

**MONTEUR AMERICAN**



**FRANK C. ANGLE, Proprietor.**  
Danville, Pa., Jan. 24, 1901

**COMMUNICATIONS.**  
All communications sent to the AMERICAN for publication must be signed by the writer, and communications not so signed will be rejected.

**VOLUNTARY MANSLAUGHTER**

(Continued from first page.)

Mr. Scarlet said that the Commonwealth seeks no victim, and he did not stand as the avenger of Martin L. Fisher, he simply represented the Commonwealth in an effort to see that justice is done. It was for the Jury to decide the case from the evidence alone, without influence by their feelings or sympathies.

Crime, he said, is something that the law forbids. The law is addressed to man as a responsible being. The object of government is the protection of life, liberty and property. Life to M. L. Fisher was the greatest blessing that can be vouchsafed to man. From that he was cut off. Murder is the highest crime known to the law excepting treason.

The statutes reverberating through the ages from Sinai itself is for the protection of life. The learned man commits murder secretly for fear that he may be punished; the ruffian murders with the dirk or gun through the promptings of rage and hate.

The difference between murder in the first and second degree is intent. Intent is the planning to do something before the act is committed. The story of this case is a brief one, but every element in it, he said points to the first degree. Continuing Mr. Scarlet said: "I shall show you that even the evidence of the defense, proves murder in the first degree. That is shown by acts committed both before and after the commission of the crime. The defense says the threats that enter into this case are not specific. Threats are not usually specific. But these threats were uttered in anger."

Mr. Scarlet then reviewed the different threats to show that they referred directly to the intent to commit murder. "Another circumstance of preparation for the commission of the crime," Mr. Scarlet said: "was the fact that he immediately began by getting drunk to put himself in a condition where he could commit the crime, with hopes of commuting his punishment. Is that an evidence of the good character which the defense has tried to show? He went and borrowed money to buy a revolver. A revolver is not associated with life. It almost always signifies death. He claims that he bought it to protect himself from Strouse. If Strouse was such a dangerous man, why did he go up there where he would be in danger. Why did he not take his borrowed dollar and hire some one else to go for his clothes, or why did he not take a policeman with him. Here we have the threat and the preparation for the crime, now comes the search for the victim. Revenge was in control of the man. The search for clothes was an excuse for his presence on the farm."

Mr. Scarlet said that the purchase of ten cartridges, when five would have sufficed to kill one man, indicated that Wintersteen intended to kill Strouse as well as Fisher. He also said that the defendant had contemplated suicide but like all criminals, he was a coward, and could not carry out the whole of his plan.

In regard to Wintersteen's condition when he gave himself up. Mr. Scarlet said: "There was not a scintilla of evidence of insanity. The defense could have introduced direct evidence to show it, but the only attempt to do that was simply an effort to impeach the evidence of the prosecution.

Mr. Scarlet said that all circumstances, logically connected, proved murder in the first degree, but he further intended to prove that crime by the defense itself.

The defense of intoxication or insanity, he said, was placed out of the case by the testimony of Wintersteen himself, who swore that before the shooting he was perfectly cool and did not lose control of himself until he crossed the field.

In regard to good character, Mr. Scarlet said, that the testimony of Wintersteen himself showed the malice in the man. He also said that the claims of defense were false. If the shooting was in self defense, he said, Wintersteen would not have said after the shooting, "I bought the revolver to shoot Martin Fisher and then myself?" Self defense, said Mr. Scarlet, presupposes sanity.

In regard to the shooting the attorney said: "The shot, acclaimed by the defense is an impossible one. Wintersteen said Fisher reached with his

left hand toward his hip pocket. In another statement, he said that Mr. Fisher at first sat with his hand on the bow of the buggy top, and that he stood with his left hand on the left front wheel of the carriage, and again he claimed that both men remained in the same position. That is a lie, and if ever a man was justified in lying, Wintersteen was when he testified. I will show by Mr. Fisher's own blood on his clothes that those statements were lies."

At this point Mr. Scarlet gave to the jury Mr. Fisher's clothes, to show that it would have been impossible for Mr. Fisher's hand to have been reached for his pocket to have been shot as he was.

