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Associate Judge—Fram Derr, Isaac S. Monroe,
Prothonolare, R.C.—R. Fram Karr,
Register & Recorder - Williamson H. Jacoby,
District Autorines - John M. Clark,
Sheriff - Michael Grover,
Sheriff - Michael Grover,
Survey or Isaac bewilt,
Pressurer - John Sn. der,
Commissioners - William Lawton, John Herner,
dio fallCommissioners Clark - William

ond call.
Commissioners Clerk—William Krickbaum,
Auditors—U. J. Campbell, S. E. Smith, David Yout,
Corners—Charice of Murphey,
Jury Commissioners—Jacob H. Fritz, William H. Utt.
County Superintendent—Willam H. Snyder.
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Wm. Kramer. Boomsburg and Thomas Creveling,
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Bloomsburg Official Directory.

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Prayer Meeting—Every Wednesday evening at 65 clock.
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Sea's Rec. No pews found. Strangers wereduc.

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Presiding Eder—Rev. N. S. Buckinghain,
Minister—Rev. J. H. Metharrah,
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Sunday Services—10g, and 6g p. m.
Sunday Services—10g, and 6g p. m.
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The Columbian.

BLOOMSBURG, PA., FRIDAY, AUGUST 6, 1875.



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Poetical.

Selected for THE COLUMNIAN. SPITTING IN A RAIL-CAR.

BY A LADY. sitting in a rall car. Figures by steam, Head against the exsenient, Dreamed a curious Arsam; Yet I could not think it.

All a thing ideal. Por, though very monstrous, It was very real. First there came a contle-Ragian for the weather;

> And with air protess bal, Near him sat a parson. Tolling how the Lord Sent the great revivals, the seed the preached word; But my droug discovered

"Honey-dow" or "line ent Splitting on the stove ! Next came in a trader. Pockets full of cash, Talked about the country.

Golder all to itmuch; "Twee the "works's pressure." Did the Uning, "my love!" Styped a little brandy, Serr upon the stove. Then a jolly farmer,

Bragging of his wheat, Thought his swine and horse Nowhere could be beat; while posed his purpo By the head or drove, Kept his jaws a wastging,

Serr upon the store Peddy thought 'twee "quare" like To be sitting still, All the while a-goin' Over bog and hill:

"Pwas a glorious countra, Sure," as he could prove, Equal to his betters, SETT upon the stay Withess, permaned dansly. Putting on his airs, Flourished diamond breast pin, Smooted in terward car,

Talked about Lamoreux Twirled a carrot mountache, SPIT upon the stove, Little boy in short cost Wants to be a man,

Watches gent and parson And, with Pat and trader, Serva upon the stor Soon the flying rail car

Reeks with museous steam, Ladies almost fainting, Children in a scream, Husband, asking lady, "Wnat's the matter love? Have a glass of water ?" SPITS upon the stove.

On we go, still flying, Not a breath of air Fit for Christian people In that crowded car; Sickening, fainting, dying, Ladies make a move, Gent throws up the window Serrs upon the stove.

Bibbons, jewels, flowers, Crinotines and perfumes. Put all faults together Which men can't approve, And they're not a match for

Serrriso on the stor Miscellaneous.

Mother Shipton's Prophecy.

Every now and then, for these 400 year and more, some one has brought to light the prophecy and memory of Mother Shipton. As event follows event in mechanical progress, her doggerel verses tall in so pat that they must needs be quoted. This Mother Shipton was one that would have taken high rank as a medium in our day; in her's, the lawful, when done by a combination of two fifteenth century, she was said to have been begotten, like the wizard Merlin, of the phantasm of Appollo, or some arial demon inder that guise, and a beautiful orphan Yorkshire girl, named Agatha. She had Coal Company vs. The Barclay Coal Compathe wierd, loaely girlhood that the child of ny, 13 P. F. Smith, 173, that we will read to by those who should have been her mates; she was christened Ursula by the Abbot of Beverly, and grew up so eccentric and unnatur ally shrewd that by and by this tradition, in those superstitous days, grew about her birth. She prophesied as she grew older, and even "persons of quality" consulted her. never come to York, and, indeed, when withn eight miles of it, he was arrested by Nor humberland at King Henry's order, and prought to Leicester, where he died. Also she is said to have foretold the great fire of London, the execution of Charles I. and many notable events besides of the Reformation of the reign of Elizabeth and James. shire even to-day, and the tradition is foundfurther preface, these are the elegant lines;

