Butler Citizen.

VOL. XXI. BUTLER, PA., WEDNESDAY, JANUARY 23, 1884 NO. 10

LEGAL ADVERTISEMENTS.

Estate of John Cooper, Dec'd.

LATE OF WINFIELD TWP., BUTLER CO., PA.,

Letters testamentary on the above estate having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment and any having claims against said estate will present them duly authenticated for settlement.

ROBERT COOPER, Executor.
Denny P. O., Butler county, Pa.

Estate of Wm. Park, Sr.

LATE OF MIDDLESEX TOWNSHIP, DECEASED.

Letters testimentary in the estate of Wm. Park, dec'd., late of Middlesex township, Butler county, Pa., having been granted to the undersigned all persons knowing themselves indebted to said estate will please make immediate payment, and any having claims against said estate will present them duly authenticated for settlement.

HANNAH PARK, WILLIAM PARK, Jr., JAMES PARK. } Exrs.
Bakerstown P. O., Allegheny Co., Pa,

Estate of Samuel Young,

LATE OF WASHINGTON TWP., DEC'D.

Letters of administration on the estate of Samuel Young, dec'd, late of Washington twp., Butler county, Pa., having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment and any having claims against said estate will present them duly authenticated for settlement.

S. C. HUTCHISON, Administrator.
North Hope P. O, Butler county, Pa.

Estate of John Conn, Dec'd.

(LATE OF WASHINGTON TWP.)

Letters of administration on the estate of John Conn, dec'd, late of Washington township, Butler county, Pa., having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment and all having claims against said estate will present them duly authenticated for settlement.

S. C. HUTCHISON, Adm'r.
North Hope, P. O., Butler Co., Pa.
Nov. 10, 1883.

Executors' Sale.

By virtue of the provisions of the will of William Thompson, dec'd, late of Middlesex twp., Butler county, Pa., the undersigned, his Executors, offer for sale part of the farm of said William Thompson, located in Middlesex twp., Butler county, Pa., one mile west of the Butler and Pittsburgh Plank Road, and four miles east of the P., C. W. Railroad, containing FIFTY-NINE AND ONE-HALF (59½) ACRES, one-half cleared and in good cultivation, the balance well timbered and all under fence, is convenient to schools and churches, and is well watered. For further information inquire of on the farm or address,

W. S. THOMPSON, W. R. THOMPSON, } Executors.
Glade Mill P. O., Butler, Co., Pa.
nov14-3m.

Estate of Sarah Miller.

(LATE OF CLAY TWP., BUTLER CO., DEC'D.)

Letters of administration on the above named estate having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment and any having claims against said estate will present them duly authenticated for settlement.

HENRY MILLER, Administrator,
Coulterville P. O., Butler Co., Pa.
S. F. BOWSER, Att'y.

Administrator's Notice.

Whereas letters of administration de bonis non in the estate of D. Moore, dec'd, have been issued to me by the Register of the probate of wills for Butler county. This is to give notice to all parties indebted to said estate to call and settle, and all persons having claims against the same will present them duly probated for payment.

S. F. BOWSER, Adm'r of D. Moore, dec'd, Butler, Pa.

Estate of Ebenezer Christy,

(LATE OF WASHINGTON TWP., BUTLER CO., PA.)

Letters of administration having been granted to the undersigned on the estate of Ebenezer Christy, late of Washington twp., Butler county, Pa., notice is hereby given to all parties knowing themselves indebted to said estate to make immediate payment and any having claims against said estate will present them duly authenticated for payment

MRS. JANE CHRISTY, G. W. CHRISTY, } Adm'rs.
North Hope, Butler county, Pa

Notice.

The time fixed by the Court for hearing other business than trial by Jury; such as applications for license to sell Liquors, and objections thereto by evidence, petition, remonstrance or Counsel, will be heard Friday, March 7th, 1884.

Objectors desiring subpoena for witnesses must file exceptions.

Bottlers' license must be applied for as in other cases to the Court. BY THE COURT.

BUTLER COUNTY ss: Certified from the Record this 11th day of January, 1884.

W. B. DODDS, Clerk.

FARM FOR SALE.

The undersigned offers for sale his fine farm situate in Franklin township, Butler county, Pa., about two miles east of the borough of Prospect, and containing

SEVENTY-FIVE ACRES,

more or less, of good tillable ground, having erected thereon two frame dwellings, and all necessary out buildings; two springs of never failing water, two orchards, farm in good repair, etc. Convenient to schools, churches, postoffice, etc. WILLIAM McGREW.
nov7-tf. Prospect, Butler Co., Pa.

FOR SALE.

18 Acres of land, with large two-story brick house and large barn thereon erected. Good orchard; situated in Butler twp, Butler county, Pa., adjoining Butler borough on the south, will be sold cheap and on easy terms. For particulars inquire of Lev McQuistion, Esq., Butler, Pa.

FOR SALE!

25 acres of land in Borough of Prospect.

