

DYING CONFESSOR.

I, Robert Fogler, was born in Pittsburgh, Allegheny county, Pa., April 2, 1841. My father was of German descent. He came to this country when quite young. My father was killed about fourteen years ago, as near as I can recollect, by a log rolling over him. He was not any of kin to a certain Frank Fogler, residing in the eastern part of this county. My father's name was Martin Fogler. I think he was a member of the German Reformed Church; I will not be positive. My mother was born in Georgetown, Beaver county, Pa. where she died about four years ago—She was a member of the Methodist Episcopal Church of Pittsburgh.

I was in the family of Wm. Hervey, a farmer residing in Canton township, about two miles and a half north of the borough, from the fall of 1856 until the spring of 1864, at which time I joined the army, and was assigned to Co. B of the Ringgold Battalion. I remained in the service until the 6th of November, 1865. After being discharged from the army I spent the winter in Frederick City, Md. I came back to this city about the 1st of April, 1866. I worked four or five weeks for Wm. Hervey. I commenced to work for Mr. Montgomery, Esq., June 11th, and was to stay with him three months. A day or two before my time expired, we were threshing, and while oiling the machine I got my foot caught in the pit wheel and was thereby disabled, so that I remained until about the middle of November.

While at Mr. Montgomery's there was a number of plans laid to rob different persons. The plans were proposed by Mr. Montgomery's boys. I would consent to them at the time they were proposed, but when the time of action arrived I always backed out; it appeared that my conscience would not permit me to commit the acts. James Montgomery proposed to 'Babe' meaning by 'Babe' Wm. Montgomery, Jr.; he is called 'Babe' on account of being the youngest of the family and myself that we should blow open the safe of J. N. Hainer, Harsh & Cator; also a merchant tailor by the name of Renkers, whose store is next door to the saloon of Charley Wells, and even wanted us to rob his father's house. He said we would get a large amount of money—both paper and gold coin. The above was proposed by James Montgomery—James Montgomery is a son of the Hon. Wm. Montgomery. 'Babe' proposed to rob the house of Martha Black. He stated that he could get the key of the safe at any time if I would accompany him. Martha Black is the daughter of George Black, deceased, and is now the daughter-in-law of Esq. Montgomery.

The Dinsmore robbery was proposed first to me by James Montgomery. He told me one evening, about the first of October, that there was a certain Mr. Dinsmore dealt at his store, that was said to be very wealthy. He said he (Mr. Dinsmore) was in his store offering a thousand dollar bill to be changed, and he would give any one five dollars that would change it, or get it changed for him. I told 'Babe' about the matter, and asked him his views of it; he said he was 'in.' That was all that was said at that time about it. A short time after the above conversation, one day while in town, James Montgomery told me that Mr. Dinsmore had been East with a lot of hogs, and had just returned and had plenty of money, and that now was the time to go for it. A short time after I had left Montgomery's, 'Babe' and I made it up to go to Mr. Dinsmore's and rob him. We started from town on a certain night together shortly after dark. We were armed with a Colt's navy revolver—the same shown in court. I got cartridges for the pistol at the store of Robt. Dougan. We took a box of black blinding along for the purpose of blinding our hands and faces. We applied the blackening with a shaving brush, in the stable of Wm. Montgomery, before starting to Mr. Dinsmore's. We wore army overcoats, and old worn out silk hats, both of us. We got the blackening and brush at the grocery of James Montgomery before leaving town. We did not exactly know where Mr. Dinsmore lived. We inquired the road at James Briggs's house, a farmer residing about four miles from this place, and was directed by them. 'Babe' went on while I inquired the road; I did not enter the house, but hallooed from the road. After searching for some time for Mr. Dinsmore's we gave it up, and 'Babe' said he had an aunt living down in a certain hollow or low land, which he pointed out to me, and that they and Mr. Dinsmore were neighbors. He proposed to go there and inquire the road. He said he knew that Miller's family (meaning Henry Miller, who is a brother-in-law of the Hon. Wm. Montgomery) and Dinsmore's were on good terms because he had seen Mr. Dinsmore get some snuff one day at James Montgomery's, and he (Mr. D.) told him that it was for his aunt, meaning Mrs. Miller.

