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LAPORTE, SULLIVAN COUNTY PA., THURSDAY, DECEMBER 15, 1904.

75 TS. PER YEAR

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Nothing in Town to Compare With
the Quality that We are Giving
You for the Low Price Asked.

Quality and moderate prices makes a force that irresistibly draws into our store the best patronage of this section. Many years here in business, always with a full line of goods above suspicion; chosen with a care and judgment commensurate with its desirability and adaptability to refine taste, makes our store a safe place to invest.

Repair work done on short notice and guaranteed, by skilled workmen. Your orders appreciated.

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DUSHORE, PA. The Jeweler.

COLE'S HARDWARE.

No Place Like this Place
For Reliable

STOVES and RANGES,
COAL OR WOOD.
HEATERS;

ONE OF WINTER'S GREAT DELIGHTS.

House Furnishing Goods, Tools of Every
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Bargains that bring the buyer back.
Come and test the truth of our talk.

A lot of second hand stoves and ranges for sale cheap.
We can sell you in stoves anything from a fine Jewel Base
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Hot Air, Steam and Hot Water Heating and
General Repairing, Roofing and Spouting.

Samuel Cole, Dushore, Pa.

The Shopbell Dry Good Co.,
313 Pine Street,
WILLIAMSPORT, PA.

Cloak and Suit Department

What you will be shown here will be the very latest the best makers and designers are producing in stylish tailormade suits, walking skirts, jacket tourist coats, rain coats, silk waists, children's coats and jackets.

New Silk Plaids

We have just received a nice line of silk plaids for waists. They are in various colors, including the new green and blue Scotch effects. You know how scarce they are. We are glad to get these good styles to sell for \$1.00.

Ladies' Silk Waists

Quite the best styles and qualities we have ever shown for the price, plain black and fancy colors, and neat, stylish plaid waists.

Fine French Flannels

For waists and dressing saques. We show in the best quality all the plain colors, such as navy blue, cadet, green, ecru, cardinal, garnet, castor, old rose, cream, gray and lavender, for
45c A YARD.

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Our furs combine the elegance and completeness of up-to-date fashion. All the latest and most approved styles can be seen here in ladies' coats, scarfs, boas and novelties in fur neck pieces with muffs to match in all the popular and best selling furs; then the prices are very moderate.

Mohairs

Are now an all the year around fabric for dresses, and especially for shirt waist suits. The demand for this material has made many of the most desirable colors scarce, yet we have been able to keep our line very complete in black and colors and fancy figured ones.

The Shopbell Dry Good Co.

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"NOT GUILTY"

THE VERDICT RENDERED IN YANNEY MURDER TRIAL.

TRAGEDY ENDS FROM PRISON CELL TO MARRIAGE ALTAR.

After Long Trial Attracting Much Interest Frank Yanney is Acquitted. When Liberated Marries Woman Connected With Cause of Tragedy.

The case of Commonwealth vs. Frank Yanney who was indicted for the murder of Jacob Epler, was called for trial in the Court of Oyer and Terminer on Monday afternoon the 12 inst. The defendant was arraigned, and the indictment read to him by W. Howard Hill, the district attorney, charging Frank Yanney with murder in the first degree, to which he firmly plead "not guilty." The Court then directed a jury to be empanelled. Jurors were called and examined and challenges made, some for cause, and some peremptorial. The whole afternoon was consumed without completing the panel and the court adjourned until morning. On Tuesday morning jurors were called and examined until the whole panel of sixty was exhausted. The Court then directed that a venire should issue to the Sheriff to summon ten talesmen, and the selection of jurors was completed at 10:30 o'clock.

The district attorney then opened the case. Alphonsus Walsh and D. C. Dewitt assisted the District Attorney in the trial. E. J. Mullen Esq. appeared for the defendant. The jurors were Monroe Bennet, Fred Anderson, Albert Meyers, Ardel Day, Jacob J. Young, Harry Miller, Joseph Traugh, Norman Brink, Lewis Cowell, Harvey Fester, Joseph E. Little and Albert Rider.

