Somerset Herale

point in the west.

Somerset last week.

with \$161,582.

school room in the evening.

he passed home again.

be in at the death.

Mesars, Charles and Albert Herr, of Petro

lia, and Joe E. Herr, of Oil City, were in

Conneilman H. G. Cunningham has been

suffering for some time with an attack of

Mr. A. A. Stutzman, late Register and Re-

n town this morning-Johnstown Tribune.

money at interest, the largest amount re-

The Pennsylvania and Balto and Ohio

a circular, in which they announce no

Mr. C. N. Boyd left on Monday last for a

rip to Florida. Some relatives of his own

valuable orange groves in that State, and C

N is going down to watch them harvest such

of the crops as the blizzard of last week fail-

burg this. Tuesday morning, to be present

.....

-----

Judge Baer's remarks in regard to oaths

road, was in Somerset over Sunday.

rheumatism. He is able to be about.



SOAD TIME TABLES.

rangement, which wer and Ohio Railroad of trains will ran over the OSTH BOUND TRAINS.

F. X.

20 afl ounst'n TPRES 1.00 1215 1.25 1240 7.45 1.00 7.45 1.12 8.10 1.25 8.25 1.40 0.00 A. M. 245 8.25 1.40 0.00 A. M. 245 and Mail Acc. Rockw'd turned by any Borough or Township in the OUTH BOUND TRAINS.

 
 Nail
 A

 0.30a X
 2.50r.st.

 10.05
 2.25

 10.16
 3.40

 10.20
 2.52

 10.48
 4.05

 11.06
 4.25

 11.20
 4.55
 9.90 9.00 PITTSBURGH DIV. B. & O.

TEST BOUND. Express Mall Cum'd . 3.40 A.M. 4 P.M. 7.00 - 7.05 -

EAST BOUND. Mail Express Acc. 8.65 A. M. 9 20 P. M. 1.10 PM -12.67 P. M. 12.55 \* 5.13 \*

of Cars at cost at Becher's. for 1886 at Fisher's Book Store. wis to have a furniture factory. war at and below cost at Becher's. re- ed to freeze. He will be absent about a in the Westm or 218 inmates unity Home.

reserven persons died in Greensburg ity last year. the Clothier, is offering the greatover men in Som a sor books settled up. To save is to be a Kilkenny light between the Ran- the line of seeds, plants, bulbs, potatoes, &c. the arrest floor J. B. SNYDER & Co's.

is the time for overcoats. Becher argest line in town, and is selling and below cost. are closing out our

own in price, at J. B. SNYDER & Co's. than pay the fines

C.J. Beachy, Dentist, is now in Som-Ps, and can be seen for a short time Destal Rooms at the Central Hotel ration of the natural teeth a spec-

-All persons knowing themselves ed to us, will please call and settle. many Somerset friends, Sy such or note J. B. SNYDER & Co.

The annual meeting of the Pennsylvania State Board of Agriculture will be held in site-A good farm containing nine-Harrisburg on Wednesday and Thursday, s one mile southwest from Somsty acres of which are clear, and January 27th and 28th. The programme es in timber. Frame house, barn for the meeting as published, indicates that many subjects of vital interest to farmers dings. One of the most a Somerst township. For terms, and stock-raisers will be discussed.

or address Gauren R. Scull, Somall underlaid with coal.

and affirmations, delivered at the last term we -We have of Court, and published in the HERALD. int a large Refrigerator to our Meat have been extensively copied by the pres in which all meats can be kept cool of the State and universally commended Mutton, Beef, Pork, &c., kept In speaking of the matter, the Washington fir on hand. Open daily. Parties Observer says: " Indge Baer's head is as level remain can have it kept in the Refrig- as a lake in a calm."

> Ross DAVIS & Co. Mrs Mary Herr widow of the late Jose

IMPORTANT NOTICE --- Elecher, the popular Deputy Collector J. W. Tate, who came clother, intends making a great change in near being drowned in Gladden's run las week, is still confined to his bed from the asiness, and in order to close out the im A number of the citizens of Garrett are mense stock that he has now on hand, he effects of the bruises and ducking. trying to raise a colony to locate at some

will sell from now until March 15th, each Arrangements have been made by the and every article in his store at and below embers of the Bar to give a banquet at one st. Anybody in need of a suit, overcoat, of the hotels this (Wednesday) evening, as a hat, cap, shirt, child's suit, or anything in

mark of their esteem for Judges Johnso the clothing line should avail themselves o and Baer. this rare opportunity, as these goods must Mr. E. E. Patton, General Agent of the be sold out by March 15, 1886. Come one. HUSBAND ITENS. Cincinnati, Washington and Baltimore Rail- come all, to B. BECHER, Jn., The recent cold spell was undoubtedly the The Popular Clothier,

everest we have, had in many years. Somerset, Pa The farmers in this community are busy Mr. Sydney R. Brooks, the celebrated lock suling coal, lime, etc., for the past week.

picker, is in town and stopping at the Glade Mr. Charles H. Miller recently sold his House. He says he can "go through " any ine team of borses and realized a handsome lock that was ever made to open with a key. price for them Mr. Miller is the owner of order of Somerset county, with his son, was and we believe him. All he needs is a simne of the best horses in the neighborhood ple wire, or three or four common wooder There was a soelling school at this place Miss Belle Kimmell, who has been visit- tooth-picks to open the best lock made. He ast Thursday evening, which was a grand ing for several months in New York, Phila- is the agent for Lauffer & Co.'s Alarm Lock, uccess. The exercises of the evening were delphia, Reading, Chambersburg and other which operates without a key. He will be nterspersed with readings, declamations, eastern cities, returned home Friday even. in Somerset several weeks for the purpose of queries and music, all of which was renintroducing his natent, and employing

dered in a most satisfactory manner. A agents. Persons interested in locks will do very large crowd was in attendance, and Somerset Borough returns \$189,846 of well to call upon Mr. Brooks. . much interest was manifested in the exerises, and the good spelling by the scholars Court convened on Monday afternoon, shows that this school has made marked

