

The Columbian.

ESTABLISHED 1866. The Columbia Democrat, ESTABLISHED 1867. CONSOLIDATED 1893. PUBLISHED EVERY FRIDAY MORNING at Bloomsburg, the County seat of Columbia County, Pennsylvania.

Candidates.

FOR ASSOCIATE JUDGE, MORDECAI MILLARD, CENTRE TOWNSHIP.

STATE TICKET.

STATE TREASURER, B. F. MYERS, Dauphin County.

JUDGES OF THE SUPERIOR COURT.

HARMAN YERKES, Bucks County. JAMES S. MOOREHEAD, Westmoreland County. PETER P. SMITH, Lackawanna County. CHARLES N. NOYES, Warren County. OLIVER P. BECHTEL, Schuylkill County. CHRISTOPHER MAGEE, Allegheny County.

COURT PROCEEDINGS.

Opinions of the Court Filed.—Constables Must be Elected Next Spring.—Surety of the Peace Case Heard.—A Full and Accurate Account of the Work of the Court.

The regular Term of September Court convened Monday morning with Pres. Judge Ikeler and Associate Judge Millard on the bench. The list of Grand Jurors was called and the following were excused from serving: George Huffnagle, William Savage, Eli Sherwood and B. F. Spoonenberg. Hurley Michael's application for discharge under the insolvent law was granted. Report of viewers on a road in Briar creek Township near Adam Michael's was confirmed nisi.

Order of sale granted in the estate of Richard Shuman dec'd. The report of the Auditor in the estate of Alem Connelly dec'd. confirmed nisi.

In the matter of the road in Pine Township near Eliza Fullmer's report of viewers filed.

Jacob H. Fritz Est. vs. Wm. A. Kile certiorari from a Justice of the Peace in Sugarloaf Township. The opinion of the Court was read reversing the Judgment.

In the case of the Bloom Poor District vs. the Poor District of Windham Township, Wyoming County an appeal from the order of removal from Bloom Poor District to Poor District of Windham Township.

The Court held that the settlement of Henry Mansfield became the settlement of Naomi Anderson when she became a public charge, inasmuch as they had been married, and were never legally separated. That Eugene Lewis and Walter Anderson were illegitimate children and took the settlement of their mother at the time of their birth, that her settlement the time Eugene was born was in Lake Township, Luzerne County, and at the time of the birth of Lewis and Walter it was in Monroe Township Wyoming County. The Court further directed each party to pay their own Counsel fees and witnesses and each to pay half of the record costs.

Upon petition David N. Williams was appointed Tax collector of Madison Township vice George W. Andes deceased. Return to the order of sale in the estate of John Andes deceased, confirmed nisi.

In the Hamlin Estate of Catawissa the return of inquest was confirmed nisi.

Reports of sales in the estates of David Longenberger and David Kreisher were confirmed nisi.

Report of viewers on a public road in Briar creek Township near the Knob School house confirmed nisi.

Road in Cleveland Township, report of viewers confirmed nisi.

Now came the time for appointing a foreman for the Grand Jury, and something unusual happened. The honor of this position is generally sought after, but this Jury was composed of modest and retiring men who cared nothing for glory. William Goodman was appointed but he desired to be excused on account of his poor hearing. It was offered to Wilson Wanich, P. B. Heddens, and as promptly declined by them and at last the Court appointed Daniel Lenihan and said he would take no more excuses.

The charge of the Court was in its usual clear and explicit manner, defining the duties of the Grand Jurors

and the method of their procedure. The Court took occasion to congratulate the County upon the small amount of criminal business, and also upon the fact that the crimes charged were none of them of a serious nature. That notwithstanding the fact that our population is increasing, crime is decreasing. This shows that our civilization is advancing. This state of things the Court thought was due in a great measure to the Schools and Churches as well as to the Courts. That at one session when he was District Attorney, which is many years ago, there were 105 cases on the list. In the neighboring counties their criminal calendar is crowded. At the last sessions in Lycoming County there were 100 cases and in Schuylkill County there was 100 the first and 85 cases the second week, and three Judges were kept busy trying them. A large portion of the time our jail is empty.

