# 

TE CAMBRIA FREEMAN. Ebensburg, Pa., atpAY, - - - SEPT. 18, 1874.

W. L. FOULK. spatern ohio and West Virginia, Press Association,

aly person in Pittsburgh who is authorin and receive pay for advertise-inserted in the CAMBRIA FREEMAN. inwest advertising rates.

### LOCAL AND PERSONAL. +60+

or, There, and the Other Place. a to the delegate election to morrow. attendance at Court this week is welnesday, Nov. 4th, has been fixed

definient Court.

son yesterday. Loretto Catholie Fair notted the me sum of \$2,300. ascount of low water, bonting on the

ivalia canal has been suspended pro Milville man named David McDade

enstrested for having one wife too

though has had a Charley Ross sensa-Johnstown threatens a similar in-

The sun will "cross the line" next Monment which time, as the almanacs say, -rain-may-be-expected."

te Charles H. Bergner, son of the late Bergner, succeeds his father in the ment of the Harrisburg Telegraph. English is rising from its ashes, and is id a hotel four stories high, 72 and 60 wide, and to contain 90

wander if the chap who borrowed a shotd sold it to his father-in-law for two is fedras if he had made a nice thing old gentleman?

inda, a three-year old daughter of Mr. Jaturs, of the East Ward, broke her mon Saturday afternoon last by fall-

the of Braddock's Fields in a game as ball played at the former place last the score standing 18 to 17.

was certainly not our fault that "Dege's" reply to "Uncle Sam" failed to as until Wednesday evening, when usuallable space was provided for. grand ball of the railroad engineers Western Division, Pa. R. R., will be it the Sammit Mansion House come ng during the lattet part of this month. a pame of base ball was played here on say afternoon last by the Mountain intof Altoens and a picked nine of slarg. Score, 45 to 22 in favor of the

-i ake was presented to the Ebensburg Cornet Band on Wednesday night Mr. R. H. Thompson. The occasion sented to have been a most enjoya:

1 man named Jacob Menser, forof Scalp bevel, this county, was led at Falls City; on the line of the dargh & Connellsville Railroad, one day

beetree on Brush monutain, Blair was cut the other night, and found in ten feet of a solid comb about one lick, which yielded two hundred

ich, Langhorne Wister was on Tueseminated for Congress by the Huntingin repeating-Who in thunder is Gen.

.The remains of Rev. J. W. Edie were interred in Penningtonville, Chester county, on Saturday afternoon last. A very large concourse followed them to the tomb, one concourse followed them to the tomb, one and all of whom dropped a tear to the memo-ry of one universally beloved and esteemed. We understand that it is not the intention of Mrs. Edite to live in our midst longer than is necessary to close out her domestic ar-rangements, when she will return to the home of her parents. The local editor of the Johnstown Tri-bome should retrain from promiscuons tip-pling if he can't come nearer the truth than he generally does nuder the combined influ-ence of whisky straight and lager crooked. At 10 o'clock Saturday morning, the civil cause of Heilfrich vs. Hipps and Lloyd, which cause of Heilfrich vs. Hipps and Lloyd, which cause of the strain was withdrawn, and, the list being character bad theretofore been passed on Burns and Spiers, corvicted of a criminal of-fallitzin burglars. The two first named were cach, and the latter to the Motige of Refuge till iberated by due course of law. Whereupon Court adjourned. Lawrence .

ence of whisky straight and lager crooked.

Try the experiment, Cas., and see if it don't enable you to tell whether the Commissioners and Poor Directors brought sult against the county, or rice versa. As the matter now stands you make those officials plaintiffs one

day and defendants the next. Considerable excitement was created this week by the unaccountable disappearance on Monday evening last of Constable Patrick A. Burns, of Gallitzin borough, and fears of a mishap if not foul play began to take possession of many minits. All these

fears, however, have been fortunately allayed by the receipt of a letter from him to his wife containing the welcome tidings that he was in Fort Wayne, Ind., and if he did not return on Saturday next he would write again. It is now foared that he was somewhat demouted.

... The extremely hot weather which had prevailed for a couple of weeks was brought to a termination on Tuesday by a rain-storm,

with the additional beneficial effect of lay-ing the dust, which had arrived at the depth that it had become dangerous to allow smail children to attempt to cross the streets, Enough rain did not fall to raise the waters, which are lower than ever before known, but the equinoctial storm is now rapidly approaching, and then, as the weather sage of the Blacklick was wont to say, there will likely be no more complaints on that score. -The festival of the Ebensburg Silvet Cornet Band, which opened on Tuesday

evening and closed on Saturday evening of last week, netted the sum of \$107-an amount not sufficient to secure the accomplishment of their praiseworthy ambition, the employment of a first-class teacher, but a sum for which they are none the less thankful to a

generous public, and especially to the ladies, young and middle-aged, who did so much to ffa washing machine. The Amateurs of Johnstown beat the make the festival attractive and successful. -A picnic in aid of Mt. Gallitzin Semina-

ry and schools is to be held in this place on Wednesday next, and as the preliminaries are in the hands of ladies and gentlemen who know flill well how to provide for such emergencies, the proposed festivity cannot fail to prove one of the most attractive and enjoyable of the season. More than that, the good Sisters of St. Joseph, who are hav-ing an extensive addition midde to their fine buildings in this place, very much need and certainly vory much deserve a benefit of this kind. All therefore who wish them well should avail themselves of this opportunity

to make their good wishes bear good fruit. "By their works ye shall know them." -A new Ward has just been added to Altoona, not of that kind, however, which demands political recognition and "sich like," but a member of the Ward family in the person of our young kinsman, M. H. Ward, who has gone hither to take a hand with his

no less gentlemanly brother Al. in the management of the "little grocery round the corner," i. c., on 13th street, between 15th and 16th avenues. The Mesars, Ward v ill make

a strong business team, both being well calculated to attract and retain custom, and as such we commend the new firm to the patronage of the public, knowing as we do that prime groceries, fair prices and courteons treatment of all comers is the basis upon which they propose at all times to conduct business. Give them a lift.

