Sunbury American.

SUNBURY, AUGUST 26, 1871,

Railroad Time Tables.

N. C. R. W.—East.		P. & E. R. R.—West.	
Buffalo Ex l've	4:10 a m	Erie Mail, l've	2:05 a m
Erie " "	8:55 "	Buffalo Ex. "	4:15 "
Elmira Mail "	11:45 "	Elmira Mail "	12:45 p m
Erie " "	1:05 "	Lock H. Ac. "	4:35 "
Sunbury Ac. "	5:45 p m	Erie Ex. "	6:50 "

SHAMOKIN DIVISION N. C. R. W.

LEAVE		ARRIVE	
Sunbury at	11:50 a m	At Sunbury	8:45 a m
"	4:40 p m	"	4:00 p m

D. H. & W. R. R.

Leave Sunbury—5:55 a. m., 4:35 and 6:50 p. m.
Arr. at Sunbury—10:00 a m, 6:20 and 8:40 p m.

Accident Insurance Tickets can be had of J. Shipman, Ticket Agent at the Depot.

Local Affairs.

Sewing Machines.—Miss Caroline Dallas is the agent for the sale of the three best Sewing Machines in existence, viz: "The Improved Singer," "Grover & Baker" and "Domestic," which are constantly on hand and sold at reasonable prices. Call and see them. Office on Market street, east of the railroad.

A Word to Our Friends.—Since we have become sole owner of this establishment we have labored under many disadvantages on account of not having the means to make such improvements as we desired. Depending solely upon our earnings and to kind friends, to whom we feel grateful for their patronage, we have liquidated debts contracted for the improvements which we were compelled to make. We are anxious to make further improvements, and make this one of the most complete offices in the country. For such a project we must, however, rely upon our friends throughout the county for their liberal support. We ask the favor of all those who would like to see us prosper, to exert themselves in our behalf in securing subscribers and Job work. In doing so they will reap a benefit as well as ourselves. We therefore solicit the patronage of all who feel an interest in the Republican cause, and desire a readable family, as well as a local journal, at a lower rate than any other published in the county. To accomplish such an end we propose to compensate all for their labor. Believing that "the laborer is worthy of his hire," we make the following proposition to all who will engage in canvassing for us:

For every list of 100 subscribers at $1.50 paid in advance, we will give an order of $40, payable in goods, at any establishment that advertises in our columns.

For 75 subscribers,	in advance,	an order of	$25	00
" 50	"	"	"	15	00
" 40	"	"	"	10	00
" 30	"	"	"	6	50
" 25	"	"	"	5	00
" 20	"	"	"	4	00
" 15	"	"	"	3	00
" 10	"	"	"	2	00

As we are at the beginning of an important political campaign, and the American is published at a lower rate than any other paper, and contains the same amount of reading matter as others of larger size, we feel confident that canvassers can very readily obtain subscribers in every parts of the county. All clubs received will be promptly acknowledged, and the paper promptly forwarded to any address.

Not curious that A. G. S. C. F. C. A. F. M. C. S. M. S. S. P. means that all goods sold cheap for cash at Friling's Mammoth Cash Store, Sunbury, Pa., and such is the fact. Call and convince yourselves that Friling is selling cheaper than ever. aug.26,4w.

Proposals.—Proposals for the building of an Engine House will be received by the undersigned, on or before the 28th inst. The building to be a frame, 25x35 feet. Bids will be received for foundation, lumber, carpenter work, and plastering, separately or jointly.

Em'l. Wilvert, Pres't G. I. F. Co.

The members of the Steam Fire Engine Company are requested to meet at the Engine House this (Friday.) evening. Business of importance will be transacted.

J. M. Cadwallader, President.

All kinds of property Insured, and Insurance effected on sound lives, in reliable companies, at Yoder's office, near the Court House, Sunbury, Pa.

Rebecca Lodge.—A new Lodge of the Rebecca Degree of Odd Fellows was instituted at this place, on Monday evening of last week, by D. D. G. M., J. M. Huff. The name of the Lodge is Anna, No. 57.

An argument Court will be held at this place on the first Monday of September, and a Special Court the first week in October, for Jury trials on civil lists.

A fire broke out in a coal mine at Summit Hill, Carbon county, on Thursday morning last. There were a few men inside at the time but they got out safely. There was danger that the fire would run along the vein which extends to Tamaqua, but a dispatch in Saturday's papers, states that the fire had been extinguished.

The Planing Mill of the Bloomsburg Lumber Company, at Bloomsburg, Pa., was struck by lightning on Wednesday evening last, set on fire and consumed, together with about 500,000 feet of rough lumber. Loss from $20,000 to $30,000. Insured for $9,600. A dwelling near the mill was also descroyd. Loss $1,000—insurance $500.

Red Men's Parade.—Shohomokin Tribe, of I. O. of R. M., of this place, have decided on having a grand parade on the 26th of September next, on the first day of our County Fair. A large number of Tribes from different sections of the country are expected to participate. After the parade, the dedication of their new Hall will take place. As this Order is increasing very rapidly, we may expect a large number of the brotherhood present on this occasion.

