



DR. IRVING H. JENNINGS.
—DENTIST—

Office Hours
A. M. to 7 P. M. 104 Mill St.,
Danville, Pa.

C. SHULTZ, M.
425 Mill St., Danville, Pa.
Diseases of the Stomach and Intestines
a Specialty

ITEMS CONDENSED.

Illness is usually the forerunner of vice or crime.

Personal controversy proves creditable to neither party.

Race prejudice is a survival of ancient heathenism.

Eloquence is still a potent force in the land.

The man who can keep a secret is not too numerous.

The French cabinet, in response to the appeals of vine growers, will introduce a bill prohibiting fraudulent and adulterated wines.

Fresh air is nature's best and most potent medicine.

The Irish people, through their representatives, have declared that they want a whole loaf of bread or none.

The Greek chamber of deputies has voted to appropriate 10,000,000 francs as relief fund for Bulgarian refugees arriving in France.

The drought that has prevailed throughout Nebraska and Southern Dakota for many weeks has been broken and the farmers are correspondingly happy.

Harry S. Ebert, a York capitalist, has broken ground for thirty small residences to cost \$2,000 each and five \$10,000 residences.

Mr. Henry James has written much that his countrymen will be able to understand and appreciate, but not in recent years.

The project to adopt the old age pension as a government policy in this country has ardent advocates and bitter foes.

The unprincipled correspondent of the big dailies is often a menace to the peace of the community in which he lives.

To many outside diversions are not good for school children.

With the railroad fighting the two cent rate there is going to be some interesting work for the courts.

Pennsylvania is expecting to make it hot for public robbers.

Good roads are efficient auxiliaries of modern civilization.

Bitterness of spirit frequently makes a sad and sorrowful countenance.

The reviler of his brethren is usually a victim of inborn weakness.

The soldier and the sailor still challenge the world's admiration.

Girls and men are still kept carefully apart in Argentina, and a man does not introduce even this most intimate friend to his sisters. Marriages of girls of 12 to 14 to boys of 16 or 18 are common.

It is the wicked Chicago News which directly hints that leading actresses are now substituting boy husbands for pug dogs.

Thugs and ruffians in Warsaw, charge only \$15 to assassinate a man. Cut throat price, eh?

New York City has acquired the reputation of having the most discourteous railway employees of all the cities in the world.

The French Government sells nearly \$7,000,000 worth of matches yearly, leaving a profit of over \$5,000,000.

Some men live a generation too long and are forgotten.

Some men covet notoriety as a cheap substitute for fame.

Chicago has a veteran citizen in the person of Fernando Jones, 88 years old, who says the season has been the worst in seventy-two years.

The chap who takes delight in snubbing others will come into his own some unexpected moment.

The hand of death brings the wreath of immortality to him who falls in defense of his country.

Iron workers in the north of England have received a total increase in wages of ten per cent. in the last four months.

President Roosevelt is going to speak at Indianapolis on Memorial Day, which will make the observance there of national import.

A short summer is practically assured, as about six weeks of the open season have already been cut off.

Seven thousand bakers in Vienna, Austria, struck suddenly last month, completely cutting off the supply of bread.

The manufacturer of pure goods will never get into trouble.

FINE TURNOUT OF VETERANS

Some fifty members of Goodrich Post, No. 22, G. A. R., accompanied by about half that number of Sons of Veterans, marched in a body to Mahoning Presbyterian church Sunday where they listened to a memorial sermon preached by the pastor, the Rev. J. E. Hutchison. Notwithstanding the inclement weather there was a large congregation present.

The sermon was an able and patriotic effort, founded on Romans, 13-7: "Render, therefore, to all their dues: tribute to whom tribute is due; custom to whom custom is due; fear to whom fear; honor to whom honor." Following is a synopsis of the sermon: "The grandest monuments in history are its memorial days and the grandest events and men of history are commemorated by these days. The grandest memorial of all history is the weekly memorial, the Lord's day. It commemorates the God man and His resurrection from the dead. The 30th of May is an annual Memorial day. It commemorates the Civil war, the death of many brave men and the courage of the remnant that yet remains. The Lord's day weekly commemorates Him who saved the world for eternity. Memorial day annually commemorates those who saved one country for time. Memorial day is not a day set apart to be celebrated by the Grand Army of the Republic, but it is set apart for all. Were it not for the causes that led up to Memorial day our country would be divided into several smaller governments with no unit of interests. There is indeed a divineness of inspiration which in 1868 led General John A. Logan to issue the order for Memorial day, for if there ever was a nation guided and controlled by the infinitely wise God, that nation is ours. At one time it seemed almost certain that this country would become the appendage of France, which would have meant the sway of the despot and the Jesuit, the predominance of Loyola and Richelieu. At another time it seemed as if the new world would belong to Spain, which would have meant the bloody policies of the Alvas, the Philips and the Weylers. But in both cases Providence intervened. In more recent years God used this great nation to scourge Godless Spaniards. It is therefore befitting that on this annual Decoration day, with flowers, with song and with loving words we should go to the city of the dead and pay our respects to the heroes of our wars and to keep aglow the fires of patriotism.

