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LONG LITIGATION ENDED.

A Law-suit Begun in 1881 Over a Sullivan County Coal Mine. Terminated on October 5th 1895, by a Decision of the Supreme Court.

A Sullivan county law-suit, started fourteen years ago, has recently been brought to a close. As it involved some nice points of law as well as some interesting facts, a brief history of the case is given below.

Ex state senator Geo. D. Jackson of Dushore, died some years ago, claiming to be the legal owner of 103 acres of coal land in Cherry township, Sullivan County. He was a member of the firm of J. Jackson & Sons, he being one of the sons, and B. Rush Jackson the other. Josiah Jackson, the father died, and James Thomson was his executor. James Thomson and Rush Jackson claimed that Geo. D. Jackson held this land in trust, one third for himself, one third for Josiah Jackson's estate, and one third for Rush Jackson. A bill in equity was filed in 1881 to compel the executors of Geo. D. Jackson to convey the two thirds as above stated. This was contested, and it was not determined until 1887 that Geo. D. Jackson was only a trustee, and the Supreme Court compelled his executors to make the deeds as prayed for. In September 1880, before this bill was filed, Rush Jackson and wife sold his third interest in the land to Mrs. Emily L. Patrick, a sister of Rush Jackson. About that time the firm of Jackson Bros., consisting of Geo. D. and Rush, became involved, and in November 1881, Mrs. Bernice W. Jackson, widow of Geo. D. caused the third interest of Rush, which he had sold to his sister a year before, to be levied on and sold by the sheriff of Sullivan county, she buying it in for \$50. The executors of Geo. D. Jackson leased their third interest, to M. C. Mercur one eighteenth, and to the State Line & Sullivan R. R. Co. five eighteenths, the consideration to be ten cents on every ton of clean coal mined. But as there were several other co tenants who would not agree to sell the coal at so low a price, the railroad Company desired to get the price fixed by the court before they began operations, and so in December 1881, the bill in equity was filed which started the litigation of which we now write. The company mined a few tons, and then by this bill asked the court to fix the price of royalty on the coal. Judge Ingham, after hearing affidavits ranging from ten to fifty cents a ton, fixed the price at ten cents, and the company began to take out the coal in large quantities. In 1886 a motion was made before Judge Sittser, who had succeeded Ingham, to rescind the order fixing the price at ten cents, and this was done, whereupon the company ceased mining, tore up the rails in the mine, and abandoned the workings. From that time to this, nine years, the Jackson portion of the Bernice mines have been idle, awaiting the result of this law-suit. Over 160,000 tons of coal had been mined, and the money paid into the hands of James Macfarlane, receiver appointed by the court, amounting to over \$10,000, the railroad company retaining their five eighteenth of the royalty. Mr. Macfarlane died, and N. N. Betts of Towanda was appointed his successor, and the fund grew to over \$14,000. From 1886 to 1889 no steps were taken to distribute this fund. It was locked up in the receiver's hands, and some of the attorneys concerned in the case wanted it to remain there for various reasons, while others did not seem to know what legal steps to take in order to solve the problem. In April 1889 the papers were submitted to Judge Elwell, and after a careful examination, he outlined the course to be pursued by his son Geo. E. Elwell, and this was followed, resulting in a complete victory for his side. Answers were filed to the bill, a master and examiner appointed, and after numerous rules and motions the taking of testimony was commenced before H. N. Williams Esq., of Towanda, master. Before the conclusion of the case, he died, and C. O. Dersheimer Esq., of Tunk hancock was appointed in his place. The taking of testimony extended through three years. The chief question was to ascertain to whom the money in the receiver's hands belonged, and this involved the question of title to one third between Emily L. Patrick who bought the third interest of Rush Jackson in 1880, and Bernice W. Jackson who bought the same interest at sheriff's sale a year later.