Suffocated in a Well.—We learn that on Friday last, Mr. Wm. Smith and his wife met with a fatal accident at their home, near Bear Gap, Shamokin township, this county. It appears Mr. Smith was digging a well and had a small boy to assist him. After supper he descended into the well, and after being there sometime without making any noise, the wife became alarmed, when she decended in a bucket with the aid of the boy to ascertain what was wrong. When part of the way down she fell out of the bucket. The alarm was given to the neighbors, who went down and found both husband and wife dead at the bottom. It is supposed that Mr. Smith suffocated from foul air, and then Mrs. Smith was killed in the fall. They leave three or four small children to mourn their loss.

The Agricultural Fair.—Much interest has of late been manifested by a number of our citizens in regard to making the Agricultural Fair, at this place, the best ever held in the county. The committee to prepare the grounds, composed of Messrs. J. M. Bartholomew, T. G. Cooper, Henry Zeigely, Dr. J. Epler, Col. G. Wagenseller, Col. Geo. Cadwallader, and ex-Sheriff Vandyke, have taken hold, and are pushing the enterprise with great energy and determination to make it a success. The race course is about being completed, and is acknowledged to be one of the best in the State. The course encircles a nice piece of ground which is almost level. The grounds will be fitted up with all the conveniences to make it pleasant and agreeable to exhibitors.

A Merited Testimonial.—On Thursday evening of last week, our friend and neighbor Col. Christian Neff, the genial and accommodating proprietor of the Washington Hotel, was made the recipient of a finely executed portrait of himself. The painting is finished from a photograph taken by M. Hemperly, artist, of this place, and required the use of a twenty-nine inch lens. Some of the friends of Mr. Neff desiring to testify in a fitting way their respect and regard, determined to obtain his portrait and present it to him, if it was possible to get the picture without his knowledge. Mr. Hemperley was consulted, and a plan devised by which Mr. Neff was induced to sit for a photograph for a friend. The result is this fine portrait, transferred to canvas, and finished in superior style. The likeness and expression are as nearly perfect as art can imitate. The picture inside of the frame is thirty inches by forty inches. The frame is massive, seven inch gilt moulding, designed with judgment and taste, and executed in exquisite and elaborate style. At the bottom is appended small gilt frames, one containing the inscription "To C. F. Neff, as a token of sincere regard;" in the other is "By P. S. Burrell, P. M. Shindel, Gen. Jno. K. Clement, Nicholas Wenck, T. S. Shannon, David Fry, B. F. Bright, Valentine Feagley, E. G. Scott, H. J. Wa'tz, Jos. Bird, Jos. Nicely, L. G. Sticker, Wm. C. Lawson, Geo. Wagenseller, J. K. Davis, Jr., L. H. Kase, I. T. Clement, G. M. Renn, Augustus Wald, Em'l Wilvert, S. N. Gayman, Wm. Himelwright, S. P. Wolverton, Geo. McClure, Hon. Alex. Jordan, C. J. Brunner, John Charles, John Porter, I. S. Gossler, Wm. K. Snydam, J. B. Masser, John Youngman, Wm. Reese, N. S. Engle, Hon. Wm. L. Dewart, Geo. Hill, Hon. J. B. Packer, John Haas, S. J. Packer, J. P. Haas, Jeremiah Snyder, Wm. A. Sober, James Kime, G. L. Simpson, Peter Borrell, Charles Fox, John McFarland, Wm. T. Grant, Geo. W. Hambright, Leveretta DeGabrille, Valentine Dietz, John E. Rathbun, S. Bittenbender."

The surprise to our friend Neff was complete, and was managed in this wise: The Hon. Alex. Jordan, Hon. J. B. Packer, E. G. Scott, S. P. Wolverton, Col. Wagenseller, Wm. Rockefeller, and others of the donners, dropped into the hotel. As the company grew larger, Mr. Neff expressed wonder at the unusual gathering, when he was told that there was to be a picture presentation at his house that evening, and asked for the use of his parlor, the answer was affirmative, of course; whereupon a committee delegated for duty, caused the portrait to be conveyed to the room and properly hung. The friends being now assembled, the committee waited upon Mr. Neff, and invited him to witness the presentation. His expression of astonishment, on beholding a likeness of himself in his parlor, was most amusing, but cannot be described. Gen. Clement, who had been selected for that purpose, stepped forward and briefly spoke of the motives which had moved the donners to make their gift. Col. Neff's reply showed how full his heart was, "too full for utterance." He emphatically thanked his friends, assured them of his astonishment, confessed that he was overwhelmed, and retired. In a short time, however, he returned, saying that taken entirely by surprise, he could offer his friends no fitting entertainment, but asked them to join him in a glass of champagne. Wines and other choice liquors were introduced, and a happy evening, and a merry one too, "within the limits of becoming mirth," was enjoyed by all present.

