Henry A. Parsons, Jr., -

THURSDAY, JAN. 22, 1880;

ENTERED AT THE POST-OFFICE AT RIDGWAY, PA., AS SECOND CLASS MAIL MATTER.

Republican National Ticket for 1880

FOR PRESIDENT, GEN, ULYSSES S, GRANT. (Subject to decision of Republican Nationa Convention.)

Liability for Accidental Deaths.

[Railway World.] Among the decisions rendered by the Supreme Court, on January 5th, was one of considerable interest and importance, as it fixes the limit of the Hability of the Pennsylvania Railroad Company for death resulting

from accident on the road. Mary A. Langdon, for herself and her children, brought suit for \$20,000 Court No.1, of Allegheny county. The undisputed facts of the case are as follows; Stephen Langdon was an employee of the company defendant, but was not engaged on the Western Pennsylvania Railroad, where the accident occured. He was inspector of locomotives at the outer depot, at Pittsburgh. The depot had been burned by the rioters the day before the accident occurred. He lived on the line of the Western Pennsylvania Railroad, a few miles out of the city, and was in the habit of riding to and from his home daily on a commutation ticket, such as is usually sold to passengers. At the time of his death he was riding in the baggage car. While Langdon was sitting in the baggage car, and after the train had left Sharpsburg it collided with the mail train, injuring him so severely that he died in a few hours. If he had been in the smoking car or any of the passenger cars he would not have been injured.

The part of the decision of the most general interest was on a point raised by the company's counsel which was refused by the court below. They claimed that as the company had never accepted the benefit of any legislation under the new constitution that in no event could there be a recovery greater than the sum of \$5,000. because of the acceptance by the company of the act of April 4th, 1868. The Supreme Court, Mr. Justice Trunkey dissenting, say that the court below erred in refusing this point. The following is the substance

of the decision on this point :-The second section of the act of 4th April, 1868, limits the amount to be recovered in actions against railroad companies and common carriers for negligence to \$3,000 for injuries and \$5,000 in case of death. The consti- rested has confessed the crime, and his is about forty acres improved, about tutionality of that act, so far as it limits the liability case of death, was confirmed by the Supreme Court in the case of the Cleveland and Pittsburgh Railroad Co. vs. Rowan. The act has never been repealed by the legislature. It was contended, however, that it has been repealed by section 21 of article 3, of the constitution, which is as follows:-

No act of the general assembly shall limit the amount to be recovered for injury or injuries to persons or property; and in case of leath from such injuries the right of actio shall survive, and the general Assembly shall prescribe for whose benefit such netion shall prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injurie to persons or property, or for other causes different from those fixed by general laws regulating actions against natural persons and such acts now existing are avoided.

The first portion of this section ends with a period and is complete in itself. It has no reference to corporations as distinguished from natural persons, and imposes a restriction upon the power of the legislature to limit the amount to be recovered in cases of injuries or death. It speaks for the future only and avoids no existing acts. The second part of the section prohibits any limitations of time within which actions for such causes shall be brought against corporations other than those fixed by general laws, and avoids all such existing acts. That is to say, it avoids all existing laws imposing limitations upon the time of bringing suit other than those in harmony with general laws. This s the plain reading of the section. The act of 1868 is not such an act. It relates, not to the time of bringing suit, but to the amount to be recovered. Aside from this the fourth section of the act of 1868 provides that "upon the acceptance of the provisions hereof by any carrier or corporation he same shall become a part of its act f incorporation." It was in evidence that the defendant company had formally accepted the provisions of the act of 1868; so that, at the time of the adoption of the constitution, the proisions of said act limiting the amount to be recovered in the case of leath to \$5,000 was part of the charter of the company. The effect of the constitution upon the charters existng at the time of its passage had been sefore the court in the case of Hays vs. he Commonwealth, when it was deided that charters of private corporaions are left exactly as the new conitution found them, and so they ust remain until the companies olding them shall enter into a new ontract with the State by accepting re benefit of some future legislation.

-Best quality note paper and en dopes at this office.

(From our regular Correspondent,) Washington, D. C. Jan. 17, 1880.

are often ignored in these discussions, and there is a promise that the rules, before final adoption, will be pruned as rules, and these will, of course, be seems eminently proper. In the past the members selected their seats by lot, at the opening of the first sesare involved, and they are simply ers-on the outside circles are as suita-

The House, however, is doing more real work in passing bills and resolutions than has been usual the first part of the session and while the rules start the windmill of debate into full about the only matter of interest apare very short, rarely lasting till 2 M., on o'cleck and the various committees are reporting a surprising amount of busiiefs for action by the Senate. The ladies are pouring into both Houses hundreds of petitions praying for such amendment to the Constitution as will enable them to vote, and they are a vigorous assault upon Congress in

only a leader can act effectively.