Mrs. Patrick and Mr. Thomson contended that the court had no power to fix the price of coal at the outset, and claimed that the company should pay more for it. A large number of experts were examined on both sides, as to value. The master in a voluminous report

found that the disputed third interest in the land belonged to W. L. Woodruff, assignee of Mrs. Patrick; that the coal was worth 12 cents a ton in place, thus increasing the sum in controversy to nearly \$18,000. Judge Sittser affirmed this finding, and the State Line & Sullivan Railroad Company and Bernice W. Jackson each appealed to the Supreme Court, when the cases were argued last March by R. A. Mercur and Col. E. Overton Esq. of Towanda for the appellants; Geo. E. Elwell, and D. C. DeWitt Esqs., the latter of Towanda, for Mrs. Patrick, and Rush J. Thomson Esq. of Dushore, for Josiah Jackson's estate. The court held the cases until October 5th last, and then dismissed the appeals and affirmed the court below in every particular.

Judge Sittser had been succeeded by Judge Dunham on the bench, and the latter was applied to for a final order, but he having been consulted at some stage of the matter, certified it to Judge Peck of Bradford county who on October 26th made a final order directing the receiver to pay out the money in his hands in accordance with the decree of the Court, and that has been done. And so ends a long, tedious and expensive law suit.

The principal legal questions determined by this case are, first, in equity proceedings the title to land arising as a collateral matter, may be determined without submission to a jury; and, second, that where several parties are the owners of mineral lands, and one of them takes out the mineral, the court cannot fix the price of the royalty at the commencement of operations. The value of the mineral so taken must be determined after it has been mined, where the parties cannot agree on a price.

DANGEROUS PRACTICE.

The danger of emptying ashes in barrels was fully demonstrated last week, when had it not been for the presence of mind of some of the neighbors, instead of recording a small fire, in all probability we would have been obliged to give an account of a large conflagration. The barrels in which the ashes which come from the stoves of J. L. Moyer are thrown, stand against the side of the storage building of J. Saltzer. Hot ashes having been thrown into the said barrels, it was not long ere flames were noticed shooting above the building. The alarm was given, and with the aid of the bucket brigade the fire was soon subdued. It happened in the morning, and hence was noticed at once. The barrels were entirely consumed, and the siding burned from the building. Let this be a warning to our people.

PASTORS UNION.

The Pastor's Union met Monday after an interim of several weeks. Pastors Patterson, Brandt, Heilman, Conner and Weeks were present. The following resolutions were adopted:

That the time for Sunday evening services be changed to 7 o'clock after this date; that the pastors will cooperate with the National Reform Association in holding union services in this town Nov. 25th, 26th and 27th; that Rev. B. C. Conner be appointed to preach the Thanksgiving sermon in the Methodist church; that the Pastors Union extends cordial greeting to the Young Woman's Christian Association in its coming meeting here, that we will cooperate so far as is practicable, and that Rev. P. A. Heilman be appointed to give the address of welcome on behalf of the churches; that we extend an invitation to Mr. James McConkey to teach the International S. S. Lessons in Bloomsburg on alternate Monday afternoons; that we heartily commend the action of the town authorities in endeavoring to clear the streets on Sunday evenings of persons acting or talking improperly, that we hope the endeavor will be vigorously pushed, and that we as pastors will assist in any way possible. It was a busy morning for the five pastors.

G. E. WEEKS, Sec. pro tem.

GIDDING & CO'S GREAT NOVEMBER SALE OF CLOTHING

is attracting wide spread attention and customers from every nook and corner of the valley are taking advantage of the many interesting inducements which they offer. Good clothing has not been offered at such low prices in many a day and that the people appreciate bargains is plainly evident by the crowds who go to their establishment daily.

Some miscreant scattered broken glass and pins on the road near Low's Store at Lime Ridge. As a consequence several of our bicycle riders had their tires punctured last Sunday.

J. M. GIDDING & CO.

UNPARALLELED

in the history of clothing selling in this vicinity, is what is said of our

GREAT NOVEMBER SALE.

