considerable trouble will be experienced in putting it down. Had the pipe been laid during the summer, while the water was so low, it could have been buried in the bed of the river, but as it is now the line must cross on the top of the ground at the bottom. The crossing point is between President and Baum station. The workmen have camps at Pitohole and Louts City, north of the river, and Camp Misery, south of the river, was opened to-day. —Oil City Blizzard.

—Editor Wilson, of the Smethport Democrat, who was appointed postmaster at Smethport less than six months ago, defines his position in his last issue in these words: "Elsewhere in our local columns we tell Brother Rogers that he can have the post office. We mean by this that he can have it after we are through with it; or, in other words, after the public officials high in authority are through with our services. We are not like Mr. M. A. Sprague said he was after the election of Cleveland, exceedingly anxious to get rid of the office. We got the office because we wanted it, and having qualified ourself and other members of the family for discharging the duties pertaining thereto, we never intend to resign, but will hang on until notified to quit and give possession to another person."

—"A happy combination" one might style "Peterson's Magazine" for December. Pictures, stories, fashions, work-table designs, medical and household recipes, are all found among its contents, and each of the various departments is a model of excellence. It is no wonder that "Peterson" keeps its place at the head of family magazines. Each new volume contains some fresh and attractive feature. Increasing popularity only spurs it on to increased effort. Its hold on public favor grows stronger year by year. Terms, two dollars a year. Address Peterson's Magazine, 306 Chestnut Street, Philadelphia, Pa.

—The following is the experience of a Baltimore butcher:—I have suffered with bad headaches for years and have tried many remedies without obtaining relief. I was advised to give Salvation Oil a trial and it has entirely cured me. Ed. Baltz, La Fayette Market, Baltimore, Md.

OUR NEW OIL FIELD. As we intimated in our last issue, the Tionesta Oil Co.'s well on Dawson Run is a good one; a much better one, in fact, than the most sanguine had hoped for. The pump was started on Thursday and has since thrown out an 80 barrel stream, or at that rate. Not having sufficient tankage on hand, and having as yet no pipe line connections, it has been necessary to keep the production down to as little as possible, until proper connections can be made, arrangements for which are now about completed. The well has been visited by a great many, and all pronounce it a real daisy. It has not had a drop of glycerine in it as yet, and the steady manner in which it holds up is the wonder of all. The well is a trifle over 400 feet deep, and the drill has penetrated the sand 19 feet. It is pronounced by judges to be a very handsome sand, and was as good when the drill stopped as when first tapped. The oil is dark, in which particular it seems to resemble the Fagundes oil.

This strike has created no small amount of excitement in that locality, and one operator thinks there will be no less than fifty holes put down before six months have passed around. When this well was struck a little breeze was kicked up about the ownership of a lease on sub-division No. 3 of the McCalmont tract, Mr. J. B. Agnew having possession of the same. Mr. Fred Morck of Warren, claimed the lease, and at one time it looked as if there might be war. The matter has been amicably compromised, however, and Messrs. Agnew & Morck will operate the lease under the name of the Compromise Oil Co. A rig is now building on the same, and drilling will soon begin. It is located about 50 rods west of the new well.

J. B. Agnew, Q. Jamieson and J. F. Proper own about 600 acres in fee in the vicinity of the Dawson Run well, and in connection with A. B. Kelly have under lease about 800 acres more in one block, extending from about 200 rods west of the new strike to the west line of the Sowers tract, below Jamieson Run, and over a mile wide, which, with a Titusville company, headed by Geo. Gilmore, is being operated as one tract. Three wells have been drilled on this block, two of which contained some oil, the

last being finished, on McClafferty Run, the east branch of Jamieson Run, on Monday of this week. It is located about one mile south of the Dawson Run strike, but is not considered a paying well, and the rig will be moved to a new location this week. This company has at least a half dozen locations picked out and will give their tract a thorough test.

Mr. S. J. Wolcott has located a well on the C. O. Baird tract, to the north of the Tionesta company's well a short distance, and will commence operations soon as a rig can be gotten ready. He is in a good place, and ought surely get a good well.

Strobleton.

Robert Mealy of Red Brush was hauling staves from the McMichael tract last week.