We then went to Miller's. The house stands a short distance off the road—'Babe' went to the house, and I remained at a pair of bars; the bars are used as an inlet to the house. I could hear him hallooing distinctly from where I was; he hallooed several times, but no one answered him. I think they were all in bed. After he had stopped hallooing, I heard a noise like the falling of glass, or the violent pushing open of a door with a chain on for fastening on the outside, which I heard some one running towards me, which I soon found out to be 'Babe' returning. I asked him what the noise was; he said he had thrown a stone through one of the windows, and knew it had scared them nearly to death.

Shirts; the watering trough is on the side of the Middle-town road, for the accommodation of the public. We came on up to town, and when we got to the corner of Main street the town clock struck twelve. We came up Chestnut street, 'Babe' left me on the corner of Main and Chestnut streets. He was staying in town at the late residence of George Black, deceased, for company for Mrs. Mary Creascraft, formerly Mary Black. I went to my boarding house and went to bed.

We then gave up going to Mr. Dinsmore's until the night of the 4th of December last, and I believe we would have given up the idea of robbing Mr. Dinsmore altogether had it not been for the second suggestion of James Montgomery. He came to me one day and asked me when we were going to rob Mr. Dinsmore. I told him I did not know. Says he: 'You fellows are getting behind,' meaning 'Babe' and myself. I was selling lamp burners and stove lifters, and trying to buy corn for James Montgomery—went to the house of Mr. Dinsmore on purpose to find out where he lived—was at a number of farmers' houses the day I was at Dinsmore's—got a horse to ride at Wm. Montgomery's.

The Monday before the murder 'Babe' and I were at the house of Nancy Mull, on the farm of John L. Cooke. We took the pistol along with us for the purpose of discharging the loads from it, which we failed to do. We thought perhaps the powder had got damp and concluded to draw them by hand. The morning of the 4th of December last was very disagreeable. Rain had been falling all the morning up till about eleven o'clock, when it cleared up. James Montgomery and myself went to the grocery of James Muntz & Brother about eleven o'clock that morning—While there 'Babe' came into town and was passing the store when I hallooed at him to stop, which he did, and came into the store. We stayed a few minutes after 'Babe' came in, when we all three left the store together, James and 'Babe' Montgomery and myself. We went from there to the store of James Montgomery, when 'Babe' and I at once set about preparing to go to Mr. Dinsmore's that night. We got the pistol out of the drawer and went into the floor room, and 'Babe' drew five balls from the pistol with a small gimlet. We then ascertained the reason we could not discharge the pistol before. It had been loaded and some one had run melted lead in the chambers of the cylinder, and it had stopped up the holes in the nipples. The chambers had been run about one-fourth full of lead. I told 'Babe' to get some cork and burn it, to black our hands and faces with, and he replied he would.

At the ringing of the court bell for the afternoon session, 'Bobbie' Poland came to me and asked me if I was going up to court; I told him I would go.—After we had gone out of Montgomery's store, 'Bobbie' asked me to go back and get him a sheet of foolscap writing paper to write a scng on, which I did; got the paper at Montgomery's store and gave it to him. He and I then came on up to the court room where I remained about an hour. I left the court house about three o'clock, and went back to the store of James Montgomery and asked 'Babe' if he felt like taking a walk down street. He said he would. We went down as far as the Railroad Hotel, and stopped on the corner, and commenced talking to J. Arnold. We had not been there but a few moments when Robert Bolton came down street on the other side. 'Babe' hallooed to Bolton come over, which he did. He and 'Babe' talked a few moments when Bolton remarked that he must go, and asked 'Babe' if he was going down street. Bolton, 'Babe' and myself all started down street together; Bolton left us at the depot. 'Babe' and I crossed over to the other side of the street, and came back up to James Montgomery's store again. We went from there to the barber shop, under the Mansion House, and got a glass of beer, each of us. We drank nothing more. We went from the saloon to the store of Robert Dougan, and I got one package of No. 44 cartridges. The package contained six cartridges, but he would not; he owed Mr. Dougan some money, and had not the change to pay him just at that time. I think 'Babe' stopped in Yowell's work store or Seaman's marble works while I was in the store of Mr. Dougan.

