THE CARLISLE HERALD.

J. M. WEAKLEY, J. M. WALLACE

CARLISLE, PENN'A., THURSDAY, NOVEMBER 23, 1871.

TERMS—$2.00 a Year in advance. $2.50 if not paid within the year.

CARDS.

J. A. ATWOOD. ISAAC W. RANCK. S. S. RANCK.

ATWOOD, RANCK & CO.,
COMMISSION MERCHANTS,
Wholesale dealers in all kinds of PICKLED AND SALT FISH
No. 210 North Wharves,
Above Race street, PHILADELPHIA.
10:70 M. COYLE. W. SCOTT COYLE.

COYLE BROTHERS.
NOTIONS, WHOLESALE AT CITY PRICES,
Having received a large line of Woolen Goods, such as Undershirts and Drawers, Knit Jackets, Scarfs, Woolen Hosiery, Buck and Sheepskin Gloves, Gauntlets and Mits, Hanover Gloves and Gauntlets, Woolen Merino, Cloth and Berlin Gloves and Gauntlets, would call the attention of merchants.
COYLE BROTHERS,
No. 24 South Hanover street, Carlisle, Pa.
6oct71tf

DENTISTRY!
DR. J. B. ZINN,
Having recently removed to *No. 61 North Hanover street,* In the house lately occupied by Dr. Dale.) Carlisle, Penn'a,
Will put in teeth from $10 to $20 per set, as the case may require. All work warranted.
10feb70

DR. J. S. BENDER,
HOMŒOPATHIC PHYSICIAN.
Office in the room formerly occupied by C. L. John Loe. 10ap69

F. E. BELTZHOOVER,
ATTORNEY AT LAW.
Office in South Hanover street, opposite Bentz's dry goods store. 10ap70

HOLL, KIRKPATRICK & WHITEMAN,
Wholesale dealers in
MANUFACTURED TOBACCO,
N. E. Cor. Third and Market streets,
Philadelphia.
S. T. HOLL, E. KIRKPATRICK, L. WHITEMAN. JOHN A. SWARTZ, W. W. HERITAGE.
4jan71

C. P. HUMRICH. WM. B. PARKER.
HUMRICH & PARKER,
ATTORNEYS AT LAW
Office on Main street, in Varlon Hall, Carlisle. 10se70

JAMES H. GRAHAM, JR.,
ATTORNEY AT LAW,
No. 14 South Hanover Street,
CARLISLE, PA.
Office adjoining Judge Graham's
24mh70

JOHN CORNMAN,
ATTORNEY AT LAW.
Office No. 7, Rheem's Hall, in rear of the Court House
10se69

JOSEPH RITNER, JR.,
ATTORNEY AT LAW AND SURVEYOR,
Mechanicsburg, Pa. Office on Railroad street, two doors north of the Bank
Business promptly attended to. 10se69

JOSEPH GAVALE,
ATTORNEY AT LAW,
Practices in Dauphin and Cumberland Counties.
Office—Bridgeport, Pa. Post office address—Camp Hill, Cumberland county, Pa. 12jan71ly

JOSEPH F. CULVER. CHAS. P. CULVER.
LAW, LOAN AND COLLECTION OFFICE OF JOSEPH F. CULVER & BRO. PONTIAC, ILLINOIS. We have the best of facilities for placing capital on first-class improved farms. Titles investigated, and Abstracts furnished from our own office. Ten per cent. interest and prompt payment guaranteed. We have correspondents in every part of the State, which furnishes us every facility for speedy collections.
REFERENCES: Hon. James H. Graham, Wm. M. Parson, esq. Wm. J. Shearer, esq. C. H. Maglaughlin, esq., Carlisle. Hamilton Alricks, esq. Harrisburg. Hon. C. P. Culver and Hon. Horatio King, Washington, D. C. George H. Stuart, Philadelphia. Chambers & Pomeroy, New York city.
22je71

M. C. HERMAN,
ATTORNEY AT LAW.
Carlisle, Pa. No. 3 Rheem's Hall. 10se70

A. K. M'CLURE. J. H. M'KEEHAN.
M'CLURE & M'KEEHAN,
ATTORNEYS AT LAW.
144 South Sixth street, Philadelphia.
1je71ly.

P. H. SHAMBARGER,
JUSTICE OF THE PEACE,
Plainfield, Westpensboro' township, Cumberland County, Penn'a.
All business attended to with will receive prompt attention. 20oct70

W. F. SADLER,
ATTORNEY AT LAW,
Office, 22 South Hanover street, next the Good Will Hose House. 10se69

WILLIAM KENNEDY,
ATTORNEY AT LAW.
Office in Volunteer building, Carlisle. 10se69.

W. J. SHEARER,
ATTORNEY AT LAW.
Office in northeast corner of the Court House. 10se69

WES. B. HIRONS,
ATTORNEY AND COUNSELOR AT LAW,
723 Walnut Street,
PHILADELPHIA.

Medical.