The first witness called for the prosecution was Rush McHenry, the Coroner who held the inquest on the body of Jacob Epler. He testified that a bullet was found in the body of Jacob Epler which he produced and it was exhibited to the jury. The witness stated that it was the bullet that caused the death of Jacob Epler. The bullet entered the body above the left hip. The person who fired the shot could not have been facing the injured man: it was a diagonal shot. The bullet was slightly flattened by striking the backbone. The victim was a strong well developed man.

Ira Cott was the next witness. He testified that he held the position of constable and arrested Frank Yanney. He was found in Dr. Herrmann's back office. Yanney gave me a revolver; one chamber was empty, the rest loaded. Witness had heard shots fired before he was called. Witness exhibited the revolver which he got from the prisoner. Yanney had no coat on; found the coat in Dr. Herrmann's office. It was on Sunday, I took the prisoner to jail that night. Prisoner said he was sorry it was Jake who was shot, said he was on friendly terms with Jake; said that it was Jake's brother that he intended to shoot.

On cross examination witness stated that he made the arrest of Frank Yanney without a warrant, and took him up to Squire Bohn's. I had seen Jake Epler in the office of Dr. Randall; he was living but in great pain. The Doctor said he could not live. Mrs. Epler was suffering from a wound at the same time. Yanney said he never had any trouble with Jake Epler.

Freeman Thrasher was called and testified that he stood on the walk and saw Frank Yanney pull off his coat, another man did the same and Frank Yanney fired a shot. I saw a man was shot; it was Epler. A woman said, Frank you have shot me. Yanney was about 50 feet from the station. There was a crowd; they took Epler down town. I saw Sam Epler and John Bahr running away; after the firing I saw them come back and pick up Jacob Epler, who was in great distress. When the train returned to Dushore about nine o'clock that night it was quite dark. Witness did not see the woman

until she had hold of Yanney with both hands. She was in front of Yanney. He threw her aside and turned around and fired. Jake Epler was following Yanney when shot was fired. Don't know who stopped Yanney. He was looking toward the railroad when shot was fired. Jake Epler was about a rod from me when shot was fired and Yanney was about a rod and a half from me.

Dr. Randall sworn: I reside in Dushore. I performed the post mortem at request of Dr. McHenry, August 29, 1904, at Mr. Warden Bahr's house in Cherry township. No powder marks found in abdomen three quarts blood, serum and fetal matter. Wound three-fourths by one-half inch, found intestine perforated 14 times.

Cross examined by Mullen. I should think Epler would have weighed about 160 pounds, aged about 35 years. Ball went into body just above left hip, and lodged in the pelvis bone nearly opposite. Epler was brought into my office about 9 and taken away about 12:30. Very little external bleeding.

Samuel Epler was the next witness called: On August 28, went to Harveys Lake, had some trouble with Yanney's house keeper, did not have any trouble with Yanney until just before we left Harveys Lake. He called me a scab, I called him some names. When we got off the train at Dushore, I went first, then Bahr then Jake, Yanney and Gert stood there. We went across the wagon road and Yanney followed us and said, "if any of you three fellows want anything from me come on." Jake started toward him and Yanney pulled a gun (revolver) and fired three or four times. Jake did not have a gun with him. I did not have a gun. Train was just moving out when the firing was done. Jake Epler in front of Yanney. Jake said, I'm shot. We then went back and helped him to near the bakery, then Jake said lay me down and get a stretcher: then we got a stretcher and carried him to the Doctor's.

I had been drinking, drank some out of a bottle. Bahr had been drinking some, but did not see Jake take a drink that day and do not know whether he was drinking any. Had some trouble at the Lake after we got on the train. Did not hear any words between Jake and Yanney until after we were on the train. Did not see Jake on the train until we got near Ricketts. I had some talk with Frank on the train. Gert started it. I walked right on. John Bahr and Harry Lockwood were with me. I did not invite him out to fight—John Bahr invited him out to fight. Frank acted afraid of John Bahr. Yanney said I will meet you when you get to Dushore. Did not hear Jake or John say anything meeting him at Dushore. We got off below the platform. Yanney was not in the same car that we were. He and Gert were next to the railroad, up on the bank. Gert said, "John Bahr what are you going to do about that trouble up at the Lake. I saw Yanney have the gun when he pulled his coat off. I told Jake to keep away from him. I did not hear Jake say a word, he did not hit Yanney, he was not near enough. I have had trouble with Yanney before, I drew a revolver on him one time in Monroe. He and Bill Payne were going to jump on me. Yanney and I have had trouble several times. I never went to his house and drew a revolver on Frank in the presence of the Yanney family.

