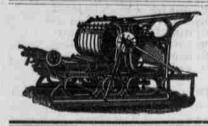
## The Times, New Bloomfield, Pa.

# The Bloomfield Times. NEW BLOOMFIELD, PENN'A.

Tuesday, June 4, 1872.



#### The Cincinnati Nominces.

Horace Greeley, who is nominated for President on this ticket, is so well known by every one, that no information regard-· ing him need be given. But his associate on the ticket is not so widely known.

B. Gratz Brown, the nominee of the Convention for Vice-President was born in Lexington, Ky., May 28, 1826. He graduated at Transylvania University in 1845, and at Yale College in 1847. After studying law in Louisville he settled in St. Louis, and was a member of the Legislature of the State of Missouri from 1852 to 1858.-It was about this period that he aided in establishing the "Missouri Democrat," which journal he edited from 1854 to 1859 in opposition to slavery. During the war he served as colonel of a regiment of Missouri volunteers. He was elected to Congress, as Senator from Missouri, from 1863 to 1867, and in 1870 was elected Governor of the State. Although only 46 years of age he is well known in Western politics.

#### Democratic Convention.

The Democratic State Convention met at Reading on Thursday last, to nominate a ticket for the coming election. Hon. Heister Clymer was elected as Chairman, and when ready for business, the following gentlemen were nominated as candidates for Governor :

Hon. M. C. Trout, of Mercer; General W. Cass, of Allegheny; Hon. Charles R. Buckalew, of Columbia; Hon. Daniel M. Fox, of Philadelphia; John T. Morton, of Philadelphia; A. C. Noyes, of Clinton; Hon. Wm. B. Schell, of Bedford; Hou. Hendrick B. Wright, of Lazerne; Captain Wm. McClelland, of Lawrence; and Gen. Alfred B. McCalmont, of Venango.

The most bai	tot resulted as renows .	
Cass	47   Schell	
Buckalew	23 Wright	
Fox	8 McClelland	
Morton	3 McCalmont	
Noves	12 Trout	

The first hallot rogalized as follows

Six more ballots were had without any choice being made. On the seventh ballot, Hon. Charles R. Buckalew was nominated,

10

11

the vote being		
Buckalew Cass Wright	39	Noyes McClelland McCalmont

For Supreme Judge, Hon. James Thompson was nominated by acclamation. For Auditor General, Wm. Hartley of

Bedford was nominated. For members of Congress at large, Hon. Richard Vaux of Philadelphia, J. L. Hopkins of Allegheny, and Hon. H. B. Wright of Luzerne, were nominated.

No action was taken to commit the party either for or against a straight Democratic nomination by the Baltimore Convention.

Senate shall proceed to elect a Vice-President from the two candidates having the largest number of votes for that office, and the Vice-President so elected shall fill the office of President. The Senators then elect an officer to preside over the Senate, who is called Vice-President Pro tempore.

An Important Case—Duties of Election Officers.

At the last term of court, a case was tried in which the duties of election officers are so well set forth in the following charge by Judge Junkin, that we publish it for the information of the public:

"The defendant was one of the inspec-tors of elections in the Borough of Bloomfield at an election held on the 15th of March, 1872, at which time and at an elec-March, 1872, at which time and at an elec-tion then held, William T. Shiveley, pre-sented himself as a qualified voter, and offered his ballot. There was no challenge on the part of any individual, but the officers or some one of them, challenged the right of the said Shively to vote. He was then taken inside, and sworn, and there testified that his bonn ide residence in pur-suance of his lawful calling was within the said borough, and had paid State or County tax within two years. He offered in addi-tion to prove his residence for ten days performed. said borough, and had paid State or County tax within two years. He offered in addi-tion to prove his residence for ten days next immediately preceding the election, but the officers expressed themselves satisfied on that point, and proceeded to interrogate the said Shively as to whether he was married or single, and he swore that he was a mar-ried man, but had separated from his wife, and that she was living in Allecheny, or and that she was living in Allegheny, or some where in the West; but that he had some where in the west; but that he had applied for a divorce, which was then pend-ing and undetermined. Upon this evidence the Judge and Inspector of the election re-jected his vote, and the Inspector Sutch is now on trial for having knowingly rejected the vote of the said Shively. \*\*