Mr. Scarlet said that no man shot through the lungs as Mr. Fisher was could have said "get up" to his horse, as Wintersteen says he did after the second shot was fired.

Mr. Scarlet concluded with an eloquent, impassioned peroration in which he asked for simple justice in the case.

It was 3:15 o'clock when he concluded his speech. After a few minutes recess Judge Little began his charge to the jury.

**CHARGE OF THE JUDGE**

Judge Little made a clear and unbiased charge to the jury, reviewing the important testimony, and explaining or reading the law that applies to the case, summing up his charge as follows:

"The prisoner is presumed to be innocent. When you retire to make up your verdict in the case, you start in your deliberations with this presumption of innocence in his favor. It is the humane presumption of the law, and to which this prisoner is entitled by the law. This presumption will continue until the proof satisfies your minds beyond a reasonable doubt, such as we have heretofore defined, of his guilt."

"Before the jury should convict this prisoner of murder in the first degree, they should be well satisfied, and beyond a reasonable doubt, that he cherished in his heart the fully formed purpose to kill Fisher, that that intent was accompanied by such facts and circumstances as showed the prisoner's mind to be fully conscious of its own purpose to kill him; and that there was sufficient time afforded the prisoner to enable his mind to frame the design to kill, and to select the instrument, and the means to carry this purpose into execution—in other words that the murder, if murder was committed, was in the language of the statute, 'a willful, deliberate and premeditated killing.'"

"We have heretofore, very fully defined, as we believe, the law of the crime, and then in substance stated that all homicide is presumed to be murder, until the contrary appears in the evidence, but this presumption rises no higher than that the murder was of the second degree."

"The question of the guilt or innocence of the prisoner is left to the determination of the jury. If you convict him of murder, you will be required to say by your verdict whether it is murder of the first or murder of the second degree. If you believe the evidence warrants, you can convict, under this indictment, of voluntary manslaughter."

"If you should conclude that either of the prisoner's propositions of defense have been established to the satisfaction of your minds by a fair preponderance of the evidence, viz: That of drunkenness and that of self defense, he will be entitled to your verdict."

"If upon a careful and conscientious survey of the whole of the evidence, as jurors in this important case, having the interests of society, as well as your own as jurors, and of this defendant, you are not satisfied of the guilt of the prisoner—beyond a reasonable doubt—it is your duty, and should be your pleasure, to acquit him. On the other hand, if you are satisfied of his guilt, beyond such reasonable doubt, that homicide—whether it be murder or voluntary manslaughter—was committed, fearlessly and conscientiously, as jurors and as men, pronounce such a verdict, which the truth as you learn it from the evidence and the law requires."

"This cause is about to be submitted to you for your consideration. Let not the gravity of the charge against the accused deter you in the discharge of your duty as jurors. You have been deprived of your accustomed privileges during these days, and have listened patiently to the development of the facts in the cause. Bring to the further discharge of your duties as jurors a conscientious desire to do right."

"It is but natural for the humane heart to be touched by feelings of sympathy with those who are in trouble, but sympathy should have no legitimate place in the jury box."

"Render such a verdict, which will be satisfactory to your own consciences and which will do justice, both to the Commonwealth and to the just rights of the accused."

**AT MORNING SESSION**

When court convened yesterday morning a good sized audience was present ready to listen to the concluding proceedings. Judge Little was not present, and Associate Judge Thompson adjourned court until after noon.

Judge Little was much better in the morning, and it was thought that he might possibly have attended court. It was deemed wisest, however, to give him a little more chance to recuperate, rather than tax his strength too soon, with the danger of increasing his illness.

Anxiety was caused from another quarter in regard to the case. That was the condition of some of the jurors. Several of the men on the jury are farmers, and none of them are used to the confinement and lack of exercise entailed by this service. Since the second day of the trial, when Mr. Sandel had a sick headache, there has been no time when all of the jurors have been well; and the farther the case progressed, the more did the confinement tell on the twelve men. Yesterday morning those who had watched the case most closely, expressed a fear that unless the trial could soon be completed, it would be necessary to throw the case over for a new trial next term, because of the illness of one or more of the jurymen.

