

CLEARFIELD, PA., WEDNESDAY, JUNE 27, 1860.

OUR HAPPIEST DAYS.

They tell me, love, that you and I Our happiest days are seeing. While yet is shut from either's eye The change that waits on being; Ah! life they say's a weary way, With less of joy than sorrow, For where a sunlight falls te-day, There'll be a shade to-morrow.

If ours be love that will not bear The test of change and sorrow, And only desper channels wear In passing to each morrow,— Then better were it that to-day We fervently were praying. That what we have may pass away While we the words were saying.

The heart has depths of bitterness As well as depths of pleasure ; And those who love, love not unless They both of these can measure. There is a time, and it will come, When this they must discover. And woe if either then be dumb To power that moved the lover.

There are some spots where each will fall, And each will need sustaining; And suffering is the lot of all, And is of God's ordaining : Then wherefore do our hearts unite In bonds that none can sever, If not to bless each changing light, And strengthen each endeavor?

Then while these happy days we bless Let us no doubt be sowing; God's mercy never will be less, Though He should change the showing Such be our faith as on we tread, Each trusting and obeying, As two who by His hands are led, And hear what he is saying.

LUMBERMEN'S CAMPS.

The editor of the Ellsworth American, having recently visited the Maine lumbermen in their backwoods camps, gives the following description of their winter habitations : "The camps of these hardy and laborious men are made of logs, and covered with splints, which are long shingles, made of cedar, and rived and shaved. These are again covered with boughs. In the centre of the camp is the fire, extending half its length, with an open space just as large in the roof, for the es-cape of the smoke. A modern improvement has been introduced--the fire dogs, or andi-rons. These are made from 3 to 4 feet long, and large enough to hold a large quantity of wood. They are really a pair of these indis-unantiple articles weided together with one

pensible articles welded together, with one

SOME HUSBANDS DO SO. How? The habits with husbands, with re-

gard to the treatment of their wives, are so various that the question can only be answered by individual specimens of each mode: Some husbands never leave home in the

morning without kissing their wives and bidding them "good-bye, dear," in the tone of unwearied love, and whether it be policy or fact, it has all the effect of fact, and those homes are generally pleasant ones, provided always that the wives are appreciative and welcome the discipline in a kindly spirit. We knewjan old gentleman who lived with his wife over fifty years, and never left home without the kiss and the "good-bye, dear."

Some husbands shake hands with their wives and hurry off as fast as though the effort were something that they were anxious to forego, bolding their heads down and darting around the first corner.

Some husbands say only, "Well, wife, 1 am going," and starting at the word "go," which comes to them from some back retreat.

Some husbands, before leaving home, ask very tenderly, "What would you like for din-ner, my dear," knowing all the while that she will select something for his palate, and off he goes.

Some husbands leave home without saying anything at all, but thinking a good deal, as is evinced by their turning round at the last point of observation, and waving an adien at the pleasant face or faces at the window. Some husbands never say a word, rising from the breakfast table with the lofty indifference of a lord, and going out with heartless disregard of those left behind. It is a fortunate thing for their wives that they can

find sympathy elsewhere. Some husbands never leave home without some unkind word or look, apparently think-ing that such a course will keep things straight in their absence.

Then, on returning-Some husbands come home jolly and happy, unsoured by the world; some sulky and surly with its disappointments.

Some husbands bring home a newspaper, or a book, and bury themselves for the evening in its contents.

others are attracted by nothing short of a child tumbling down stairs, or the house taking fire. Depend upon it, says Dr. Spencer, that home politeness and attention ore the rule, on watch the flames as they issue forth from the the part of the husband-of course, all the rehard wood fire, the product of numberless sponsibility rests with them-and temptation finds no footing there .- Boston Gazette.

TRIAL OF JAMES HOCKENBURY. FOR THE MURDER OF JOHN THOMPSON. In the Court of Oyer and Terminer for Clearfield

County, March Term, 1860.

The trial of James Hockenbury, charged with the murder of John Thompson, was commenced on Wednesday afternoon, June 20th. The case was conducted on the part of the Commonwealth by R. J. Wallace, District Attorney, J. B. M'Enally, Israel Test and T. J. M'Cullough, Esq.'rs; on the part of the de-fence by Wm. A. Wallace, H. B. Swoope and Walter Barrett, Esquires. At 20 minutes past 2 o'clock, the prisoner was arraigned at the Bar, and plead not guilty to the charge of murder as embraced in the indictment. The counsel for the prisoner objected to the indictment, which was framed under the revised Penal Code of March 31st, 1860, on the ground that the defence was not substantially charged in the language of the Act, and for general in-

formality, which objection was overruled by the Court. The counsel for the prisoner demurred from the opinion of the Court as to the sufficiency of the indictment.

