

Democrat and Sentinel.

THE BLESSINGS OF GOVERNMENT, LIKE THE DEWS OF HEAVEN, SHOULD BE DISTRIBUTED ALIKE UPON THE HIGH AND THE LOW, THE RICH AND THE POOR.

NEW SERIES.

EBENSBURG, MAY 13, 1857.

VOL. 4. NO. 28.

New Clocks, Watches and Jewelry At the Cheap Jewelry Store. TEMPE'S FUGIT.

THE subscribers thankful for past patronage beg leave to announce to their numerous customers, that they have just received the largest assortment of Clocks, Watches, Jewelry, Violins, Accordions, &c., ever brought to this town, and will sell cheaper than ever was sold in this vicinity. All articles warranted to be represented. They will charge nothing and consider it no trouble to show their goods. Prices can be ascertained, and goods examined at their store, opposite the "Mountain House."

67- Clocks, Watches, Jewelry, Musical Instruments, &c., repaired with promptness and charges moderate. All repairing warranted to give satisfaction. Be sure and give them a call at the sign of the "Big Watch."

STAHL & ROBERTS.
Ebensburg, March 25, 1857.—tf

To Travelers!

JOHN A. BLAIR & CO.
HAVING purchased the interest of Maj. John Thompson in a line of Hacks running between Ebensburg and Jefferson, and united it with their own, are now prepared to afford every convenience to passengers crossing the road.—They are provided with

Six First Class Hacks,

with good horses and accommodating drivers.—They feel assured that with this large addition to their former stock, they will be able to give satisfaction to all who may patronize their line. For passage apply to
Maj. JNO. THOMPSON, Mountain House, Ebensburg.
JOHN A. BLAIR, Union House, Ebensburg,
JOHN G. GIVEN, Cambria House, Jefferson.

Dr. Sanford's INVIGORATOR, OR LIVER REMEDY.

IT IS AN ARTICLE THAT EVERY BODY NEEDS WHO IS NOT IN A perfect state of health; for the Liver is second only to the heart in our human economy, and when that is deranged the whole vital machinery runs wrong. To find a medicine peculiarly adapted to this disease has been the study of one of the proprietors in a large and extended practice for the past twenty years, and the result of his experiments is this Invigorator, as a never-failing remedy where medicine has any power to help. As a Liver Remedy it has no equal, as all testify who use it.

A lady, writing from Brooklyn, says: "Would that I could express in this short letter the value your Invigorator has been to me in raising a large family of children, for it has not only cured me here all ailments of the stomach, bowels or attacks of worms. If mothers once had this remedy placed within their reach, and were taught how to use it, a fearful and untold amount of agony might be saved."

One of our prominent bankers says: "Five or six years since, I found myself afflicted with a liver difficulty; resorting to your Invigorator, was greatly relieved, and, continuing for a season, was entirely restored."

A clergyman called at our office the other day and said he had given a poor woman a bottle, who was suffering very badly from Liver Complaint, and before she had taken three or four of it she was at work earning bread for her family.

A gentleman, recently from the West, says, while at Chicago, he was attacked with a slow lingering fever, that baffled the skill of physicians but the Invigorator cured him in a few days.

One of our city merchants said while on a visit to Troy a few days since, he was attacked with bowel and stomach troubles, and he was confined to his room, he sent to the drug store for a bottle of Invigorator, took one dose, which relieved him so that he was able to attend to his business.

An acquaintance, whose business compels him to write most of the time, says, he became so weak as to be unable at times to hold his pen, while at others, sleep would over-power him, but the Invigorator cured him.

A gentleman from Brooklyn called on us a week or two since, looking but the shadow of a man, with skin yellow, pale and deathlike. He had been for a long time suffering from Jaundice and Dyspepsia, and unable to attend to his business. We saw him again to day a changed man, and to use his expression, he has not seen the bottom of the first bottle, and further adds: "It saved my life for I was fast going to a consumptive grave."

Among the hundreds of Liver Remedies now offered to the public, there are none we can so fully recommend as Dr. Sanford's Invigorator, or Liver Remedy, so generally known throughout the Union.—This remedy is truly a Liver Invigorator, producing the most happy results on all who use it. Almost innumerable certificates have been given of the great virtue of this medicine, and it is, without doubt, the best preparation now before the public.

SANFORD & CO., Proprietors,
845 Broadway, New York.