Clothing with a National reputation, at prices within the reach of the slimmest purse. Bought from S. & J. Werner, retiring clothing manufacturers of New York, for spot cash at prices below the cost of manufacture, and retailed by us from our mammoth establishment at a small profit. No wage earner or economical parent can afford to miss this **NOVEMBER SALE OF SALES.**

Men's all wool (Sweet, Orr & Co) never rip pants, \$3.00 kind,	\$2.00
Men's corduroy, never rip pants,	\$1.98
Men's heavy working pants, regular \$1.00 kind,	59c.
Men's excellent all wool suits, extra well made, \$10 kind,	\$6.50
Men's fine Kersy overcoats, blue and black, \$10 kind	\$6.50
Boy's (15 to 19) black, gray and mixed cheviot suits,	\$3.50
Boy's and men's good warm serviceable overcoats,	\$3.98
Young men's black and blue mixed cheviot and cassimere suits,	\$5.00
Children's detachable cape overcoats,	\$1.25
Men's fine black cutaway suits, \$12.00 kind,	\$8.98

Men's buff leather fleece lined gloves, 25c. Knee pants, 9c. Corduroy knee pants, 25c. Camel's hair and natural wool underwear, 49c. Colored percale shirts, 2 collars and cuffs, 49c. &c. We want every parent in Bloomsburg to attend this

GREAT NOVEMBER SALE OF SALES

J. M. GIDDING & CO.

OVERCOATS.

—Another big purchase of—

ROCHESTER OVERCOATS

at away below the regular price.

Finest Goods Made.
Bought for a Low Price.
Sold for a Low Price.....

Elegant overcoats, beautifully lined and trimmed, fit like a glove—Rochester wholesale price, \$18 and \$15.

Our Price, \$10 and \$12.

No wonder the people come here when they can get fine

Rochester Overcoats

at \$5.00 and \$6.50.

STORM OVERCOATS

\$5.00, \$7.50, \$8.50, \$10.00 and \$12.00.

Cost Almost that Much to Make Up Some of Them.

You can always save a dollar or two at

The D. Lowenberg
CLOTHING STORE.

THE BROADWAY.

Long handled fire shovels, 5c. each.
Bread toasters, 2c. each.
Shelf brackets, 2 and 4c. each.
Wire soap dishes, 3c. each.
Basting spoons, 3c. each.
Tack hammers, 4c. each.
Tin cups, 2c. each.
Washbasins, 2 and 4c. each.
Bread pans, 7c. each.
Dust pans, 7c. each.
Coffee pots, 7, 8, 10 and 12c. each.
1 and 2 quart buckets, 5c. each.

Tea strainers, 2c. each.
Funnels, 3c. each.
Fruit graters, 4c. each.
Nutmeg graters, 1c. each.
Wire clothes lines, 60 ft. long, 19c. each.
Rope clothes line, 60 ft. long, 12c. each.
Claw hammers, 9c. each.
Coffee pot stands, 3c. each.
Table knives and forks, 35c. set.
Table knives, only 4c. each.
Butcher knives, 8c. each.
Tea spoons, 3, 8 and 16c. 1/2 doz.
Table knives, 5c. to 32c. 1/2 doz.

New Idea paper patterns are fast superseding all others. We sell them for 10c. each.

BROADWAY CASH STORE,

MOYER'S NEW BUILDING,

Main St., Bloomsburg, Pa.

TELEPHONE CONNECTION.

I. W. HARTMAN & SON.

MARKET SQUARE DRY GOODS HOUSE.

OVER SIXTY NEW COATS AND CAPES CAME INTO OUR STORE LAST WEEK.

We are sending them to Northumberland, Danville, Catawissa, Berwick, Jamison City, Benton, Orangeville, Millville, and all over the county. The wonder is how such coats and capes as ours can be produced for the prices—\$3.95 to \$42.50; and the FIT made perfect or no sale. Then the dress goods from 9c. yd. to \$13.50 pattern. Special line of serges at 25c. yd.

I. W. HARTMAN & SON.

A Big Treat for the Lovers of Candy.

SATURDAY, NOV. 9,

Dietrick, the Confectioner,

Will have a grand fall and winter candy opening.