HOUSE and BARN,

Good orchard, spring and well. If not sold by first of February will be for rent. Enquire of

G. D. HARVEY,
jan9-4t Butler, Pa.

BACKLOG SKETCHES, our large 16 page paper, filled with charming serials, stories, choice miscellany, etc., is sent 3 mos. ON TRIAL for 25 cents; and we send EVERY subscriber FREE our new HOLIDAY PACKAGE, consisting of 10 pieces popular music, 10 interesting games, 1 pack of age and fortune-telling cards, 1 pack "Hold to Light" cards, 1 pack fun & flirtation cards, 1 set chromo cards, 13 new tricks in magic 5 new puzzles, game of fortune, the mystic oracle, 25 ways to get rich, Heller's wonderful delusion cards, etc., etc. ENDLESS AMUSEMENT! AGENTS WANTED. Sample paper for stamp. BACKLOG PUBLISHING CO., Augusta, Me. jan2-1mo.

BRICKS! BRICKS!

The subscriber continues the making of bricks common, pavement, bay-window and other qualities at his kiln on the Fair Ground road, half a mile west of Butler. He will keep on hand a lot of bricks at all times. He will also make and burn brick in the country for anyone desiring to have them made on their own farm or premises.

As he intends carrying on the brick making business, he invites the custom of all, promising to give entire satisfaction to all who may patronize him.

All orders promptly filled at reasonable rates. Call on or address,

J. GEORGE STAMM,
mar28-'83 Butler Pa.

Pure Bred Holstein Stock.

The undersigned have purchased from the Powell Bros. a pure bred Holstein bull, one and a half years old and weighs 1235 pounds, which can be seen at the farm of John Weber, in Penn township, at any time. Terms. $4 cash, or $5 charged.

J. A. PAINTER,
JOHN WEBER.

G. D. HARVEY,

Bricklayer and Contractor.

Estimates given on contract work. Residence, Washington street, north end, Butler, Pa. jan2-1y.

PE-RU-NA

Is nature's greatest remedy, the only one that harmonizes with the advanced teachings of our modern Physiologists, who claim that no medicine can have any real beneficial effect on disease unless it clearly coincides with the *vis medicatrix nature* and aids it in curing the disease. It is conceded that so far PERUNA is the only remedy that fills this exact want.

PERUNA — Cures Chronic Catarrh, Consumption, Neuralgia, Rheumatism, Diseases of the Stomach, Liver, Kidneys, Heart and Lungs. — PERUNA

These organs are the birth-places of all diseases, hence, by putting these in a healthy condition and keeping them so, all diseases must pass away. For "The Ills of Life," a book every man, woman and child should read, ask your druggist or address S. B. Hartman & Co., Columbus, Ohio, and get one gratis. No. 2.

MANALIN
Cures Constipation and Piles.
Price $1 per Bottle. Six Bottles $5.

SAMARITAN NERVINE

NEVER FAILS. THE GREAT NERVE CONQUEROR

The only known *specific* for Epileptic Fits. Also for Spasms and Falling Sickness. Nervous Weakness quickly relieved and cured. Equalled by none in delirium of fever. Neutralizes germs of disease and sickness. Cures ugly blotches and stubborn blood sores. Cleanses blood, quickens sluggish circulation. Eliminates Boils, Carbuncles and Scalds. Permanently and promptly cures paralysis. Yes, It is a charming and healthful Aperient. Kills Scrofula and Kings Evil, twin brothers. Changes bad breath to good, removing cause. Routs biliousness and clears complexion. Charming resolvent and matchless laxative. It drives Sick Headache like the wind. Contains no drastic cathartic or opiates. Promptly cures Rheumatism by routing it. Restores life-giving properties to the blood. Is guaranteed to cure all nervous disorders. Reliable when all opiates fail. Refreshes the mind and invigorates the body. Cures dyspepsia or money refunded. Endorsed in writing by over fifty thousand Leading physicians in U. S. and Europe. Leading clergymen in U. S. and Europe. Diseases of the blood own it a conqueror. For sale by all leading druggists. $1.50. Sample

The Dr. S. A. Richmond Medical Co., Props., St. Joseph, Mo. (2)

Chas. N. Crittenton, Agent, New York City.

TUTT'S PILLS

TORPID BOWELS, DISORDERED LIVER, and MALARIA.

From these sources arise three-fourths of the diseases of the human race. These symptoms indicate the existence: **Loss of Appetite, Bowels costive, Sick Headache, fullness after eating, aversion to exertion of body or mind, Eructation of food, Irritability of temper, Low spirits, A feeling of having neglected some duty, Dizziness, Fluttering at the Heart, Dots before the eyes, highly colored Urine, CONSTIPATION,** and demand the use of a remedy that acts directly on the Liver. As Liver medicine **TUTT'S PILLS** have no equal. Their action on the Kidneys and Skin is also prompt; removing all impurities through these three "scavengers of the system," producing appetite, sound digestion, regular stools, a clear skin and a vigorous body. **TUTT'S PILLS** cause no nausea or griping nor interfere with daily work and are a perfect

ANTIDOTE TO MALARIA.