Pompret Manor Cemetery.—A few evenings ago we visited, in company with a friend, (the first time in a number of years,) the grounds intended for our new Cemetery. Naturally, a more beautiful spot than that selected cannot be found anywhere in the State; and if care be taken with regard to regularity in laying out the lots, and if trees and other appropriate shrubbery are carefully and tastefully set out, the place will, in the course of time, be as attractive to the living as it will be a befitting resting place for the dead. There is nothing so inviting to the reflective person as the solitude of the grave yard, and more particularly so when it is surrounded by the beauties of nature, (upon which the glory of God himself is written,) and where are to be seen the many tokens of affection that are generally bestowed upon the dead by the sorrowing hearts of bereft friends. This place can be made eminently such, —not only in consequence of its location being sufficiently distant from the bustle of the town, but also, by reason of the beauty of its contiguous scenery. Surrounded by rolling fields, and hill and dale, and our broad river being within full view stretching to the north and south as far as human vision can reach, the whole makes up a scene of exquisite loveliness which is picturesque in the extreme, rendering the place one of the most desirable for the purpose intended.

It is but a few years ago that this place was covered with a dense woods, commonly known as the Cold Spring woods, deriving its name from a large spring of extremely cold water, which was located somewhere about its centre below the elevation on which the Cemetery exists. About fifteen years ago it was used by the Episcopalean Sunday School as its pic-nic grounds. Here, annually, within the depths of this beautiful forest, the juveniles of that already old institution, were gathered together by kind teachers, (many of whom have long since passed into a better existence,) to be rewarded for their attendance with a day of rejoicing. That flock has grown up, and is scattered. The cares of life have long since beset them; and, alas, how many of them may find their everlasting rest upon the spot which at one time was their place of joyous resort. Beautify the place. Let it be made comfortable.

The State Fair.—The policy of the Pennsylvania State Agricultural Society, is to make choice of a location for holding its Exhibition, and make an arrangement for its second show at the same point, so that each portion of the State shall have the opportunity of witnessing the progress in Agriculture, Horticulture, and Cognate Industries in its own, and from other portions of of our Commonwealth. In pursuance of this plan, Scranton is again the location for the coming Fair. To give exhibitors every opportunity for the display of their productions or articles, a carefully prepared and large space of ground has been enclosed, abundantly supplied with water; easy of access to any part of the city of Scranton, and surrounding towns; and upon which has been erected two halls, carefully protected from the weather, 250x90 feet each; one hall 175x45; several spacious tents; 125 horse stables; 150 cattle sheds; 50 sheep pens; 50 pens for swine; an amphitheatre with 1,600 seats and every other arrangement for the comfort of visitors or exhibitors in every department usually represented at such shows. We advise all—but especially those who have never seen the operations in a great coal and iron district to visit Scranton and the State Fair, which commences on Tuesday, the 19th of September, 1871. A very considerable exhibition of recently imported stock will be in attendance.

We notice that the building occupied by the R. R. as a temporary shop is being demolished and removed to Sunbury. We shall look out for a big "blow" from all the Sunbury papers when it goes up there as one of the "improvements."—*Herrick.*

It is not necessary to "blow" neighbor, as every one is well convinced that is the most available spot for shops or any kind of manufactures, which are already rapidly springing up. We are leaving our neighbors do the "blowing."

L. M. Tosen will locate for one at fair rates.

Hemperley copies and enlarges old pictures.

Judge Jordan's Charge.

Reported by A. N. Brice, Esq.

The following is the charge delivered by His Honor Alexander Jordan, in the murder case in which Jacob Schoch was charged with the shooting of Matthew Kearney. The charge delivered on Wednesday afternoon last, August 16, is considered one of the best Judge Jordan ever delivered, and as it is likely the last he will deliver of the kind during his official term, we report it entire for publication:

Gentlemen: After a few remarks from the Court, this painful and important case will be submitted to you, and the Court feel perfectly satified that you will give it careful, candid and impartial consideration; and the close attention you have paid to the testimony and excellent speeches of the counsel, justify the Court in this belief. The indictment of the prisoner at the bar, found by the Grand Jury, contains two counts. The first charges him with the crime of murder; the second with the crime of manslaughter. These are among the highest offences known to the law. The punishment in the first case is death by hanging; in the second case, imprisonment in the penitentiary. The penal code, although mild, demands the death of an individual who wilfully, maliciously and deliberately takes the life of a human being. This is deemed necessary for the peace and safety of society. The law of God—the law of man and justice, demand the punishment of the guilty. You, gentlemen, are sworn to pass upon the guilt or innocence of the prisoner at the bar. Your duty is a highly important, and solemn one, but must be met and discharged with fidelity. In regard to your decision you should be guided by the law and the testimony. If you depart from these you incur the guilt of violating the solemn oath you have taken to render a true verdict according to the evidence.

