THE "CLEARFIELD REPUBLICAN."

ESTABLISHED IN 1827.

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GEO. B. GOODLANDER, Editor and Proprietor.

Cards.

H. W. SMITH, ATTORNEY-AT-LAW, Clearfield, Pa. [jy1 ly

WILLIAM A. WALLACE, ATTORNEY AT LAW, Clearfield, Pa. Legal business of all kinds promptly and accurately attended to. [may15-y

DAVE L. KREBS, ATTORNEY-AT-LAW, Clearfield, Penn'a. Can be consulted in English and German. [je2,'69-1y

A. W. WALTERS, ATTORNEY AT LAW, Clearfield, Pa. Office in the Court House. [dec3-1y

ISRAEL TEST, ATTORNEY AT LAW, Clearfield, Pa. Office in the Court House. [jy11,'67

JOHN H. FULFORD, ATTORNEY AT LAW, Clearfield, Pa. Office with J. B. McEnally, Esq., over First National Bank. Prompt attention given to the securing of Bounty, Claims, &c., and to all legal business. [March 28, 1867-1y.

WALTER BARRETT, ATTORNEY AT LAW, Office on Second St., Clearfield, Pa. [nov21,66

THOS. J. McCULLOUGH, ATTORNEY AT LAW, Office adjoining the Bank, formerly occupied by J. B. McEnally, Second st., Clearfield. Will attend promptly to collections, sale of lands, &c. [dec17,62

JOHN L. CUTTLE, ATTORNEY AT LAW And Real Estate Agent, Clearfield, Pa. Office on Market street, opposite the jail. Respectfully offers his services in selling and buying lands in Clearfield and adjoining counties; and with an experience of over twenty years as a surveyor, flatters himself that he can render satisfaction. [feb28,'63-tf

WM. M. McCULLOUGH, ATTORNEY AT LAW, Clearfield, Pa. Office on Market street one door east of the Clearfield County Bank. [may4,'64

John H. Orvis. C. T. Alexander. ORVIS & ALEXANDER, ATTORNEYS AT LAW, Bellefonte, Pa. [sep13,'65-y

JEFFERSON LITZ, PHYSICIAN & SURGEON, Having located at Osceola, Pa., offers his professional services to the people of that place and surrounding country. All calls promptly attended to. Office and residence on Curtin st., formerly occupied by Dr. Kline. my19-1y

DR. T. JEFFERSON BOYER, PHYSICIAN AND SURGEON, Second Street, Clearfield, Pa. Having permanently located, he now offers his professional services to the citizens of Clearfield and vicinity, and the public generally. All calls promptly attended to. oct29-y

F. B. REED, M. D., PHYSICIAN AND SURGEON, Having removed to Williamsgrove, Pa., offers his professional services to the people of the surrounding country. [jy11,'67

DR. J. P. BURCHFIELD, Late Surgeon of the 53d Regiment, Pennsylvania Volunteers, having returned from the Army, offers his professional services to the citizens of Clearfield county. Professional calls promptly attended to. Office on Second street, formerly occupied by Dr. Woods. [apr4,'66-tf

DR. J. F. WOODS, PHYSICIAN & SURGEON, Having removed to Ansonville, Pa., offers his professional services to the people of that place and the surrounding country. All calls promptly attended to. [Dec. 2 6m pd.

DR. S. J. HAYES, SURGEON DENTIST. Office on Main St., Curwensville, Pa., Will make professional visits, for the convenience of the public, commencing in April, 1869, as follows, viz: Lutherburg—First Friday of every month. Ansonville—First Monday of every month. Lumber City—First Thursday of every month. Spending two days in either place. All orders for work should be presented on the day of his arrival at each place. Teeth extracted by the application of local anæsthetic comparatively without pain. All kinds of Dental work guaranteed. N. B.—The public will please notice, that Dr. H., when not engaged in the above visits, may be found in his office, in Curwensville, Pa. Curwensville, Feb. 4, 1869. [1-42

DENTAL PARTNERSHIP. Dr. A. M. HILLS, Desires to inform his patrons, and the public generally, that he has associated with him in the practice of Dentistry, S. P. SHAW, D. D. S., Who is a graduate of the Philadelphia Dental College, and therefore has the highest attainments of professional skill. All work done in the office I will hold myself personally responsible for being done in the most satisfactory manner and highest order of the profession. An established practice of twenty-two years in this place enables me to speak to my patients with confidence. Engagements from a distance should be made by letter a few days before the patient designs coming. [June 4, 1868-1y.