HE FEELS LIKE A NEW MAN.

"I have had Dyspepsia, with Constipation, two years, and have tried ten different kinds of pills, and **TUTT'S** are the first that have done me any good. They have cleaned me out nicely. My appetite is splendid, food digests readily, and I now have natural passages. I feel like a new man." W. D. EDWARDS, Palmyra, O.

Sold everywhere, 25c. Office, 41 Murray St., N.Y.

TUTT'S HAIR DYE.

GRAY HAIR OR WHISKERS changed instantly to a GLOSSY BLACK by a single application of this DYE. Sold by Druggists, or sent by express on receipt of $1. Office, 41 Murray Street, New York.

TUTT'S MANUAL OF USEFUL RECEIPTS FREE.

Butler's New Departure

For Pianos, Organs, Violins and other Musical Instruments, call at the

NEW MUSIC STORE.

—OF—

Kleber Bros. & Stauffer,

Main Street, Butler, Pa.

Sheet Music and Music Books always on hand, or furnished to order. Orders for Piano and Organ tuning and repairing promptly attended to by John B. Eyth of Pittsburgh, Pa.
Nov. 14, '83, 3m.

Hard Wood Furniture

for sale at extremely low figures. A great variety of Beds, Tables, Chairs, Childrens' Chairs, Ladies' Rockers, Extra Heavy Arm Rockers, Marble and Wood Top Parlor Tables Bureaus, Stands, Double and Single Lounges, Spring Mattresses, &c., &c., at

WM. F. MILLER'S,

North Main Street,

BUTLER, PA.,

FACTORY ON WASHINGTON STREET.
d12'83-tf.

Election Notice.

FARMERS' AND BREEDERS' MUTUAL LIVE STOCK INSURANCE ASSOCIATION.

The annual meeting of the members of the Farmers' and Breeders' Mutual Live Stock Insurance Association of the United States, will be held at office of Secretary in Butler, Pa., on the last Tuesday (29th day) of January, 1884, at 10 o'clock A. M., at which time officers to serve for the ensuing year will be elected. BY ORDER OF THE DIRECTORS.

JNO. E. BYERS, Sec'y.

Union Woolen Mills.

I would desire to call the attention of the public to the Union Woolen Mill, Butler, Pa., where I have new and improved machinery for the manufacture of

Barred and Gray Flannels, Knitting and Weaving Yarns,

and I can recommend them as being very durable, as they are manufactured of pure Butler county wool. They are beautiful in color, superior in texture, and will be sold at very low prices. For samples and prices, address,

H. FULLERTON,
jul24,'78-1y Butler, Pa

THE TRIAL OF JAS. NUTT.

THE DEFENCE BEGINS.

The Question of Emotional Insanity Discussed at Great Length --The Killing of Dukes Justified by Nutt's Counsel.

PITTSBURGH, Jan. 15, 1884.—Court opened promptly at 9:30 o'clock. The jury was called, and each member responded promptly, the effects of the trial being not yet observable in the countenances or deportment of the twelve.

Mr. Playford, for the defense, opened proceedings by addressing the jury as follows:

"It has been truly said that prosperity is the test of friends and bad fortune is the furnace in which they are tried. On the altar of friendship I cast my offering this morning, and I am here to defend that boy whose father was my friend before he was killed. This is a remarkable case, and it has been conducted in a remarkable way. We do not dispute or deny the killing. Has it occurred to the jury that it would be singular if we should try to show that there is nothing singular in the fact that a citizen was shot down in the quiet of the evening without a warning cause? Does it not, gentlemen, show that there was an unnatural cause, an *insanity*? The Commonwealth, had they so minded, could have shown you that. This case has had a fearful beginning. The Commonwealth could have shown you that with the terrible disgrace, and the scenes that had preceded, young Nutt knew not at the moment what he was doing. And that we shall prove to you. We shall show you by evidence, that at the time he did the deed, the past wrongs and outrages upon his family had made him unable to control his will. That he was pressed into the commission of that act by a controlling influence and overpowering, is the defense in this case. An influence that he could not resist, is our declaration of his part in the deed performed.

We will show you in the course of our investigation the circumstances that preceded this shooting. We will show you his affectionate nature, his love of home, his devotion to his father and his mother and sisters. We will show what an interest he took in the farm and his father's and the family affairs. The deep interest and love he had for all home projects. Then we will show you how that boy was changed by the murder of his father. How he became lonely, melancholy and sad. His entire life's current seemed changed. But up to the trial of Lyman Dukes for killing Mr. Nutt, young James knew nothing about the terrible letters that Dukes had written, casting horrible aspersions upon his sister, bankrupting the family's honor, as well as destroying its head. When the boy heard those terrible letters, the most damnably horrible that human hand has ever penned or human thoughts devised, letters which will be read here in evidence to show you, when he heard those letters ruining his sister, and forever casting a stigma upon all his little sisters, his mind gave way. That we will show you. He walked the floor nights long, spent in weeping. His appetite forsook him. Reason was overthrown. All this we will show you. Gentlemen of the jury, I say that not in fifty years has a man been convicted for slaying the man who had seduced his wife or sister. Not in fifty years, even in cases where strong men did the deed. Even Daniel E. Sickles, whose wife had been debauched, a man strong in mentality, was acquitted. But there is no case parallel to this present one in the annals of our country. Not only did this man Dukes seduce this boy's sister, as has been admitted, but he also added to his damnable deed by killing that sister's father.

