

THE CLEARFIELD REPUBLICAN. ESTABLISHED IN 1827. Largest circulation of any Newspaper in North Central Pennsylvania. Terms of Subscription. Rates of Advertising. Job Work. DR. A. THORN, PHYSICIAN & SURGEON. E. I. KIRK, M. D., PHYSICIAN AND SURGEON. CHARLES SCHAFER, LAGER BEER BREWER. THOS. S. WASHBURN, SCALER OF LOGS. H. W. SMITH, ATTORNEY - AT - LAW. WILLIAM A. WALLACE, ATTORNEY AT LAW. DAVE L. KREBS, ATTORNEY - AT - LAW. A. W. WALTERS, ATTORNEY AT LAW. ISRAEL TEST, ATTORNEY AT LAW. JOHN H. FULFORD, ATTORNEY AT LAW. WALTER BARRETT, ATTORNEY AT LAW. THOS. J. McCULLOUGH, ATTORNEY AT LAW. JOHN L. CUTLER, ATTORNEY AT LAW. WM. M. McCULLOUGH, ATTORNEY AT LAW. DR. J. P. BURCHFIELD, PHYSICIAN AND SURGEON. F. B. REED, M. D., PHYSICIAN AND SURGEON. DR. J. F. WOODS, PHYSICIAN & SURGEON. DR. S. J. HAYES, PHYSICIAN & DENTIST. DR. A. M. HILLS, PHYSICIAN & DENTIST. S. P. SHAW, D. D. S.

CLEARFIELD REPUBLICAN.

PRINCIPLES; NOT MEN.

VOL. 42--WHOLE NO. 2139. CLEARFIELD, PA., WEDNESDAY, OCTOBER 20, 1869. NEW SERIES--VOL. 10, NO. 14.

Cards.
DR. A. THORN,
PHYSICIAN & SURGEON,
HAYING located at Kyrilltown, Clearfield Co., Pa., offers his professional services to the people of the surrounding country. [Sept. 29, '69.]

E. I. KIRK, M. D.,
PHYSICIAN AND SURGEON,
Luthersburg, Pa.
Will attend promptly to all professional calls. [1869.]

CHARLES SCHAFER,
LAGER BEER BREWER,
Clearfield, Pa.
HAYING located at Kyrilltown, Clearfield Co., Pa., offers his professional services to the people of the surrounding country. [Sept. 29, '69.]

THOS. S. WASHBURN,
SCALER OF LOGS,
Clearfield, Pa.
HAYING located at Kyrilltown, Clearfield Co., Pa., offers his professional services to the people of the surrounding country. [Sept. 29, '69.]

H. W. SMITH,
ATTORNEY - AT - LAW,
Clearfield, Pa.
WILLIAM A. WALLACE,
ATTORNEY AT LAW,
Clearfield, Pa.

DAVE L. KREBS,
ATTORNEY - AT - LAW,
Clearfield, Pa.
A. W. WALTERS,
ATTORNEY AT LAW,
Clearfield, Pa.

ISRAEL TEST,
ATTORNEY AT LAW,
Clearfield, Pa.
JOHN H. FULFORD,
ATTORNEY AT LAW,
Clearfield, Pa.

WALTER BARRETT,
ATTORNEY AT LAW,
Clearfield, Pa.
THOS. J. McCULLOUGH,
ATTORNEY AT LAW,
Clearfield, Pa.

JOHN L. CUTLER,
ATTORNEY AT LAW,
Clearfield, Pa.
WM. M. McCULLOUGH,
ATTORNEY AT LAW,
Clearfield, Pa.

DR. J. P. BURCHFIELD,
PHYSICIAN AND SURGEON,
Clearfield, Pa.

F. B. REED, M. D.,
PHYSICIAN AND SURGEON,
Clearfield, Pa.

DR. J. F. WOODS,
PHYSICIAN & SURGEON,
Clearfield, Pa.

DR. S. J. HAYES,
PHYSICIAN & DENTIST,
Clearfield, Pa.

DR. A. M. HILLS,
PHYSICIAN & DENTIST,
Clearfield, Pa.