For Sale here by all Druggists.
April 16, 1857.

A RETIRED PHYSICIAN

Whose sands of life have nearly run out, discovered, while in the East Indies, a certain cure for Consumption, Asthma, Bronchitis, Coughs, Colds, and General Debility, the remedy was discovered by him when his only child, a daughter, was given up to die. Wishing to do as much good as possible, he will send to such of his afflicted fellow-beings as request it, this receipt with full and explicit directions for making it up and successfully using it. He requires each applicant to enclose him one shilling—three cents to be returned as postage on the receipt, and the remainder to be applied to the payment of this advertisement.

Address
Dr. H. JAMES, No. 19 Grand Street,
April 22, '57 sm. Jersey City, N. J.

NOTICE OF PARTITION

TO the heirs and legal representatives of Anthony Litzinger, late of the Borough of Luzerne, Cambria county, deceased.

Take notice, That in pursuance of a writ of partition issued out of the Orphan's Court of Cambria county, and to me directed an inquisition will be held at the late residence of Anthony Litzinger deceased, in the Borough of Luzerne Cambria county, on Thursday the 21st day of May next, at 10 o'clock A. M., for the purpose of making partition or valuation of the real estate of the said Anthony Litzinger deceased, at which time and place you may attend if you think proper.

JOHN ROBERTS, Sheriff.
April 22, 1857.

From the Hollidaysburg Standard. THE TRIAL OF DAVID STRINGER M'KIM FOR THE MURDER OF SAMUEL TOWNSEND NORCROSS.

Commonwealth vs. David Stringer M'Kim } Oyer and Terminer of Blair county, No. 1 A. } 1st Term. Indictment, Murder.

George Taylor, President Judge; J. P. Jones and David Caldwell, Associate Judges. Essington Hammond and Wm. W. Stokes for Commonwealth; D. H. Hofius, Thad. Banks, H. A. Bigler and M. H. Jolly for defence.

THURSDAY, April 30, 1857.

This case was reached this evening at 5 o'clock, at which time the Prisoner was brought into Court. He was dressed in a dark frock coat, grayish vest and dark pantaloons. He looked somewhat paler than when first committed to jail, but his general appearance, although somewhat commonplace, was not absolutely bad. The indictment, containing five counts, all charging him with the murder of Samuel Townsend Norcross, on the morning of the 16th of January, was read, and his plea to each count was "Not Guilty, No." in a clear, audible voice. By direction of the Court the Clerk proceeded to call a jury. The first was David Deamond, to whom the customary question in murder trials was put, by Cor. Hofius, for defence, viz: "Have you formed or expressed an opinion as to the guilt or innocence of the Prisoner?" Counsel for Commonwealth were about to object when the juror answered the question in the negative. Challenged by defence. James Crawford called, to whom same question was put, when Hammond for Commonwealth demurred, and cited authorities to show that it had been decided that an expression or formation of an opinion does not disqualify a juror, except malice or bias against the prisoner be admitted by the juror. Hofius and Banks for defence replied, also citing authorities and pleading custom. Stokes for Commonwealth argued that no jury could be selected, composed of men who had not formed or expressed an opinion, unless it was composed of men naturally unqualified to act as jurors. He concluded by submitting to the Court the following questions to be submitted to each and every juror, who shall answer them on his *oath* *div*—

1. Have you any prejudice, ill-will, or malice against the prisoner?
2. Have you any such opinion as to the prisoner or his cause as would influence your verdict?
3. Are you entirely impartial between the Commonwealth and the prisoner, so that your verdict would be formed from the evidence alone?

Pending the motion to substitute the above questions, the Court adjourned.

FRIDAY MORNING, May 1, 1857.