Carriages without horses shall go, And accidents fill the world with woe In the twinkling of an eye. Water shall yet more wonders do, Now strange, but yet they shall be true; And gold be found at the root of a tree Chrough hills men shail rid And horse nor ass be at his side t nder water men shall walk. Shall ride, shall sleep, shall talk; In the air shall men be seen In white, in black, in green; Iron in the water shall float Gold shall be found and shown. In the land that's not now known; Fire and water shall wonders do: tegland shall at last admit a Jow; The world to an end shall come In eighteen lumined eighty-one.

A tipsy man, who mistook a globe lamp, with letters on it, for the queen of night, somebody hain't stack an advertisement on conspiracy. Men can often do by the comthe (hic) moon."

No two sides of any human are precisely

CLEARVIELD RIGT CASES.

Charge of Judge Orvis. Commonwealth) In the Quartor

Ralph Parks, ct. al. | field county. CHARGE OF THE COURT,

GENTLEMEN OF THE JUNY .- This is no indictment presented by the Grand Jury this county against fifty-two persons name in the indictment, charging them in the fircount with riot, and in the second and third counts with conspiracy, to increase the price of wages for mining coal from fifty to sixty cents per ton, by means of threats, intimidations and violence directed towards other persons who were willing to work in the mines at the former prices. A continuance was granted to two of the defendants by th Court, a wolle prosequi was entered by the Commonwealth as to six other and twelve others falled to appear. The remaining thirty-two defendants appeared and severally pleaded not guilty. You have been sworn to try the issue thus joined between the Com-

monwealth and these thirty-two defendants public peace by three persons or more, asembling together of their own authority with an intent mutually to assist one another against any one who shall oppose them in the execution of some private object, and afterwards executing the same in a violent and turbulent manner, to the terror of the people, whether the act intended is lawful or look, where injury is the consequence. If concerted action on the part of laborers I inlawful. It requires three persons at leas to be engaged to constitute a riot. Where there are less than that number their offense may be an affray, an assault and battery, or some other offense, but cannot amount to riot. All persons acting in concert and preent alding and abetting when a riot occurs are guilty as principals. It is not what one individual does, but what is done by all tha constitutes the riot. And every person preent taking part, or aiding and aberting thos all did. Persons who happened to be there by accident or were drawn there by idle on riosity, but took no part with the rioters by act or word cannot be held responsible for the riot. The Commonwealth alleges that means; and a combination of the bakers of mea to quit work for the purpose of increase these defendants, together with others to the number of several hundred, were guilty of a by means of searcity thus produced to ex- their treatment, is not unlawful--thus fi carry out their object in a riotous, tumultuous and violent manner to such an extent any baker might choose to hold up his own as to put the persons who came there to work | bread or coal operator his coal, rather than in fear, the parties thus acting would be sell at ruling prices; but when he dest oys guilty of a riot, and if any or all of these defendants were present taking an active the public can buy of no one. part with the rioters or for the purpose of

As we have already stated, this indicament contains two counts for conspiracy. These cants charge substantially the same offense merely varying in the manner of stating the carry out an indifferent, or lawfur purpose by unlawful means. It would be impossible for us to detail to you all of the various combinations which have been heretofore held dictable as consplicacies. Other acts, which when done by an individual, are perfectly or more, become unlawful. The law upon this subject is so well laid down by the present Chief Justice of the Supreme court of this State, in the case of the Morris Run shame is apt to nave, avoided or persecuted | you a portion of his opinion. This was an action of debt brought by the plaintiff against the defendant upon an acceptes draft. The defense was that the draft had or agreement between five coal companies the purpose of which was to regulate the price of coal, which combination was al