BUY the DEMOCRATIC ALMANAC. Only 25 cents. Every voter should have one.

Cards.

DR. AI THORN, PHYSICIAN & SURGEON, Having located at Kylertown, Clearfield co., Pa., offers his professional services to the people of the surrounding country. [Sept. 29,'69-y

E. I. KIRK, M. D., PHYSICIAN AND SURGEON, Lutherburg, Pa. Will attend promptly to all professional calls. aug18:1ypd

CHARLES SCHAFER, LAGER BEER BREWER, Clearfield Pa. Having rented Mr. Entres' Brewery he hopes by strict attention to business and the manufacture of a superior article of BEER to receive the patronage of all the old and many new customers. Aug. 25, tf.

THOS. S. WASHBURN, SCALER OF LOGS, Glen Hope, Clearfield County, Penn'a. The subscriber has devoted much time and attention to the SCALING OF LOGS, and takes this method of offering his services to those who may need them. Any further information can be had by addressing as above. je26-tf

SURVEYOR. The undersigned offers his services as a Surveyor, and may be found at his residence, in Lawrence township. Letters will reach him directed to Clearfield, Pa. JAMES MITCHELL. may 7-tf.

THOS. W. MOORE, Land Surveyor and Conveyancer, Having recently located in the borough of Lumber City, and resumed the practice of Land Surveying, respectfully tenders his professional services to the owners of and speculators in lands in Clearfield and adjoining counties. Deeds of conveyance neatly executed. Office and residence one door east of Kirk & Spencer's store. apr14:pdtm.

DANIEL M. DOUGHERTY, BARBER & HAIR DRESSER, SECOND STREET, [jy23] CLEARFIELD, PA. [tf

N. M. HOOVER, Wholesale & Retail Dealer in Tobacco, Cigars and Snuff, Two doors east of the Post Office, MARKET STREET, CLEARFIELD, PA. A large assortment of Pipes, Cigar Cases, &c., always on hand. my19-1y

J. K. BOTTORF'S PHOTOGRAPH GALLERY, Market Street, Clearfield, Pa. NEGATIVES made in cloudy, as well as in clear weather. Constantly on hand a good assortment of FRAMES, STEREOSCOPES and STEREOSCOPIC VIEWS. Frames, from any style of moulding, made to order. apr28-tf

REUBEN HACKMAN, House and Sign Painter and Paper Hanger, Clearfield, Penn'a. Will execute jobs in his line promptly and in a workmanlike manner. apr11,67

J. BLAKE WALTERS, SCRIVENER AND CONVEYANCER, Agent for the Purchase and Sale of Lands, Clearfield, Pa. Prompt attention given to all business connected with the county offices. Office with Hon. Wm. A. Wallace. [Jan1, 66-tf

THOMAS H. FORCEE, DEALER IN GENERAL MERCHANDISE, GRAHAMTON, Pa. Also, extensive manufacturer and dealer in Square Timber and Sawed Lumber of all kinds. Orders solicited and all bills promptly filled. [jy16-1y

GEO. ALBERT.....HENRY ALBERT.....W. ALBERT. W. ALBERT & BROS., Manufacturers & extensive Dealers in Sawed Lumber, Square Timber, &c., WOODLAND, PENN'A. Orders solicited. Bills filled on short notice and reasonable terms. Address Woodland P. O., Clearfield Co., Pa. je25-1y W. ALBERT & BROS.

FRANCIS COUTRIET, MERCHANT, Frenchville, Clearfield County, Pa. Keeps constantly on hand a full assortment of Dry Goods, Hardware, Groceries, and everything usually kept in a retail store, which will be sold for cash, as cheap as elsewhere in the county. Frenchville, June 27, 1867-1y.

C. KRATZER & SONS, MERCHANTS, DEALERS IN Dry Goods, Clothing, Hardware, Cutlery, Queensware, Groceries, provisions and Shingles, Clearfield, Penn'a. At their new store room, on Second street, near Merrell & Bigler's Hardware store. [jan14

MOSHANNON LAND & LUMBER CO., OSCEOLA STEAM MILLS, MANUFACTURERS OF LUMBER, LATH, AND PICKETS. H. H. SHILLINGFORD, President, Office—Forrest Place, No. 125 S. 4th st., Phil'a. JOHN LAWSHE, Superintendent. je6'67] Osceola Mills, Clearfield county, Pa.