Court met at 8 o'clock, and case resumed at 9. Judge Taylor delivered a lengthy opinion on the mode to question jurors, and gave a decision that the counsel for defence might put the usual interrogatories in regard to the formation of an opinion as to the guilt or innocence of the prisoner, and the Commonwealth might also put the following:—

1. Have you any such opinion as to the prisoner or his cause as would influence your verdict?
 2. Have you any prejudice, ill-will, or malice against the prisoner?
 3. Are you entirely impartial between the Commonwealth and the prisoner, so that your verdict would be formed from the evidence alone?
- The empanelling of a jury then commenced, and when the panel of forty-eight was exhausted, there was still one juror lacking. There was eighteen talisman called before the twelfth juror was secured. Of the entire number sixteen were challenged peremptorily, and the remainder for cause, except the following, who were duly empanelled and sworn to try the case viz:—
- | | |
|--------------------|------------------------|
| 1 David Prudden, | 7 Solomon Fouse, |
| 2 Paul Maul, | 8 Alex. Carothers, |
| 3 Levi Nicodemus, | 9 James Glasgow, |
| 4 Michael Grabill, | 10 John Erlinbaugh, |
| 5 John Acher, | 11 Isaac Bowers, |
| 6 Joseph Rollin, | 12 J. G. Lingenfelter. |
- The hour of 12 o'clock having arrived, the Jury was given in the charge of the officers, with proper instructions, and the Court adjourned till 2 o'clock.

FRIDAY AFTERNOON, May 1.

The Court met at 2 o'clock, when E. Hammond, District Attorney, gave to the Court and Jury an elaborate history of the case, highly interesting to both Court Jury and spectators.

[NOTE.—In order to economize room as much as possible, the Reporter has avoided giving repetitions, or evidence to corroborate other evidence given.]

John Callahan, sworn—Lives in Logan township, about 2 1/2 miles west of Altoona; was going to work on the 16th of January last, about 7 o'clock, when I got into the deep cut, saw a man in the ditch; thought it might be our night watchman before I got up to him. Got close to him and saw his cap—sort of a fur cap, off. He was uttering words; didn't know what he meant to say. He was raising his head and across his throat. Did not remark that his head was mangled, the cut was nearly clear around his throat; saw a wound under his ear or about his jaw; can't say how many; went to McKim and his men, and informed them that a man was hurt; went to where our own men were at work, and informed them and the foreman; we all returned; were making arrangements to take the man to Valentine Diller's house, when engine came down; the man was placed upon the engine, and taken to Altoona, to Bowman's Hotel; a few of us remained; after after looking around a razor with blood upon it was found; at the request of some of the men, I took the razor down to Altoona.—

There were also found something that looked like a fiddle, with a green cover on it.

[Here two trunks, a shawl, a cap, a green bag containing a violin, a club with blood on it, a razor, a traveling bag, a comfort, and other articles were brought into the courtroom by order of the prosecutors.]

Think this club is the same; think the fiddle-bag, sack and razor are the same; look like them; would not swear positively that they are the same. Did not see the body after death.

Cross examined, for defence.—Nobody accompanied me to Altoona with the razor.—Can not tell the hour I went to or came from Altoona. Did not see razor or club when I first saw the body.

Thomas McKim, sworn—Am Foreman of a gang of laboring men on the Pennsylvania Railroad; recollect to have got word about 10 minutes after 7 o'clock, on the 16th of January last, that a man was hurt on the Railroad; called my men and Valentine Diller to come along; we got there; about two miles above Altoona; found a man in the ditch with his throat cut, a large cut almost all around throat, there was a wound on his chin—one over his eye, on the right side of his face; his temple was beat in, and his eye colored. When I first saw him, he tried to get on his knees, but fell over on his face and then on his side; kept exhorting himself to get up, until we got him upon the engine. Saw larger portion of a razor scabbard; have not seen it since; don't know what became of it; saw green violin bag, carpet sack and club; saw razor half an hour after, between 6 and 6 30 feet above the man; thinks the razor, carpet sack, violin bag, cap, boots, and vest worn by deceased are those produced in Court; identifies the club; it was a cold, hard freezing morning; saw blood on the rails 50 or 60 feet above where the man was found; the blood was frozen; a piece of red woolen stuff was frozen to it; looked like piece of comfort produced in Court.

Cross Examined.—Made no mark by which to recognize the articles; believe them to be the same from general appearance; could not swear to the articles; if they are not the same they are very much like them; never saw them since until now; can't say positively that it is blood on the club; am sure that it was blood on the rail; I picked up the club and laid it back again—don't know what became of it; did not see any of the articles again until I saw them in the Court House; recognized the vest by the color of the stuff; recognized the razor by the color; there was blood on the one I saw; think there is blood on the one in Court; [witness pointed out at request of defence;] Norcross had on a shawl, around his shoulders; had on a kind of black coat; shawl fastened with a clasp; he had on buffalo overshoes; had on a white shirt; recognized clasp or shawl pin produced in Court.

