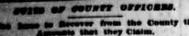
THE LANCASTER DAILY INTELLIGENCER, FRIDAY, JUNE 11, 1896.



The second state of the second state se

January, 1855 ; that he paid into the treasury \$1,01,05 up to the time the salary act was detared unconstitutional, and there was paid to bim and his clerks for salaries \$2,730.32, eaving a balance to hiscredit of \$1,425.05. To make the clerks for salaries \$2,730.32, eaving a balance to hiscredit of \$1,425.05. To make the salary balance to hiscredit of \$1,425.05. To make the provisions of the salary bill. The defense objected and the matter was argued. The court ruled out the question and plaintiff then rested. The defense said the question in dispute was one entirely of law and they had no testimony to offer. They put on the court's notes the following authorities: People's spainst the City of Pittsburg, 5th Outerbridge, 304 ; Hospital against Philadelphis county, 12th Harris, 229 ; Taylor against the Board of Health, 7th Casey, 73; Borough of Allentown against Serger, 8th Harris, 421; Wharoon against the Borough of Harris, 421; Wharoon against the Borough of Halth, 371; Lamborn against the Countissioners, 97th U. S. Supreme Count Report; Railroad againt Commissioners, 98th U.S. reports; Smith's cases, Second volume of leading cases and Gool vs. Her, 7th Wats and Secgent.
It was arranged that there should be one against the plaintiff said he defined to make a brief statement before the argument lor the defense was opened. He said the so far as actual results the concerned as if the salary have h 1 never bord provent as if the so far as actual results are one passed. Mr. Stoner was elected register under the laws of the countwealth. He

are concerned as if the salary law h. 1 never been passed. Mr. Stoner waselected register under the laws of the common wealth. He made certain payments which were admitted the county was not entitled to. It cannot be pretended that if Mr. Stoner had put this money into his pocket that the commissioners could never get it. If he had kept the money as the Schuyikill county officer did it would have required a mandamus for them to get it. This money never was the property of the county, but was paid in by reason of the provisions of the law. He money received or subject himself to prosecu-tion or removal from office. He could not have made any arrangement for an amicable test, with commissioners, for under the law

tion or removal from office. He could not have made any arrangement for an amicable test, with commissioners, for under the law any citizen of the county would have pro-ceeded against the register for not complying with the provisions of the salary act. Mr. Eshleman, for the commissioners, stated that under no circumstances was the money in dispute the property of Mr. Stoner. It was not admitted that the money was his, nor could it be informed. The money under the law of the land belonged to the county, and it was the duty of the commissioners to see that it remained in the treasury. The plain-tiff was elected register and knew when he entered upon the duties of his office that act, paid the moneys he received in his office monthly to the county reasurer, where it properly belonged. He drew his salary under that act, and he now seeks to recover back money paid in accordance with the law, with his understanding of the law, paid voluntarily. The fact that the law was de-clared unconstitutional does not allow bim to recover for what he had alchared unconstitutional does not allow him to recover for what he had al-ready paid in. From the time that the law was declared unconstitutional this officer then fell back on the old fee systhis officer then fell back on the old fee sys-tem. If it was a voluntary payment on the part of the register, it cannot be recovered back. Payments of faxes and assessments can be recovered back if paid under duress, but the simple fact that he might be prosecu-ted cannot be construed into duress. If the register would have withheld the money re-ceived in his office and compelled the com-missioners to sue for it he might have tied the money up and probably would not have the money up and probably would not have

had to pay it over. Mr. North said there was no case on the books similar to the one now before the court. In this case Mr. Stoner received no consider-ation for the money he paid into the treasury and table should be be be added into the treasury

DIED AT MARTIC FORGE. of a Well Known Ironmaster and Mem-her of a Prominent Family.

Robert Smith Potts, who died at Martie Forge, in Martle township, this county, about nine miles northwest of Lancaster on Wed-

nesday evening, was born December 21, 1813, and was therefore in his 73d year. He was the son of Joseph and Sarah Potts, of Pottstown, both long since deceased, and is the last of twelve children, himself and several Sopt., 325;e. last of twelve children, himself and several of his brothers being eminent mon in business and social athairs in their day and generation. Henry Potts, some years ago, president of the bank of Pottstown; Joseph Potts, of Pottstown; John Potts, of Norristown; David Potts, of Springton, were brothers, and Emily, wife of the late John P. Rutter, of Pottstown, was a sister of deceased. The first wife of Roy Lavi Bull; the second H. dawletter of Ray Lavi Bull; the second

The first wife of Robert 5. Potts was Annie H., daughter of Rev. Levi Bull : the second wife, who survives him, was Lydia Baldwin. He had three childrem-Howard, by the first marriage, who is now residing at St. Paul ; Maria and Charles S., by the second wife-the former married to Henry Townsend, of Philadelphia, and the latter deceased. Mr. Potts had been for many years inter-ested in the firm of Davies & Potts, (com-posed of Edward S. Davies, Henry Potts, jr. Robert S. Potts, now all deceased, and George H. Potts,) in the iron works at Martie forge, and was manager of the same. A few days ago he paid a visit to Pottstown, accompanied by his wife, and only left there on Tuesday, June 1st. He was well known as an estimable and intelligent gen-tleman and an experienced iron manufac-turer.

