

NEARING THE END

The Celebrated Umberger Murder Case will be Given to the Jury To-Day.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

By W. H. KOOSER, Esq., for the Prosecution.

The sixth day of the trial of Joseph and David Nicosy for the murder of Herman Umberger closed with one speech from each side to be held.

General Coffey will sum up for the defense this morning and will be followed by Hon. John Cenna on part of the Commonwealth. It is more than probable that all of the morning's session will be consumed by counsel in summing up and that Judge Baer will deliver his charge and give the case to the jury this afternoon.

The day was a trying one on the prisoners and when, at the close of court at 3:30 last evening, they were taken back to prison by Sheriff McMillen, they looked dejected, anxious and nervous. The intense interest taken by the general public in the case has not abated, but has rather increased each day as the trial progresses.

Mr. Kooser opened the case this afternoon on part of the prosecution in a speech of an hour and forty minutes in length. His arguments were clear, logical, convincing and logical. We give below a very brief synopsis of what he said.

He was followed by Mr. Koenitz, who, in the two hours and thirty-seven minutes that he spoke, made a strong and eloquent plea for the lives of his clients.

We repeat that we are unable to give both speeches in full.

Opening Remarks.
The court ruled that testimony in regard to the survey of land at hand. That could be given by the witness in a speech of an hour or more. The witness, however, showed us by the witness that before yesterday, the Commonwealth was made by myself and N. H. Grubb, the two witnesses were alone; it was seen and these facts were from the best of the log to the center of road, at point No. 2 on the trail, the eastern line is 71 rods and western line ten and four-tenths rods, the length of the lot is about 30 to 100 feet; the elevation of the pile is 20 feet. Mr. Grubb walked on the pile and I stood at the best of the tree at point No. 2; could see him as far as the water when he was in the center of the wood and down below the slope when he came across, as he walked along the view was obscured by the foliage; at point No. 2, I could see his head and shoulders at the center of the pile and I went to the lower part of his waist when he came nearer to me at the edge, could see him moving along to the point No. 2, where I could see him about the same as at the point marked No. 2.

Cross-examination.—The lot is on the north side of the road.
N. H. Grubb—Was along with 3 pine rods and helped to make the measurements; Mr. Ranch walked along the road while I stood at the best of the hemlock tree. [The witness then testified practically the same as Mr. Ranch.]

Cross-examination.—The trees between the point where I stood on the pile are large; did not notice any spruce or hemlock; saw some birch and bass; stepped the pile; it was eight paces wide. [The survey was then offered in evidence.]

Then, Sinclair.—Was working on the 27th of February for Mr. Vaneer; I was where they were sawing the tree; left them there; could see any person passing along the pile.
Nath Benson—Knew David Nicosy; worked with him February 23 at Mr. K. and saw him sawing wood; was sawing with a circular saw; he was handling wood all day, putting it up on the table; the wood was being cut for stove wood.

Cross-examination.—Some pines were six or eight inches through and four to six feet long; others were smaller.
John Ranch—There was no wire or steel rim on the hat when I got it; it is a little more worn than when I got it; on account of the number of times it has been handled.

Cross-examination.—Took the hat from the wall myself; Lorenzo brought in the lamp and I took it to the table; the lamp was taken out of the setting room into the kitchen.

Martin G'Connor.—Was along with Ranch and Shaffer when we got the pocketbook from Joe Nicosy; was present when the two books were found at Joe Nicosy's; I found them in the bookcase; we all examined them; there was no money in any of them; as at David Nicosy's on the day of the arrest; found Mrs. Nicosy's key could not account for his whereabouts anywhere during the week except on Friday; and, I think, perhaps, Monday; had conversation.

Cross-examination.—Was at Joe Nicosy's on the day of the arrest; took all the pocketbooks there was in any of them when I searched them.
Ranch—Was not present when the pocketbook was got; was present when the two books were got; Martin G'Connor told them; we all examined them; was a number of them; examined the books in and from G'Connor's; examined a linen or more nearly closely; there were nails around the outer edge of the books; there was no diamond shaped impression in the center of the book.