Several hours were then consumed in se-lecting a jury; and at a few minutes after 5 o'clock, the requisite number were chosen and sworn, the jurors being as follows : Frederick Fraily,

Elijah Burns, Wm. Ten Eyck, William Sloss, Isaac McKee, Philip Erhard, Moses R. Denning. Wm. A. Bloom, Samuel Kirk, Alexander Irvin, Clark Brown, Matthew Caldwell,

The case was then opened by Mr. Test, who stated in a neat and succinct manner the circumstances the Commonwealth expected to prove. We append a synopsis of the evidence:

HENRY DARR, SW .- Was in Lumber City in April when the affair between Hockenbury and Thompson occurred. Can't say what was the commencement of the conversation .--Hockenbury was at the left hand side of the door on the porch at Davis' tavern, a gun standing by his side. Mr. Thompson was some distance off, on the porch, on the right of the door.about ten feet from Hockenbury. Thompson said to Hockenbury, "You got that gun to shoot me, did you? Now d-n you do it." He d-d him to shoot him and held up his coat. Thompson told Hockenbury he was "a d-d perjured scoundrel," and that "he had sworn in Oldtown what no other man would swear,"that he was an "ornery son of a b-h." Thompson took the last words back, said that his hear the dispute between Thompson and Hockmother, he supposed, was a decent woman, but that his conduct and actions had proved him to be such. Soon after, Thompson stepped from the porch on to the steps leading to the road. He abused Hockenbury, the latter saying something which witness did not remember. Thompson then stepped up on the porch and told Hockenbury he didn't want any of out. his sauce, or d-d if he wouldn't kick him. At this time Hockenbury had turned and went into the door. He had the gun in his hand. He wasn't more than inside of the door until left hand side of the door. Thompson dared the gun went off. Couldn't see Hockenbury. At the time the gun cracked, Thompson threw his hand up to his side or breast. He reeled forward some 5 or 6 feet ; and made a couple forward some 5 or 6 feet ; and made a couple shoot me. I then stepped into the bar-room ; efforts to speak ; the blood gushing out of his stood between 3 and 4 feet from Hockenbury. mouth as thick as it could come. He then recled toward the end of the porch next to Curby's tavern, where he fell with his shoulder against a young man standing there, which turned him from the direction he was going, river. He wasn't talking to anybody at the and then pitched off the end of the porch headforemost. I caught him at the shoulders as he came towards me, but he was so far gone with the force that he went to the ground. I then spoke to some of the men standing by to assist at raising him up; that he was dead, and they needn't be afraid. Some one took hold to help, and we lifted him upon the porch. I then placed his arm under his head-no appearance of life at that time. Didn't see Hockenbury until after he was brought back to the tavern, by the Constable. The shooting occurred between sundown and dark. It was during a "splash" flood. X .- Thompson stepped off the porch, after he used the bad language to Hockenbury, down towards the River. In stepping back, he didn't get much nearer to him. Hockenbury was close by the door. Thompson was thought those words were addressed to Thompless than 10 feet off. At that time he faced son. Hockenbury. Some words passed, but couldn't hear them. The last words I heard Thompson say was "give me none of your seuce, or d-n you I'll kick you," Had halted when he said them. If he did advance, couldn't see him, as persons were passing between Hockenbury and myself. At the time the gun went off, the muzzle of the gun wasn't three feet raft, had just landed. It was getting dusk. from Thompson, whose face was away from Hockenbury. The porch is not over 12 feet wide-might be 60 feet long. Wasn't over 10 feet from Thompson when heard the words. door as you go in-I was on the other. Should Where Thompson fell, the porch is not over two feet from the ground.

king to pass out at the back door, would have to , these words, and said "your mother may have pass through the crowd on one or the other side of the stove.