Charles Johnson was appointed tip stave to the Grand Jury. In the estate of Rebecca Breisch the Executor was ordered to pay in accordance with the finding of the Auditor.

At this juncture of the proceedings Judge Murphy appeared and took his seat on the bench.

Edmund Linebeck was sworn and admitted as a citizen of the United States.

The constables were called and made their returns, and all answered excepting the two from Main and Roaringcreek Townships and they came in Court afterwards. The Court instructed them to take the chairs in the Jury box as he had several matters to which he desired to call their attention. He said in substance as follows: "That complaint had been made that the Supervisors in the different Townships had not been prompt in making repairs to roads. That they had reasonable time in which to make them and that the storm of a few weeks since was extraordinary in its severity and a large amount of damage had been done. Also that complaint had come from the citizens of Beaver Township that the license laws were being violated, and that the Constables desired information as to their duty in such cases. Some of the Constables have informed him that they have visited the hotels, &c. regularly according to law, and in addition to that, have secretly endeavored to detect violations of the law. The law does not require you to do this. Does not require you to act as a spy and go around in disguise to ferret out violations of the law. You must not do anything that detracts from the dignity or honor of your office. If a citizen informs you of a violation of the law, and gives you the names of witnesses it is your duty to report it to Court. But you are not to do this on mere hearsay evidence. You must have the names of the witnesses. At the last Session of the Legislature a law was passed defining disorderly conduct and fixing penalties for such offense. Complaints have been made that dancing platforms near highways are a nuisance and that you desire instructions as to that subject. Unless the congregating and meeting of people at a public place near a highway works an annoyance to the public I do not consider it right for you to interfere. You could attend dances &c. and prevent a breach of the peace and that without a warrant. You must see the crime committed however, otherwise you must have a warrant. Any citizen has a right to lodge an information, so can you, but you are not obliged to do it. There is also another matter to which I desire to call your attention. The Act of Assembly of Feby. 14th 1889 relating to the election of Constables was revised by Act passed June 26, 1895. It virtually legislates you all out of office. It has been questioned whether they had the power to deprive you of your office. There is a diversity of opinion on it. In our opinion the Legislature created the office and has a right to revise it. We hold that there must be an election next February. Your term will end at the expiration of your service for one year. The reason for the passage of this Act of Assembly was to settle the uncertainty and ambiguity which existed under the former Act. After the Act of 1889 was passed the election came on the 20 of February. Some held that the election should be held then and others held that it did not take effect until 1890. Under the Act of 1889 no provisions were made for vacancies, nor as to how long those appointed should serve. The Act of 1845 provided they should hold office until the next election. We have given the case careful consideration and believe that the Act is constitutional. It has no effect however upon the constable of the Town of Bloomsburg."

Report of sale in the Estate of William Miller dec'd. confirmed nisi.

Return of viewers on the division of Scott Township confirmed nisi.

Report of viewers against a public road in Briar creek Township near Samuel Knorr's cider press confirmed nisi.

In the matter of a road in Jackson Township near Young's viewers report against a road, and the report is confirmed nisi.

Sale of real estate ordered in the Estate of L. A. Garman for the payment of debts.

Auditors reports in the estates of James Seward, Phoebe F. Osburn, and Cyrus J. Heller confirmed nisi. Petition for a re-view of a road in Benton and Jackson Townships granted.

S. K. Heller of Berwick, was excused as a Juror.

In the estate of W. K. Shuman report of Auditor confirmed nisi.

Upon petition of Lavina, widow of Samuel B. Anderson, David Coffman and J. B. Casey were appointed appraisers to set aside to her \$300 worth of property under the intestate laws. Court ordered the constables to be paid ten cents for each mile traveled in making their returns.