We have stated to you the solemnity of the duty you have to perform. The Commonwealth, whose laws it is alleged have been violated; the prisoner whose character, liberty and life are involved, and the peace, safety, and good order of the community demand a faithful discharge of your duty. The deceased without a moment's time to prepare for eternity, is shot down—cut off in health—separated from his family and friends, and all he possessed here. If his life was taken by the prisoner at the bar maliciously, intentionally, wilfully, deliberately and premeditatedly, the laws of God and man demand his condemnation. Offenders must be punished, not only as a terror to other wicked and evil disposed persons, but to rid society of one so dangerous to the peace, safety and happiness of the citizens. You should not convict the prisoner at the bar of either of the offences charged against him, unless you are satisfied of his guilt, beyond all reasonable doubt. Mercy is one of the attributes of Jehovah—justice is another. His law declares that who sheddeth man's blood, by man shall his blood be shed. With his own finger He wrote on a table of stone, amid the thunders and lightnings of Mt. Sinai, "Thou shalt not kill." That law remains unrepealed on God's statute book, although delivered thousands of years ago, and will remain unrepealed until the final consummation of all things. Our law is tempered with mercy. Its language is, "Better that ninety-nine guilty persons should escape punishment than that one innocent man should suffer." Give the prisoner at the bar the benefit of any reasonable doubts you may entertain of his guilt. If satisfied of his guilt, do not hesitate to say so, by your verdict.

Before examining the testimony it is proper that the Court instruct you what in law constitutes murder in the first degree, murder in the second degree, and manslaughter.

The definition of murder at common law, or the laws of England from whence most of our laws are derived, is the wilful killing of any person in the King's peace (here it would be the peace of the Commonwealth) with malice aforethought, express or implied. Malice prepense or aforethought, is the chief characteristic, the grand criterion by which murder is distinguished from any other species of homicide. Express malice is, when one kills another, with a sedate, deliberate mind, and formed design, such formed design being evidenced by external circumstances, discovering the inward intention.

Our act of Assembly divides murder into two degrees—murder in the first, and murder in the second degree. All murders committed in the perpetration, or attempt to perpetrate any *Arson, Rape, Robbery* or *Burglary*, are murders in the first degree. In this enumeration, you perceive the intention to take life is excluded; and all murders perpetrated by means of poison, lying in wait, or by any other kind of *wilful, deliberate* and *premeditated* killing, is declared to be murder in the first degree. Whenever, from the evidence, it appears that the moment the crime was committed it was done maliciously, it is murder in the first degree.

To constitute murder in the first degree, there must not only be malice, but an intent to take life, and the killing must have resulted from the wilful, deliberate and premeditated act of the prisoner. The intent to take life should be established by the Commonwealth before she can justly claim a conviction for murder in the first degree. If the act was not wilful, deliberate and premeditated, the offence is not murder in the first degree. In murder, malice is presumed from the act of killing. How are we to discover whether there was an intention to take life? Intent means literally, the stretching of the mind toward an object. It is a design, a purpose—drift or aim. It is an act of the mind which we cannot see as we can the act of shooting or striking, of running or walking. It must be collected from all the circumstances connected with the transaction. If you see a man deliberately take up a loaded gun or pistol—see him apply his finger to the trigger—raise it to his eye, and take aim at some one within shooting distance, and fire, and we see the individual shot at fall, may we not safely infer, that the intent was to take life?

Murder in the second degree is where the intention is to do great bodily harm or other mischief, without intending to take life, but death results.

To distinguish between these two offences, it is your duty to take into consideration, all the facts detailed by the witnesses. If one man strike another a blow with his fist, or with a small stick not likely to produce death, but death result, a jury may infer that the intention was not to kill, but to do bodily harm, and the offence would not be murder in the first degree.

It may aid you in your investigations, and in coming to a just conclusion, to define the terms *malice, wilful, deliberate, premeditated.*

Malice denotes a wicked, depraved and malignant spirit—a heart regardless of social duty, and deliberately bent on mischief. Any formed design of doing mischief, may be called malice. Express malice is, when one person kills another with a sedate, deliberate mind and formed design, or does any other act of a serious nature, with the same sedate and deliberate mind, and formed design. The word wilful may be defined as involving the element of individual intent. Deliberate is calmness distinguished from passion. Premeditate means prior consideration—it is not instantaneous.

You must inquire whether the killing in this case was wilful, deliberate, premeditated, malicious, and with intent to take life. If it was, it is murder in the first degree.

The intention to kill may be formed for a length of time before the commission of the act, or it may exist but a short time. If there is sufficient time for the passions to cool, if they have been excited—time to deliberate and consider, and the intent is to take life, it is murder in the first degree. The law assigns no limits in which cooling time may be said to take place. Every case must depend on its own circumstances.

Consider carefully the circumstances under which the death of Matthew Kearney occurred; the time, the instrument, the position of the parties, the provocation if there was any, the weapon used, the distance between the prisoner at the bar, and the deceased at the time he received the fatal shot, and where he was struck by the ball.

As there is a Count in the indictment for manslaughter, it is proper the Court should instruct you as to the nature of it.

