The Journal.

Walter & Deininger, Proprietors

B. O. Deininger, Associate Editor

Millheim, Thursday June 6.

Terms—$1.50 Per Annum.

Millheim on the L. C. & S. C. R. R., has a population of 600, is a thriving business centre, and controls the trade of an average radius of over eight miles, in which the Journal has a larger circulation than all other county papers combined.

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WHO STOLE THE MONEY?

I have learned, in the course of my legal experience that circumstantial evidences alone is a dangerous theory upon which to base conviction in criminal cases. I have been grossly wronged through this means, a very plausible instance I remember being in substance as follows:

A pale, scared boy, some fourteen years old, was brought into the municipal court, in a neighboring city, one morning, evidently in great tribulation, who was arraigned upon a charge of theft in his employer's store.

"What is your name?" asked the judge, quietly.

"John Briggs," said the boy, humbly.

"Where do you live?"

"Down't North End, sir."

"Now, Mr. Clerk, what is the case?" said the judge, with some interest.

"The old story, your honor," replied the clerk, familiarly. "Thieving. He's stolen a pocketbook, and won't give any account of it."

"Where are the witnesses?"

"Here, your honor. The loser of the money, and the boy's late employer."

"I haven't seen any, your honor; and he don't look as if he were overburdened in that way," replied the clerk, sarcastically.

"Proceed with the evidence."

The child's employer took the stand first, and state l the case.

He was a well-dressed man, but had hard features—a worldly minded, selfish appearing person, and thus testified:

"A stranger came into my store, your honor, and made a purchase. He paid me thirty dollars, ordered his goods sent home, and went out, but returned in a short time for his pocketbook, which he missed directly, and was certain he had left it on the counter, carelessly. This boy, Johnny, yonder, had been with me but a few weeks, and I noticed that he hurried away out of the shop immediately, and I did not see him for three days afterward. There was nobody in the store at the time but Johnny and I. The money was gone, and I did not steal it. He had been able to give me no account of it, or rather, refused to do so, and there can be no doubt that he is the thief. I took him out of the street, and set him to work out of charity, and t is is the return he makes me. He was a poor vagrant, and has deceived me."

"Is that all, sir?"

"Yes, your honor."

The owner of the money then stated that the merchant's testimony was correct. He had lost seventy dollars in the manner described—that he saw no one in the store but this boy and his master, and the lad had disapreared on his immediate return to the store, upon discovering his loss. He was very positive he had not taken the wallet with him, but remembered just where he left it upon the counter, near where this Johnny was engaged putting up the goods. He had no shadow of doubt that he had purloined it and got away with it during his brief absence, for he had not been seen about his business for three days afterwards by anybody, and he noticed that the boy seemed uneasy and restless during his stay there. He could not afford to lose this money, and thought such young rogues should be made an example of.

"Now, my boy," said the judge, "have you anything to say? You have heard the testimony of your former employer, and the person who has lost his money. and the case is very much against you. Do you wish to say anything, or explain, eh?"

The little fellow was so much alarmed at the apparent severity of his honor, though he was a just man, and a good judge, and did not intend to intimidate the culprit at all, as I knew from a long acquaintance with his grave but sterling character—the boy was so confused that he said:

"No, sir; I can't."

"It is a kind of case," said his honor, "that is getting lamentably common among us, and we must do our duty, in the endeavor to check the growth of this evil. Mr. Clerk I shall commit this boy to the house of correction for one year."

And the judge arose to adjourn

"May it please your honor, I said respectfully will you allow me, before this sentence is officially recorded, to address the court briefly?"

"Certainly, Mr. S——" replied his honor, pleasantly. "Do you know anything of this case?"

"No, your honor. I have never seen any of these parties until this hour. But the lad does not look like a thief to my vision, and he has no friends to say a word for him here. I have listened to the testimony, and with the utmost deference to your honor's judgment in the case, I respectfully suggest that the evidence against the boy, though very plausible and connecting, is but circumstantial."

"Very dangerously so," suggested the oourt, civilly.

"I admit that, your honor," I said, frankly. "And though it is scarcely within the ordinary rules of courts at this late stage of the business, I pray the court to allow me, on this trembling boy's behalf, to ask the witnesses in this case a few brief questions."

