(Continued from First Page)

except the Executive. It is your discretion; coluntary, when you get two or more men to gether and in a heat of passion, or excitement, New y of in a brawl, or fight, the one slays the other, that is involuntary manufamphier becarso he does it involuntarily. Voluntary. manalanghter is where a person is in the per-

lawful ner. But it was exemple hondelds; it was an accident. It was done inadvertto do it; and for that purpose we propose to retire, if perchance some impression may put on this stand first; witnesses for the have been made upon your minds during this Our red furness of showing that we were there in trial against this prisoner, that you will push like at the and by virtue of lawful authority; show you any such impression away until you have that we were in the exercise of a right that heard all the testimony and all the argubelongs to every American citizen; show you meets, and I know what your verifict will hat we were there to defend our property that right; show you that we were called until 0 o'clock Saturday morning. and And upon by an officer of the law; that that Special to the Hanano

right of what is known as posse consistent, morning by Mr. Brumm calling the power of the country, or the right to About S4, or As sistance as the constabulary power may ville, was a civil and mining engineer, and BASERIER spont as a had, by an ordinance passed by the Boroago era-The B Centralli those tracks on cauceded territory, hearmy evidence. Sustained, and not an inch beyond; that they complied attracted track had been laid and the company were known as Main and Gilbert streets. The hole

Want a exercising their right of way, undisputed was an the east side of the house, 3 feet 4 wan tolke Got you an assignment of that right to a third by E Trevelban. The witness also identified

Pittsl that the Town Conneil had made throats coat end of the borough, repostedly to annoy this company and had | The surveyor was on the stand during the CENTRAL SEC.

solors they tors up this track they informed

CHI | 14 there would be nothing done - and he had other important engagements and that by the president of the Town winted to be relieved from the Briggs case as Even, Wi Council of the Borough of Gifberton agon as possible. will to that pursuant to that the Tractico Company had the right to believe that there would be C. D F nothing done and that they would not be motheir track; they being lulled into security theatre on Tuesday evening, January 16th. in her line it would be the public's advantage by the Burough of Gilberton, or some of the spent for that borough and its citizens to say won the highest recognition. they joined in such a destardly act; that after

