

## The Columbian.

BROOKWAY &amp; NEWELL, Editors.

BLOOMSBURG, PA.

Friday, July 5, 1878.

## STATE TICKET.

FOR GOVERNOR,  
ANDREW H. DILL,  
OF UNION COUNTY.FOR SUPREME COURT,  
HENRY P. ROSS,  
OF MONTGOMERY COUNTY.FOR LIEUTENANT GOVERNOR,  
JOHN FERTIG,  
OF CRAWFORD COUNTY.FOR SECRETARY OF INTERNAL AFFAIRS,  
J. SIMPSON AFRICA,  
OF HUNTINGDON COUNTY.

Queen Mercedes of Spain is dead.

Ex-Governor Curtis delivered the Fourth of July oration at Philadelphia.

The total sum realized by the sale of the properties of Peter Hardie was \$517,485.

Ohio has the President of the United States, the General of the Army, the Chief Justice, the Minister to France, the Secretary of the Treasury and Don Cameron for a son-in-law.

Just about this time republican editors and orators are making very beautiful apostrophes to the star flag. As Senator Dill remarked, their object is to divert public attention from the rascals that are going on under the flag.

C. S. McCormick has announced his name as a candidate for President Judge of the 25th district, and is displaying very bad taste by attempting to secure his nomination by writing letters in his own favor for the newspapers. Judges should have the honor thrust upon them.

Another Mollie Doomed.

POTTSVILLE, July 1.—Martin Bergan, who killed Patrick H. Burns on Good Friday, 1870, at Tuscarora, and who caused so much trouble to the authorities in his extradition from Canada last spring, was sentenced to-day to hang.

Trouble With Mexico Looked For.

A special dispatch to the Philadelphia Times dated Washington, July 1st, says:—

There appears to be a great deal of anxiety in official quarters as to the attitude of affairs between the United States and Mexico. It is even said to-night that war is inevitable, but a member of the Cabinet said that while he did not think matters were quite so bad as that he still thought that matters were very threatening. It is not the President's intention to modify previous orders regarding the pursuit of raiders into Mexican territory, and the Mexican Government appears to be equally determined that the United States troops shall not only not cross the Mexican side of the Rio Grande, but that they shall not cross the river. It is thought that the authorities have some late and important dispatches from Mexico, but if there are such they will not be given out. The President leaves to-morrow for Wilkesbarre, but before he goes he will call a meeting of the Cabinet for special consideration of Mexican affairs. General Ord has been here several days, and has been almost constantly in conference with the President, the Secretary of the War and General Sherman.

A Bit of Political History.

In the fall of 1875 an election was held for county commissioners under the new constitution, each elector voting for two candidates. Morgan Fehr and Patrick Collins were the democratic nominees and Samuel Garrett and Louis Hise the republican candidates. Governor Hartranft was a candidate for re-election against Hon. Cyrus L. Pershing that same year. In Pottsville, leading republicans openly cut their fellow-townsmen, and life-long republican, Samuel Garrett and gave votes to Collins in return for votes for Hartranft. In Girardville, Mahanoy City and other portions of the county the same thing was done. From the fact that Judge Pershing was very popular among order-loving people, he received a large republican vote at home, but was slaughtered by criminals and their friends; and notwithstanding the open Collins-Hartranft trade by prominent Pottsville republicans, Judge Pershing received a majority of three hundred and thirty-eight. Patrick Collins was elected over Garrett by a very small majority. For the sake of Hartranft the republicans slaughtered Garrett, and for Hartranft's sake they elected Collins and set Louis Hise to watch him, and right faithfully he has done his duty. He has not only after he had tried Collins and found he couldn't stand him to his own views. Collins was not long in office before he was made for Collins to resign. It was instigated by democratic Collins' own nationality, and the cry was taken up by democrats of all nationalities and echoed through the county until it was a threat, worn out and monotonous. But not a single leading republican was heard to mention it, except in a way that was calculated to stir up strife in democratic ranks. The organ during the whole of the quarrel gave Collins aid and comfort during this time. One of its owners called on him at the court house and by pampering him, tried to get printing and advertising from him. One of its editors took a quarrel with him. They were a happy party all around, because it was keeping up a quarrel in the democratic party. In the same spirit that republicans procured the pardon of Hise, Benner and Courty, after conviction and sentence by a democratic court, they took the perverse course of electing him by a democratic majority, to procure pardons for delinquent officials convicted by democratic tribunals? Why did Hartranft and his lieutenants purchase Mollie Maguire votes? Why has Jack Kehoe so much confidence in the "Old man at Harriburg?"