Valentine Diller, sworn.—Mr. Diller is an employee of the Railroad Company. His testimony was corroborative of the testimony above given, and is not essential. He testified to seeing blood at several places upon the track, and also recognized the club, from the fact that it looked as if it had been broken at one end.

Moses Douty, sworn.—Am a Justice of the Peace in Altoona; was passing the Exchange Hotel, a little after 8 o'clock in the morning; Exchange Hotel is kept by Bowman & Snyder; heard of the matter; went in and saw a man lying upon the settee with his throat cut; he had a serious injury on the right side of his face, near his eye, from a heavy blow; one wound across his nose, one on his jaw, and one on his skull, besides smaller wounds; the man was still alive, but appeared insensible; as extremities were cold, as if frozen; he didn't say anything—could not articulate with distinctness; he lived till a little after 3 o'clock in the afternoon; I searched his person to ascertain who he was; found two letters on him; [letters produced and identified;] found silver watch upon him; also a Portmanteau containing a \$10 gold piece, five gold dollars, and a \$1 bill on the Fox Lake Bank; I recognized the things in Court as having been found about Norcross while at Bowman's; I identify breast pin here as one taken out of Norcross' pocket. The name of Norcross was taken possession of by Mr. George Cramer and afterwards taken to the company's warehouse. Was present when the body was stripped for examination by Drs. Hays and Clark.

John McMasters, sworn—I keep the Eagle Hotel, in Pittsburgh; this Fox Lake Bank bill was given by me to Norcross in change on payment of his bill on the evening he left; the note is on the Fox Lake Bank, Wisconsin. This is the Hotel Register; [Register produced] Norcross and McKim came in company one evening of 14th January; Norcross told me to register his name; the prisoner at the bar is the man who came in company with Norcross; they were together frequently; remained until the evening of the 15th; when Norcross paid his bill. I saw gold and other money in his possession; he wanted me to change a \$20 gold piece, which I could not do, and he gave me a five dollar note; Norcross and McKim slept together.

Cross Examined.—Norcross gave me the name of McKimney to register, remarking, "I may as well register the name of my friend." Don't know that McKim ever saw the register.

Samuel McMasters, sworn.—Was clerk of the Eagle Hotel on the 16th of January last; remember Norcross and McKimney, or McKim.—The name of S. T. Norcross was written on the register, and below it the name of David McKimney, Philadelphia." Saw the men first on the morning of the 15th January; I was waiting on the breakfast table; when I came out, noticed a singular cap on the counter; took particular notice, because such caps are not much worn; picked it up, looked at it, and laid it down again; Norcross then picked it up, put it on, and walked to the front part of the office, where

he sat down on settee; this cap is the one worn by him, I think; McKim walked up to the counter and leaned over to me in a rather confidential manner. My recollection is that he said no one would believe the trouble he had with that young man; said he was taking from the west to his friends in the east; said he had been sick and was subject to fits of insanity—was crazy, and he had great trouble with him; that at times it would take three or four men to hold him—that he had slipped out of bed from him the night before, and commenced to hammer his head against the wall, which awakened him [prisoner]; that he had great trouble with him; that he [Norcross] took every plan he could to try and destroy himself.

Cross Examined.—The cross examination elicited nothing of consequence, further than that witness identified McKim. He also testified that the ostler of the hotel brought the trunks from the Ohio and Pa. Railroad depot, and after leaving the house, McKim returned for nails to mend one of the trunks.

In Chief.—Did not see anything about Norcross to indicate insanity; did not notice anything peculiar, except that he was delicate and sickly looking, and coughed very hard.

John McMasters re-called.—No unusual noise heard in the house on the night of the 14th.

Jacob Shimro sworn.—Was hostler at the Eagle Hotel in January last. The testimony of this witness related in the main to bringing the trunks and other baggage, in Court, from the railroad depot in Allegheny city to the depot in Pittsburgh, all of which he identified, together with the cap worn by Norcross. Could not recognize McKim as one of the men.

Joshua Cresson sworn.—Am baggage master on the express train; first identified these trunks in Philadelphia, when not claimed, on the 16th of January. The train left Pittsburgh at 9 30 on the 15th January. I recognize the checks on the trunks as being of the kind put on baggage at Pittsburgh and intermediate points for Philadelphia. Trunks not claimed are placed in charge of the baggage agent.