Years ago a man named Carter, who had seduced the wife of a man named Smith, *previous* to Smith's marriage to her, was shot by Smith. That case was tried by Judge Allison, and Allison allowed evidence to be produced that Washington Smith's mind had been so affected by discovering his wife's seduction that he was not responsible and accordingly acquitted him. Now if a Judge could admit evidence in a case like that to prove mental derangement, how more rapidly should it be admitted in a case like this when the sister was seduced and the father murdered.

No man who committed such a crime as Dukes should go unpunished Dukes knew that. He knew there was the hand of fate awaiting him. We shall show you by the best medical authority that there is insanity produced by grief and outrage, and that those causes can dethrone reason and render the sufferer irresponsible. No twelve Indians would hang a boy for taking in his hands a justice that belonged to him. And you, gentlemen, of the jury, will not add to a sister's destruction and a father's murder, the murder of a brother and an orphaned son. The test of right and wrong does not prevail in a case of this kind. We do not claim that James Nutt did not know what he was doing; but we do claim that his disordered mind no longer had a control upon his actions. The test of right and wrong is not to be taken into consideration in this instance."

By Patterson—"We admit that."

Mr. Playford continuing, "We will call Dr. Fuller the physician of the Nutt family, who has attended the boy from his birth, and will testify that he was always delicate and of a nervous temperament. We will show that after the shooting of his father the liability to mental disturbances that is hereditary in James Nutt's family, and which has afflicted his uncles and his aunt, took strong hold upon him, and affected his reason so that he did not possess a control of himself up to the hour he shot Dukes. Meeting Dukes day after day, after Dukes' strange acquittal, seeing him sneer in his face, feeling his taunts, drove him distracted. I say, gentlemen of the jury, the shooting of Dukes was the hand of fate. It was society's redress for the great wrong it had suffered, and those bullets, which sped so accurately, until a single hand could cover the spot of their destiny, were directed by some other than human agency. We will show you that the pistol practice with his uncles, that has been cited by the Commonwealth, was done with an old horse pistol, and has no connection or importance in this case. The pistol with which Nutt took away Dukes' life has a history. That pistol was the pistol that Captain Nutt carried while he was cashier of the State Treasury, and was the same pistol found on his person after he had been murdered by Dukes. We will show to you all this and prove to you that there can be but one verdict in this case, and that will be one of acquittal. And so I submit the case to you."

Dr. Smith Fuller, the family physician of the Nutts, was the first witness called by the defense.

By Mr. Brown—Where do you reside, Dr. Fuller?

Dr. Fuller—At Uniontown. I have attended the Nutt family for seventeen years. Have known the defendant, James Nutt, for that time. I have treated him when sick several times, and my acquaintance with him reaches to the present time.

Mr. Brown—State whether you think James Nutt mentally deficient?

Objected to by the prosecution.

The Court overruled the objection and decided that a family physician can give testimony as to the mental capacity and characteristics of the family members treated by him.

Mr. Brown—What is your opinion of James Nutt's mental capacity?

Doctor—I have always believed him to be mentally deficient and without sound mental attributes.

Brown—Would he be inclined to harbor feelings of enmity for a long time?

Doctor—He would.

Brown—Would it increase?

Doctor—It would.

Brown—Would he become a monomaniac on the subject of avenging his father's death?

Doctor—He would probably become a monomaniac.

Brown—Are weak minded people predisposed to monomania?

Doctor—They are, sir.

The doctor further stated that in a person of James Nutt's mentality the brooding upon his father's death would unsettle his mind and so incapacitate him for a mental control over himself.

Cross-examined—For what have you treated James Nutt?

Doctor—For a broken limb, heart disease and other things

Prosecution—What reason have you to think him imbecile?

Doctor—He was a slow thinker, not logical in his thoughts. His thoughts were disconnected. He made replies slowly. His general nature and physiognomy made me think so. He was difficult to engage in conversation, and gave evidence of a lack of mental capacity. He was weak minded. It was not idiocy. I believe there are two classes—imbeciles and idiots. I would class him as an imbecile, but not as an idiot.

The admittance of this testimony by the Court destroyed the prosecution's attempt to rule out this line of defense of emotional insanity, and gave the field clear to the defense.