Miss Rachel Stutzinger, of this section, who for a prolonged time was rusticated near Lickingville, has returned home again.

One more good citizen in Forest county. Mr. McMichael of Clarion, has taken up his abode on his new tract of land.

Mr. Blocher of Newmansville, gave this vicinity a flying visit not long since.

Joseph Allio of Newmansville, succeeded Wm. Hepler in cutting fire-wood last week.

Serenadings have been quite numerous in this section for the past week.

Mr. Charles Steiner of Lickingville, is sick with typhoid fever. We wish him a speedy convalescence.

Mr. Brownell of Tionesta, gave this locality a call last week.

Mr. A. Shriver of this place completed his threshing last Tuesday.

Mr. Geo. Sliper of this locality has erected a valuable fish pond.

Preaching by Rev. J. R. Miller at Washington M. E. church next Sabbath Nov. 25th. Nov. 19. ZICZAG.

Jury List, December Term, 1888.

GRAND JURORS. Albaugh, Elias, farmer, Hickory. Bergerstock, Robert, farmer, Jenks. Brecht, John, farmer, Hickory. Blum, Herman, farmer, Green. Blum, W. F., blacksmith, Borough. Cameron, Thomas, Jr., laborer, Jenks. Carwood, Chas. J., carpenter, Harmony. Dewdney, E. L., laborer, Green. Emert, Adam, farmer, Tionesta. Fricke, John, laborer, Jenks. Foreman, N. S., lumberman, Borough. Handy, A. J., farmer, Harmony. Huings, Albert, farmer, Barnett. King, George, farmer, Barnett. Kling, W. H., farmer, Hickory. Mandeville, Perry, laborer, Green. Miller, E. D., farmer, Kingsley. Prather, John, laborer, Hickory. Rose, Jas. T., farmer, Jenks. Stutzinger, Jacob, farmer, Tionesta. Towler, S. S., physician, Jenks. Whitten, R. L., laborer, Hickory. Walters, W. A., farmer, Green. Wheeler, F. A., operator, Harmony.

PETIT JURORS.

Ault, J. R., builder, Green. Albaugh, Harvey, farmer, Hickory. Bremmann, Reed, laborer, Barnett. Brant, Alfred, laborer, Borough. Bullers, H. H., laborer, Jenks. Carringer, M. C., merchant, Jenks. Coleman, Herman, farmer, Harmony. Carson, Jesse, farmer, Tionesta. Clark, C. W., farmer, Tionesta. Crawford, Bruce, laborer, Borough. Dunkle, Michael, lumberman, Barnett. Flynn, Thomas, lumberman, Green. Fair, Joseph, hotel keeper, Howe. Green, James K., farmer, Harmony. Highgate, A. A., laborer, Barnett. Hall, Josiah, farmer, Harmony. Hepler, Moses, carpenter, Borough. Halliday, J. H., butcher, Hickory. Knight, Peter, blacksmith, Barnett. Klinstiver, J. L., laborer, Green. Keom, Joseph, lumberman, Tionesta. Koster, Lewis, lumberman, Hickory. Longstreth, Wm., farmer, Green. Morrison, Milton, lumberman, Jenks. Mench, John H., lumberman, Jenks. McClune, C. R., lumberman, Howe. Piquinoo, Victor, farmer, Barnett. Pettigrew, Joseph, blacksmith, Hickory. Rarie, Wm., farmer, Barnett. Reyer, T. J., merchant, Jenks. Slauchenhaupt, Andrew, laborer, Barnett. Sallade, W. C., laborer, Jenks. Siggins, A. J., farmer, Harmony. Tobey, Darius, lumberman, Kingsley. Wenk, Ferd., farmer, Tionesta. Walters, Daniel, mason, Borough. Whitten, George, laborer, Kingsley.

HERE AND THERE.

The Geneva Courier editor has been shown an egg in which a microscope examination reveals the presence of a tape worm. A physician advises the thorough cooking of eggs before they are eaten, and thinks they should always be carefully examined before being used.

There is one clerk in the Pension Office at Washington whose job may be considered reasonable safe. His name is Rev. Dr. Wm. H. Scott, father of Mrs. Benjamin Harrison, wife of the President-elect. Dr. Scott is a tall and well preserved old man, about 80 years of age, says the Mercer Dispatch.