**The Cause of Many Sudden Deaths.**

There is a disease prevailing in this country most dangerous because so deceptive. Many sudden deaths are caused by it—heart disease, pneumonia, heart failure or apoplexy are often the result of it. You have kidney trouble is allowed to advance the kidney poisons end this will attack the vital organs or the kidneys themselves break down and waste away cell by cell.

Every school room should have windows. Secure the best of everything for the school room, if possible. Above all, do not say that anything will do for the boys and girls who are pupils there.

Mr. Steinbach was followed by Mrs. R. H. Simington, who had very appropriately chosen as the subject of her address, "Beautifulizing the Boys and Girls." She described the discomforts of an old time school house, where nothing of beauty ever met the eye of the pupil.

Before going on with her address, Mrs. Simington suggested that among the pictures chosen for school room decoration, be those of Frances Willard, and Florence Nightingale, and that patrons of the school present these pictures.

Then she said that beautifulizing boys and girls, does not mean simply making them outwardly beautiful. The homeliest woman she had ever known, had the most beautiful soul.

Beautifulizing our lives is like making a path. Little by little it is done. Every good thought and deed, will make a beautiful curve every evil thought or deed will cut and ugly gash, marring the perfection of the whole.

Luck does not make a beautiful, successful life. She knew of one young man whose "luck" had been in always doing his very best. Boys' best opportunities are in the country. Very many of our great men came from farms.

These two addresses, brought forth an animated discussion on the improvement of schools from an ethical and aesthetic standpoint. Mr. Robinson, gave a very interesting talk.

Among others who followed him, were Elizabeth Y. Moore, of Center school, and Mr. George Robinson, teacher at Mooresburg.

The next teachers' meeting will be held at the Center school house, February 16th. "A. H."

**OF UNTOLD VALUE.**

The information contained in this gentleman's statement is priceless. The hale, hearty, the strong can afford to toss this paper to one side immedately. It has cost Dr. Pierce \$25,000 to give away in the last year the copies of his People's Common Sense Medical Adviser, which have been applied for.

This book of 1,000 pages tells to every man, woman and child, how to cure the 21 one cent stamps to pay expenses of mailing only. Address Dr. R. V. Pierce, Buffalo, N. Y.

Twentieth Century Edition. The Biehlem Times has issued a very attractive Twentieth Century edition. The issue contains forty-eight pages of news and many of them are on calendar paper. In its list of prominent men of the historic old town we notice an excellent half-tone cut of Prof. J. Fred Wolfe, the great musician. Prof. Wolfe visited Danville last summer and many of our people will remember his organ selections at St. Paul's M. E. church.

Entertained by Mrs. Gaikins. Mrs. Walter Gaikins entertained the Ladies' Aid Society of the Trinity Lutheran church at her home on West Maining street yesterday afternoon. Those present were: Mrs. William Wertman, Mrs. Mary C. Meyer, Mrs. Peter Berger, Mrs. John Laidacker and daughter, Miss Sadie, Mrs. Elizabeth Fletcher, Mrs. Harry Woodside, Mrs. J. C. Mincey, Mrs. Thomas H. John and Mrs. Willard Petherman.

There is more Catarrh in this section of the country than in any other. It is a disease that will last for years, and is incurable. For a great many years doctors pronounced it a local disease, and prescribed local remedies, and by constantly falling to cure with local treatment, pronounced it incurable. Science has proven, however, that it is a constitutional disease, and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, Ohio, is the only reliable cure for any case of Catarrh. It is taken internally in doses from 40 drops to a teaspoonful. It acts directly on the blood and mucous surfaces of the system. It is sold by all druggists, and is the only safe and reliable cure. Send for circulars and testimonials. Address: Sold by Druggists, 75c. Hall's family Pills are the best.

The many friends in this city of E. L. Vandegriff, the former clerk at the Windsor Hotel, Philadelphia, will be pleased to know that he is now manager of that house, which is popular with many persons visiting Philadelphia from Montour county.