County, Conemangh follows very closely, with Judge Johnston, of Cambria county, progress. The teacher and scholars deserve presiding. Courteous, suave, prompt and such credit for the manner in which it was firm, Judge Johnston is winning golden enundusted. MOUNTAINEER. On Sanday afternoon the pipe on one of comiums from members of the bar, jurors scorpa the stoves in the Disciple meeting house and snitors. The only cases tried up to Court convened on Monday morning, Janfull down, filling the church with smoke noon Tnesday, were the cases of Philip uary 11, 18-5, Judges Baer, Collins and Sny-

and soot. Services were held in the Sunday- Smith use of Isaac Hugus vs. Abraham der presiding. The following cases were dis-Fuith, and Ann M Lindsey vs. Jeremiah S | posed of : Black, with notice to Wm. B. Coffroth and William T. Wallace vs: Andrew J. Holli-

9 15 AM Railroad Companies have joined in issuing were old-timers, the one dating back about fifty, and the other about thirty years. In cam'd more passes to shippers. Stock drovers in the first case a verdict was rendered in favor verdict was taken for Defendants.

is on file in this case. Verdict filed. year a real gem, not a dry list of hard bo tanical names, but over thirty pages of read-Railroad Company. No. 171 January Term final hearing. ing matter, among which are articles on Roses, House Plants, Cheap Greenhouse, Onion Culture, Mushrooms, Manures-Mr. Charles H. Fisher, member of the Young Gardeners and other interesting readwas to have been tried by reading the sten-

diet for the Defendant.

Democratic State Committee, left for Harris- Ing , followed by about 150 pages containing illustrations, descriptions and prices seemat the meeting of the Committee. If there lingly everything the heart could desire in dall and Wallnee factions, Mr. F. wants to It is a mystery how this firm can afford to second week in May. publish, and really give away, this beautiful The Trustees of the Mt. Zion Church in work of nearly 200 pages of finest paper, with

Frank Derr, the Indiana landlord who hundreds of illustrations and two fine Colhas been selling liquor without license in ored Plates all enclosed in an elecant covdefiance of law, has been found gullty on |er. Any one desiring goods in this line cansame being taken by order of the Court. ixteen counts, and on nine of these he has not do better than send ten cents for the toything in the dry goods line been sentenced to pay over \$1.400 in fines. Floral Guide, to James Vick, Seedman, He will board in jail three months rather Bochester, N. Y. Deduct the 10 cents from

first order sent for seeds.

Chauncey F. Black as the Democratic can- Mt. Pleasant, has become insane and has No. 298 September term, 1885. Petitition parallel or competing line. \* \* \* \* \* chdate for Governor. It says of him that he had to be sent to an asylum, through the de have inqu rendo, 2d September, 1885 in quisition filed ; same day inquest filed. was "born and raised in York county," deviltry of a white woman, a fortune-teller. which will be news to Chauncey and his Many colored people believe in witchcraft, Jury return a verdict for Defendant. and nearly all in fortune-telling. Some time

Jacob Lenhart and Solomon Lenhart vs tast summer Mrs. Smith visited an alleged seer who resides in a house of unsavory rep- his wife. No. 176 September Term, 1384her patron, noting carefully the various January, 1886.

A. J. Moon vs. Max Schweigentz P. H lines, and resorted to the old charm with coffeegrounds. She did not give very much information the first time, but said she had | and J Jeffries, No. 68 December Term, 1884 much to tell her that would be of great in- (Trespass o. c. f.) This case per agreement terest, provided more money was forthcom- to abide result of suit for damages under

ing. When informed by the colored wo- statute. nan that she had no more cash, the fortune settled or continued. eller offered to take dry goods, groceries, or nything she might furnish her from the ROAD AND BEIDGE VIEWS.

company store at the works where her hushand was employed Mrs. Smith purchased muslin, calloo, and numerous other articles presented and acted on by the Court :

## THE SOUTH PENN CASE.

FOLL TEXT OF JUDGE SIMONTON'S DECISION ENJOINING THE TRANSFER.

HARRISDURG, PA., JANUARY 15, 1885. Judge Smoonton, of the Dauphin county ourts, to-day rendered a decision in the action brought by the Attorney General on be-

half of the State some months ago to restrain the Pennsylvania Railroad Company from securing control of the projected South Pennsylvania and the Beech Creek lines, on the ground, among other ithings that such acts were in violation of the Constitution of the State, which forbids the consolidation of parallel or competing lines.

In the first instance, it is maintained that the South Pennsylvania is a competing railroad, because of its contracts with other roads at its western terminus, whereby all traffic would be transported from Port Perry to Pittsburgh, making it a competing line with the Pennsylvania Railroad Company before completion it is a parallel, but after completion it is a competing road. Follow-ing is a full text of the decision :--

OBJECT OF THE SUIT. This is a suit brought by the Attorney General in the name of and on behalf of the get this road out of the way of the Pennsyl-Commonwealth of Pennsylvania for the vania railroad company. It was the Penn- of the term which is so common as to leav purpose of obtaining an injunction to re- sylvania Railroad that was complaining of no doubt of its meaning in the clause of the strain the Pennsylvania Railroad Company the construction of the road:" and he assert- Constitution under consideration. And un-from obtaining and exercising control of ed in the statement that the negotiations derstanding this meaning we are bound to Emanuel Lichty terre tenants. Both cases day. No. 118 August term, 1881. Eject- On the filing of the bill a preliminary inment. 13th January 1886 jury return a ver- junction was awarded. Afterwards on the Penn road were such that it would, in all

mentioned in the writ except S7 acres and aminer was appointed to take testimony to of the Pennsylvania Railroad Company to gaged in constructing a competitive charge of stock are included and will not of the Plaintiff for \$10.50; in the second a 149 perches of the tract of land warranted in be used on the hearing of a motion to con- build it, or to purchase the securities the name of Joseph Hood, upon which the tinue the injunction. A large mass of testinildings are erected, and as shown by the mony was taken and filed, the motion was without comment or explanation the fol- in the power of the rival seed annual of America, comes to us this draft of the artist which was in evidence and elaborately and ably argued and we are now lowing question of the Attorney-General. whether that event should ever happen: to determine whether the injunction is to Therefore, as I understand you, the Pennsyl- of course it never would when it was the Pearson Lohr vs. Somerset and Cambria be dissolved, or to be continued until the vania railroad company was the party to interest of the rival to prevent it, for no