To save the government when it was financially embarrassed the people of Prussia in 1813 poured their gold and ornaments into their emperor's lap and took iron in exchange. This was noble—patriotic; but the heroes whom we commemorate gave in the hour of their nation's peril their blood and their lives. Our sacred dead, together with the old veterans still with us, not only saved the union and saved the flag with every star undimmed, but they saved a benighted race from the curse of slavery. Strongly was the institution of slavery entrenched in the Southern States. The people of the south believed that slavery was right; they believed it so strongly that they were willing to die for their belief. And their conviction gave them courage. Braver men never faced a foe than many of them who faced and fell before our heroes in that bloody struggle.

What you and those who lie beneath the green sward suffered no mortal can tell. The weary march, the cruel battle, the field hospital, the awful prison pen and most pathetic of all the dying far from friends and home. Is not this day above all days one that should inspire our hearts and our lives with patriotism.

God grant that not one of you, old soldiers, go down from this place to honor mortal man and at the same time refuse to honor the best of men, the God man; but may you decide here and now to render tribute to whom tribute is due and may the peace of God, which passeth all understanding, keep your hearts and minds through Christ Jesus.

Critically Ill.
Mrs. W. T. Shepperson who for the past year has been suffering from a complication of diseases is lying very critically ill, at her home in Riverside.

There was trouble in Allentown between the trolley company and the employees of the same. The men had demanded the reinstatement of two employees who had been discharged for alleged violation of the rules and at a conference of the company officials the action taken was upheld. Now there is to be arbitration and pending the result of this the men will go to work.

There is no excuse for deliberate cruelty to the helpless.

NO COUNTY CONVENTION

The primary election, under the uniform primary law, which will be held next Saturday, will inaugurate a series of departures, not the least of which will be that the time-honored and serviceable county convention following the primary will be omitted and the county commissioners will declare the results. In the past the county conventions, especially of the party in the ascendancy, were generally crowded with incidents. Under the old order if there was any factional opposition or any personal antagonism in the campaign it was sure to crop out in the convention and as a result the proceedings were often more stormy than edifying. The change brought about by the uniform primary law is probably not much to be regretted. The county convention will be remembered more for what it was than for the good it accomplished.

The election under the uniform primary law requires for each voting place a new ballot box to be kept separate from the one in use at the general election. The new ballot boxes—fourteen in number—arrived at the court house Saturday and during the next few days, these, along with the ballots and election supplies, will be delivered to the judges of election of their respective districts. The election will take place on Saturday between the hours of 2 and 8 o'clock p. m. At the closing of the polls at the primary election the officers will first count the number of ballots cast for each party, making a record thereof; they will then count the vote cast for the different persons named upon said party ballot. After certifying to the number of votes cast the officers will replace the ballots counted and canvassed in the boxes and lock the same, after which they will place the returns of votes and the register of voters for each party in separate envelopes and seal the same. These envelopes on or before noon on Tuesday following must be deposited by the judge of election in person or by registered mail with the county commissioners, who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed. The successful candidate will receive a certificate from the county commissioners.

The qualifications of electors entitled to vote at a primary is the same as the qualification of electors entitled to vote at elections within the election district, where the primary is held.

Fiss & Hartman on the Ground.
The stone crushing outfit belonging to Fiss & Hartman, of Shamokin, consisting of a heavy stone crusher, steam roller and elevators, arrived at this city Tuesday and was unloaded from the cars. Fiss & Hartman in 1905 reconstructed the section of road between the Mahoning township line and Wise's hotel under the Sprout good roads act. The work was not approved by the State highway department and the contracting firm has reappeared on the ground to complete the job satisfactorily to all parties.