Republicans may pursue our bit of political history and answer these questions for themselves.—Pottsville Chronicle.

## LABOR CLAIMS.

OPINION OF JUDGE ELWELL.

Samuel Knorr v. C. Bittender, et al.

No. 311 Feb. Term 1878.

Pl. Fil. No. 10 May Term 1878.

Distribution of proceeds of Sheriff's sale of personal property of Defendants.

The facts stated in the affidavit of Mary B. Saunders, admitted in the case stated to be true in substance, are to the effect that Wm. Saunders Jr., one of the claimants, although a minor, and living at home, his father being one of the defendants, yet that he had been so far manacled from the control of his parents as to entitle him to recover for himself wages earned by him. McCoskey vs. Cyphert 3 Casey 220. McGinnis vs. The Steamboat Grand Trunk 2 Pitts 326.

He is entitled to payment of his claim as if he were of age. His right to receive payment of the proceeds of sale depends as does that of all the other claimants upon the sufficiency of notice to the Sheriff in their case respectively.

The notices of Samuel Townsend and R. H. Ringer are in strict accordance with the requirements of the wages Act of 9 April 1872 and would be safe examples to be followed in all cases.

The notice of S. B. Anderson is full and complete.

The claims and notices of Wm. G. Girtin, Calvin E. Girtin and Alfred E. Girtin by a liberal construction of the statute may be held to be sufficient. It is a better practice however to entitle the suit in which the lien is claimed and to state in the notice the number of the Pl. Fa. upon which the levy is made, upon which the lien is claimed.

The claim of J. Elwood Heacock as stated in the notice is not within the protection of the statute. It does not appear that the claimant was employed at the works of the defendants—claim not allowed.

Notice by 24 different claimants whose claims in the aggregate amounted to \$644.14 were contained in one paper and handed to the Sheriff. It would be well for all parties interested in claims for wages to cause to be made out and presented to the Sheriff with proper notices his own claim separate from that of other claimants. There is no reason why the claim of one laborer or mechanic should be complicated with that of another.

By the separate plan there will be less danger of rejection of a claim by reason of omission or insufficiency of notice.

The 24 claims are not as specific as they might be—it states that the following named laborers and mechanics, employed by the Bloomsburg Lumber Company as carpenters or mechanics working in the shop and about the mill of said Company whose property was levied upon by virtue of the f. fa. designated by the number, and it claims a lien upon said property for labor performed by the day within the six months preceding.

At the close it is stated that the total amount claimed by these laborers for carpenter work, &amp;c., amounts to \$644.14.

The notices would have been more from all question and difficulty if the terms, laborer, carpenter and mechanic had specifically applied to each claimant according to the fact, and the number of days work claimed by each, or the price per day had been inserted. While I hold the notices by a liberal construction of the statute to be sufficient I cannot commend them as specimens of clearness in statement.

In the commencement of the notice the claimants are styled "laborers and mechanics" employed by "carpenters or other mechanics" and at the close the statement avers that the amount claimed by the above mentioned laborers for carpenter work amounts to the sum named.

Taking the whole statement together the evident meaning is that labor was performed by mechanics at the manufactory of the defendants, yet in some parts of the writing they are called laborers, in other parts carpenters, and in one portion the words "carpenters or mechanics" are used as meaning the same thing. The labor performed by carpenters or other mechanics, was performed in the shop or manufactory of the defendants.

The question of notice to the sheriff by claimants under the wages act has been under consideration by the courts in several instances; in several of these the notices have been held insufficient to entitle the claimant to a preference.

In McMillan vs. Bank 1 Weekly Notes 58, it was held by the Supreme Court that a notice containing a list of names and an amount opposite each with verbal notice to the sheriff that the parties named claimed a lien was not in compliance with the law. The notice must be wholly in writing—it must refer to the property levied upon, and it must claim a lien.

