The Somerset Herald.

EDWARD SCULL, Editor and Proprietor.

WEDNESDAY ..... May 30, 1900.

Republican National Ticket.

FOR PRESIDENT,
William McKinley, of Ohio.

Republican State Ticket.

FOR AUDITOR GENERAL,
Edmund B. Hardenberg, of Wayne.
CONGRESS-AT-LARGE,
Galusha A. Grow, of Susquehanna.
Robert H. Foerderer, of Philadelphia.

Republican County Ticket.

FOR CONGRESS,
Harvey M. Berkley, of Somerset Bor.
Subject to the decision of the District Conference.
ASSEMBLY,
W. H. Sanner, of Somerset Borough.
Fred. Rowe, of Meyersdale Borough.
POOR DIRECTOR,
Samuel J. Bowser, of Somerset Twp.
JURY COMMISSIONER,
Theodore E. Rhoads, of Somerset Twp.

THE people of Kentucky chose Taylor for Governor, but the Legislature threw him out and put in Beckham. It is the people's next move and they will be heard from in due time.

STERN justice should be meted out to any postoffice official connected with the cheating in Cuba or who was negligent in regard to inspection. Governor Wood will screen no offender, no matter what his rank in the service.

IN February, March and April the exports of cotton were $88,000,000, against $44,000,000 in the same months last year. Much as it loves Bryan, the South ought to be resigned over payment in gold instead of silver at 45c. on the dollar.

FROM one small township in Kansas five farmers have gone to the Paris Exposition and taken their families along. Their absence in Europe seems to be the only thing that will reduce the farmer vote for McKinley in Kansas this fall.

ADMIRAL DEWEY is getting no delegates to the Kansas City or any other national convention, but he sizes up the situation for that other Democrat very accurately. "The South was never in a more prosperous condition than it is to-day," says the Admiral, who has just been through that section, "and I know that the people of the South do not want Bryan for President." Neither do the people of the East nor of the West.

THE Boer delegates have learned from the Secretary of State that the President will maintain the policy of impartial neutrality between Great Britain and the South African republics. If the Boer representatives are familiar with the history of the United States they know that this country has never interfered in the wars of Africa or any other foreign continent, and that to do it now would be a complete departure from the traditional line of action. President Fillmore lost no time in conveying this information to Kossuth, the Hungarian patriot and agitator, and it was done, as was proper, in direct and unmistakable terms. In refusing to admit the Boer deputation to the floor the Senate simply affirmed the time-honored position of neutrality in conflicts between foreign countries. There will be no change under a Republican administration in this historical attitude.

IN its last issue the "fakir" has a little cock-and-bull story about "orders" being received here by local politicians from outsiders. It neglects to explain that a local Insurgent leader, some few weeks before the recent primaries, received a special order from a Philadelphia sub-boss, reading something as follows: "We have decided not to make a fight for State delegates in Somerset county." In consequence of the receipt of this, no Insurgent candidates for delegates to the State Convention were put up. On the day of the recent Republican Convention a wagonload of Bedford county politicians—special representatives of the late Joseph E. Thropp—landed in Somerset, for the special purpose of giving the local Insurgent leaders "orders" and "pointers" as to how to run a convention and count out regularly nominated candidates for election. And their orders were carried out to the letter.

Methodists Bar Theatres, Cards and Dancing.

CHICAGO, May 26.—Members of the Methodist Church are still under the rule of the discipline prohibiting dancing, theatre-going and other amusements and any communicant of the Church violating this rule is liable to expulsion, according to the action of the General Conference to-day.

The minority report of the Committee on the State of the Church, recommending that no action be taken at the present time on the question, was adopted on a roll-call vote by a majority of 35. An unofficial record of the vote gave 339 against amusements and 285 for.

The result of the vote on this question was a source of disappointment to the majority of the committee, who had brought in a report favoring greater leniency in the discipline by removing this section from the penal code and placing it under "advice to pastors." This would leave the question to the conscience of each member of the Church.