1883, Trespass, 14th December 1884 verdict The substance of the case made by the carrying it out were concerned, and to be over to a competitor. 1883. Trespass. 14th December 1884 verdict The substance of the Case make by the within the law, you were to use the name For these reasons we think the proper construc-in favor of plaintiff for \$500; 6th July 1885, bill is that the Pennsylvania Railroad Comnew trial granted. This case, by agreement, pany own and control parallel or competing of the Pennsylvania Company, or any other lines of railroad; that the former corpora- company that you were connected with out and in process of construction, as we have ographer's notes, as per agreement of coun- tion is about to obtain and exercise control that you might be able to do? And he fur- found to be the fact in this case, if such road when sel. It was impossible to have the notes at of the latter, and that it is prohibited from ther says that, "for all purposes of the trans- completed and in operation would actually own this term, and by consent the case was con- so doing by the section of the Constitution actions that were then going on, or discus- pets with the road section control. Before com tinned generally, to be put on the list for above referred to, which ordains as follows sion there had, it would be fair and proper plethen it is "parallel," when completed it be-

"No railroad, canal or other corporation, or to assume that I was president of, and being the lessee, purchasers or managers of any conversed with as President'of, the Pennsylrailroad or canal corporation, shall consoli- vania Railroad Company." And, as we Allegheny Township vs. Samuel Walkerdate the stock, property or franchises of such have already seen, in the letter of August 5. ership of shares of stock, as of other preperty. No. 97 September term, 1884. Ejectment. Jury return a verdice for Defendant, the corporation with, or lease, or purchase the signed by him as President of the Pennsyl- carries with it the legal right to sell, and contend works or franchise of, or in any way control, vania Company, he contracts on behalf of ed that the awners of the shares of the Seat any other railroad or canal corporation own- the Pennsylvania Railroad Company that Pennsylvania Railroad Company could not legal-Franklin Friedline. No. 197 November ing or having under its control a parallel the bonds to be delivered shall bear its guar- ly be restrained from so doing, and that an intro Elizabeth Logan late Elizabeth Lint, vs. term, 1883. Ejectment. Jury return a ver- or competing line; nor shall any officer of anty, and that if the principal of the bonds the purchase would have this effect.

such railroad or canal corporation act as any should mature, it will replace them or at its ouse. We are not called upon to express The Philadeiphia Hould publishes an edi-torial article favoring the nomination of man employed at the Standard mines, near ref P. W. Trimpey vs. Deitrich Trimpey. RIGHTS OF THE CORPORATIONS.

ment of the real facts of the case, by the press purpose of enabling them to abandon th The facts are substantially these :- The rights and duties conferred and imposed Pennsylvania Railroad Company is a corpo- parties themselves, it is impossible, as we ration of this State, and controls and oper- have already said, to draw any other infer-Edward McDowell and Adeila McDowell, ates, partly as owner and partly as lessee, a ence than that the real party contracting line of railroad extending between New and stipulating for the control of the South public policy of the State which they have utation in the west end of Mt. Pleasant. Sci Fa sur Mechanics Lien. Defendants York and Chicago, by way of Philadelphia, Pennsylvania Railroad Company was the right to do

The fortune-teller examined the hands of confess judgment for \$400 and costs, 15th of Harrisburg, Pittsburgh and points further Pennsylvania Railroad Company and that West, constituting one of the so-called great any title to any stock or securities intended trunk lines of railroad between the seaboard to be held in the name of the Pennsylvania contract must aiways have two contracting par Schweibentz, Joseph Heinen, Chas. Perkins and the West. The ritroads west of Pitts- company was to be a mere naked legal title, ties, upon each of whom it imposes duties as well burgh forming part of this line are operated to be held in trust. In other words, that as confers rights. by the Pennsylvania Company, a corpora- the Pennsylvania railroad company intend- pany especially, while it confirs, and been tion of this State, all the stock of which is ed to do, in fact what it feared, was forbid- confers rights of the highest kind, imprave out owned by the Pennsylvania Railroad Com- den by law to do, and therefore attempted

> The South Pennsylvania Company is also Iy was. This, of course, cannot prevail in a property for the purpose of constructing a railro The following petitions for viewers to view a corporation of this State, and has anthor court of equity, whick looks at substance upon it is taking it for public use, then the pat the sites for road and bridge views were ity to construct a line of railroad, between without being controlled by form.