We referred last week to the murder of a citizen, a Mr. Hirth, a well-to-do grocer. Since then the negroes committimg the crime have been arrested. and so great was the excitement and execution, and the criminals will receive the regular legal investigation in our Courts. One of the four men article the regular legal investigation in our Courts. One of the four men article three described, on which there oborated by other evidence, which in 20 feet. seems indisputable. Mr. Hirth was a the property of J. G. Krieg at the nightly respected young man, and at suit of The Township of Benzinger. the time of his murder was on his way to visit the young lady to whom he was engaged to be married. His death has given a feeling of great inthe inmates of which could hear the deadly blows.

The case of Miss Lucy Rhett Wal-Morgan, son of Senator Morgan, on postponed in the police court. At the request of Miss Horton's counsel. Mrs. Lockwood relinquished her purpose of moving, as surety on bail bond &c., and being tract No. 2086 for a dismissal of the case. She had lieved, but was and is anxious that, if case, the girl may be relieved of the Horton is represented as being very anxious to obtain work of some kind, so as to cease being a burden to the friends which her necessity has drawn around her. Mr. Morgan was in court, and appears fully recovered from his hurt, which was, at worst, but a slight flesh wound. Mrs. Lockwood is an earnest advocate of women's rights, not only as to suffrage, but in conduct generally, for she is ever oppressed sister, and in this case young Mr. Morgan will realize, before he gets through with Miss Horton, that he has after him a dogged persistent fighnever cease her efforts until her client. Miss Horton, has secured the fullest the District can give her. Mrs. thence east thirty-three (33) rolls more Lockwood is an able lawyer, and has or less to a whitewood on Toby road; carned, since she entered the legal profession quite a handsome property through her talents. She will take a prominent part, as in the past, in the National Women's Suffrage Convention, which will soon assemble here, for her knowledge of law and of legislative matters are so great as to put her at the head. Not however, in

iveness as a worker and counselor. touches of real winter by covering us The said two tracts adjoining all the features of early spring which shone on every hand. The sun has much of said land as has been conmamment sales rooms.

shone warmly and brilliantly, the country roads were hardly muddy, occasionally only the thermometer The House is still wrestling with its fell to a pinching point of cold, and new code of rules, but ninkes little as in the beginning of the Centennia. headway in adjusting the differences year, we have hardly been aware of opinion which have developed that midwinter was upon us until duing the daily debates. Party lines now the whitened house tops and com-

mons prove It to us. The celebrated redskin, Chief Ouray with his wife and several other Ute severely as the hatter's sign mentioned chiefs, is now one of our great object by Dr. Franklin, yet the Democrats of curiosity, and attracts more attenwill not abate the additional political tion than any other Indian delegation power conferred by certain of the new sience the advent of Sitting Bull, years ago. He is a fine looking fellow approved, no matter how much the if it be proper to draw any compari-Republicans may protest. It would sons among Indians. As all Indians be queer, indeed, if the dominant have the general characteristics of party should omit taking full advan- race in their high check bones, red tage of whatever powers which it skin, black eyes and hair, and large could appropriate, no matter whether muscular development, it is as diffiin the Capitol or in Maine; and we cult to say one is handsomer or more fancy that certain provisions looking to attractive than another, as to draw limiting the filibustering field of the distinctions between two eggs. An minority will be adopted without egg is an egg, and an Indian is an change. One of the proposed rules Indian, and Ouray is an Indian in every muscle and lineament,

The President gave his usual monthly reception on the night of the damages for the death of her husband | sion, by which means the leaders of | 13th, which was largely attended, and against the Pennsylvania Railroad the House were often sent to the out- was as brilliant, in all respects, as any Company, operating the Western side circle, and could only secure more of its predecessors, in decoration of Pennsylvania Railroad, and got a desirable positions by exchange with the White House and in richness and verdict for \$5,712.50 in Common Pleas more fortunate members. The new display of fashion and dress by Mrs. rule will make length of service the Hayes and her attendants, and the basis of selection, thus giving the old lady callers. The plebian, of course members that advantage to which put in his appearance, and the be they are cutitled. As a general thing spangled foreign attache and second the new members take no part in the lieutenant, whose huge brass epaubattles where parliamentary tactics lettes were not half so large as his conceit, had often to elbow their way observers of the fray; hence, as look- through the great unwashed throng, whose dress did not exceed the inble to them as the inner, from which evitable shiney, well-worn broadcloth cont and black alpaca dress.