Reduced Rates to Camden, Ind., via Pennsylvania Railroad.

For meeting of Old Order of German Baptist Brethren at Camden, Ind., June 3 to 5, 1900, the Pennsylvania Railroad Company will sell from May 31 to June 3, inclusive, excursion tickets to Camden, Ind., from stations on its line west of Baltimore, Md., (not inclusive), west of and including Lancaster and Reading, and from stations south of and including Sunbury, at rate of one first class limited fare for the round trip. Tickets will be good returning until July 5, inclusive.

Reduced Rates to Philadelphia via P. R. R.

On account of the Republican National Convention at Philadelphia, June 19, the Pennsylvania Railroad Company will sell excursion tickets to Philadelphia from all stations on its line at rate of one fare for the round trip (minimum rate 50 cents). Tickets will be sold and good going June 15 to 19, inclusive, and returning to June 26, inclusive.

Does Coffee Agree With You?

If not, drink Grain-O—made from pure grains. A lady writes: "The first time I made Grain-O I did not like it but after using it for one week nothing would induce me to go back to coffee." It nourishes and feeds the system. The children can drink it freely with great benefit. It is the strengthening substance of pure grains. Get a package to-day from your grocer, follow the directions in making it and you will have a delicious and healthful table beverage for old and young. 15c and 25c.

CENSUS ENUMERATORS.

Joseph E. Thropp Persistently Misstates Facts in Regard to the Time of Their Appointment.

Upon the Principle that a Lie Oft Repeated Will be Taken for the Truth, Our One-Term Congressman Continues His Futile Effort to Deceive the People.

As long back as the latter part of last March the following item appeared in Joseph E. Thropp's Bedford paper and in a number of Democratic and Insurgent papers in this Congressional district:

As it is understood that certain persons opposed to Mr. Thropp have been promising many people positions as Census Enumerators throughout Bedford and Somerset counties, and in many cases promising the position to different parties in the same district, it is only proper to let the public know that the rules of the Census Bureau require that the names of all the Enumerators shall be in Washington on file on the 28th of March, and those who haven't received the notification of their appointments can make up their minds that they are being deceived. Further, if any have been appointed after having exacted from them promises to oppose the present Congressman, it might be well for them to "go slow" in endeavoring to carry out the demands of any one who has dared to exact such promises from them.

Some two weeks after the above item appeared the Johnstown Democrat and Mr. Thropp's Bedford organ published what purported to be a list of Census Enumerators appointed for Somerset County, under the caption, "Official List of Somerset's Census Enumerators. Hon. Joe. Thropp's Endorsement," and said among other things:

The above list will have an especial significance in the present fight between the Scull and anti-Scull factions in Somerset county. For some reason the adherents of Mr. Scull have persisted in saying that the Enumerators had not been appointed. In addition, promises for appointments as Enumerators have been made by the Scull men, so it is said, to aid in the work of defeating the anti-Scull men. It is understood that the list above was that furnished the Census Bureau by Mr. Thropp, who alone can recommend men for appointment in the district.

At the time the above several items appeared the HERALD pointed out their utter falseness and absurdity.

Last week the following letter appeared in several of our local cotemporaries and a somewhat similar effusion in several of our Bedford County exchanges:

Open Letter From Thropp.

HOUSE OF REPRESENTATIVES,
WASHINGTON,
May 21st, 1900.

* * *
* * *

Dear Sir—In sending you the accompaning list of Census Enumerators, and knowing that your paper never wishes to deceive the people, but desires to publish the truth, I write to confirm the information given you before the primaries in Somerset county, that the people may know the facts, namely: that the enumerators for the county had been appointed.

Before the primaries, April 21st, it was stated in several newspapers that the list of enumerators had been made out and that the Rules of the Census Bureau required them to be in Washington, from the 28th, to the 28th of March. The correctness of this statement was stoutly denied by some persons—among whom are said to be included those who had the making of the selections—and who certainly knew that the lists had long before been sent to Washington.