D. E. Garret sworn.—Am baggage agent of the Pennsylvania Railroad at Philadelphia; recognize trunks; were given to me by Cresson; this black trunk has "D. McKim, Dunleith, Illinois," marked on the bottom in black ink. This trunk never was called for.

The cross examination elicited nothing of importance.

The prosecution now opened the trunk of McKim and commenced exposing the contents, when counsel for defence objected. Pending the objection, Dist. Att. Hammond said he felt unwell and asked the Court to adjourn, which it accordingly did until 8 o'clock to-morrow.

SATURDAY MORNING, May 2.

Joshua Cresson, re-called.—I always give checks for baggage, when there is a place to attach checks to. There was checks given for these trunks; these are the checks, and they got the duplicates; gave them out at or between Pittsburgh and Philadelphia; baggage is always surrendered to those who produce the checks; the checks are always taken off the baggage when it is surrendered; every time I went to the baggage room in Philadelphia I looked, and always saw the check on McKim's trunk that is on it now.

Cross Examined.—I know my own checks. Every baggage master has a certain number of checks, and so one else dare use them; others have similar ones; know mine by the number; don't remember giving them out in Pittsburgh; can't say that I put the checks on in Pittsburgh; can't say where I put them on; have no recollection of seeing McKim; no recollection who I gave the checks to.

Joseph Trout sworn.—I recognize the prisoner at the bar; knew him when he was working on Thurlow's job, 2 1/2 miles above Altoona; he was there in 1853-4; he was engaged as a boss carpenter, erecting shanties &c., on Thurlow's section; next time I saw him was here in jail; called in to see him; was not on the ground where Norcross was found.

Mr. Douty re-called.—Club was bloody, had some knots on it; wound on the head was contused and looked as if it had been produced by a club or similar weapon.

Andrew Purcell sworn.—Was running an Engine on P. R. R. in January last; was coming from Tunnel to Altoona on morning of the 16th; observed a man lying near Altoona; appeared to be hurt; between 7 and 8 o'clock, I judge; they stopped me there and put him on the engine; he was lying on his back when I first saw him; lying along Railroad; appeared to have 2 or 3 wounds on head and one on neck; took to Altoona shop; from there they carried him to the Exchange; man appeared to have life in him; seen carpet bag like this.

Cross Examined.—Wound on neck was a kind of cut; can't tell what with; didn't notice wound on side of face; noticed wound on head; can't exactly say where it was; didn't notice whether on the right or left side; can't tell how deep wound was; had been bleeding—clogged up; no blood coming out when I saw it; his eye appeared to be swollen; didn't think it was bleeding; didn't see any other wounds; was a shawl wrapped around him; couldn't see whether he had coat or vest on; think he had pants on; can't tell color, had on a pair buffalo overshoes; was not able to speak; made no effort to speak; can't exactly tell the date; was snow on the ground at the time; can't tell depth; believe he had been lying for some time; don't know the man who put him on the engine.

George Cramer sworn.—Employed by P. R. R. as train master; remember Purcell coming in from west with engine on 16th, about 8 25 in the morning; had a deep wound on right eye on temple; and a wound across the throat—a bad cut clear across the throat; slight wound on the left cheek bone, and another on the chin and mouth; mouth badly swollen; was living when brought to Altoona;

was taken off engine and carried to Bowman's Exchange Hotel; after taken there, I was instructed by Superintendent to go and see him; after Coroner's investigation, the body was given in my charge; Norcross died about 2 1/2 o'clock. I had the body washed and dressed, coffin made, and had him put in it, and then placed in a box of ice and put him in the store room to await the arrival of his friends. Owing to a severe storm, road was blocked, and we had him there until the Sunday following, when Benj. Poland arrived at Altoona; and on Monday morning at 2 30 I delivered him the body. [Witness here identified various articles he had seen at Bowman's.]