Manslaughter is the unlawful killing of another without malice aforethought, either express or implied. It is either voluntary, as upon a sudden quarrel, or involuntary, but in the commission of some unlawful act, under the degree of felony. In manslaughter, you perceive, malice is not necessary to constitute the crime as it is in murder.

Having, Gentlemen, given you the definition of murder in the first degree, and what constitutes it under our act of Assembly—the definition of murder in the second degree, and of manslaughter, we will detail the material parts of the evidence, of all which, as well as of the law you are the judges.

Several matters appear to be established by the evidence. The death of Matthew Kearney on the 21st of October last. That his death was the result of a wound inflicted on the back part of the head, by a ball fired by some one from a pistol, or revolver, as testified to by Doctor Weaver. If you find these several things to be so, you will next inquire who fired the shot that caused the death of Matthew Kearney. If you find that it was the prisoner at the bar, you will inquire carefully into the circumstances detailed by the witnesses under which the fatal shot was fired—whether it was done wilfully, deliberately, and premeditatedly, and with design to take his life. If it was, it would be murder in the first degree. If the intention was to do great bodily harm, and death resulted, it would be murder in the second degree. If you find that the facts and circumstances do not bring the offence into either of the two classes named above, is it brought within the definition of voluntary or involuntary manslaughter, or whether the prisoner at the bar is guilty of any of these offences; whether, if he committed the deed, he was justified in doing so, or, whether the shot was an accidental one. In your examination of the evidence, if you have reasonable doubts of the prisoner's guilt, you should acquit him. He is entitled to the benefit of those doubts.

On the night Kearney was killed, there was a dance at the house of the prisoner. The guests it seems were invited, and David Eisenhart, Edward Carey and Matthew Kearney, met that night, and had been drinking; to what extent, you will determine. These three men unfortunately went to Schoch's uninvited. Eisenhart says he went up to the door and rapped—the east door; that Schoch came out; that Carey and Kearney stood on ground back from him. He asked to go in; Schoch refused, and told them to go away. Schoch went in and directly Mrs. Schoch came out, and Kearney or Carey asked if they could'nt get in. Schoch told us to go away. He came to south door; Schoch told Kearney if he would'nt go away, he would use his revolver; Kearney walked away. A shot fell in about a minute and Kearney dropped. The pistol was a five barrel revolver, which you will remember, Samuel Dampman handed to Mrs. Schoch that night, and was placed by her in a bureau, and taken out that night by Mr. and Mrs. Schoch. The position of the parties at the time the shots were fired, so far as is necessary to determine, is for you. There is not any evidence, if there is you will consider it, of any threats by Carey or Kearney, to injure the person or property of the prisoner; no attempt to force themselves into the house against the will of Schoch. He had a right to forbid them to come in; it was his house—his castle, and they should have left when he told them; but if there was no attempt on their part to force in—no threats of injury to person or property, the shooting of Kearney was not in defence of person or property. To justify the killing of another, the slayer must be placed in such a situation as to compel him to take life to save his own. Was that Schoch's position? Was he threatened by Carey or Kearney or Eisenhart? Did they attempt to injure him? A man may be so suddenly attacked, and be in such a situation as to justify taking life; but if he have the means of retreating and escaping from his assailant, he may not take his life. A man may not kill another to prevent a trespass on his property, but he may to prevent great bodily harm to himself, or the loss of his own life. If from the evidence you are of opinion that the prisoner's life was not threatened by these men—that they made no attack upon him, or his property—done nothing to put him in great bodily fear, you will say whether the killing was justifiable homicide. If these men were at the south door when Schoch went for a club and got it—went to the door and came back again, and inquired for a revolver and got it, and fired three shots, or four as some of the witnesses testify; what they were doing, and what was said, does not clearly appear. The loud music, it would seem from the the testimony of the Rev. Mr. Buckingham, was made by Schoch himself. His voice was loudest. Why he fired the shots at south door, we cannot tell, but the testimony shows he was a good deal excited, and immediately on leaving the south door, came through the room to the east door, opened it, and fired two shots, one of which proved fatal. The ball entered the back part of Matthew Kearney's head, and penetrated forward and downward. Where the prisoner stood, and where Cary and Kearney were when the last shots were fired, is submitted to you. Did Schoch see them when he shot, was the revolver aimed at them, and if it was, was it with the intention to kill, or to do great bodily harm, and not to kill. Shoch, it would appear from the testimony, was standing in the door, and Kearney on the ground near the east corner of the house. One of the witnesses, Elizabeth Holshoe, stated that every time Schoch shot, he said, "Get out." This witness speaks of his having a second revolver, and going to shoot again, and was prevented by Wm. Haas, who told him it was the Rake. He said to Ike Rake, (if he is believed) did you see that fellow run. Rake said he did, but there is a man out here you shot that will not run. That Schoch then returned into the room, and his wife said, "Jake Schoch, what made you put us in such misery. He said he didn't care a damn—he would shoot any damned Irish son of a bitch that would come around his house. He then got his clothes and left. You are the judges of the credibility of the witnesses, and their testimony is submitted to you. Does the conduct of the prisoner, after he was informed that he had killed a man—his firing five or six shots—the manner he fired—the places from which he fired—his declarations and conduct satisfy you the killing was accidental or was it intentional. That he was very much excited, I think is shown by the testimony. If Josiah Kable is believed, he said to his wife when she told him there was a man killed outside, he didn't care a damn—he was going to boss about his own premises. To Rake, if he is belived, he said, by God, he ought to be shot. When in prison, as testified to by David Trutt, and when Elias Shadle said to him, damn you, you shot a man, Schoch said, yes, I did, and that he would shoot any man that would come into his yard. The firing of the pistol five or six times by Schoch, does not appear to be accidental but intentional. Of this, however, you are to judge, whether the shooting of Kearney was accidental or intentional, is also a fact for your consideration. Was the object of Schoch, when he fired, merely to frighten them away and not to hit them? To determine this, you will of course refer to all the testimony bearing on this part of the case—what he said, and what he did.