SIMILIA SIMILIBUS CURANTUR.
HUMPHREYS'
HOMŒOPATHIC SPECIFICS
HAVE proved, from the most ample experience, an entire success. Simple—Prompt—Efficient and Reliable. They are the only Medicines perfectly adapted to popular use—a simple pill mistaken can not be made in using them; so harmless as to be free from danger, and so efficient as to be always reliable. They have raised the highest commendation from all, and will always render satisfaction.

Nos		Cents.
1	Cures—Fevers, Congestion, Inflammation	25
2,	do Worms—Worm Fever, Worm Colic	25
3,	do Crying-Colic or teething of Infants	25
4,	do Diarrhœa, of Children or Adults	25
5,	do Dysentery, Griping, Bilious Colic	25
6,	do Cholera-Morbus, Vomiting	25
7,	do Coughs, Colds, Bronchitis	25
8,	do Neuralgia, Toothache, Faceache	25
9,	do Headaches, Sick Headache, Vertigo	25
10,	do Dyspepsia, Bilious Stomach	25
11,	do Suppressed, or Painful Periods	25
12,	do White, too Profuse Periods	25
13,	do Croup, Cough, Difficult Breathing	25
14,	do Salt Rheum, Erysipelas, Eruptions	25
15,	do Rheumatism, Rheumatic Pains	25
16,	do Fever and Ague Chill Fever, Ague	50
17,	do Piles, blind or bleeding	50
18,	do Ophthalmy, and inflammation	50
19,	do Catarrh, acute or chronic, influenza	50
20,	do Whooping Cough, violent coughs	50
21,	do Asthma, oppressed Breathing	50
22,	do Ear Discharges, Impaired hearing	50
23,	do Scrofula, enlarged glands, Swellings	50
24,	do General Debility, physical weakness	50
25,	do Dropsy and scanty Secretions	50
26,	do Sea Sickness, sickness from riding	50
27,	do Kidney Disease, Gravel	50
28,	do Nervous Debility, Seminal Emissions, Involuntary Discharges	1 00

Five Boxes, with one $2 Vial of Powder, very necessary in serious cases 5 00
29, do Sore Mouth, Canker 50
30, do Urinary Weakness, wetting bed 50
31, do Painful Periods, with spasms 50
32, do Sufferings at change of life 1 00
33, do Epilepsy, spasms, St. Vitus Dance 1 00
34, do Diphtheria, ulcerated sore throat 50

FAMILY CASES

Of 35 to 60 large vials, more or less, with a manual, containing a Specific for every ordinary disease a family is subject to, and Books of directions. from $10 to $35
Smaller Family or Traveling cases, with 20 to 28 vials, from $5 to $8
Specifics for all Private Diseases, both for Curing and for Preventive treatment, in vest and pocket cases. $2 to $5

POND'S EXTRACT,
Cures Burns, Bruises, Lameness, Soreness, Sore Throat, Sprains, Toothache, Earache, Neuralgia, Rheumatism, Lumbago, Piles Boils, Stings, Sore Eyes, Bleeding of the Lungs, Nose, Stomach, or of Piles; Corns, Ulcers, Old Sores.
Price, 50 cts., 50 cts; Pints, $1.50; Quarts, $2.50.
☞ These Remedies, except Pond's Extract, by the case or single box, are sent to any part of the country, by mail or express, free of charge, on receipt of the price. Address
Humphreys' Specific Homœopathic Medicine Co.
Office and Depot, No. 562 Broadway, New York.
For sale in Carlisle, by S. A. Haverstick and Corman & Worthington.
2no71ly

Wall Papers.

1871. PHILADELPHIA. 1871.
WALL PAPERS.
HOWELL & BOURKE,
Manufacturers of
PAPER HANGINGS AND WINDOW SHADES,
Wholesale and Retail Salesrooms,
CORNER FOURTH AND MARKET STREETS,
PHILADELPHIA.
—Cor. 23d and Sansom Streets.

THE KIEHL MURDER TRIAL.

The trial of John Kiehl for the alleged poisoning of his wife, Sarah E. Kiehl, in Southampton township, Cumberland county, on the seventh day of May, 1871.

Full and Complete Report of the Trial.

The trial of John Kiehl for the murder of his wife, Sarah E. Kiehl, was called up, in the court of Oyer and Terminer, on Wednesday morning, fifteenth instant. District Attorney W. F. Sadler, assisted by the late District Attorney, C. E. Maglaughlin, esqrs., appeared for the Commonwealth, and William H. Miller, W. J. Shearer and James H. Graham, jr., esqrs. appeared for the prisoner.