We then went back to James Montgomery's store, and both went in and sat down. Mr. Dinsmore came into the store shortly after we did, and commenced talking with me about a lamp burner that I had sold him. In a few minutes 'Babe' got his books and said he must go home. Mr. Dinsmore then went up to him and asked him if he studied Latin; 'Babe' told him he did not. Mr. Dinsmore remarked if he did he would read his lesson for him. 'Babe' then started for home, and told me to come out as soon as it was dark, and bring everything.

do anything of that kind, for if we was detected it would go hard with us, for the Commonwealth could bring two indictments against us—one for arson and one for burglary.

The candle I have described above, was finished by James Montgomery. After the above conversation I again went into my boarding house. Mrs. Wibley was still absent. I entered the house and proceeded to load the pistol and get ready. I put the old pants on over my black ones, (the pants were found the next morning by James Grier) and I had everything ready to start by the time supper was ready. We ate supper by candle light. While at supper Levi Hamilton came in and sat down by the fire. After I got through with my supper, I went up to the fire and commenced talking with Mr. Hamilton about the case of Coogee and Bard—talked a few moments and then went out and started down the Hickory road, which road is the prolongation of Main street in this borough. I met Mr. Kidd, the Clerk of the Court, about midway between his residence and Walnut street—he was coming toward town, carrying a lighted lantern in his hand—Did not speak to him. Know Mr. Kidd when I see him, but have not a speaking acquaintance with him.

I kept the Hickory road until I came to where the fields of William Montgomery join the lots of Frederick Naser; I then crossed into the fields and kept on across to the residence of William Montgomery. When I came to the stable back door was open, and when I was about to enter the stable, I observed one of the front doors was open also, and some one gave a signal of silence. The sound came from the direction of the front door. I advanced toward the front door where the sound came from, and found it was 'Babe' that gave the signal. He had a knife. The blade was about ten or twelve inches long, as near as I could judge, and about an inch and half wide. He was cutting at a strap, about two inches wide, with the knife. The knife was new, and apparently had not been used much. I asked him what he was doing. He said he was making a belt to take the knife along, and to carry it in. Says I, 'what do you want with the knife?' Says I, 'you do not need it!' He replied that he was going to take it any how. He then asked me, with an oath or by word, what kept me so long. I told my excuse, and he seemed satisfied. I then asked where he got the knife; he replied, in the house. Says he, 'there is an overcoat and hat for you.' The hat was a broad brimmed black hat; the coat was an army overcoat, colored black. I left the hat I wore in the stable. He wore an old worn out silk hat, and a black coat with a cape also. Says he, 'I will go in the house to avoid suspicion; you wait here until I come back.' He then started to the house, and went up on the porch and around to the back kitchen past the window of the sitting room. He was gone but a few minutes. He then told me to go out the back door of the stable and he would shut the stable door. He shut the back door, and fastened it on the inside, and shut the front door and locked it on the outside. The lock of the stable is a spring lock. He put the keys of the stable in his pocket to unlock the stable door on our return. He then came through a gate at the end of the stable into the barnyard and fastened the gate after him. We then went through another gate into a field that joins the garden and orchard, and kept across the fields of William Clark and Ephraim Hess, until we came to James Boon's. We crossed over into the road there, and kept the road, or very near the road, all the rest of the way to Mr. Dinsmore's.

We kept on up the Cross Creek road until we came to a road running directly to Mr. Dinsmore's; the road turns off to the left opposite the tenant house on the farm of Samuel Taggart. We kept that road until we came to the old Middletown road. There is an old school house stands by the side of the road, a short distance above Mr. Dinsmore's late residence. We entered it, and lit our dark lantern, and proceeded to blacken our faces and hands. We took the lantern along for the purpose to see when we were properly blacked. After we had completed blacking ourselves we started towards Mr. Dinsmore's house. We entered a gate below the barn, and kept on towards the house. When we got about midway between the barn and house we became alarmed at a noise like some one coming towards us. We turned back and listened, and found the noise came from a lot of hogs that were feeding in the lane. We started the same way, but found we could not reach the house in that way without alarming Mr. Dinsmore. We then crossed over the fence into the orchard, and went around in front of the house. I then went to the porch of the main building, and went up on the porch, and stepped on a bench that was on the porch, and looked in the window and found by the clock, on the mantel-piece above the fire place, that it was half past nine o'clock. The reason that I looked in the window was because I wanted to know who was in the room, as James Montgomery informed me that Mr. Dinsmore had three or four big brothers, and we had better be on the lookout.