dered it back, that when that track was form up the officers of company directed the proper official, the special officer of the company, to ge with a number of employee of the company to meditated murder, shall be guilty of murder repair their road, that for the purpose of proin the first degree. All other murderers shall tecting these employes they took with then be guitty of murder in the second degree, No arms, that they had a perfect right under the one man, I care not who he may be, can at a law to arm themselves for that purpose; the glance comprehend and catch all the alc- when they had been fulled into security and ments of murder and I don't care how often, their property was destroyed at night time or how able, or how distinctly his Honor may by a mob they had a right to anticipate define it you cannot fully comprehend it and danger, that in anticipation of that danger hold it in your minds. Lawyers differ to a they had a right to do that which would keep great degree on the proposition. It has been them safe and secure in the exercise of their the subject of discussions and litigations and light rights and performing their logal duties disputes for ages and it is for that reason that that they went up to where their read was in opening a case I would like to destroyed on their own premises, along their got us good a conception and as own right of way, peaceable, and for no other peoper a knowledge as I can and have purpose than to repair and protect their own one amid it would be a good idea if in the property; that when they came there were opening of a murder case, they could have met by a mob who were there they without before them in writing or printing the many authority of the law and without any legal definitions or humicide. Att killing is more rights; a band of rioters who had combined der. An officer, a shorid for instance, execute for an unlawful purpose, and after having ing the murderer only commits justifiable combined in an unlawful manner prevented humicide. An officer in the execution of his the owners of that property from repairing duty, either attempting to make in arrest, or that track and protecting it; that if we came affer arrest has been made, a prisoner at there under a legal right and had a right to tempts to escape, threats and kills him, only be armed for that purpose the mob that was scomily excusable howicide. One who kills there were the trespance from the beginning, by misadventure or accident commits acri and being treapersors, were the first offenders dental or excussible homicide. As where a and they were the responsible parties; and we man may be chopping a tree down and an- being in the exercise of a lawful right and other is standing mear him, and while he is lawful authority, whatever may have been attend chapping the tree the head of the ax flee the result of our acts, if it was an accident or from the bein and strikes the man standing misadventure, there can be no mandaughter, from him and kills him. Contlemen of the In addition to the proof that this man Briggs jury, that is this case. No one demos the came out there upon special invitation we will fact that poor Parfit was killed by the skot show the reason for going out. We will show that came from Briggs' gunt it was purely an specificant. And if it was an accident then it is excumible homicide and the verdict made of Richard Amone and his little band of count be so. Gentlemen of the jury, it can't men was, "You are on the crossing, put your be snything also under the testimony already in for the Commonwealth, unless it is number "We want this crossing for the people to pass in the first degree. You have got before you by on" and that the mob were occupying the very confining testimony and I feel well crossing themselves. That upon the requests estimied that if every one of you twelve men of this party, in pursuance of a legal authorhave not already fixed in your minds that My, performing a legal duty, even at the this was an accident, you are at least in very, request of the mob, moved the dinkey back, very grave deabl. I want to say that if you That after parleying for some time with this are in doubt about it when you hear the close men, Bichard Amour found that discretion of our testimony it you are in doubt as to was the better part of valor and he said "All the facts or in doubt as to the law applicable right; we will go back." And there is to the fact, give this man the benefit of it. where this med made the mistake! That The Commonwealth imids that under this because of Richard Amour saying that he testimony this jury shuff say, this man is would so back, they took advantage and then guilty of marder in the first degree. I want Mr. Briggs, in his judgment, that well, the to say right here that the responsibility for bester thing to do is to put on a bold front variliet is with the jury. They are the | mid I believe it was the best that could be only discretionary element in a trial dime) and in response to the champrings of of a case of this kind. His Booor, the the mob he presented himself to the mob like Judge, has none; the jaller has none; the a brave man. That when he did it, unshoriff has none; only the jury and the Ex. fortunately for that poor boy. Parfit, and contive of the state in the exercise of cleinency. The result, whatever it may be, must they have my sympathy, as they is cordadly invited to come herebe the result of the discretion that you twelve have the sympathy of Briggs and every man men have. No other power can interfere, that was there—unfortunately for these two poor boys, there was a rat there; and we it is your judgment; it is your act and no will show you that that rat, in his anxiety to other. New what shall be our defense? As make a here of himself, grabbed the muzzle I have told you, we are guilty of no murder. of the gun, and in grabbing the muzzle a We are guity of no manelaughter, either struggle resulted by which that gun was acvoluntary, or involuntary. Manslaughter is cidebily discharged and then, like all mobs, divided into two classes voluntary and inings, God knows where it ends. And we will show you and show by competent testimony in addition to that which you have already, that this man never knew Parfit, that Parfit was a stranger to him, that he could have no malice for that buy; that there was no motive in shouting that poor boy, that there was no petration of an unlawful set and while so doreason at all for it, that Parfit was ing he madvertently kills a person. Our standing there, a perfectly harmless boy, that defente is that it is not voluntary man when the rat grabbed the muzzle of that barrel affray to which the one, if guilty, was in a in the struggle, that the gun was discharged, slanghter because it was not committed in an heat of pamion. It was not involuntary and we will show you that the shof that was manufaughter became the prisoner at the bar Partitl and we will give you the benefit of was not engaged in the perpetration of an onthat at this stage of the preceedings. When we have have shown that to you we know ently, unintertionally. That it it was done there will be no question as to what your by Striggs at all, it was without any intention | vardiet will be. We only ask that when you

for in the show you that we had an indisputable right to At the conclusion of Mr. Brumm's remark Johnston the property; that we went there to defend Judge Weidman declared the court adjourned

officer of the law had the power of the Pottsviills, Jan. 13,-The case for the de-

JAMES REITTON cather the neighborhood, or such other as Sworu; Witness said he resided in Pottsdown necessary to sealed in the lawful exer | and marica curvey of the East ward of Gil-

cise of its lawful rights. We will show you berton, and the name for the Main street in that the Schuylkill Traction Company diested on the map he get from the bystandof Gilberton, the right to lay their. Mr. Wadlinger objected to what bystanders

tracks through that town; that they hald told the surveyor on the ground that it was