"Certainly, there is no objections, sir."

And I had the loser of the money upon the stand again directly.

"You say you missed your pocketbook after leaving the store, sir?" I inquired.

"Yes, sir—with seventy dollars in it."

"You are sure you didn't take it with you when you went?"

"No, sir. I did not."

"You might have done so?"

"But I didn't, sir."

"You couldn't have dropped it, then, in your hurry as you went?"

"I did not have it. I left it on the counter near where the boy was putting up the goods, and I have no question that he took it."

"You came back; how soon?"

"Within five minutes or so."

"And the boy was gone?"

"Yes, sir, and the pocketbook," added the witness sharply.

"That's all, sir," I remarked.

And the gentleman sat down. I had not made much progress as yet, but I next asked the lad to stand up, when I spoke to him kindly, and said:

"Johnny, why did you hurry out that night as he says you did."

"'Cause mother was dreadful sick," said he tearfully; "an' my little Neddy was all that she had to take care of her. An' I went straight home and did't know nothin' 'bout no money no way."

"You went home because your mother was sick. How long has she been sick?"

"A good while, sir."

"But why didn't you return to your work? Why were you absent three days just then?"

"Mother's dead sir," said the boy, sadly.

"When did she die?"

"That night, sir. An' I staid away cause I had to go to her funeral with Neddy, an' he's all alone now sir."

"And you know nothing of this lost pocketbook?"

"I have never seen it in all my life, sir; an' I don't stealnothin'—never, for poor mother allus said I must be honest if I starved; and God would know it if nobody else found it out; an' 'at wicked boys go to the bad place, sir. I never stole nothin', sir—never."

And here the little fellow burst into tears, and could say no more, while I—I confess it—was wiping my own eyes, briefly I observed that his honor was actually busily engaged in the same occupation. But this court room was close, and it was a warm day. Perhaps it was perspiration.

"Your honor," I said, after a moment of silence and clearing of the throat, "the prosecution have surely no cause for conviction. I don't believe this boy knows any more of this money than you or I do. It has not been found in his possession; he had no chance to spend it; no one testifies that he ever had it, save on suspicion; and I cannot think your honor will imprison this child, who has so touchingly though innocently explained himself, upon what is, at the most, circumstantial evidence. He says he is parentless and I think your honor will not doubt this assertion. The dead mother, whose form he has just laid under the sod, was plainly a good, true woman, and John had not been taught at home to be a thief, evidently. I crave the leniency of the court in this lad's behalf, and I ask that Johnny may be discharged, since there is no direct evidence pgainst him."

"You can go, Johnny," said the clerk, with unusual pleasantness for him, a moment afterwards, as the judge said something briefly to his subordinate, and immediately adjourned the court, to the evident astonishment of the boy's accuser.

I shook the poor fellows hand, took him out of the court room with me, told him who I was, at his own request, and saw him running down the street as fast as his legs would carry him, soon after the reversed decision of his honor. The result of my voluntary effort in this affair was very gratifying to me, for I felt assured the boy was innocent. But the most agreeable part of the case was yet in store for me.

About a month afterwards a poorly dressed lad entered my lay office, one cold, raw morning, cap in hand, whom I quickly recognized as Johnny, who said:

"Good morning, Mr. S——. You was kind enough to help me out, in the court, t'other day, sir."

"Yes, I remember you. Come to the fire, Johnny."

"Thank you, sir. It's pooty cold, sir."

"Very. Where's your overcoat?"

"A what, sir?"

"Your coat. Outside jacket."

"Bless you, hain't none. But I do not mind it. I am used to it, sir. I only came to thank you, sir, and to tell you that it is all right about the pocketbook. The man found it."

"Where? How? I asked, with deep interest."

"Well, I did it up, in my hurry to get off that night, in one of his big bundles that he bought. He did not find it for a week, 'cos he did not open the parcel at home that it got worked into somehow, I do not know how. But he went and told my master about it—who turned me off, you know, for stealing it, when I did not know nothing about it—and one of the shop boys told me of it yesterday."

I congratulated the lad and then induced him to give me his history.

He was now an orphan—an intelligent but uneducated boy, and one who had been bred in poverty, but honesty. His good mother's counsels and teachings had had a salutary effect upon his mind, and an influence which was lasting, I conceived. He was out of work and wanted employment. I recommended him to a neighbor, and secured him a good place subsequently.