The prisoner was directed to stand up and was arraigned by District Attorney Sadler, who read the bill of indictment, found by the Grand Jury, as follows:

At a Court of Oyer and Terminer and General Jail Delivery, held at Carlisle, in and for the county of Cumberland, on Monday, the twenty-eighth day of August, 1871, before Hon. James H. Graham, President Judge, and Hugh Stuart and Thos. P. Blair, esqrs., Associate Judges of said Court:

Cumberland County, ss:

The grand inquest of the Commonwealth of Pennsylvania, inquiring in and for Cumberland county, on their oaths and affirmations respectively, do present that John Kiehl, late of said county, farmer, not having the fear of God before his eyes, but being moved and instigated by the Devil, and of his malice aforethought, wickedly contriving and intending, a certain Sarah E. Kiehl with poison, willfully, feloniously and of his malice aforethought, to kill and murder, on the seventh day of May, in the year of our Lord, one thousand eight hundred and seventy one, and on divers other days between the said seventh of May, in the year last aforesaid, and the eleventh day of May in the year last aforesaid, in the county aforesaid, and within the jurisdiction of this court, with force and arms, feloniously and wickedly, and of his malice aforethought, a large quantity of a certain deadly poison, to wit, arsenic, to the said Sarah E. Kiehl, did give and administer, with intent that she the same into her body should take and swallow down (the said John Kiehl then and there well knowing the said arsenic to be a deadly poison,) and the said arsenic so given and administered unto the said Sarah E. Kiehl by the said John Kiehl, the said Sarah E Kiehl did then and there swallow down into her body, by reason of which said administering, taking and swallowing down the said arsenic into her body, the said Sarah E. Kiehl became and was mortally sick and distempered in her body, of which said mortal sickness and distemper, caused by the said arsenic so administered by the said John Kiehl, the said Sarah E. Kiehl, from the said several days and times on which the said arsenic by the said John Kiehl to the said Sarah E. Kiehl was administered as aforesaid, until the night of eleventh of May, in the year aforesaid, in the county aforesaid, did languish and languishing did live, on which said night the said Sarah E. Kiehl, of the said mortal sickness died, and so the jurors, on their oaths aforesaid, do say that the said John Kiehl, the said Sarah E. Kiehl, in the manner and form aforesaid, feloniously, wilfully and of his malice aforethought, did kill and murder, contrary to the Act of Assembly, in such case made and provided, and against the peace and dignity of the Commonwealth of Pennsylvania.

And the jurors aforesaid, on their oaths and affirmations aforesaid, do further present that the said John Kiehl, continuing and intending to murder one Sarah E Kiehl, on the said seventh day of May, in the year aforesaid, and on divers other days and times between that day and the eleventh day of May, in the year aforesaid, in and upon the said Sarah E. Kiehl did make an assault, and unto the said Sarah E. Kiehl a large quantity of deadly poison, the name and description of which is to the jurors aforesaid unknown, feloniously, wickedly and of his malice aforethought, did give and administer, with intent that she should take and swallow the same down into her body, the said John Kiehl then and there knowing the said substance to be a deadly poison, and the said Sarah E. Kiehl, the said poison so given and administered unto her by the said John Kiehl, did take and swallow down into her body, by reason and by means of which said taking and swallowing down the said poison, the said Sarah E. Kiehl became mortally sick and distempered in her body, of which said mortal sickness and distemper the said Sarah E. Kiehl, from the said days and times on which the said deadly poison was administered by the said John Kiehl to the said Sarah E. Kiehl as aforesaid, until the night of the eleventh of May did languish and languishing did live, on which said night, eleventh of May, the said Sarah E. Kiehl, of the said mortal sickness and distemper, by the said poison caused as aforesaid, died; and so the jurors aforesaid, do say that said John Kiehl, the said Sarah E. Kiehl, in manner and form aforesaid, feloniously and of his malice aforethought did kill and murder contrary to the form of the Act of Assembly in such case made and provided, and against the peace and dignity of the Commonwealth of Pennsylvania.

C. E. MAGLAUGHLIN,
District Attorney.

"To this bill of indictment the defendant pleads "not guilty." *Et de hoc District Attorney similiter. Issue:* Whereupon a jury of the country being called, came to wit:

John Jacobs, iron master, Carlisle; Henry P. Chapman, artist, Carlisle; Jacob Hemmingor, gentleman, Penn; George W. Pressel, farmer, Monroe; Christian Hauffman, gentleman, Mechanicsburg; Jacob Landis, millwright; Mechanicsburg; Andrew Homer, farmer, Middlesex; William Hastings, farmer, Penn; Uriah Corl, blacksmith, Southampton; John B. Drawbaugh, machinist, Lower Allen; Alexander Meek, machinist, Carlisle, and Solomon Dewalt, farmer, North Middleton.

At 4½ o'clock p. m., the above jury was impanelled, and the case was opened upon part of Commonwealth by W. F. Sadler, esq., in an eloquent and impressive manner as follows:

GENTLEMEN OF THE JURY.—You have been selected from the body of your fellows, as *the* twelve men who shall, impartially, try the issue joined between the Commonwealth of Pennsylvania and John Kiehl, and a true verdict give, according to the evidence. I need make no attempt to impress upon you the responsibility of your position, or to tell you how, as jurors, you should act. Your intelligence and integrity is our surety that you feel the weight of your obligations, and know your duties in reference to both the prisoner at the bar and the body of the people at large.