Witness produced a map showing the secwith every letter and each and all conceivable tions of the Traction Company's track now spirit of the ordinance that was granted cown and the section which was torn up them; that there was no question raised as to also showing a small built hole in a bouse the territory conceded until mouths after that on the northwest corner of what has been and unmolested by the Town Council, or any- inches above the ground, and I foot St inches body also; that the Town Council agreed to north of the corner. The house is occupied party, entirely discremated in the the hole in the photograph. He also design original contract and the original cated a bullet hole in Karn's batcher shopes road to which had been granted that right of the southeast corner, seven feet from the way had assigned all their rights and northeast corner of the building, on the west privileges to an innocent party with the side, and 31 feet from the ground. The knowledge and consent of the Berough of witness was on the stand some time describ Gilberton; that their attack was made, not ing the location of buildings, their distances on the parties with whom they made the first from each other, and from the pavements agreement, but was made on a stranger who streets and corners, the width of streets and Miners' Hospital. A pay check bearing the was the assignee of the original right of way payements and innumerable other measureand without notice to them of any claim of ments he made. He also described the course that track being laid on unconceded territory; taken by the electric railway through the

agreed, just as often, through some of their morning socion and his evidence was of a efficials, that nothing would be done and that | technical character and | such as would not they were maisfied; that but a short time interest the reading public.

Mr. Brumm has a number of witnesses the sullcitor of the merignous of the parties to ready to proceed with other evidence in the whom they had granted this right that case. The surveyor was called first because

At the Theatre.

"The Limited Mail" has been played over a to give her a call. adjuidial members of the borough, and I thousand times throughout the country, and will say right here that I have too much re- its wonderful scenic effects have everywhere

Allywi Axing.

OHURCH ANNOUNCEMENTS.

ducted To-morrow. Trinity Reformed church, Rev. Robert PRoyle, paster. Services to merrow at 10, m. and 6.30 p. m. Sanday school at 1.30 p. m.

verybody welcome Robelos Israel Congregation; West Oak tirect, Rev. S. Rabinowitz, Rabbit services very Friday avening; Saturday and Sunday Afternoon and evening.

Weish Bartist engreh. Preaching services at Evans. Sunday school at 2 p.m. Everyhody

Reman Catholic church of the Annunciation Theory street, above West street, Mey. H. P. Ykenly, paster. Masses at 8:00 and 10:00 a m

espers at 3:00 p. m. Hi. George's Littluanian Catholic shurch erner Jardin and Cherry atreets. Rev. L Vespers at 3 p. m.

Welsh Congregational church, Services or Sunday at 10 a. m. in Welsh and 6 p. m. in Regish. Preaching by Rev. T. Henry Jones, of Mahaney City. Bunday school at 2 p. m.

Salvation Army, corner Main and Oak streets. Seprain L. Voder and Lieutenant B. Davish in and It a. m. and SandSp. m. Meetings will be held every night during the week excepting

enwainer, pastor. Services to morrow at 19 a in, and 6:30 p. m. in English, Sunday school at 1:30 p. m. All are heartily invited to

Sunday school at 2 p. m. Christian deavor Society will meet on Tuesday cyb ing at 7:30. All are cordially invited

First Methodist Episcopal church, Rev. Wm. Sunday school at 2 p. m. Epworth Longue at 5:45 p. m. Prayer mosting at 7:38 Thursday evening. Strangers and others are always welcome.

English Sapitet church, South Jardin street Services at 10:30 s. m. and at 5:30 p. m. Preaching by the paster, Rev. W. H. Herrison Praise service at 6 p m. Sunday school at p. m. Monday evening at \$100 the Y. P. B will meet. Weonesday evenling genera

rayer meeting. Everybody welcome. All Saints Protestant Episcopal church, Oal treet, near Main. Morning service at 10:38 dates at morning service alternately and a cy evening service. The lay reader, Charle officiates in the absence of the All somes free and everybody made

Primitive Methodest church, Rev. J. Proude paster Services to morrow at 10:30 a. m. and c. m. p. m. Wesley prayer meeting at 5:45 p. m. Sabbath school at 2 p. m. Wesley League Monday evening at 7:29. Class meetings Tuesday and Wednesday evenings at 7 o'clock Prayer meeting Thursday at 7 p. m. Al sents from Anyone not having a church home

PERSONAL.