He was always very grateful to me for the service I had so accidentally rendered l im in court, and he proved a thoroughly honest and good servant in the years that followed that little incident.

The event is one which confirms me ih my opinion that it is unsafe to convict upon circumstantial evidence only.

A backwoodsman, on hearing an eastern bishop preach a sermon in a frontier church without a manuscript, said: "He is the first of them fine fellers that I have ever seen who could shoot without a rest."

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ACRES.	PER.	WARRANTEE NAMES.	TAXES.
		BENNER TOWNSHIP.	
50		John Moore	50
50		J. D. Harris	50
2		John Davis	40
50		Andrew Coon	50
58		R. Holmes	57
162		Fred Houser	1 33
100		Foster Tate (owner)	1 00
		BOGGS TOWNSHIP.	
433	163	David Lewis	6 94
433	163	William Gray	694
433	163	Garrett Cottinger	20 30
436	163	Josiah Haines	20 61
433	163	Jonathan Harvey	20 61
431	40	Moses Hood	20 51
143		Ann Deal	16 82
433¾		John Russell	20 61
305	112	John Cochran	19 46
458	84	William Russel	29 11
433¾		Thomas Russell	27 54
400		D. Carskadden	25 33
433	120	Daniel Reese	4 67
100		John McClure	4 67
337		M Livergood	16 02
179	170	John Curtin	8 52
339		John McClure	16 13
150		Mary Lane	7 12
108		James Curtin	5 16
428		Jesse Brooks	15 78
300		Susan Reese	14 62
100		William Lane	11 89
150		Rebecca Wilson	7 12
176	179	Paeker & Lucas	8 51
36	194	of Fetzer	1 73
200		William Wilson	9 50
431	137	Martha Godfrey	21 52
12	63	R. Curtin	61
63	36	Austin Curtin	2 78
100		Sarah Lane	5 16
50		William Lane	2 57
150		Daniel Reese	7 72
34	54	Andrew Gregg	1 75
208	3	John Holt	10 70
100		Joseph Kelso	5 16
150	142	Sarah Lane	7 79
145	121	R. Curtin	7 56
418	40	William Hood	19 86
300		Frank M'Coy	9 46
1/4 433	163	Joseph Higby	10 31
		BURNSIDE TOWNSHIP	
433	120	Samuel Scott	25 13
433	120	Robert Gray	24 26
433	120	William Dewart	16 47
433	120	John Dewart	16 47
433	120	James Tower	16 47
433	120	William Gray	16 47
415		John Wetzel	16 15
415		James Black	16 15
415		Joseph J. Wallace	16 15
433	120	William Cook	16 47
433	120	John Owden	16 47
433	120	Wm. P. Brady	24 26
433	120	Henry Shaefer	24 26
433	120	ohn Housel	20 37
433	120	ohn Lyon	20 37
433	120	has. Goben	24 26
433	120	Thomas Grant	16 47
433	120	ohn Bradry	16 47
433	120	ohn Kidd	24 26
433	120	Henry Donnelly	24 26
433	120	Robert Brady	31 96
415		John Boyd	14 85
483	153	oseph Morris	16 47
433	153	Alexander Greaves	16 47
300		Frances Gurney	6 00
411		Thos. P. Wharton	7 40
140		of Henry Harris	10 64
433	153	harles Hall	32 73
433	120	John Donnelly	16 37
73		Henry Wheeler	8 32
100		of Henry Harris	7 00
462		Benjamin Harris	32 00
406		ohn Hoover	11 31
415		oseph Thomas	15 80
415		Nathan Levy	7 48
216	83	½ of Jeremiah Parker	8 21
200		Part of Wm Miller	3 00
433		Joseph Wallace	16 48
433		Alexander Hunter	12 12
433		Jacob Whiteman	26 00
433		Benjamin Young	12 13
433	163	Thomas Hamilton	25 13