Doctor—His father told me that he hoped to get James into some gardening or something of that sort, as he felt that James was not capacitated for ordinary business.

Mrs. Nutt was next callled and sworn.

By counsel for the defense—"Mrs. Nutt, please raise your veil." The request was complied with. "Who was your husband?"

Mrs. Nutt—Adam C. Nutt.

At the mention of the name by his mother James Nutt commenced crying and bit his fingers nervously.

Mrs. Nutt—under question by counsel—stated that her husband had died suddenly at the Jennings Hotel, Uniontown.

Defense—How many children have you?

Mrs. N.—Nine. The youngest is four years of age; the second a boy of six; the third a girl of eight; the fourth a girl of ten; the next a boy of twelve; then a boy of sixteen, then James, twenty-one years, and then Lizzie, who is the oldest.

Defense—Where was James at the time of his father's death?

Mrs. N.—At Rochester, N. Y., attending school. He immediately came home at the time of his father's death.

Mrs. Nutt testified that her husband previous to the war taught school, and that after he returned from the army they removed to Uniontown, where he engaged in the law business, and was also employed in a bank. That the family lived in Uniontown about fifteen years, and then removed to South Union, where they now reside.

Defense—Was James a good boy?

Mrs. N.—Yes, sir; he was a good boy. He was greatly attached to his father. There was more than ordinary affection between James and myself. He was a very quiet boy, and not at all talkative. When home he attended to the garden and worked around the house. We have about eleven acres in the place. He took great pride in the garden and working around the yard. He did not go to school much. He was not an apt scholar and did not make much progress.

Defense—Was James mentally strong or the reverse?

Answer—The reverse.

Defense—Was that noticed and commented upon before his father's death?

Answer—It was. Before his father's death he told me he would have to leave James more when he died than the other children, as James was not as able to take care of himself as the others.

Defense here asked Mrs. Nutt to state the general mental condition of her son.

The prosecution objected and cited cases, supporting the objection, from the Supreme Court.

Judge Stowe ruled that as the citation referred to a mental condition superinduced by drunkenness, it was not pertinent to the present case. That the present instance was to show the jury the mental condition of young Nutt both previous to and at the commission of the deed, and overruled the objection, by so doing admitting all testimony on James Nutt's mentality.

Defense—What I want to know, Mrs. Nutt, was James of such mental capacity that excitement would affect him much?

Answer—It would greatly affect him.

Defense—Did you notice this long?

Answer—All through his life.

Defense—Was James accustomed to the use of the pistol?

Answer—Yes, sir. He had a fancy for a pistol when quite a small boy. His father bought him his first pistol, and he had one when he was quite a small boy and often used it shooting at marks. All the children shoot at marks. James was a good shot. He carried his pistol with him all the time.

Defense—Did he buy a pistol after the killing of his father?

Answer—He spoke to me after the trial of Dukes, and asked for his father's pistol, and I consented that he should have it.

Defense—How did James appear when he first came back from Rochester?

Answer—I was sick in bed and I can remember him standing over me and begging me to get well. My health was poor, but my husband's death prostrated me and I was confined to bed several weeks.

Defense—Was James at his father's funeral?

Answer—Yes, sir. I was unable to go to the funeral

Defense—State how James was before the trial of Dukes?

Answer—He was very quiet and listless and did not take any interest in anything as he did before.

Defense—Did anything occur that excited him?

Answer—Yes, sir. The acquittal of Dukes. James attended the entire trial. James did not know anything about the Dukes letters before Dukes' trial. He there heard the letters for the first time, and they made an impression on him. He grew very moody, and sat around and cried and grieved over his troubles. I would often find him off by himself, sitting and crying. He would not talk, and he never appeared to want to tell his troubles. At night he was very wretched and restless, and I would often go in his room at all hours of the night and ask him if he was not sick

Defense—Did you hear him make any noise?

Answer—I often heard him moaning and sometimes I heard him scream 'murder!' It would wake up all in the house. He would wake in his sleep and cry 'murder!' That was a week before he shot Dukes. He had no appetite after his father's death and would eat but little.

Defense—Do you remember seeing him do anything peculiar at meal times?

Answer—He would often leave the table and walk around for awhile, and then come back and sit down. He did that very often.

Defense—Did the little children make any communications to James when they came home in afternoons?

Answer—They would after tell him when they came home that they had seen Dukes. They took their dinner with them and ate it in the bank. When they came home they would be distressed. The bank is directly opposite the Jennings House, where Dukes boarded.

Defense—Did you ever talk to your son about Dukes?

Answer—Yes, sir.

Defense—What caused you to do so?

Answer—I told my son James when Dukes came back to Uniontown I thought it meant harm to him. I was anxious about James, for I knew Dukes feared him and was trying to aggravate him. I had heard that Dukes was following my daughter Lizzie. I had heard that Dukes had said James was the only one he feared. I told James these things.

Defense—Mrs. Nutt, were these matters talked of in the family?