A qualified voter is a freeman of the age of 21 years, who shall have resided in the state at least one year, and in the election district where he offers to vote at least ten days immediately preceding said election, and within two years paid a State or County tax which shall have been assessed at least ten days before the election. It is generally the question of residence which gives Residence is a question of intention; that is, the purpose of the mind where an act is done, what he means to do, and is used in the sense of domicil, which means the place where a man establishes his abode, makes the seat of his property, and exer-cises his civil and political rights. It might seem to a strict constructionist, that any setul tesins on biding for to day with actual staying or abiding for ten days with-in an election district would give the right to vote. But you all very well know, that such is not the case; for, if you as jurors, were detained here in this borough in pursuance of your duties as jurors for more than ten days, and an election was to take place for this borough, you would not be legally entitled to vote, but would have to go home, to the place of your usual abode, and there you could vote, and only there, for it is true, that a man can not have two legal places of voting, but on the contrary he can have but one, and the old doctrine of residence, by washing and mending has been exploded. A man may eat, sleep, drink and mend in one district, and even remain there the year round in a general drink and mend in one district, and even remain there the year round in a general sense, and yet his place of voting would be where his *family liced*, and where he exer-cised his civil and political rights. The reason of this is, that the law by a fiction deems a man politically present at the dwelling place of his family, although for twenty years he may not have slept in that home over night, and yet that is in contemhome over night, and yet that is in contem-plation of law his abiding place. A man may follow his business as Merchant in Philadelphia and maintain his family abode in Bloomfield, and yet if it was shown that he never came to this place except on election day, and never ate more than one meal per annum with his family—yet because of their residence, and his taxation in this place—this would in truth and in fact be the only place where he could legally vote.

repelled? He was not competent to prove any fact touching his right to vote by his own testimony except so far as allowed to do so, by the act of Assembly, or the pro-visions of the fundamental law. Therefore if competent to prove separation from his wife by his own oath, it must be found in the clause, allowing him to swear to the *bona fides* of his residence within the dis-trict. But his residence within the district for ten days might be bona fide, and yet, not be entitled to vote, because his domicil was elsewhere, and if he was required by law to make proof by another witness of his res-idence within the district for ten days. Why should he not be required also, by Why should he not be required also, by disinterested witnesses to prove that his family relations had been destroyed; be-cause this vital fact became the pivotal point on which the right in this case turned. The right to testify in one's own behalf is derogatory to the common law, and only obtains where a statute allows it and when our destinguing the second to desting the second to desting the second to desting the second to desting the second test. not specifically permitted does not exist. There is no statute that allows it, except as we have already stated, and we are there-fore of the opinion that it was the duty of Mr. Shively to have shown the fact, for he claimed that so far as his right to vote was concerned, he asked to be treated as an unmarried man, because of the utter severance of the marital relations between him and his wife, so far as their domiciling together was concerned and we have grave doubts whother he could prove it by his own oath. If he had proved this fact by competent ev-idence, that is by other witnesses than himself, he would have been beyond doubt a competent voter, and it would have been the duty of the election officiers to have see the duty of the election officers to have re-ceived his ballot. But this was neither done, nor offered to be done except by his oath and the proof shows that no other witness was sworn in the case. Or had Shively been a house keeper within the district, and carrying on a business requiring his personal supervision and atten-tion, so that the fact was either notorious to the officers themselves, or susceptible of proof, then a domicil would have been established within the district and it would have repelled the presumptions arising from the fact of his being a married man, with his family domiciled elsewhere. By such notorious fact all questions, as to any other domicil would vanish. It is also a principle of evidence that no The same a principle of evidence that no record of a court can be proved by parol or word of mouth, the only way it can be proved is by the production of a copy of the record, and so rigidly do the election laws insist upon this kind of proof that a naturalized citizen must produce a copy of the court before which he was made a citizen, before the board of election officers, and this he must do every year until he has vote, for and this he must do every year until he has voted ten years in the very same district, al-though no man during all this period, had ever questioned his right to vote. This shows, that whilst the right of suffrage is very dear to every citizen enti-tled thereto, the laws guard the value of a vote, by carefully protecting the lawful voter against fraudulent practices, and the danger of the will of the citizen being nul-lified by the doubtful ballots of the wayfarer on his pilgrimage through the land. The right would soon become valueless, if the ballots of all presenting should be re-ceived without question, challenge or pro-test. The only evidence offered before this board to show separation was parol evidence that Shively was obtaining a divorce through the courts of this county. We have already said that the only evidence of the proceedings in divorce, which the law allowed this board to listen to, would have been a certified copy of the record of the said court, which was not produced al-though the record of this proceeding was only separated from the scene of this contest, by a brick partition. Then, gentlemen, even had the proof offer-ed by Shively been sufficient to establish his right to vote, and these officers had in good faith and to the best of their judg-ment, knowledge and information, honestly believed Shively was not entitled to vote, and for that reason rejected his vote, they would not be liable to a conviction, merely because they made a mistake. It must be because they made a mistake. It must be much more than a mistake, it must be will-fully done; that they must have rejected the vote knowing, that in fact and in law, they should have received it. If it was doubtful whether Shively was entitled to vote, their safer plan would have been to re-ceive the vote, but if these officers as be-fore said, were satisfied that this vote could not be legally receivable and under this 'im-pulse and belief rejected it, they are not guilty of any crime, and cannot be convic-ted. But if on the other hand they believed in