433	163	Bird Wilson	7 81
433	163	John Rugg	8 25
415		ohn Shym	7 89
415		Elizanby	8 06
433	163	Samuel Pancost	3 92
479¾		David Lewis	7 24
415		John Barron	7 89
433	163	Samuel M. Fox	7 81
415		Sarah M. Talman	7 48
53		Walter Stewart	1 80
433	163	Alexander J. Dallas	16 48
		CURTIN TOWNSHIP.	
207½		Robert Ainesley	28 80
200		Richard Tunis	11 52
433	163	Mary Talman	20 69
433	163	Thomas Hale	21 40
411		Thomas P. Wharton	3 71
½-207½		Caleb Lawns	11 16
½-207½		Isaac Longstreth	12 95
113	4	D Carscadden	7 20
390	27	D Carscadden	14 40
194	85	C Heilman	6 93
326	127	Martha Godfrey	46 55
100		Peter Smith	19 80
306	142	Mary Lane	20 34
298	106	Joseph Kels	19 90
123		Paul Curtin	6 44
94	112	John Curtin	5 29
71	131	Roland Curtin	3 96
250		John W Godfrey	17 10
188		W P Brady	16 91
433	120	Alexander Bell	31 17
433	120	Charles Hall	31 17
415		Joseph Taylor	47 26
418	99	Andrew Epple	20 95
342	80	Robert Irvin	26 57
499	138	N L Atwood	31 24
339	119	N L Atwood	20 88
304	4	Job W Packer	19 14
108	93	Job W Packer	10 80
158	93	Job W Packer	7 87
455		Peter Hahn	13 69
435		Susan Hahn	27 39
415		Jacob Waln	31 28
415		Nathaniel Levy	16 47
415		Thomas Hnmphry	57 99
415		Robert Gray	33 61
415		William Gray	61
461		William Yardly	16 60
376		Samuel Baird	18 65
50		Jesse Brooks	1 36
415		Rebecca Kelso	44 92
415		Esther Eddy	52 14
415		Casper Wister	44 92
196		James Miller	5 40
203		James Irvin	7 20
60		Ed Hollowell	1 62
½207½		Robert Ainesly	20 00
415		John M'Cally	15 37
260		Philip Meyers	44 64
420	48	Valentine Meyers	10 24
420	48	ichael Meyers	2934
100		Simon Meyers	27 92
433	150	Samuel Scott	24 58
380½		Joseph Kelso	43 02
337		Lindley Coats	21 27
415		William Gilbert	64 80
207½		½ of Calab Lawn	11 81
207½		½ of Isaac Longstreth	12 06
433	163	James White	16 49
¼ 434		¼ of Job Packer	4 08
311		¼ of W P Mitchell	6 00
¼ 434		¼ of W P Mitchell	6 45
¼ 220		¼ of W P Mitchell	0 95
434		¼ of Joseph Develing	14 26
100		J W Packer	1 98
434		¼ W P Mitchell	9 29
400		W P Mitchell	4 78
220		W P Mitchell	2 76
¼ 434		Joseph Develing	10 73
326		Job W Packer	4 21
53		Cline Quigley	69
434		J W Packer	2 61
¼ 15		J W Packer	24
215	163	Fishburn Wharton	19 54
415		Jesse Waln	14 54
415		Molly Wharton	14 33
415		Joseph Waln	14 33
383		Rachel Waln	13 70
300	49	John S Furst	11 75
¼ 434		Job W Packer	2 61
¼ 434	163	Abijah Davis	14 89
¼ 433		W P Mitchell	7 79
¼ of 400		W P Mitchell	7 20
¼ of 220		W P Mitchell	94
¼ of 326		J W Packer	5 64
¼ of 434		Joseph Develing	6 50
¼ of 53		Cline Quiggle	2 22
¼ of 300		J P Mitchell	5 35
400		J Z Long	15 20
415		Charles Allen	29 99
½ of 217		Fishburn Wharton	9 41
200		Richard Tunis	14 20
400		Jonathan Willis	7 90
		FERGUSON TOWNSHIP.	
10		Arabnam Hicks	88
100		James Olivor	4 29
162	116	Geo Kohlinger	7 07
135	127	Joseph Barnet	8 83
323		John Anderson	17 45
196		George Nice	14 87
122		Jacob Lite	7 88
330		Peter Crisdin	5 67
32		Samuel Duncan	24 92
36	47	Thomas McCullough	2 36