Councilman Schoifly is seriously ill. Tim. Coakley has gone to Tremont to visit

his mater. Frank Hess and J. S. Thomas were county

eat visitors this morning. Thomas McKeone, of Colorado, spent a few

nours in town last night. Lawyers W. D. Seltzer and Arthur Shay, of

Postsville, transacted business here to day. David W. Williams, of Chicago, Ill., is viring his mother, Mrs. Thomas Dove, of South Jardin street.

Thomas Whitaker and Michael Carl, of Mahanoy City, spent last evening with town Letter Carrier Book went to McKeansburg,

attend the funeral of a relative. Sub Car ier Thomas is serving in his place. The only "Con" Sullivan, of "Uncle Bill"

ame, cams up from Pottsville this afternour to shake hands with his numerous acquaint-

William Doyle, of New York, new stationed at Mahanoy City, where he is putting in the engines for the new water works, was a town isltor last evening.

George W. Hassler has been at York the past day or two attending the state sessions of the Master Painters' and Decorators' Asse cistion, and has been placed upon the state executive committee by that body.

Birinday Anniversory. The residence of Mine Inspector and Mrs. Stein on West Oak street, was the se-ne of s pleasant gathering last evening. It was the 18th birthday of their accomplished daughter constabulary; that that power includes the fense of John Brings was opened 9:40 this Miss Annie, and those who were present pro nounced the gathering one of the most sociable events of the season. The participants indulged in all the fashionable games and amusements until a late hour, and at 12 o'cleak partook of an elaborate spread, to which all did ample justice. The following were among those present: Misses Hattle Jones, Mable Straub, Mand Keiper, Lou-Cather, Lillian Titman, Violet Fielders, Maud Brown, Lost Creek; Mesers, Guy Keiper, John Scheifly, Grant Lessig, Grant Fielders, David Owens, George Goodman, John Lewis, Wm. Penn; Samuel Steinbach, Lost Creek.

A Bunaway.

A team of horses belonging to Sockelonky the West Coal street saloonist, ran away this morning while returning home from a funeral. After striking a lamp post at the corner of Coal and Jardin streets, they ran into Grocer Graf's delivery wagon, damaging the wheals and breaking one of the shafts. The horses were finally brought under control by the driver without further damage.

Injured on the Railroad,

Last evening, about 9:30 o'clock, Lebigh Valley train No. 247 struck an unknown man near the Giraniville station. When picked up he was unconscious and was taken to the name of John Duffy was found in his pocket, and it is supposed that was his name.

Narrow Escape.

A Hungarian, standing on the Pennsylvania railroad trestiling at the lower end of Main street, had a narrow escape from death about 4 o'clock yesterday afternoon. 4:10 passenger train approached the Hun had the presence of mind to drop between the sills, where he hung until the last car passed over the trestle.

Cluster Out Sate. Miss M. A. Dillon, 104 and 106 W. Centre street, Mahanoy City, is advertising in another column of this paper a closing out Eimer E. Vance's restistic drams, "The sale of Fors, Coats and Capes, at greatly Limited Mall," will be seen at Forguson's reduced prices. When in most of anything

At the Engitte

Madden and Lowery, the kings of all laugh makers, and an excellent company of come dians, will be the attraction at Foremon's heatre this evening. Phone desirous of

An Interesting Letter.

The following letter contains much that will be of great benefit to many of our read-

Dr. David Kennedy

DEAR SIR: I am 90 years old and gener ally played out, or so I have thought up to two weeks ago when I commenced to use Dr. David Kennedy's Favorite Remedy, Sinc then I have experienced a decided change.