John Kiehl has been indicted for the wilful and deliberate murder of his wife, Sarah A. Kiehl, by the administration of poison, on the seventh day of May last, and at other times subsequent thereto. The facts on which this charge against him is based are, as I believe the evidence will disclose them, as follows:

About eight years' since John Kiehl was married to Sarah E. Doner, who made him a patient, dutiful, industrious, frugal, and an affectionate wife. After some years of earnest striving, they accumulated some money, and purchased a home in the vicinity of Shippensburg, to which they removed in the Spring of 1870. Prior to this time, they had lived in perfect accord, and with proper fidelity to each other. Soon after removing to their new home, John became intimate with, and enamored of a girl residing in the neighborhood, named Kate Myers, and gave to her the attention which should have been bestowed upon an uncomplaining wife. This attachment grew more intense on his part, and he finally saw no obstacle to the embraces of his new love, but his wife, and soon determined that she must be removed out of the way. Kate Myers was delivered of a bastard child some years' since. Mrs. Kiehl was childless. During some months prior to her death she had been in delicate health, but had very materially recovered. She had been taking medicine from Dr. Zitzer for some time, and was, also, *prescribed* for, on the first day of May, by Dr. Bixler, who gave her a box of powders and a bottle containing a liquid. This box and bottle were kept in a cupboard in Kiehl's kitchen.

For a number of weeks, prior to Mrs. Kiehl's death, she had been doing her own housework, scrubbing, washing, digging garden, and, also, assisting in doing the work usually performed by men. On Sunday, May 7, she took a hearty breakfast, did her housework, ate a full dinner, and then made a visit to a neighbor, a full fourth of a mile distant, and remained with them during the afternoon. Inquiries were made as to her health, and she asserted it had greatly improved, that she was now well, and would not take any more medicine. She returned home between 5 and 6 o'clock of that evening, did her housework, and retired.

After sometime Kiehl returned from the house of Henry Myers, the father of Kate Myers, and from the foot of the stairs, inquired of his wife "if she had taken her medicine?" receiving a negative reply. He told her "there was no use for him to purchase medicine, unless she took it," and then mixed up a potion, carried it up stairs, and made her take it, despite her protests. She was immediately seized with a pain in the abdomen, burning in the throat and stomach, and violent vomiting. She continued very ill during the night. He did not procure medical aid, but left his home the next morning, and went to work at a neighbors who was intimate with the family, with no one to care for his wife. About 5 o'clock, on the evening of Monday, he returned home, and shortly after was seen mixing a white powder in a cup, and stated he was going to give it to Sarah; that he took it up stairs to his wife, and in the presence of a neighbor girl, who happened to be sitting by, he compelled her to take the potion, despite her protests and entreaties, and then carried the cup to the window and coolly examined it, to see that it was drained to the dregs. He took the cup down stairs and wiped it out with a cloth.

His wife was, almost immediately, seized with intense pain in the abdomen, burning from the throat to the stomach, which was followed by violent vomiting. He again left his home on Tuesday morning, and his wife was found about 7 o'clock on the floor, by a neighboring woman, vomiting and purging, unable to get to her bed. He returned home and went away leaving his wife in that condition. At this time, as well as at a number of previous ones, he refused to go for a physician, although importuned to do so by his wife and his neighbors. That finally, after he was induced to go, and before leaving, he emptied out the vomit, went to the barn, got his horse and again returned, and did likewise. That when he called on Dr. Nevin, his answer to the Doctor's interrogatories, as to his wife's condition, he stated "she had heart disease;" "that you could hear her heart beat all over the house." That he refused to allow the Doctor to accompany him, but took powders.

When he returned home he stated that Dr. Nevin was going away and could not accompany him. It was only late on Tuesday that he was prevailed on to bring medical help, and then stated to the physician that "*the women* wanted him to come out and see his wife," previously stating, however, to a neighbor, "that it was no use to have a physician, she would die anyhow." Mrs. Kiehl gradually grew worse, and died on Friday morning at about 3 o'clock.

During all this time she vomited violently, ejecting green ish matter, sometimes mixed with darker tints, which, towards death, was yellowish. She had an intense burning in her throat and stomach, and violent pains in the abdomen. Her tongue was swollen, throat contracted and great difficulty in swallowing; intense thirst and utter inability to retain any liquid taken. She was restless, with great faintness, a gradual loss of both the senses of sight and hearing. And we will also prove to you that these are the symptoms which accompany arsenical poisoning. Nine days after death a *post mortem* examination developed a remarkable state of preservation of the body—absence of smell, dryness of the bowels, &c. The stomach, heart, liver, urinary bladder and a portion of the intestines were removed and sent to Dr. B. H. Rand, of Philadelphia, for analysis. This was carefully made, and a large amount of arsenic discovered, which he will state must have been swallowed by Mrs. Kiehl in poisonous doses.