In some single enumerating districts in Somerset county many persons were promised the same position, and the total number of those thus misled in the county, is said to have reached into the hundreds.

I do not believe in deceiving people, and to show that the statements made by me and my friends were correct, I now give a copy of the letter sent me by the Hon. W. R. Merriam, Director of the United States Census under date of April 4th, in which you will note that he writes me to call at his office to see the lists; and in addition to this letter I give you the names and dates of appointments of all the Enumerators for the Thirteenth Census District. The dates given were when the Enumerator's appointments were received here in Washington. In four places in Somerset county you will notice that substitutions have been made.

Now it will be understood that the appointments had to be made beforehand and reported to the Supervisor, who was in Somerset, and these re-mailed from Somerset here, so you can see how far back, beyond April 2nd, when most of them were received here, the appointments must have been made. The lists for the four counties are in my possession, and with but few exceptions all the selections were made and in Washington here, as stated, the last of March.

It is unfortunate and humiliating that in order to accomplish their purposes certain parties make it a rule to deceive the people. Lincoln truthfully said: "You can fool all the people some of the time, and some of the people all the time, but you can't fool all the people all the time." It is to be hoped that the time for fooling the people is nearly at an end.

Very truly yours,
JOSEPH THROPP.

Copy of Director Merriam's Letter.

DEPARTMENT OF THE INTERIOR,
CENSUS OFFICE,
WASHINGTON, April 4, 1900.

MY DEAR SIR:—I have the honor to inform you that the list of enumerators submitted by the Supervisor of Census for the Thirteenth District of Pennsylvania, has been received and I should be pleased to show you the same if you will call at the office. I am,

Very respectfully,
(Signed) W. R. MERRIAM,
Director.

Hon. J. E. Thropp,
House of Representatives,
Washington, D. C.

The attention of Census Supervisor Scull was called to the above letter Saturday and he was asked to give the HERALD a statement of the facts concerning the appointment of Enumerators. His reply was:

"Life is too short and my official duties too pressing to allow me to enter into a controversy with an individual who has recently undergone the severe castigation at the hands of his Republican constituents as has our one-term Congressman. But as Mr. Thropp has seen fit to give to the public several untruthful statements concerning the appointment of Enumerators in my census district, I will give you a correct statement of how and when the various appointments were made in order that your readers may discern whether or not our bumptious Congressman has been speaking by the book.

First off, all appointments are required under the law to be made in the following manner: The applicant must submit a formal application to the Supervisor on a blank furnished him for that purpose. Upon receipt of the formal application, the Supervisor sends the applicant what is called a 'test schedule,' which the applicant must fill up and return to the Supervisor. The Supervisor in turn corrects the test schedule, marking the errors made (if any), and, if he sees fit, submits it and the application to the Director of Census. If the Director approves the papers, he so notifies the Supervisor and authorizes him to commission the applicant. While all applications and test schedules must be submitted to the Director, he can not appoint an Enumerator, but it must be done by the Supervisor, with the approval of the Director.

"The first test papers sent from this office to the Director were registered at the Somerset postoffice on the afternoon of March 31st.

"It was some ten days or two weeks later when notice of the approval of some of these papers and the rejection of others was received at this office, so it will be readily seen that I could not possibly have made an appointment prior to this date—April 11th or 12th.

"The first appointment actually made in my district was made on the 30th day of April and the first Enumerator to receive his commission was William P. Hurst, who received it on the afternoon of that day.

"All told there were just *ninety two* applications from Somerset county filed in this office. Of this number several voluntarily withdrew and the papers of at least 20 per cent. of the balance were so carelessly and defectively made out that they could not be considered.

"In a number of the most important districts in this county, and the same is true of all the other counties of my district, I experienced great difficulty in procuring applicants and had to send parties into these districts to get some one to apply. This was no doubt owing to Mr. Thropp's premature announcement that all appointments had been made.

"No applicant received notice of his appointment before April 30th for the good and sufficient reason that no appointments were made before that date.