B. Purcell recalled, and identified comforter worn by Norcross.

Dr. J. A. Landis, affirmed.—Made examination on the 17th Jan. Proceeded to Altoona, and found the body lying at the Exchange Hotel. Body medium size, probably not exceeding 5 ft. 6 inches in height—non-ferrous rather delicate; on external examination of body most remarkable things were the wounds on the head, and the face very much swollen; first wound on throat, in length 4 1/2 inches; this wound divided skin and cellular tissue, exposing freely upper portion of windpipe; the carotid artery and jugular vein were untouched; wound presents appearance of having been produced by sharp instrument another wound was observed on the inferior maxillary bone near the chin—a lacerated, contused wound about an inch long; upon further examination, I discovered inferior maxillary bone fractured; another wound was observed on left side of face, commencing at angle of jaw, evidently along base an inch or an inch and a half; this was evidently produced by a sharp cutting instrument, another wound was observed, commencing above the extreme angle of right eye, passing down obliquely over cheek, in length 2 1/2 inches; there was also a contused, lacerated wound producing extensive fracture of the malar or cheek bone; this fracture, extending to the orbital plate or floor of the orbital; and the fracture of this bone continued to the base of the skull; observed another wound on the nose—small wound accompanied with fracture of external and internal bones of the nose; another wound on back part of head, about an inch long, simply dividing the scalp without fracture; wound upon the face, extending into the bone of the skull, was fatal; the wound in the throat was not necessarily fatal, but might have proved fatal by disabling and leaving him in cold; think death was produced by the injury to the brain—shock to the nervous system; think that the wounds, taken them all together, produced death.

Cross Examined.—None of the cavities were opened except those of head and brain; did not observe abscess said to exist; a person of delicate structure might fall from hemorrhage of such a wound; it was within the range of possibility that such wounds might be produced by falling, but very unlikely. Such wounds might be produced by falling from a car while in motion.

In Chief.—Wounds like these found on deceased might be produced by this club—saw it on 17th January; the traces of blood, or what was supposed to be blood, were more distinctly marked than now; judged it was blood on the 17th; that stick could produce just precisely such wounds.

Dr. David Hays sworn.—Was called in on the morning of the 17th—saw body brought down the Railroad Road; was taken to Bowman's Hotel. Was present when post mortem examination was made. Examined body; discovered what appeared to be remains of an abscess under left arm, I think, but am not certain.

Cross Examined.—Saw wounds on head and face, cheek-bone and back of head; no important blood vessel cut in throat; such a cut would not produce much shock on the nervous system; don't think the wound could be produced by falling.

In Chief.—All the wounds could be produced by a fall from the cars; would could be produced by successive blows of stick; compared stick with wound, and did not correspond with it.

[Counsel for Commonwealth proposed opening trunk of McKim. Hofius, for defence, objected, on the ground that the trunk had been in possession of sundry persons. Objection sustained.]

Dr. E. Garret re-called.—Was present and unlocked this trunk on 23d or 24th of January, in Philadelphia, pantaloons found in trunk. [Further examination waived, by consent of counsel.]

Saml. McMasters re-called to prove that McKim had whiskers of a reddish brown color under chin when he stopped at the Eagle Hotel.

Claudius T. Eaton sworn.—Lives in town of Dunleith, Illinois; kept boarding house last fall and winter; kept four boarders during winter; among them were Norcross and McKim. Prisoner at the bar is McKim—Norcross and McKim slept together in one bed; were very intimate after first acquaintance; don't know of McKim having any large amount of money; at two or three different times mentioned that he had no means to pay board, but as soon as Curry paid him, he would pay me; day before McKim and Norcross left, McKim came to me and paid me up, except \$9, which he gave me in a due bill from Mr. Curry; at same time said he was short of means; that is, if delayed or detained any; but when he got to Pittsburgh he would be all right—that he could get any amount of money; McKim recognized himself as being tolerable well off; said he did not expect to do anything more than make expenses this winter. Business west was to look up a location for business, and that he and a brother, with whom he was concerned was about to invest \$30,000 in some kind of business. He spoke of starting in some town as master builders, and connecting with it a planing mill, machinery, &c. Norcross was in feeble health; had a very bad abscess un-