Dr. John Ross, aff'd .- Was called into Curby's hotel on the evening of the 5th April, probably at 7 or 8 o'clock, to make a post mortem examination of Thompson before a coroner's inquest. Blood oozed out of his mouth when I pressed very hard on his breast. Found a hole in his right side, 10 inches from the shoulder and 6 or 8 from the spine. Appeared as if made by a gun-ball. Introduced a probe 6 or 8 inches long, but found nothing. A ball penetrating in that place and passing upwards, as that appeared to do, would produce death. As far as I examined, the ball would have passed through the right lung. Didn't see any other marks on him, except a black spot or bruise, on his forehead. Was only a bruise of the skin. Some blood issued from the wound in the side. Had a coat, vest and two shirts on.

X .- Have been a practicing physician for about two years. The ball penetrated between the ribs. Didn't open body. Didn't find ball -didn't look for it. Never made a post mortem examination before. A musket ball might pass through the edge of the lung without producing death. Passion and excitement has a tendency sometimes to rupture blood vessels. Was dissuaded from opening the body by the coroner's jury, who deemed it unnecessary. Ebenezer Thompson, sw.-Am a brother of

Saw the wound close under the shoulder. The body was naked. [Witness produced coat of John Thompson, with bullet hole in it, which

was shown to jury.] Matthew Henry, sw.-Was in the bar-room when the occurrence took place. Hockenbury was in the door-Thompson on the porch. When the gun went off, I asked another person whether there was a ball in the gun-he said there was. Hockenbury set the gun down-ain't sure whether another person took it. Went out on the porch, came up to where Thompson was lying. He drew one breath af-ter I came out. He was on that part of the porch between the bar-room door and Curby's. about mid-way between the wall and the edge of the porch. Hockenbury walked through the crowd and went up street. If I mistake, not, Hockenbury said, "take that, God d-n your fool soul," or some how that way. Didn't

been a decent or respectable woman, but your

conduct has made or proved you to be such." Hockenbury was standing at the door with the gun at his left side. He lifted the gun into his hands, when Thompson spoke of the caps. Thompson called Hockenbury a d-d papist, and after that word was spoken, Hockenbury stepped inside of the door. After the gun was fired saw Hockenbury pass up the street. As he passed down over the steps, he said, "maybe you'll mind, or attend to your own business after this." Saw the blood gushing from Thompson's mouth-saw him fall off the end of the porch, and afterwards picked up. Branson Davis, re-called.-James Stirk and two others brought a gun into my bar-room on the forenoon of the same day Thompson was shot. The gun was placed behind the bar-took no particular notice whether it remained there all day. Hockenbury had no gun when he came.

Richard S. Ellis, sw .- I heard Hockenbury say if John Thompson did not quit abusing him he would shoot him-he would kill him dead. Heard him make the threats two or three times-were made within a year.

X .- Didn't think the threat would be carson charged him with having sworn falsely in Clearfield. Live within half a mile of Hock-John Thompson. Saw him same evening he was killed. Wasn't permitted to see him un-til the inquest was held and the body laid ont. enbury was in the fore part of last winter. He was considerably excited about it. He is always a nervous man.

Jacob Smith sworn.-Heard Hockenbury make threats. He said at one time if Thompson didn't leave him alone he would shoot him if he was the last man living. He said about the same thing at another time. Thompson was working with me at the time, and Hockenbury asked how he was getting along. He said he was afraid of Thompson, and this was the first time he had no gun with him. This conversation was in last February. The other was six weeks or two months before that.

X .- In the first conversation he asked me whether I had heard Thompson make any threats-told him not. Heard him called "devil John Thompson."

Samuel Sunderlin, sw. -Saw Hockenbury on the day Thompson was killed -on the River, on a rait. Saw no gun with him. Saw him above Lumber-city.

him. He swore another oath at him, and turned around, when Hockenbury pulled the trigger and shot Thompson. I rubbed against Thomsson's side with my elbow when he was shot. Saw both men. It was Mr. Stirk's gun. When he took the gun, Hockenbury said it looked like one he had at home. It was two or three minutes after this that Thompson came up

H. D. Patton, sw.-The Commonwealth objecting to the testimony of this witness;

The prisoner's counsel propose to prove that the act was committed by Hockenbury under fear of his life ; that from former menaces and acts his mind was divested of the power of reflection at the moment. The opinion of the Court was held over until morning. Adjourned till 8 o'clock, Friday morning.

Friday's Proceedings.