"I have named 200 Enumerators, four special agents and two clerks, all of whom, I am confident, will willingly testify that they did not receive notice of their appointment until after it was made and no Enumerator will say he received notice of his appointment *prior* to April 30th.

"No man living can truthfully say that I promised him an appointment or that I authorized anyone to do so in my name. I had the most emphatic instructions from the Director of the Census not to make public my list of Enmerators until the list was finally completed. The list was only completed to day.

"In response to a letter from me Director Merriam wrote me, under date of May 7, 1900:

"This office has not intended to give out the list of proposed Enumerators for any of the enumeration districts. If there has been published such a list purporting to be authentic it has been without the sanction of the Census Office. The embarrassments which are likely to arise from a premature publication are so patent that it is incomprehensible how anyone could fail to recognize it."

In view of the above, the HERALD submits to its readers whether he truthfulness of every line it has ever printed relative to the appointment of Census Enumerators in this district is not borne out by the facts.

We can understand why several of our county cotemporaries have persisted in publishing lying and absurd statements, and in abusing and blackguarding the HERALD for stating the truth. It was done with a view of making political capital—to put bread in their mouths—for for such services their masters and owners are willing to pay. But why a Congressman, even a single termer, would persist in such baseness is beyond our ken, unless it be that having first lied about those appointments the latter part of March, when he caused the first article quoted to be published, and again when he caused the second one, he thought he could bluff it out and have it pass for the truth if he kept at it, and so made the third attempt.

"In some single enumerating districts in Somerset county many persons were promised the same position, and that the number of those misled in the county, is said to have reached into the hundreds," says Mr. Thropp.

The lie here is so wilful, so apparent that one wonders that even a candidate for Congress who had just been repudiated by the people of his own county would be guilty of it. In all there were 92 applicants in Somerset county, yet Mr. Thropp, who has not been in the county since he was a candidate two years ago, unblushingly asserts that the number promised "reached into the hundreds."

Now it will be understood that appointments had to made beforehand and reported to the Supervisor, who was in Somerset, and then re-mailed from Somerset here, so you can see how far back, beyond April 2nd, when most of them were received here, the appointments must have been made," says the veracious Mr. Thropp.

Such utter mendacity. Who, pray, made the appointments and reported them to the Supervisor? Were not the appointments made by him *after they were approved by the Director*?

Is it to be wondered at when you take the above false and mendacious statements into consideration that the Republican voters of Bedford county utterly repudiated this political Ananias and placed him in the unique and humiliating position of being the only candidate for Congress in the history of the district who was refused an endorsement for a second term by the voters of his own county. The people of his county took his right measure from the start and he couldn't even fool a large part of the people of Bedford county any part of the time. It is indeed humiliating that the 20th Pennsylvania district should be represented in Congress by an individual of the capacity of Joseph E. Thropp.

Prize Won After Many Years.

CLEVELAND, O., May 26.—The remarkable devotion of August Croft, a Morrow county farmer, 89 years old, for Miss Kate Putnam, 88 years old is at last to be rewarded.

After a courtship of 71 years, Miss Putnam has consented to become his wife, and the wedding is to take place Monday, at the bride's home, in South Bloomfield. The couple were born and reared on adjoining farms, and at fifteen and seventeen were ardent lovers.

They drifted apart, but kept up a correspondence. On January 9, 1900, they were formally engaged. They have declared that no person under 60 years of age can attend the ceremony.

When a man is tortured with back ache or lame back he doesn't want to experiment with new and untried remedies.

He realizes that the backache is kidney ache.

The lame back virtually means lame kidneys, and he knows that there's very serious trouble in store if he doesn't get his kidneys to do their duty. In his trouble he naturally turns to

Doan's Kidney Pills

Others all around him have been cured of kidney complaint by this wonderful little remedy. He has the testimony of others to guide him. He KNOWS that Doan's Kidney Pills WILL cure, no matter what form of kidney complaint he may have.