An exchange publishes an article on winter resorts, pointing out the ones likely to be most frequented and by whom. Editors, we observe, are left out of the specifications. But it doesn't matter. The editor's winter resort will be much the same as his summer resort, only the winds will be down and no yemas of thought that he has clipped for inspiration will be blown into the backyard. —Blizzard.

Hon. Joseph Chamberlain, member of the British Parliament, and Miss Mary Endicott, daughter of Secretary of War Endicott, were quietly married in Washington, D. C., on Thursday afternoon last. The entire service was characterized by

extreme simplicity. There were no best men or bridesmaids. Among those present were President and Mrs. Cleveland, members of the Cabinet and their wives, the bride's relatives and friends, and several hundred of the general public. After the ceremony the couple were driven to the home of the bride's parents.

A Minneapolis dispatch gives this warning to gum-chewers: Miss Kitty Matherson is known as No. 14 out of a bevy of twenty so-called beauties who are chewing gum for prizes as to quantity, time and artistic effect at a local dime museum. Miss Matherson has been a professional gum chewer for eight weeks, but to-day was suddenly surprised at the close of the afternoon performance to find that she could not open her jaws. She fell in a faint and had to be carried to a doctor's office, who pronounced it a case of lock-jaw. After several hours' treatment the muscles were relaxed and the mouth opened. Miss Matherson has retired from the contest.

JIM HORNER'S TRIAL.

One of the Alleged Participants in the Mysterious Everhart Murder.

CLARION, Nov. 19. [Derrick Special]—Court convened this morning at 10 o'clock, and the case of the Commonwealth vs. John Everhart, Daniel Everhart and James Horner, for the murder of Mrs. Jimmie Everhart and Mrs. Jane Gillilan on March 8, 1888, was called. The prosecution is represented by District Atty' Sloan, John W. Reed, M. A. K. Weidner, The counsel for the defendants are J. E. Wood, F. R. Hindman, S. K. Clarke and A. B. Richmond.

The counsel for the Commonwealth elect to try James Horner first. This is objected to by defendant's counsel, for the reason that at the last term of court, when the jury was discharged on account of the sickness of one of the jurors, and that the case of Daniel Everhart should be tried first.

HORNER TRIED FIRST.

The court overruled the objection and the trial of James Horner was commenced. The prisoner is not an ill favored man. He is 28 years old, medium sized, black eyes, hair and mustache of the same dark hue. His cheeks are flushed; he is an attentive listener to the evidence as he eagerly scans the witnesses, constantly pulling his mustache with his left hand. He is attired in a brown-checked coat, dark pants and flannel shirt. His long confinement has to all appearances had no effect on his general health. The time consumed in selecting a jury was three hours. Thirty-five were called before the 12 were selected. Ed. Yost and F. D. Meely were sworn to take charge of the jury.

THE JURIES.

The names of the jurymen are: John M. Smith, Red Bank Township. George Zacheral, Washington Township. Charles Butler, Clarion. John B. McLane, Clarion. George Imhoff, Knox Township. George Yonkers, Elk township. D. E. Hook, Beaver township. C. F. Crick, Rimersburg. Frank Glossem, Farmington township. John Gillingham, Ashland township. Isaac Mortimore, Brady. Fred Hoot, Ashland township.

THE BOY WITNESS AGAIN.

Joe Brewster a boy seven years old at the time of the tragedy, was the first witness called. Joe lived with Mr. and Mrs. John Everhart. Upon his return home from school that day he found his grandmother, as he called Mrs. Gillilan, lying dead, with her throat cut. Joe ran to Mrs. Mahl's and told her what he had found. She told him to go on to Lickingville and tell the people there.

Edward Owens testified to Joe Brewster telling the story at Byers house where he boarded, and of his going to the Everhart house, of his meeting George Whitmore and Dan Everhart at the house and finding the body of Mrs. Gillilan with her throat cut, of the search for Mrs. Everhart and subsequently finding her body in the spring house. Witness also described the blood marks upon the sitting room, kitchen and spring house door.