In Kendig vs. Atkinson 34 Legal Intelligence 196, by Judge Pershing, and in Graham vs. McLean &amp; Benner Machine Co. 35 Legal Intelligence 70, by Judge Butler, it was held that a notice containing nothing more than a mere statement that the defendant was debtor to the claimant in an amount named was not a sufficient notice.

The same was held by this Court in Wm. Puffer's case 6 Luzerne Leg. Reg. 101. We there held that a notice which requires that the notice should contain every essential to a valid claim with reasonable certainty. It should contain notice that the party claims a lien on the property seized by the officer, and the particulars of service as to days work or work by the month or other contract, and the amount claimed.

In Re W. H. Bennett 7 Luzerne Leg. Reg. 2 it was held by Judge Handley that notice in the words of the statute is sufficient without full details. He is of opinion that the notice which seems to be required by the ruling in Puffer's case is too specific for practice. Without pausing to discuss that question now it is enough to say that the notice in the case under consideration is more full and specific than that in either of the cases above cited. In none of them was the property referred to, nor the fact that a lien was claimed stated. While here the property upon which the lien is claimed is defined by reference to the f. fa. and levy. The claim of lien is fully stated—the work is stated to have been performed by the day and the amount is set down.

Now as certainly to a common intent in the rule in the case of mechanics lien under the act of 1866; McIntock vs. Bush 13 P. Smith 205 and also under the act in question, McLean &amp; Benner Machine Co. of supra, I am of opinion that the notice in question may be sustained.

If being agreed that the amounts are right if the notices are sufficient, it is now ordered that the persons named in the list be paid the amount set opposite their names respectively (with the exception of J. Elwood Heacock) out of the funds raised by the sheriff's sale upon the f. fa. No. 10 May T. 1878.

BY THE COURT.

July 1, 1878.

About 250 Mormons, mostly German and Swiss people, arrived in New York recently on their way to Utah.

## Eliza Pinkston's Story.

SHERMAN'S DRAMATIC WITNESS IN LOUISIANA—AWA-SWORE HER TESTIMONY.

WAS FALSE.

A correspondent of the New York Herald has just finished a successful search for Eliza Pinkston and procured the following sworn statements:

State of Mississippi, County of Madison.—

Personally appeared Eliza Pinkston, woman of color, residing at Canton, Miss., who being duly sworn, deposes that her name has been Eliza Pinkston, as wife of Henry Pinkston, deceased; that she has since married a man named Pritchard, and is now residing at Canton, Miss.; that as Pinkston she did appear as a witness before the Louisiana returning board at New Orleans, La., in the month of November, 1876, and as such she gave testimony that her former husband, Henry Pinkston, had been killed and she herself had been seriously injured and wounded by certain democrats of the parish of Ouachita because of and on account of the republican politics of herself. Dependent further deposes that she was induced to give testimony by certain republicans, namely, O. H. Brewster and Dinkwater, by promises of reward, and she was, in fact, paid therefor the sum of \$500, as per said promise, which she received, and, after taking therefrom the sum of \$50, she allowed the remainder to remain with said Brewster on deposit, but has failed to obtain said amount from said Brewster, although she has frequently demanded the same. Dependent further deposes that at the time of giving said testimony she was in a weak, nervous and prostrate condition, induced by suffering from wounds and by having her feet played upon by intimations that the democrats were intent upon murdering her; that she was ignorant and uneducated, and was readily induced by these persons of superior intelligence to give her testimony a coloring, so as to show that her husband, Pinkston, was killed and herself wounded on account of political opinions, when the facts were that her husband, Pinkston, never took any part in politics, and had in no way given any offense to any person on account of politics, but dependent believes, and did believe then, that said murder was in nowise connected with politics; that she did not then know, nor does she now, who were the persons engaged in said murder and wounding; but she believes that there is every reason to think that a colored man who had twice fought with her husband and had been hurt by her husband, and who had made threats to take his (Pinkston's) life, was one of the persons in said killing; that she was told by her said husband (Pinkston) shortly before his death of the circumstances of said fight while at dinner at one time, and said Pinkston pointed out the said colored man one day as he passed their home on the road; that dependent cannot at this time recite the name of said person, but knows that he lived in the neighborhood of Ouachita City. Dependent further deposes that she was persuaded and prevailed upon to testify that Tom Lyons, a colored man, was with the party who killed her husband and assaulted her, but dependent has no personal knowledge of the fact other than being informed by Cora Williams that said Lyons was at Cora Williams' house on the day of the murder. Dependent further testifies that she was brought from her then home in Ouachita parish and conveyed to New Orleans, and she was instructed to testify and lay all the blame of said killing and assault on the democrats; and that she was further instructed and induced to pretend that her wounds were more serious than they were, and that she could not walk, when in fact she had walked each day consistently for distances and ascended long flights of stairs such as the custom house stairs in New Orleans, without assistance; and on the day she was carried in the room of the returning board on a lounge or sofa, she was conveyed in a carriage, but was able to walk a part of the way up the stairs to the room where the returning board was sitting and gave out, but she was induced to allow her self to be carried in on said sofa or lounge in order to produce the impression that she was worn out and could not walk. Dependent further deposes that previous to her giving testimony before said returning board she was visited by Mr. John Sherman and others of the visiting statesmen, and she was informed and introduced to them as such, and that she walked before them and they had ample opportunity to see what her condition was and that she could walk her. Dependent further deposes that during the time she was in New Orleans attending the said returning board she was constantly given evidence by different republicans and was promised support for life, which she has not been given as promised. Dependent makes this affidavit without fear from any cause and without any promise of reward or other consideration than a desire to have the whole truth known in the interest of truth.