The counsel for the prisoner offer to prove. to mitigate the offence, to fix the grade in reply to the case of the Commonwealth, and in

excuse for the killing, That Hockenbury is a man of weak intellect, of nervous temperament, of timid disposition, and of very little bodily strength ;

That Thompson was a man of large frame, of violent temper, of turbulent disposition, of strong mind, and great physical ability ; That Hockenbury was a witness in an in-

dictment for riot, and that since that day Thompson has always threatened to revenge himself and always abused him; that on one occasion, but three weeks previous to the killing, the deceased met, seized and abused the prisoners, and when he called for assistance no one would help him, because they were afraid

of Thompson. After hearing the arguments of counsel, the Court decided to admit the offer generally, but to limit the minutia, in order to show the condition of the prisoner's mind, brought about by previous threats.

H. D. Patton .- Was in Lumber-city about 8 weeks before the fatal occurrence. As I went into Davis's door, Hockenbury called me to take Thompson off him. Asked Wm. Price's two boys to help me take him off, but they refused. I then went to Joseph Straw and told him Thompson should be taken off. Straw said it ought to be done. I then told Thompson he must let go. He said he wouldn't until Hockenbury would acknowledge that he had swore to a G-d d-d lie. He didn't let go, and swore he'd knock him down and smash him through if he didn't acknowledge that he X .- He was on the raft as a hand. Thomp- had sworn to a G-d d-d lie. He said he would attend to all those witnesses that has testified against him in Court. I then told him if he didn't let go I'd hit him with a chair. The case on the part of the prisoner was then opened by H. B. Swoope, Esq., who al- said, "Hello, Harry," and let him go. I then told Hockenbury to go into the room, when Thompson said, "If it wasn't for your gray hairs, you old son of a b-h, I'd knock you keep him off. I'm not fit to fight.' He said he was afraid of him. I then took him to the dining room door; didn't go in then, but did son was a very quarrelsome man-that it would

foot in the centre to strengthen the doubleheaded 'fire-dog.' One of the luxuries of camp life is to sit on the 'deacon-seat' and long and large sticks of wood, big enough for an old-fashioned 'back-log.' The 'deacon seats' are sticks of timber, hewn and squared, and placed parallel with the fire, and on each ide of it for scats. Back of these seats, are the dormitory apartments. A good founda-tion is made with cedar or spruce boughs, on which are spread, a number of comforts, made thick and warm with cotton batting.

"One of the curiosities of these habitations, is the 'bean oven.' This is a hole excavated at one end of the fire, and near the fire-dog, in which, after being sufficiently well heated with coals, is placed a large iron pot filled with beans having a sheet iron covering jutting over the outer rim, covered all over with coals and hot embers, and left to cook through the night while the men are sleeping. In the morning the 'pot of beans' is taken from its bed, and the beans are on the table for breakfast, steaming and inviting enough to tempt an epicure. One of these camps had a dining and cooking room, in addition to the usual accommodations, and also a good sized cook stove. There are, generally, from 15 to 20 men to each camp. In all that we visited, quietness, order, industry, and the best of feeling, existed among the inmates.

The seventy-first anniversary of the Royal Literary Fund was recently held in London, about one hundred gentlemen were present, and the Lord Bishop of St. David's presiding. In his speech to the toast of the evening, the Chairman said, in illustration of the remark that our language had not lost either in com-pass or force through the hands which now used it, that "a few years ago, in the Royal Academy of Berlin, a most illustrious German philologer recorded it as his deliberate opinion that the language of Shakespeare was destined to become universal, and bear sway, like the French race itself, in distant parts of the globe ; that its copiousness, its compactness, and its good sense fitted it for the purpose in a higher degree than any other living tongue, that of his own German fatherland not ex-

JOUN DEAN AND BIS MARY ANN .- The Albany Statesman says :- "A deceased broker left each of Mr. Boker's four children \$50,000. Mary Ann thas already, or will shortly have, that sum at her own disposal. Mr. Boker left an estate valued at over \$800,000. He disinherited Mary Ann and a son who has always taken her part, and thereby offended the fath-er. But it is understood that neither of the two children, nor the mother, share in the sentiment of Mr. B., and doubtless the estate will in the end be about equally divided. Mary Ann's oldest sister made a very similar match, marrying the porter in her father's store; but he was a German, and Mr. B. had to much prejudice in favor. of his countrymen that he forgave the offense."

