

# THE EVENING HERALD.

VOL. IX.—NO. 25.

SHENANDOAH, PA., TUESDAY, JANUARY 16, 1894.

ONE CENT.



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You are a business man, and need to straight forward business talk—facts—facts—facts. Your wife has been looking for a  
**Piano, Sewing Machine, Organ, Chamber Suit, Parlor Suit,**  
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**J. P. WILLIAMS & SON**

## SPEAKING FOR BRIGGS

Maps of Gilberton Figure in the Trial.

## STREETS BADLY MIXED

The Defense Trying to Show That What the Gilberton Council Calls Gilbert Street is Church Street—It is an Important Point.

SPECIAL TO THE HERALD.

POTTSVILLE, Jan. 16.—Original maps of the Borough of Gilberton played an important part in the Briggs murder trial yesterday and if the evidence brought out by the defense in connection with them in relation to the location of streets is not upset the Gilberton Borough Council may find that under its ordinance the Schuylkill Traction Company really had a valid right of way over the ground upon which the tracks were torn up. An official of the Schuylkill Traction Company swears that he knows of no Gilbert street, unless it is the one east of where the tracks were torn up and that the street west of that point and which the Council claims is Gilbert street is really Church street, taking its name from the Methodist Episcopal church on the corner.

Mr. Dyson, one of the counsel for the defense, stated last evening that he believed the case will be given to the jury by Thursday evening next.

Some important developments are expected during the trial to-day. It is hinted that before night there will be evidence of a very sensational character.

YESTERDAY AFTERNOON.

Mr. Brumm: We propose to show the right of the Traction Company and employes to be present in the borough of Gilberton on the night of the riot and the justification of their acts and their course, and a condemnation of the course of the borough of Gilberton.

Mr. Wallinger objected on the ground that the proof contemplated would not have the slightest bearing on the case.

The objection was sustained.

MACHENRY, WILLIAMS

Q: I was not present at the time the Gilberton Borough Council passed the first electric railway ordinance. So far as I know there was no time since the first ordinance was passed any course or distance or locality fixed or street named that is not in the ordinance. At the request in the early part of June, 1883, of the borough solicitor, Mr. Breckons, Mr. Jones, superintendent of the Schuylkill Traction Company, and myself met Mr. Breckons and the Borough Council of the Borough of Gilberton for the purpose of going over the road so that the Council could indicate to Mr. Jones what repairs they desired made to the road and they indicated that they wanted repairs made over the part of the road now torn up, beginning at the point where the railroad leaves the public road, passing over some private property bought of the Shafer estate by the Traction Company, then going westward from that point to the western limits of the borough. There were a number of the Councilmen present, I think at least five. They were Reynolds, Foley, Leary, Stone and, I think, Goudley. They told what they wanted done. There was nothing said that day that we were on that part of the road contrary to the ordinance. Mr. Breckons did say to me, however, that the railroad company were not following the line laid down in the ordinance. We walked over the road from the eastern point I have mentioned down as far as Mainville and when we reached Leary's saloon we adjourned to take a drink. While we were there I told the Councilmen that Mr. Breckons had informed me that we were not following the ordinance as called for in the line of the road and that I did not know in what particular we had varied from the ordinance, but in order that there should not be any contention in the future, and that inasmuch as we were going to repair the road as they desired, whether called for in the ordinance, or not, that they should secure us against any contention in the future and pass an ordinance ratifying the road as laid down. Mr. Breckons said to me that he would not permit the Council to pass an ordinance of that kind at that time because we had not fixed up the streets according to the ordinance and that he wanted to secure the Council beyond any doubt; that the roads would be fixed up according to the agreement made that day; that the route we had taken was the best route, that no person had any objection to it and that if we went to work and fixed up the streets according to the agreement entered into then that he, as their solicitor, would guarantee that an ordinance would be passed which would cover the point that was in dispute; and that the only purpose in withholding the passing of this ordinance in order to compel us to hold to the agreement entered into there. He used the words, "We will hold it as a whip over you." I told him that was satisfactory and there was not a dissenting voice to the proposition and I cannot say that any person made any words assenting, but certainly that was the understanding. (The reason our meeting was to decide upon what repairs were to be made to the street.) There was no meeting for the purpose of fixing the location of the track. They said we had failed to comply with the ordinance in the repair of the street—the

