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# The Perjured Witness.

### A LAWYER'S STORY.

TN the spring of 1841, I was called to Jackson, Alabama, to attend court, having been engaged to defend a young man who had been accused of robbing the mail. I arrived early in the morning, and immediately had a long conference with my client. The stolen mail bag had been recovered, as well as the letters from which money had been rifled. These letters were given me for examination, and I returned them to the prosecuting attorney. Having got through my preliminaries about noon, and as the case would not come off before the next day, I went into the court in the afternoon to see what was going on.

The first case that came up was one of theft, and the prisoner was a young girl not more than seventeen years of age, named Elizabeth Madworth. She was very pretty, and bore that mild, innocent look which you seldom find in a culprit. She had been weeping profusely, but as she found so many eyes upon her, she became too frightened to weep more.

The complaint against her set forth that

her side and asked her to state candidly the case. She told me she had lived with Mrs. Naseby two years and had never had any their wagons." trouble before. About two weeks ago, she said, her mistress lost a hundred dollars.

"She missed it from her drawer," the girl said to me, "and asked me about it .--I said I knew nothing about it. That evening I know Nancy Luther told Mrs. Naseby that she saw me take the money from the drawer, that she watched me through the key-hole. They went to my trunk and found twenty-five dollars of the missing money there. But, sir, I never took it, and somebody must have put it there."

I then asked her if she suspected any one

"I don't know," she said, "who could have done it but Nancy. She has never liked me because she thought I was better treated than she. She is the cook. I was the chambermaid."

She pointed Nancy Luther out to me .--She was a stout, bold-faced girl, somewhere about five-and-twenty-years old, with a low forehead, small gray eyes, a pug-nose, and thick lips. I caught her glance at once, as it rested upon the fair young prisoner, and the moment I detected the look of hatred which I read there I was convinced she was the rogue.

"Nancy Luther did you say that girl's name was?" I asked, for a new light had broken in upon me.

"Yes, sir."

I left the court-room and went to the prosecuting attorney and asked him for the letters I had handed him-the ones that had been stolen from the mail-bag. He gave them to me, and having selected one, I returned the rest, and told him I would see he had the one I kept before night. I then returned to the court-room and the case went on.

Mrs. Naseby resumed her testimony. She said she entrusted the room to the prisoner's care, and that no one else had access there, save herself. Then she described the missing money, and closed by telling how she had found twenty-five dollars of it in the prisoner's trunk.

She could swear it was the identical money she had lost, in two tens and a five dollar bank note.

with my client. I went and sat down by room while I was there, and I have often enty-tive dollars you sent in your letter to given her money to buy provisions of market-men who happened to come along with

> of the prisoner having used any money since this was stolen ?" "No, sir."

I now called Nancy Lather back, and she began to tremble a little, though her look was as bold and defiant as ever.

"Miss Luther," I said, "why did you not inform your mistress of what you had seen without waiting for her to ask about the lost money ?"

"Because I could not at once make up my mind to expose the poor girl," she answered promptly. "You say you looked through the key-

hole and saw her take the money !" "Yes, sir,"

"Where did she place the lamp when she did so ?"

"On the bureau."

"In your testimony you said she stooped down when she picked it up. What do mean by that ?"

The girl hesitated, and finally, she said she did not mean anything, only that she picked up the lamp.

"Very well," said I, "how long have you been with Mrs. Nasby ?"

"Not quite a year, sir."

"How much does she pay you a week ?"

"A dollar and three quarters." "Have you taken any of your pay since

you have been here?"

"Yes, sir."

"How much ?"

"I don't know?"

"Why don't you know ?"

"How should I? I have taken it at different times-just as I wanted it, and kept no account."

" Now, if you had wished to harm the prisoner could you have raised twenty-five dollars to put in her trunk ?"

"No, sir," she replied indignantly. "Then you have not laid up any money

since you have been there ?"

"No, sir, only what Mrs, Naseby may owe me."

"Then you did not have any twenty-five dollars when you came there?"

your sisters in Summers ?"

The witness started as though a volcano had burst at her feet. Then turned pale as "One more question. Have you known death, and every limb shook violently. I waited until the people could have an opportunity to see her motions, and then I repeated the question.

> "I -never-sent any." she gasped. "You did !" I thundered, for I was excited now.

> "I-I didn't," she faintly muttered, grasping the railing by her side for support.

"May it please your honor and gentlemen of the jury," I said, as soon as I had looked the witness out of countenance, " I came here to defend a man who was arrested for robbing the mail, and in the course of my preliminary examination I torn open and robbed of money. When I entered upon this case, and heard the name of this witness pronounced, I went out and got this letter which I now hold, for I remembered having seen one bearing the signature of Nancy Luther. This letter was taken from the mail-bag, and it contained seventy five dollars, and by looking at the post-mark you will observe that it was mailed the day after the hundred dollars were taken from Mrs. Naseby's drawer .---

I will read it to you if you please."