S. P. SHAW, D. D. S.,
DENTAL PARTNERSHIP,
Clearfield, Pa.

THE REPUBLICAN.

WEDNESDAY MORNING, OCTOBER 20, 1869.

TRIAL OF ENGINEER GRIFFIN.
The great railroad disaster which occurred on the New York and Erie Railroad, in Pike county, in this State, and the trial of the Engineer, has attracted universal attention throughout the country. Below we reproduce, from the Port Jervis (N. Y.) Gazette, the leading items in the case.

The September Term of the Pike county (Penn.) Courts opened at Millford on Monday, the 20th inst., his Honor George B. Barrett, President Judge of the 22d Judicial District, presiding; George P. Heller and William Westfall, Esqs., Associates.

The case of Engineer James Griffin, under arrest for criminal negligence in causing the railroad disaster at Mast Hope, on the 14th of July last, by which seven lives were lost, was brought to the attention of the Grand Jury, by John D. Biddis, Esq., District Attorney. The Grand Jury came into Court on the 21st (Tuesday) having found an indictment against the said Griffin for manslaughter, under railroad law of 1855, conviction under said act involving the penalty of imprisonment in the State Penitentiary for a term not exceeding five years and a fine not exceeding \$5,000.

On the 22d (Wednesday) Griffin was arraigned, and pleaded "not guilty" to the charge, and the trial was commenced at 10 o'clock in the forenoon, by the Hon. Geo. W. Woodward, of Wilkesbarre, Ralph W. Little, Esq., of Montrose, and John Nye, Esq., of Honesdale. George E. Rust, Esq., an officer of the Erie Railway Company, and J. M. Allerton, Esq., an attorney for the Company, were present in Court assisting in conducting the prosecution. The prisoner's counsel were: Hon. Geo. W. Woodward, of Wilkesbarre; Ralph W. Little, Esq., of Montrose, and John Nye, Esq., of Honesdale. The jury were impaneled as a jury to try the case: Peter Wagner, Joseph C. Littimer, Randal Kelly, Isaac W. Van Gordon, George Pearson, John P. Lee, John Gould, John W. Frazer, Nelson Dewitt, Frank Riley, Albert S. Jagger, Oliver Pellett.

The Court room was densely thronged with spectators, among whom were many ladies, and the deepest interest was manifested. The first witness called was the Engineer, James Griffin, who testified that he was on duty on the 14th of July last, and that he was in the engine at the time of the disaster. He testified that he was in the engine at the time of the disaster, and that he was in the engine at the time of the disaster.

Testimony of Chas. Coffee, engineer of the passenger train: Charles Coffee sworn says: I was engineer running train 3 west. Left Port Jervis at 10:40 p. m.; was 28 minutes late. I ran the distance from Port Jervis to Mast Hope—25 miles in one hour. When I came to Mast Hope, I gave the station signal, a long whistle; about half or three-quarters of a mile from the station, I should judge, I saw a freight train standing on the switch. When I passed the engine I did not see anything wrong. Could not at that time see head of freight train. I don't think that I was over forty feet from freight engine when I saw her. I did not do anything. It flashed across my mind there would be a smash up. It was almost ten minutes from the time I saw freight engine on the frog until the collision. My engine struck the forward part of the cylinders of the freight engine, about seven feet from the bumper. At the time of the collision I was sitting on cushion on my seat. We were upset, and I was thrown I don't know how. I found myself on my head and shoulders, with my feet up, near my engine. I got out and stood up; next my fireman appeared before me, his overalls and clothes in flames. I put out the flame with my hands, and next thought to get out of the engine. The express and baggage cars were on fire. I went to get over a fence near the depot, but was so weak I could not do it. I ran around the depot and went to the hotel to get a pair of water. I huddled and rapped on the door for water. Finally a lady got up, let me in, gave me a pair, told me there was water in the kitchen. Took the pair, ran to the wreck, and threw water on the fire, and then ran for another pair of water. Then saw the fire was burning too rapidly for me to put out alone; called for help, but received none. Then went to getting out baggage and express matter. The fire was not in the smoking car when I got back with my second pair of water; at that time the fire was at east end of depot, between engine and cars smashed. I worked at taking out baggage till the fire drove me away. I must have occupied about five minutes. After I was driven away by the fire, I went to rear end of my train, and saw that the third sleeping coach, alongside of freight engine, was catching fire; thought we could save it, but the men got water from the tank and saved the coach. The front end was badly burned. I know there were persons killed by the collision. After daylight I saw the remains. I counted four bodies. They were badly burned. I saw pieces of burnt flesh and bones belonging to the bodies. I saw Griffin by his engine when I first went back to where she was. He was standing by his engine crying. All

