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SPECIAL NOTICES.

ALL KINDS OF BLANKS FOR JUSTICES AND CONSTABLES AT THE COLUMBIAN OFFICE.

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JUSTICES AND CONSTABLES FEE BILL.—Justices and constables can procure copies of fee bill under the act of 1883 at THE COLUMBIAN OFFICE. It is printed in pamphlet form, and is very convenient for reference. It also contains the act of 1889 concerning the destruction of wolves, wildcats, foxes and snakes. They will be sent by mail to any address on receipt of 20 cents in stamps.

WANTED CORRESPONDING AGENT IN every town, to report on parties regarding opening or refitting saloons, by the largest saloon manufacturers in the world. Good man can make \$5000. HOTHILL'S SONS CO. 719 Broadway, N. Y.

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The undersigned will sell at private sale, the farm located in Centre township, at upper Lime Ridge, containing 111 acres, good buildings, brick house and large bank barn, and fruit. For terms, address GEO. W. HESS, Forks, Pa., or J. A. HESS, Bloomsburg. 10-26-3m.

COURT PROCEEDINGS.

The regular December session of court convened on Monday morning, President Judge Ikeler, and Associate Millard on the bench. Judge Murphy arrived later. The following business was transacted;

In the estate of J. C. Myers, H. A. McKillip was continued as auditor.

Estate of Benj. Sheets, report of sale confirmed nisi.

Estate of Geo. Shuman, auditor's report confirmed nisi.

B. J. Doyle and F. H. Eaton excused from serving as grand jurors and A. J. Lenahan from traverse jury duty.

Ash & Bro. vs. Berwick Water Co. Order of Court filed. Each party to pay half the costs on the continuance.

H. A. Kremser vs. Thomas Liddicoat. Certiorari. The Court read an opinion reversing the verdict of the justice and setting the proceedings aside.

Road in Jackson twp. near Ellis Young's. Report of reviewers set aside. Rule to appoint re-reviewers made absolute and Matthew McReynolds, F. P. Davis and Amos Wanich appointed re-reviewers.

J. K. Eyer's Executors vs. G. W. Sterner. Judgment opened.

Pine twp. Poor District vs. Franklin twp. Poor District of Lycoming County. Removal of Amanda Pursel a pauper. Court direct that said pauper be taken in charge by proper authorities of Poor District of Franklin twp.

Com vs. J. M. C. Ranck and his wife Marie Ranck. Mal treatment of their child. The former was acquitted and the latter convicted. Rule for new trial discharged and new trial refused.

List of grand jurors called and all answered except Lewis Freas and Ellsworth Fetterman.

H. O. McHenry, of Benton, was appointed Foreman of Grand Jury and duly sworn, as were also the rest of the Grand Jurors.

Judge Ikeler delivered the following charge to the Grand Jury.

Gentlemen of the grand jury: Notwithstanding the almost constant example that courts make by punishing violators of the law and notwithstanding the continual teaching and preaching of christian people, at every term of court persons appear charged with the commission of crime.

You are called here, as representing the county to aid in protecting the citizens rights of person and property. You should act as broadminded, conservative, tolerant men—not as radical, fanatical, and intolerant. Although the conscientious discharge of your duty may sometimes be unpleasant and disagreeable; yet it should certainly be a great satisfaction to you in your future life to know that you had firmly met the obligation of your oath. But, while you are not to shield the wrongdoer, you should be careful on the other hand not to be instrumental in bringing punishment upon the undeserving. You can imagine how serious and sad it would be for an innocent person to fall under the condemnation of the law. The law does not regard the conviction of the guilty as of higher moment than the vindication of the good citizen; on the contrary it declares that it is better that ninety-nine guilty persons should escape than that one innocent should suffer. You should be satisfied of the probable truth of the charge or charges contained in an indictment before you return it a true bill, for no one should be put to the trouble and the expenses of a public trial and made to bear the discredit that may flow from it, unless at least twelve of your number are convinced that there is probable ground for the