We shall also prove to you that in order to prepare his neighbors for the death of his wife he told a number of them "that she would have a sudden death;" that the conduct of him and Kate Myers had become the scandal of the neighborhood. We shall prove to you that he stated that he spilled the powders Dr. Bixler gave to his wife; that the box looked as if it had been scraped out; and that an analysis having been made of it, arsenic has also been discovered.

We shall prove to you that he stated, sometime prior to his wife's death, that he was going to purchase arsenic for rats, when none were to be seen about his home, and that after his arrest, he admitted its purchase to two persons, and upon being charged by the one "that he had bought it for his wife," he did not deny it. His wife was hardly dead until he asked a neighboring woman "whether they were going to arrest him for poisoning Sarah?" begging her, for God's sake, to tell him, if she would hear of that intention.

These facts will show, conclusively, first, that Mrs. Kiehl died from the administration of arsenic in poisonous doses, secondly, that it was administered by the prisoner at the bar. On no other theory can his preparation of the public mind for her sudden death, his brutality, and his falsehoods during her illness, be accounted for, than upon that of his guilt.

Gentlemen, John Kiehl will, as a matter of *right*, demand a fair and impartial trial at your hands, and that you shall bring unbiased minds to the consideration of this case, and the Commonwealth comes to you with no weaker reason, and asks that Justice, and nothing *less* shall be meted out to her. The question you are to pass upon, is the *guilt* or *innocence* of the accused. You have sworn, solemnly, that you are competent to do this. With his punishment or exemption from it, you have nothing to do. Whether our law of capital punishment is right or wrong, wise or foolish, is not a problem to be determined by jurors. Our laws must be administered as our Legislators make them, and the execution of the penalties, annexed for their violation, devolve upon other persons than yourselves.

Society has found, after centuries of experience, that punishment must as surely be inflicted on the guilty as that the innocent should be shielded and protected. Without this safeguard to life, liberty and property, our governments would be failures. It is for this reason that we submit to their requirements.

Give the prisoner the benefit of every circumstance which you can construe as in his favor, but *do not* verify by your verdict what seems to be almost passing into a modern maxim, that "The more wicked and diabolical the crime, the more certain is the escape of the criminal."

The Commonwealth is not eager for the life of John Kiehl, we *do* believe him guilty, and are satisfied, we can so convince you. However, if the evidence fails to work conviction in your minds, turn him loose and give him his liberty; but if you are satisfied of his guilt, in the name of good government, and as you value the security and welfare of your fellow-citizens, do not hesitate to pronounce him a MURDERER.

The first witness called on the part of the Commonwealth was Sarah E. Hoffman, who being duly sworn testified as follows:

SARAH E. HOFFMAN, *sworn.*—I live in Southampton township, in this county; I know John Kiehl the defendant; I knew Mrs. Sarah E. Kiehl while living; Mr. Kiehl lived about a quarter of a mile from our house at the time of Mrs. Kiehl's death; the last time Mrs. Kiehl was at our house was on Sunday; she was in good health then; it was on the seventh of May last; she came there between 4 and 5 o'clock, as near as I can remember; she went home about five o'clock; she appeared then to be in good health; I went part way home with her; I didn't see her again until Tuesday about 5 o'clock in the evening; I went over to her house, she was in bed and very sick; there was no person up stairs when I went up; she complained of soreness in her throat; I saw her vomit while I was there; about every 15 or 20 minutes she vomited; the vomit looked *green* and a kind of *dark*; Mr. Kiehl was there while I was there; but not up in the room much; I don't remember what Kiehl said or did while I was there; Mr. Kiehl emptied the vomit; Mrs. Kiehl did not say anything to Mr. Kiehl of the manner in which she took sick; I remained until about 11 o'clock; Mr. Peter Noaker came there while I was there; Miss Jane Myers came there while I was there; Miss Kate Myers was there when I came there; I found Mr. Kiehl and Kate Myers there when I went there; they were eating supper; I heard them talking and laughing before I got in the house; I found Mrs. Kiehl up stairs in the room alone; Peter Noaker and his wife came there when I was there; I did not go back again until Wednesday afternoon; I saw her then; she was very poorly at that time—not expected to live; she hadn't to throw up much then; not as often as when I first saw her; she asked very often for drink; she would have to throw up after drinking; she done washing and baking; this was just before she took sick; she did scrubbing and all kinds of work; she often did the feeding at the barn, and attended to the cattle; I did not see her dig garden.