John Bahr sworn: When we got off the train saw Frank and Gert standing along the railroad. The two Eplers and I started toward Dushore. Gert nor Yanney did not say anything to us until we got to the wagon road. Gert then said "What are you fellows going to do about that trouble up at the Lake." We all stopped when she said that. We were 15 or 20 feet from them. "I said 'I guess we will have it out.' Yanney said 'come on any of you three s— of b's—'. Jake took off his coat and started toward him, Yanney took off his coat and back up, they were ten or twelve feet apart.

Yanney did not say anything when he shot. I don't know where Gert was, I heard her say "cut loose." I heard her say "O Frank you shot me. Jake dropped when shot was fired. I did not take my coat off. I had some words with Yanney before we left the Lake. I did not say we would fix him at Dushore. He said, wait until we get to Dushore.

Patrick Jordan sworn: I helped take Yanney to Laporte in the evening after the shooting. In going over Yanney said "It was too bad that Jake was shot, Sam was the man I intended to shoot."

Morris Harrington was next sworn: I reside in Dushore. Went to see the excursion come to see a shot fired, do not know who fired it, there were lots of people there, don't know how many. Shooting before the train started. I was near the train, I could see the man drop. I did not hear anything until I heard the shot, I was about 30 feet from the man that I saw the man shoot, I should think that the men were 8 or 10 feet apart. I don't know how many shots were fired, think at the last shot the man dropped. After the first shot, I saw the flash of the others, think they all came from the same place but could not say positively.

J. H. Bohn sworn: I reside in Dushore, and am Justice of Peace. Yanney was committed by me. I was in Randall's office to take ante mortem statement of Epler. I swore Epler to statement, he made his mark, was not able to write his name. Samuel Epler made the statement, I read it over to Jacob and he swore to it as being correct. District Attorney Hill and Dr. Randall were present, there might have been others.

Henry Wilcox sworn: I heard a shot, saw a couple of flashes. I was on the platform. Don't know how many shots, flashes seemed all one way, and very rapid—shots from lower to upper side of road.

John Scouten Jr. sworn: I was on our steps. Heard three shots—shots fired toward town, all came from one place, shots were rapid. I was looking toward the crowd. Saw three flashes and heard three shots. I heard Mrs. Epler say, "Frank you shot me, I am bleeding to death."

Oh Wednesday morning after the court opened the District Attorney called Warden Bahr, who said they brought Jacob Epler to his house on the night of the 28, of August. Epler left Bahr's house on the morning of the 28, of August. He did not take his revolver with him that morning, he left it in Bahr's gun case. It remained there until after his death. On cross examination witness said Epler was his brother-in-law and made his home there.

Commonwealth rested. E. J. Mullen, attorney for the defence requested the prosecution to call the rest of the eye witnesses when the crime was committed. The Court ruled that they must call Gertrude Epler, it having been shown that she was an eye witness. Mrs. Gertrude Epler was called. She said she was the wife of Samuel Epler on the 28 of August, but since divorced from him. Yanney had been boarding with her; he was at her house on the 28, of August and took breakfast there. That she had ceased to live with her husband; that she walked to the depot with Frank Yanney; he carried the child there. Saw her husband at Dushore station that morning. She was in company with Yanney in the car, her sister in the seat with her. Sam Epler went through the car making faces at her; had no conversation with either of the Eplers in the car; had conversation with Sam Epler and Bahr at the Lake. Sam had his tongue out. Johnny Bahr came up to the car and said she was a "chippy chaser." Yanney heard and said to her to pay no attention to them. Sam called her names; said she looked well with that long legged, black fellow out there and they would dress him up for her; he called her a b—; this was at the Lake; Sam Epler and Bahr called Frank out and said they would lick him; they began on Yanney; they called him a black s— of a b—. Yanney made