accusation against him—enough to put him upon his defense before a traverse jury. You hear only the commonwealth's side of the case. The defendant does not appear before you, nor is his defense heard by you, in no event can you put any costs upon him, nor where a felony is charged have you anything to say about costs. But where the word felony is not found in the indictment (nor the word feloniously), so that the charge is a misdemeanor only, if you do not find the indictment a true bill—if not so many as twelve are agreed that it ought to be so returned—then you must dispose of the costs by putting them upon the county or upon the prosecutor, naming him, setting out that such a person is the prosecutor. All findings of the grand jury should be signed by your foreman as foreman. You do not make final disposition of any matter brought before you. In other than criminal matters, as in applications for bridges or boroughs, a majority of your members may report, but no bill of indictment can be found true without the concurrence of twelve good jurors; if not so many as twelve agree to report a true bill, it must be returned ignored (or not a true bill) and you must also, in misdemeanors also, dispose of the costs as we have already instructed you. On an application for a bridge or a borough the law says that there shall be a full hearing; this means that the applicant or his counsel may be heard by himself and his witnesses and also any opponent; so that the whole question may be fairly before you by testimony and by argument thereon if the parties wish to discuss the matter and you choose to hear them. But when you are deliberating, considering any question submitted, no one not a grand juror should be present. The district attorney may aid you in eliciting testimony relating to a charge in a bill of indictment, but he must not be with you when you deliberate or vote. The proper way to investigate such charge is to call one at a time of the witnesses for the commonwealth, perhaps best in the order in which their names are endorsed on the bill of indictment. As each witness appears before you he should be sworn or affirmed by your foreman or by some one of you. The district attorney will give you the form of the oath. He should then be asked to tell what he knows touching the matter—not what he has heard from others, but what he knows himself. If necessary the district attorney, or any member of the grand jury may, by questions draw out from the witness a full detail of his knowledge on the subject, but it is usually better to let him tell his story, if he will, in his own words, so long as he doesn't wander from the point.

If an examination of the first witness called satisfies at least twelve of your number that the bill is true, that is, that the case must be returned for trial, then you need go no further; if it doesn't, then you must call another, and so on until you have examined every witness offered by the prosecution, before you can ignore the bill, but you may cease to call as soon as at least twelve are convinced that the bill ought to be returned a true bill. As each witness is examined, mark his name found on the back of the bill sworn or not, so that the prosecutor may know whom you have examined. In case the bill is ignored, the commonwealth is entitled to know whether or not you have examined every witness she has offered, if you have not, you have improperly ignored his bill, because the examination of the witness or witnesses whom you have neglected to examine might have convinced you that the bill must be returned a true bill.

Costs can be put only on the county or on the prosecutor—all on the county or all on the prosecutor, never on the defendant. A traverse jury may in certain cases otherwise dispose of costs, but you cannot. A name may be indorsed as prosecutor. If you find that person whose name is indorsed to be the prosecutor, and if you put costs upon him, it is not sufficient to say that the prosecutor shall pay the costs, but you must state in your finding who the prosecutor is, writing his name into your finding—whether the name indorsed or some other who you may find to be the real prosecutor in the case. In a felony, as we have said, you have no power over the costs and consequently have nothing to say about them. But if a misdemeanor, you find the prosecution ill-founded and that the prosecutor acted from an improper motive, it would be just to impose upon him the costs of a proceeding instituted not for the public good but with some design—as to gratify a spirit of malice, hatred or revenge. It would be, however, encouraging criminals and discouraging honest citizens to visit with costs every mistaken prosecutor. He may have erred; your conclusion as to the fact of a crime having been perpetrated may not coincide with his; he may have supposed that the act of which he accuses the defendant was criminal when it is not so in law or he may have overestimated the weight of the evidence by which he thought to convince you that the unlawful act was committed by the person whom he charges with having committed it, for such error a prosecutor ought not to be punished at your hands.



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As the grand inquest inquiring in and for the body of the county, all your action must be based upon evidence openly adduced before you, not upon individual opinion or knowledge. If any grand juror has information to communicate to your body he must first be sworn.

You will be masters of your own time and will fix the meetings and adjournments of your body to suit your convenience. You will consult among yourselves and not heed suggestions that may come from others, unless they commend themselves to your own judgment.

We ask you to use due diligence, serving the public faithfully, and that you make return promptly to Court, especially in the matter of bills of indictment, that the Court may not be hindered in the trial of causes here.

Let Peter Billmeyer be sworn as constable to wait upon the grand jury.

Returns of the constables taken and the following answered: F. B. Singley, Elwood Knouse, M. L. McHenry, M. C. Woodward, Wesley Knorr, G. W. Hosler, Lora Styers, James Thompson, Dennis Downing, I. J. Hess, O. Yocum, Emanuel Levan, W. E. Edgar, S. W. Reeder, U. C. O'Blosser, G. W. Hartman, Frank Travelpiece, Daniel Morris, J. E. Wintersteen, C. F. Hartzell, Z. T. Bowman, John N. Gordon, R. C. Howell, D. W. Robbins, Wm. Hampton, H. Waples, M. F. Shoemaker, Amos Neyhart.

Franklin Travelpiece appointed guardian of grandchildren of Wm. Lawton.

Report of viewers against a road in Greenwood twp., confirmed nisi.

Katie McHenry vs. Arden McHenry, subpoena in divorce.

Estate of W. K. Shuman, dec'd. Order of sale confirmed nisi.

Estate of John S. Kline, dec'd. Account of executor confirmed nisi.

Restaurant license of C. W. Freas transferred to A. Thiel, Berwick.

Hotel license of Heller & Schenck transferred to S. K. Heller, Berwick.

Estates of Lavina Whitenight and D. Zarr. Order of sale confirmed nisi.

Estate Carleton Caswell, a minor of whom B. F. Zarr is guardian. Petition to pay out sufficient of principal to pay Caswell's schooling at Philadelphia. Granted.