Cross examined by Mr. Miller.—When I first went there I heard Kate Myers and Mr. Kiehl talking and laughing; they were cheerful; they were sitting at the table and eating supper; I asked then how Mrs. Kiehl was, they both said she was no better yet; I didn't take any supper; they didn't ask me to; Kate Myers went along with me up to the room immediately, where Mrs. Kiehl was; Mr. Kiehl was in the room a few minutes when I was there; he came up directly after he was done eating supper; he did not remain up in the room then very long; he asked when he came up if it was time for her to take her medicine, in my presence; she said she thought it was; he then went down to the kitchen to mix it up; he didn't say anything more; he brought the medicine back; I don't think she took that; Mrs. Kiehl said it always made her so sick when she took it; she said that when he came up stairs; and she would rather not take it until Dr. Nevin would come and see her; Mr. Kiehl said she didn't need to take that until the Dr. would come and see her; she didn't take it; as near as I can remember, it was in a glass; don't remember how full the glass was; don't remember what color it was; it was darker than water; don't remember what was done with it; don't know what Kiehl did with it; Kiehl went out of the house after that; went to the barn; he did his work at the barn; he was about half an hour at the barn, as near as I can remember; I saw him after that; he went up to Mrs. Kiehl's room afterwards; he staid in the room until Mr. Noaker and his wife came into the room and persuaded him to go for Dr. Nevin; I wasn't in the room when Mrs. Noaker asked him to send for Nevin; he went for Dr. Nevin; I was there when he returned; he was absent about half an hour as near as I can remember; it is about a mile and a half or two miles to Shippensburg; I don't remember what time it was when he came back; Dr. Nevin didn't return with him; Kiehl said he was coming; the Dr. came that evening; the Dr. came about a quarter or half an hour afterwards; Kiehl was up in the room after he returned; I didn't go up after that; I was not in the room when Dr. Nevin was in; I was down in the kitchen; Jane Myers was in the kitchen with me; she came to stay all night; I was not up in Mrs. Kiehl's room after that; I returned home about 11 o'clock; don't remember whether Kiehl was in her room at that time or not; Kiehl was not down stairs when Jane and I went down; two of my brothers went home with me; they came to Kiehl's between 9 and 10 o'clock; my brother's names were John and Edward; they stayed down stairs while they were there; Peter Noaker was with them, and Jane Myers and I; Jane was down with us part of the time; nobody else was there that I know of; didn't see her afterwards until Wednesday afternoon; don't remember who all were with Mrs. Kiehl then; there were some persons there; Mrs. Kiehl's mother (Mrs. Doner) was there, one of her sisters (Mary Doner) and her father, (John Doner;) there were a good many others there; Mrs. Saml. Noaker was there; I don't remember the others, there were a great many it would take me too long; I went up into Mrs. Kiehl's room; I don't remember what time; it was immediately after I went there that I went into the room; I saw Jno. Kiehl; he was in the room part of the time; this was on Wednesday evening; he was attending to his wife part of the time; Mrs. Kiehl was not vomiting as much as she was on Tuesday; she didn't throw up as often as on Tuesday; I didn't take particular notice whether she vomited as violently as before; I don't remember whether Jno Kiehl attended to her or not; he did attend to her on Tuesday when she was vomiting; there was medicine given to her on Wednesday when I was there; I don't remember who gave her the medicine; I don't remember who mixed it up; I don't remember what the medicine was; it was Dr. Nevin's medicine; Jno Kiehl's mother was not there; I told you I don't remember who gave it to her; I didn't take notice whether the medicine was in a glass or cup; I don't remember whether Mrs. Kiehl was raised up; I saw her take medicine on Wednesday; don't remember how often; she vomited soon after she took the medicine; she was vomiting before she took the medicine; I don't remember how long I was in the room that afternoon; she vomited every 15 or 20 minutes on Tuesday; I was in the room about half an hour or an hour; it was more than once; she vomited more than twice; she vomited three times; I saw this vomit; I was beside her holding her head when she was vomiting; it was green and kind of dark; I didn't smell anything; I held her head twice; I don't remember how much she did vomit; she didn't vomit very much sometimes; I am on intimate terms with the Doner family.

At this point the progress of the cross examination was very slow, owing to a reluctance on part of the witness to answer questions propounded by defendant's attorneys, bmounting to stubbornness. She refused, repeatedly, to answer questions put to her by the Court, and even when told by the Court to answer or submit to the alternative of being sent to prison for contempt. She still persisted in maintaining silence; and only when the President Judge instructed the Sheriff to take her into custody, and to confine her in a cell until she consented to answer, did she find use for her tongue to answer the last question put to her in regard to her intimacy with the Doner family. The hour of adjournment, 7 p. m., having arrived, an end was put to this unpleasant affair.

THURSDAY MORNING.

The Commonwealth makes the following offer:

The Commonwealth proposes to prove the declarations of the dead woman, made during her last illness, to the attending physicians and other persons in attendance upon her, as to the bodily feelings, the nature of the pain experienced by her and its location, and, generally, all declarations, expressions and complaints made by her, during her said illness, indicating the nature of the malady under which she was suffering.

Objected to by defendants.

First. That the expressions of Mrs. K., in the absence of her husband, and not to her physicians, are not evidence in a charge of murder, unless they were made *in extremis*.

Second. If evidence at all, such testimony must be confined, strictly, to the expressions of bodily symptoms.

Objections overruled by the Court. Defendant's counsel except and true bill sealed.