She told the great Wolsey that he should leged to be illegal and the draft, therefore, without legal consideration. on public interests lead to the consideration of another feature of great weight in deter mining the illegality of the contract, to-wit companies. Singly each might have sus At the age of seventy-three she forctold her own interests, and might have raised the death, and at the hour predicted she died. price even though this might have been det Her name is a popular tradition in York- rimental to the public interest. There is a certain freedom which neest be allowed to ed in part on fact. Her famous prophecy every one in the management of his own afwas said to have been published in her life- fairs. When competition is left free, inditime, and again two huedred years ago, it vidual error or folly will generally find a was certainly published forty years ago, for correction in the conduct of others. But we have seen it in a book of that time, where here is a combination of all these companies t was said to be copied from an older book. operating in the Blossburg and Barclay mi-Though most of the items are vague enough ning regions, and controlling their entire steam, railway locomotives and tunnels, the in all the markets from the Hadson to the Jews into Parliament (in 1858). Without the lakes. This combination has a power in its confederated form which no ladividual action can confer. The public intercompetition free to correct its baleful influence. When the supply of coal is suspend ed, the demand for it becomes importunate and prices must rise, or if the supply goes forward, the price fixed by the confederates must accompany it. The domestic hearth,

the furnace of the iron master, and the fires of the manufacturer, all feel the restraint, while many dependent hands are paralized and hungry mouths are stinted The influence of a lack of supply or a rise in the price of an article of such prime necessity, cannot be measured. It permeates the entire mass of community, and leaves few of its members untouched by its witheralike. It is the same with every limb, no Gibson, J., a combination is criminal whenpair of limbs are fashioned alike. One hand ever the act to be done has a necessary ten is almost always larger than the other; so dency to prejudice the public or to oppress with the foot, the leg and the arm. But the individuals, by unjustly subjecting them to greatest of all marveis is this: never were the power of the confederates, and giving effect to the purpose of the latter, whether of extortion or of mischief; Commonwealth vs. Carlisle, Brightly's Rep. 40. In all such combinations when the purpose is injurious exclaimed: "well, I'll be (hic) blest, if or unlawful, the gist of the offense is the

lone by one would be innocent. It was held in The Commonwealth vs. Eberie, 3 S. & R. o, that it was an indictable conspiracy for a portion of a German Lutheran congregation o combine and agree together to prevent another portion of the congregation by force ot arms, from using the English language in the worship of God among the congregation. So a conspiracy to assist a female infant to scape from her father's control with a view o marry her against his will, is indictable of which, are not in strict conformity to the a a conspiracy at common law, while it constitution of the State of Pennsylvania, would have been no criminal offense if one and to the constitution of the United States alone had induced her to clope with and Provined, That nothing herein contained

W. & S. 461. One man or many may hiss may be punished; per Gibson, C. J. Hood

And action for a conspiracy to defame will be supported though the words be not actionable, if spoken by one: Hood vs. Palm supra. Defamation by the outery of numers, says Gibson, C. J., is. as resistless as defamation by the written act of an individunl. And says Coulter, J., "the concentra-A riot is a tumultuous disturbance of the ted energy of several combined wills, operating simultaneously and by concert upon autious and circumspect, but when brought to bear upon the unwary and unsuspecting,

competition by a combination with others,

guilt or innocence of the other charge of the market, and if it gives a fictitious price by eans of false rumor, it is a fraud levelled against the public, for it is against all such the funds on that particular day. Every 'corner," in the language of the day, whethinconstances. Conspiracy is where two or er it be to affect the price of articles of comrendible stocks, when accomplished by confederation to raise or depress the price and sperate on the markets is a conspiracy. The this trial upon the merits of the supposed ruin often spread abroad by these heartless | conflict between capital and labor—the conthe combination is indictable. Commontion to coerce journeymen and master workmen employed in the same branch of indusry, to conform to rules adopted by such he price of labor, and carrying such rules into e "eet by overt acts, is indictable as a nisdemeanor. 3 Whart, C. L, citing the ople vs. Fishblee, 14 Wend, 9. Without aultiplying examples, these are sufficient to Plust are the true aspect of the case before

these companies entered into to control the upply and price of the Blossburg and Barmarkable events, such as the invention of to govern the supply and the price of coal he pleases, for his labor or property even no such agreement is made, the law implies telegraph, ironclads, and the admissions of Missisippi rivers, and from Penusylvania to ket value; but if he enters into a combinapurchaser to pay the price thus demanded I they enter imo a combination to reducthe price of labor, it is conspiracy and indictable in the courts. Each individual maprice for a given kind of labor, but if he enters into a combination with other employers o control the price by destroying competition, he and his confederates are guilty of onspiracy. This always has been the law, not only with regard to labor, but everything else, and still remains the law, except as modified by an act of the Legislature of June 14, 1872. I will read that act an ex-