While I was looking in the window, 'Babe' opened a gate in front of the house, and passing through it, laid down on the ground beside some bushes. After I got down off the porch I joined him. The reason we did not enter the house when we first went, the family was in the thumb of my left hand, and told 'Babe' I thought I had shot the end of my thumb off, but found on examining it I had not. I suppose my thumb was very close to the chamber of the barrel of the pistol, as my thumb had a black blister on it, and the end of it looked like it had been burnt. Showed the blood blister to Revs. Dodge and Siusabaugh, and others.

When 'Babe' and I got to the road, I told him I felt very bad—felt like fainting. I fell down several times like going down to the woods. 'Babe' wanted to go to the woods. I told him I would go ahead and never mind the woods—

start you in business, and it is there, if you go for it.' He then said something about me not having any heart. I thought a few seconds, and got up off the ground, and told him to come on.

I suppose the person we heard going up stairs while lying on the ground, was Nancy Jane Dinsmore. I then went to the porch of the kitchen, and went up the steps on to the porch. 'Babe' remained at the corner of the kitchen.—We knew if Mr. Dinsmore saw us both, he would not open the door. I then knocked at the door; some one asked who was there, in which I recognized the voice of Mr. Dinsmore, and I told him a man by the name of Johnson. He asked again who was there, and I told him Mrs. Miller was sick, or Miller's family was sick, I do not remember which. Mr. Dinsmore then opened the door. I told him Miller wanted some of the boys to come down and go for the doctor. He asked me who I was, and if I wasn't lost. He said he thought it was Stemmans that I was hunting. I asked him where Stemmans lived. He leaned forward out of the door to show me, and I then stepped in beside him, and told him he was the man I wanted. I then presented the pistol at his head, and told him if he hallooed I would blow his brains out. I had the pistol in my right hand when I went upon the porch. Mr. Dinsmore said, 'What do you want with me, you scoundrel?' or rascal. I do not remember which. When I entered the house I had the collars of my undercoat and overcoat both turned up and buttoned around my neck to prevent them from recognizing me. Mr. Dinsmore seized me by the collar and commenced tussling with me. In the tussle one of the buttons was pulled off my overcoat, and one hook pulled straight, that I had hooked before entering the house. One button was pulled off my undercoat collar, and two off my vest. My shirt collar was torn open, but the button was not pulled off.

When Mr. Dinsmore asked me what I wanted with him I told him I wanted his money. The pistol was not cocked when I presented it at Mr. Dinsmore's head. After the buttons gave way on the collar, Mr. Dinsmore seized hold of the pistol, when a severe scuffle ensued. During the scuffle I called to 'Babe' 'I said 'Babe,' come on.' When 'Babe' came in Mr. Dinsmore was trying to pull me into the lighted room. I called to 'Babe' to knock him down; he did so immediately. I looked around to see who he was doing, and saw him throwing back the skirt of the cape of his overcoat, as if preparing to strike some one. I then heard something like glass or queensware falling, but did not know what it was at the time. 'Babe' then picked up a chair and struck Mr. Dinsmore on the head, but owing to Mr. Dinsmore and I being in such close contact, he could not get a fair blow at him.

In my former statements I stated that Mr. Dinsmore at one time wrenched the pistol clear out of my hand. I will not be positive about that fact. When 'Babe' struck Mr. Dinsmore on the head with the chair, Mr. Dinsmore released his hold on me. I then was between him and the lighted room, and 'Babe' was in the rear of him. I saw 'Babe' use the knife in the kitchen, while Mr. Dinsmore and I were scuffling; could see the bright blade flash in the dark.—When Mr. Dinsmore let go his hold on the pistol, I went into the lighted room, I used for a bed room, and left Mr. Dinsmore and 'Babe' in the kitchen. Mr. Dinsmore knocked 'Babe' down after I went into the bed room. When I first entered the bed room Mrs. Dinsmore was standing in the middle of the floor; she went to the grate and caught up the fire shovel, and made a motion to strike me. I pointed the pistol at her, and she called to me not to shoot. Mr. Dinsmore then came into the room and picked up a chair and rushed at me to strike me. He was between 'Babe' and myself, one of us being before him and one behind him.