An inspector representing the State highway department was on the ground yesterday and carefully examined the roadway as reconstructed. The section of highway in question formed the subject of much discussion at the annual convention of county supervisors held in this city last winter. It was alleged that the roadbed fails to come up to specifications, which call for nine inches of macadam.

Just where the roadbed falls short will be determined by the inspector, who at the interval of every fifty feet will dig down to the natural bottom. Fiss & Hartman expect to be busy here for at least two weeks.

Undecided About Fisher.
After a close scrutiny of the case of Henry Fisher, who was sent to the hospital for the insane at this place by the Northumberland county court recently, the medical staff at the hospital are divided in opinion as to whether or not Fisher is insane. It will be remembered that Fisher's trial for murder was interrupted on account of the man's wild ravings in the court room. Judge Savidge then decided to send him to the local hospital until the question of his sanity could be determined.

Now Judge Savidge in receipt of a letter from Dr. H. B. Meredith which states that Fisher's sanity is still in doubt. At the hospital Fisher stoutly avers that he is insane, while most lunatics stoutly deny that there is anything wrong with them. He has improved considerably in personal appearance, and would not be so likely to impress the jury that he is insane as he did a month ago.

At any rate there is a lingering hope that June will at least be reasonable. The people are surely sick of the other kind.

PROCEEDINGS OF MAY COURT

MONDAY'S PROCEEDINGS.
Court convened at 10 o'clock Monday morning with his Honor Judge Evans and Associates Blee and Welliver on the bench. Not a moment's time was lost and in a short time the proceedings were in full swing for the purpose of getting the usual routine work out of the way so that the case of Commonwealth vs. Peter Dietrich might be taken up.

ABSENTEES FINED.
One of the incidents of the first hour that created a mild sensation occurred when the long list of jurors was called off and half a dozen named thereon failed to respond; Judge Evans in order to show at the beginning that the court would tolerate no trifling, promptly imposed a fine of twenty-five dollars on each one of the absentees. The unfortunate half dozen who failed to respond were: Silas Wolverton, John Sweisfort, James Dennen, Edward W. Peters, F. A. Magill and Charles Boone. Charles Diehl, another absentee was reported ill. William Welliver and F. B. Maus, whose names were drawn, could not be located in the county.

BAD ROADS.
Philip Boyer, constable of Cooper township, reported index boards down while Charles Hollabaugh, constable of Derry township, reported the road leading from Washingtonville to DeLong's bridge as in a very bad condition. In each of the above cases the court instructed the district attorney to take up the matter with the supervisors of the respective districts. Index boards are required by law, at all cross roads. With respect to the section of road complained of in Derry township, Judge Evans said he had been informed that it has been in a bad condition for eight years past. If an accident were to occur there, he said, Derry township might be mulcted in heavy damages.

THE GRAND JURY.
The grand jury was called and sworn. John E. Roberts was appointed foreman. John Gibbons, a grand juror, was excused by reason of his wife's illness. Philip Boyer was chosen as tipstaff to wait upon the grand jury and Charles Hollabaugh, tipstaff to wait upon the court.

THE DIETRICH CASE.
At 11 o'clock the district attorney announced that he was ready to attach the case of Commonwealth vs. Peter Dietrich, whereupon Judge Evans ordered the sheriff to bring the defendant into court. A few minutes later Peter Dietrich, in the hands of the sheriff, entered the court room and took his place at the table where on the previous trials he sat listening to the sworn evidence and facing the twelve men who were to decide his fate. Barring the few weeks that he was out on bail Dietrich has spent much over a year in jail and he shows the effect of his long confinement. He is pale and apparently more nervous in manner than during the previous trial.

As on the former trial Hon. H. M. Hinckley is associated with the Commonwealth. Hon. Fred Ikeler, of counsel for defense during the previous trial, did not put in an appearance yesterday forenoon and rumors were started to the effect that he had withdrawn from the case. He arrived during the afternoon, however, and resumed his place as attorney for the defense.

At the very outset of the trial yesterday it was made plain that the Commonwealth will not press for a conviction of murder in the first degree. The defendant, through his attorney, William Kase West, put in a plea of former jeopardy. This was demurred to by the Commonwealth, which informed the court that under the circumstances it would not press for a conviction of murder in the first degree. The court sustained the demurrer and the case went on.