**TEACHERS' MEETING.**

The teachers of Liberty township held their third meeting in Clark's school house, on Saturday afternoon, January 19th. This meeting took more the character of a local institute. Patrons and pupils of the school were present, besides teachers and directors. The following program was rendered by pupils of the school:

Recitation—Clinton Stump.  
Recitation—Mabel J. Stump.  
Song—Smaller pupils.  
Recitation—Raymond Keefe.  
Recitation—Helen Keefe.  
Song—Primary Class.  
Composition—Aimee J. Robinson.  
Recitation—"The Children's Hour," by Longfellow, Anna May Robbins.  
Recitation—"Ring Out, Wild Bells," by Tennyson, Aimee J. Robinson.  
Sp't W. D. Steinbach then gave an excellent address on "Beautifulizing the School room." His suggestions were very practical. First, "cleanliness is beautiful." Have clean floors, clean wall, clean windows. Mr. Steinbach mentioned the practicability of papering school room walls, making them both neat and beautiful. School rooms should have good, and well kept furniture. Pictures should be purchased by the board of directors, and should be well chosen. Prominent pictures hung on the front wall will be constantly visible to the pupils. Three pictures suggested for this, were Christ as a center, and on either side, Washington and Lincoln. No cheap pictures should be seen, neither should the walls be covered with a multitude of pictures. Only those should be chosen which are tasteful, and which give information.

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**It's Time to Think**

of replacing that old watch of yours with a new one. Our line of Watches contains the one you want at the price every price we can offer a guaranteed time-keeper and can save money for you. There is beauty in the design as well as quality in the make of our watches.

**HENRY REMPE,**  
DANVILLE'S LEADING JEWELER.

**DAME URSULA'S GOLD**

Nearly 60 years ago, in the city of New York, not far from what is now called the Battery, there stood a square gloomy looking edifice of stone, the occupant of which was an old man, with her granddaughter, Leonora who was in her seventeenth year, when one evening in June as she looked out her door she saw a man, bolt and lock for the night, a frank and manly voice called out from a near heap of old boards, where the owner of the voice had been watching for more than an hour:

"Hello!"

"Who?" whispered the maiden. "Is it you, Walter?"

"Is the coast all clear?" was the reply, as a tall and handsome youth of 22 years showed his activity by gaining the side of the maiden by a bound that cleared fully ten feet.

"Why have you come so late?" he asked.

"You must let me remain in the house all night. This morning as I was going to my work I passed the open window of an ale shop, and I heard a strange voice say to a man, 'I will give you two of them—intend to pay Dame Ursula a visit some time between midnight and dawn and for no good purpose. So here I am to act as your defender.'"

"But you should have told the police!"

"Bah for the police!" said Walter Brandon. "Am I not a match for two men who speak bad French?"

But Walter had glided into the house and vanished as quickly as one of those rats he had mentioned.

Leonora was in great perplexity, yet as she had boundless faith in the discretion of her lover she barred the door and hastened to her grandmother.

"What is the matter?" she asked, as she opened the door, and as she heard her huge ledger, which was to her what a Bible should have been. "I thought I heard the voice of the devil, and I was about to call the police, but you told me not to."

"Please, grandmother, let me have a light," said Leonora, who trembled at the thought of spending that night in darkness.

"A light!" screamed Dame Ursula, as she reached for a candle; "away with you; you will be asking for something else."

That night, as the clock in the hall struck 2, the dame was aroused from a golden dream by a sharp pain in her head, and she rose to get a glass of water. Springing from her bed, she shrieked for help, and pursued by the assassin rushed into the hall. She gained a distant room, and there she hid herself, and there she remained until the assassin had fled. The instant her horrors were augmented by the report of a pistol, immediately followed by a shrill scream, and then by the voice of the assassin, she fled from the door and ran into the room. The horror the dame endured as she crouched against the wall, praying the darkness to be more to her than the darkness in her veins. But suddenly the assassin sprang a light. At the sight of this man, instead of crouching in fear or screaming in terror, the dame sprang to her feet, saying:

"So it is you, John Bond, who have returned to murder your wife—coward!"