PROBIBITED BY THE CONSTITUTION. Harrisburg and a place known as Port Per It is further strenuously urged, on behalf public benefit \* \* \*. The public has an inter m the credit of her hushand, in order to A petition for viewers for a bridge over ty, in the county of Allegheny, on the

insidered all the arguments so ably ad- pleted and in operation-that in the nature ranced in support of this theory, but we of things there can be no competition annot avoid coming to the conclusion that [ transportation when there is no as argued for the Commonwealth, the Penn- which to transport. The constitution for sylvania Railroad Company is the real par- bids a railroad corporation to ty in the transaction. This is clearly shown ontrol any other mirroad by the testimony of Mr. Morgan, and Mr. poration having under its control a parally Roberts. Morgan testifies that on his sug- or competing line," not parallel or compet gesting to Mr. Roberts that "the thing could ing railroad, and we cannot doubt that th be carried through if the Pennsylvania Rail- word "line" was employed advisedly, in road Company was prepared to give bonds this place, instead of "road" or "railroad. bearing 3 per cent, interest for the amount it is the term constantly used to denote the paid in on the South Pennsylvania subscrip- toute of an extended railroad. Thus in

tions." Mr. Roberts doubted the policy or section 2, Act of February 10th, 1840, reli the ability of the Pennsylvania Railroad ing to the assessment of damages for lands Company, as such, to buy off or in any way taken it is provided that viewers may to interfere with what might be rival roads ;" appointed, "neither of whom shall be whereupon Morgan "suggested that there dents or owners of property on or adjuining were plenty of corporations that would do it the 'line' of such railroad," where manife Pennaylvania." And sgain he says :- "The surveyed route, and not the comp only thing that was stipulated was that the road, as the view may be had before

security that should be given to the sub- road is constructed. So in Section 2, Act of scribers should bear the absolute guarantee Congress of July 27, 1966, incorporating of the Pennsylvania railroad company. As the Atlantic & Pacific Railroad Company to what company it came from or anything | the company is authorized "to take from the public lands adjacent to the line of road of the kind, that was of course immaterial." And again :-- "I addressed Mr Roberts be material of earth, stone, timber and canse I was acting in harmony in trying to | forth, for the construction thereof."

These are the random instances of a use

the South Pennsylvania Ruilroad Company. were based on this idea. And Mr. Roberts give it due force and effect. If we do not The theory of the case is that the acts sought states frankly that they came to 'talk about' the purpose of the Constitutional Conven to be enjoined are prohibited by section 4 of the Pennsylvania Company in this negotia- tion in enacting it, and of the people in rati-Article XVII: of the Constitution of 1874, tion, "simply because the character of the fying it, might aiways be, and in this case securities and the condition of the South would be entirely defeated. The purpose undoabtedly was to promote dict finding for the Plaintiff for the land application of the Attorney-General an ex- probability be beyond the chartered powers in railroad mathe. But if a corporation en

this negotiation, but so far as the details of company would complete a road to hand it

is that it includes a projected road, surveyed, laid comes "competing,"

THE RIGHT TO SELL STOCKS DEFINED During the argument counsel invoked the aid f the undoubted general principle that the own We do not think the principle applies to this In view of this plain and candid state. ed, is no intended sale in combination for the ex-

> them by the act incorporating the company, and of putting the control of their corporation into ands of its rival. This is an act contrary Indeed, all the wartles in this transaction seen to have failed to appreciate the relations they sus,

tain to the public. A charter, is a contract, and a ponding duties. It invests the corporation part of the sovereignty of the State, the right All the other cases on the list were either pany, except what is necessary to qualify to give the transaction the appearance, in take private property for-let it be clearly un the eye of the law, of being other than it real- stood-tor public use. But if the taking of priv nust have an interest in such use. And such is the case. "A railroad is a public highway for th

is that even if the Pennsylvania

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We announce that having bought a large stock of Flannels, Yarns, Blankets, Canton Flannels and other Fall and Winter Goods at Low Figures, we can offer them at prices never and that would work in harmony with the is the term "line" is used to designate the before touched by the trade. Everyone that buys will have the benefit of Low Prices. Our stock of Carpets, Oil Cloths, Linoleums, Mattings, Rugs, Stair-crash, Stair-rods, Buttons, &c., &c., is very large, and is composed of the most desirable goods in the market.

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FISH where. Potatoes, Oats, Bacon and ry produce taken in exchange Cook & BRERTS

er amili wanted.

the You Gorna West ?--- Information furd ine to persons going West. Descript cited States and Canada furnished a secure the lowest rates of through the lowest passenger rates to any for the HERALD, but unfortunately for us ret or south and to go over the the HERALD's failed to reach us. dition and best route, address,

J. W. PATTON. uniling Pass. Agent, B. & O. R. R., Somerset, Pa. Bed's Drug Store you can buy. Fine Cigars. whit Powder. Cubeb Cigare Ant Gouday Monthol Pencils ed his subscription, remarking that he had and Mirrory. Rough on Corns, been a regular subscriber to the HERALD for or filstency. Acid Phosphate, over thirty years and that the older he grew Smil Papers. Insect Powder, Oct Colors,

Trusses & Braces ferrend Dres. Surgical Goods, setter. to Gipster; at low prices. von want a chemp for cap, or anything mp or hat live, now is a good time to

all B. Studer & Co's. 2888 tring the year 1886 I will mainfam my thin for willing good goods at the lowos I have great bargains in dry

its do, and am closing my ladies childreny, wrops, underwear, winter a meeting pext month. from the other he mual bargains of the season in Cali-

many cases lower than elsewhere. MRS A. E. UHL.

urs stated that they 20 as far as the law would permit

Somerset. It is a \$700; Confluence, \$1,400.

has white elm ught T and instion of the books. The expenses are diussels carnet trimmed. th tells, and die chimes, robes, blankets are: ups. A complete outfit. Call early

JAMES B. HOLDERBAUN. REAR LEATERS - The following let

waining in the Postonice at Somerset. the sent to the Dead Letter Office, if not the on or before February 1, 1886; Wigh P Markle, Miss Chara Athen Smale Miller, W. H. Calvin Miller, Levi atten, Jatura Mitchell, Charles Life, Rauth Natrow, Thomas Finier Dissbeth tunit, Cap. Sheill, Miss P. D. CHA R. J. Schropp, C. W. in L.B. O'Kelley) Titlow, M. B ... an Mrs. Sarah A vote George Weimer, Matthias Waiker, Moser ormod, S. D. Young, Rev. M L.