DOINGS IN COUET.-Up to the time of going to press, Thursday afternoon, the fol-lowing civil suits have been disposed of : At 10 o'clock Saturday morning, the civil

Whereupon Court adjourned. SECOND WEEK. The county of Cambria vs. Francis O'Friel. Feigned issue. This was one of the cases where-in the Auditors of Cambria county, at their last settlement, refused to accept certain or-ders, alleging as their reason that the County Commissioners were allowed a stated salary for their services, and that they were, therefore, not entitled to any pay other than such salary. The Court held that the County Commissioners were not entitled to any pay for their services other than that prescribed as their salary in other than that prescribed as their salary in the Act of 16th March, 1872, but that they were

the Act of 16th March, 1872, but that they were entitled to traveling expenses when called ou: of their office to attend to their duties as such officers. This reduced the amount rejected by the County Auditors to 437, for which amount judgment against the defendant was given, the cost to form the subject of a future decree of the County. The County of Cambria vs. John A. Kennedy. Beinned Issue. The amount claimed by the

Fright fisue. The amount claimed by the plaintiff was \$21. This case was submitted as a question for the decision of the Court whether the services thus performed dre such clorical services (Mr. Kennedy being clerk to the com-

missioners) as are compensated for by the an-rual salary of \$600, prescribed by the act above rual salary of \$600, prescribed by the act above referred to, The County of Cambria vs., Anthony Anna. Feigned issue. In this case if was hared by the counsel that the Court, after hearing the testimony of the defendants, shall enter judg-ment for such balance as in their opinion from such testimony is due the plaintiff—the cause being the same as that of the County vs. O'Friel —whereupon the Court entered judgment in favor of the plaintiff for \$45.50. Cambria, County vs. William D. McClelland.

Cambria County vs. William D. McClelland. Feigned issue. Same as above, and judgment

for \$109.25. The County of Cambria vs. John Bloch. Feigned issue. Mr. Bloch is Poor Directer and the circumstances the same as those of the County Commissioners. Some dispute arose County Commissioners. Some dispute arose in the trial of this cause as to the jurisdiction of the County Auditors, and whether they had any right to audit the accounts of the Poor Di-rectors. It was however agreed that the cases should be heard, and that the legal points thus reserved should be discussed and decided upon at next Argument Court. Judgment for plain-tiff for \$255.55. tiff for \$205.85.

tiff for \$205.85. The County of Cambria vs. Peter II. Berg, Peigned issue. Same as above, and judgment for the plaintiff for \$185.93. Cambria County vs. James Farren. Feigned issue. Some as above and judgment for \$76.55. The County of Cambria vs. Jsadore Lilly, Steward of the Poor House. Feigned issue: Judgment for defendant. Emily C. Little and Harriet A. Little vs. E. G. Kerr and John C. Truit, for use of Invited G. Kerr and John C. Truit, for use of David M. Myers, Feigned issue, E. G. Kerr abandens bis claims. The cause continued at the costs

of the plaintiffs. Daniel Stroup vs. Joshua F. Carpenter, Suiff-

mons in treepass on the case. Settled, and de-fendent confesses judgment for costs. William Anderson, D. F. Brum, John I, Chambers and John Fallon vs. Henry Barubart and L. B.Cohick. Summons in assumpsit.Judg-ment for the plain iff for \$526. Cambria Iron Company vs. Christy-plast

Cambria Iron Company vs. Christy-eject-ment. On trial (Thursday). -------

PICNIC OF THE ALTOONA FIREMEN .- In accordance with programme, the Altoona (Pa. R. R.) Steam Fire Engine Company arrived here per special train of six cars, on Saturday last, thout 9 o'clock a. m., with the avowed intention of taking as much enjoyment out of a basket picnic as could be conveniently crowded into eight hours (not shop time). They numbered 73 members out of a total of 104, (the full complement of the company,) and were accompanied by that splendid musical organization, the Altoona Cornet Baud, as well as many of them by their wives and children and others by

business. Give them a lift. their sweethearts and lady friends. They were met at the railroad crossing at file east end of town by the Dauntless Fire Company of this place, preceded by the Silver Cornet friends out on a free drive. The rest of the procession, the Altoona fire company in the pursued their way to the fine grove near the depot, the parade throughout being the finest ever witnessed in our midst: At the grove proper arrangements had been made for the enjoyment of all, a dancing platform and numerous swings being prominent among the accommodations provided for that pur pose. It would of course be like painting the lily to attempt to describe in detail so pleasant a picnic. Suffice it to say that what with tripping the light fantastic, singing, romping, and throwing dull care to the winds generally, the hour for departure came all too soon. As to the more practical part of the entertainment; namely, the various spregds, which were free to all who saw fit to participate, without money and without price, they were simply perfection. The daintiest of viands and the choicest substantials were there in great profusion, with excellent coffee and ten, creamed and sugared when desired, to wash them down. In this connection it may be proper to say that it was the desire of the visiting firemen that the citizens of Ebensburg generally, and the ladies particularly; should be present and partak of their hospitality, but through some inadvertance the invitation was not tendered, and for that reason, and that reason slove, our people were not largely repre-sented on the occasion, albeit there was apparently a sufficiency provided to feed a maltitude. Among the leading spirits who did so much to make this delightful exercision and picnic what it really was, a complete success, we were glad to meet and form the ac-ANOS.-The Messrs. Steinway & Sons have quaintance of such whole-souled gentlemen as Messrs. A. Kipple, W. A. Adams, N. F. Cunningham, ---- Brooks, and many others of like ilk, not forgetting as among the most ing to their great and patented inventions in piano fortes-rendering them the most per-fect and durable pianos the world ever saw. ----THE MOUNTAIN CITY BASE BALL CLUB AND THEIR GRIEVANCES. - As the Mountain City Base Ball Club of Altoona saw fit on their return home to express dissatisfaction with the treatment vouchsafed them while on a visit to this place on Saturday last, permitting if not authorizing the asser-tion through the *Tribune* that they "didn't form a very exalted opinion of the Ebersburgers, and think their method of treating strangers might be much improved," we have been requested to make a statement explanatory of the conduct of the gentlement who must have given cause for offence, ad-mitting such fact to have had an existence, which they most emphatically deny. In the first place, then, in order to set all things right, it is proper to say that it was not the Mountaineers who contested the game with the Alteona club, no such organization (Mountaineers) being now in existence, but simply a picked nine of amateurs. brough: together without any previous practice as a club and without any serious ex-pectation of being successful. Secondly, in answer to one of the verbal complaints made by the visiting club, we have been requested to say that it was the presumption of those interested, all or nearly all of whom are con-nected with the fire department here, that the members of the Mountain City club were also members of the Alteona fire company, otherwise the challenge would not have been accepted, and that the reception of one organization would be the reception of both. Thirdly, that the visiting club was requested by our worthy Burgess, D. H. Kinkead, one of the picked nine, to remain at their hotel until his return from dinner, when they would be escorted to the ball ground-understandings in which either one of the picked nine even seemed to be at fault, were duly explained and apologized for to the then expressed satisfaction of the aggrieved. lacking in anything essential to such a repu-