Cross-examination.—Left Ranch and Joe Nicosy does state when G'Connor and I went up stairs to search; was out of the room and left them together.
Benson—Made examination of the books; cannot tell how many there were all made on the same edge of the book; there was no diamond shaped mark track in the center of the book; found conversation at time of David Nicosy's arrest; Mrs. Nicosy said she did not know when the husband was between Mr. by and Friday.

Cross-examination.—I asked her when he was working last week; she said he was working for Kimmel on Monday, but she could not say where else he was during the balance of the week until Friday; she did not say he was at home every night during the week; the conversation was strictly after the arrest.

John Thomas.—Knew John Kayler; knew the community in which he lives; his general character for truth and veracity is bad.
Cross-examination.—Have heard several parties say so.

Michael Sage.—Knew John Kayler; knew that he was working for truth and veracity in the neighborhood is not good.
Cross-examination.—Have heard several parties say that his character for truth and veracity was not good.

Edward Sawyer.—Knew John Kayler; knew that his general character for truth and veracity is bad.
Cross-examination.—Was subpoenaed yesterday; I suppose about 7 o'clock; heard several parties say that his reputation for truth and veracity was bad.

Arant Walker.—Lives in Jenner township; knew John Kayler; knew his general reputation in the community for truth; I think it must be bad.
Cross-examination.—Heard his own testimony in law say he didn't tell the truth; Joseph Walker.

John Peter.—Lives in Jenner township; knew John Kayler's character for truth is pretty bad; knew all his neighbors and the people of the community.

Cross-examination.—Heard Kait's boys, Felixine, Peter, and a good many others say he was a bad man; Arant Walker subpoenaed him.

Daniel Peterson.—Lives in Jenner township; knew John Kayler; knew the people of the community; his character for truth and veracity is bad.
Benjamin Kline.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.

Frank Hoigt.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.
Cross-examination.—He said he didn't tell the truth; Joseph Walker.

Joseph F. Knuts.—Lives in Jenner township; knew John Kayler's character for truth and veracity is bad.
Cross-examination.—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

What have you in mind?—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

Harriet Nicosy.—Was at home the night Ranch and Ambrose came to get my husband's hat; I had laid down on the bed; they rapped at the door and I told Lorenzo to go and see who was there; the lamp was in the sitting room; it was a side lamp; it was the fall length of the room to the kitchen door; I could see out from where I was sitting; they asked for the hat; Lorenzo got it and gave it to them; neither Ranch nor Ambrose came in; from where they were they couldn't see where the hat was hanging; the lamp wasn't moved; it was a large lamp.

Lorenzo Nicosy.—Remember of John Ranch and Ambrose coming to our house the night my father was arrested; they came in the kitchen door at the east side of the house; the lamp was in the sitting room in the north end of the room; I opened the door; Ranch just stepped in the kitchen door; I asked mother where the hat was; she told me and I went and got it for them; there was no light in the kitchen only what shone through the dining room door; Ambrose stood on the outside.

Cross-examination.—There was no lamp only the one in the sitting room; one of the men had a lantern; I think Ranch; Ambrose stood at the edge of the door on the outside.
Daniel Peterson—Lived last May in Jenner township; remember Joe Nicosy coming to see me in August; an director of Westmoreland Insurance Company; Mr. Nicosy came there to see me about a case in Greensburg; don't know whether there was anybody with him; saw him right after dinner.

Cross-examination.—Don't know whether he had any other business; there is a mail from Ligonier; saw him again at Ligonier between that and February.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

By W. H. KOOSER, Esq., for the Prosecution.

The sixth day of the trial of Joseph and David Nicosy for the murder of Herman Umberger closed with one speech from each side to be held.

General Coffey will sum up for the defense this morning and will be followed by Hon. John Cenna on part of the Commonwealth. It is more than probable that all of the morning's session will be consumed by counsel in summing up and that Judge Baer will deliver his charge and give the case to the jury this afternoon.

The day was a trying one on the prisoners and when, at the close of court at 3:30 last evening, they were taken back to prison by Sheriff McMillen, they looked dejected, anxious and nervous. The intense interest taken by the general public in the case has not abated, but has rather increased each day as the trial progresses.

Mr. Kooser opened the case this afternoon on part of the prosecution in a speech of an hour and forty minutes in length. His arguments were clear, logical, convincing and logical. We give below a very brief synopsis of what he said.