Evidence has been given to show that the prisoner, as soon as he was informed of the killing of a man, left his home, and remained away some eight or ten days, and then returned, and made a voluntary surrender of himself. We are taught in a book of high authority, that "the wicked flee when no man pursueth, but that the righteous are bold as a Lion,"—this leaving suddenly, and remaining away for some time, is a circumstance you may take into consideration, in determining whether the shooting was intentional, or merely accidental. It is by no means conclusive evidence of guilt, one standing alone would be altogether insufficient to convict. A man may be innocent, and yet flee, fearing public indignation.

Before this most unfortunate affair took place, the prisoner at the Bar sustained a good reputation as a peaceable man. He has lived in Shamokin a number of years, and during that time seems to have maintained this character. This is a fact in his favor, and the prisoner is entitled to the benefit of it. When the case is a doubtful one, previous good character has some weight in favor of the deceased, but can have no weight in favor of an accused when his guilt is clearly established.

If, from the evidence, you find the prisoner at the Bar guilty of murder, you must, in your verdict, distinguish and state whether he is guilty of murder in the first or second degree. If you believe he is not guilty of murder in the first or second degree, then is he, in your opinion, guilty of voluntary manslaughter? If you find he is, then it will be your duty to pronounce a verdict accordingly. If the killing was accidental, then it is admitted by the counsel for the Commonwealth, the prisoner must be acquitted, and your verdict be "not guilty."

The situation and condition of Eisenhart and Cary, on the night of the 21st of October, and especially at the time they were at Schoch's house, is submitted to you. To what extent they were under the influence of intoxicating drinks, or do not pretend to decide. When a man is so much under the influence of intoxicating drinks, as to stupify him, and destroy the powers of recollection, his testimony, uncorroborated, would not justify a conviction for crime.

Contradictions between the testimony of some of the Commonwealth's witnesses have been referred to by the prisoner's counsel. These you must reconcile if you can.

The Republicans of Montour county, at their County Convention, held on Monday last, appointed Conferees favorable to the election of William M. Rockefeller, Esq., for President Judge of this district. Joshua W. Comly and Isaac N. Grier, Esqs., two prominent lawyers, are the Conferees.

For member of the Legislature, Dennis Bright received the nomination. This candidate will be voted for in conjunction with the candidate from this county. Mr. Bright is a gentleman of excellent character, and well qualified for the position. Being of German descent, his constituents will be able, if elected, to consult him in both languages, which is a decided advantage to a large number of voters in this county.

Shot.—A young son of Mr. Hassenplug was accidentally shot at the Pennsylvania pic nic, held in Boyd's Woods, on last Thursday. He was carrying a loaded pistol in his pocket when he fell striking the hammer of the pistol and causing it to explode. The ball lodged in his leg making a serious but not fatal wound requiring crutch.

Hemperley copies pictures frames to order.

Destructive Fire in Williamsport.—A destructive fire occurred at Williamsport, on Sunday evening. The buildings on both sides of Third street from the Post office alley down for several buildings below Mulberry street, and on both sides of Mulberry street to Fourth street, were consumed. Among the buildings destroyed were Doebler's Hall, the residence of the late Gov. Packer, and Mulberry street M. E. Church. The fire started in Else's stable on Mulberry street, south of Third street. We learn about 40 buildings in all were consumed. As we go to press Monday morning, we are unable to give particulars. The light from the fire was distinctly seen by our citizens, and considerable excitement prevailed on our streets during the progress of the conflagration. The loss must be very heavy, as many good buildings were destroyed.—*Money Lenderary.*

Serious Accident.—We learn that on Tuesday last, while Mr. John Barman, of Lewis township, Northumber.and county, was engaged at work upon a piece of new ground, he accidently fell upon a scythe he was carrying in his hand, cutting through the cap of the knee and about half way through the joint. The wound is a very serious one, but we learn from Dr. Albright, who has the case in charge, that Mr. Harman is doing as well as could be expected.—*Money Lenderary.*

Cool Weather brings its changes, it is well to provide against cool mornings and chilly evenings. We notice a complete line of waterproofs, wool plaids, opera cloths, alpacas, flannels &c., just opening at Weimer's popular cash store, Haupt's Block, Sunbury, Pa. Give him a call and secure your fall suits, while you can secure the most desirable patterns, and new styles. A complete stock of goods always on hand at popular cash prices.