Larimer-Peter Weimer Risheberger, Miss EG. The estimate for the year just clased w.s the county papers. It will help you in your Meyersdale Borough-John H. Bisel. pany being utterly insolvent, and its da without the guaranty, being worth-The proposition was accepted by Mr. To the Constitution secures is the right to The proposition was accepted by Mr. Milford-Alexander Sterner, Francis Shau-\$12,000. Owing to the suspension fof work work. Do your duty faithfully in this matmpany on the Sonth Penn Railroad the expences ter, that when your heads are white like lis, James Meyers. were so much smaller than had been es- mine, you may have the satisfaction of New Baltimore Borough-L. B. Smith rgan, and aspented to by a sufficient num-have its cars received and transferred over having been granted to the and rsigned by the Paint-Simon Geisel, David C. Ott, John Mo pected that the amount was not expended knowing that no former pupil has such to Hersthberger be \$4370.95. level of the common leafer or the gutter A number of claims for small amounts scalloper through any neglect of yours. Younkin, Wm. were thrown aside by the Auditors. A I purposely omit the "Prof." ugh, Jereminh Berkey, POSTAIR. and the second stated case covering them was made by the of the teachers-not from any want of re- ges, George Clark. Sec. Adam Jacobs, Bey, J. P. Counsel to the Poor Board and stondard Jacobs, Rev. J. F. Counsel to the Poor Board and submitted spect, by any means, but because, an is is Somerset Borough-Charles Hoffman. Somerset-Henry Pritts, L. H. Auman, Miller, Hiram lowed, and others the Auditors were in- table. Like other honorary titles it has got Jerome Fritz. st-neted that the Poor B and had no au- into had company, since fiddlers and negro Southampton-Andrew Kennell. J. K. Corracta, P. M. thority to pay. The Additors are making barbers have taken it up. As for me I pre-J. K. CorrECTE, P. M. thority to pay. The Auditors are making barbers have taken up the pupils of the selfer of real of the will be sold re- a careful and close inspection, and report for the tile given me by the pupils of the barbers of real of Normal, and subscribe myself Stonycreek-Samuel Grove. Summit-Cornelius Shoemaker. Upper Turkey foot-Peter P. Rayman. J. B. SEYDER & Co's. in good shape. UNCLE JOE. Ursina Borough-A. W. Walter.

Swank.

ime of her death Mrs. Herr was within a transar and by her conning secured nearly eighbor and a sincere friend, she endeared by the secress that if \$15 in cash was not Witt, Adam Grimm and Benj, Bowman, herself to all who knew her.

Mr. Enhraim Shaulis, who eighteen years

and left Somerset township for Black Hawk

this county. Mr Shaulis called at the Hun-

ALD office Thursday, and while here renew-

the better he liked it.

Friend Gideon Bowman, of Northamptot township called to exchange the compliwould never have any peace on earth herenents of the seasor, Wednesday, He told of a dandy shot his son F. G. made during season: One hall brought down two fine wild turkeys, one for E. G. and one a declaration as this frightened the colored vid Barnhart and Wm. Shaffer.

woman and she made every effort to raise the ! money, but failed. Through fear that the viewers, viz: J. D. Swank, Hiram Hoffman ed and in operation it would be a line paral- delivered in that case, which although not And the reason why the use has always bee

Shuffer

ORAND JURORS.

Conemaugh-Levi L. Yoder, Joseph Ott.

Confluence Borough-Simon Groff.

Jenner-Peter J. O'Connor, Aaron

Jennertown Borough-Henry Rauch.

Northampton-Herman Martz.

ner, Jacob J. Koontz, Peter Koontz.

Wellersburg Borough-Eli Uhl.

Paint-Alfred Gaghagan.

wood Rice, Curtis K. Grove.

Larimer-Jacob Geiger.

Middlecreek-Austin W. Miller

Stonvcreek-Jefferson Will.

Allegheny-Alonzo Hartman

Upper Turkeyfoot-Jeremiah Snyder, H

Addison-David Mitchell, Ellis Largent

TRAVERSE JURORS-SECOND WEEK

Brothersvalley-Jeremiah J. Brant.

Meyersdale Borough-William Heffley,

Milford-Albert G. Will, James P. Mey-

New Centreville Borough-Aaron Will

Quemaboning-Aaron Barndt, John Hai

Shade-Anton Berkeybile, Howard Rich

Somerset Borough-D. H. Bachus, E.

merset-J. F. Beachy, Samuel Fox, Gil

Rrothersvalley-Eli Walker,

Shade township. ttempt to burn the furniture and bedding nnty, Iowa, where he has since resided, in the house. She finally necame so vios at present visiting relatives and friends in | lent that it was necessary to place her in the WALK IN THE BOX -The following nam

usane department at the county home. ed persons have been drawn to serve as Grand and Traverse Jurors at February THE GREAT INSTITUTE .- All who had the Term of Court, beginning Monday, Februa-

cood fortune to be present at the last Coun- ry 22, 1886 ty Institute are loud in its praise. It remains to discuss it from a professional point Berlin Borough-Samuel Imhoff.