no reply—said he did not want a trouble with them. Got to Dushore that night about half past eight. After we got out of car Yanney had the baby; we stood on the bank by the cars then. Sam and Jake Epler and Bahr came up on the bank by the side of us. Frank gave me the child. Sam Epler said stand back so I'll blow your brains out. I asked Sam if he was there to fight, he said he was. Yanney said I don't intend to fight three. I tried to make peace between the Eplers; then all three piled onto Frank Yanney. Jake had hold of Frank. Sam was going up to help Jake; one of them kicked Frank. About that time I was shot. Sam Epler was the one that shot me. I had hold of Jake's arm trying to make peace with them. Sam shot while I had hold of Jake. Sam fired two shots; another shot was fired. After I was shot I did not pay much more attention to them. I saw a revolver in Jake Epler's hand; he might have given Sam the revolver. In the cars we saw a revolver in Sam's pocket—just coming out of his pocket. Did not see the revolver after we got off the cars. Jake went down on his knees when he was shot then got up. Frank fired one shot, think it was the last one. Think four shots were fired. I had the child in my arms all the time until after the firing. Frank took the baby and we went to Dr. Herrmann's office; he called the Doctor by telephone. I was shot in the thick of my thigh. Was not long at the Doctor's. Cott came and got the revolver and took Frank just after the Doctor got through dressing my wound. I said to Sam that he shot me. I never said Frank shot me. I said to Jake there is no use of your fighting. Sam told Jake to kill the d—ed s— of a b—. I saw Yanney move backwards; he took 2 or three steps quickly; then he said stand back. He said it to Bahr and the Eplers.

On cross examination the witness said: My maiden name was Smith. Ten years ago was married to Sam Epler. Sam had applied for a divorce before the 28th of August. We had a divorce before and had been re-married. 1/2 or 1/3 of an hour before train started I saw Sam Epler and John Epler and John Bahr. On return sat 5 or 10 minutes before the train started back toward the rear end of the train. The first I saw of Sam Epler, Jake Epler and John Bahr was near the gate. They started the conversation. Bahr made the first remark. Bahr called me chippy chase. He called Frank a black Spaniard. Sam, sticking out his tongue said "I was a bitch. About the time the third shot was fired I said I was shot. I think Frank shot before I hollered. Jake went down before I was shot. I had enough to do to look out for myself and the baby. He had just told me he would blow my brains out. Sam said so before there was a shot fired. The pistol was aimed at Yanney but it hit me. Bahr was behind them. Frank was in front of me kinder sideways. I was trying to make peace between them. I got hold of Jake's arm, he tore my shirt waist off; he had his coat off. They invited Frank out and called him a black son of a bitch. They came in and took the front of the car and Jake Epler and Sam and all drank there. The conductor told them to keep still; they drank a 1/2 pint of whisky; Sam had the bottle, John Bahr took it out of his pocket; they said to Frank Yanney, all for me, none for you; think they emptied the bottle. Jake drew back his fist in front of Frank Yanney. Frank jumped up, said "I want you to go on and mind your business." Jake said, "wait until we get to Dushore and we will settle him. At Dushore when we got off the car we waited for the cars to start so we could cross the railroad track to take nearest road home. Comth. resta.

E. J. Mullen Atty. for defendant opened for the defence. Dr. M. E. Herman sworn. I found Mrs. Epler sitting on my office steps. I found a flesh wound between knee and thigh on Mrs. Epler. Yanney was at my office until arrested. Cross examination. Bullet entered in front of leg, came out back.

Fred Bates sworn. I reside in Ithaca. Conductor on excursion train Aug. 28, 1904. Started from Waverly 8 cars, ordinary cars. Length of car 50 feet length of train about 400 feet. Saw Yanney at Harveys' Lake. I heard argument at train, went down and quieted parties on outside and woman inside making the noise. Heard lady call Sam a scab. He said, send him out we'll clean him up. Yanney was quiet; he looked scared. I heard nothing.

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