PENNSYLTANIA'S FURENTS.

An Organized Effort to Preserve the Tunbered

Land of Pennsylvania. The Pennsylvania Forestry association was organized on Thursday afternoon at the rooms of the Historical society of Pennsylvania, Thirteenth and Locust streets, Philadelphia. Temporary officers were elected as follows: President, Professor J. T. Roth-rock; treasurer, Dr. John P. Lundy; secre-taries, John Birkinbine and Professor W. N. taries, John Birkinbine and Professor W. N. Lockingon. An executive committee, com-prising the offleers and Mrs. Brinton Coxe, Professor Edmund James, Mrs. J. P. Lundy, Miss Edith Wright, Rev. J. Andrews Harris, Professor Thomas Mechan, Thomas Galvin, Dr. George M. Coates, Jeremiab Hess, A. Wilhelm, Burnet Landreth, Col. George W. Weistling, P. L. Weimer, Jacob Knabb and Herbert Weish, was chosen to serve until the next machine of the association in No. Herbert Weish, was chosen to serve until the next meeting of the association in No-vember, and empowered to take steps toward raising the sum of \$5,000 for advancing the work of the society. A constitution was adopted, which provides that " the object of the association shall be to secure and main-tain a due proportion of forest area through-out the state; to disseminate information concerning the crowth, two and until out the state; to disseminate information concerning the growth, proportion and utili-zation of forests; to show the great evils re-sulting from forest destruction, in the de-crease and unequal distribution of available water supplies, impoverishment of the soil, the mjury to various industries and the change in climate; to secure the enatment by the legislature of such taws as shall tend to increase and preserve the forests of the state." The constitution also provides that a special feature of the work of the association

special feature of the work of the association shall be the publication of literature relating to forestry. A paper was read by Prof. W. N. Locking-

ton upon the "Causes of the destruction of forests." The speaker attributed the remark-able diminution of forest area to the careless manner in which timber is out and the wanton destruction of enormous areas of standing timber in clearing land.

A Girl's Peculiar Visual Powers.

Bedford (Iowa) Dispatch to the Chicago Herald. There exists in this county a very curious optical phenomenon in the person of

a little girl about ten years old, by the name of Nancy Taylor. She attends school up in Grant township. If the current philosophy of vision, that we really see things upside down, be correct, then this little girl is an instance of a person who sees objects as they really are. She does her figuring and writ-ing with inverted characters, begins at the right side of the slate or paper, and reads with the book upside down. Objects within two feet of her eyes look inverted, while if removed further off they make the same im-pression on her visionary organs that they do on other memories. Her even are hopt blue. and have nothing about their appearance to indicate them less capable of performing their functions than ordinary optics. They

A Lively Picnic at Tells Hain

Yesterday atternoon a picnic was held at Tells Hain. The tickets stated that the affair was under the auspices of the Amaciti New York List. Ganada Pacific. C C C I. Col. Conl. Canada Southern. Chi., St L. & Pgh. Denver & Rio Grande. Del, Lack. & Western. Eric. association. There is no such an organization in this city, but the picnic was managed by a man named Harry Sanderson. In the atter-noon a band of music was put upon the streets and it was followed by omnibuses to take people to the grounds. The crowd present Del, Lack. & Western. Erie 20. New Jorsey Contral K. & T. Lou. & No. Lake Shore Michigan Central Missioni Pacific. Northern Pacific. N. P. Prol. N. W. York Contral was not very large, but it was certainly well mixed. They were bent upon having a good time and are said to have had it. About 6 o'clock a heavy rain set in, and, although there was lots of water on the grounds, few of those present are known to have partaken of any. The picnic was kept up all evening and after dark there was a great deal of fightand after our there was a great deal of him-ing between women and ment. A number of persons had their heads punched, but none were seriously hurt. The aftair was not at all creditable to the person getting it up or those who attended. New York Central. Ohio Central. Oregon Trans.

Philadelphia Produce Market. PRIADERTRIA, June IL.-Flour - Market is steady. Sales of 900 barrels; Minn. bakers at to 2020 00; Penna, family at 50 7500; Western at 61 bage 625; Patenis, 64 5025 00. Bye flour was quiet at 50 2523 00. 1 p. m., cal.-Wheat-June, style; July, Style: Aug., S53/c; Sept., 554/c; July, Sort-June, 455/c; July 452/c; Aug., 60.