For the last 20 years I have been more or less troubled with inflammation of the blad der and kidneys, and as the years have gone by, I have surely and gradually grown won until I should not have been surprised at any time that passing urine by nature's effort

Besides, having constant pain in the kidneys and bladder, I have had rheumatic pain n every muscle and joint, and have often remarked that I did not believe there was a man living that had suffered as much as I had. I am not of an enthusiastic nature, but I must my I have not for a single day in five years felt as well in every way as I do now, Have improved daily since I began the use of Dr. Kennedy's Favorite Remedy, About a week ago I gave a man, afflicted with bladder trouble, pari of a bottle of Favorite Remedy and he said to me to-day, "that is a great medicine; I am botter already." and he drave eight miles to get a battle. Very respectfully convs. S. L. Young.

The proprietors of Pau-Tinn have spent houseneds of dollars to make it known that teness Couchs, Code and La Griope, Trial onless of Pau-Tinn free at P. P. B. Kirlin's

Edward L. Williams surconness himself as candidate for Chief Burgess, subject to Citien's rules. Mr. Williams has been a worthy ditizen of town for 20 years.

Deeds Recorded.

The following deeds were placed on record at the Recorder's office

From John Harking to Jacob Timmins, lot at Frackville. From John Barkins to David J. Hammet,

ot at Frackville.

Association for lot in Girardville, sold us the property of Mary Knowles. From People's Building and Loan Amocia

ion to Rath Griffiths for lot at Girardville. From Henry Weiderhold to Vincent Cazew ki, premises south side of East Centrestreet, Shenandosh, for \$10,000.

Ball Postponed.

The first grand ball of the Manhatten Athletic Club, which was to have taken piace Monday evening, January 15th, has been postponed until Monday, 22d inst. 1-13-15 18

FOR HIGH CONSTABLE,

JOSEPH B. TEMPEST.

Subject to the decision of the Citizens' nominating convention

Citizens' Conventions Notice is hereby given, by authority granted

andosh. Pa , that the primaries of the different wards will be held on

Friday Evening, January 19, '94,

at 7 o'clock, at the following places First Ward -At the public bonse of William lendrick. Second Word-In Ferguson's hall, Theatre

Thirst Word—Rescue Hook and Ledder Com-any a building. Fourth Ward-At the public house of Peter Fifth Word-In Schmitt's hall corner Coal and Weststreets.

The new rules will govern the primaries. H. C. BOYER, Chairman. JAMES MCEDIESNY, Secretary.

PERGUSON'S THEATRE.

P. J. PERGUSON, MANAGER,

SATURDAY, JANUARY 20th

I ORNADO!

Lincoln J. CARTER'S

The awful torca to, the great rigging scene—6 tars furling a mouster sail, the collision of two occan liners at full speed, the mighty open sea one with waves running mountain sigh, the sissecting room of a modest college, Chicago marror at night and many other scenic wonders. "To hold, as well as win success, "
Kosp all your play bill promisen."

—Lincoln J. Cavter

Prices, 25, 50 and 75 Cents.

Reserved sents at Kirlin's drug store

MISCELLANEOUS.

a NYED .- A girl for chamber work and plain new mr. Apply at this office. 1-13-1; WANTED -A bright boy to learn the printing trade. Apply at HERALD office FOR MALE -5ilk plush Parlor Suit and 26 yeards of Velvet Carpet, both nearly new. Apply at this office.

CST.—A robe and a horse blanket, on road between here and Postsville. For information andreas "B," HEBALD office. 1-10 IN

A GENTS make \$5.00 a day. Greatest kitches utonsil ever invented. Retail 35cts. 2 to add in every house. Sample, postage paid ve cents. Forshee & McMakin, Cincinnat. 18-th-wed 25t

W ANTED Off sgent. A good man to sel bricaning offe and grouses in Shensa-teah and vicinity on good commission. Address with reference, C. Anson Heard-by Cleveland, O.

REAL ESTATE FOR SALE, Property almated as the northwest corner of Count Catharine streets, consisting of one 10 legisle feet and six dwelling houses. Apply to grank W. Wilson, 310 North Jaroin street.

\$75.00 A WEEK paid to ladies and gen Washes and dries them in two minutes with out weiting the hands. No experience nec-sary, only at high permanent position. A drong W. Finarrson & Co., Clerk No. 14, Co.

INSTATE OF DIAMNA BOLICH, Deceased.