then all were. It is not alleged that Griffin's conduct was intentional in starting his train. Was it negligent for him to do so? Running the train out at that time without the orders of his conductor was gross negligence. For this unfortunate man no one sympathizes more deeply than myself. I have taken pains to secure a proper acquittal or conviction. His Honor then gave Webster's definition of negligence, and applied it to the case, and stated that the Act of Assembly which made to apply to signal and special acts of negligence. The excess which was asleep, and that in a half unconscious state, he pulled the throttle of his engine. Evidence has also been brought forward to show that it is customary to sleep while lying on a switch, and that it is a common practice for the Company keep such men in their employ if they are not guilty of gross negligence? The evidence is that defendant slept, but it is argued that he was not responsible. I wish I could so charge you, but duty will not admit of it. An employee charged with the safety of human life must not sleep at his post, nor while on duty, and he must use all his senses to keep awake. The dictates of humanity require it, and the rules of the Company. He had run only 28 miles, and duty a number of hours, knowing trains were following freighted with human souls, and to pass him on that switch—why did he sleep? It is stated the night was warm and murky, and calculated to produce sleep, but it required greater care and caution on his part, and the law exacts it. If the rules of the Company had been lived up to would ten or twelve lives have been lost? Admit that he was a competent engineer, what apology is offered when he slept at his post? It was negligence to sleep that offers no apology. His friends have brought forward his good character, but this evidence is to have no weight so long as it has been clearly proven to you that he was guilty. Character is only to be applied in doubtful cases, not where guilt is rendered certain by evidence. We have discharged our duty, now further say nothing. Amidst general discharge you are in doubt, that doubt should be cast in the prisoner's favor, but you are not to look for doubts for the purpose of acquittal. The jury retired about half past five o'clock to consider their verdict, and the Court, meantime adjourned to seven o'clock; at which time, on reassembling of the Court, the room was crowded with an eager, anxious audience. The prisoner bore up well, although deep anxiety was depicted on his face, which feeling was shared by his counsel and friends.

At about eight o'clock, after two and a half hours' absence, the jury returned into Court. Amidst general applause and expectation their names were called—their foreman handed their verdict to the Judge, who broke the seal and then handed it to the clerk; and when the clerk pronounced the words "Not Guilty" a burst of applause resounded through the Court room, which was taken up and echoed by the people outside—indications of the hearty public sympathy for the prisoner. The Judge promptly adjourned the Court, and the jury was discharged.

At the opening of the Court this morning Judge Barrett ordered the clerk to call the names of the jury in the Griffin case and directed that they be seated on his left. The clerk then proceeded to call the names, and the jurors responded as they were called, until the whole panel had taken their seats.

The usual proceeding arrested the attention and excited the interest of every person in the Court room, and eager curiosity was aroused as to what was coming next. The jury were attentive and profound silence in the Court room. Judge Barrett, addressing the jury, said: Gentlemen: You last night returned into Court, after a hearing of two days, with a verdict of Not Guilty in the case of James Griffin. This was not expected; and your verdict was against law, and an outrage against humanity. You violated the obligations of your oath—a plain, simple obligation to render a verdict according to the evidence. Instead of that you rendered a verdict against every particle of evidence. The case of the defendant was abandoned by his counsel. Drowning men will catch at straws. The theory of the defense is unknown to the law, and the counsel for the defendant did not believe it themselves. I was, and still am, astonished at your verdict. I am astonished that you should in this way set aside the law and violate your oath; and I trust that the spirits of the dead, dying, bleeding and burnt victims of Mast Hope, will rebuke you as long as you live. We have no power to cure the great wrong which you have inflicted on the community.