He learns this by reading emphatic evidence like the following:

Mr. John G. Benford, of 423 Horner street, engineer at the "Plane," Johnstown, says:

"I told the residents of Johnstown through our local papers in 1895 that the pain across my kidneys and right over the hips was always acutest in the morning when getting out of bed and for some time afterwards. Trouble with the kidney secretions followed and it got so serious that I became alarmed. Physicians pronounced it the result of typhoid fever which I had contracted sometime previous and I was treated for it by them, but received little if any benefit. As a last resort I decided to try Doan's Kidney Pills. They gave me relief right away, finally cured me and I have had no return of my old complaint up to date."

Doan's Kidney Pills for sale by all dealers. Price 50 cents. Mailed by Foster-Milburn Co., Buffalo, N.Y., sole agents for the United States. Remember the name—Doan's—and take no substitute.

DEER PARK HOTEL,

DEER PARK, MD.

Most Delightful Summer Resort of the Alleghenies.

Swept by mountain breezes, 2,800 feet above sea level. Absolutely free from malaria, hay fever and mosquitos. On Main Line of Baltimore & Ohio Railroad. Hotel and Cottages. Every modern convenience. Rooms en suite with bath. Electric Lights, Elevator, Turkish Baths, two large Swimming Pools, Golf Links, Tennis Courts, Bowling Alleys, Magnificent Drives, Complete Livery Service, Annapolis Naval Academy Band. Delightful Cottages (furnished) for housekeeping if desired) ready for occupancy June 1st. Hotel open from June 23d to September 30th.

For rates and information address W. E. Burwell, Manager, B. & O. Building, Baltimore, Md., until June 10th. After that time, Deer Park, Garrett County, Md.

PENNSYLVANIA WANTS TO HELP M'KINLEY.

Her National Delegates Will So Vote on the Vice Presidency.

SO SAYS SENATOR PENROSE.

Colonel Quay, Who Will Head the Delegation From the Keystone State, Confers With Sergeant-at-Arms Wiswell About Details of the Great Convention.

(Special Correspondence.)

Philadelphia, May 29.—United States Senator Boies Penrose, commenting upon the probable attitude of the Pennsylvania delegation to the Republican convention on the vice presidential issue, said today: "There has been no attempt to get the delegates from Pennsylvania to the national convention pledged or committed to any candidate for vice president. It may be accepted as a fact that the influential Republican leaders of this state are anxious and eager to do what is thought best for the success of the Republican ticket this fall. The opinion is general that the delegation to the national convention from Pennsylvania should defer action upon the matter of the vice presidency until they shall have an opportunity of conferring in Philadelphia with the party leaders from all over the country, and especially the close friends of the national administration. We in Pennsylvania have no concern about the result of the presidential election in our own state, but we are desirous of doing that which will strengthen the Republican organization in the so-called doubtful states. We want to strengthen the national ticket, and it is believed that the wishes of President McKinley and those whose opinions he values should be concurred in by the delegates from our state. I am free to say that it will be a pleasure for me to vote for any candidate for vice president whose nomination shall be regarded as most desirable by the president. I am confident that shold there be such a preference so indicated the delegation from Pennsylvania will be a unit in supporting such a candidacy."

Senator Penrose is a delegate from his congressional district, and he will co-operate with Colonel Quay in all matters. The Beaver statesman, who will be chairman of the delegation, is the leader of Pennsylvania's "big eight," the delegates-at-large.

During his visit to this city last week, Colonel Quay, as the member of the national committee from this state, had a long conference with Col. George N. Wiswell, sergeant-at-arms of the Republican national convention. As a member of the executive committee of the national committee Colonel Quay is in touch with the influential men in the national committee, and he will participate in all the conferences regarding the detail work of the convention and the framing of the platform.

A MAGNIFICENT HALL.

All the arrangements for the convention have been completed by the local committee of arrangements, and the hall was yesterday formally transferred to Chairman Manley's sub-committee of the national committee.

Since Contractor Dietrich, on April 9, essayed the task of making the necessary alterations to the auditorium Saturday was the first weekday that found all hammers still in the great hall. So far as Contractor Dietrich was concerned the work of the convention hall was finished, and the great structure now awaits only its gala day attire of flags, bunting, pictures and flora and plant decorations to put it in shape for the memorable scenes which next month are to be enacted within its walls.