Sheriff's Sale.

BY VIRTUE OF SUNDRY writs of fieri facias, alias fieri facias, vendi-tioni exponas, levari facias, and testa speed, yet general legislation is at- turn fleri facins issued out of the Court tended with a noticeable paneity of Of Common Pleas of Elk County, and discussion. In the Senate Mr. Bay-High Sheriff of said county, do hereby ard's financial theories have been give notice that I will expose to public ale or outery at the Prothonotary's pearing in its work. The sessions office, in Ridgway, at one o'clock p

MONDAY, JAN. 26TH, 1880.

ALL the following described real state lying and being in the township of Benzinger, county of Elk and State of Pennsylvania, bounded and described as follows to wit: Beginning at a post on Benzinger road thence south eighty perches to a post; marshaling their hosts here with a thence east fifty perches to a post; riew to follow up these petitions by thence north eighty perches to a post line of said Benzinger road fifty perchpersonal demand for their political es to the place of beginning, containing twenty-five acres and being the northern half of number twenty on Benzinger road.

ALSO-An other lot beginning on Iren and sixty perches; thence east twenty-five perches; thence north one hundred and sixty perchesto the road; public demonstration over the affair, thence west along line of the road that the police feared an attempt at twenty five perches to the place of be-rescue and lynching. Though there ginning being the western half of were many threats, yet none put in number ninety-two on Benzinger road in the map or plan of the town or seistatements are such as to convince There is also creeted thereon one log twenty fruit trees growing thereon, the police that they have the right house 16x26 feet 1) stories high and parties, particularly so since he is cor- barn 30x40 feet with shed attached

Seized and taken in execution as

ALSO-All the right, title, interest, claim and demand whatsoever of deft. of, in and to warrants Nos. 2986 and 2071 situate and being in the township seburity, inasmuch as it was caused by of Spring Creek, county of Elk and an assault made in a well-settled State of Pennsylvania bounded and street and right by dwelling houses, described as follows to wit: 1st, Befinning at the northeast corner of tract No. 2971 at a whiteoak and sugarhence in a northerly direction two hundred and ninety-two perches to a ton Horton, for shooting Mr. John H. chestnut; thence west four hundred and seventy-seven perches to a post; thence south three hundred perches New Year's day, has been indefinitely to a pine; thence east four hundred and ninety-one perches to the place o beginning, containing eight hundred forty-four and seven tenths acres with an allowance of six per cent, for roads,

ALSO-SECOND TRACT, beginning no intention of requesting to be re- at a maple the southeast corner of same tract; thence in a northerty direction three hundred and twenty five nothing more is to be done with the perches to a white oak and sugar, the southeast corner of tract No. 2986 charge, so as to render the task of thence west four hundred and ninety getting her employment easier. Miss one perches to a pine; thence south three hundred and iwenty-six perches to a post; thence east five hundred and six perches to the place of beginning containing nine hundred and fifty-six and four-tenths acres with an allowance of six per cent, for roads, &c., and being tract No. 2971. Seized and taken in execution as the property of D. F. Carrier at the suit of

ALSO—All those certain tracts, pieces or parcels of land situate and all other respects. Her suretyship of being in the township of Fox, county Miss Horton is in keeping with her of Elk and State of Pennsylvania, bounded and described as follows, to ready to extend aid to any suffering on the Toby road, thence west twenty wit: The one piece beginning at a post 20) rods more or less to a maple tree; thence north sixty-three (68) rods more or less to a post; thence west eightyfour (84) rods more or less to a hemlock; thence south one hundred and ter in Mrs. Judge Lockwood, who will thirty (130) rods more or less to a post on Brandy Camp road; thence northeasterly along said road sixty (60) rod more or less to the line of graveyard and amplest redress that the courts of lot; thence north five (5) rods to stones;

thence northeasterly thirty-nine

rods more or less along Toby road to the place of beginning, containing sixty 60) acres more or less. ALSO—The other piece commencing at a post on Brandy Camp road, being the southwest corner of the piece above described; thence north one hundred and fifteen (115) rods more or less to a post; thence west forty-three (43) rods more or less to a post; thence south along line of that mere wordy declamation of Francisco Capello one hundred and wrongs which brings sevral of her nine (109) rods more or less to a post sisters to the front, but in real effect on Brandy Camp road; thence northeasterly along said road to the place of beginning, containing thirty-one and Old Borens has given the first nine-tenths (31 9-10) acres more or less, with a mantle of snow, which hides other and forming one large tract of land. Reserving and excepting howTHE NEW VICTOR.