FRENCH KIDS and LACE COLLARS, at Mrs. Watson's.

DISSOLUTION.—The partnership heretofore existing between the undersigned in the mercantile business in the borough of Lumber city, under the name of Kirk & Spencer, was, on the 15th inst., dissolved by mutual consent. The books and notes are in the hands of H. W. Spencer, for collection. All persons knowing themselves indebted to said firm will please call and settle without delay. ISAAC KIRK, H. W. SPENCER. Lumber City, Sept. 15, '69. [Sept. 22-3t

BROWN SEA BREEZES, at Mrs. Watson's.

ADMINISTRATOR'S NOTICE.—Notice is hereby given that letters of administration on the estate of ZACHARIAH T. FERGUSON, deceased, late of Decatur township, Clearfield county, Pa., having been duly granted to the undersigned, all persons indebted to said estate will please make immediate payment, and those having claims or demands will present them properly authenticated for settlement without delay. s29-6t JACOB WISE, Administrator.

THE "LAST TIE" and "GOLDEN SPIKE" of the Union Pacific, to be seen at WM. REED & CO'S.

ADMINISTRATOR'S NOTICE.—Letters of Administration with the will annexed upon the Estate of John Dickinson, late of Utica Hope, Clearfield county, have been granted to the subscriber. All persons having claims will present them, and those indebted will make payment to the undersigned, or to Wm. A. Wallace, his att'y, at Clearfield, Pa. A. S. DICKINSON. Oct.6,'69-6t. Adm'r. D. B. N. C. T. A.

WM. REED & CO., make Gentlemens' furnishing goods a Specialty.

GENTS' fine British Merino Hose, handsome Bows & Ties, at WM. REED & CO'S.

CLEARFIELD REPUBLICAN.

GEO. B. GOODLANDER, Proprietor. PRINCIPLES; NOT MEN. TERMS—$2 per annum, in Advance.

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THE REPUBLICAN.

CLEARFIELD, PA.

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 facts in the case:

The September Term of the Pike county (Penn.) Courts opened at Milford on Monday, the 20th ultimo, his Honor George R. 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 misdemeanor, under railroad law of 1865; 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. A formidable array of counsel appeared in the case—for the Commonwealth, J. D. Biddis, Esq., District Attorney; Hon. D. M. Van Auken, of Milford; William H. Jessup, Esq., of Montrose, and S. E. Dimmick, 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 Nyce, Esq.

The following persons were impanelled as a jury to try the case: Peter Wagner, Joseph C. Littimore, Randal Kelly, Isaac W. Van Gordon, George Pearson, John P. Lee, John Gould, John W. Frazier, 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 in the case. Among those present were Griffin's wife and two children, and a number of his friends from Susquehanna Depot, where he resides. Griffin himself, a well-appearing, middle-sized man, sat by the side of his counsel, paying close attention to the proceedings, and evidently anxious in mind as to the result.

Mr. Jessup opened the case for the Commonwealth with a brief statement of the alleged facts in the case as bearing against the prisoner, which the prosecution expected to prove, and upon which they would ask for the prisoner's conviction of the misdemeanor as set forth in the indictment.

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—28 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 caboose 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 two seconds 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 blaze with my hands, and next thought to put out the fire from the coal-box, which was near 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 pail of water. I hallooed and rapped on the door for water. Finally a lady got up, let me in, gave me a pail, told me there was water in the kitchen. Took the pail, ran to the wreck, and threw water on the fire, and then ran for another pail 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 pail 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, rallied 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 the cars forward of the three sleeping coaches were burned up.

Cross-examined.—It was some ten or twelve minutes after the accident that I saw Griffin. The cause of my exhaustion was through being frightened. The hotel was nearer the river. When I got to the fire I thought three pails of water would put it out. At that time the fire had not reached any car. The passengers were out looking at wreck, but did not offer to help. I did not see anybody try to extricate any person from the cars. I put forth my efforts to take out baggage. If strong men had gone there with axes they could have extricated the passengers, but they had only one axe. The reason I did not see engine of freight train until about forty feet off, was on account of the curve, and strong light thrown out by my headlight. Did not know there were passengers fast in smoking car when I took baggage out. I could not have done the least thing towards stopping my train, between the time I saw the freight engine and the collision.