B. F. Zarr was continued as Auditor in the estate of M. G. Hughes deceased to report Saturday Sept. 28, 1895.

In the estate of Miles Shuman deceased, W. H. Rhawn was continued as Auditor.

D. H. Montgomery vs. D. C. Rogers. The preliminary hearing on the application for an interpleader continued until next Argument Court.

J. H. Maize was continued as Auditor in the estate of John Appleman deceased.

In the estate of Joseph Eck, F. K. Ikeler was continued as Auditor to report Saturday Sept. 28th, 1895.

Emma McMichael vs. James McMichael. Libel in Divorce. J. L. Evans was appointed commissioner.

C. W. Miller was continued as Auditor in the assigned estate of I. W. McKelvey to report next Saturday.

In the estate of John Gordon, C. C. Evans was given the same time in which to file his report as Auditor.

In the matter of the bridge over the Susquehanna river at Millinville. The re viewers were continued and allowed to make their report next term.

In re road in Montour Township, near Taylor Ruckle's. Viewers are continued to file report next term.

In the estate of George W. Poust deceased, Grant Herring, Esq., was appointed Auditor to distribute funds in hands of the Administratrix.

C. C. Evans was continued as Auditor in the estate of George Farrell.

MONDAY AFTERNOON. Court met pursuant to adjournment. All the Judges on the bench.

The cases of the Commonwealth vs. B. J. Doyle were continued owing to the absence of James Scarlet, counsel for the Defendant.

Petition was read asking for the voting place in Benton Township from McHenry hotel to house of H. H. Hulme.

In the estate of Jacob Moyer deceased a petition was presented signed by S. J. Moyer asking the Court to direct the Trustee of Silas Moyer to make sale to him of the grist mill belonging to said Silas for the consideration of \$500. under certain conditions in said petition mentioned.

Report of viewers in favor of a road in Mt. Pleasant Township, near George L. Johnson's, confirmed nisi, and width of road fixed at 33 feet. Court stated that when damages were allowed the viewers must fix the width of the road in order to ascertain the amount of damages due.

In the matter of the division of Hemlock Township into two election districts, a petition was presented asking that if it was done, that the store of G. B. Hosler in Fernville be appointed as the place. Held, waiting the action of the viewers.

A report was confirmed nisi. of viewers on a bridge in Greenwood and Pine Townships, near Ezra Thomas.

The report of the Auditor in the estate of Thos. Davis, deceased, was confirmed nisi.

In the estate of Andrew H. Parks deceased. Return of sale confirmed nisi.

Report of the Auditor in the estate of Margaret Kostenbauder was confirmed nisi.

A rule was granted to show cause why an appeal nunc pro tunc should not be allowed in the case of Thomas Finley vs. C. R. Parker. Proceedings on the execution to be stayed.

Return to order of sale confirmed nisi, as to the tracts sold in the assigned estate of I. W. McKelvey.

Same order in the assigned estate of William Neal et al.

Parker Mfg. Co. vs. Snyder Magee Co. limited. Rule granted to show cause why the appeal should not be stricken off for want of sufficient security &c. Returnable at the next Argument Court.

A similar order was made in the case of the Philadelphia Cloak & Suit Co. vs. same.

The return to the order of sale in the estate of Josiah Maust deceased, was confirmed nisi.

In the estate of Mary Clayton return to order of sale was confirmed nisi. Purchaser to be allowed to pay cash.

The following disposition was made of the following Commonwealth cases. F. S. Brown, nol pros on payment of costs.

Michael Holdren, Prosecutrix dead, and County directed to pay record costs.

George A. Stanton case continued on motion of defendant.

Mathew Bittenbender, Continued on application of Commonwealth. Recognizance forfeited to be respited upon appearance of defendant at next term.

Hervey Furman same disposition. Charles Fetterman same disposition. William McMahon, Costs paid and case settled.