Answer—No, sir. My mother, Mrs. Anna Wells, was living with us. I think she talked to James on the subject. The effect upon James was noticeable.

Defense—Did James read the newspapers after the acquittal of Dukes?

Answer—Yes; after it he seemed to be anxious to read the accounts of the trouble. He also read letters that I and my daughter received from all parts of the United States. These letters referred to the killing of my husband. James read these letters and the papers and seemed to ponder on them. He used to preserve the letters and papers in his trunk.

Defense—Did you get many letters?

Answer—Yes, sir. The letters were written by both men and women. They often contained slips cut from newspapers commenting on the killing of Mr. Nutt. I always saw a change in James when he came back from Uniontown if he had met Dukes. He went there to the Postoffice twice a day. He and his brother Joe usually went for the letters. After a trip in which he had men Dukes he would be very much agitated though he would say nothing about it. He came home and walked the floor, so I was alarmed, and I asked him what was the cause, and he said:

Objected to by prosecution.

Answer—About a week before the killing I followed him out of the room and asked what was the matter, and he said, "Mother that villain—"

Objected to by the prosecution.

The defense claimed that the jury had a right to hear all that James Nutt said previous to the killing, and also his acts. That it had been intimated that he had simulated insanity, and to controvert that aspersion, the whole life, acts and moods of the subject should be heard.

Prosecution claimed that the evidence of what he said as prompted by Dukes was not admissible.

The court ruled that all such evidence taken cumulatively as affecting James Nutt's reason, was admissible.

Defense—What did James say?

Answer—Mother, don't you think that villain Dukes had the impudence to look at me and laugh!

Defense—How did he look?

Answer—Very much excited.

Defense—How often did this occur?

Anwer—Several times

Defense—Was his excitement from meeting Dukes?

Answer—Yes, sir. He did not tell me at other times that he had met Dukes, but he was so excited I would ask him.

Defense—Upon the day Dukes was shot where was Joe?

Answer—He was not at home.

Defense—Who went to the Postoffice that evening?

Answer—James.

Defense—Who had been with him that afternoon?

Answer—His uncle.

Defense—Did he remain with him?

Answer—No, sir; they left. James went after the mail that evening at the usual time. It was a lock box. James and Joe both had keys. I saw nothing unusual about him that evening. He brought me up the cows, and I was out milking when he started for the Postoffice. I did not see him again that evening. I did not know of the shooting of Dukes until a late hour.

Two letters were shown Mrs. Nutt and identified by her as letters that had been shown her by her husband. They were the two letters that Dukes sent Nutt, which were read at the Dukes trial. Recess.

THE DUKES LETTER IN EVIDENCE.

The trial was resumed with Mrs. Nutt on the stand.

Senator Voorhees arose and stated that the defense would put in two letters addressed to Captain Nutt by Dukes, and one addressed to Dukes by Nutt, in evidence. The letters would not be read at present, but it was agreed that counsel could make remarks upon them previous to their being given to the jury.

By Mr. Brown—Mrs. Nutt, I suppose you have recollection of newspaper matter published right after the Dukes trial, and your son had access to them too. Did your son read the account of the indignation meeting and the hanging of Dukes in effigy?

Mrs. Nutt—Yes, sir.

Where did your son keep these papers?

In his trunk, in his room upstairs.

Did he spend much time in his room?

Yes, sir.

After Dukes' trial did he attend to his work around the farm as usual?

No, sir.

Did you speak to him?

Yes, I told him he ought to take more interest in the work, and he said: 'mother, I have no heart to do anything'

How did he spend his time?

He sat around and brooded over his troubles.

By the prosecution—Mrs. Nutt, was the paper spoken of one illustrated with drawings?

Yes, sir.

Could you identify the paper?

Yes, sir. (The paper, the Uniontown *Standard*, with the cuts in, was handed to Mrs. Nutt and identified) that was the one he had in his trunk.

He was present during Dukes' trial?

Yes, sir; he was.

After the acquittal of Dukes was Dukes in town for some time?

Not for a short time. How long I cannot say. I can't say when first I heard he had returned. It was reported to me that he was following Lizzie about.

Did he follow her out of town?

No, sir; it was when she was in town. I made no investigation of the truth of the report. She did not go to town often.

Mrs. Anna Wells, Mrs. Nutt's mother, a lady 75 years of age, was next called by the defense. She stated that she frequently stopped with her daughter, and lived with Mr. Nutt the winter previous to his death,

Did James ever live at your house?

He has visited me.

Did you ever notice any thing peculiar about James Nutt?

He always appeared very sad.

Mrs. Wells testified that Mrs. Nutt was always a delicate woman, and that the shooting of her husband prostrated her, and it was a question among members of the family whether she could recover.

What sort of a boy was James?

He was a quiet, but peculiar boy always. He liked to be by himself, and did not mingle much with other children. He was always very fond of his mother, but was not fond of going to school. When he grew up he worked on the farm, and when on a visit to my home he would work out doors with his grandpa.

Was he excitable?