planking of the street. The ordinance called for one plank along the side of the rail. They desired that there should be two planks, one on the inside and one on the outside, and Mr. Jones agreed that he would do that and also macadamize between the rails, which was called for in the ordinance. I have stated all the complaint that was made. This conversation occurred in June, 1883. The tracks were laid some months before they were torn up, some time in the early part of the year. The road had been in operation for some time. There was really no complaint as to the location of the road that day. The first notice I got of such dispute was a day or two previous from Mr. Breckons, when he said we had not followed the ordinance in the laying of the track. We repaired that part of the road which was torn up, according to the agreement. All my information was to the effect that the road had been repaired according to the agreement. I got that information from Mr. Breckons, the solicitor, from Mr. Reynolds, the President of the Town Council, and, I think, Mr. Foley. I had a conversation with John F. Reynolds, the President of the Gilberton Borough Council, on the Friday or Saturday before the time fixed in the notice for the tearing of the tracks was served on the Traction Company. Mr. Reynolds assured me—

Objection, Overruled.

Mr. Reynolds assured me that the tracks would not be torn up. When I called upon him at that time I told him my object was in response to the notice and to ascertain what the trouble was about. Before I left Mr. Reynolds stated to me that the track wouldn't be torn up, and that he didn't want to see it torn up.

Q: State whether or not that statement had been contradicted, either by written notice, or any other way, after you had assurance nothing would be done?

Objection, Overruled.

A: I had no notice to that effect and none of the officers of the company had any. I cannot recollect when the old company signed its rights to the Traction Company. It was several months before the track was torn up.

Q: State as near as you can what, if any thing, was said to the assignees of the old company concerning the assignment, as to the right of way and repairs by any of the Town Council, or those in authority of Gilberton, and acting for the Borough of Gilberton?

I don't know of any such notice. There was an ordinance passed giving the Schuylkill Traction Company all the rights and privileges that the old company had. I think it was passed some time early in the spring of 1883. I can't say whether that assignment was made before or after, the amended ordinance was passed.

CROSS EXAMINATION.

I was present at the time this amended ordinance was passed giving the assignees the rights the old company enjoyed. The ordinance was adopted January 11, 1883. I can't say when the new company went into possession, before June, 1883, there might have been half a dozen complaints made of the company's failure to live up to the ordinance, but they were made during the winter. I notice by the testimony of the different parties that I was handed a notice in writing and from that my memory is refreshed. I had forgotten the matter and I now think I received one.

A copy of a notice dated May 10, 1883, was handed the witness and after reading it said he would not say that the notice was worded as the one handed him and he would not say it was not.

Q: Is it not a fact, Mr. Williams, that Mr. Breckons had no less than 100 to 150 in services with you on the subject, personally?

A: I may have had one in the court house and we may have had one or two more. In a general way Mr. Breckons and my wife talked about the Borough of Gilberton and the railroad perhaps one or two times, or more.

Q: Is it not a fact that in this last interview on the subject of this Traction Company's failure to make repairs he implored you to take immediate action and said the Borough Council were charging him with having been indifferent to his duty?

A: Yes, sir.

Q: It is not a fact that within a very short time a couple of weeks after that, you received notice in writing from me (Wallinger) re your failure to carry out the borough ordinance with relation to these things and didn't you afterwards come and see me about that matter?

A: Yes, sir.

Q: And is it not a fact that some time after that Mr. Reynolds, the Town Clerk, served a notice on you in writing at Ashland?

A: Yes, sir. Mr. Reynolds, I believe, served a notice saying that the tracks would be torn up within five days, but giving no reason for it.

Q: At this meeting in the East ward of Pottsville in June last, you say Mr. Breckons, John Reynolds, Foley, Leary, Stone and Goudley were present?

A: Yes, sir.

Q: Didn't you go to Gilberton two days in succession at that time—on Monday, and then again on the following day, which was the day for the meeting of the Town Council?

A: I think Mr. Breckons didn't come at the time agreed upon on account of another pressing engagement and he telegraphed me to be there the next day. Mr. Breckons was not there both days. I had no knowledge on that Monday that the portion of the track torn up was in dispute as to the right of way, and I did not make a proposition then that if the Council would pass an ordinance granting a right of way over the disputed point we would carry out the ordinance and make all repairs. I had an ordinance prepared in blank to cover the additional right of way.