"Do I understand the counsel for defendant," asked a very fat Western juror, "to say that he is about to read his authorities, as against the decision just pronounced from the bench ?" "By no means," responded the counsel aforesaid, "I was merely going to show to your honor, by a brief passage I was about to read from a book, what an infernal old food Blackstone abook, what an infernal id fool Blackstone must have been." "Ay, ay !"" said the judge, not a little elated, and there the matter ended.

is an eloquent and glowing tribute to the Union, made by a young Kentuckian, speak-ing of the awful results of dissolution, he says that the "youthful stars would hang their heads with shame." We presume the little ellows are not so very young, as they are able

THE POLYGAMY BILL AMONG THE MORMONS .--The Mormons of Salt Lake do not like the idea of Congress meddling with their domestic affairs, and limiting the number of their wives. Orson Pratt is particularly severe in his denunciation of the Polygamy bill, and, while predicting awful and everlasting destruction to the Union, says there is "nothing that the Mormons could do but to stand by the Constitution and maintain the rights that their forefathers had secured to them by their life's blood." Did their forefathers indulge in a plurality of wives? If they did not, we do not see how their lecherous descendants can claim more than were lawfully due to their progenitors.

An old lady who was not much accustomed to tend church, finally went one Sunday. During prayer time, while she was on her knees, her old cat who had followed her unnoticed, came purring around her, when she broke out -"Why poosy-what you come ter meetin' tu !-- hy-ee ! I spoke out in meetin' !-- Whyee-ee! I spoke agin. Why-ee-ee loddy-goddy ! I keep a spoken all the time !"

Good PLACES TO LIVE IN .- There is a town in Middlesex, Mass., where it has been ascertained, beyond a doubt, that every legal voter in the town is a Lincoln man. And another we see spoken of, where there are only three shams. The Republicans have made two of them acknowledge that Lincoln is to be elected, and are after the third.

Two Texas editors, both residents of Crock et, recently fought a duel for a cause not stated. Their names were Dalton and Hepperla. The former received a bullet in his throat, and was probably fatally injured. The latter was hit on the head, but the wound made was not serious.

It appears from Patterson, N. J., Register, that Mr. Bulkley, a clergyman of that place or its vicinity, has been preaching a sermon in favor of the rope-walking of De Lave and Blondin, and that some of his bearers, lay and clerical, object to that style of discourse.

The old man looks down and thinks of the past. The young man looks up and thinks of the future. The young lady looks forward and thinks of a beau. The child looks everywhere and thinks of nothing. And there are a great many children in the world.

QUEER DOINGS .- A party of males and females were arrested on the streets of Portsmouth, Ohio, the other day, the females being dressed in male attire, and the men in petticoats. Their object was to have a little fun.

An old lady of Pennsylvania had an unaccountable aversion to rye, and ate it in any form. "Till of late," said she, "they have got to making it into whisky, and I find that I can now and then worry down a httle."

Great distress exists in Kansas on account of a protracted drouth. The heat ranges between 90 and 95 degrees, and the crop, it is feared, will be an entire failure.

Mr. Stephen H. Branch thinks that after his decease, his bones would make a more in-

tellectual glue than has ever been prepared from any ordinary material.

from any ordinary material. Blondin is determined to kill himself. He advertises that he will walk the entire length of his rope blindfolded and completely envelto be out of nights.

Adjourned till 8 o'clock, Thursday morning.

Thursday's Proceedings.

Branson Davis, sw .-- John Thompson was killed on the 5th April, 1860, at my house in Lumber city. [Here a diagram of the house and that of Mr. Curby, was shown witness.] From the bar-room door to corner of house is about 7 feet-porch about 6 feet wide, and ex-tends the whole length of the house-5 steps from Thompson when it was fired. When it in front of the porch-the ground descends rapidly. The street between the two houses is very steep. At that end of the house the level of the porch is about 16 inches from the menced falling when he was caught, I think, ground. Was in the bar-room. Heard the crack of the gun. Thompson came before Hockenbury perhaps an hour or an hour and a porch next the sign post. He didn't fall over

half-they came in the afternoon. Didn't 2 feet. Didn't see Hockenbury after this. think they were drunk-didnt think they had | Heard Tnompson tell him if he had no caps he been drinking any. A good many people would furnish him with a box. Hockenbury there-over 100 had staid over night-nearly spoke to Thompson once, but don't know what all there yet.