I saw Nancy Dinsmore standing in the door leading from the bedroom to the hall; I do not know how long she was there. When she left the room she left the door open after her. When Mr. Dinsmore went to strike me with the chair, I ran out of the bed room and across the hall into the parlor, and shut the door after I entered it. I was in the parlor a few seconds, and betwixt myself that it would not do to leave 'Babe' and Mr. Dinsmore alone. I opened the door, and crossed the hall and entered the bed-room again. Mr. Dinsmore immediately came at me and caught the pistol, when we began to scuffle low behind me. Mr. Dinsmore was at my left side. I had hold of the pistol by the butt and muzzle. In the scuffle I cocked the pistol and discharged it. I discharged it a second time, when Mr. Dinsmore immediately let go his hold on the pistol and went out into the hall. I thought perhaps he had gone to get his gun, and would return and shoot us both. I caught hold of 'Babe,' and pushed him out of the room. After we were both in the kitchen. I went to the bed-room window and looked in, but the room was empty I told 'Babe' to run for his life, as Mr. Dinsmore had gone after his gun.

When I fired the pistol Mr. Dinsmore and I were scuffling; I thought the balls were passing into the floor, and I thought by firing, it would cause Mr. Dinsmore to cease to resist. We left the house the same way we entered, we took up across the orchard toward the Middletown road. After I got over the fence into the road, I was so much excited and so weak that I fell down several steps. I felt a severe pain in the thumb of my left hand, and told 'Babe' I thought I had shot the end of my thumb off, but found on examining it I had not. I suppose my thumb was very close to the chamber of the barrel of the pistol, as my thumb had a black blister on it, and the end of it looked like it had been burnt. Showed the blood blister to Revs. Dodge and Siusabaugh, and others.

We came the same road we went. After we had run about three miles, we slackened our pace to get breath. I asked 'Babe' if he had lost anything by which we could be identified; he said he had not. I asked him if he had lost a button. I asked him what that noise was, like the falling of glass; he said he had thrown a stone at Mr. Dinsmore, and it must have hit a window. Says I, 'Why, 'Babe,' you might have killed me dead on the spot.' 'Babe' said Mr. Dinsmore had knocked him down, and that his hat had fell off his head, and he was afraid Mr. Dinsmore would know him. He took off his hat and asked me if I could recognize him. I told him I could not. He then said something about me naming him at Mr. Dinsmore's—that I ought not to have done it. He then asked me how many loads the pistol had in it; I told him it had four loads in it. Says he 'If they follow us, defend yourself as long as there is a load in the pistol; kill before we will be captured. After the loads are all shot out of the pistol, we will take to the woods.

We came down on the Cross Creek road until we came to the farm of Samuel Morgan—the farm is well known as the old Cundall place. There is a tenant house on the place, fronting on the road; the house is about midway between Aaron Miller's and the residence of Samuel Morgan. There is a race running to the grist and saw mill of Mr. Wm. B. Cundall; it runs very close to the road. At that place we crossed the fence between the race and the road; then crossed the race on a rail—went down back of Mr. Cundall's house so as not to alarm the dogs. We crossed the bridge at the steam saw mill (Cundall's saw mill) and kept the road until we came to Boon's wood. We then crossed over the fence into the woods to rest, but we did not rest. We went on up through the woods until we came to a small run that flows down through the woods. I told 'Babe' we had better wash the black off ourselves there. We pulled off our coats and washed ourselves. We did not light the dark lantern there; we thought some one might see the light, it being so close to the road. After we got through washing we dried ourselves off with a pocket handkerchief, when we put on our coats and started again.