The arguments of counsel having been closed, his Honor, Judge Barrett, proceeded to charge the jury as follows:

Gentlemen of the Jury: We shall endeavor to give this case in as few words as possible, in the discharge of a simple duty. I regret exceedingly that many things have surrounded this trial that have no relative bearing upon it. I regret that your attention should have been called to the condition of the defendant, or that the Erie Railway Company were brought forward as the prosecutors, and I would have you divest your minds of the Company, or defendant, save what you derive from the evidence alone. The evidence don't say that the Company is the prosecutor in this case. The act of the Assembly of the State of Pennsylvania, makes it an imperative duty on the District Attorney to prosecute all such cases, and had he failed to do so, he would not have discharged his duty. The simple inquiry for you to make is whether the law has been violated, and if so, that the responsibility be placed on the proper person so offending. We have a plain statute for our direction in this case which I will read, and which will give you the proper instruction for your guidance.

The Judge here read the law, which provides that if any person or persons in the employ of a railroad or transportation company shall refuse or neglect any rule or regulation of the company, and by reason of neglect or wilful misconduct to obey said rules, injury or death shall result thereby, each person shall be guilty of misdemeanor, and on conviction shall pay a fine not exceeding five thousand dollars, and be imprisoned in the county jail or penitentiary not to exceed five years.

This act was passed 1865. Before this we only had the common law in such cases, but the growing importance given to railway travel, and service, and the increased number of accidents rendered a more stringent law necessary. In 1875 the times may make it necessary to take a step still farther, and so on. This law commends itself for what it is worth. It is our duty to administer it as we find it. You should enquire what was the intention of the Legislature in making this law. The language of the law is in plain and concise terms: "From and after the passage of this act, &c." The first branch of this statute, "refusal or neglect to obey the rules," is made a misdemeanor; or if "by negligence shall fail to obey," —each is a demeanor. But you say the law is not confined to the rules of the Railway Company, because it says in distinct terms: "If by reason of negligence or wilful misconduct, &c," "injury, or death to any person shall thereby result" two things here are misdemeanors. Before the prisoner can be convicted, it is necessary to show that he was an employee of the road, and that he disobeyed the rules, and death resulted thereby. We regard the act of the Assembly as plain, not ambiguous, so there is no difficulty to arrive at a proper verdict. It is as much a duty for us to administer this statute as any other. The simple question is, were the provisions of this statute violated? You have no right to go outside of it for inquiry. Having given you the only construction of the law, we will go a little further. The importance of the case renders it necessary that we brush away some portions of the evidence that only embarrass you. We are now brought to the 14th of July, the night of the accident. When Griffin ran his train on the switch, at Mast Hope, it is not in dispute that he violated any rules; it was his duty to do more—to await the orders of the conductor of his own train before starting, which was proven he did not. It was a rule absolute with the Company. The sooner employees of the Company are taught not to disobey its rules, the sooner will accidents cease. To start was an absolute disobedience of orders, and that he has done so before is no excuse. His duty after arriving on the switch was to throw off the steam, and to lay there 47 minutes under any circumstances, until trains 7 and 3 had passed. No. 7 arrived behind time and No. 3 was 23 minutes late. During the last 26 minutes he lay on the track he was liable for orders at any time from his conductor to move. It was his duty to lay there and await the arrival of No. 3; he could not get out before that time. We now come to the first count in the indictment—failing to await the orders of the conductor for starting his train. The rule was binding; he accepted to obey, understand and comprehend those rules. It is urged by the defence that disobedience is of frequent occurrence, but this is a matter between himself and the Company, but when death follows, then the Company are asked to step out, and the law takes hold of the matter, and seeks to vindicate its majesty and nothing more. The second count charges him with moving his engine too soon, without orders. Another rule of the Company requires him to be vigilant and cautious on all occasions. If one rule was obligatory, then all were. It is not alleged that Griffin's conduct was intentional in starting his train. Was it neglect 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 sympathises 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 was made to apply to signal and special acts of negligence. The excuse which is offered for the act of Griffin is that he 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. I regret to hear such evidence, and that it is a common practice. If the Company keep such men in their employ, would it not be well to enquire if they are not guilty of gross negligence? The evidence is that defendant slept, but it its 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 demand it. Why did he go to sleep? He had ran only 28 miles, off 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—precious to somebody. 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 discharge yours. If after reviewing all the evidence and 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 throng, awaiting the return of the jury. The prisoner bore up well, although deep anxiety was depicted on his face, which feeling was shared in by his counsel and friends.