"You are the best man I ever saw," said the devil, "but she—do you think because she died she is so young that you are to live forever? Tell me the name of the circle that formed it. Those of your first husband, whom all men say you poisoned to marry John Bond."

"Tell you, I must leave this room," said Ursula, as her corpulent visage grew livid with hate and despair.

"Whither, treacherous hag?"

"I will go to the window, and come!"

And stepping boldly by her own door, she opened the door, and with her blood in her face, she rushed at the thief's lantern, which he carried.

"Not a word, treacherous thief, if you cry for help—I will shoot you dead, Ursula Bond." Ursula led the way.

"Lift that trap, John Bond," said Ursula, pointing a heavy iron ring imbedded in the floor.

"Lift it yourself, hag! If your treasures are there, you have made daily prayer of going down to the first source. Let Ursula grasp the ring with both hands and strove to raise it till, growing impatient, he grasped it himself and raised a tripod about three feet square. As Ursula stepped on the ring, she was sprung against him, and he fell headlong into the aperture.

Let us return to Walter. While Bond entered the room from the front his companion, a brutal wretch from France, had gained a noiseless entrance from the rear. Had Walter been at his post this would have been the end of him. Leonora, horrified at the thought of what might happen to her lover, had sought him instead of her couch.

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**The Harvest of Last Year.**

The final crop report of the department of agriculture, just made public, presents some interesting figures as to our harvest of 1900, showing that on the whole it was an abundant one, more than fulfilling the moderate hope held out by the earlier estimates of the department.

The yield of wheat was 522,229,506 bushels, which is not so large by 25,000,000 bushels as that of the previous year and is lower by more than 150,000,000 than that of the phenomenal year of 1898. The falling off from the record of 1890 is more than accounted for by the loss upon the spring crop on account of drought in the north-west, the harvest of winter wheat exceeding that of 1890 by more than 58,000,000 bushels and falling below that of 1898 by less than 30,000,000. There has been a considerable reduction in acreage for spring wheat in the last three years. So far as our export trade is concerned, the general loss in quantity is partly made up by higher prices.

The corn crop of 2,105,102,516 bushels not only considerably exceeds the estimates, but is the largest since 1890, when the low prices had such a discouraging effect. The acreage was the largest yet planted, the improved prices of the last two years having caused a recovery of spirits on the part of the farmer.

Oats show an increase in both acreage and yield over the last three years, and the record has been exceeded only in 1895, while barley shows a heavy falling off from a somewhat increased area sown. It is the only crop for which the report is decidedly unfavorable.

**A Tinker's Dam.**

There is no profanity in saying that any certain thing "is not worth a tinker's dam," although it is so considered by many. The expression originated many years ago, when the repairing, leaky vessels was much cruder than it is now.

In former times the use of rosin to check the flow of solder when placed on tin was not generally understood, at least by the roving tinkers. When one of the gentlemen of the road found a job, such as mending a wash boiler or other tin household utensil, he would get from the housewife or domestic a piece of soft dough. With this he would build a dam around the place where he intended to put his solder. Instead of the circle thus formed he poured the melted lead. When the metal had cooled, he would brush away the dam of dough that had confined it to the desired limits. The heat had hardened the heavy paste and baked it thoroughly, so that it was a solid body of use for anything else. It became one of the most useless things in the world, and there was not enough of it even to be worth while carrying to the pigs.

Hence the expression, which was originally intended to convey a certain idea, appears to have been retained, while the origin is not generally known.

**Black Diamonds.**

Black diamonds are comparatively rare and correspondingly high priced. They are three or four times as hard as the white ones, and fire cannot harm them, however great the heat, but if a drop of water should touch them while they are being worked, they will explode and nothing but a little heap of sand in their place.

Their beauty is not remarkable, but on account of their extreme hardness they are invaluable for dressing surfaces impervious to the friction of any other material. The largest black diamonds are set in the end of a round short bar of steel, with a handle of wood, and are used in dressing emery wheels that have lost their "trueness." A black diamond is the only substance that will not be ground away by contact with the emery surface.