Notwithstanding the cold weather, the of view, which may be done somewhat after surch people are determined to make it this fashion : warm for his satance majesty in this section. 1. The success of the County Institu A protracted meeting has been in progress something wonderful. Out of the 250 teach at the Metzler Courch by the United Breth. ers of the county, many of them inexperienced and generally ill-pand, fully nineren for several meeks. They have a tenths were in attendance. What county

are number of seekers after truth, and quite a number of members have been add- can make a better showing than this? 2. The array of spectators who helped it ed to the church. The Methodists of town ommenred a protracted meeting on Thurs- swell the attendance belonged to the hest elements of society, and could scarcely have day, and the Disciples expect to commence een surpassed elsewhere in general intellisence and culture, yet nearly all the speak- ardson

Mr. Will J. Burns, who served for consid. ing was done by the teachers and directors. Hulins Ginghams, Table Linens Em- erable time as telegraph operator at Rock. of public schools. wood, was killed at Newark, Ohio, on Sun-3. The speeches the reports read before the try paids. Prices will always be as low day evening, while attempting to cross the Institute, and the reports of the proceedings lian Koontz.

track in front of a " shifter," Mr. Burns published in the papers of the county, all was a step-son of Mr. J. R. Irwin, and when the work of prominent teachers, are so will not travel over the latter was appointed to a position on one many proofs that the leadership unity to hold tax appeals this year. of the B, and O's Ohio divisions, he accom- work of education is in competent hands. Ireals will be held in the office at Bed- panied him. About two years ago Mr. . 4. As to the general make-up of the rank persons will be Burns was married to Miss Lon Bingaman, and file, the popular verticits on record missioners a niece of Mr and Mrs. W. J. Jones. The in the inimitable incruage of Mr. Scull, in

the county auditors young wife and mother has the symmathy the HERALD of January 6. Every teacher should preserve a copy of the paper as a memento of the great Institute. He says: Berkey. Commissioner's Clerk Hileman with the "There has been a wonderful change in the mers their assistance of Wm. M. Schrock, has almost appearance of the teachers that attend the considera- completed his job of footing up the assess. Institute. Their faces are more intelligent, man and Dichi ments of the various townships. The work they are neater, trimmer, natiler, and hetter Calvin Beal. as hereto- shows that Somerset Borough returns more dressed each year. The girls wear their household property for farmion than all the store clothes as if they were accustomed to ers. Frederick Brant, Henry Frease, James to insure the control of the corporation of his nominee." Not only was the South CHOICE GROCERIES, FLOUR &

n Hn. \$1,715; Somerset Township, \$735; Elk were on pegs. afford to do Lick, \$400; Brothersvalley, \$50; Addison, 5. The value of these Institutes consists d a tickh at the pride they are offered \$300; New Contreville, \$000; Salisbury, not slone in what they teach, but still more

the Auditors desiring to make a final exam- all can be workers.

And now, fellow Teachers, let me addre .8 8472 94 you on another subject. The laws of the State make it your duty to teach Physiology. 1915 28 158 67 57 25 765 00

highway leading from Shade Furnace to of Cumberland, Franklin, Fulton, Bedford, rairoad company be the real party to the Scalp Level crosses said creek, on the line Somerset and Westmoreland. At Port Perbetween Shade and Paint townships. The ry its line connects with the line of the anything prohibited by the constitution, for with the public duty there is deleased a weights guaranteed.) at prices lower A loving and indulgent mother, a kind months. Finally Mrs Smith was informed Court appointed the following viewers: John Pittsburgh, McKeesport and Youghiogheny the reason that the purchase of the stock of elent share of sovereign power to perform it. The Railroad Company, with which company it a "parallel or competing line" is not among furnished by a certain day the cards would A petition for viewers for a road from a has a traffic contract giving it access to the things prohibited; and the case of Pullbe turned down on her, and when the cards point on the Stoyestown and Greensburg Pittsburgh. It has also traffic contracts man's Palace Car Company vs. Missouri Pawere once turned on any person, they turnpike, near Frank Berkey's, in Jenner- with companies owning connecting railroads cific Railway Company, recently decided by ment domain nowhere justifies taking property town to a point on the Johnstown and Som- east of Harrisburg and west of Pittsburgh the Supreme Court of the United States, and Fr a private use. Yet it is a doctrine un after; that their nearest friends would erset turnpike, near Sipe's school-house, in which make it virtually part of a trunk line not yet reported, is cited to sustain the prop- accepted that a state Logislature may author

purn them like vipers, and nothing but ill- Jeoner township. The Court appointed the between New York and Chicago, by way of osition that the ownership of the stock of a uck would follow them to the grave. Such following viewers : Wm. M. Schrock, Da. Philadelphia, Harrisburg and Pittsburgh, corporation does not give control of the cor-Its route is substantially parallel to the poration. The Court confirmed the report of the Pennsylvania railroad, and when complet-We have carefully considered the opint

threat of the fortune-teller would come true and Isaac Yoder, fixing the site for a bridge lel to and competing with, the lines of the of binding authority upon the State Courts, she lost her reason. Her first act was an over Dark Shade Creek at Reitz's Mill, in Pennsylvania Railroad Company for freight because not deciding a Federal question, is agency of corporate bodies." Okott vs. the Saand passenger traffic, originating or termi- vet in view of its source, entitled to the

and passenger traffic, originating or termi-nating at Philadelphia, Harrisburg or Pitts-highest respect. But we do not think it sus-And the same eminent jurist when a Justice of burgh. No part of its line has been com- tains the position contended for. The de- the Supreme Court of this State raid of an unit pleted; over five millions of dollars have cision of the question of control was not label railroad that "the Commerwealth had ; been expended in the work of construction, called for in the case which was already de- right to demand that all the resources, rights ar which is about one-fourth the sum neces-cided on another and a fundamental point. sary to complete the work.

The American Construction Company is a merely, that the ownership of the stock the Commonwealth." Bedford E. R. Co. 12 We corporation which has contracted to con- does not necessarily give control of the road. 129. struct the road.