EXAMINATION OF JURORS.
At 11:30 o'clock the examination of jurors began. Between that hour and 12:15 o'clock, when court adjourned, two jurors, A. C. Angle, of Danville and H. A. Tanner, of Valley township, were accepted. C. D. Levan, Limestone township; H. A. Snyder, Derry township; Frank H. Russell, Carl Litz and Frank Henrie, of Danville; David Krum, of Mahoning township and W. J. Clarke, of Liberty township, were called and all challenged for cause, with the exception of C. D. Levan and W. J. Clarke, who were challenged peremptorily.

AFTERNOON SESSION.
Judge Evans handed down an opinion in the case of Limestone township vs. West Hemlock township, in which he was asked to amend the decree of Judge Staples. The matter at issue relates to the support of Eva Sees, whose settlement was in West Hemlock township, but who had become a charge on Limestone township.

The opinion states that there is no doubt but that the decree made by Judge Staples was erroneous, and that West Hemlock township should have been decreed under the facts to pay expenses and charges of maintenance CONDUCTED HEARING.

Former State Senator S. J. McCarroll, United States district attorney for the middle district of Pennsylvania, appeared at court during the forenoon, and conducted a hearing held in connection with the application of I. Stein for naturalization papers.

JURORS SELECTED.
By 5:30 o'clock last evening the jury box was filled, although the special panel of 175 names was little less than one half exhausted. Much better progress was made in obtaining a jury than was anticipated. The twelve men selected are as follows: W. H. Welliver, of Valley township; Edward Eyster, of Derry township; Austin H. Klase, Joseph R. Patton, Jacob Atten, A. C. Angle and Curtis Cook, of Danville, H. A. Tanner, of Valley township; Thomas Gething, of West Hemlock; James S. Watts, of Limestone; J. F. Acor, of Liberty township; and William Quigg, of Mahoning township.

JURORS REJECTED.
The following jurors were examined during the afternoon and rejected, the most of them being challenged for cause: John Bennetts, Wesley Perry, Albert Ammerman, Charles E. Shires, John G. Vastine, Wellington Swank, Jacob DeGreen, John Eisenhart, Jacob Diehl, Wallace Robinson, J. E. Stecker, Daniel L. Wagner, Harry Redding, Matthew Sheep, Gilbert Fenstermacher, Charles A. Shultz, David Jones, Oliver Kauffman, A. L. Delcamp, George Maier, J. H. Leidy, William E. Patterson, James Henderson, O. F. Young, Alfred Mellin, Peter Billmeyer, Peter S. Crossley, Roscoe Ellis, George Reifnyder, Joseph Churm, H. P. Cotner, Charles F. Ploch, James F. Ellis, William E. Hauser, Lewis Kessler, Charles Arter, Harry Balliett, Frank G. Schoch, Stephen Craig, William K. Linger, J. Winfield Irvin, John Schuster, William Tooley, C. H. Stryer, Harry Siedel, C. C. Billmeyer, James C. Keefer, Allen Watson, David Foust, J. H. Hutchinson, Thomas H. Johns, William Moore, A. L. Brandt, Joseph Albert, Harvey Shultz and F. P. Johnson.

TUESDAY'S PROCEEDINGS.
The case of Commonwealth vs. Peter Dietrich is well under way. The circumstances of the shooting, with which the reading public of this section is thoroughly familiar, were varied in their dull recital yesterday by a successful attempt by the Commonwealth to introduce new evidence to impeach the credibility of one of its own witnesses. The Commonwealth put up a hard fight to accomplish its ends, and at every point encountered vigorous opposition from the defense.

The jury in the case, chosen Monday, was sworn for the first thing yesterday morning. It was only a few minutes after 9 o'clock when District Attorney Gearhart presented the case to the jury, reciting the leading facts as the Commonwealth would attempt to prove them. The district attorney informed the jury that the Commonwealth would not press for a verdict of murder in the first degree, but would ask for conviction in the second degree.

The first witness sworn was Mrs. Jones, widow of James A. Jones, the victim of the shooting. She last saw her husband alive on Tuesday evening, February 13, 1906, when he left their home on Front street. She next saw him after the shooting, lying on a bench in Peter Dietrich's saloon. It was then between 1 and 2 o'clock on Wednesday morning and he was dead. John Woll, Jones' companion on the night of the shooting, was the next witness. While his testimony was being given several tilts occurred between Mr. Hinckley and Mr. Ikeler relative to the line of questioning. Mr. Hinckley by referring to the evidence of the previous trial endeavored to show that there was a discrepancy in the testimony of witness.