"It shall be lawful for any laborer or are insufficient, or the treatment of such laborer or laborers, workingman or workingmen, journeyman or journeymen, by his, her bination of many, what severally no one cres, workingman or workingmen, journey- The organization of a religious congregation

THE COLUMBIAN, VOL. IX, NO. 31 COLUMBIA DEMOCRAT, VOL. XL, NO. 25 could accomplish, and even what when man or journeymen, would be contrary to is lawful, but the combination of some of its any person or pursons so refusing to work of labor, to prosecution or indictment for conpiracy, under the criminal laws of the Commonwealth; Provided, That this not shall not be held to apply to the member or members of any club, society or organization, the constitution, by-laws, rules and regulations marry him. Mifflin vs. Commonwealth 5 shall prevent the prosecution and punish an actor; but if they conspire to do it they persons who shall, in any way, hinder per-

ment, under existing laws, of any person or sons who desire to labor for their employer vs. Palm 8, Barr 238; 1 Rossel on crimes 556. from so doing, or other persons from being employed as laborers. this act. It authorizes laborers acting cither as individuals or as members of any association to refuse to labor whenever the wages are not satisfactory, their treatment is The law recognizes the most perfect liberty brutal or offensive, or when further labor of each individual to control his own time would be contrary to the rules, regulations and labor, free from the coercion or dictation or bylaws of their association, without being one individual, is dangerous even to the liable to indictment for conspiracy. All this laborers had a right to do prior o the pas sage of the act, if they acted simply as indi it is fatal; Twitchell vs. Commonwealth, 9 | visinals; but if they associated together and Bare 211. There is a potency in numbers acted in concert, their conduct was criminal when combined, which the law cannot over- This act simply destroys the crim natity of the conspiracy be to commit a crime or an refusing to work for any of the three reason anhwful act, it is easy to determine its in- given in the act itself. By the first provise dietable character. It is more difficult when I the act is made not to apply to the member the act to be done or purpose to be accom- of any organization whose constitution, by olished is innocent in itself. Then the of- laws and rules are not in strict conformity t fense takes its hue from the motives, the the constitution of the United States and means or the consequences. If the motives this Commonwealth. In order to preven of the confederates be to opp ess, the means any misunderstanding as to the meaning of they use unlawful, or the consequence to the Legislature, the second proviso continue others injurious; their confederation will the liability to "prosecution and punishmen become a conspicacy. Instances are given under existing law of any person or person in The Communication vs. Carlisle, Bright who shall in any way hinder persons who de Rep. 40. A mong those mentioned at crimi- size to labor for their employers from so de nal is a combination of employers to depress | ing, or other persons from being employed the wages of journeymen below what they as laborers." It follows, therefore, that an would be, if there were no resort to artificial agreement or combination among laboriu a town to hold up the article of bread, and ling the price of their labor, or improving riot at Goss Run, this county, on the 11th of tort an exorbitant price for it. The latter the law authorizes them to act in concert May last. If you find from the evidence that instance is precisely parallel with the pres- but if they go one step further and attempt on the 11th of May at Goss Run, three or ent case. It is the effect of the act months in any way to hinder or prevent persons who more persons assembled and proceeded to public which gives that case and this its are willing to labor from so doing their acis evil aspect as the result of confederation, for become unlawful and their combination

The questions of fact which you must de-In rex vs. De. Becenquetal, 3 M. & S. 67, and other miners in the Moshannon district juries is imadequate to do this, there is but twas held to be a conspiracy to combine to design the months of Angil or May last? part with the rioters or for the purpose of aiding or abetting them, they should be convicted under the first count of this indictive. Only such of the defendants as were present on that occasion can be convicted of present on that occasion can be convicted of present on that occasion can be convicted of the defendants as were present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the defendants as were present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on that occasion can be convicted of the purpose itself, said Lord present on the purpose itself is not purpose itself, said Lord present on the purpose itself is not purpose itself in the purpose itself in the purpose itself is not purpose itself in the a rior, whatever you may find as to their the price of a valuable commodity in the gain an increased price for their labor, the resort must be had to the military power of combination was not criminal; but if the bining, not only agreed themselves to quit as may possibly have anything to do with work, but to hinder or prevent persons from laboring in the mines at the former prices by means of threats, intimidations and, if need be, actual violence, then the combination merce, such as breadstuffs or the price of was criminal and all parties to it liable to indictment and conviction for conspiracy. Much has been said during the progress of