X .- Don't think I was out of the bar-room from the time the rafts commenced landing until after the gun cracked. Couldn't be positive whether either got any liquor. Some one asked Thompson to drink, but he declined as he had made up his mind not to drink any during the flood. Think Hockenbury may have got one drink-not sure. After- to Hockenbury a half minute before the gun wards, Thompson said he wanted some private | went off, but not at that instant. Was sitting conversation, that he would take a drink, sing on the bench to the right of the door as you a song, and then play the fiddle. Couldn't go in. After Hockenbury went in, saw the

enbury. Soon after he fired the gun, Hockenbury started off. X .-- Went out right after the gun cracked.

Was talking to James Stirk. It was James Stirk's gun-think he took it. Not a minute from the time the gun cracked until I walked

Isaac Smith, sw .-- Was at Davis' tavern on the day Thompson was killed. Saw Hockenbury and Thompson. Hockenbury had a gun standing by his side. He was standing on the him to shoot him. Didn't hear Hockenbury say anything. Thompson said he had threat-ened to shoot, and now says he, d-n you As he stepped into the door he raised the gun as a man, would raise it to shoot something close by. Thompson was between the door and the lower side of the porch. His face was up the time, that I heard. He was standing as if intending to go away. Heard no abusive language. Saw Hockenbury examine the gun himself-raised the cock of the gun. Thompson said if the cap ain't good, I'll go to the store and buy you a box. I saw a cap on the gun. After Hockenbury examined the cap, he stepped into the door and fired. The conversation between Thompson and Hockenbury had ceased when I stepped into the bar-room. As soon as the gun went off, Thompson put his hand to his side, and started towards the end of the porch. Saw nothing more of him until I saw him dead-not over half a minute atter. Hockenbury immediately started off. As he passed where Thompson lay, he said "there, d-n you take that, maybe you'll let people alone," or something like that. I

X .- Several persons were on the porchmight have been 10, might have been 20. Wm. Johnston passed. Might have been language used that I didn't hear. Hockenbury had the gun when I came there. Thompson didn't move after him that I saw. A great number of folks in the bar-room. I came there on a Ellis Brickley, our pilot, was on the porch. Could see both Hockenbury and Thompson. think it was between 2 and 3 feet from the muzzle of the gun to Thompson.

Wm. Irvin, sw.-Was at Davis' tavern in Lumber City when Thompson was shot; was standing close by Thompson when the gun was fired-perhaps 3 feet off. Nothing passed between him and Hockenbury just at the time, that I heard. I thought Thompson was going to leave. Hockenbury was inside the house. Didn't see him-saw the muzzle of was fired he staggered or reeled, stood still an instant, made an effort to speak, when the blood gushed from his mouth and then he com-

spoke to Thompson once, but don't know what he said-something that he would kick or cuff him, and stepped toward him. Hockenbury was leaning against the jam of the door, and stood there till he went into the house.

Absalom Darr, sw.-Was present when the gun was fired. Didn't see Hockenbury,-saw Thompson or the porch. His face was towards Curby's tavern. He had been talking son was on a raf; between the one Hockenbury was on and the one I was on. Commonwealth rests.

then opened by H. B. Swoope, Esq., who alluded to his age, the circumstances of his emigration, when a boy, to this county, the manner in which he was raised, his mental condition, and the fatal occurrence, defined the through.' Hockenbury said for God sake different grades of murder, and set forth the defence his counsel intended making.

Andrew Graham, sw .- On the 5th of February, 1860, I was at Brant Davis' tavern, in afterwards. Considered Thompson a very pow-Lumber City, standing with my back to the stove, looking out at the door, when I saw a man reach another man a gun. Didn't know person I ever heard speak of him said Thompeither of the parties then. A little after, hearing a noise on the porch, saw John Thompson standing on the steps in front of the house, saw him lift his coat skirts and tell Hockenbury to shoot him, as he had heard he had threatened to shoot him, and d-d him to do it now. He then stepped up onto the porch and called Hockenbury a God-deserted, helldeserving, God d-d son of a b-h, and a pawas a liar. Thompson didn't seem to mind him. but went on with his discourse, saying he didn't impute his decent mother with being a b-h, but his own low, d-d deeds and actions proved him so. Hockenberry then lifted the gun into his two hands, drew back the hammer of the gun and then left it down again. Thompson told him to look if the cap was in order and if not he would buy him a box. He then started into the door and said, "O, John, let me alone." Thompson said-"John, God d-d you, if you say John to me, "I'll kick you to hell and back again if you minded, nervous and excitable man. had 100 guns." Thompson was following him towards the door when he said this. When Thompson came within a little piece of the dram, and when in liquor was quarrelsome. door, he turned his side towards the door, his face up the river. The next thing I saw was the muzzle of the gun pointed out at the door; a shot man. Saw him vomit blood. Saw him Hockenbury as long as I have known anybody stagger toward the end of the porch and fall off the porch. When I went off the porch. White and another man-stopped to tell them delicate constitution-not much strength for what had happened. Hockenbury got a few a man of his frame. Thempson was perhaps steps ahead of me, but I soon overtook him. a little more than an average sized man-plathe witness repeating the declarations of the prisoner after the killing ; the Court sustain-