The court nodded assent, and I read the following, which was without date, save that made by the post-mark upon the outside. I give it verbatim :

"SISTER DORCUS: I send yu hear seventy-five dollars which I want yu to cepe for me til I cum hum I cant cepe it cos im afeered it wil git stole don speek wun wurd to a livin sole about this dont want nobody to no ive got eny money, you wont wil you. I am fust rate here unly that gude for nothin snipe of lis madworth is hear yet, but I hop to git over now, yu no i rote yu bout her. giv my luv to all inquiring frens,-this is from yur sister till deth,

NANCY LUTHER.

"Now, your honor," I said, as I gave him the letter, and also the receipts, "you will see that the letter is directed to Dorcus Luther, Summers, Montgomery county. And you will observe that but one hand No. 7.

### Selected for THE TIMES. Extracts from the Writings of Andrew B. Smolnikar, Deceased.

Mr. Editor-Sir : The following extracts are selected from "The One Thing Needful," a volume written in 1839, and published in 1840, and contains 630 pages of very strange reading, most of which I am not able to understand. I select only such passages as I find interesting and easy to comprehend. He states on the 10th page of the volume the following prediction :

"Already railroads and steamboats, are abundantly in vogue in order to transport men and things from one place to another. Yet there will be had far swifter means of conveyance for all those things which will be conducive to the general welfare, and even telegraphs and telescopes of which the present unbelieving world can now have no conception. All experiments and proposihad access to the letters which had been tions which till now have been made for the purpose of rendering the earth a paradise, will be examined and everything useful will be spread throughout the whole world."

The reader will observe that he here predicts the telegraph at a time when not one person in five hundred could believe that such a thing was possible, just as they now say, that a union of all Nations is impossible. The first telegraph was in operation in 1843, three or four years after this prediction. J. R.

#### Equine Sagacity.

There is a horse at the Government corral at this place, noted for loosening the knot of the halter-strap with which he is tied. It is useless to tie him with an ordinary knot. He will work the strap loose with his teeth and go about the corral just when he chooses. There is a well in the yard from which the Government stock are watered. A few days ago the pump-a force pump, worked by brakes-got out of order, and no water could be obtained. The animals were taken to the creek close by for water. The horse referred to refused to drink, and was taken to his stall and tied as usual. In a few minutes he deliberately untied his halter, walked over to the pump, and finding no water in the trough where he was accustomed to drink, at once seized the break with his teeth and worked it up