THE BURNS-PATTON HOMICIDE CASE. -Judge Dean's Charge.-As per our promise of last week, we publish herewith the charge of his Honor Judge Dean in the case of the Commonwealth versus Patrick A. Burns, indicted for killing Manus Patton at Tonnel

Hill on the 15th day of Jane last. The Judge, after defining the crimes of murder and manslaughter, and stating the evidence necessary to prove either, (which portion of the charge would be of no particular interest to our readers.) proceeded to instruct the jury on the facts of the case on trial, 28 follows :

To be either murder or manslaughter, the Commonwealth must prove a killing by vio-lence and an unlawful killing : but there still remains a killing, which though by violence is neither murder nor manslaughter, because it lacks the element of unlawful. This is justifi-

ble homicide. Where an officer attempts to arrest one ither convicted of or charged with a folony, either and the felon flee, and the officer to prevent his escape kills him, it is justifiable homicide in the officer. But, notice, it must be to pre-yent escape; if the felon in any case can be taken without the killing, it is not justifiable on the part of the officer, but is at least man-

slaughter. From the imperative necessity of the case alone the low justifies the killing of one charg-ed with crime tising to the grade of felony. It is otherwise where the party killed is charged only with a misdemeanor. In such case the of-ficer dare not kill even to prevent an escape. Of two evils the law seeks to choose the least. When it comes down to a function whether it Of two evils the law seeks to choose the least. When it comes down to a question whether it is better that one charged with a misdemeanor, such as assault and battery or fornication, shall be killed or escape, the law says he shall escape. But when it is a question whether one charged with a felony-murder, attempt to kill, rape, arson, or burglary-shall be killed or escape, the law says he shall be killed; and in preventing what would otherwise he an es-gape of the felon, the officer is justified in kill-ing. You will now turn your attention to the evi-

dence adduced on the one side or the other in this case. It appears that one Manus Patjon, a young man not over twenty-five years of age, a resident of Gallitzin, was charged on oath of one F. D. Burk, on the 23rd of October last, oue **F**. D. Burk, on the zard of October, inst. with having, on the night of the 21st of October, made an assault upon bim (Burk) with intent to kill. From the information it appears he fired a pistol at Burk when a few feet from him, the ball entering the side of the door near Burk's head. On this information a warrant for Patton was issued to the constable of Gal-lizin, who returned the warrant "pit found." litzin, who returned the warrant "not found." The Justice returned the proceedings into this Court at December Sessions following, and a "true bill" was found against Patton by the Grand Jury on 2nd of December last. On this finding two Grand Jury on 2nd of December last. On this finding two separate writs for the arrest of Patton were issued out of this Court and placed in the hands of the Sheriff, each of which was returned "not found.". On the 13th of June last a third writ was issued for his arrest and placed in the Sheriff's hands. The Sheriff in writing on the back deputed Patrick A. Burns, consta-ble of Galiitzin, this defendant, to execute it. The writ was handed to Burns about 5 o'clock ble of Galitizin, this detendant, to elecute it. The writ was handed to Burns about 5 o'clock p. m. of Sunday, the 14th. On the evening of the 15th, between 8 and 9 o'clock, Burns, in company with Michael Fitzbarris, started from Galitizin towards what is called the "Fair House," a building about 500 yards from the town, where they had reason to believe they would find Patton, for the purpose of arrest-ing him. On approaching the place they dis-covered Patton with some fifteen or twenty companions. Patton was standing up at the time, and seems to have seen them as soon as they saw him. A companion of Patton, Joseph Murphy, called to him. "There is your man coming, Manus." Burns was then approach-ing from an easterly direction. Patton started to run south along a fence which led to the head of a lane. Furns started to run to inter-cept him, and would have reached the lane first, both however running to the same point from somewhat different directions. Patton, and was about getting over the fence, indeed was even the burns firsd, a furned and was about getting over the fence, indeed was on it, when Biffns fired a shot. About this time, or immediately before, he had called to time, or immediately before, he ind called to Patton, "Stop, Manus, you are too late now." When he fired the first slict he was from four to fifteen yards from Patton. Patton, after the shot, either jumped off the fence or fell off into the field, and then jumped up and continued to run across it. Burns climbed the fence and pursued. One or two state that they noticed Patton's speed diminished after the shot, that he seemed crippled t others testify that they did not notice anything of the kind. At about

strength and capacity of the officer as known to himself, the tact that he may not have ob-served that the first shot struck Patton, if it did strike him. Had he reason to believe, and did be believe, that the shooting was necessary as the facts then appeared to him? If so, he was justified in firing the pistol, altho' it may now turn out that the last and fatal shot was

not necessary. The Commonwealth clauris that the defend-ant exceeded his authority—that he used vio-lent means to effect an arrest which could have been made without. It is not claured that the killing was malicipus, but only that it was un-lawful, and therefore that defendant is guilty of mansinughter. It is urged, that when Burns approached Patton, he was 80 yards distant when Patton saw him and started, to run; yet that when Patton jumped the fence they were only from four to eight yards distant. only from four to eight yards apart - Buras having gained on Patton twenty to twenty-fire yards - thus showing that Burns could outron Patton. The defendant claims that Burns, when making for the head of the land, had a shorter distance to run than Patton. You will see the draft of the ground and determine this