Mrs. Magdalena Mahl testified that Joe Brewster came to her house and told her that grandmother was dead; her throat was cut, she went to Dan Everhart's house overtook George Whitmore and of going to the house and finding Mrs. Gillilan dead.

George Whitmore's testimony corroborated the other witnesses as to hearing of the affair before five o'clock and the discovery of the body and the blood marks.

THE FATAL WOUNDS.

T. F. Ritchie, of Tionesta, first saw the bodies on Wednesday after the murders were committed, he made a careful examination of the wounds which he described at length. The throat of each of the women was cut and under the chin were bruised marks that fitted to the marks of the fingers or grasps of the left hand. Mrs. Everhart had three cuts upon her throat, one so deep as almost to sever the head from the body.

HORNER'S WIFE.

Jim Horner's wife from whom he has been separated for some months arrived here to-day. She is accompanied by her mother.

TUESDAY'S TESTIMONY.

Among the new testimony brought out at the trial yesterday is the following: L. G. Stover testified: I saw Jim Horner March 4, 5 and 6; on the 4th I was going from Loeper's mill where I worked; I saw Jim Horner; he asked me to stay all night; he lives in a shanty; there were no women lived there; I stayed; he asked me to stay the next day that Dan Everhart and he were going con hunting and that I had better stay; I said I would; the next morning Jim Horner and myself

and Dan Everhart went to the woods and Dan and Jim were cutting wood; Jim Horner's father came down and said he had seen con tracks; we went to Dan Everhart's for dinner; after dinner we went hunting; Jim Horner cut two hickory sticks to beat with; Dan took one Jim took the other; I went back to Jim Horner's shanty and stayed all night. We got two coons. Jim said he would go to Everhart's and get a kettle to cook it in; he came back with the kettle; Dan Everhart came to Horner's shanty about 8 o'clock Thursday evening. Bent Buck and Geo. Buck and Frill's boys were there; I stayed with Horner on Friday night and left his shanty on Saturday about 11 o'clock; I saw Dan Everhart Saturday driving through the field; I have known Horner since 1881; I was pretty well acquainted with him; I talked about many things and vowed to live to good old bachelorhood; I heard of this homicide; these canes or sticks that we cut to kill the coons were about three feet long and one and one-half inches thick at the but and one-half inch at the point.

Amos Kinch testified: I have known Horner seven or eight years; have known Dan Everhart; seen them frequently together before the homicide; I was at Everhart's house about 4:30; saw Mrs. Everhart with her throat cut; I noticed blood marks on the sitting-room door and on the kitchen door; I noticed some clothes on the porch, also a hickory stick sitting in the corner; it was about three feet long; I examined for tracks and found none excepting an old one leading out through the orchard and into the field; it came right back to John Everhart's barn; I saw Jim Horner a day or two after the burial; I did not see Horner at Everhart's house any time I was there; Jim Horner told me that Dan came to his shanty about 7 o'clock the morning of the homicide; we went in the woods and cut wood until 15 minutes before 12; then I went to my shanty to get my dinner; Dan went with me, talked a few minutes and then went home to his dinner; about 1 o'clock I went past Dan's house; Dan came out and I said I was going to Lickingville; he said wait a few minutes and I will go with you; Dan chopped a few sticks, then came out and we went to Lickingville; left Lickingville about 3; then we separated; I had other conversations with him in jail; he told me Dan had no business to get him into this trouble; that if Dan had not come over to his house that morning he would not have been in this trouble.

Cross examination: The conversation I had with him was three days after the funeral; I told him to give an account of his actions the day of the homicide as suspicious pointed against him.

WHERE ARE THE STICKS?