> nose ter to y five then nis ef-

<ul> <li>At this juncture, when the mistress was given to the mistress stand, yourge man age of the stand, and Nacey methods at the stand, and Nacey methods at the stand, and Nacey and the rook at a fine hooking at methods in the prisoner of the stand.</li> <li>"Are share at a difficure of the robes at a difficure of the stand. and your methods have the prisoner of the stand.</li> <li>"Then de save iter. You can do if, for a it is a grave ne the evidence at the robe of a warrage before the evidence at the stand.</li> <li>"Then de save iter. You can do if, for a it is a grave ne the prisoner joing at the stand.</li> <li>"The ada proor sister?"</li> <li>"Now that is good for anything of her. Oh, save her the stand.</li> <li>"The share no connand?" Laside.</li> <li>"The de sour sister?"</li> <li>"Now that is good for anything of her. Oh, save her the stand.</li> <li>"Now that is good for anything of her. Oh, save her the stand.</li> <li>"You said that no one save yourself at the momer on fiske wat a stand. No save stand stand.</li> <li>"You said that no one save yourself at the momer on fiske wat a stand. No save yourself at the momer of a marrage stand.</li> <li>"You said that no one save yourself at the stand.</li> <li>"You said that no one save yourself at the momer of the bride, as a cent if the wat of a morrage stand.</li> <li>"You said that no one save yourself at the momer of the bride, as a court you and the good for anything of the prisoner, and here. Steries and we wat the ordiner of the prisoner, and one muth that shore the solate of the mother of the stand.</li> <li>"You said that no one save yourself at the momer of the heid there."</li> <li>"You said that no one save yourself at there."</li> <li>"You said that no one save yourself at there."</li> <li>"Now that the nind there out the cost of the prisoner, and one yours is the stand.</li> <li>"You said that no one save yourself a s</li></ul>	she had stolen a hundred dollars from a Mrs. Naseby, and as the case went on, I found that this Mrs. Naseby, a wealthy widow living in the town, was the girl's mistress. The poor girl declared her in- nocence in the wildest terms, but circum- stances were hard against her. A hundred dollars in bank notes had been stolen from her mistress's room, and she was the only one that had access there.	"Mrs. Naseby," said I, "when you first missed the money, had you any reason to believe that the prisoner had taken it?" "No, sir, she answered." "Had you ever before detected her in any dishonesty?" "No, sir," "Should you have thought of searching her trunk had not Nancy Luther advised and informed you?"	found in the girl's trunk was the money Mrs. Naseby lost. You might have known that if you'd remembered what you asked her." This was said very sarcastically, and in- tended for a crusher upon the idea that she should have put the money in the prison- er's trunk. However, I was not overcome entirely.	wrote the letters and signed the receipts, and the jury will also observe. And now I will only add, it is plain to see how the hundred dollars were disposed of. Seventy- five dollars were sent off for safe keeping, while the remaining twenty-five were placed in the prisoner's trunk for the purpose of covering the real criminal. Of the tone of parts of the letter you must judge. I now leave my client's case in your hands."	and down several times, then put ins nose to the spout, evidently expecting water to come. Again and again, for nearly five minutes, did he seize the break and then put his nose to the spout. Finding his ef- forts useless he walked off, evidently dis- appointed. Several of the hands at the corral and others witnessed the above, and can testify to its correctness.—Austin Texas Republican.
	At this juncture, when the mistress was upon the witness stand, a young man caught me by the arm. He was a fine looking young man, and big tears stood in his eyes. "They tell me you are a good lawyer," he whispered. "I am a lawyer," I answerd. "Then do save her. You can do it, for she is innocent." "Is she your sister?" "No, sir," he added ; "but-but-" Here he hesitated. "Has she no counsel?" I asked. "Mone that is good for anything-nobody that'll do anything for her. Oh, save her ! and I'll give you all I've got. I can't give you much, but I can raise something." I reflected a moment. I cast my eyes toward the prisoner, and she was at that moment looking at me. She caught my eye, and the volume of humble entreaty I read in her glance, resolved me in a mo- ment. I avose and went to the girl and asked her if she wanted me to defend her. She said yes. I then informed the court that I was ready to enter into the case, and the murnur of satisfaction that ran quickly through the room, told me where the sym- pathies of the people were. I asked for a	"No, sir." Mrs. Naseby left the stand, and Nancy Luther took her place. She came up with a bold look, and upon me she cast a defi- ant glance, as if to say, "trap me if you can." She gave me the evidence as fol- lows: "She said that on the night the money was taken she saw the prisoner going up stairs, and from the sly manner in which she went up she suspected all was notright. She followed her up. Elizabeth went to Mrs. Naseby's room and shut the door after her. I stooped down and looked through the key-hole, and saw her take out money and put it in her pocket. Then she stooped down and picked up the lamp, and as I saw that she was coming out I hurried away." I called Mrs. Naseby to the stand. "You said that no one save yourself and the prisoner had access to the room," I said. "Now, could Naney Luther have entered the room if she wished?" "Certainly, sir ; I meant that no one else had any right there." I saw that Mrs. Naseby, though naturally a hard woman, was some what moved by poor Elizabeth's misery. "Could the cook have known by any means in your knowledge, where the money was?"	"I do, sir." "In what town?" She hesitated, and for an instant the bold look forsook her. But she finally answered, "I belong to Summers, Montgomery coun- ty." I next turned to Mrs. Naseby. "Do you ever take a receipt from your girls when you pay them?" "Always." "Can you send and get one of them for me?" "She has told you the truth, sir, about the payment," said Mrs. Naseby. "I don't doubt it," I replied ; "particular proof is the thing for a court-room. So if you can, I wish you would procure the re- ceipt." She said she would willingly go if the court said so. And the court said so, and so she went. Her dwelling was not far off, and she soon returned and handed me four recepts, which I took and examined. They were signed in a strange staggering hand by the witness. "Now, Nancy Luther," I said, turning to the witness and speaking in a quick, startling tone, at the same time looking her sternly in the eye, "please tell the court	ately following their examination of the letter. They had heard from the witness' own mouth that she had no money of her own, and without leaving their seats they returned the verdict of 'Not guilty.' I will not describe the scene that follow- ed; but if Nancy Luther had not been im- mediately arrested for theft, she would have been obliged to seek protection of the officers, or the excited people would have maimed her at least, if they had not done more. The next morning I received a note handsomely written, in which I was told that the within was but a slight token of the gratitude due me for the efforts in be- half of the poor defenceless maiden. It was signed by "Several Citizens," and con- tained one hundred dollars. Shortly after- ward the youth who first begged me to take up the case called upon me with all the money he could raise, but I showed him that I had already been paid, and refused his hard earnings. Before I left town I was a guest at his wedding, my fair client being the happy bride.	A German paper gives an account of a strange incident which occurred on the oc- casion of a marriage before the civil au- thorities in Algeria. The official required the consent of the mother, and asked if she were present. A loud bass voice answered, "Yes." The Mayor looked up and saw a tall sol- dier before him. "That is well," he said, "let the mother come here—her consent and signature are necessary." To the astonishment of all present, the soldier approached the Mayor with long strides, saluted in military fashion, and said : "You ask for the mother of the bride, she stands before you." "Yery well, sir," replied the Mayor, "then stand back, I can take no proxy ; I must see the mother—the mother, I tell you?" "And I repeat," rejoined the soldier," that she stands before you. My name is Maria L—, I have been 36 years in the service ; I have been through several cam- paigns, and obtained the rank of sergeant ; here are my papers, the permission to wear uniform, and my nomination as sergeant- major." The Mayor carefully examined the documents and found them perfectly correct, and completed the marriage of the bridal pair, the mother blessing them so fervently with her deep bass voice, that all

One Dollar per Year.