I know there was a dispute, Mr. Breckons told me of it, but he didn't say what portion of the track it affected and that was the reason I had the ordinance prepared in blank. I read that ordinance in Leary's billiard room. Mr. Breckons said the Council would not adopt that ordinance at that time because we want you people to live up to the agreement entered into here to-day in regard to the repairing of the road and we will hold this ordinance in abeyance as a whip over you to compel you to live up to your agreement. No person has any objection to your tracks as they are located and I say to you here, in the presence of those Councilmen, as their solicitor, that if this agreement is carried out the Council will pass the ordinance and I pledge myself that they will.

I said that was satisfactory. I don't recollect insisting on the adoption of the ordinance there and then and Mr. Breckons

(Continued on fourth page.)

## KEATING SHOT AMOUR

The Latter so Testifies in Court.

## CREATES A SENSATION.

To-day's Proceedings in the Briggs Trial Elicited the Above Fact Much to the Consternation of the Prosecuting Attorneys.

SPECIAL TO THE HERALD.

POTTSVILLE, Jan. 16, 2 p. m.

The proceedings in the Briggs murder trial opened promptly at 9 o'clock this morning. The most important evidence elicited was just before court adjourned at noon to-day, when Richard Amour was called to the stand and after producing the uniform he wore the night of the riot and the wound he received, the spectators were furnished with a startling piece of information bearing upon the case. It has been a matter of doubt in the minds of the people who fired the shot that caused Amour's life to hang in the balance for so long a time. That doubt has been cleared away by the latter's own evidence upon the stand this morning as follows:

Mr. Brumm: "Mr. Amour, who shot you that night?"

Mr. Amour: "A man from Gilberton by the name of Larry Keating."

JAMES BRADLEY

sworn: I reside at Delaware, Cross township. I have known John Briggs since 1876-1877. His reputation as to peace and good order is good. I never knew anything wrong with him.

COL. F. H. MONAGHAN

sworn: I have been connected with the Girardville public schools for 20 years and, retired from them for the past 17 years. I have known John Briggs for 7 or 8 years. His character is good. I never heard it questioned.

ROBERT BENNY

sworn: I live at Girardville. I am a motor-man and ran the tinkey on August 21st, last. I was at Gilberton. As we reached the lower end of Gilberton, Amour was on the outside of the crowd in the car. He told the men not to shoot until he gave orders. I ran the car to where the crowd stood, when some one hollered out to stop and I stopped the car. One man on the northeast side of the road hollered, "Now, men of Gilberton, get your guns!" He was a short man and wore glasses. I turned to Amour and asked him if he knew that man. He said his name was Jennings. I said you have got to watch that man, he is going to make trouble." The Chief Burgess then stepped up and told me I had the wrong man blocked. I reversed the car, and as I thought, got it square with Russell's house. I asked him if I was far enough and he said I was not. I shoved the car back three feet (rather) and I asked him if I was on the company's property then and he said I was. I saw some one hollered "That's the wrong car." "Hark there, and so on. Manning jumped on the car and called upon the Chief Burgess to arrest every man in the car. The Chief Burgess appeared to pay no attention, but asked, "What are you people going to do here?" Amour said "We propose to delay this track" and he called upon Reynolds and the Chief Burgess to assist him in protecting the men in leaving the track. Then some of the repairs got off and the Chief Burgess said, "The first man who puts a pick in the ground I will put a nail through him." The men got scared and put their tools back on the car. Reynolds hollered, "Amour, you are a pretty good driver, but you are not in it to-night. We are too many for you and you had better take your car and go home." Stone stood in the center of the track. He said, "We tore up this track and we mean to see that it stays up and send up your men to-morrow to take that overhead wire down. We want you to take it down and take it out of here." I told Amour I thought the best thing we could do was to get out, as I thought it was getting too hot. I took the brass off the car. Amour was standing to the left of me and Dooley was standing on the right of me. Dooley stepped off at the south end and as I started around to go into the car John Swetty stepped on the south side of the platform, facing Mahanoy City. Then I walked into the car towards the west end and as I got about the center of the car I heard some cries of "Homestead, home." "Girardville, home." "Where are they now?" "Why don't they come on?" and so on. I about that time got to the door at the west end of the car. John Briggs jumped up and walked out at the east end and said, "Here is one of them, what do you want?" Amour turned towards Briggs. I paid no more attention. Then I heard the shot before I had the levers on the west end of the car. I was knocked over the dashboard of the car into the street by the rush of the crowd from the car. When I got up I was five or six feet from the car. I looked at the car to see what the chance was to get into it again and as they looked blue I started off. The shot and noises were going in all directions. I only saw one flash coming from the west. I then went to the north end of the street and left. I didn't see the tinkey again until the next morning. When I saw the tinkey then it was pretty well battered. The windows were smashed, there were rocks in the car and the tool box broken open. I heard Amour saying that night that if he couldn't lay the track quietly he wouldn't put it down at all. The Chief Burgess was as bad as any of them. He dared Amour to get off and said, "If you do I will put a bullet through you." There were between two and three hundred people there. It looked to me as if they were half drunk—half the crowd.