Woll had reached the point where Dietrich was making a demonstration with the pistol and Jones remarked, "Oh, you couldn't hit anything—you couldn't hit a barn door," at which point by an explanation he endeavored to show that all this occurred at a later hour, after Dietrich had gone into the small room adjoining and returned presumably with the pistol. This, Mr. Hinckley held, was in contradiction of the testimony offered by Woll at the first trial, which revealed that the defendant had gone into the adjoining room and returned with the pistol after Jones had made the taunting remark that he "couldn't hit a barn door."

Mr. Ikeler objected on the ground that the Commonwealth was asking leading questions and was cross-examining and impeaching its own witnesses. Mr. Hinckley was prepared to defend his position, when it was deemed best to ask the jury to retire. The twelve men were accordingly conducted to the jury room while the attorneys entered into a spirited argument. Mr. Hinckley took the position

that the Commonwealth had an important witness to deal with whose memory was either much at fault or who was an adverse or hostile witness and he cited authorities to show that in order to prove adverse interest and hostility on the part of the witness, the Commonwealth has the right to ask leading questions as well as to cross-examine its own witness. Mr. Ikeler contended that no hostility had as yet been established in the case of the witness and that, therefore, the right of asking leading questions and the cross-examining of its own witnesses by the Commonwealth did not apply in the present case. The Commonwealth, he said, proposed to prove later that the witness was hostile, but it had not as yet established such a fact.

Mr. Hinckley explained that it would be shown during the trial that the witness since the last trial had made statements which conflicted with his former testimony.

Judge Evans announced that inasmuch as no hostility had as yet been proven he would at that point sustain the objection and would rule against the asking of leading questions by the Commonwealth and the cross-examination of its own witnesses.

The jury was brought back into the court room and the examination of the witness was resumed. Mr. Hinckley immediately pursued a line of questioning to sustain his charge of hostility on the part of the witness.

The first question asked of Woll by Mr. Hinckley was: "How many shots were fired in Dietrich's saloon on the night that 'Corky' Jones was killed?" The reply was: "One shot."

Mr. Hinckley then asked the witness whether since the last trial, in Sharp Dietz's saloon, in the presence of Sharp Dietz and David Jones, son of 'Corky' Jones, he, the witness, had not made the statement that "two" shots were fired on the night that Jones was killed. Woll replied: "To the best of my knowledge I never made such a remark—I never made such a remark."

Both in the direct and the cross-examination the witness was led over all the chain of incidents leading up to the shooting. The facts, which at both the first and second trials, were fully reported in these columns, are by this time very familiar to the reading public.

Andrew Rogers, who along with Woll, was with Jones the night of the shooting, was the next witness. Rogers was unconsciously very dramatic and his recital especially as it related to the actual killing of Jones was very impressive. It was he who discovered that "Corky" was dead after the pistol went off which Dietrich had in his hand.

"I wasn't looking at Pete," he said. "I was looking at Jones. He was lying on the bench. 'What's the matter with Corky?' I said; 'He's so quiet.' Then the blood was discovered below the eye and it was found that Jones was dead."

Rogers' testimony like that of Woll, tended to convey the impression that Dietrich went into the adjoining room and secured the revolver before Jones made the taunting remark to the effect that he could not hit a barn door (so, although, like Woll, he acknowledged that during the whole evening Jones had been "kidding" Dietrich about his shooting.

AFTERNOON SESSION.
Immediately upon reconvening yesterday afternoon new testimony of a somewhat sensational nature was introduced. The first witness called was Sharp M. Dietz, who testified that about six weeks ago John Woll called at his hotel on East Market street and in conversation with David Jones, son of 'Corky' Jones, made the assertion that two shots were fired in Dietrich's saloon on the night that Jones was killed. Quoting the exact words Mr. Dietz swore that John Woll said: "There were two shots fired. I said it before and I will say it again. Now go down to the court house and prove it, if you can; they won't let you on the stand."

On cross-examination Mr. Dietz stated that John Woll had a couple of from July 22, 1906, instead of from September, 1906. If the decree was not satisfactory to the plaintiff, the opinion avers an exception should have been taken promptly and within the time allowed by the law instead of waiting thirteen months before complaining. It is, therefore, too late to amend the decree and the rule is discharged.

short beers at his hotel but that he could not say that he was under the influence of liquor.