'Babe' said he knew Mr. Dinsmore had plenty of money, or he would not have refused us so hard. He proposed to me before we went to Mr. Dinsmore's that we should knock Mr. Dinsmore down and tie him, and then tell him if he did not give us twelve thousand dollars we would burn his house over his head, and said we ought to have got some small rope to tie Mr. Dinsmore with. I told him he could get something there to tie him if he wanted to do it that way. After that he asked me what the law would make that. I told him I knew nothing about law, but supposed we would be indicted for the attempt of burglary with the attempt to kill. If we were arrested he wanted me to stick to him. I told him I would, and if I was arrested I wanted him to stick to me; he said he would. He said he had heard Mr. Dinsmore say during the scuffle that he was shot. I asked him what Mr. Dinsmore had said; he replied he had heard Mr. Dinsmore exclaim—'Oh my, I am shot,' or 'Oh my God, I am shot,' he did not know which. I told 'Babe' I would not have killed him for the world. He said he did not think I had killed Mr. Dinsmore; he thought I had shot him in the leg, and he hoped I had, for it would keep him in the house so that he could not recognize us. 'Babe' said he thought Mr. Dinsmore had thought he was shot when he ('Babe') had cut him. I asked him if he had cut 'Babe' said that 'Jim'—meaning James Montgomery—could not call us cowards after that. He said it was one of the boldest acts he ever knew of, and that there would be a big fuss kicked up the next morning about it. I told him not to say anything about it to his brother James the next morning, and he said he would not.

After we had washed ourselves in the woods, we kept in the fields until we reached the stable of Wm. Montgomery. 'Babe' then took the keys from his pocket and unlocked the stable, and got my hat for me. I gave him the overcoat, and he had it worn. I left him at his father's stable, and came up to town across the fields of Harrison Shirks—came down past the sheep shed on his place. I went to my boarding house, pulled off my boots and muddied pants, took the pants, after I had pulled them off, and wiped the mud off my boots; then set the boots inside of the fender to dry, and threw the pants out in the kitchen—took the pistol off and put it in a chest in the house, then undressed and went to bed. I got up during the night to get a drink of water, and turned the boots inside of the fender to let the other side of them dry. When I was turning them, I found I had lost the heel off one of them.

The next morning when I got up I found my face was very black—washed it in warm rain water with soap. Found my clothes were very muddy, and cleaned them off (I mean by the clothes, the suit I wore every day.) While cleaning the clothes I found I had lost two buttons off my vest, and one off my coat. I asked Mrs. Wibley for some vest buttons, and she gave me some, but they would not correspond with the buttons on my vest, but I sewed them on. Don't remember whether I put the boots on the loft, or told Mrs. Wibley to do it—I think I did it myself. I asked Mrs. Wibley if Philip Bion was working at shoemaking yet, and she said 'yes.' I told her I had lost a heel off my boot, and guessed I would get him to put one on for me that afternoon.

After breakfast I went down street and heard of the murder in James Montgomery's store; Thomas Stockton told me. (Thomas Stockton is a son of Robert Stockton, deceased, and clerk for James Montgomery.) He said Henry Miller had brought the news to town that morning about four o'clock; said Mr. Dinsmore had been shot with a pistol twice. The news of the murder

surprised me very much. In a few moments after this conversation with Stockton, James Montgomery came in, and he and I started down to the depot to see if some oil had come for him that his father had bought for him. Says he, 'you fellows played hell out there last night; you thought one ball was not enough, and so you put two in him.' I asked him how my face looked, and he said just as usual. I told him to say nothing about the murder. When returning from the depot James stopped at the grocery of A. C. Morrow, and bought a dozen brooms from him. I carried the brooms up street for him. After we went in his (Montgomery's) store, I told him I was fearful of being arrested. Says he, 'You are too fearful, in all that is the matter with you.' He asked how much money it would take to pay my expenses to the place I was last winter; I told him fifteen dollars. He said he would give me the money if I would go away. I told him no, I would not go, for if I did it would throw suspicion on me. He said there was no danger of 'Babe' being arrested, for no one would suspicion him because he was a rich man's son.