CROSS EXAMINATION.

If I said I went to the north side of the street when I left the tinkey that night I made a mistake. I went to the pavement on the south side and then west. I went into a house on the south side of the street that night. I don't know whose house it was. The people in the house were upstairs. I don't know how long I remained there; couldn't say whether it was a half hour or less. I left the house by the back door and walked down the railroad to Girardville. I did not have any firearms with me in the house and I did not occupy a position in that house as I could

have a full view of the tinkey. I did not swear before the tinkey's jury that I saw Briggs put his gun over the dash-board of the tinkey and fire. If I did it was a mistake.

LOUIS REAS

sworn: I am ex-Treasurer of Schuylkill county and have been a resident of Girardville for 20 years. I have known John Briggs for 15 or 20 years and have never heard his reputation questioned.

PERSONAL.

Edward O'Donnell and William Gilliam are doing jury duty at Pottsville this week.

Mrs. Joseph Reese, of East Creek, is seriously ill.

Henry Niece, a former citizen of town, came up from Pottsville to-day to visit friends and relatives.

John R. Coyne, Esq., has been appointed auditor of the Mary Joyce estate.

Mrs. Jonathan Rogers, of West Coal street, is dangerously ill.

Miss Virginia Holloper has returned from a pleasant visit to her grandparents at Washington.

David Williams was a county seat visitor this morning.

Christ Hoeller spent yesterday at Pottsville.

John Grady, of Pottsville, transacted business here to-day.

H. E. Becker, of Reading, attended to business in town this morning.

Amos Walbridge, of the firm of Walbridge and Richardson, Mahanoy City, looked after the interests of his firm here.

George W. Keifer, of Boonshurg, is transacting business in town.

Charles McGraw, of Delano, spent last evening here.

J. S. Thomas left for Wilkes-Barre this morning.

George Bensingler, of Ashland, is drumming up trade in town.

FENCIBLE POINTS.

The hoisting engine at the coal plant of the Indian Ridge colliery broke this morning and the millery was thrown idle for the day. It is expected that the engine will be repaired by this evening.

Services of prayer will be continued in the Presbyterian church every evening this week except Saturday.

Read the correspondence. You will always find something interesting.

Constance continues its ravages.

The 10 year-old son of Martin Whitaker was interred in the Ammanico cemetery this morning. The funeral was largely attended.

A Polish wedding took place in town this morning.

POLITICAL POINTS.

Richard Reese is making a strong fight for the nomination of Council on the Citizens' ticket in the Fifth ward.

D. J. Boyle's friends are doing some quiet but effective work in the Second ward.

William Veske has been identified to be a candidate for Council in the Fourth ward, subject to Citizens' rules.

Don't forget the Citizens' primaries on Friday night.

The Citizens' party will nominate a full ticket in the First ward.

Congressman-at-Large, in the coming spring election, should not be lost sight of.

The Democrats are not very harmonious set just now. There are dissensions in their ranks in the town, county and state.

Licenses Granted.