ed the objection, and the counsel for defence ask that a bill of exceptions be filed. X .- After Thompson had turned his face away from Hockenbury, no words passed between them. Wouldn't suppose Thompson to be 2 feet from the muzzle of the gun. James Hockenberry received the gun from the man on the outside of the door.

John Harbison, sw .-- The general tenor of the testimony of this witness went to corroborate that of the preceding one. Whilst Thompson was d-ning him to shoot, she gun went off.

X .- Two or three seconds elapsed before the gun went off.

Clempson Davis, sw .-- When I came out of my father's house, saw Hockenbury and his porch. Soon Mr. Stirk and David Hockenbury came down off the hill with the gun in his the bar-room, and walked on the boards towards Curbys. He was talking about the timber on the other side of the River. Thompson then walk on to the porch and talked to the men. Hockenbury in the meantime was talk-ing to David Hockenbury and Stirk. Then Thompson began to swear at Hockenbury to shoot him. He then squared himself and

only take about one drink to start him. Jesse Weaver, sw.-Lived about 80 rods from Hockenbury. Heard Thompson, a short time after the suit for riot, swear in front of Hockenbury's house that the first time he caught Hockenbury he would tramp his God d-n guts out; he said he had swore a lie and he'd have revenge. I told Hockenbury that pist into the bargain. Hockenbury said he Thompson had threatened to have revenge of him and all the witnesses who had testified against him. Hockenbury I consider a rather weak man. Thompson was a stout man. He was considered a quarrelsome man.

Thomas Maghee, af'd .- Had conversation with Hockenbury-told him Thompson had threatened to have revenge on the witnesses in the riot case. Have known Thompson for several years. He was regarded as a violent man. Thompson was a much stouter man than Hockenbury. Have known the latter twenty or twenty-five years. He is weak-

James Riddle, sw .- Have known Thomp son some forty odd years. He would take a

Geo. R. Barret, sw.-Have known Thomp-son not less than 16 or 17 years. I heard him called, by those who knew him, a violent, heard the report of the gun. Thompson lifted turbulent, and by some a dangerous man. his hand, put it on his breast and said he was Have not known him intimately. Have known -for over 30, perhaps 40 years. I always re-garded him as a rather weak man, excitable, Hockenbury was a few steps ahead of me. I and scarcely responsible for what he said at soon overtook him. Met a man named Shem all times. I think he has always been a man of [Here the Commonwealth's counsel object to ced a rather high estimate on his combative propensities.

J. F. Lee, sw.-I consider Thompson a violent, turbulent man-was generally regarded as such. Have known Hockenbury a good many years. I regard him as a man of weak mind-he is excitable and nervous.

Samuel T. Hoover, sw,-I have been partial. ly acquainted with Thompson for about 15 years. He was regarded as a quarrelsome man when under the influence of liquor.

John F. Weaver, sw .- Have known Hockenbury 13 or 14 years. Have had considerable business with him. I considered him a weak, timid man, of nervous temperament and leeble mind, illiterate and uneducated.

Robert Mahafley, aff'd .-- Have known Hockenbury for 20 years. I consider him a weakminded, nervous and excitable man. Have known Thompson for 8 or 10 years. His genbrother Joseph sitting on the bench on the eral character was that of a violent and turbulent man.

hand. James Hockenbury stepped up to the door, and took the gun in his hand and was door, and took the gun in his hand and was door, and took the gun in his hand and was the structure of the st F. G. Miller, aff 'd .- Have known Hockengeneral character was that of a turbulent, quarrelsome man.

Branson Davis, re-called .- During the preceding flood, when I came into the bar-room. Thompson had hold of Hockenbury, and was swearing at him. I was afraid he might hurt him, and told Thompson that Hockenbury was