her

ELIZA PINKSTON.

mark. (Now Pritchard.)

Sworn and subscribed before me this 23d of June, A. D. 1878, after the same had been read over twice to dependent in a distinct and audible voice in my presence, and that of the foregoing witnesses and her husband.

SINGLETON GARRETT,

Justice of the Peace.

Eliza's husband corroborated her by swearing that her affidavit agrees with what she has always told him. R. H. Hoffman, of Canton, Miss., one of the attending witnesses to the signatures of Eliza and her husband, swears that he knows them both, and that the allegations contained in their affidavit were read and explained to them before they signed.

The most important confirmation of Eliza's story, however, is that given by J. W. Mos by, the owner of the land upon which she and her husband resided.

Mr. Mosby, who is also an attending witness in Canton, Miss., for several years, and still resides there, is well known to reputable firms in New York, who have done business with him. The head of a jewelry firm, and known as bearing a high character, says of Mr. Mosby:—

"I know him personally and can vouch for him as being a man of the strictest integrity and honesty. His word should have as much weight as that of any man in the city of New York. When I was first in the jewelry business we sold him goods. Then he sold out that business and went into the drug business in Canton. He guaranteed to the person who bought him out that he would not deal in jewelry for two years, and that agreement he scrupulously kept. Since the two years expired we have again sold him jewelry and always found him scrupulously honest. I don't know any man whose word I would take quicker."

Mr. Mosby testifies that the affidavits were read over to Eliza and her husband, and with their suggestion some modifications were made. He further says that at various times he has talked with Eliza, and she has always told him substantially the same story.

One of the affidavits secured by the industry of the Herald correspondent seems to give John Sherman occasion for further denial.

T. Wharton Collins, a stenographer who was employed by the democrats that visited the returning board to witness its proceedings, testified that having occasion to visit Mr. Longley, the stenographer reporting the proceedings for the republican visiting statesmen, he met him at the door in one of their rooms in the St. Charles hotel, on the same floor with the famous parlor P, and while talking with Mr. Longley he heard John Sherman through the room door laughing hilariously about the Pinkston testimony given that day, and remarking to a gentleman, whom the assistant took to be the Hon. J. B. Stevenson, that it was laughable to see how Governor Bigler had taken the whole thing in, and other remarks in the same vein, by which affiant understood John Sherman to be rejoicing over the successful imposition of Eliza Pinkston's testimony.

## WASHINGTON LETTER.

Washington, D. C., July 24, 1878.