What was there in this case to excite your sympathy to such a degree for the defendant? Did his presence before you destroy your reason and all sense of justice? Have you no sympathy for the victims who were driven in *en masse* and crushed between the seats in that terrible hour; when the hissing flames were torturing them, inch by inch; when the cries of a dying mother on one hand, and the wailing of her infant babes on the other, were heard, as has been delineated to you in the evidence? Have you no sympathy for those who were not killed on the spot, but crippled for life? Have you no sympathy for the widow and the orphan? Have you no sympathy for the friends of the burned victims, who escaped with their lives, but must be haunted the rest of their days with the memories of that terrible night, when those they

held dear were fastened in that consuming fire?

By your verdict you have said that Griffin did right. You have said that he had a right to go to sleep while on duty; that he had a right to sit on his cushion, reclining his head against the bar, and voluntarily go to sleep, even if a hundred lives were depending on his diligence; that it was right that the persons on that train should be burned! You have said, as a jury of Pike county, that Griffin and all other engineers, may sleep upon their posts, and they are guilty of no crime, I supposed, when I heard that verdict, that I was addressing intelligent and conscientious jurymen—men who would have some regard for their oaths. I feel humiliated, the public must feel humiliated, that a jury of Pike county should so conduct themselves.

No one has more sympathy than I for the defendant and for his wife, and for his children if he has any. Yesterday when I heard that verdict from his wife, I felt to sympathize with her, but I could not be a party to such a monstrous verdict. I thank God that the verdict of this jury settles nothing.

But such a monstrous verdict as this brings the jury system into disrepute—a system for which I have always had the greatest respect, which now I must admit, is somewhat shaken—I feel that the public mind will be led to question the wisdom of the Legislature, and set at naught the instructions of the Court, to ignore justice, and to publish to the world that a public servant has a right to sleep on his post and not be responsible for any of the consequences. Suppose you were asked to give a reason for your verdict. You could not; your tongues would be as silent as those of the victims of James Griffin's negligence. This verdict may have been an error of judgment on your part; and I trust that you, as I wish to be charitable towards you as I consistently can.

I rebuked the demonstration that was made here last night. I trust that such another town meeting demonstration will never be exhibited in this or any other Court. In future I hope that you will feel a proper regard for your oaths. You are now discharged from any further duty in this Court. You are not fit to sit as jurymen. I will not try causes before such a jury.

THE SENSATION IN THE COURT ROOM, when the Judge pronounced this verdict, and the wailing reproof, may be better described than described. The impression made by his remarks has extended abroad through the entire community, and has given rise to a general excitement and disquietude.

Griffin was brought into Court, when the Judge addressed a few remarks to him, saying that he had been acquitted of the offense; that he (the Judge) believed the verdict was an unjust and improper one; but he was glad to find, however, that in the hour of peril he (Griffin) had been sustained as to his previous good character by the voice of his friends and neighbors, etc. The Judge then sentenced him to pay the costs of the suit (probably about \$100) or give security for the payment of same.

Mr. Jessup, of counsel for proceedings, made a few remarks, and being held in recognition to await proceeding against him on an indictment for manslaughter under the common law. After some discussion by counsel on either side, the Judge denied the motion.

Griffin was then released from custody, and immediately started for his home at Susquehanna Depot.

Location of Heaven. Theologians writers have always been puzzled to fix upon any very definite idea in regard to the geographical—so to speak—location of heaven. The Christian faith associates it as a final resting place for redeemed souls, and preachers have drawn from it the lesson that Revelation, far wiser reasons, had veiled the subject in obscurity. But science is progressive. It dips deep into the bowels of the earth, and sours away into regions of infinite space, so that at least we have a philosopher sufficiently bold who undertakes to remove our perplexity and solve all our doubts upon this sublime subject.

Instead of being a matter of philosophy and Christian speculation we are now provided with a scientific solution of the whole difficulty by Dr. Morimer, M. D., of D. D. According to theory "there is a vast globe or world far within the surrounding sphere of eternal fire, which all denominated the sun, which globe is estimated to be at least five hundred thousand miles in diameter." Dr. Morimer states that he has brought divine revelation to bear on this vast central globe, and is plainly convinced "that the globe thus discovered is the Heavenly Empire where the righteous will abide." Not content to have made the discovery of the exact location of "our heaven," the doctor has gone into a mathematical calculation of the number of minutes it requires for the spirit's flight from earth to this celestial abode, for all of which information doubting and believing souls will forever thank the learned doctor.