He was followed by Mr. Koenitz, who, in the two hours and thirty-seven minutes that he spoke, made a strong and eloquent plea for the lives of his clients.

We repeat that we are unable to give both speeches in full.

Opening Remarks.
The court ruled that testimony in regard to the survey of land at hand. That could be given by the witness in a speech of an hour or more. The witness, however, showed us by the witness that before yesterday, the Commonwealth was made by myself and N. H. Grubb, the two witnesses were alone; it was seen and these facts were from the best of the log to the center of road, at point No. 2 on the trail, the eastern line is 71 rods and western line ten and four-tenths rods, the length of the lot is about 30 to 100 feet; the elevation of the pile is 20 feet. Mr. Grubb walked on the pile and I stood at the best of the tree at point No. 2; could see him as far as the water when he was in the center of the wood and down below the slope when he came across, as he walked along the view was obscured by the foliage; at point No. 2, I could see his head and shoulders at the center of the pile and I went to the lower part of his waist when he came nearer to me at the edge, could see him moving along to the point No. 2, where I could see him about the same as at the point marked No. 2.

Cross-examination.—The lot is on the north side of the road.
N. H. Grubb—Was along with 3 pine rods and helped to make the measurements; Mr. Ranch walked along the road while I stood at the best of the hemlock tree. [The witness then testified practically the same as Mr. Ranch.]

Cross-examination.—The trees between the point where I stood on the pile are large; did not notice any spruce or hemlock; saw some birch and bass; stepped the pile; it was eight paces wide. [The survey was then offered in evidence.]

Then, Sinclair.—Was working on the 27th of February for Mr. Vaneer; I was where they were sawing the tree; left them there; could see any person passing along the pile.
Nath Benson—Knew David Nicosy; worked with him February 23 at Mr. K. and saw him sawing wood; was sawing with a circular saw; he was handling wood all day, putting it up on the table; the wood was being cut for stove wood.

Cross-examination.—Some pines were six or eight inches through and four to six feet long; others were smaller.
John Ranch—There was no wire or steel rim on the hat when I got it; it is a little more worn than when I got it; on account of the number of times it has been handled.

Cross-examination.—Took the hat from the wall myself; Lorenzo brought in the lamp and I took it to the table; the lamp was taken out of the setting room into the kitchen.

Martin G'Connor.—Was along with Ranch and Shaffer when we got the pocketbook from Joe Nicosy; was present when the two books were found at Joe Nicosy's; I found them in the bookcase; we all examined them; there was no money in any of them; as at David Nicosy's on the day of the arrest; found Mrs. Nicosy's key could not account for his whereabouts anywhere during the week except on Friday; and, I think, perhaps, Monday; had conversation.

Cross-examination.—Was at Joe Nicosy's on the day of the arrest; took all the pocketbooks there was in any of them when I searched them.
Ranch—Was not present when the pocketbook was got; was present when the two books were got; Martin G'Connor told them; we all examined them; was a number of them; examined the books in and from G'Connor's; examined a linen or more nearly closely; there were nails around the outer edge of the books; there was no diamond shaped impression in the center of the book.

Cross-examination.—Left Ranch and Joe Nicosy does state when G'Connor and I went up stairs to search; was out of the room and left them together.
Benson—Made examination of the books; cannot tell how many there were all made on the same edge of the book; there was no diamond shaped mark track in the center of the book; found conversation at time of David Nicosy's arrest; Mrs. Nicosy said she did not know when the husband was between Mr. by and Friday.

Cross-examination.—I asked her when he was working last week; she said he was working for Kimmel on Monday, but she could not say where else he was during the balance of the week until Friday; she did not say he was at home every night during the week; the conversation was strictly after the arrest.

John Thomas.—Knew John Kayler; knew the community in which he lives; his general character for truth and veracity is bad.
Cross-examination.—Have heard several parties say so.

Michael Sage.—Knew John Kayler; knew that he was working for truth and veracity in the neighborhood is not good.
Cross-examination.—Have heard several parties say that his character for truth and veracity was not good.

Edward Sawyer.—Knew John Kayler; knew that his general character for truth and veracity is bad.
Cross-examination.—Was subpoenaed yesterday; I suppose about 7 o'clock; heard several parties say that his reputation for truth and veracity was bad.