The two witnesses of importance before the Potter Committee in the last few days were William E. Chandler and L. O. Dennis, Mr. Chandler was summoned to tell what he knew of Florida affairs and of a "bargain" between Hayes and his friends and Southern Democrats by which Hayes was to be seated and Packard and Chamberlain to slide. Mr. Chandler seems to know nothing to the detriment of any Democrat, but shows pretty clearly that Sherman, Matthews, Garfield and others early resolved to give Packard and Chamberlain in the hope that such a sacrifice would lead Southern Democrats to the support of Hayes.

The most interesting testimony, however, was that of Dennis, and it will be followed to-day or to-morrow by that of the two Republican election officers of Archer precinct Florida, who, Dennis says, deliberately added 219 votes to the Republican side after the polls were closed.

Mrs. Jenks disappeared as a witness on Saturday, having on that day appeared merely to file some letters which passed between herself and Anderson. This notable woman will long be remembered by Mr. McMahon and Col. Butler, who tried all the arts known to the profession to get the truth from her and failed disastrously.

Your readers will remember the case of Eliza Pinkston, who, wounded, bleeding and bruised, was brought before the Louisiana Visiting Statesmen as an example of Southern Democratic bull-dozing, and told a frightful story of outrage. One Northern Democratic Statesman then in the State upon looking upon the horrible sight, said to the people of Louisiana conducted their politics in that way they were not fit for self-government.

The story was soon exposed so far as its political character went, and shown to be an ordinary case of assault. Now Mrs. Pinkston, since married and living in another state, makes affidavit that she received \$500 from the Republican managers for exhibiting her wounds and telling her story, and says that politics had nothing to do with her injuries. She adds a statement so infinitely characteristic of Louisiana Republican leaders that we are compelled to believe all she says. It is that she deplored most of the \$500 with one of the Hayes electors for safe keeping and has never been able to get it back.

A proposition has been made that Congress authorize the appointment of a Board to sit in Washington, which upon the application of any officer or soldier of the late volunteer army who was punished by Court-Martial, shall review the testimony and proceedings in the case. If it is found by the Board that substantial justice was not done by the Court, the Board shall recommend to Congress such action as will relieve the officer or soldier as far as possible from the penalty inflicted. This is substantially what Congress has done in the case of Genl. Porter and Surgeon-General Hammett. Let it give the poor man a chance.

After to-day Postmasters who have heretofore been paid a percentage on the stamps sold at their offices will receive instead a percentage on those canceled there. This will materially reduce the income of some Postmasters who have sold large numbers of stamps to be used at offices where a salary, not a percentage, was paid, and will correspondingly increase the receipts of the Government.

## SEMINOLE.

About the time of the adjournment of congress the newspapers were filled with accounts of a Washington scandal of a peculiar sensational character. All the details were served up in the most piquant style. It was told how Gen. Rosser attracted by screams of distress in a private room of a fashionable restaurant, rushed to the scene, broke open the door and rescued a lovely lady from a brutal assault. Then followed elaborate biographical sketches of the principal actors. The probability of a duel was next considered and the advantages and skill of each duly discussed. It was said that Acklen from whom Gen. Rosser rescued the lady, was a "dead shot," and owned some of the "finest double pistols." Acklen had fought duels but no one was able to give any particulars concerning the deadly combats in which he had been engaged. One was taken to mention Acklen was a prominent democratic member of congress from Louisiana, and this afforded an occasion for commenting on the wickedness of democrats in general. After the public mind had been scanned for several days the prosaic end of the scandal is revealed in the following brief telegram from Gen. Rosser:—

"I have made no statements to newspapers concerning you. Have not seen the National Republican, and do not intend to do so. Am responsible for what it has published, which surely must be false."

T. L. ROSSER.

—Exchange.

A ship named Eothan sailed from New York on the 20th ult. for the Polar sea. The crew will pass next winter at the Whale Point in Hudson's Bay, there they will engage Esquimaux guides and proceed by overland to Great Fish river, and will in that locality hunt for the lost papers and journals of Sir John Franklin's ill-fated expedition, which it is thought have been deposited there by the long-lost English voyagers. The expedition is only a business enterprise, for if they recover any papers or journals they will secure the large reward which is offered for them by the English Government. The crew of Eothan will also pursue the whale fishery and they expect in that way to make the expense of the voyage.