At about eight o'clock, after two and a half hour's absence, the jury returned into Court. Amidst breathless silence 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 checked this outburst, and severely rebuked the unseemly demonstration. The Court then adjourned to next morning.

MILFORD, Pa., Sept. 24, 1869.

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.

This unusual 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 expectant, and there was 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 the Commonwealth against 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 defence 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 oaths; 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 charged you yesterday, 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 have for the defendant and for his wife, and for his children if he has any. Yesterday when I heard that shriek 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—a system which permits twelve men to nullify the laws of the Legislature, to 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 it was, as I wish to be as 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 at 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 scathing and withering reproof, may better be imagined than described. The impression made by his remarks has extended abroad through the entire community, and has given rise to considerable excited feeling and discussion of the merits of the verdict.

CONCLUDING SCENES OF THE TRIAL.

Griffin was brought into Court, when the Judge addressed a few remarks to him, saying that he had been acquitted of the offence; 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 prosecution, made a motion that Griffin be held in recognizance to await proceedings 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.

Theological 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, for wise reasons, had veiled the subject in obscurity. But science is progressive. It digs deep into the bowels of the earth, and soars 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 philosophic and Christian speculation we are now provided with a scientific solution of the whole difficulty by D. Mortimer, M. D.—not D. D. According to theory "there is a vast globe or world far *within* from the surrounding photosphere of ethereal fire, which all denominate the sun, which globe is estimated to be at least five hundred thousand miles in diameter." Dr. Mortimer states that he has brought divine revelation to bear on this vast central globe, and is plainly convinced "that the globe thus discerned is the Heavenly Empire wherein the righteous from this earth find their future home." 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 most, but he that meditates most on divine truth 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 thereupon advised the inquirer to live a holy life and go and see.

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 inflamation of the stomach, atended with dropsical effusion of the bowels.

HIS ANCESTRY.

Franklin Pierce was born November 23, 1804, in Hillsborough, N. H. His father, Benjamin Pierce, was one of the ealiest settlers in the town of Hillsborough, and by his exertions contributed much to its 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 Intelligence of the bloodshed at Concord and Lexington reaching the neighborhood of Hillsborough Benjamin Pierce, then only a boy, forsook the plough in the field, and, providing himself with his uncle's gun and a quantity of amunition, he left for the fight, to strike a blow for freedom, or, if necessary, give up his life on the altar of his country. All through the stormy period, the time that tried men's souls, we find the father of the future President, for seven long and dreary years, serving with the army of the Revolution, until he was at last disbanded in 1784 at West Point, when the calm of peace was about to bless the efforts of the heroic patriots who fought for the freedom of their native land. It is scarcely necessary to mention that the Revolutionary soldier was possessed of very little means when the struggle was brought to a close, but with the little means he had; and little, indeed, it was—he took up his residence in a log hut which he built on a tract of land in what is now the town of Hillsborough. Here he married, but his wife dying, leaving him a female child, he married again, and by his second wife he had eight children. He worked steadily and energetically, and among his neighbors became a man of some mark. In 1789 he was elected to the Legislature, and this position he continued to occupy for thirteen successive years, and was afterwards Governor of the State.

ENTRANCE INTO POLITICAL LIFE.

Whatever may be the alliances between lawyers and legislators, it is not the purpose here to inquire, but certain it is that lawyers—good, bad and indifferent—as a rule, have a yearning for the honor or the profit, either one or both, of political office, and Franklin Pierce naturally enough, from other causes, however, than any that might have arisen from his connection with the legal profession sought distinction in the forum. His father was elected Governor of New Hampshire in 1827, and two years later Franklin Pierce himself was honored by the votes of his native town, electing him their representative to the Legislature of the State. He continued a member for four successive years, the latter two being Speaker of the House, to which place he was elevated by a large majority of votes.