der left arm—had also a bad cough; never know him to be unwell—was a very quiet person, the clothing and things produced in Court I recognize as having belonged to Norcross; identify watch key and small breast-pin—also cap of Norcross. [Trunk of McKim opened.] This coat was worn by McKim when he was at my place; I recognize that trunk as belonging to McKim; knows marks, were on it at my house; left Dunleith on 12 of January last—left together McKim said he was going to Philadelphia; that he owned a house, No. 10, Poplar street; said he had a wife and one child—house pleasantly situated—said wife and child were living in Philadelphia; he invited Mr. Norcross to stop with him at his house and rest—that he could stop there any length of time—that he had a family physician, an eminent man, who would give his attendance, without expense; that he was going and would see him home; last conversation took place two weeks before they left. [Razor shown.] Norcross' first name was Samuel T. McKim's first name was David—was generally called McKimney—have heard him called McKim; he answered to the name of McKim; Norcross called him McKimney; McKim came to my place on the 24th November last, and Norcross on the 24th same month; McKim, speaking to me about him and Norcross leaving and about Norcross' health; he said Norcross had but little means; didn't think he had enough if detained on road to get home with; but he would see him through all right, any way. At the same time he spoke in substance that he really didn't like to go with Norcross on one account, that he might die, or something might happen, and he would be blamed; this conversation took place on the 12th; on the evening they left, did them good bye, and left home before they did; cannot positively swear to the razor; I think I saw McKim have a razor that looked like that one at my place; can see no difference between this razor and the razor McKim had. [Witness examined as to Curry's handwriting in the due bill, not important.]

Cross Examined.—Norcross was in a feeble state of health when he left; the distance from my house to the depot is about four of a mile—think McKim shaved Norcross the day before he left, in sitting room; they slept in one end of room; Norcross' razor produced and did not work when McKim got his, looking like the one here; never saw his razor but that one time; think I had his razor in my hand; McKim paid me board at different times. [Further cross examination elicited nothing of importance, although it was long and tedious.]

Andrew Kaufman sworn.—Was subpoenaed by McKim; live in Dubuque, Iowa; know McKim; prisoner is the man; knew him by name of David McKimney; made his acquaintance October 26th; boarded with me; staid with me about two weeks; he is a carpenter; when he left me he went about 22 miles west of Dubuque, and worked on the Railroad about shanties; was gone about a week; came back staid a few days, and then went to Dunleith; came to my house afterwards; last time about New Year's; he took a few drinks and went off again; don't know anything about his circumstance; [Coat shown in trunk.] Seen this coat on McKim.

Cross examined.—Was subpoenaed by McKim—subpoena served by Hammond.

Dr. T. F. Rumbold affirmed.—Know the prisoner; knew him at Dunleith, Ill., from first of Nov. down to Thursday previous to 8th of January, last I saw of McKimney; prisoner wore whiskers at that time; knew Norcross he was a student under me; Norcross was from East Lexington, Mass.; Norcross and McKim boarded together at Eaton's previous to leaving; personal relations between them very friendly; Norcross left in consequence of ill health; McKim came to my office, and told me he was going East with Norcross; he stated that he lived in Philadelphia, and had a wife, and that he was going there—that Norcross could stay and rest, if he was too tired to go on; he had a family physician and might get assistance from him if necessary; never knew Norcross to have fits of any kind, or be crazy; nothing in his disease to produce insanity or violence; Norcross had a large pocket book, about 6 inches long, and about 3 wide; pocket book, had two long straps on the back; straps were composed of red Morocco or calfskin; pocket book was of a dullish red color outside; the pocket book was a peculiar one; never saw one like it; saw Norcross' razor frequently; handle was black—not at all like the one in Court. [Clothes &c. shown, and identified as having belonged to Norcross.] Testified as having seen Jas. Curry write—recognized hand writing by due bill found in McKim's trunk.

[Cross examined, but nothing of importance elicited.]

SATURDAY AFTERNOON, MAY 2

Dr. Rumbold re-called by defence.—Did not furnish free pass to Kaufman over Penna. Railroad. We all got a free pass on which we came.

W. C. Atticks sworn.—Was living in Dubuque, Iowa, last winter; knew Norcross; have seen prisoner; never heard his name; saw him three times before I saw him in this town; first interview I had with Norcross, in presence of prisoner, was on 7th of January last, at our office in Dubuque; was engaged in buying and selling real estate; firm is of Atticks, Noyes & Co. Norcross came into office in company with prisoner at the bar, and wanted to sell interest he had in two lots in the city of Dubuque; when he told me he wanted to sell them, I told him it was the wrong time and would make 60 per cent. difference in the amount he was to get; he said it didn't matter, he had been sick and wanted to go home to his friends; asked him the price he expected to get; said that A. & S. Horr held his note for \$150, with interest for 11 months; told me if I would take up his note and pay him \$700, I might have them; told him I did not know that we would buy them, but would

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