I told James Montgomery about losing the boot heel and buttons, and asked him to get some to replace them, which he did. He got me half a dozen coat buttons, and half a dozen vest buttons, black, cloth covered. He told me that I had better give 'Babe' the pistol, and let him take it out to the farm with him. I then went up to my boarding house and sewed the buttons on my coat and vest myself. I tried to get balls to replace the loads that I had discharged the night before from the pistol, but failed to get them. The reason James Montgomery wanted me to give the pistol to 'Babe' to take out to the farm was, that the balls would be drawn from the body of Mr. Dinsmore, and if the pistol was found in my possession, the balls drawn from Mr. Dinsmore's body would be compared with the pistol, and it would go hard with me. After I had sewed the buttons on my coat and vest, I took the pistol out of the chest where I had put it the night before and concealed it on my person, and started down street. Went to the store of James Montgomery went down in the cellar and hid the pistol under the counter that stands in the cellar. I put it under the upper end of the counter. The end of the counter is loose from the main part of the counter; it can be pulled out far enough to admit a man's arm with ease. I put the pistol and dark lantern there, and covered them up with straw. Won't be certain whether I put the pistol under the counter or not; or whether I left it at the outside and covered it up with loose straw, expecting to send it out on the farm. An certain I put the dark lantern under the counter. I then went up in the store and sat down.

'Babe' came into town between nine and ten o'clock, in the spring wagon, and came into the store. I told him we had killed Mr. Dinsmore dead as hell the night before—used the words 'last night'—and told him about losing the heel off my boot. He told me to cut the boot up. I told him where the pistol was, and told him where to get it and take it out home, and draw the loads from it. He said he would shoot them out when he got home. He then left the store, and I did not see him any more until after he was brought to jail.

I sat down in a chair by the stove and commenced talking to James Montgomery. He told me to go and wash my face, in a bucket kept in the store for that purpose; he said my face was very dirty. James told me if I was arrested not to bring him into it. I told him I would not. Says he: 'Me and my wife will both of us swear that you were here last night.'

I was in the store when Christian Hornish came in and said that a reward of a thousand dollars had been offered for the apprehension of the murderers. I said to James Montgomery: 'Jim, let's go and make the money; we can catch the man that killed Mr. Dinsmore.'

James Montgomery knew all about the murder. He knew that 'Babe' and myself did it. James Montgomery never said anything about giving him any of the money we expected to get at Mr. Dinsmore's. 'Babe' suggested that it would be nothing more than fair that we should each of us give James a portion of what we got, for the assistance James had rendered us. James Montgomery suggested that we had better give him the money to keep for us, if we were successful at Mr. Dinsmore's. It was arranged between us that I should go off some place, and start a photograph gallery, and go to counterfeiting money after the excitement died out, and 'Babe' and James Montgomery intended to pass the money for me. I am a photographer, or artist by profession, and worked at the business in Frederick city, Maryland, last winter.

was in the army. Carried both the Colt and Remington pistols—know all about them; Colt's, the barrel is round; Remington is eight square.

I boarded at the house of Ruth Wibley, on West Walnut street, from the time I left Montgomery's store, until I was arrested in the grocery store of James Montgomery, in Phoenix Row, by Sheriff Smith. The reason that I did not make this statement before the Coroner's Jury was, that I had some hope of escape, and did not want to tell anything more than I could help. The first statement I made to Sheriff Smith and others, was that I had loaned my pants, coat, vest, boots and pistol to a man by the name of Johnson, from the neighborhood of Clayville, for which I was to receive fifty dollars. The Sheriff asked me if I was acquainted with Johnson. I told I had seen him once before.—He asked me where I had seen the condition of the clothes. I told him just as he had found them—the pants was muddy to the waist; and one of the boots had a heel off. He asked me where Johnson gave me the clothes back. I told him at McFarland's sheep shed.—I told him that I put the boots on at the sheep shed, and wore them up to my boarding house.

He asked me how many loads the pistol had in it. I told him four when Johnson gave it back to me, and six when he got it. I told the Sheriff that Johnson told me that he had discharged two of the loads from the pistol. I made this statement after the Sheriff found my clothes, because I thought it was better not to tell the truth.

We did not go to Mr. Dinsmore's with the intention of murdering him; we went only for the purpose of robbing him. I left town the evening of the 4th of December, between six and seven o'clock, to go to Mr. Dinsmore's. Know it was about that time, because the cars were whistling around in the out before entering town. It was about twelve o'clock that night, when I got back to town, as near as I could judge.