Notice is hereby given that the undergened Additor, appointed by the Oribonacontrol recognition opening to make the risktion of the money in the banks of freeze
tonic annihilators on all ment the parties in
treased for the purposes of the appointment
is the office, it is shall centre street, in the
arrangle of Potentials, of Teasons. February
film, 1994 and others to the firm non, when
ad where all parties in teresic may saltend.

1-15-Reas.

W. D. FELTZER, Auditor.

PARTITION NOT ADMIN UNIFITY, A DESCRIPTION OF THE STATE OF LOWING UNIFITY, A DESCRIPTION OF THE STATE OF THE BOTOMER OF SHORM ON THE STATE OF THE ST

A Royal

Introduction Bureau.

Presentation of People of Renown To the People of Shenandoah and The Mahancy Valleys.

To make a voyage around the world and meet the crowned heads of Europe as well as the most distinguished people in this country and abroad would cost lots of money, wouldn't it, even if you had the entree into their society? But suppose you could sit in your own home with your wife and children around you and come face to face with splendid photographs of these people of note, that would be quite a big step toward knowing them-as near, perhaps, as you will ever get.

And when you begin to weary of studying the features of this class of society we will show you a good many places and things in far-away climes that many of your brothren have paid thousands of

You can take Your Family with you without EXTRA COST, and without the discomforts of Travel to you all. . . .

The advantages of pictorial representation as a means of inform From Sheriff to People's Building and Loan ing and verifying can hardly be exaggerated. Wherever travel is practicable there the lens, with its quick flash of light and swiftly caught image of nature and man, has come in to supply the deficiency and to transmit to homes in distant lands the picture and visions of

Now if you will come with us on this

....Voyage.... Around the World

You will see many wonderful things, meet many celebrated personages, and you will not lose any time from business.

The first week we are going to introduce to you:

1st. The venerable Justices of the Supreme Court of the United States, in their black robes of office.

2d. The lovely Mrs. Cleveland.

3d. The President of the United States, Mr. Cleveland. 4th. The Cabinet of Mr. Cleveland's second administration with a

splendid photo (by Sarony) of Mr. Cleveland in the centre. 5th. Vice President Stevenson and nineteen prominent members of

6th. Twenty prominent members of the House of Representatives. 7th. The Presidents of the United States since the formation of the

8th. Twenty-eight Governors now in office.

9th. President Harrison and his Cabinet.

10th. Prominent Republicans

six weeks.

11th. Prominent Democrats.

12th. A dozen Generals famous since the War.

13th. Celebrated Union Generals.

14th. Famous Confederate Generals. 15th. Leaders of the Navy.

16th. Foreign Ministers at Washington. The tollowing week we shall present to you bishops, archbishops, & cardinals, newspaper men, authors, composers, millionaires, actresses,

actors, Queen Victoria, the Prince of Wales and his family and others. The third week we shall present a few more royal persons and then begin our travels in foreign lands, travels that will last twenty-

1 Cent a Day. 7 Cents a Week.

By this time you will doubtless be curious to know the conditions.

Listen; EACH day cut out the art coapon printed on the you have saved seven of the coupons consecutively numbered, bring them to us with seven cents and pou will receive Portfolio 1 of "The World and Its" People by Sunlight," the famous work introduced by that noted traveler, stholar and writer, John Clark Ridpath, LL. D. Each portfolio will contain 16 pages and there will be 26 portfolios. The whole series will make the most valuable art collection-such as cannot be met with often. You should have the complete series, and you should seize the opportunity now. If you are already getting the HERALD-all you have to do is to save your coupons and peoples. If you are not getting the Herand-send us your name and address, and the paper will be left by carrier for you every day.

The Coupons will appear Commencing January 13th.

Samples of the photographic series may be seen upon application to Hooks & Brown, 4 North Main street; C. H. Anderson, traveling correspondent, Mahanoy City, or at the Herald office.

Madden & Lowery!

Originators of Fun. Surrounded by a company of

Comedians a Comediennes Gathered from the great lunny world,

aturday, Junu ir 13, 1894 ticors | | n at 7, performance at 8

PERGUSON'S THEATRE.