vows. With all these presumptions staring the officers in the face, they were prima facia bound to presume that his lawful place of voting was, where his family abode, for *there*, the law presumed he had his dom-icil, the district wherin is a man's domicil icit, the district wherin is a man's domicit is always his lawful place of voting. Then how were these legal influences to be re-pelled, for until this was done, we have seen that Shively was not entitled to vote. It could have been done by proof that in point of fact the person offering to vote was separated from his wife, and that she was not higher under his relation of support. not living under his protection and support, and that the relations between her and him and that the relations between her and him were such that the usual consequences flowing from the marriage did not in point of fact exist. This Mr. Shively could do by proving before this board by competent evidence that these presumed relations had fully ceased. He offered to do this by his own oath. You will remember that the life of Mr. Shively was quite wandering, living own oath. You will remember that the her of Mr. Shively was quite wandering, living here and there, and having in fact no per-manent abiding place. He had no family in Bloomfield, kept no house, had no prop-erty, and in short he seemed under the erty, and in short he seemed under the proof to be but a sojourner in our midst. Under this state of things the board demanded proof, and as we before remarked, he offered himself as a witness. Now, as a witness, what could he prove? The law permitted him to prove by his own testimo-ny, that he had resided within the State for one year. It also allowed him to prove the bona fide actuality of his residence with the bona fide actuality of his residence with-in the district in pursuance of his lawful calling, and the payment of taxes within two years, and this is all that the law did allow him to prove by his own oath. He was excused by the board from proving by other witnesses his ten days residence with-in the district. Then, was he himself a computent witness to prove his separaa competent witness to prove his separa-tion from his wife, his non-intercourse with her, and the fact generally that the family relation had been broken up, and its reason-able presumptions as to domicil and home

voter, and they from any reasons ob-jected to the vote, then they have done so knowingly, and should be convicted. The law presumes however they rejected the law presumes however they rejected the vote innocently, ignorantly and in good faith, and for sufficient reasons, and it is only when this presumption is overthrown by the evidence adduced by the Common-wealth you must convict. And, if it is doubtful to your minds under all the evi-dence whether these officers rejected the vote knowingly, that is believing at the time they did so, that it should have been received then the law requires you to sereceived, then the law requires you to acquit. The defendant was acquitted.