Folger then says: 'Having made the foregoing statement, I deem it prudent to show the public why I didn't testify in the case of Wm. Montgomery, not that I wish to expose any one publicly, but I want to warn others that may follow my footsteps in crime not to be deceived by counsel.' He charges his counsel, Ruth & Little, with dealing unfairly with him, inducing him to remain quiet upon the trial of Wm. Montgomery, Jr., by representing that it would benefit his case, whereas it was to be taken to the Supreme Court. He further charges them with inducing him to copy and sign papers prepared ostensibly for his case, but which are now in the hands of counsel, denying his former confession and relieving Wm. Montgomery, Jr., of guilt.—He warns the public not to believe any such statements which appear after his death in the presence of some of the most prominent citizens of Washington. This statement is dictated entirely by myself, and made freely and by the prompting of an overburdened conscience.

Signed by me, this 15th day of April, 1867, in presence of the following witnesses. (Signed.) James Montgomery, John B. Watkins—Robert Dougan, William B. Watkins—James D. Herr, M. H. Clark, John B. Wilson.

The Republican.

J. E. SAVERS, Editor and Publisher. WAYNESBURG: WEDNESDAY, MAY 22, 1867.

TERMS OF SUBSCRIPTION. Two dollars a year, payable invariably in advance. One dollar for six months, payable in advance.

TERMS OF ADVERTISING. ADVERTISEMENTS inserted at \$1.50 per square for three insertions, and 50 cts. a square for each additional insertion; (ten lines as equal to a square.)

Local advertising and SPECIAL NOTICES, 10 cents per line for one insertion, with a liberal deduction to yearly advertisers.

Advertisements not marked with the number of insertions desired, charged for until ordered out.

To those unacquainted with the confession of Fogler, his trial, and the history of the Dinsmore murder, our paper will be interesting enough this week. Those favored by a reading already must sacrifice the pleasure of our usual variety. We have no room whatever, for much that would be interesting—Advertisers and others must excuse the liberty we take in omitting and deferring as it is beyond a possibility for us to issue an extra.

Lamps, Lanterns and Chimneys of every description at G. W. Roberts & Co.'s.

J. O. G. T.—Rev. J. A. DeWitt, the State Lecturer, for his popular temperance organization, will deliver a discourse in one of the churches of our town on Wednesday evening, May 29th. We bespeak a cordial reception for the gentleman and success to his noble purpose. Minis ters will please announce the respective congregations.

A pure article of Lined Oil and White Lead on hands at G. W. Roberts & Co.'s.

Don't forget the sale of town lots in Waynesburg, next Monday, 27th inst.

Paint Brushes, Whitewash Brushes and all kinds of Brushes at G. W. Roberts & Co.'s.

Jeff. Davis was released, at Richmond, May 23rd, on giving \$100,000 bail for trial at the next term of Court.—Our former, John Minor Botts, and others. Davis has gone to Niagara Falls for his health.

All kinds of paint, dry and in oil, at G. W. Roberts & Co.'s Drug Store.

The Hyers Mite Society [?] will hold a Bazaar and Festival in the Court House, Waynesburg, Wednesday evening, May 29th, 1867.

All the popular Patent Medicines sold by G. W. Roberts & Co.

An Exhibition will be given by the Juvenile Mite Society of the C. P. Church, on Thursday evening, May 23rd, in the College Chapel; Programme varied and interesting. Go!

Hostetter's Stomach Bitters at G. W. Roberts & Co.'s Drug Store.

G. C. A. S.—The Annual meeting of the Greene County Agricultural Society will be held at the M. E. Church in Carmichaels, Pa. Saturday May 27th 1867, at 2 o'clock P. M. to elect officers for the ensuing year. A large turnout is desirable as business of importance to the Society may be transacted.

H. H. CREW, Pres. J. P. MITCHENER, Sec. 2w. A splendid assortment of Perfumery and Toilet Soaps for sale at G. W. Roberts & Co.'s.

The American Sweet scented Glycerine Soap at G. W. Roberts & Co.'s Drug Store.