370		Leonard Hartline	4 53
488	49	Alfred B Crewit	6 25
409	19	Thomas Ferguson	12 95
418	23	Aaron Levy	13 81
404	115	James M ore	3 35
483		Hannan Turner	12 63
398	122	Daniel Turner	13 14
351	54	Lydia Fowler	6 57
91	41	Jacob Way	9 91
15	46	Henry Medler	1 63
100		Richards & Ginter	4 35
225		Richard Moseley	7 43
177		Henry Manly	7 70
145		Benjamin Hover	9 46
40		John McKean	2 61
300		Robert Rankin	13 05
337		Isaac Buckby	12 38
400		James Baker	17 40
400		John Petherbridge	17 40
100		Josiah Lusdy	9 12
125		Caleb North	4 93
63		John Petherbridge	2 07
110		John Baker	6 02
350		Samuel Brison	6 45
50		Isaac Buckley	3 78
50		Josiah Lusby	3 78
50		Richard Moseley.	3 78
		GREGG TOWNSHIP.	
130		John Mercer	2 81
130		Robert Askim	2 81
93		Margaret Dougherty	1 89
100		Roush & Vanada (owner)	4 17
50		George Stover (owner)	1 44
372	31	William Hepburn	7 36
382	129	John Cowden	7 47
408	127	Andrew Carson	8 06
330		Alexander McDonald	6 51
20	36	John F. Price	24
		HAINES TOWNSHIP.	
262	140	S. Snyder & H. Gillman	25 77
253		S. Snyder & H. Gillman	24 92
400		James Barr	3 80
400		Mary Jenks	3 80
400		Thomas Barr	3 80
406	60	Mary Barr	5 75
406	60	William Harrison	5 75
408	89	M. Gratz	3 96
436		John Simpson	3 98
359		Henry Antis	5 91
185		John Kidd	2 12
228	150	William Mosby	3 24
425		Charles Hall	14 25
		HALF MOON TOWNSHIP.	
		A. Stephens Est. (owner)	4 86
		Jac. Vampool (owner)	2 59
77		Abraham Elder	23
24	50	Henry Waite (owner)	4 37
3	138	Josiah Lamburn	27 21
50		Wm. King	7 50
52		Samuel Brian	10 11
216		ohn McKissock	15 50
297		Henry Floyd	31 27
417	10	Richard Whitehead	23 10
308	80	William Lamburn	30 00
400		Jacob Underwood	15 75
210		Jacob Pyle	11 12
136	116	Richard Doliff	30 00
400	120	John Hannah	15 00
200		C. & F. Delige	1 83
18		C Vampool Est (owners)	2 00
63	89	C Vampool Est "	1 81
54	99	Vampool Est "	2 41
67	76	C Vampool Est "	1 49
45		Peggy Shearrer	2 40
40	10	hrist Vampool	4 41
70			
		HARRIS TOWNSHIP.	
100		Samuel Young	1 68
133		George Fox	3 35
150		ary L Frank (owner)	2 52
100		Samuel Wilson	3 35
400		o hn Ritchell	3 25
300		ohn eynolds	2 52
270		S Henry	2 10
200		Thomas Sankey	1 68
400		ohn Steele	3 33
400		Robert Sample	3 35
400		Adam ouncily	3 35
400		David ilson	3 35
400		esse ck	3 35
400		Davi ork	3 35
400		Natha Simpson	3 35
150		Wm Wilson	1 27
400		Allen teele	3 35
400		Edwar Wilson	3 35
400		James teele	3 35
400		Peter ilson	85
402¾		Eleano ainck	3 35
384	25	C Fisher	3 42
400		Absalom Andre	3 35
50		John Irvin	85
50		John Irvin	85
400		William Brown	6 64
407	92	Kearney Wharton	6 92
350		John Bell	3 84
400		Thomas Johnson	3 35
10		William Irvin	14
50		John Irvin	85
100		John Irvin	1 00
100		B F Brown (owner)	50
		USTON TONSHIP.	
120		Adam Kuhns	14 84
283		Philip & J Kuhns	13 55
		HOWARD TOWNSHIP.	
150		White & Nestlerode	7 03
104	63	John Brady	8 22
292		William Ramsey	7 67
25		Joseph Gressburg	6 88
91		A G urtin in trust to Meese	3 46
50		A D Harris	4 98