In 1833 Mr. Pierce sought higher renown. He looked to the capitol of the nation, and among his country's legislators there he felt he could labor to advantage. His constituents seconded that desire, and he was elected to Congress. While in the House he was a patient observer of the progress of events, and although for the time he attracted no marked attention by the brilliancy of his oratory or the depth of his reasoning, he still was noted as one of the most laborious, painstaking members in the whole assembly. When Frank Pierce was on a committee all felt satisfied that the labors of that committee would be attended to. This reputation he sustained throughout his whole Congressional career. He was a warm admirer and a staunch upholder of Old Hickory. He believed in President Jackson, and during the most stormy periods of the old man's administration Pierce always rendered him whatever aid was in his power. This led to a confidence which lasted during the lifetime of President Jackson and was warmly reciprocated by Mr. Pierce.

While a member of Congress he delivered a forcible speech against the bill authorizing the appropriations for the Military Academy of West Point. In after years he saw the error he made in taking the view he did and acknowledged the wisdom of the act which upheld the school for the education of the American soldier. On the question of slavery, while a member of the House, he took his position firmly, conscientiously and resolutely. He believed the South was pledged certain rights by the constitution, and these he maintained by his voice and by his votes. He continued as a member of the lower House for four years.

IN THE UNITED STATES SENATE.

In 1837 Mr. Pierce, then scarcely arrived at the legal age for the position, was elected to the United States Senate. He took his seat, the youngest member in the Senate at the commencement of the Presidency of Martin Van Buren. This was the period when the Senate was composed of such men as Henry Clay, Daniel Webster, John C. Calhoun, Silas Wright, Thomas H. Benton, and many other distinguished statesmen who, though inferior in intellectual ability to those named, still were men who invested with dignity and talent the exalted position they occupied. This was the noontime of the American Senate, and never before or since has there been seen within the walls of the Senate chamber a more able, dignified or venerable array of statesmen than those whom the young Senator encountered on the entrance upon his Senatorial career. His consummate skill and acknowledged good judgment admonished him as to the course he had best pursue, and, obeying these promptings, he made friends for himself and best promoted his interests by the adoption of a quiet, dignified line of conduct rather than the noisy declamation which too often forms the whole stock of trade of many who disgrace the legislative halls of the nation by their mouthings and clap-trap display of mountebanks. By the adoption of this line of conduct he was not long in winning the confidence of the political parties of the day and particularly the prominent men of the Senate. Calhoun, Benton, Wright, Walker, Buchanan, and, indeed, almost all the democratic members of both houses, honored him with their friendship. In 1842 he signified his intention of retiring from the Senate, and, returning home, entered again upon the practice of his profession.

Mr. Pierce now pursued with a well determined vigor the practice of his profession. Whether his fame in Congress and more recently in the Senate had any effect in securing him practice we do not pretend to determine, but certain it is that he started with a very respectable practice. He was a careful, vigilant, painstaking lawyer, and did everything in his power to satisfy his clients. Though frequently importuned to accept political place at this time he positively refused to be separated from his family, unless the imperative necessities of his country in case of war demanded the sacrifice.

HIS MILITARY RECORD DURING THE MEXICAN WAR.

The time shortly after approached that the pledge would have to be redeemed. The Mexican war came on, and Franklin Pierce, who had already distinguished himself in the forum and at the bar, volunteered for the service of his country in the field. He received the appointment of colonel of the Ninth infantry in February, 1847, and the following month was promoted to be brigadier general. His attention to the men under his command has been frequently alluded to in terms of no mean praise. He contributed whatever lay in his power to alleviate the sufferings of his wearied soldiers, who, broken down with the fatigues of the campaign, considered the most trifling help a boon that could scarcely be over-estimated.

On the arrival of the reinforcements which General Pierce commanded, Gen. Scott broke up camp and commenced the march upon the capitol of Mexico. On the 19th of August the sanguinary conflict of Contreras occurred. The engagement proved more severe than was first expected. Pierce led his brigade, and bravely fought all through that terrible conflict. While leading his troops and encouraging them by their love of country and the renown of her 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 Cherubusco. 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. At this battle he appeared to forget his injuries and became apparently reckless in the face of the enemy. The American army was here victorious.

After the victory Santa Anna proposed an armistice. Gen. Scott granted it, but proved afterwards only to be a ruse of the wily old Mexican to prevent the American army from immediately taking possession of the capital. General Pierce was one of the commissioners appointed to arrange the terms of peace. His associates were Generals Quitman and Persifer F. Smith. The negotiations failed, and again the battle cry was sounded. 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 it 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 illiberal 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 partisans *pro* and *con* 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 grevious affliction in the loss of his only child, who was killed on a railroad journey from