> conspiration is it indiscribable, frequently fill- test between the operators and the working ing the land with starvation, poverty and men. It is not our intention to discuss the woe. Every association is criminal where merits of this contest. If either party has the object is to raise or depress the price of been wronged, the law, if appealed to, would labor beyond what it would bring if it were furnish a complete remedy, and to the law left without artificial aid or s imulas. Pex both parties must appeal when they have, or vs. Byerdyke i M. & S. 179. In the case of | imagine they have grievances which need a such associations the illegality consists most remedy. Neither party can be permitted to frequently is the means employed to carry take the law into their own hards and right out the object. To fix a standard of prices their own real or fancied woogs. If the lamong men in the same employment, as a boring men are not paid their wages, if they ree bill, is not in itself criminal, but may are cheated in the weight of their coal, i ccome so when the parties resort to coer- their treatment by their employers is brutal ion, restraint or penalties upon the c.n- or offensive, or if they suffer any other real played or employers, or what is worse, to wrongs or injuries, the law will furnish them orce of arms. If the means be unlawful adequate means of reduces. If there is a combination among their employers to oppress them in any manner, they may be inof journeymen of any trade or handicraft to dieted for conspiracy in the courts, and the act of 1872 will not relieve, because it does not apply to them. In this country no one can be compelled to work against his will, unless he become an inmate of a workhouse ombination for the purpose of regulating or penitentiary. Nothing can properly control the price of labor but the law of supply and demand. If work is plenty and laborers scarce, they can increase their wages by demanding it, because the employer has in option. If work is scarce and laborers plenty, competition will bring down the price of labor as it will of everything else. No class of men has the right to monopolize any particula- kind of labor, Each individual has the right to engage in any kind of work that suits him, and to sell his tabor for any price he can obtain for it, and a combination or ambigation or confederation to increase or organization designed to interfere with this epress the price of any vendible commodi- right is against public policy and unlawful. y, whether labor, merchandise or anything All persons who labor for others do so upon else is indictable as a conspiracy under the the terms of a contract either express or imun loubted right to demand whatever price as to the wages, it is an express contract; if though it should be twice or thrice its mar- a contract on the part of the employer to pay whatever the labor is reasonably worth tion with others to compel the employer or or what others are receiving for similar work, Neither the employer nor employee can comby destroying competition, the combination | pel the other to pay or receive more or less the laborer, for if he is dissatisfied with his wages or his treatment, he may go elsewhere

It is alteged by the defense in this case hat the combination to which the lefendants belonged was a lawful one the association known as "The Miners National Association"-of which most of them are members, is a legal and legitimate organization under the laws of Pennsylvania plain the change it has made in the law as Portions of the constitution and by-laws of evidence in the case and determine from it this organization have been given in evidence whether the conduct of the defendants at aborers, workingman or workingmen, jour- the organization is not only lawful, but commendable, and that the by-laws and rules there present, taking part in the demon dividuals or as the member of any club, are not in conflict with the Constitution of tion, should be convicted of riot. And if they had entered into a combination to present, taking part in the demonstration, society or association, to refuse to work or the United States, or of this State. All this labor for any person or persons, whenever, may be true. There may be an organization in his, her or their opinion, the wages paid for a perfectly legitimate object, and its members may combine to do unlawful acts, and thus make themselves guilty of conspiracy. It does not follow that, because the oror their employer is brutal or offensive, or iginal objects of a society are legitimate

RATES OF ADVERTISING

STACE.

he rules, regulations or by-laws of any members to prevent the use of the English th, society or organization to which he, language in the public worship has been he or they might belong, without subjecting | neld to be unlawful. An association of miners is itself lawful. There are many other associations, societics, and organizations, which are perfectly lawful for themselves, and there can be no proper complaint against them, unless their members proceed to do what is unlawful. While there may be nothing in the constitution of "The Miners' Asociation" in conflict with the constitution and laws of this State, the provision of Article 8, concerning strikes, is not in harmomy with the spirit of our governmen and intitutions. To transfer to certain officers, or to a central committee, the power to legalize or refuse to legalize a suspension of work, ends to take away from individuals the control over their own time and labor, which the law gives them. All organizations or ar-You will observe the purpose and scope of rangements which give to one person the right to say whether it is legal or proper for another to work under any given state of cirsumstances, must produce pernicious results, of any other individual or associations. But whether the purposes of this organization are expedient or not, is not the question for you to decide. The simple question for you o determine is, whether these defendants