Yes, sir, he was always excitable and nervous.

Did you notice anything particular about him after the death of his father?

Yes, he could not eat, and he often walked the floor at midnight moaning.

Did anything occur after his father's death and before he shot Dukes to excite him?

He was very sad and did not take interest in things like he did before. I remember we sent him to town one time to buy nails to nail up the fence, and when he came back he was very gloomy, and he came into the room and sat right down on the floor with his hands on his knees and commenced rocking himself and moaning. And presently he rolled over on the floor and I said: "Jimmy, what is the matter? Are you sick?" and he said: "No, I am not sick?" Said I, "You have seen Dukes to-day?" and he said: "Yes, grandma, I have, and he looked right in my face and grinned at me." And then James shut his mouth and showed me the kind of face Dukes had made at him.

What else did you notice?

His mother would tell him to do things and he would forget it, and sometimes he said he no longer had heart to do anything."

Did you ever hear him make any outcry in the night?

Yes, sir. I heard him cry "murder!" one night. He cried it so loud every one in the house heard it and woke up.

Was it talked of in the family in the presence of James about Dukes meeting and following his sister?

I don't remember. I often told James not to go to town any more than he could help. I heard it said that Dukes had said he was "afraid of that crazy Jim Nutt."

What occured between you and James before he started for town the evening of the shooting of Dukes.

He had been working around, and came into the house after he had brought the cows up for his mother to milk. He asked his mother first if he could bring them up, because it was a little early. She said yes. He come in and sat down to change his shoes and looked to me and said, 'Grandma, I'm going down to get the mail.' He seemed to be quiet and calm, and I noticed nothing peculiar about him.

He did not come back that night?

No, sir. I never saw him after that until I saw him here to-day.

Cross-examined—Do you know of James being sent to town on any errand after Joe went off on a visit and previous to the killing?

He was sent to town on an errand on the forenoon of the day of the killing. I thing he was not with his uncle that day. He did not tell me that forenoon where he was going. On the evening he told me he was going to the town for the mail. He told me so when he was changing his shoes. He did not change any other clothes.

Awful Railroad Disaster in McKean County.

One of those disasters peculiar to the oil country occurred about three miles from Bradford last Tuesday week, resulting in the entire destruction by fire of a passenger train on the Bradford, Bordell and Kinzua Railroad. A tank of oil on the Anchor Oil Company's lease, on the Buchanan farm, while being steamed, burst, its contents coursing down the steep hillside and running into the roadbed of the railroad. At that point the grade is very steep, and the vagrant oil ran down the track for fully half a mile. The morning train from Wellsville, due here at 10 A. M., consisted of an express car and a passenger coach. Every seat in the car was taken. The express car was also partly filled with passengers. When the train entered the river of oil, the engineer, who was unconscious of danger, was startled by a loud and deafening explosion, and an instant afterwards the entire train seemed enveloped in a mass of flames. The gas in the oil had come in contact with the furnace of the engine, firing the oil. Engineer Patrick Sexton immediately applied the air brakes and reversed his engine. For a brief instant the train came to a halt. The engineer said that he was surrounded by seas of flames, and noticed with dread that the waves of burning oil surged ahead of him on the track for a long distance. To remain in the midst of the burning fluid meant certain death. He opened wide the throttle and the engine thundered on at a terrible rate of speed. A sharp curve was ahead. The engineer reversed his machine, and with his fireman, Michael Walsh, jumped into the deep snow bank which lined both sides of the road. After running a mile the train was finally derailed and fell in a heap in a ditch, when the work of destruction was completed.

IN A TERRIBLE PLIGHT.

The passengers, at the sight of the destruction, were terror-stricken, and the scene that followed beggars description. Locked in and helpless in a furnace of fire, traveling at the rate of fifteen miles an hour, their anguish knew no bounds. Men of nerve lost their heads. Women fell to the floor in a swoon, and the cries and lamentations of little children pierced through the hearts of iron. There was a dash for the door and windows through the sweeping flames which cooked the flesh and singed the hair on the faces and heads of the imprisoned passengers within. It was everybody for himself, and men in their desperation jumped from the speeding train and fell prostrate to the ground, burned and mangled to pieces. So fierce was the heat of the flames that the windows were almost instantly cracked, allowing tongues of fire to lick the interior of the coach. Wonderful to relate only three lives were lost. There were many miraculous escapes. The victims were all women. Mrs L. C. Fair, of Aiken, was burned to death. When taken from the ruins the body was found burned almost beyond recognition. The ghastly corpse lay in the snow with both hands extended. Her husband, who was in the baggage car, started to go back to rescue his wife. At the door he was met by a wall of flames, the passage of which was certain death. He was forced to jump from the side door and escape with slight bruises. George McCartney, the news boy, who is badly burned about the face, head and hands, will recover. McCartney could have escaped without injury. He was nearly out of the car when he heard the cries of Mrs. Fair. He attempted to help the woman out, but at the critical moment she lost her presence of mind and fainted. In order to save himself when he recovered the young man jumped through the window and landed in a pool of oil.