The following is the allotment of public schools of the Borough of Sunbury:

High School—Geo. G. Miller.

First Grammar School—D. H. Dooly.

Second " " Sharon Stephens.

Secondary Schools—Jos. M. Cooper and C. P. Scasholtz.

Primary Schools—Miss Kate Brymire, Miss Rebecca Brice, Miss Jennie Christie, and Miss Annie E. Alexander.

Caketown School—W. C. P. Metler.

Schools will open on Monday, September 12th. The salary paid to teachers, is as follows:

High School, $85; Grammar, $60; Secondary, $55; Primary, 25.

Fire at Jersey Shore.—Jersey Shore has been visited by another fire. The Franklin House, the brick dwelling and frame store room of Mr. W. S. Harris, and the new brick building of Mr. John Staver, were destroyed on Monday night of last week; and the buildings of Messrs. John Keyser, Joseph Klaisner, Calvert & Staver, and T. & J. G. Calvert, were badly damaged but fully insured. In regard to the property destroyed, the Jersey Shore *Herald* gives the losses as follows:

Franklin House, we cannot say what it was worth. It was insured for $1,700. The furniture was partially saved. W. S. Harris, insurance, $7,500, loss about $10,000. John Staver, insurance $4,375, loss $7,000. Mr. Staver's loss was great as his new brick store room was in the hands of the carpenters in process of completion and had no insurance upon it.

Fine Goods.—Gentlemen will be happy to learn that Thomas G. Nott has just returned from Philadelphia and New York with as fine an assortment of Gentlemen's furnishing goods as was ever brought to Sunbury. His stock consists of the latest styles of cloths, cassimeres, vesting, &c., selected from the largest establishments in the cities, which he is now ready to make up to order according to the latest fashions. Having moved his shop in the capacious rooms in the stone building, on the corner of Third and Market streets, he is enabled to make up clothing at the shortest notice. All who desire to look at nice goods are invited to call at his new store.

Tobacco and Segars.—J. G. Trimble, on Third street, is constantly receiving large supplies of Segars and Tobacco from the best manufacturies in the cities. Those who wish to enjoy fine segars made of the best material, will call to see Trimble's stock.

Business Notices.

Regulator Boot, Shoe, Trunk and Leather Store consolidated with the Book Store. Call one and all. New goods at low prices.

What has wrought such a wonderful change and improvement in Mr. Jones' appearance? he looks like a perfect gentleman. Why, don't you know? He has been to Oak Hall, it's all in that new suit.

To look into the Hat Store of S. Faust, one would suppose there was a supply of Hats and Caps for one generation to come, but as his customers are coming from every direction they are soon disposed of and a new supply put in their place.

The Crogent Shoe, a novelty, elegant and comfortable, at the Regulator.

Gents' fine French Calf, Box-toe Boots, stitched bottom, at the Regulator.

For Rent.—Two rooms, suitable for offices, adjoining the Post Office, near the Masonic Hall building, on Third street, Sunbury, are offered for rent on reasonable terms. Apply to

Chas. Gassman.

Ice Cold Soda Water, with a large collection of syrups to suit our patronage. The most palatable and refreshing drink for ladies and gentlemen, on a warm summer day or evening, at

Shoemakers' materials for manufacturing, at the Regulator.

Marriages.

On the 23d inst., at the residence of J. M. Rankin, Esq., by Rev. G. J. Bomberger, Mr. William Mutt and Miss Elizabeth Bowers, both of Sunbury, Pa.

Deaths.

In Sunbury, on Thursday morning last, JOHN RAY youngest son of Gen. Jno. K. and Mary E. Clement, aged 7 years and 10 months.

Funeral from the residence of his father, No. 42 Walnut st., on Sunday at 4 P. M.

In this place, on Thursday, Aug. 24th ANNIE, youngest daughter of Edward and Jane Island, aged 10 months.

In this place, on the 14th inst., of dysentery, WALTER S., son of J. E. and Rosa Eichlodis, aged 1 year, 2 months and 8 days.

In this place on Friday, August 18th, GERTIE, youngest daughter of Dr. George M. and Agnes Rote, aged 2 years.

The parents and friends of little Gertie have our sincere sympathy in their bereavement. 'Tis true they will miss her innocent prattle, and a bright light will be removed from their family circle but they have the consolation of knowing that she has but "gone before" to participate in the regions of bliss—one in the beautiful expression above, prepared by Mrs Rote who long ago said, "Let me have children in some world else, for of such is the Kingdom of Heaven."