act. The Commonwealth further arges, that the first shot struck Patton and disabled him - that is fell from the fence into the field - that Burns aw this and ceased pursuit-that only when Patton jumped up and ran the second time did Burns follow - that he could have caught him Burns follow - that he could have caught him had he followed immediately after the first shot-that as others saw that this shot had die-abled Patton. Burns, being heaver, must also have seen it, and therefore have known any further shots were unnecessary ; yet, notwith-standing, he fired two more shots, one of which caused the death, and therefore this fatai shot, heing unnecessary, was unlawful. If Burns' first shot disabled Patton, and rendered his capture probable, the second shot if that was first shot disabled Patton, and reidered his capture probable, the second shot, if that was the fatal one, was unlawful. His arrest was all that was sought, and the violence necessary to accomplish that is all that is justifiable. A single injury influence either through while of caution, recklessness, or malice, on the part of the officer, was unlawful, and he cannot go clear, and he ought to be punished. But to find the fact that the hist shot was not neces-sary. If any shots were necessary, you hust find the two facts, that the first shot disabled Pat-ton, and that Borns linew it had disabled him. As we have already stated, some of the wit-nesses for the Commonwealth testified that Patton fell from the fence when the first shot was fired, and halted in his gait afterwards. was fired, and balted in his gait afterwards. The defendant denirs that the first shot had further alleges that if there was any charge in his speed, or he was crippled, he (Burns' did not observe ft.

It is for you to determine these disputed facts If is for you to determine these asputted ruces. If he could have been there arrested without firing the pistol at all; or if he could have been arrested without firing the ball which inflicted the mortal wound, the killing was unlawful, and the defendant is guilty of manslaughter at cast.

If you have a reasonable doubt as to the guilt of the defendant, he is entitled to the benefit of that doubt. He has called a large bencht of that doubt. He has called a large number of respectable citizens, most of whom have known him from his foulil up. They tes-lify that his character for peace and good or-der during all that time has been of the best. His cliunsol argue that in view of the cylicance here, it is extremely improbable that a man of peace, one who all his life has been averse to violance has been by the view of the trainers peace, one who all his life has been averse to violence, his shrunk from injury to his fellows, would in this instance either carelessly, reck-lessly, or unlawfully fire a pistol. This is an argument which may be fairly addressed to you. You will consider it and give to the evi-dence on good character such wight as it ought to have in making up your verdict. Standing by itself, good character would not be sufficient to acquit; in view of the evidence in the case, it may establish to your satisfaction the case, it may establish to your satisfaction

Consider all the evidence carefully and an-swor, was the killing unfawful? If the then the defendant is guilty of manslaughter; and you must so find without regard to the conse-duences. If no, the defendant committed jus-tifiable homicide and must be found not guilty.

#### ..... Notes of Travel.

CARROLL TWP., Sept. 14, 1874. FRIEND MCPIKE-As you are aware, I was FilteND MCFikk—As you are aware, I was "out of a fly" last week, and during my ram-bles I visited the capital of the nation (Wash-ington), but as a majority of your readers have either seen or read descriptions of this famous city, I will refrain from entering into details. Soon after my footsteps ceased to resound on Boss Sheebfard's pavements, my face turned at the time in the diffection of Alexandria, Va. I came to what is Endyn as the "Long Bridge" across the Potomac, from which can be plainly

# Local Correspondence.

SOUTH FORK, Sept. 15, 1874. EDITOR FREEMAN-Dear Sir: For two wocks EDITOR FREEMAN-Dear Sir: For two wocks the citizens of South Fork waited patiently for the FREEMAN Containing "Uncle Stan's" reply to "Demetrius" and "B. E. R." fast week, or rather the week before, we were to it that the latter had been withdrawn is order to include a reply to "B. E. R.," a fact which in conjunc-tion with his previous procrastination, led us to presume that when the reply did come it would prove readable at least. Judge there-fore of our disappointment on reading the last letter of "U. S." One party remarked in my bearing that it was unanswerable, and in that opinion I fully concur, for there is really noth-lag in it worthy of a reply.

I must, however, not forget to correct an im-

I must, however, not forget to correct an im-pression which may be made by the conclusing portion of this famous letter, which I do by declaring that I claim no relationship whatever with this particular "Unde Sam." No doubt he would like to refer to some of the respecta-bles of the township, but I warn him to bock around Summerfield and not attained to fasten himself on South Forbers. Never mind apolo-gizing. Sam. Keep your hat on-1 was poor once myself. Candidly speaking, we have no inkind feeling for Sam. We attach no blame to him fer being a little weak minded. On the contrary, we feel sorry for him; and I trust that when Summerfield becomes a borough it will provide an asylum for all such. And now, Mr. Editor, allow me to say that if the people of that little village can do no bet-ter in this correspondence—if they can't find better material than "C. & H." and "U.S." to champion their cause—they might no well sur-

ter in this correspondence—if they can't find better material than "C. & H." and "U. S." to champion their cause—they night as well sur-render at once. It would afford us a great deal of pleasure to hear from the mocrasionality, but in the matter of such effusions as those in cues-tion I hope they will "give us a rest." South Fork continues to improve in ever' respect. Our new church is now receiving the first cont of plaster, the painters are at work on the cutside, and we confidently expect to hold service therein about the first or second Sunday of November. Exerctal other new edl-fices are also going up, and others again are ob-ing repaired and painted in fine style. The new coal works under the management of Mr. E. W. Giddings begin to look like busi-stantial pridges over the branches of the South Fork have been completed, and I doubt not like manager will have everything in working or-der hefore the first sour. A large force is now efficiency work reducts to of Mr. G., who is unifring in his efforts to make this the best coal mine on the mountain. He has our best wish-es for his success in this enterprise, which will be of visit importance to South Fork.

unitring in his efforts to make this the best coal mine on the mountain. He has our best wish-es for his success in this enterprise, which will be of visit importance to South Fork.
Cour hotel is doing well, and all agree that our Uncle Sam knows how to keep it.
We had the pleasure of meeting your towns-man, Geo. C. K. Zahm, Esq., who was down here hast week on a bitle business and who I are

of the coming Democratic County Convention as a fit person for the office of Poor House Di-rector of Cambria county, MANY. hast week on a little longings, and who, I ven-ture to say, knows "somedings." I think he gained more than one vote by his visit, for Re-publicans as well as Democrats manifest a de-

termination to support him in the event of his Come down and see us, Mr. Editor. We prom

ise to treat you right and send you back safe. Yours, B. E. R.