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confidently claim for it greater simplicity, a wonderful reduction of friction and a rare combination of desirable qualities. Its shut-tle is a beautiful specimen of mechanism, and takes rank with the highest achievements of inventive genius. Note. - We do not lease or consign Machines, therefore, have no old ones to patch up and re-varnish for our

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a frame house 12x16 feet 1½ stories high, also a log barn and other out buildings. There is about 40 acres cleared and under improvement with a young orchard growing thereon with a good spring of water, &c.
Seized and taken in execution as the

ALSO-All those two certain town lots being Nos 92 and 93 situate in the village of Ridgway agreeably to the Ridgway plot of said town bounded and described as follows: On the north by Centre street, on the west by

plied with when the property is struck 1. All the bids must be paid in full except where the plaintiff or other ben-ereditors becomes the purchaser, in which case the costs on the writs must se paid, as well as all liens prior to tified list of liens shall be furnished including mortgage searches on the property sold together with such lien reditor's, receipt for the amount of he proceeds of the sale, or such portion thereof as he shall appear to be entitled to.

All sales not settled immediately All sales not settled immediater will be continued until six o'clock f M., at which time all property not settled for will again be put up and sold at the expense and risk of the person Benzinger road; thence south one hun- to whom it was first struck of, and who, in case of defletency at such resale, shall make good the same, and in no instance will the deed be presented for confirmation unless the bid is actually settled for with the Sheriff as above stated.

> Sheriff's office, Ridgway, Pa.,)
> January 5th, 1880,
> See Purdon's Digest, Ninth Edition, page 446; Emith's Forms, 348,

Elk County Court Proclamation.

WHEREAS, the Hon. L. D. Wetmore, President Judge for the Thirty seventh Judicial District of Pennsyl vania, and Julius Jones, and George Ed. Weis, Esquires, Associate Justice in Elk county, have issued their precepts, to me directed, for the time of holding of the Orphan's Court, Court of Common Piens, General Quarter,
Sessions and Over and Terminer, at
Ridgway, for the county of Elk on
the FOURTH MONDAY IN JAN.

By DAN SCRIBNER WISHES TO
Inform the citizens of Ridgway, and
the public generally, that he has
started a Livery Stable and will keep 1880, being the 26th day of the month, to continue one week.

the Sheriff's office, in Ridgway, the 5th day of Jan. in the year of our Lord one thousand eight hundred and day, January 28th, at 2 o'clock P. M.;

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18. Jacob Kraus.

15. James Maginnis,

17. Authory Schauer,

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veyed by said Reburo to Magalana Cunco by deed bearing date December

Ist, A. D., 1869, some five acres more On above tract of land there is erected

property of Joseph Reburo at the suit of Anthony O'Chase,

Elk street, on the south by an alley and on the east by lot No. 94.

On above lots there is erected one frame house 16x24 feet with wing Seized and taken in execution as the property of Charles Mathews at the uit of J. C. Houk, Executrix of J. V. Houk now for use of The Ridgway

TERMS OF SALE. The following must be strictly com-

D C. OYSTER, Sheriff,

Notice is therefore given to the Cor-oner, Justice of the Peace and Constables in and for the county of Elk. to appear in their own proper persons, with their records, inquisitions, and remembrances, to do those things which of their offices and in their behalf apperain to be done, and all witnesses and other persons prosecuting attention in behalf of the Common wealth against any person or persons, are requested to be then and there attending, and not List of Licenses for January Term, 1880. to depart at their peril. Jurors are requested to be punctual in their atridance at the appointed time, agree-

able to notice.

Given under my hand and seal, at

D. C. OYSTER, Sheriff.

1, F. X. Sorg. Benezette, 2. Henry Blesh, 3. G. L. Winslow.

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ESTATE NOTICE.

ESTATE OF EDWARD BABLE, late of St. Mary's Boro. Elk Co., Pa-, de-ceased. All persons indebted to said Estate are requested to make immediate payment, and those having legal claims again the same to present them without delay in proper order for setle ment

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Sept. 10, m3

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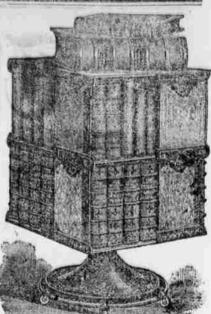
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arr at Erie 7 55 p. m. EASTWARD. Kane 4 00 p. m.

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