"That once have been, were cold and dead,
Each material clamoring member;
We sump over quickly combined and
And wonded all our pain.

[illegible]

Medical.

ONE MILLION OF LIVES SAVED!

It is one of the remarkable facts of this remarkable age, not merely that so many persons are the victims of dyspepsia or indigestion, but its willing victims. Now, we would not be understood to say that any one regards dyspepsia with favor, or feels disposed to rank it among the luxuries of life. Far from it. Those who have experienced its torments would scout such an idea. All dread it, and would gladly dispense with its unpleasant familiarities. Mark Tapley, who was jolly under all the trying circumstances in which he was placed, never had an attack of dyspepsia, or his jollity would have speedily forsaken him. Men and women sometimes suffer its tortures unsupplemented, but whoever heard of a person who enjoyed the evil?

Of all the multifarious diseases to which the human system is liable, there is perhaps no one so generally prevalent as dyspepsia. There are diseases more acute and painful, and which more frequently prove fatal; but none, the effects of which are so depressing to the mind and so positively distressing to the body. If there is a wretched being in the world it is

A CONFIRMED DYSPEPTIC.

Nearly every other person you meet is a victim, an apparently willing one; for were this not the case, why so many sufferers, when a certain, speedy and safe remedy is within the easy reach of all who desire to avail themselves of it? But the majority will not. Blinded by prejudice, or deterred by some other unexplained influence, they refuse to accept the relief proffered them. They turn a deaf ear to the testimony of the thousands whose sufferings have been alleviated, and with strange infatuation, appear to cling with desperate determination to their rutless tormentor. But says a dyspeptic: What is this remedy? to which we reply: This great alleviator of human suffering is almost as widely known as the English language. It has allayed the agonies of thousands, and is to-day carrying comfort and encouragement to thousands of others. This acknowledged panacea is none other than

Dr. HOOFLAND'S GERMAN BITTERS.

Would you know more of the merits of this wonderful medicine than can be learned from the experience of others? Try it yourself, and when it has failed to fulfil the assurance of its efficacy given by the proprietor, then abandon faith in it.

LET IT BE REMEMBERED,

first of all, that HOOFLAND'S GERMAN BITTERS is not a rum beverage.

They are no alcoholic in any sense of the term. They are composed wholly of the pure juice or vital principal of roots. This is not a mere assertion. The extracts from which they are compounded are prepared by one of the ablest of German chemists. Unlike any other Bitters in the market, they are wholly free from spirituous ingredients. The objections which hold with so much force against preparations of this class, namely—that a desire for intoxicating drinks is stimulated by their use, are not valid in the case of the German Bitters. So far from encouraging or inculcating a taste or desire for inebriating beverages, it may be confidentially asserted that their tendency is in a diametrically opposite direction. Their effects can be BENEFICIAL ONLY in all cases of the biliary system. Hoofland's German Bitters stand without an equal, acting promptly and vigorously upon the Liver; they remove its torpidity and cause healthful secretion of bile—thereby supplying the stomach with the most indispensable element of sound digestion in proper proportions. They give tone to the stomach—stimulating its functions, and enabling it to perform its duties as nature designed it should do. They impart vigor and strength to the entire system, causing the patient to feel like another being—in fact, giving him a new lease of life.

THEY PURIFY THE BLOOD, cleansing the vital fluid of all hurtful impurities and supplanting them with the elements of genuine healthfulness. In a word, there is scarcely a disease in which they cannot be safely and beneficially employed; but in that most generally prevalent distressing and dreaded disease, Dyspepsia, THEY STAND UNRIVALED.

Now, there are certain classes of persons to whom extreme Bitters are not only unpalatable, but who find it impossible to take them without positive discomfort. For such

Dr. HOOFLAND'S GERMAN TONIC

has been specially prepared. It is intended for use where a slight alcoholic stimulant is required in connection with the well-known Tonic properties of the pure German Bitters. This Tonic contains all the ingredients of the Bitters, but so flavored as to remove the extreme bitterness. This preparation is not only palatable, but combines, in modified form, all the virtues of the German Bitters. The solid extracts of some of Nature's choicest restoratives are held in solution by a spirituous agent of the purest quality. In cases of languor or extreme debility, where the system appears to have become exhausted of its energies, HOOFLAND'S TONIC acts with almost marvelous effect. It not only stimulates the flagging and wasting energies, but invigorates and permanently strengthens its actions upon the Liver and Stomach thoroughly, perhaps less prompt than the Bitters, when the same quantity is taken is none the less certain. Indigestion, Biliousness, Physical or Nervous Prostration, yield readily to its potent influence. It gives the invalid a new and stronger hold upon life, removes depression of spirits, and bestows cheerfulness. It supplants the pain of disease with the ease and comfort of perfect health. It gives strength to weakness, throws despondency to the winds, and starts the restored invalid upon a new and gladsome career. But Dr. Hoofland's benefactions to the human race are not confined to his celebrated GERMAN BITTERS, or his invaluable Tonic. He has pr