### A Tiger Loose in the Street.

Says the Chicago Inter-Ocean of the 21st: "As the wagons of the Great Eastern Menagerie were moving in procession yesterday, no little excitement and alarm was caused by the breaking loose of a large Royal Bengal tiger. Herr Lengel, the tamer, was riding with three of the beasts upon the top of one of the cages. A defective spot in the road was reached, and the jolt of the wagon frightened the tiger so that he jumped to the ground, breaking the heavy chain that bound him. Quick as a flash Herr Lengel also landed on terra firma and amid the most intense excitement on the part of the spectators, started in pursuit. After a chase of some rods the frightened animal was captured, placed in one of the baggage wagons and carried back to the canvas. The good judgment of Lengel alone prevented what might have been a bloody piece of business.

#### Miscellaneous News Items.

IF The potato bugs are badly devastating the fields in the vicinity of Urbana, Ohio.

13" A daughter of Samuel Began, in Sanilac county, Mich., tried to climb into a school house through the window. The sash fell on her neck, her feet not touching the ground, and she was held there and slowly strangled to death.

13" So great and increasing is the outflow of the population of Sweden, that the government of that country has offered a prize for an essay on the best means of putting a stop to the rapidly augmenting emigration of the rural and laboring classes.

There are 22 saw-mills at Muskegon, Mich., most of which have doubled their capacity this winter, and are now 'running day and night, with two gangs of hands. The daily lumber product of Muskegon will be about 2,000,000 feet, besides lath.

137 A riot occurred in Jersey City on the 24th ult., between a large body of men who had struck for eight hours, and men who were hired to fill their places. Three men were wounded. The riot was broken up by the interference of the police.

12 The "Town Clock Store," in Dubuque, Iowa fell with a terrible crash on the 25th, killing a woman and a baby she was pushing in a carriage, on the sidewalk and breaking both legs of a woman who was with her.

37 John A. White, a colored man, who killed two men and wounded seven others recently, while resisting an arrest on President's Island, has been found guilty of murder in the first degree. He will appeal to the Supreme Court.

137 A church of no mean dimensions, with steeple, etc., was placed upon the cars of the Chicago and Northwestern railroad at Donton, a station near Chicago, and con-

1 A little incident at Montreal will erve to illustrate how easily stories and traditions of miracles may have been start-

ed. A cross of moisture has been noticed to appear at night and disappear in the morning. Many devout souls were convinced that a saint was buried there, and eager crowds came to carry away the holy soil .--The saint that lay beneath proved to be the intersecting water pipes, which had a defective joint that supplied the moisture for the miracle.

IT At Jacksonville, Ill., recently, the Rev. Wm. H. Milburn obtained a decree of divorce from his wife, from whom he had been separated for several years. The ground upon which he obtained the divorce was desertion. Mrs. Milburn was formerly a beautiful belle of Baltimore, Md., and was united in marriage to the "blind preacher" while he was chaplain ,to Congress.

137 Professor Atkins, who was attached to a circus which exhibited at Decatur, Alabama, on the 27th ult., ascended with a hot air balloon during the afternoon, when the balloon became detached from the windlass fixing its altitude, and ascended to the height of half a mile, and then rapidly descended into the Tennessee river.-Atkins was drowned, though every effort was made to save his life.

137 A fearful tornado passed over the town of Crele, Nebraska, on the morning of the 29th ult., demolishing several houses, including the Academy building. Mr. C. M. Fish had his back broken by the falling of his house. It is reported that a woman living a few miles in the country was killed.

#### New Advertisements.

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#### How a President is Elected.

The manner of electing a president is more cumbersome than is generally supposed, and we dare say is not generally understood. The following explanation may be found interesting to many :