134		J J Lingle	6 67
80		Henry Antis	4 76
154		James Green	10 41
200		Samuel stin	16 10
40		Paul ston	3 60
250		Jesse Evans	24 88
208		John W Godfrey	20 70
142	123	Roland urtin	11 49
60		Joseph Taylor	5 97
23	151	Jacob Holter	2 35
150	70	Hannah Turner	12 08
40		John rawford	3 22
100		Wm Parker	6 64
433	163	Samuel Pancoast	16 46
300	49	J S Furst	14 82
100	140	of Jonathan Wiles	12 62
242	97	oseph Harris	28 77
48		Henry Antis	5 94
87	114	James T Hale	1 82
49	142	Samuel Leathers	4 28
230		William Crossman	79
136	92	J D Harris	16 96
		LIBERTY TOWNSHIP.	
7		Daniel David	86
75		Samuel Lingle	78
75		Stephen Chambers	7 44
30		Rop Baker	6 03
200		R & J Hayes	41 70
175		James A Quigley	4 73
175		George D Hess	4 73
150		Sarah Custin	43 43
100		Joseph Roberts	28 95
150		Charles Bruce	28 95
175		Samuel Custin	27 03
50		Daniel Plethcher	12 00
68		John Potter	18 23
60		D Carscadden	2 33
80		William Gorrell	3 72
188		Daniel Rouse	124 20
7	162	Daniel Kreamer	2 54
10		Samuel P Shenk (owner)	3 99
81	92	George Carr	4 05
100		John Potter	18 60
406	120	Stephen Stevenson	29 90
406	120	John Dunwoody	29 90
406	120	Ebenezer Benham	33 83
398	80	Robert Irwin	29 32
35		Henry Donald	49
406	40	Peter Lytle	18 72
439		Christian Smith	28 97
341		Jeremiah Jackson	6 65
		MARION TOWNSHIP.	
50		Wm Allison	1 90
69	35	Margaret Wilson	10 70
169	68	onstance urtin	11 24
53		McMalmont	5 63
200		Robert Young	20 50
117		Alexander Scott	50 82
70		hristian Rohrer	23 45
50		hrist Rohrer	10 50
83		John Shunk	19 25
50		W A Thomas	16 75
200		McElwin Pletcher & o (owner)	21 05
20		Thomas Lewis	2 42
100		John P Harris (owner)	12 60
42	66	John ormon	2 65
108		James Harris	11 44
65	18	J D Shugert	69
50		AnnaM Tilghman (owner)	10 50
		MILES TOWNSHIP.	
320	128	Joseph Fearon	4 08
110		Strolecker & Reynolds	1 83
250		Daniel Seigfied	4 12
150		John Houseal	1 88
156	60	S Derr & J Stahl	1 40
403		James Carothers	6 02
250		Jeremiah Jackson	4 14
250		Jeremiah Jackson	4 14
150		Jonathan Wolf	1 47
425		John Trip	7 01
476		Thomas Grant	7 85
406		Alexander Hunter	7 59
430		Jeremiah Jackson	7 11
125		Wm Steadman	2 09
130		Robert Taggard	2 16
200		Thomas Smith	3 30
300		Aaron Levy	4 85
430		Robert Brady	7 11
410		Hannah Brady	6 83
429		Robert Gray	7 11
100		Abraham Scott	2 03
50		Samuel Scott	92
150		Abraham Scott	1 50
90		Samuel scott	2 49
255		Jane Brady	3 80
440		Wm P Brady	7 26
200		John Brady	3 30
224		George Calhoun	5 32
300		Wm Parker	2 83
125		John Dorsey	1 60
125		Moore Wharton	1 60
58		Wm Parker	97
425		Henry Toland	5 41
425		David Williams	5 41
425		Samuel Norton	5 41
324		Richard Harker	4 13
324		Jeremiah Parker	4 13
100		C Long	90
405		Peter Houseal	5 14
320	128	George Kitts	4 08
400		Richard Lake	6 60
130	123	simon Gratz	2 16
123	47	simon Gratz	2 04
195	1	simon Gratz	3 23
196	42	simon Gratz	3 23
136	141	simon Gratz	2 20
277		Peter swineford	5 33
110		Hepburn & Harris	1 95
75		Thomas Tones	68
422	116	John Mackey