David Jones, son of James A. Jones, was next sworn. He was present at Dietz's hotel on the night when Woll is alleged to have stated that "two shots" were fired. The witness fixed the date as in the second week of April. He corroborated the testimony of Sharp M. Dietz as to the declaration of Woll that "two shots" were fired when Jones was killed, the witness adding that Woll laughed in his face when he told him to go down to the

court house and prove it if he could—that they would not let him on the stand.

Chief-of-Police J. C. Mincemoyer, Lewis Byerly, John Doster and Dr. R. S. Patton were called in succession. Their testimony had to do with Dietrich's arrest, the revolver with which the fatal shot was fired, Dietrich's protestation of innocence and his highly excited state. The chief-of-police explained that the revolver, which he took possession of after the shooting, contained two empty shells, the three other chambers remaining loaded. There was also another revolver, empty, found in the bar room.

DR. PAULES' TESTIMONY.
This brought the proceedings up to the point where Dr. Paules' startling testimony was repeated. Dr. Paules was called to the hotel after the shooting. He performed the autopsy on Jones and described the wound, which, he said, was of such a nature as to cause instant death. He saw the revolver and identified it as produced in court. On the night of the shooting the revolver, which Dietrich produced, contained three loads and two empty shells. Dr. Paules also saw the other revolver in the hotel, all the chambers of which were empty. Dietrich declared over and over that he was "no murderer," but that he had shot Jones in "self-defense."

Later the same night Dr. Paules visited Dietrich in the jail. He was accompanied by Dr. Patton, whom he introduced to Dietrich. The subject of shooting was brought up, when Dietrich asked Dr. Paules how it happened that he shot Jones. Almost in the same breath the defendant said: "Oh, yes, I know how—I hit him right under the left eye where I aimed."

Dr. Patton was recalled. In the jail, he said, he paid no attention to the conversation between Dr. Paules and Dietrich, as he was busy preparing to administer to the defendant.

COMMONWEALTH RESTS.
At 2:45 o'clock the Commonwealth rested. Hon. Fred Ikeler explained to the court that in the absence of any other witnesses than those who had appeared for the Commonwealth he was content to rest the defendant's case on the evidence produced by the Commonwealth. As there was not sufficient time yesterday for both sides to address the jury he asked that the proceedings of the trial be suspended until today, when both sides would have ample time to finish before the jury and neither have any advantage over the other.

The court acted on the suggestion and the jury was excused. The case of Commonwealth vs. Alfred Kennedy was attached.

ALFRED KENNEDY GOES TO JAIL.
Kennedy was charged with committing an assault and battery on his wife. He endeavored to excuse his conduct, but after the testimony of the wife was heard, Judge Evans called him before the court and sentenced him to undergo an imprisonment of sixty days in the county jail. The judge in passing sentence told Kennedy that no one but a coward would strike a woman. He should be committed to a workhouse, he said, where he would be obliged to live on bread and water. Judge Evans remarked that he was very sorry that there is no work house here to meet the needs in such a case as the present.

SUTTON PLEADS GUILTY.
Charles Sutton, who is before court on two charges, pleaded guilty to breaking jail. The court withheld sentence until the other case in which he is defendant is disposed of.

WEDNESDAY'S PROCEEDINGS.
The second trial of Peter Dietrich, charged with killing James A. Jones, resulted in a verdict in all respects like the first—that of murder in the second degree.

The jury retired at 12:15 o'clock. Owing to the nature of the case the general impression was that considerable time might be occupied by the jury's deliberations. To the surprise of every one, however, at 2:15 o'clock the jury returned with a verdict. Their early agreement, being unexpected, neither the defendant nor the attorneys in the case were in the court room and the jury was obliged to remain seated some twenty minutes before the verdict could be taken.

When Peter Dietrich entered the court room with the sheriff he clearly revealed in his manner and appearance the heavy strain and suspense that he was under. As soon as Mr. Hinckley entered, the verdict was taken. Deep silence prevailed while Judge Evans scanned the paper and returned it to the prothonotary, who announced the verdict:

"Gentlemen of the jury, hearken to your verdict as the court has recorded it: You say that you find the defendant, Peter Dietrich, guilty of murder in the second degree."

William Kase West of counsel for defense made a motion for arrest of judgment and a new trial, reasons to be filed in four days. The court granted the motion.