## WASHINGTON TWP., Sept. 18, 1874.

DEAR FREEMAN-Local news of special inter-est is still mighty scarce in this locality, though it is gratifying to know that the good health of the community suffers none thereby. The weather has been exceedingly warm and

The weather has been exceedingly warm and dry for some time past, and here as elsewhere copious showers of rain are very much needed to reinvigorate the fail grain, etc. I venture to assert that Mr. Solomon Borkey, of this township, has constructed on his farm the champion cider press of Cambria county, and which, if convenient to move, would take the promium at the approaching fair of the Highland Agricultural Society. Johnstown.-With good apples Mr. B. can manufacture from fifteen to twenty barrels of the sparkling itsuid in one day. Flooring, Weather-Boarding, Shutters

a green bay tree, of like a whole grove of that

ame. The matrimonial mania still rigeth somewhat STATEMENT OF SETTLEMENTS with the Collector and Treasurer of Gal-liteth Township School District for the year end extensively, counting among its more recent victims my much esteemed friend Mr. Michael Storm, of Wilmore, and Miss Caroline Maxwell, of this township, who were united in the indising June 1st. 1874 soluble bonds at the Catholic church

#### Announcements.

#### FOR ASSEMBLY. JACOB S. KEIL.

### WASHINGTON TOWNSHIP,

redect to the decision of the Democratic Counto Convention.

#### ASSEMBLY.

ASSEMBLY. We are authorized by Mr. NATHANIEL HORNE, of Johnstown, Is announce his name as one of the two candidates for Assembly from this county under the provisions of the new con-stitution. Of course Mr. House submits his claims to the convention and will, like all good Democrats, submit and abide by the decision.

PROTHONOTARY. The undersigned will be a candidate before the County Convention for the office of Pro-thonotary of Cambria county, subject to the usages of the Demacratic party, and hopes id be deemed worthy the support of his party friends for that position. A. J. CHEISTY. Loretto, Jume 9, 1574."

#### COMMISSIONER.

COMMISSIONER. At the solicitation of many friends, I hereby minimum represent as a candidate for the office of County Commissioner, subject to the deci-sion of the coming Democratic County Con-vention. J. LINERSON. Cheet Springs, Aug. 17, 1874.

## FOMMISSIONER.

COMMISSIONER. At the solicitation of a funiber of friends, the subterilier offers himself as a conditate for County Commissioner, and having no doubt of his capacity, and certainly none as to his wil-lingness, to perform the durites of solid office honesely and faithfurity, he hopes to meet with the favorable consideration of the approaching Demperatic County Convention, to which alone his claims are submitted. LOSUE D. PARHISH. Ebensburg, July 22, 1673.

COMMISSIONER. Forsessing the same uniferable right to be dected or rejected, as the case may be, for the selected or rejected, as the case may be, for the office of County Commissioner that is possess-ed by "any other man," the subscriber hungs his banner on the outer wall and declares his willingness to serve the "dear people" to the best of his addity, provided, and provided only, that the approaching County Convention sees fit to place his name on the Democratic ticket. Jone Shakhaugh, Summit, June 19, 1874

THE NAME OF

WILLIAM MCDERMITT,

Of Washington Township,

is presented by his friends to the consideration

ESTATE OF DENNIS GOUGH-NOUR, a LUNATIC.-In the matter of

the first account of EFREATE GOTORSOUR, Com-mitte of DESNIS GOTORSOUR, a lunatic : By virtue of an alias order of the Court of Com-

mon Pleas of Cambria County, notice is hereby given that the above account has been filed in the office of the Prothenetary, and that the same will be presented for confirmation and allowance at the

December term of said Court. By the Court. J. K. HITB, Prothonotary. Prothonotary's Ciffee, Ebensburg, Sept. 14, 74, 81

Eagle PLANING MILL.

M. SIMON.

MANUFACTURER OF

SASH-DOORS, BRACKETS AND MUULDINGS.

LUMBER of EVERY DESCRIPTION

SHINGLES and POSTS Cedar and Locust.

#F-Scroll-Sawing and Re-sawing done to order

CORNER ROBINSON AND ANDERSON STS.,

[9-18.] ALLEGHENY CITY, PA. [3m.]

F. J. LARRISH, Collector .- DR

# FOOR HOUSE DIRECTOR.

orne Wister? stolen horse which had been left at a able in Johnstown was lately reby its rightful owner, a Green counm. The thief, though anxiously lookwas not picked up.

hizan of Roaring Spring, Blair counme for Pittsburgh just prior to the | ring, patted the dog on the head, stroked the which the latter place, since which ing has been heard of him. It is leved that he was drowned.

Al ha Frening Mirror has been ind improved, and gives every exf prosperity which maketh the printer man glad. All of which to note: . Geo. B. McClellan did not address

mirors of the 125th regiment P. V. at yesterday, but a number of other ed gentiemen succeeded in furthe quantity of mental pabulum recessary for the occasion.

Bell, an amateur aeronaut, made ascension from Altoona last Sat-He lit neward to the height of 15.and made a safe descent in the ood of Hollidaysburg. The joured one hour and ten minutes.

are not in clover, and consequentit is certainly no fault of our kind. Mrs. Samuel Henry, who has urge number of four, five and six ters, gathered from her own garare quite a curiosity in their way, dehards, a young man who board-ter's Hotel, this place, for several s summer, died at his home in on Tuesday last. Though in deli-h for some time, he was confined three days before death ensued. er was his disease.

story comes from bad authority, own Tribune: "The most sucunter at Ebensburg just at present ther Mike Quartz, of the Branch e don't have much extra time on his nearly every day he kills from high as a dozen squirrels."