attered into a combination to do an unlawful act, or an act otherwise lawful but in an uplawful manner. If they did, they are suilty of a conspiracy and should be conviced. If they proceeded to carry out their urposes at Goss Run, on the 11th of May, a violent, tumultuous and riotuos manner, as to put peaceable citizens in fear, they ice guilty of a riot and should be convicted under the first count of the indictment. You must determine all questions of fact, neluding the credibility of witnesses. If we are mistaken in the law, as we have laid it down to you, and the defendants, or any of them, are injured thereby, they have a anolete remedy under a recent statute by emoving the case to the Supreme Cours for

This case has occupied much time. Many chnoses have been called, and the facts have been argued at great length by able counsel on both sides. This was proper, The case is of great importance not only to he defendants, but the public. Probably o calamity can befull a community greater than that riot and violence should prevail. A popular writer in a recent work, says: A riot unpurished is revolution begins." It is absolutely necessary for the peace of society, The questions of fact which you must de-termine, under this branch of the case, are, was there an agreement combination, or confederacy entered into by these defendants ions. If these defendants are guilty of the offense charged in the indictment, they bould be convicted. If the evidence fails o satisfy you of their guilf, they should be equitted. Of course you must discriminate a judividual cases. If the Commonwealth has failed to prove that any one of the de-feedants is guilty, he is emitted to a verdict of acquittal. You may convict any of the defendants of one or both charges. Each individual defendant is entitled to every reasonable doabr—such r doubt as would make a pradent man hesitate before coming to a ase of a general acquittal, you have power over the costs and must say by your verdict whether the county, prosecuter, or defendints, shall pay the costs; or you may divide he costs between the prosecutor and de-

> of either offense, you say nothing about the Counsel for the defendants have submitted certain points of law upon which they ask instructions. We will now read and auswer

endants in such portion as you deem proper f you impose any part of the costs on the

prosecutor, you must name him in your ver-

First -The Court are requested to instruct the jury that if they believe the miners acted under the organization of "The Miners' National Assocition," such organization was not in law a conspiracy, but justified by the set of Assocition.

act of Assembly,
Aus.—We cannot so instruct you, for the casons already given in our general charge.
The Miners National Association may of itself be a lawful association, and yet its nembers be guilty of conspiracy and riot.
Second—The defendants are not under the vidence gullty of a conspiracy, or of an un-lawful combination or confederation, the overt acts, if any were committed, being the acts of individual members, and not of the

Ans,-We cannot instruct you as matter of law that the defendants are not guilty, This is a question of fact which you must letermine from the evidence under the in-structions we have given.

Third-If acce of violence or intimidation were done, or if threats were made, the ofresponsible for their conduct.

Ans.—We are uncertain whether we understand the meaning of this point or not.

"The Miners' National Association" is not ndicted here. The defendants are not indicted as a corporation, but as individuals, who are charged with having entered into an unlawful combination to prevent men from working, and are to be convicted, if at all, as individuals, and not as members of

"The Miners National Association."
Fourth—Under the evidence in this case the only offense that the defendants could in any way be convicted of, would be riot, and the evidence does not justify that, as there is no evidence that anything was done to inspire the people with terror,

Ans.—We cannot instruct you as requested

on this point. This is a question of fact which you must determine. If the defendants entered into the combination alleged in the indictment, they are guilty of a conspiracy, Whether they did or not is a question of fact

for you to determine.

Fitch—Acts and language used by any individual towards. Capt. Clark in a personal altercation is not sufficient evidence upon which to found a conviction for riot. The prevent or hinder others from working who

acts must have been done by a combination or confisieration of three or more. Aus.—In one respect this is true. Single acts, such as threats, or personal altercations between one man and another, would not be sufficient to constitute a riot. If there was nothing but threats of one of the de-fendants to do personal violence to Capt, Clark, it would not justify a conviction for riot; but you must take this with all other and read to you, to show that the object of the organization is not only lawful, but comvent men from working in the mines at fifty cents a ton, who were willing to work, they are guilty of a conspiracy.

To which charge and answer to points the defendants' council except, and pray the same may be reduced to writing and filed of record, which is here done.

Ad. Law Judge.

SEAL.