SARAH E. HOFFMAN, *re-called.*—*To chief.*—I went over first to Mrs. Keihl's on Tuesday night; she was in bed sick, complained of burning in her throat and dizziness in her head; she did not complain of any being in any other part of her body; she complained of great pain; she asked often for water; when I was there on Wednesday I heard her complain; she said she thought she would burn up, it pained her so in her throat; she asked for water that day, they give it to her; she would have to throw up when they gave her water.

Cross examined.—I often heard it said that I did not need to answer questions if they were asked the second time, or if they were improper questions; Mr. Britton told me as did also John Doner; Doner told me this only once; don't know how long since; don't remember where I was when he told me this; I think I was at his house; she said I needn't answer such foolish questions; he didn't tell me what foolish questions were; didn't say needn't answer questions put by defendant's counsel; said lawyers sometimes asked foolish questions; he was talking about coming to court; didn't tell me to be on my guard; he didn't know what I knew; didn't tell him; he didn't tell me what to say; I did tell Mrs. Doner what I know; and also, Samuel Doner (this hesitatingly;) don't know when it was; this was before I talked to John Doner about the questions I needn't answer; John Doner was not present; don't remember him after I told them; I don't remember where Mr. Kiehl put the glass which contained the medicine, on Tuesday; I didn't pay any attention where he put it; don't remember him fill the glass; was no person in the room at time but me; the substance in glass was pretty much the color of water, as near as I can remember; I said yesterday it was darker than water; not much darker than water; this was on Tuesday; she didn't take that medicine; she hadn't it in her hand as I remember; I don't know how often Mrs. Kiehl vomited when I was not up stairs; she vomited in a chamber; it was green, thin and kind of dark; the chamber was white; she vomited a half teacupful or teacupful as near as I remember, and sometimes very little; I don't remember how often she vomited a teacupful or a half teacupful, or very little; can't say how long I held her head each time; can't remember; I held her head twice; I held her head about 5 minutes each time; didn't notice where Kiehl put that medicine; I didn't give her the medicine; didn't give her any medicine; I didn't pay any attention to where Kiehl put medicine; I was sitting near the bed; can't say what became of medicine; he took it away from the bed, but I can't say what he did with it; Kiehl was in the room not very long after his wife refused to take medicine; Kiehl was not in the room when I went down stairs; Kiehl talked to his wife, and I about 10 minutes after he offered her the medicine; he wasn't holding the glass of medicine in his hand all this time, I remember; I was in the room after Kiehl went out, about 15 or 20 minutes; this was on Tuesday; I wasn't in the room on Wednesday very long; Mrs. Kiehl took medicine while I was in the room on Wednesday; I didn't take notice to the medicine; don't remember who gave it; I didn't swear yesterday that Mrs. Doner gave her that medicine; I don't remember that I said Mrs. Doner gave it to her; she vomited after taking this medicine; can't say how often; she vomited while I was in the room on Wednesday; I don't know how often she vomited, but she always vomited after taking medicine; don't remember how often she took medicine; not more than once that I can remember while I was there on Wednesday; Mrs. Kiehl had no passage from her bowels; nor had she on Tuesday; she used the chamber to throw up in, but for no other purpose; she expressed no desire to use it; our family and Doner's are very intimate; Samuel Doner pays attentions to me; this is the one I told what I knew, but didn't tell him all I knew; we were talking about coming to court, when Mr. Doner told me about answering the questions, and about this case; I told him I didn't want to come to court; I had never been there; didn't know how to answer questions; he then said I needn't answer foolish questions.

In chief.—I wrote to you, (Mr. Sadler,) requesting you to let me off and I ran off when Mr. Maglaughlin and you came to our house; were in good terms with Kiehl's family.

Cross examined.—Our family had no difficulty with Kiehl's family as I know of; I was on friendly terms with Mr. Kiehl.

MRS. ANNA M. HOFFMAN, *sworn.*—I resile in Southampton township, Cumberland county.

(Attachment granted on motion of defendant's attorney, for Adam Reed, of Rausch's Run, Schuylkill county, Pa., upon proof of service of subpœna.)