Each of the United States is entitled to as many electors for President and Vice-President as it has Senators and Representatives in Congress. In each State the electors are chosen by a plurality vote. That is, if there are three sets of electors voted for, the set having the largest number of votes is chosen. But a candidate for President, in order to be successful, must have a majority of all the electors. The electoral college, as now constituted, consists of 317. Therefore 159 are necessary for a choice. If there be three candidates for President and neither of them receive a majority of the electoral college, then there is no choice, and the election goes to the House of Rep. resentatives. The House must confine their choice to the three highest candidates voted for by the electors. The Representatives vote by States, and each state has but one vote ; so that the power of Delaware is as great as that of New York. The majority of the State delegation casts the vote of the State. A candidate, to be successful, must receive a majority of all the States represented, or nineteen States. If the delegation is divided, the vote of the State cannot be cast, and is therefore lost. As the present House is constituted, (and it is upon this House the election will devolve in case there is no election by the people) nominally the Republicans hold twenty States ; but the majority in ten of these it holds by one single vote. Should there be holds by one single vote. Should there be a third candidate there would be no choice found in two of these ten States, and should there be no election by the House, by the 4th of March, then the Vice-Pres-ident, if one is elected, shall act as Pres-ident. But should a Vice-President not have been elected by the people, then the

So that you see, that many very nice and vexatious questions may and do arise upon this question of residence in a district for ten days, so that it is not true, that because a man can show that he has actually stayed in a district for ten days preceding an election that therefore he is entitled to the cases put show you that the right to vote does not depend simply upon an actual, bodily residence within the district for ten days. On the contrary, that question is not at all material in many cases. But when a man has no other place of residence, and actually resides within such district ten days, etc., and swears that it is his bona fide residence in pursuance of his lawful calling, then it establishes that much of his right to vote. When therefore the offered voter is a single man, the place of his residence or rather the place where he is found staying for ten days previous to an election, so far as this qualification is concerned is casily settled. But when the offer is made on the part of a married man, the difficulty is greatly complicated and becomes much more embarrassing to the election officers, and for this reason, there are certain pre-sumptions of law, founded upon the experience of a people arising out of the mar-riage relation, which in the absence of proof prevail whether true or not, because these presumptions secord with the legal duty of the husband and wife towards each The law presumes that they keep faithfully the marriage vow—to adhere to support, love, cherish, and live together until "death do them part." Now, the law never pre-sumes that any one fails in his or her duty in pursuance of arguments, contracts and chilemions but on the contracts and obligations, but on the contrary takes it for granted that all persons will be faithful to their undertakings. Then, as Mr. Shively was lawfully married, had a wife living, the law presumes that he lives with her, provides for her, cohabits with her, never forsakes or abandons her, and this presump-tion is reasonable, honorable to the husband tion is reasonable, noncracie to the mission and wife, and is in accordance with Divine law; and should be the very truth. Then when these election officers had received Mr. Shiveley's offer to vote it was their duty as sworn officials to challenge that vote,

But if on the other hand they believed in their own minds, that Shively was a legal

veyed, by steam, to another station six miles distant, when it was disembarked and set up.

13"In order to get the streets cleaned, a Little Rock paper prints this pleasant paragraph : We have laid in an elegant assortment of first-class obituaries, from which we shall select with pleasure fitting ones for each of the Alderman, when he dies from the cholera or other disease, superinduced by the filthy condition of our streets and alleys.

IT A curious case of combustion is noted in Reading, Penn. A gentleman, after oiling some wood, left the piece of flannel he had used in a bowl with a small quantity of linseed-oil, and placed it on the second-story balcony in the open air, intending to use them again. The following morning he found that the flannel had taken fire and been wholly consumed, the ashes remaining in the bowl.

13" The five ladies with the Japanese embassy, recently consented, at the suggestion of their American hostess, to be laced up and tied down, ruffled, paniered, flounced, bowed and trailed after our most approved fashion mould. Then they were powdered up from an orange-peel hue to a delicate lemon and pronounced perfect, as far as dress goes. Half an hour later, however, their dismayed civilizors found them similing and happy in their half-petticoat, half-pantaloon dress. "Too muchee," said the gentle Japanese.

137"An eccentric New Yorker has invented a velocipede, consisting of two water-tight, tubes about twenty feet long, held three feet apart by means of iron braces. A wooden horse is placed in the centre, a fore and a hind leg resting on each tube. Under the horse is placed a light paddlewheel, which is worked like the drivingwheel of a velocipede, by the navigator, who sits on horseback. At a trial on the Harlem river, the other day, a very fair rate of speed was attained.

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