THE REGOTIATIONS. As the result of negotiations carried on may control the company, but the company with a parely private matter, we will, not put during the early summer of 1855, on the one alone controls its road." This distinction this subject further. Nor are we now side by Mr. George B. Roberts, President, seems verry narrow, but it is certainly in- with the question whether there be powe and Mr. Frank Thompson and Mr. John P. volved in the conclusion reached, which courts to compet the construction of a railroad Green, Vice President of the Pennsylvania cannot stand unless it is recognized. For a corporation which has untertaken it. What Railroad Company-and on the other side it is too plain to bear argument that the bare decide is, simply that the by a Mr. Morgan, a banker, of New York, ownership of the stock of a corporation car- no such right to sell their stock as can in any we on behalf of such of the stockholders of the ries with it the control of the corporation. prevent a competing corpora South Pennsylvania Railroad Company as Indeed, this is merely a different way of stat- control of the corporation charged with the dut might affirm his action, a formal proposi-tion in writing, signed by Mr. Roberts as ed by its stockholders. That they do it We have not overlooked any of the

President of the Pennsylvania Company through the agency of a board of directors argued by counset, but, in our view, the case doe not ease to Mr. Morgan, the substance of and other officers does not alter the fact, which is that Mr. Morgan would "procure All this was well understood by Mr. Roberts, that the injunction must be continued as to the by purchase and legal assignment and trans. as is shown by the stipulation that the cap- Pennsylvania Railroad Company, the Pennsy fer to such persons" as should be designated ital stock to be assigned "shall be adequate yanta Company and the Baifard & Bridgeport by Mr. Roberts the securities and contracts to insure the control of the corporation of Railroad Company; and dissolved as to the and control of the South Pennsylvania en. the South Pennsylvania railroad company;" terprise as follows, namely :- "First-Valid and the intention to control is shown by and outstanding certificates of subscription the condition in the contract that the things to the South Pennsylvania syndicate, so to be assigned were "the securities and concalled to an amount not less than 60 per tracts and control of the South Pennsylvancent of the total issue thereof \* \* \* \*" is railroad enterprise;" and the further con-American Construction Company \* \* \* \*," and stock should be accompanied by "the "Second--The entire capital stock of the dition that the assignment of the securities "Third-An assignment of all the capital resignation of all the directors and officers aged 60 yrs. 10 month and 6 days.

stock, bonds and securities of the South of the said South Pennsylvania Railroad Pennsylvania Railroad Company not repre- and American Construction Companies and sented by the certificates held by the said of a majority of the committee of said synsyndicate, or held by said construction com. dicate and the substitution in their stead of pany, which capital stock shall be adequate persons to be indicated "by Mr. Roberts or

the South Pennsylvania Railroad Company \* \* \* "Thereupon the Pennsylvania Company having the contract for the con-struction of its road; and as to this, its en-Batter (roll). Company would "cause to be delivered to struction of its road ; and, as to this, its en-Mr. Morgan, in exchange thereof, upon the tire capital stock was to be obtained, "free

esignation of all the directors and officers from all debts and contracts of any kind Beeswax a B. Bacon, shoulder of the said South Pennsylvania railroad and whatever. This was corporation as it then Corn. (ear) new " (shelled) of the nower to abrogate the " (shelled) of majority of the committee of said syndicate stood, but also the power to abrogate the

and the substitution in their stend of persons contract then held by the construction comto be indicated" by Mr. Roberts or his nom-, pany for the building of the road. ince, bonds of the Bedford and Bridgeport ANOTHER INGENIOUS ABOUMENT. company, or of some other company, equal We have found as a fact that the line of in the amount to the sum invested in the the South Pennsylvania Railroad Company

enterprise by those assenting to the propo- connects at Port Perry with the line of the sition, bearing interest at the rate of 3 per Pittsburgh, McKeesport & Youghiogheny Middlings, Oats, # bu cent. per annum, principal and interest guaranteed by the Pennsylvania Railroad company, and that it has a traffic contract with that company giving it access

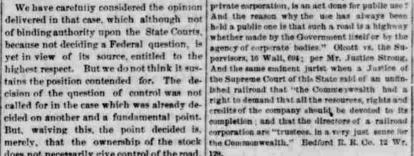
Company ; and if "the bonds or debentures to Pittsburgh. A line running from Harherein proposed to be given should mature risburgh. A line running from Har-the par value thereof shall be made cood by Brothersvalley-Jeremiah J. Brant. Conemaugh - Robert Croyle, Ephraim wank. Confluence Borongh-Walter Monntain. Elk Lick-Jacob Thomas, Samuel Cretch-

Elk Lick-Jacob Thomas, Samuel Cretchequal par value, and with similar guaranty.'

The proposition was, as we have stated, signed by Rr. Roberts as President of the and that as the line of the South Pennsyl-Jefferson-Daniel Maul, John J. Bow signed by Rr. Roberts as President of the Pennsylvania Company, but in it he con-tracts for the Pennsylvania Railroad Com-we must conclude that this corporation of the Act of Assembly approved April 36, 1872. Jenner-Edward Gonder, Abraham Bie pany, and the only party that was to assume does not own or control a parallel or comany responsibility under it was that com-pany, the Bedford & Bridgeport Railmond view. The traffic contract gives it the right

Hershberger. Quemahoning-W. H. Suder. Aaron make it binding; the securities were deliv-Blough, Jeremiah Berkey, William J. Din-ered to him but had not come into a the one cannot doubt that it would in

contract, it has not done or stipulated for but the work they do is a public duty; and along may27. not he used for private purposes harpless 18, Mayor, 9 H. 169. tion of such a road, making compensation to the



owner What else does this doctrine mean if not

that huliding a railroad, though it be built by a

The Chief Justice says, speaking of the stockholding company - Practically, it the parties to this transaction were not dealing

considered above. The result of the discussion is decree may be drawn accor J. W. SIMONTON, P. J. ingly.

DIED.

HERR-In Somerset, at her home on Ma St., on Thursday morning, Jan 14, 1886, a "Blessed are the dead, who die in the Lord

#### SOMERNET MANAGES. Corrected by Goos & Basaiva

PEALORS IN

Buckwheat W bush sal. 109 ers, PB. " (sheilad) old " " meal P B.... Calf skins, P B.... Esggs, B dos. Flour, P bbi. Flausseed, P bu. (60 B

Hams, (suga Lard, W B. red sole, P B.