I live about a quarter of a mile from Kiehl's; I knew Mr. Kiehl last May; I knew his wife; she was at our house often; I was only in her house twice up until she took sick; I saw her at our place that day; she came there between 1 and 2 o'clock, and left between 5 and 6—near sundown; she was well; looked well, and was lively when there; I didn't see her then until Wednesday between 7 and 8 o'clock in morning; she was up stairs in bed then; there was no person in the room with her; I spoke to Mr. Kiehl; she was very sick; I was much surprised to see her in the condition she was; in presence of Mr. Kiehl she told me when I went up that she was very sick; I said to her, how comes it you are so sick; she said she was so sick she thought she wouldn't live; she said she took sick on Sunday evening; that she thought she could not live, and she told John to go for the doctor, or do something for her, as she thought she could not live till morning; she said on Sunday evening when she went home, she was up in bed when Kiehl came home, and he called up to her if she had not taken her medicine, and she said no; she said he stirred it up and brought it up and made her take it, and after she had taken it, it made her so sick she thought she could not live till morning; she said it drawed her fairly double together; she said it made her vomit and purge; and then I said to her, why didn't you send for the doctor; she said she wanted John to go for the doctor, but he refused to go; she said John and she lived pretty hard with Kiehl; the family of Kiehl consisted of but two, his wife; she did all the work about the house before she took sick; did not keep a girl: I went down to see Mrs. Kiehl on Monday evening before she died, and I found her very sick, and while I was there Mr. Kiehl came in and told her it was time for her to take one of her powders; she told him she would take the dose but not the powders; but he insisted on her taking the powders; he went down stairs and came up with something in a cup, and she still refused to take it; but he still insisted on her taking it, and she took it; after she had taken it he walked to the window, and looked in the cup; he then went down stairs; this was about 5 o'clock in the evening; she then threw up, about five minutes after she took the medicine out of the cup; she threw up three times while I was there; I was there about one hour and I suppose about 20 minutes; after he gave her the medicine she said her throat burned her, and she thought she would burn up; she said she had great pains in her stomach; she said by times she got so very *heavy*, but did not say anything about difficulty of breathing; I heard Kiehl talking to some one in the kitchen when he was getting the medicine; it was John Hoffman he was talking to; Kiehl came up into the room a few minutes before I left; he took the cup down stairs with him.

Cross examined.—John Kiehl met me at the door when I went there; he met me pleasantly; no embarrassment; he invited me up to see his wife; he stayed in the room a short time; he did not leave the room until he went down for the cup; he did not seem pleased when she refused to take the medicine; there was no embarrassment about him when he asked her about the medicine; was not excited; I don't know where either drops or powder was kept; I did not see where he got it; he took nothing out of the room; he was out about 20 minutes preparing the medicine; I conjecture as to time; don't think it was shorter than 20 minutes; I undertake to say he was out 20 minutes; I know it was long; I was sitting with Mrs. Kiehl; she did not talk much to me; she was very sick; I talked some to her; there was nothing harsh in Kiehl's language to his wife; when he gave her medicine there was no attempt to conceal anything; she raised up her hand and said, 'oh! John I am afraid I cannot take the medicine;' he said, oh yes Sarah, I think you can get it down; I did not see the medicine; when she swallowed it she handed the cup to Kiehl; he took it to the window immediately, and looked at it; he said, 'Sarah you took it down pretty clean that time; he then went down stairs; he said in a calm manner, you took it out pretty clean; he was not excited; don't know whether there was a little box at window or not; he didn't sit down on little box; I don't remember the little box; I knew Mr. Hoffman was down stairs, for I recognized his voice; Kiehl was not long out of room when he took the cup down stairs; he sat down at the foot of bed when he came back; he talked a little to me; I asked him if he had a doctor for Mrs. Kiehl yet; he said he had not; he thought if she did not get better until morning he would get Dr. Nevin out; I then started home; I never talked to the Doners on this subject; was not very well acquainted with them; met them only lately; Kiehl attended her the first time she vomited; he held the chamber for her; she attended herself the other time she vomited; Mrs. Kiehl did not purge when I saw her.

JOHN HOFFMAN, *sworn.*—I am the son of John Hoffman, and live near Kiehl's and know John Kiehl and wife, saw her on Sunday at our house before she took sick; she looked very well; then she stayed there until between 5 and 6 o'clock; on Monday evening I was over at Mr. Rebuck's; I came home by Mr. Kiehl's; this was about 5 or 6 o'clock in the evening; I stopped in at Mr. Kiehl's; when I went in Mr. Kiehl was mixing a powder in the kitchen at the window; the powder was in a cup; I saw the powder; it was a white color; when I first saw him mixing, there was a dry powder at which he was mixing, after that he put water in it; I don't mind what he was mixing with; I did not see anything around containing such powder; no box or anything; the cupboard doors were shut; I saw a white paper there sticking in his vest pocket; I asked him if he was going to take the medicine; he said no, it was for Sarah; then I asked him where Sarah was; he said she was up stairs in bed; she was not very well; after he had it mixed he took it up stairs; he came down before I left; when he came down he had the cup with him; and washed it out; he took a cloth to wash it out; then he went out to the barn, and I went along and went home; I did not then see Mrs. Kiehl until Wednesday about 12 or 1 o'clock; I did not see her vomit; I heard her complain of burning in her throat; I was not in the room long; I know Kate Myers; I have seen her and Kiehl together a number of times; I helped Mr. Kiehl to fill a lime kiln last Spring over at Mr. Myers; Mr. Hoover was helping us; he asked Mr. Kiehl if he was married; Mr. Kiehl said he was married, but he had no woman.

Cross examined.—The conversation with Mr. Hoover was in March or April, 1871; they were standing in the lime kiln at the time; I was outside just