Arant Walker.—Lives in Jenner township; knew John Kayler; knew his general reputation in the community for truth; I think it must be bad.
Cross-examination.—Heard his own testimony in law say he didn't tell the truth; Joseph Walker.

John Peter.—Lives in Jenner township; knew John Kayler's character for truth is pretty bad; knew all his neighbors and the people of the community.

Cross-examination.—Heard Kait's boys, Felixine, Peter, and a good many others say he was a bad man; Arant Walker subpoenaed him.

Daniel Peterson.—Lives in Jenner township; knew John Kayler; knew the people of the community; his character for truth and veracity is bad.
Benjamin Kline.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.

Frank Hoigt.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.
Cross-examination.—He said he didn't tell the truth; Joseph Walker.

Joseph F. Knuts.—Lives in Jenner township; knew John Kayler's character for truth and veracity is bad.
Cross-examination.—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

What have you in mind?—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

Harriet Nicosy.—Was at home the night Ranch and Ambrose came to get my husband's hat; I had laid down on the bed; they rapped at the door and I told Lorenzo to go and see who was there; the lamp was in the sitting room; it was a side lamp; it was the fall length of the room to the kitchen door; I could see out from where I was sitting; they asked for the hat; Lorenzo got it and gave it to them; neither Ranch nor Ambrose came in; from where they were they couldn't see where the hat was hanging; the lamp wasn't moved; it was a large lamp.

Lorenzo Nicosy.—Remember of John Ranch and Ambrose coming to our house the night my father was arrested; they came in the kitchen door at the east side of the house; the lamp was in the sitting room in the north end of the room; I opened the door; Ranch just stepped in the kitchen door; I asked mother where the hat was; she told me and I went and got it for them; there was no light in the kitchen only what shone through the dining room door; Ambrose stood on the outside.

Cross-examination.—There was no lamp only the one in the sitting room; one of the men had a lantern; I think Ranch; Ambrose stood at the edge of the door on the outside.
Daniel Peterson—Lived last May in Jenner township; remember Joe Nicosy coming to see me in August; an director of Westmoreland Insurance Company; Mr. Nicosy came there to see me about a case in Greensburg; don't know whether there was anybody with him; saw him right after dinner.

Cross-examination.—Don't know whether he had any other business; there is a mail from Ligonier; saw him again at Ligonier between that and February.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

By W. H. KOOSER, Esq., for the Prosecution.

The sixth day of the trial of Joseph and David Nicosy for the murder of Herman Umberger closed with one speech from each side to be held.

General Coffey will sum up for the defense this morning and will be followed by Hon. John Cenna on part of the Commonwealth. It is more than probable that all of the morning's session will be consumed by counsel in summing up and that Judge Baer will deliver his charge and give the case to the jury this afternoon.

The day was a trying one on the prisoners and when, at the close of court at 3:30 last evening, they were taken back to prison by Sheriff McMillen, they looked dejected, anxious and nervous. The intense interest taken by the general public in the case has not abated, but has rather increased each day as the trial progresses.

Mr. Kooser opened the case this afternoon on part of the prosecution in a speech of an hour and forty minutes in length. His arguments were clear, logical, convincing and logical. We give below a very brief synopsis of what he said.

He was followed by Mr. Koenitz, who, in the two hours and thirty-seven minutes that he spoke, made a strong and eloquent plea for the lives of his clients.

We repeat that we are unable to give both speeches in full.

Opening Remarks.
The court ruled that testimony in regard to the survey of land at hand. That could be given by the witness in a speech of an hour or more. The witness, however, showed us by the witness that before yesterday, the Commonwealth was made by myself and N. H. Grubb, the two witnesses were alone; it was seen and these facts were from the best of the log to the center of road, at point No. 2 on the trail, the eastern line is 71 rods and western line ten and four-tenths rods, the length of the lot is about 30 to 100 feet; the elevation of the pile is 20 feet. Mr. Grubb walked on the pile and I stood at the best of the tree at point No. 2; could see him as far as the water when he was in the center of the wood and down below the slope when he came across, as he walked along the view was obscured by the foliage; at point No. 2, I could see his head and shoulders at the center of the pile and I went to the lower part of his waist when he came nearer to me at the edge, could see him moving along to the point No. 2, where I could see him about the same as at the point marked No. 2.