A Man Shoots His Wife and Mother-in-law and Blows His Own Brains out.

ELMIRA, N. Y., July 1.—Col. Alvah Buckbee, a prominent resident of this city, shot his wife and mother-in-law and then blew his brains out, dying instantly this afternoon.

The daughter of T. S. Reed, left him some weeks ago, and he went to the house of her parents, where she was stopping. He implored her to return and live with him; she refused and he drew a revolver, shooting her twice in the head. Her mother ran in and he shot her twice. It is thought both women are fatally injured.

## Judge Stanton on the Political Situation.

Hon. W. H. Stanton, who will be remembered, was elected to the bench last fall in Luzerne by the large party over both the republican and democratic nominations by a majority in excess of 3,000 votes, has been interviewed by the Sunday Free Press and gives his views very fully in reference to Luzerne politics, especially the labor question and the relative position thereof of the different candidates for gubernatorial honors.

Standing as he does a recognized and influential representative and leader of the labor party in the anthracite region and in a county where his first actual victory was achieved the views of Judge Stanton will be read with peculiar interest and will carry with them the influence and inspiration of one speaking by authority. He does not regard Mr. Mason as an important factor in the gubernatorial contest, but he does regard him as an important factor in the anthracite region and in a county where his first actual victory was achieved the views of Judge Stanton will be read with peculiar interest and will carry with them the influence and inspiration of one speaking by authority.

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## The Indian War.

AN ATTACK ON CARSON CITY REPORTED.

SAN FRANCISCO, July 2.—A Portland dispatch states that a letter just received there from Heppner, Utah county, dated June 28, says: "Great excitement prevails in this neighborhood relative to the Indian troubles. News has just been received here that the Indians have made an attack on Carson City."

"No particulars are known. Parties have commenced moving their families to places of safety."

"The Utah Indians have put their women and children on the reservation and joined the hostiles. Everybody is expecting a general uprising and prolonged war."

SAN FRANCISCO, July 2.—A Portland dispatch states that Governor Chadwick has received the following telegram:—"CANYON CITY, Oregon, June 29.—Our scouts fighting on the south fork of John Day valley. The militia force is not sufficient to protect us and is in the rear of the enemy."

"There are no troops in our valley. We have but few arms and but little ammunition. Order the state militia immediately to our assistance. Forward arms and ammunition with an escort to arm our citizens. Raise them at Dallas if you can. Time is precious. (Signed)"

"S. C. SELLS."

A gentleman who has just arrived at Portland from the Warm Spring agency, reports that the Indians there are very much dissatisfied, and some are talking of joining the hostiles.

It Seems Impossible.

That a remedy made of such common, simple plants as Hops, Buchu, Mandrake, Dandelion, &amp;c., should make so many and such marvelous and wonderful cures as Hop Bitters do, but with old and young, rich and poor, Pastor and Doctor, Lawyer and Editor, all testify to having been cured by them, you must believe and try them yourself, and doubt no longer. See other column.

## Consumption Cured.

An old physician, retired from practice, having had placed in his hands by an East India missionary the formula of a simple vegetable remedy, for the speedy and permanent cure for consumption, bronchitis, catarrh, asthma, and all throat and lung affections, also a positive and radical cure for nervous debility and all nervous complaints, after having tested its wonderful curative powers in thousands of cases, has felt it his duty to make it known to his suffering fellow-men. Actuated by this motive, and a desire to relieve human suffering, I will send, free of charge, to all who desire it, this recipe, with full directions for preparing and using, in German, French, or English. Sent by mail by addressing with stamp, naming this paper. W. W. Shearer, 149, Powers Block, Rochester, New York.

June 21-14

## Candidates.

(The following persons have been proposed for nomination by the next Democratic county Convention to be held August 19th, 1878. Candidates announced in this list are pledged to abide by the decision of the convention.)

FOR CONGRESS,  
DR. O. A. MEGARELL,  
of Orangeville.C. B. BROCKWAY,  
of Bloomsburg.FOR REPRESENTATIVE,  
DAVID S. BROWN,  
Main township.

B.