Green, whom we noticed in part of issue as having been killed by fallch one of the C. I. Co.'s ore damps ing his neck, in consequence of a Lutter giving way, while en Altoona to Hollidaysburg, Thursk, was a tramping type from Ohio. hat our amiable young townsman, wab, has been so fortanate as to ze placton at the Loretto fair, 'no ing lady friends will be vieing ther in the effort to secure Father muy, which is also up for chances. so nice to hitch teams, you know. of people were in town this week, of the married men comprised in have gone home without buying or a bundle of dry goods or grohe cheap store of Myers & Lloyd, eir respective wives have made by this time that they had never ut-either them or the county. Shuis, a tramp, who was attempta ride west on a freight train on R. on Monday, was put off the the Callan House, Cresson, by the He claims that he was ejected train was running at a pretty rappeed. At any rate, his left foot mashed by the cars, and, being penuiless, he was removed to the on Tuesday.

all due respect for the judgment od friend, A. H. Fiske, Esq., we an't see wherein a statement and on is called for as an act of justice our strictures.

Wm. O. Krise, of Clearfield town-" foot in length, cut from an apple farm, laden with twenty-four well apples clustered together as closeg'a striking resemblance to an nch of grapes. The twig is now

lungs, liver, stomach, brain, kidneys, womb, could, all things considered, be construed as the Eagle Planing Mills, Mr. M. &c., there shall be no charge made. Send us a vial of morning urine by express proprietor. It is the largest and tation; and, sixthly, that the belief is very general in this community that the old Moununsylvania. It is a bee-hive of dress of the patient, and we can send the trineers, if once more organized and proper-It employs upwards of one hun-hanics, and is superintended 132 Grant St., Pittsburgh, Pa. ly trained for the contest by a little prac-tice, could "knock the spots off" the Mounchanics, and is superintended t by the proprietor in person. A tain City club in short order, if their batting lumber and the material adand fielding while here may be accepted as a ... Through travel on the Pennsylvania always be found in this estabcriterion by which to judge of their skill Railroad is very extensive just now. and the second second second

the recent session of the Glen Hope camp meeting, in that county, a politician assumed the role of hackman and took a load of story is thus told : "After getting far, far from home, he landed the party at a pleasnot farm house, shook hands around the

cat's back and condescended to perform those little contesies of life that win men's hearts-just before the elections. It is not necessary to repeat the language of our friend, nor shall we describe his 'fahnx' when he learned that his liberality had been wasted on the good people of Cambria county. About two hours after a man of his complexion was inquiring for the Clearfield county line."

-If our County Commissioners and Poor Directors had not had the advice of counsel and the action of all who preceded them to shape their course by, and if the work for which they charged extra was not as well done and at less expense, as Judge Dean took occasion to remark, than it could possibly have been done by outsiders, whom the Commissioners at least have the right to employ, the startling head lines in the Johnstown Tribune about Democratic office-holders attempting to bleed the county by putting in bills to which they were not entitled, would possibly mean something besides a very insignificant attempt to make political capital. When the county gains instead of loses in a transaction, and when the suffering poor receive that prompt attention which emergencies often demand, and which they may possibly look for in vain hereafter, we fail to understand the difference between paying county officials or paying other peo-ple for such services, the law to the contrary notwithstanding.

THIRTY-ONE THOUSAND STEINWAY PIjust turned out their thirty-one thousandth Piano.

The stupendous success of this firm is ow-One can tell the Steinway from the ordinary common trash as far as it can be heard. Then they outlast any two pianos of other makers. A nincteen-year old Steinway, owned by Mrs. Florence Kramer, of this city, is, to-day, as good as ever. Moreover the prices are not higher than those of other makers-the sole agents-Kleber & Bro., being determined to sell at the smallest possible advance. From \$450 to \$1,000 will buy a fine Steinway. No person of sense, rich or poor, should waste their money on inferior goods, so long as the Steinway is within easy reach. Hundreds of persons thus bitten have, after two or three years' use, gladly made a sacrifice and exchanged their shoddy pianos for the Steinways. In addition, the Messrs. Kleber & Bro. sell the popular Boston Pianos of Hallet & Cumston for half price. An \$800 piano for \$400, a \$600 for \$300, and so forth. The Great Burdett Organ also can be found at Kleber's, 122 Wood street. A single hearing will cause the listoner to reject all other organs and buy the Burdett in preference. The best and cheapest instruments can be had only at H. Kleber & Bros., on Wood street, Pitts burgh, Pa .- Chronicle, Aug. 15.

UROSSOPIA .- During the whole course of our study and practice we have paid partic-ular attention to this old "German mode" of detecting diseases, and especially invite

ion is invited to the advertise-

did not notice unything of the kind. At about twenty-five yards from him, Berns, while still pursuing, fired the second shot. Patton conof this place, preceded by the Silver Cornet Band, where the two companies formed in procession, the Altoona fire company in the advance, and marched up High street with bands playing and flags flying, thence coun-termarching along High street from Julian to Centre, down which latter street they pursued their way to the fine grove near the tinued on across the field, and was in the act of and inwards to the cavity of the chest, the large arteries being severed by this ball, and death certain from it in a very few minutes. The other ball entered the right leg from be-hind, immediately above the knee Joint, and lodged in the bone. It was not necessarily fatal, though of itself would have resulted fatally without normat surgical affection.

fatally without prompt surgical attention, The testimony shows that Patton knew Burns had a warrant for his arrest, and doubtless he knew the constable's errand that evening ; knew that he was approaching to arrest him. Burns then was an officer, and was there for the purpose of performing a lawful duty. The evidence shows that Patton was charged with a felony, and although not yet tried and found guilty, he must be regarded by the officers conguilty, he must be regarded by the officers con-cerned in the proceedings preliminary to his arrest and trial as a felon. As has been argued by the Commonweath, 'he must be presumed innocent until his guilt is proven,' but the magistrate before whom the complaint was made must assume for the time being that the complaint was true, and the officer in execut-ing the warrant of arrest must assume that it was truly charged a felony. The magistrate could not assume he was innocent and refuse to issue the warrant, nor could the constable so assume and neglect to execute it. So far as the performance of their duties, then, was con-cerned, Patton was a folon, and at the time Burns attempted to make the arrest he was an cerned. Patton was a folon, and at the time Burns attempted to make the arrest he was an officer attempting to perform a lawful duty. Did he perform it in a lawful manner? 95 your answer to this question depends the guilt or innocence of Burns. If you answer yes? then he committed justifiable homicide, and must he adquitted; if you answer no? then he is guilty of unlawful killing, which is at least massinghter. Burns being an effect with a warrant of ar-rest for Patton, a folon, the officer had a right to shoot down the folon to prevent his escape.