The following were granted license to sell liquor by the court, yesterday: Shenandoah, John L. Murphy, Charles Dundak, Michael Mills, M. C. Watson, Joseph Wyatt, James McElhenny, John F. Cleary, John Wattie, Steven Grunwald, Martin Baltzer, Mahanoy City, James Betz, John Conal, Matthew Carney, Evan Reese, Joseph M. Miller, Ashland, John Landbeck, Charles Breckers, Girardville, Martin F. Gardin, Union, George E. Leitold, East Union, Celeste Lange, Joseph Maurer, North Union, Camille Yannes, Ringtown, Harry Wisc.

Notice to the Public.

All persons are forbidden to skate or trespass on the dams of the Shenandoah Water Company under penalty of the law. By order of the company.

I 10-4 S. D. HESS, Supt.

Mr. Roberts Dead.

Intelligence was received here to-day of the death of Samuel Roberts, a former well known citizen and mine contractor, which occurred at Mt. Carmel this morning. We made mention of his serious illness yesterday.

Outdoor Physicians.

The Board of Poor Directors have appointed the following outdoor physicians for 1894: Shenandoah, D. J. Langston; Girardville, James Dundak; Mahanoy City, A. F. Bisset; Ashland, George Resler; Tamaqua, George Little.

Wait for Bargains.

A very fine lot of Ladies' Morocco shoes, all sizes, have been consigned to me and will arrive on Thursday. They are from a large factory direct—goods that were never handled by a retail house. Prices will be 50 cents on the dollar, at private sale only. Gent's shoes, all sizes, at same figure.

Kreutz's Auction and Commission House, 1-15-41 W. Centre street, Shenandoah.

Have you tried McElhenny's fried system? # 12-17

Don't Tramp!

All over town hunting FRESH EGGS.

BUT—Come straight to us. We have enough to supply you all. Strictly fresh.

Remember we positively handle no lined nor ice-house eggs.

Graf's

122 North Jardin Street

1894.  
We begin this new year with an immense... Clearing Sale!  
In Dress Goods. Come and see our windows. No two prices. Every piece bears the mark of reduction price; will be sold at such prices only.  
It is acknowledged by most of the ladies now that P. N. COISET is the best.  
**Max Schmidt,**  
116-118 North Main Street, - Shenandoah, Pa.

**Girvin's**

IT PAYS to buy good TINWARE. And our Anti-Rusting Tinware is absolutely the best made. Every piece is warranted not to rust if kept clean. Come look at our big attractions now for TEN CENTS.

- Fifty-four feet of Rope.....10c
- Best Scrub Brushes.....10c
- Glass Rolling Pins, regular 25c, now.....10c
- Salt Boxes.....10c
- Sauce Pans.....10c
- Sugar Bowls.....10c
- Japanned Trays.....10c
- Bread Pa.....10c
- Two quart Coffee Pots.....10c
- Child's Tin Cup.....2c
- Comb and Brush Case.....10c

**Chas. Girvin,**  
Successor to GIRVIN, DUNCAN & WAIDLEY.  
8 South Main Street.

**Closing Out Sale!**  
Furs, Coats and Capes Reduced

**This Sale** Also includes Silks, Dress Goods, Table Linens, Napkins, Towels, Flannels, Blankets, Underwear, Chenille Curtains and Covers, and many other articles, which will be disposed of at any price. Our line of Domestic Goods will be marked at the lowest prices. CORSETS reduced from 50c to 35c; from 75c to 50c and \$1 to 75c. Handkerchiefs reduced from 40c, 50c, 75c and \$1 to 35c. Avail yourself of this great opportunity and call early to secure bargains.

**M. A. Dillon,**  
104-6 West Centre Street, MAHANAY CITY, PENNA.

**To-day!**  
We open a new stock of

**FLOOR OIL CLOTH!**  
Two yards wide, at 50c a yard.

**All New Patterns and the Best Quality**  
We have yet offered at the price.

**Also a line of New Rag Carpets**  
Excellent quality and low prices.

**A Lot of Moquette Rugs!**  
Beautiful Patterns at Greatly Reduced Prices, From 85 cents up.

**A Special Drive in 50 Dozen Men's Cotton Half Hose.**  
4 pair for 25c. Excellent quality, about half price.

Try our New Blouster Mackerel—fine, white and fat.

**AT KEITER'S.**