The death of Miss Katie Morgan, of Allen, N. Y., a small station near Aiken, was peculiarly sad. She was a young woman. Her body, which was almost burned to a crisp, was found hanging onto the frame-work of the car. Both hands were closed with a vice-like grip upon the window sash. The clothes were entirely burned off. It is evident that death was caused by inhaling the flames. The young lady had managed to crawl out of the window, and while on the very threshold of escape from death fell back a victim to the terrible flames. The third victim was Mrs. Libias Jones, of Reed City, Pa. She was burned to a crisp. Mrs. Connelly, of Reed City, who was reported dead, escaped with slight injuries and was able to go home this afternoon.

The ten-year-old daughter of W. E. Proctor, of Tarport, was on the train. She had the presence of mind to boldly jump through a window. Her injuries are slight. Mrs. Thomas Parker, of Bordell, Pennsylvania, threw her four-year-old child out of the window, and jumped out. Both escaped with slight burns and bruises. John Burke, of the Bingham House, Dunkirk, N. Y., with his sister Mary, was on the ill-fated train. They occupied seats near the center of the car. They escaped without injury.

Mr. Burke said: "The train was running at the rate of 15 miles an hour. Suddenly the car became dark. Jets and tongues of flame leaped up on the sides and through the ventilators of the car. The glass cracked with a snap and the heat became unendurable. I knew at once that we were passing through an oil fire. I recognized the peculiar hissing of the burning oil. Turning to my sister Mary I said: 'We are passing through an oil fire; be quiet, it will soon be over.' People began to jump through the windows. On all sides was heard the crashing of the glass and the deafening roar of the sea of flames. The car was a regular hell in less than three minutes after it caught fire. It seemed as if we were all doomed to burn to death. The situation was terrible. The car was filled with the cries of women and children and the groans of strong men. Women and children were picked up by strong hands and bodily fired through the cracking windows. Those who jumped out of the windows fared better than the few who dashed through the doors into the ocean of flame, which surged to and fro like huge waves upon the bed of the road. Those who jumped from the windows landed in huge drifts of snow. Those who went through the doors had their hands, faces and clothing badly burned and singed, and some were so badly burned that they will die.

I started down the aisle, but the heat was so awful that it made my head swim. It was impossible to move. The car swayed to and fro like a ship in a heavy sea. The windows offered the only means of escape. I said to Mary: 'We must jump through the window.' I arranged a cloak about her head. The heat had already cracked the glass. I picked her up bodily and mustering all my strength dashed her head foremost through the window. I then picked up a little girl who was crying and threw her out of the same window, and then I made the jump of my life, landing in a snow drift. My moustache and my hair were only slightly singed. My sister rolled down the bank, and escaped without a scratch. It was the most eventful experience of my life. There is nothing so fierce as an oil fire, and the only wonder to me is that any of the passengers escaped with their lives. It seemed as if the coach was all in flames in less than two minutes after it was engulfed in the fiery sea of oil. The heat was so fierce that in less time than it takes for me to tell it the car windows were cracked and tongues of flame were licking the heads and faces of the affrighted passengers."

AND HER VICTIM'S STORY.

J. P. Fletcher, of Bolivar, N. Y., was burned about the face and head. His left hand was bandaged up. He was near the door. He said: "It seemed but an instant ere the coach was enveloped in flames. Quicker than a flash the heat cracked the windows and the flames licked the interior wood work. I forced open the door. The platform and end of the car were on fire. A dense black smoke ascended heavenward. Tongues of flames leaped out like bolts of lightning, destroying everything in their path. I closed my eyes and jumped. I landed in the ditch and threw myself into the snow and rolled down a long hill. It was the hottest fire that I ever saw. How I escaped with such slight burns is a mystery. When I jumped I commended my soul to God, as I never expected to look upon this world again."

An eye witness of the disaster says: "It was the grandest and yet the most awful scene that human eyes ever witnessed. For a distance of nearly half a mile the roadbed was covered with oil. At points it was over the rails. The moment the gas came in contact with the fire box it exploded, firing the oil. In less than one minute the engine and cars were enveloped in flames. Great black pillars of smoke ascended heavenward. The driving wheels of the engine, which was dashing along at the rate of fifteen miles an hour, scattered the oil over everything. With a rush and roar which might have been heard for a mile the flames leaped fully 250 feet ahead of the locomotive which was thus compelled to run through a veritable sea of fire, such as is seldom the fortune of man to witness. It was a terrible race and the only parallel I can remember is the oil train which burned up near Brocton, N. Y., a few years ago. How the engineer, train hands, and the men, women and children escaped is something that only Providence can explain. It was a sight to make the strongest heart shudder. I never want to see its like again."

This is the first accident in the history of the Bradford, Bordell and Kinzua. No blame is attached to the officials, as the accident was clearly unforseen. Coroner Bannon has impannel