Hurley Michael, who was convicted of fornication and bastardy through his counsel E. F. Zarr says he is unable to pay and if he go to jail his mother will be without male help, and therefore asks Court to be lenient when sentence is pronounced. Court sentenced defendant to pay costs of prosecution, fine of \$5 and to Ida Michael the sum of \$20 for maintaining child up to this time and the further sum of 75 cents a week till child is 7 yrs. of age, and give bail, &c.

Peter H. Hawk, of Beaver, excused as a traverse juror on account of serious illness of his sister.

Partition awarded in estate of Wm. Miller, dec'd.

Ellen Moore appointed guardian of her minor children.

Register's accounts confirmed nisi. Commonwealth vs. Kate Miller. The Grand Jury returned not a true bill and the prosecutor Nora Devert to pay the costs. Nora was called and appeared before the Court leading a little three or four year old child by the hand and carrying a babe in her arms. She stated that she nor her husband had any money and owned nothing with which to pay, but the Court could do nothing and she was remanded to the care of the Sheriff.

Penn'a RR. vs. Wm. Gaumer, of Franklin, larceny of coal and plank. True bill. Defendant pleads guilty to carrying off the plank. Sentence suspended.

John Donahue est. Order of sale confirmed nisi.

Petition of Mary J. Evans to keep the Sheriff from levying on two tracts of lands in name of Wm. Evans as they belong to her, and therefore ask the rule to show cause, &c.

M. B. Hettler vs. Wm. Brindle, surety of the peace, threats made by defendant to burn plaintiff's house in Milffin township. Plaintiff had no counsel but made a statement saying he was drunk and didn't know whether he threatened to burn Mr. Hettler's house or not. Several witnesses were then heard. The Court gave the defendant a severe reprimand and remanded him to custody of the Sheriff.

James Chamberlin vs. Marietta Chamberlin. Subpoena in divorce.

Report of Auditor in estate of Catharine Weaver, dec'd, confirmed nisi.

Commonwealth vs. Daniel Dillon a true bill.

Petition for road in Mt. Pleasant near Wm. Miller's.

Jesse Johnston est. J. G. Freeze continued as auditor to next term.

E. O. Jackson est. Wm. Chrisman continued as auditor to next term.

Jennie Terwilliger, vs. W. S. Terwilliger. Publication in divorce directed by the Court.

M. G. Hughes est. B. F. Zarr continued as auditor.

Application of W. H. Cherington for discharge under insolvent laws. Hearing continued to Feb. term.

In re Hemlock twp., into two election districts. Commissioners are continued to file report at Feb. term.

In the matter of petition of residents of Beaver twp., school district, the inspector C. C. Evans is continued to report at next term.

Road in Roaringcreek near Geo. Craigs. Viewers continued to report Dec. 15th.

Osborne & Co. vs. W. P. Kline, Rule to open judgment. It appearing that no answer has been filed in the above proceedings to the petition of the Deft it is ordered that unless an answer is filed on or before next argument Court the above rule will be decided on the facts set forth in the petition.

Estate of Michael Fetterolf, deceased. J. B. Robison continued as auditor.

In the matter of the assigned est. of the Catawissa Deposit Bank, J. H. Maize is continued as auditor to report at License Court.

Est. of Samuel Adams. R. Rush Zarr continued as auditor.

John Appleman Est. J. H. Maize continued as auditor until next term.

In the matter of the proposed County bridge across the river at Milffinville, for which a petition had been presented at May Court and the report in favor of bridge confirmed nisi. At September Court, exceptions were filed to the report and the petition for review presented.

Isaiah Bower vs. G. W. Supplee, trustee. Rule discharged.

Scaled bids in different estates opened, read and filed.

Transfer of restaurant license in Berwick from Theodore Berger to Edward Schenck.

S. J. Benjamin vs. J. W. Kile. Disturbing public worship. Compromised between plaintiff and defendant.

Estate of B. F. Savits, deceased. Auditor's report referred back to him.

True bill found against Miles Donaker, Timothy Reardon, John Donaker and Ed. Welsh. Robbery of store of Arthur Roberts at Rupert. The accused plead guilty and were remanded to the custody of the sheriff by the court. The mercy of the court was begged in behalf of Ed. Welsh because of his clean confession. The appeal for mercy was made by lawyer Ikeler and approved by district attorney and Justice Jacoby.

Commonwealth vs. Daniel Dillon. Theft of watch while drunk.

Arthur Roberts vs. Dora and Elizabeth Murphy. Receiving stolen goods. True bill found.

Mitilda Hendershott vs. Charles Hendershott. Divorce decreed.

George Keiter, E. Boone and H. S. Pohe vs. Harvey Gross. Stealing blankets, &c. Found guilty in manner and form as indicted.

James Drummond, John Springer, and Thomas Jacobs. Malicious conduct. A true bill.

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