Commonwealth's counsel call upon counsel for the prisoner to produce a stick or cane that they had served notice on counsel for defendant to produce. Counsel for defendant plead ignorance of any such service. T. F. Ritchie, recalled, testified: I went to Jim Horner's shanty and had a conversation with him Wednesday evening after the homicide; I asked to see his coon, he brought it out; I said "this was a terrible affair that happened at Everhart's," he said "yes;" I said "it is strange no one was seen about the premises." He said "he could easily clear his skirts, that he could prove by Dan Everhart where he was all the day." Jim said "Dan came over early in the morning, we went into the woods cut wood until 20 minutes before 12; we quit went to my shanty, Dan talked a few moments then said he would go home to his dinner; I started for Lickingville half past 12, Dan was out chopping wood, I told him I was going to Lickingville, he said 'wait I will go along,' he went into the house and got ready, I met Jim Alexander. Dan, Jim and myself went into the woods about 20 minutes to two, we went back to John Everhart's coal bank; went to a tree but got no coons; at 20 minutes to three I remembered I had promised Benton Buck to go to a singing at Fryburg; I was to meet him at the church; Dan went toward his home, I went to my shanty and met Buck and went to Fryburg about 9 o'clock. Dan Everhart came and called me out and asked me 'if I had heard the terrible thing that had happened,' I said no. He said 'he was afraid to tell me for fear I would give him away,' I said, I am a friend of yours you need not be afraid, then he told me. I asked Jim Horner how Dan was dressed that day, he said he had on a grey suit considerably worn. He told me Dan had the same coat on when he went to town. I said, when did Dan change his clothes? He said, I did say so, he must have changed them at dinner time.

CROSS-EXAMINED.

Afterward Jim said Dan said he wanted it kept quiet that there was two peddlers around and he wanted to catch them. C. W. Levy: I reside in New York, I was engaged on this case in June 1888, I was acting under Mr. Kelly; I am acquainted with Jim Horner. The first time I saw Horner was in Dan Everhart's barn, June 30, asked Dan where I could see Horner, he said he would be at his house presently to help him work; I saw a young man by the barn and Dan said, "there is Horner." I went to him and asked him where he had been the day of the murder. He told me he had been chopping wood in the woods at 12 o'clock; I went to my shanty and Dan started home, about 12:30 I started to Lickingville, Dan was chopping wood. I asked him to go along; we met Alexander; started to cut a con out of a tree; started for home at 16 minutes to 3; I went to Lickingville; got some groceries, then went to my shanty; afterward met Buck and went to Fryburg; I said "What about the two men with the rubber coat?" He said, "I did not see any man with a rubber coat." Dan said, "Why you wore a rubber coat." Jim said, "Yes, I did, but everybody knows I could not do it; neither would Dan." Jim said further: "That night after the concert was over we were at the hotel, when Dan called me out." (Witness repeated the same conversation as the prisoner had with Mr. Ritchie.) Horner told me Dan wore a gray coat and dark pants; said he wore the same clothes all day, and did not carry a stick.

Cross-examined: I am in the employ of Pinkerton; you may call me a detective.

Mrs. E. Shaw, Horner's mother-in-law, and her son, testified to Horner's declarations that he owned 10 acres of Everhart's land.

Charles Lewis and Dan Fellars told a similar story. Sheridan Shaw testified: I am acquainted with Jim Horner; I was at Horner's

after the homicide; he showed me some land he owned; there was 10 acres of it; he was cutting staves on it; we were talking together the evening before the Fourth of July; he said he had 10 acres of land and a fine horse; I asked him how much he paid for it; he said "not very damned much, about three hours work;" said he got it from Everhart's.

Cross examined: I have no ill feeling toward Jim Horner; Jim Horner married my sister; she afterward left him and came home; I did not say to Abe Weller when I heard of the arrest that he "ought to be hung and I would like to be the one to pull the rope."

Mrs. L. Anderson heard Dan Everhart upon two different occasions say if Jimmie did not sign the deed for his land, he would cut her G—d—d throat.

Mrs. Daubenspeet, G. L. Stover and Albert Whitehead testified to ill feeling between the Everhart families, and to quarrels between John Everhart and his wife, Jimmie.

The evidence of the day closed with the testimony of Rev. Rhodes, an uncle of Jim Horner's, who testified: I am a minister of the Methodist Church; I have stopped at John Everhart's house; visited him; we went together to Lickingville to lodge, in the fall of 1885; he invited me to go home with him after lodge; on the way talked of the farm; that he had given Dan a part, and had made a deed, but his wife would not sign it; I said what will you do, John, if she don't sign? He replied "I will cut her damned throat." I said, "Tut, tut, you don't mean it." He said, "Damned if I don't."

Our conversation stopped there; I was horrified; I never went to his house after that night.

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