Black diamonds are also used as points in scoring pencils which are used by sealers of weights and measures to mark glass receptacles. They are used by dentists for drilling teeth before filling them with gold. In appearance they look more like shining little splinters of iron or grain of coal than a precious gem, and their chief mission is a distinctly commercial and not an ornamental one.

**Her Directions.**

A Fifth Avenue photographer is telling the story of an incident which amused him, though it involved a compliment which he missed.

A woman came into the building and asked if the best photographer in the city had a studio there, "with a hair-dresser's establishment under it."

"You are in the right place, madam," returned the elevator man, who was questioned, "for this is the best photographer in the city, though there is no hairdresser in the building."

The woman rose with a sigh, "I suppose I have made a mistake," she said. "I wanted the hairdresser," New York Times.

**An Adjunct to Tears.**

"Perhaps you can direct me," she said, with pompous condescension, to the floorwalker. "I've a crying need for you."

"Yes'm!" interrupted the floorwalker in his quick, nervous way, "Hank's chief department, 'st counter, next aisle," Philadelphia Press.

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"Lift it yourself, hag! If your treasures are there, you have made daily prayer of going down to the first source. Let Ursula grasp the ring with both hands and strove to raise it till, growing impatient, he grasped it himself and raised a tripod about three feet square. As Ursula stepped on the ring, she was sprung against him, and he fell headlong into the aperture.

Let us return to Walter. While Bond entered the room from the front his companion, a brutal wretch from France, had gained a noiseless entrance from the rear. Had Walter been at his post this would have been the end of him. Leonora, horrified at the thought of what might happen to her lover, had sought him instead of her couch.

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**The Address He Got.**

A Russian gentleman tells a funny story of his first encounter with the English language.

The day after his arrival in London he made a call on a friend in Park Lane, among other things he had written down in his notebook what he supposed to be the correct address.

The next day, desiring to go to the same place again, he called a cabman and pointed to the address that he had written down. The cabman looked him over, laughed, cracked the whip, and drove away without him.

This experience being repeated with two or three other cabmen, the Russian turned indignantly to the police, with no better results. One officer would laugh, another would tap his head and make a motion imitating the revolution of a wheel.

Finally the poor foreigner gave it up, and, with a great deal of difficulty, recalled the landmarks which he had observed the day before, found his way to his friend's house. Once there, and in company with the friend, he could understand him, he delivered himself of a hot condemnation of the cabmen and the police of London for their impertinence and discourtesy.

His friend asked for a look at the mirth provoking address, and the mystery was solved. This was the entry: "Ring the bell."

The Russian had with great care copied, character for character, the legend of the gatopost, supposing that it indicated the house and street—Pearson's.

**Masta "Own" Their Engines.**

The railroad engineer who "owns" his engine is not in favor with his superiors. Complaints about trivial matters are likely to be made against him, and soon he finds himself without a berth. The phrase "owning an engine" does not mean that the engineer has acquired title to his iron horse. The expression is used of a man who has been with a certain engine so long that he becomes a part of it. He knows its every peculiarity, he feels its every protest against a heavy load, and he nurses it and coddles it as if it were his child. He will not run the engine at top speed for fear something will happen to it, and in consequence his train is frequently behind time. He takes a grade at half the rate he should, and he runs cautiously down hill. In a word, he "owns" his engine.

Of course this is all very nice and idyllic, and it is the kind of thing a person likes to read about in stories of the railroad. But plain, practical railroad men look at it differently. They think that the best engineer is the man whose engine is not in favor with his superiors. He is likely to be a man who is never behind and seldom ahead. So it comes about that the engineer who makes a master of that which should be his servant wonders who has a grudge against him. But it is a grudge against his business.—New York Mail and Express.

**Made Up For Lost Time.**

When President Kruger called for Englishmen some weeks ago, he was the object of much concern to his fellow passengers on board the liner from Cape Town, many of whom were consumed with curiosity when they noticed his absence from the dinner table for the first four days on board.

On inquiry they found that the careful Transvaal spent the dinner hour on deck, where he