Sept., 55,c. Onts -June, 35c ; July, 38c ; Aug., 34c. New York Produce Market

Builder – Market unit: Nor Grannery, 14607c Enges quilet. Western Fint, M075c. Enges dull: State, 125c; Western, 115g07c. Sugar-market dull. Refined cationi, 85c; Granulated, 63-66055c. Tallow steady; prime city, 45c. coffee dull; fair cargoes at 25c. Elow quiet; ranges from 35c07c.

Chicago Market.

Sept. 7874c. Corn.-June, 3374c; July, 3874c; Aug., 36746 76c; Sept., 3574c Oats-June, 2854c; July, 2774c; Aug., 3854c; Sept. 30c. Pork-July, 85 82; Aug., 88 90; Sept., 20 65 Lard-July, 86 12; Aug., 81 20; Sept. \$ 27%. E105-July, \$ 47%; Aug., \$ 55; Sept., \$ 52%.

cicerso, Wheat-June, 72% of July, 74c; August, 72% @

Sept. 25%C. Pork-June, 85 82%; July, 88 82%; Aug., 802%; Sept. 802%; Bills 101, 88 82%; Aug., Land-June, 85 05%(85 101, July, 86 15); Aug., 802%; Sept. 86 3066 72%; Ribs-June, 16 52%; July, 85 52%; Aug., 80 52%; Sept. 85 50.

Grain and Provisions

Becelpia-Hogs

Live Stock Markets.

Live Stock Markets. CHICAGO, June 10. The Devers' Journal reports: Cattle-Receipts, 5,500 head; shipments, 3,000 market fairly active and 10c lower: shipping steers, 500 to 1540 Es, 44 Jorgs 00; stockers and teeders, 52752475; cows, bulk and mixed, \$4,65 (\$400; bulk, \$2:503120; through Texans, \$500 10g-400; grassers, \$4,500510; Hogs-Receipts, 55 000 head; shipments, 7,000 head; market slow; early closing strong; rough and mixed fd 5502425; akips, \$220 (\$570; Sheep-Receipts, 7,000 head; shipments, none; market strong; matives, \$50094400; Texans, \$560 (\$570; Sheep-Receipts, 7,000 head; Shipments, none; market strong; matives, \$50094400; Texans, \$560 (\$570; Sheep-Receipts, 7,000 head; Shipments, none; market strong; matives, \$50094400; Texans, \$560 (\$570; Sheep-Receipts, 7,000 head; Shipments, none; market strong; matives, \$50094400; Texans, \$560 (\$570; Sheep-Receipts, \$700 head; Shipments, none; Market strong; matives, \$50094400; Texans, \$560 (\$570; Sheep-Receipts, \$700 head; Shipments, \$560 (\$570; Sheep-Receipts, \$700 head; Shipments, \$560 (\$570; Sheep-Receipts, \$700 head; \$570; Texans, \$560 (\$570; Sheep-Receipts, \$700; Texans, \$560 (\$570; (\$





and why should he not now have the money Equity and good conscience require that he should have it. The defense claim that there was no coercion as to payment, and say that while they never had a claim to the money still they will keep it. The plaintiff never intended that the money he paid in was a gift to the commissioners. He parted with it because he was a public officer, because the law imposed that duty on him and failure on his part exposed him to certain remaites. haw imposed that duty on him and failure on his part exposed him to certain penalties, among which were prosecutions and loss of his office. It was not necessary that the commissioners should say to him that they, would enforce the provisions of the salary act. The law was a standing men-ace to this plaintiff. The commissioners fur-nished the necessary blanks to him to make monthly returns, and that alone had the effect of a threat on him. Mr. North ited a number of cases in support of his po-sition among which were Morris against Farren, 1st Dallas, 147; Colwell againt Pee-ten, 3d Watts, 327; 6th Sergeant & Rawle, 469; 5th, Watts & Sergeant, 462; 14th, Nor-ris, 333. A' the conclusion of Mr. North's argument, Mr. Smith made a short argu-ment.

It was agreed not to argue the suits of the prothonotary and clerks to-day, ccunsel pre-ferring to wait for the decision of the court on

the case argued. Court adjourned to 2:30 o'clock when the injunction case of Given against Grier be argued.

CURBENT BUSINESS.

The court made an order for the opening of Filbert street from Fremont to Poplar, and North Franklin street, from East King street to the New Holland turnpike.

The court made the decree asked for as to the lines of the property of the U. B. church at Mountville, between their property and that of John Fridy's heirs.