to shoot down the telon to prevent his escape, if he could not otherwise overtake him or stop his flight. This is the haw. While the life of the citizen is of high value, there is one thing which the law esteems of higher value, and that is the supremacy of the law itself. Shall felons - murderers, ravishers, burglars - escape punishment with impunity? When flact of prints most with impainty i other with con-tempt the officers, the writs of the people, the commonwealth? No government, least of all ours, which depends for its existence on the obedience and respect of the citizen to and for the law which he himself has assisted in making, can afford to thus have its officers and writs evaded. And the law says to the officer, if you cannot otherwise arrest the felon when he at-

tempts to escape, you shall kill him. Where, however, a killing by violence on the part of the officer is shown, the burden of proof is on the officer to show that it was histifiable. He (Burns) must show in this case to your sat-isfaction that he could not have prevented the scape of Patton in any other way than by

firing his pistol. It is urled on part of the defence that the in-It is urfed on part of the defence that the in-effectual attempt on part of the constable to arrest Patton on the first warrant issued by the Justice—the failure to take him on the two, previous writs issued out of this Court—the absence of Patton for months from his resi-dence—bis declaration to Patrick Smith that he could outrun Burns, and didn't think Burns would shoot—and the fact that Patton was an athletic young man—all show that Patton bad been evading the officers and avoiding arrest by successful flight, and that he intended to es-cape from this fourth writ in Burn's hands in the same way—that he was entirely able to do as he threatened, outrun Burns.

<text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text> die spectators who listened to the g details of an alleged rape case on ease that has not been cured, because, perhaps, the complaint was not properly underast week. Those who sat it thro' erve no apology, while those who stood, to send a vial of their urine for examination, and have the necessary medicines sent them. We wish it distinctly undergust, if any, were not of course instood that this "special" invitation is given ght to our office on Monday a twig to those who have sufficiently tried the rema request which they failed to comply with. Fourthly, that all little bickerings and misedies of their family physican, and have failed to obtain relief at his hand. If any others choose to apply we will give them our best medical attention also, and promise them relief in every case where a reasonable hope can be entertained. If we fail to detect the "morbid condition in our office, subject to the in-Fifthly, that the people of Ebensburg have always been proverbial for courtesy to stran-gers and friends, and that nothing in the reor farmer friends see it and go one tion," if any; or to determine the nature of the disease, or the organs affected, as the ception or treatment of the visiting club

on Heights, the ier residence of General Lee, now deceased, whose mansion, built as it is on high ground, cournands a mag nificent view of the city of senators, represent atives, and radical thieves generally, as well as fine views of Georgetown, Alexandria, and parts adjacent. The Union flag waves grace-fully over the building, being kept there I un-

derstand by order of the General's son. Alexandria, seven miles distant from Wash-ington, is a brisk business city containing about 5,000 inhabitants, including negroes, who are very numerous. There is a tolerably fine har-bor here, but the docks are in a miserable con-

bor here, but the docks are in a miserable con-dition. In the outskirts of the city, lying along the line of Orange and Mamasaas R. R., is a very large and handsome centetery, within the con-fines of which many Northern foldfers found their last earthly resting places. After proceeding some fen miles further along the O. S. M. R. R., we began to get some idea of the terffile drama which was enacted here during the dark days of the rebellion. There are 5,000 acres on the line of this road, of which the heirs of Gen. Lee are the owners, that were at one time cultivated like a garden, but are now a wilderness of bushes, with no buildings, rails or timber left. uildings, rails or timber left.

The next stopping place is Burk's station, where there is another counctory for Union sol-flers. Following the road past Fairfax station ders. Following the road past Fairfax station and on to Manassas, desolution still prevails-no fences and no timber is the story all the way through. Tent-hearths and breastworks are still visible at Manasses Junction, where a con-federate cometery about half an acre in extent is also to be seen. At each entrancy to this cometery is painted in large letters the words, "Confederate Dead." There is a good plaket

"Confederate Dead." There is a good picket fence around this burial ground, but otherwise it is in a rather dilapidated condition. Bristow Station, five miles beyond Manassas, was the scene of many thrilling incidents dur-ing the war, and various were the anecdotes re-lated to me during my brief stay there, but as too much space would be required to relate them now, I will defer mention of them until some future time.

them now, I will defer mention of them until some future time. Nokesville (marged after Major Nokes, the owner of a farge tract of fand in that vicinity, and who by the way is as jolly a sportsman as ean be found anywhere, it about three miles from Bristov, and is a thriving village. Strange to fay, on the very day that I arrived at Nokes-ville, hot as is the climate there. I saw fully six feet of snow. I shuddered and thought of the Allegheny mountains, but as I don't wish apy-body else to shu dier, oven at the bare ree fail. I will say just here that the snow I saw was Major Snow, (military titles are numerous down in "Old Virginy.") who resides about one mile from the station. In my next, if you think worth while to pub-lish this, I will give you a brief description of the solf, products; water, stock, etc. M.

the soll, products, water, stock, etc. ....

Communication.

FALLEN TIMBER, Sept. 12, 1874. MR. EDITOR-In the report of criminal trials in the FREEMAN of the 11th inst. occurs this ac-count of one of them :

"Com'th vs. Jos. W. Gallagher-assault and bat "Com th vs. Jos. W. Graingher-assault and bat-tery, with intent to commit rape; Elizabeth Oankst, prosecutrix. This was one of the most disgusting cases ever brought to trial, but, alas for fallen humanity, there were fighe prosent to disgust, at least fone among the spectators. The state of morals in a certain part of White town-thip, if this case is to be taken as a criterion, is at a very low obb indeed."