Rip. Rip. Iddiings, and chop 100 De \$1 25451 50 Potatoes, # bu (new).. Peaches, dried, # 5.

EGAL NOTICE

women their separate ear MARY KREITZBURG





The year 1885 has been one of the most busy years at this stablishment. Forty-three Monuments and One Hundred and Seventy-two Headstones is the record for the year. We thank our numerous customers for their liberal patronage, and would announce to all who may be in need of anything in our line that we are now in the field, looking up orders for delivery in the Spring of 1886.

We propose to continue to do the best work at the lowest prices. We are determined to eclipse the past in the extent of our business, and to this end have reduced prices to the very lowest figure, and shall continue to do the best work.

Do not be deceived into believing that dealers of a few years experience can do work as well as we can. If you are in need of work please visit the Berlin Marble Works, or else wait until the Proprietor or one of his agents calls to see you, and you will be sure to get the best return for your money.

#### R. H. KOONTZ. BERLIN, PENN'A. P. S.-1 also deal in Drain Tile and Earthenware. THE "INDICATIONS" FOR THE HOLIDAY SEASON Are that C. N. BOYD will sell goods at such prices that everyone will have to buy their friends a Christmas Gift. We ean offer such inducements in both Goods and Prices as to have you come at once and see for yourselves. We will mention a few, but space will not permit us to mention half of the beautiful things that are for sale in our Store. We have 10 to Ladies' Dressing Cases, ChristmasCards, Photograph Albums, e Gents' Dressing Cases, Autograph Albums, Odor Sets. Ladies' Work Boxes, Scrap Albums, Gilt Frames. Gents' Shaving Cases. Plush Albums, Crumb Trays son Ladies Toilet Sets. Plate Glass Mirrors. Ct Glass Bottle Whisks and Holders, Ebony Frame Mirrors. Box Papers, Cat Tail Easles. Writing Desks, Ebony Easles, GOLD PENS! GOLD PENS! GOLD PENS! Am selling my stock of Gold Pens and Holders at COST, and some rare bargains are offered in this line. Then we have Pocket Books. Letter Books, Side Books. State Smokers' Sets. Cigar Cases. Razors. Gents' Traveling Shaving Cases, and the Star Safety Razor.

If any of your friends are neeting SPECTACLES nothing would be more entited an a pair of Dr. King's SPCTACLES or EYE-GLASSES, In Gold Frames. We have the Sole Agency for these Goods, and guarantee perfect satisfaction. Please call early before the desirable goods are all gone. Polite attention shown, whether you wish a purchase or not. No trouble to show goods. Come, look through our stock, get our prices, and if we cannot save you money will not ask you to buy.

C. N. BOYD, MAMMOTH BLOCK, SOMERSET, PA

A UBITOR'S NOTICE



INUA 7

balance of the county combined. Somerset and enjoyed them, and the hand-me-down M. Meyers. the consent of all Borough returns personal property to the and tailor madesuits of the young men fit Northampton-Simon Bowman, Samuel Gazette. extent of \$16 720; Meversdale, \$6 255 Ber. them and are pat on, not hung on as if they Poorbaugh George A. Kamerer. Quemahoning-Calvin Baush, Shade-John Reel, Jacob McGregor. Somerset Borough-Harry L. Saylor, C. probably in what they suggest. Our young F. Rhoads.,

scople want the training of good literary so- Somerset-Albert Seibert, Jacob B. Com The annual report of the Board of County cicties. The silent members of the late in- tryman, Joseph Horner, Eli Bowman, Wm. nd growth hickory Andnors of the accounts of the Poor Board, stitute seem to recognize this want, and are N. Trent, is nearly completed, but is not yet signed. already organizing in local Institutes where Southampton-Millard Lepley. Summit-David Lindaman

6. The absentors fow as they were sely nainted wided into live classes, and these subdivided tainly missed a rare treat, and if their abinto one hundred and four headings. We sence was unavoidable, are entitled to our ram Cramer, Abraham Peck. are indebted to Dennis Meyers, Esq., the syntrathy. Indeed no better holiday presing shalls, leathered and tipped, and Auditor's clerk, for the footings as they now ent could be made to a teacher than a sea-

### son ticket, backed with green, for the "Great Harrison Turney. RECEIPTS.

## Moral Show," conducted by Manager Wel-EXPENDITURES. s, eto minuid für year 1884 ..... 9 206 1 of paupers cuiside of

The object of the law is to enlist the young in the whisky-way which they must soon help us to fight through, and in which the noble society of Christian women, who procured the passage of the law, are actively engaged. Read and call attention to the secker, Worth Picking. \$5472 91 Temperance column published by them in ;

TRAVERSE JURORS-FIRST WEEK. lison - Chauncey Tressler, William Frey, Sanford Landiman, C. B. Holliday. Berlin Borough-John Heffley: Conemaugh-Levi J Berkey. Confluence- Frank B Sloan. Greenville-Jacob J. Lint, Jefferson-John M. Kimmell, George

> ered to him but had not come into the hands of the stockholders when the injunction was issued.
> THE P. R. THE REAL FURCHASER.
> Counsel for the defendants earnestly contend to a standard of the stock and securities and stipulating for the control of the South Pennsylvania Railroad Company. We have carefully
> THE P. R. THE REAL FURCHASER.
> Counsel for the defendants earnestly contend to a standard of the stock and securities and stipulating for the control of the South Pennsylvania in Railroad Company. We have carefully
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> Counsel for the control of the South Pennsylvania is Railroad Company. We have carefully
> Counsel for the control of the South Pennsylvania is the SEED TOR 1886. be mailed FREE directions for planting off variation of VEGETA int. I. D. M. FERRY & CO., Detroit, Mic