Cross-examination.—The lot is on the north side of the road.
N. H. Grubb—Was along with 3 pine rods and helped to make the measurements; Mr. Ranch walked along the road while I stood at the best of the hemlock tree. [The witness then testified practically the same as Mr. Ranch.]

Cross-examination.—The trees between the point where I stood on the pile are large; did not notice any spruce or hemlock; saw some birch and bass; stepped the pile; it was eight paces wide. [The survey was then offered in evidence.]

Then, Sinclair.—Was working on the 27th of February for Mr. Vaneer; I was where they were sawing the tree; left them there; could see any person passing along the pile.
Nath Benson—Knew David Nicosy; worked with him February 23 at Mr. K. and saw him sawing wood; was sawing with a circular saw; he was handling wood all day, putting it up on the table; the wood was being cut for stove wood.

Cross-examination.—Some pines were six or eight inches through and four to six feet long; others were smaller.
John Ranch—There was no wire or steel rim on the hat when I got it; it is a little more worn than when I got it; on account of the number of times it has been handled.

Cross-examination.—Took the hat from the wall myself; Lorenzo brought in the lamp and I took it to the table; the lamp was taken out of the setting room into the kitchen.

Martin G'Connor.—Was along with Ranch and Shaffer when we got the pocketbook from Joe Nicosy; was present when the two books were found at Joe Nicosy's; I found them in the bookcase; we all examined them; there was no money in any of them; as at David Nicosy's on the day of the arrest; found Mrs. Nicosy's key could not account for his whereabouts anywhere during the week except on Friday; and, I think, perhaps, Monday; had conversation.

Cross-examination.—Was at Joe Nicosy's on the day of the arrest; took all the pocketbooks there was in any of them when I searched them.
Ranch—Was not present when the pocketbook was got; was present when the two books were got; Martin G'Connor told them; we all examined them; was a number of them; examined the books in and from G'Connor's; examined a linen or more nearly closely; there were nails around the outer edge of the books; there was no diamond shaped impression in the center of the book.

Cross-examination.—Left Ranch and Joe Nicosy does state when G'Connor and I went up stairs to search; was out of the room and left them together.
Benson—Made examination of the books; cannot tell how many there were all made on the same edge of the book; there was no diamond shaped mark track in the center of the book; found conversation at time of David Nicosy's arrest; Mrs. Nicosy said she did not know when the husband was between Mr. by and Friday.

Cross-examination.—I asked her when he was working last week; she said he was working for Kimmel on Monday, but she could not say where else he was during the balance of the week until Friday; she did not say he was at home every night during the week; the conversation was strictly after the arrest.

John Thomas.—Knew John Kayler; knew the community in which he lives; his general character for truth and veracity is bad.
Cross-examination.—Have heard several parties say so.

Michael Sage.—Knew John Kayler; knew that he was working for truth and veracity in the neighborhood is not good.
Cross-examination.—Have heard several parties say that his character for truth and veracity was not good.

Edward Sawyer.—Knew John Kayler; knew that his general character for truth and veracity is bad.
Cross-examination.—Was subpoenaed yesterday; I suppose about 7 o'clock; heard several parties say that his reputation for truth and veracity was bad.

Arant Walker.—Lives in Jenner township; knew John Kayler; knew his general reputation in the community for truth; I think it must be bad.
Cross-examination.—Heard his own testimony in law say he didn't tell the truth; Joseph Walker.

John Peter.—Lives in Jenner township; knew John Kayler's character for truth is pretty bad; knew all his neighbors and the people of the community.

Cross-examination.—Heard Kait's boys, Felixine, Peter, and a good many others say he was a bad man; Arant Walker subpoenaed him.

Daniel Peterson.—Lives in Jenner township; knew John Kayler; knew the people of the community; his character for truth and veracity is bad.
Benjamin Kline.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.

Frank Hoigt.—Lives in Jenner township; knew John Kayler; knew his general reputation for truth; I think it must be bad.
Cross-examination.—He said he didn't tell the truth; Joseph Walker.