It is not hasty reading, but seriously meditating upon holy and heavenly truths that makes them prove sweet and profitable to the soul. It is not the bee's touching on the flowers that gathers honey, but her abiding for a time upon them, and drawing out the sweet. It is not he that reads much, but he that meditates most on divine truths that will prove the choicest, wisest, strongest Christian.

John Bunyan was once asked a question about heaven which he could not answer, because the matter was not revealed in the Scriptures; and he therefore advised the inquirer to live a holy life and go on.

DEATH OF FRANKLIN PIERCE. After lingering for many months in feeble health, Franklin Pierce, twelfth President of the United States, died at his residence, in Concord, N. H., yesterday morning. His disease was chronic inflammation of the stomach, attended with dropsical effusion of the bowels.

FRANKLIN PIERCE was born November 23, 1804, in Hillsborough, N. H. His father, Benjamin Pierce, was one of the earliest settlers in the township of Hillsborough, and by his exertions contrived much to the prosperity. During the Revolutionary war he fought his way to distinction, undergoing all the hardships that the patriots of those days were compelled to suffer in their struggles to redeem their native country and secure for her the priceless boon of liberty. On the 19th of August the sanguinary conflict of Concord occurred. The engagement proved more severe than was first expected. Pierce led his brigade, and bravely fought through that terrible conflict. While leading his troops and encouraging them by their love of country and the renown of their arms to carry the day, his horse slipped under him and both horse and rider came to the ground. The fall broke his leg and otherwise bruised him. Notwithstanding this he still continued on, and even followed in pursuit of the routed Mexicans, who were flying towards Chobaseuse. It was at this last engagement that Gen. Scott, observing his suffering condition, ordered him back to St. Augustine; but he pleaded to be left with his brigade, and the General consented. The next battle was that of Molino del Rey, and at this fierce and obstinately contested engagement General Pierce acted with his usual bravery. He was ordered to support Gen. Worth, who, with 3,000 men, had attacked 14,000 Mexicans. The intrepidity displayed by Gen. Pierce when he arrived with his reinforcements, and the determined front his men presented, had the effect of drawing the fire from Chapultepec upon his forces. They stood like a rock, and the field was won. His physical strength, so severely overtaxed for the last thirty-six hours, then gave way, and he had to take his bed, from which he rose to find the Mexican war brought to a close, and the Stars and Stripes waving above the Halls of the Montezumas.

Gen. Pierce returned home in December, and again applied himself to the practice of law. In 1850 he was elected President of the Convention drawn together to revise the constitution of his native State. Here he labored for the repeal of the libelous Catholic test, so long a stain upon the statute book of that State, and succeeded in accomplishing all that the Convention could do in the matter. This, at the time, gave rise to a good deal of dispute, and when Mr. Pierce entered upon his Presidential campaign the question came largely into play, and afforded the political participants an opportunity of ventilating the supposed or known views of the candidate for the Presidency on this important subject.

ELECTION TO THE PRESIDENCY. In June, 1852, he succeeded in obtaining the democratic nomination for the Presidency. Those who sought the nomination in the convention were James Buchanan, William L. Marcy, Stephen A. Douglas and Lewis Cass, all able statesmen and men of far more political prominence than Pierce. Yet he was the man selected, and he was elected President over General Scott by an overwhelming vote. Previous to his installation he received a grievous affliction in the loss of his only child, who was killed on a railroad journey from Andover to Lawrence, Mass.

The meaning of the different tea brands is as follows: Hyson means before the rains, or flourishing spring—that is, early in the spring. Hyson Skin is composed of the refuse of other kinds, the native term being tea skins. Bobs is the name of the region in which it is collected. Pekoe, or Pecco means white hairs, the town of tender leaves. Fowling, folded plant, Soochong, small plant. Twanky, the name of a small river where it is brought. Congo signifies labor, from a great care with which it is prepared.