All that we know of this case is simply what is related above, and that is probably enough. From it, however, one would infer that the hearing of its trial could not fail to "disgust" hearing of its trial could not fail to "disgust" ordinary intelligence and refreement, of which it is to be presented there was much fa the Court room, sail to have been well filled with persons from all parts of our county. As this reference might be taken as a reflection upon them, unintentional though it be, would not some explanation or correction be proper, and demunded in justice to those present and to the booor of our county?

te bonds at the Catholic church, Summit-yesterday, by Rev. FatheriHackett, May Max their hymeneal bark outride in safety all the little Storms and attendant squalls which may beset them in what I trust will be a long, pres-perous and pleasant voyage down the stream of time. My young friend Edw'd Meloy, who has been

seriously indisposed for several days past in consequence of having h d one of his hands poiscied in some unaccountable manner, is, I am glad to say, rapidly recovering his abnormal

condition, Next Saturday will be delegate election day, when, it is to be hoped, two among the best men in each election district will be selected to convention on the Monday following. My best wishes to "Scribo" on his entrance

upon so preiseworthy a profession. It is not improbable that he will calculate by the square rod, while in the performance of his official For foar that I should be trespassing on your patience and your space, I will "dry up" for the present. More anon. Linenat.

TAYLOR TWP., Sept. 14, 1874.

DEAR FREEMAN-I hasten to applogize to "Rob Roy" for having seemingly and perhaps rashly intimated that he was guilty of prevarrashly infimated that he was guilty of prevar-leation. Yes, willingly do I take back all I have said touching his vernelly, since indeed there is nothing else left for me to do in view of his cuermons capacity for telling the truth, as evinced in the following mercenz from his prolific pen: "The church property of Taylor township is valued at \$600." The fact that \$10,-000 would not more than cover the investment in church property here does not of course de-tract from the truth of the above statement. It may also be a mistaken blow, but cortainly

tract from the truth of the above statement. It may also be a mistaken iden, but certainly not a willful misstatement on his part, as he as-surces us that he is incapable of such a thing, that I farm ten acres of ground, haul my har-vest in on a haif-side, elec. notwithstanding I have the honor of cultivating with the aid of all needful machinery, wacons and implements, a farm of more than two hundford acres, two-thirds at least of which is under cultivation, and considered altogether one of the best farms in the township, if not in the county. As to the intimation that it was only pathral for me to wish to protect my race from shader. I need

th' intimation that it was only natural for me to wish to protect my race from shander. I need merely say that I have nothing in common with the species of which he is a blanting mem-ber, unless it may be a propensity for building. Neither have I heard the news of Nosh's flood. Have you, Profussor? In the matter of my identity "Rob Roy" hes Strag-ed considerably, as it is welther a lie nor Eig to say that my mu-sic is not the production of a Singer. We are having very dry weather in this lati-tude fast now. The grass is literally burning up in the fields, and some of the "never fail-ing" springs have ceased to flow. But as the time for making county pominations is near at

time for pinking county pominations is near at hand, when the chance for taking a *Horne* that will need no dilution, and that too by the side of a Lake where everything blossons as the Rose, will be open to all who may wish to in-

duige, we will try to worry along without water until the welcome day of deliverence cometh. Yours, &c., INDEPENDENT.

ORPHANS' COURT SALE -By virtue of an order of the Orphans' Court of Cambria County, I will offer at public sale, on the premites, on Saturday, the 10th day of

the premines, on Saturday, the 10th day of October, 1374, at 2 o'clock, r. x., the following desribed real estate, to wit: THE UNDIVIDED ONE-HALF PART of a PIECE OR PARCEL QF LAND situate in the Township of Scaquehan-na, County of Cambria, and State of Pennsylva-nia, adjoining lands of Abraham Bartlebaugh, Abraham Dale, James Somerville, and others, containing 96 Acres, more of less unimproved. This hand is well timbered and underland with This land is well timbered and underlaid with

to amount of Duplicate Cn To amount of exonerations • 57,69 publ Trensurer 1,815,69-\$1,875,88 Bulance due Township from Collector # 80.91 JOHN J. TROXELL, Treasurer,-DR. To am't cash at last settlement. § 878.25 State sporopriation. am't from Allegheny Twp. Col'r C. O'Hagan. 45.51 of Election rents for copy-books sold fines (Burns and others) " from Coll'r F. J. Parrish 1.815.09-\$1,991.00 CR By Orders lifted 81,940.18 Balance in hands of Treasurer . 8 2.44 ie Township from Col'r F. J. Parrish from Allegheny Twp. for tuition.

Cash with Treasurer and claims due Twp # 142.25

The School Directors of Gallitzin Township has ing examined the above accounts, find them to be correct as presented in the foregoing statement. MAT. DRIMAN, President. CHARLES RUNTER, Secretary.



PITTSBURCH, PA.

The most complete institution in the United States for the thorough, practical education of the young and middle aged man, having the largest patronage and the best facilities for instruction of any business college in existence.

Students Received at any Time For circulars giving full information as to course of study, method of instruction, necessary expen ses, etc., address, J. C. SMITH, A. M.,

[9-11,-9m.] Principal **U**PHOLSTERING .--Having loca-ted permanently in this place, (at the Carriage Shop of D. M. Chute.) the undersigned desires to inform the people of Northern Cambria and parts adjacent that he is prepared to do all kind of UPHOLSTERING, such as trianging carsofus, chairs, buggies and other vehicles, upholetering sofus, chairs, ottomans, bedding, etc., and in fact doing all work in that line. Old articles of furni-ture, vehicles, etc., made as good as new in this particular, and perfect satisfaction guaranteed in every instance. Charges moderate and work at-tended to promptly. FELIX WEBER Exampliance and the satisfaction of the satisfa

Ebensburg, July 31, 1874.-Sm.\*

A DMINISTRATION NOTICE

Estate of JAMES FARREN, dec'd Notice is horeby given that Letters of Adminis tration on the estate of James Farren, bare of the township of Washington, county of Cambrid, de-ceased, have been granted to the undersigned by the proper authority. Persons indebted to sold estate are requested to make payment for thwich, and those having claims against the same will

present them duly anthenticated for settlement MARY FARREN, Administratrix, F. U. O'HARRA, Administrator, Washington Twp., Sept. II, 1874-81.

ADMINISTRATION NOTICE Estate of JOHN MISEL, deceased Letters of Administration on the estate of John Mised, late of Carroll township, Cathoria county, having been granted to the undersagnet, all per-sons indebted to said estate are requested to make partment forthwith, and those barting demands against the same will present them properly pro-