Charles Young. Costs paid and case settled.

Oliver R. Harris. Same disposition. D. C. Black. Continued. Recognizance forfeited &c.

Harry Keller. Same disposition. Conrad E. Moore. Case settled and costs paid.

Peter Fetterman, nol pros stricken off.

In the estate of William E. Lutz return of sale confirmed nisi.

In the estate of John H. Parker return of sale confirmed nisi.

In the matter of the alleged lunacy of Thos. B. Cole. Sept. 30th at 2 o'clock P. M. fixed as the time of holding the inquest. Notice to be given to said Thos. B. Cole and W. L. Cole.

Petition for a bridge in Fishingcreek Township over Raven Creek near W. H. Ash filed.

In the estate of George Fritz deceased, sale ordered for the payment of debts.

Petition for partition filed in the estate of Samuel Hess deceased and a similar petition in the estate of Alice Hess deceased filed.

Zahner and Pursel vs. W. B. Ferguson. Rule granted to show cause why judgment should not be opened and defendant let into a defense. Proceedings on execution to be stayed. Petition alleges that he purchased a gray mare from defendants for \$180 which they warranted sound and all right. That \$100 was paid in cash and a note given for the balance. That the horse is not as represented and hence the application.

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Serges.

Nothing more serviceable for a house dress, nothing better for full wear than a serge. We have them in a dozen or more colors, ones that will stand more wear and tear than any other goods. We bought quite a number of these that we are offering at figures that dare competition. 50 in. fine all wool French 50c. 25 in. fine all wool French, 25c. the yd. Others in various variety of quality and price.

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We are now prepared to show you the finest line of coats and capes that we have ever carried. Our stock is complete now. Which is going to be worn? We cannot say as they are both popular. Coats are all short, and capes about the same as last year. We can show you anything from \$5 up in rough and plain fabrics. Fur capes in all grades. It will pay you to inspect our line.

Blankets.

We are now more than ever convinced that we have the finest line of blankets ever shown in Bloomsburg. Our line is complete, from the blanket we offer you at \$1.00, which will be hard to equal at that price, anywhere up to most any price you want. You must call and examine them to be fully convinced that we tell the truth.

Dish Dept.

Are you in want of any dishes this fall in any line? We carry the most complete line of dishes to be found in the county. We buy in the largest quantities, therefore get the best prices. Johnson Bros' iron stone china, guaranteed, which you can make up a set to suit yourselves. We are showing now a beautiful pattern in the finest semi-porcelain, also guaranteed, which we carry in open stock, will make you up a set 100 pieces, \$12.00, or you can pick it out to suit your own taste. Never sold before for less than \$16 the 100 piece set.

Olives.

Are you a lover of olives? If so, and enjoy a genuine olive, not green plumbs, why pay for a fancy bottle, when you can buy the genuine olives, just as good by the quart, pint or half pint. Examine them for yourself. Eat one, we want you to. 30c. qt.

Catsup.

The finest on the market. Pint and half pint bottles. If it is not good, return it, but you won't; you will return it and be sure you ask for the Blue Label Catsup. 15 and 25c. the bottle.

Sweet Pickles.

Heintz's sweet pickles loose, can buy them as you want, large or small quantities, 15c. the pt., or in bottles, Midgets, 25c. the bottle. Sherwood's beauties, 35c. the bottle.

PURSEL & HARMAN, BLOOMSBURG, PENN'A.

EXECUTOR'S NOTICE.

Estate of Peter Levan deceased, late of the township of Conyngham.

Notice is hereby given, that on the 16th day of September A. D. 1895, letters testamentary on the estate of Peter Levan, of Conyngham township, Columbia county, were granted to William Goodman, Executor named in the will, to whom all persons are required to make payment, and all claims against the estate must be presented duly authenticated.

WILLIAM GOODMAN, Centralia, Penna. 9-20-95. FRESSE & HARMAN, Atty's.

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