Joseph F. Knuts.—Lives in Jenner township; knew John Kayler's character for truth and veracity is bad.
Cross-examination.—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

What have you in mind?—I am Knuts Knuts; have heard Peter and Mr. Knuts say this was a year ago.

Harriet Nicosy.—Was at home the night Ranch and Ambrose came to get my husband's hat; I had laid down on the bed; they rapped at the door and I told Lorenzo to go and see who was there; the lamp was in the sitting room; it was a side lamp; it was the fall length of the room to the kitchen door; I could see out from where I was sitting; they asked for the hat; Lorenzo got it and gave it to them; neither Ranch nor Ambrose came in; from where they were they couldn't see where the hat was hanging; the lamp wasn't moved; it was a large lamp.

Lorenzo Nicosy.—Remember of John Ranch and Ambrose coming to our house the night my father was arrested; they came in the kitchen door at the east side of the house; the lamp was in the sitting room in the north end of the room; I opened the door; Ranch just stepped in the kitchen door; I asked mother where the hat was; she told me and I went and got it for them; there was no light in the kitchen only what shone through the dining room door; Ambrose stood on the outside.

Cross-examination.—There was no lamp only the one in the sitting room; one of the men had a lantern; I think Ranch; Ambrose stood at the edge of the door on the outside.
Daniel Peterson—Lived last May in Jenner township; remember Joe Nicosy coming to see me in August; an director of Westmoreland Insurance Company; Mr. Nicosy came there to see me about a case in Greensburg; don't know whether there was anybody with him; saw him right after dinner.

Cross-examination.—Don't know whether he had any other business; there is a mail from Ligonier; saw him again at Ligonier between that and February.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

THE TESTIMONY ALL IN

They Can't Choose of "Your Uncle John."

The Prisoners Growing More Nervous and the Interest Increasing.

HON. JOHN CENNA WILL CLOSE THE COMMONWEALTH'S CASE.

F. J. KOOSER, Esq., Makes the Opening Argument for the Prosecution.

By W. H. KOOSER, Esq., for the Prosecution.

The sixth day of the trial of Joseph and David Nicosy for the murder of Herman Umberger closed with one speech from each side to be held.

General Coffey will sum up for the defense this morning and will be followed by Hon. John Cenna on part of the Commonwealth. It is more than probable that all of the morning's session will be consumed by counsel in summing up and that Judge Baer will deliver his charge and give the case to the jury this afternoon.

The day was a trying one on the prisoners and when, at the close of court at 3:30 last evening, they were taken back to prison by Sheriff McMillen, they looked dejected, anxious and nervous. The intense interest taken by the general public in the case has not abated, but has rather increased each day as the trial progresses.

Mr. Kooser opened the case this afternoon on part of the prosecution in a speech of an hour and forty minutes in length. His arguments were clear, logical, convincing and logical. We give below a very brief synopsis of what he said.

He was followed by Mr. Koenitz, who, in the two hours and thirty-seven minutes that he spoke, made a strong and eloquent plea for the lives of his clients.

We repeat that we are unable to give both speeches in full.

Opening Remarks.
The court ruled that testimony in regard to the survey of land at hand. That could be given by the witness in a speech of an hour or more. The witness, however, showed us by the witness that before yesterday, the Commonwealth was made by myself and N. H. Grubb, the two witnesses were alone; it was seen and these facts were from the best of the log to the center of road, at point No. 2 on the trail, the eastern line is 71 rods and western line ten and four-tenths rods, the length of the lot is about 30 to 100 feet; the elevation of the pile is 20 feet. Mr. Grubb walked on the pile and I stood at the best of the tree at point No. 2; could see him as far as the water when he was in the center of the wood and down below the slope when he came across, as he walked along the view was obscured by the foliage; at point No. 2, I could see his head and shoulders at the center of the pile and I went to the lower part of his waist when he came nearer to me at the edge, could see him moving along to the point No. 2, where I could see him about the same as at the point marked No. 2.

Cross-examination.—The lot is on the north side of the road.
N. H. Grubb—Was along with 3 pine rods and helped to make the measurements; Mr. Ranch walked along the road while I stood at the best of the hemlock tree. [The witness then testified practically the same as Mr. Ranch.]

Cross-examination.—The trees between the point where I stood on the pile are large; did not