Winfield S. Geher was granted a soldier's license to peddle goods in the county.

The Ditmars Case.

Walter M. Franklin, who filed exceptions the account of the executor of the will Gen. A. D. Ditmars went before court to-day, and asked leave to withdraw the exceptions and state that the ac-count should be absolutely confirmed. [The final disposition of the case in the United States district court, yesterday, has

been the general topic of conversation to-day. It is understood that the trial of the case was a mere formality, and that it was agreed the will was to be set aside.]

More Sour Kraut at the Prison

| In the thir | y-fifth annual report of the prison |
|---------------|-------------------------------------|
| nspectors I | find the following, page 16: |
| L. Brackbill | 30 gallons sour kraut \$ 4 80 |
| J. Doer 33 ga | Hons sour kraut \$ 4 25 |

WHISTLING JACK.

A Bigamist Evades the Law. From the Manheim Sentinel.

From the Manheim Sentinel. A man stating his name to be John Eab-ling, from Berks county, went to live near the White Oak station some time ago, work-ing mostly as a laborer. After a time he married a daughter of Henry Connelly. A lew days ago he left, as he said, for Missouri, leaving his family behind. The next day a constable from Berks county was on the look-out for Eabling, with the intention of taking him to Berks, where his first wife is living, but the constable was just "in time to be too jate."

Knights of St. John Banquet. The Knights of SL John gave the ladies who assisted at their fair, a banquet last even ing. It was held in the second story of Ful ing. It was held in the second story of Ful. ton hall, and about seventy persons were present. John A. Coyle, esq., welcomed the indies to the banquet, after which the many good things provided were disposed of. It was a pleasant social gathering and will long be remembered as one of the pleas ant events in the history of the organization.

"Single Book" Men

From the Atlanta Constitution. St. Paul Teras Pacific Union Pacific Wabash- Counton Wabash- Preferred Western Union Telegraph. West Shore Do you remember the man who memorized the entire Bible? He was an Englishman in the lower walks of life. When public attention was first attracted to him learned bishops and lawyers thought the man must be a fool. They argued that his devotion to Lehigh Valley..... B. N. Y. & Phila.... one book must have made him narrow-Pennsylvaria Reading Lehigh Navigation Hestonville Philadelphia & Eric. Northern Cent. minded, and that his memory had been developed at the expense of his reasoning powers. Without dividing their object, they ingeniovsly drew the Bible student out on various questions of public importance. To their surprise the man picked up all the points almost by intuition, and whenever he look a stand in an argument he routed the took a stand in an argument he routed the trained logicians opposed to him with perfect case. It was then agreed by the discomfited scholars that the Bible was an exceptional book, and the man who was able to master it was minal to any intellectual tool. Reported by J. B Long.

book, and the man who was able to master it was equal to any intellectual task. The lawyers will tell you that they have more trouble with the lawyer who has made the code his whole study than they have with the man who has a library of a thouand volumes.

A Young Woman Fails Dead.

MARIETTA, Pa., June 10 .- Mrs. Kate Mc. Kain, wife of A gos McKain, of East Donegal township, suddenly fell dead this evening while cleaning house. Deputy Coroner Jacob Thuma was summoned and he emh. W. Mowery, said that heart disease was the cause of death. The jury rendered a ver-dict accordingly. The deceased was 22 years of age.

Correction.

It was not W. F. Hambright who has been held before Alderman Barr, for embezzlement, as was stated in this paper last evening. The name of the accused is W. A. Hambright, W. F. is the well known railroad man.

Gave Bail for a Hearing. Frank Doman and James Tarr have been presented before Alderman Fordney for committing an assault and battery an Wesley Stapleford. The accused entered ball for a bearing.

Temperance Meeting.

Captain Stuidivant will speak about temper ance for the Women's Christian Trapprance union next Sanday. Sturdivant was formerly a sea captain, and in 1870 he found Francts Murphy a prisoner in the Portland (Me) jail. He rescued him and the great temperance worker 110 at once began his brilliant career

REMEMBER the races at Metiranu's Park Mon-

day afternoon. Close and exciting roces may be expected, and the admission will be only 25 cents, including seats on the grand stand. 21d

DEATHS

DRAN-In this city, June 5, 1886, John Deau, in the 48th year of his age.

the seth year of his age. The relatives and friends of the family, Mon-torey Lodge, No. 22, Washington Encampment, No. II, 1. O. O. F., and the order is general, Met-amora, No. 5, Red Men, members of the 78th Regi. P. V., and other soldiers of the rebellion, and also members of the shifter five company are in-vited to attend the funeral from his late resi-dence, No. 43 North Prince-street, on Sunday afternoon at 3 o'clock. Interment at Lancaster cemetery.