To one who entered the great structure yesterday afternoon it had a singularly impressive appearance. Its 15,080 chairs were all in place, but, save three or four policemen and a couple of firemen guarding it, the great building was deserted. As the visitor enters the doorway in the rear of the hall the appearance of the magnificent hall is deceptive, for the thousands of seats to the left and right of him cannot be viewed at a simple glance. But if he stand in one of the corners of the hall its immensity will become at once apparent.

AMPLE SEATING ROOM.

The convention hall is 310 feet long and 288 feet wide. The alterations which have just been completed have required 400,000 feet of lumber. The chairs, which are to be occupied by the 926 delegates, and a like number of alternates, allow a seating capacity of 20 inches in width. The visitors' chairs are so placed as to afford the occupants a seating space of 18 inches in width. In the section reserved for representatives of the press are 500 chairs. The press tables are six feet in length, and each will be occupied by three men. On the stage are two sections of seats, each section containing 243 chairs. The section on the right of the speaker's platform will be occupied by members of the Republican national committee, and that on the left by the speakers and distinguished visitors. The side aisles are four feet in width and the main aisles vary from six to eight feet.

All visitors to the convention hall will enter by the main entrance in the rear of the hall. A large number of exits, however, have been provided. Of these there are eight on each side of the building and four in the rear. It is estimated that the entire building can be cleared in five minutes.

Seven Get Off With Their Lives.

POTTSVILLE, Pa., May 26.—The jury in the murder case wherein seven Lithuanians were charged with conspiracy in the murder of Joseph Rutowski, came in today after deliberating nearly nineteen hours, finding Andrew Coras, the alleged king of the Proprienokas faction, guilty of murder in the second degree and the six other defendants, Anthony Machulas, Peter Stenkiewicz, John Stenkiewicz, Anthony Stenkiewicz, Mike Brazoski and Joe Suchinski, guilty of voluntary manslaughter.

Rutowski, who was a member of the "Zukas" secret society, was supposed to have come under the ban of the Proprienakas, a rival secret organization, which it was stated, determined on his death. The conspiracy was not clearly proved at this trial, which was their second one, they having all been convicted of murder in the first degree at the trial held in November last. Judge Mar, who presided in the case just ended, which lasted two weeks, also tried Rollas Rubness and Matt Rubness for the murder of Joseph Rutowski. A verdict was rendered finding Rubness guilty of murder in the first degree and acquitting his brother. A third trial will be asked in behalf of the seven Lithuanians convicted to day.

All the healing, balsamic virtues of the Norway pine are concentrated in Dr. Wood's Norway Pine Syrup, nature's own remedy for coughs and colds.

Reduced Rates to North Manchester, Ind., via Pennsylvania Railroad.

For meeting of German Baptist Brethren, at North Manchester, Ind., May 29 to June 8, 1900, the Pennsylvania Railroad Company will place special excursion tickets on sale May 29 to June 3, 1900, from stations west of Baltimore (not inclusive), and south of and including Sunbury, at rate of one first-class limited fare for the round trip. Tickets will be good returning until July 1, inclusive.

A PARTY LOYALTY ISSUE IN COURT

A Judicial Decision Which Will Have Far Reaching Effect.

WARNING TO FUSIONISTS.

Judge Hemphill's Decision in a Chester County Case Against a Socalled Republican Who Voted a Fusion Legislative Ticket and Afterward Wanted to Participate in Republican Primaries.

(Special Correspondence.)

Harrisburg, May 29.—A decision which will have far reaching influence upon the politics of this state was given last week by Judge Hemphill, of the Chester county court, in a case in which there was an issue as to the interpretation of the rules of the Republican party in that county. Action was brought against a judge of a Republican primary election who refused to accept the vote of a man who had not supported the full Republican ticket at the election last November for members of the legislature. While for years this man had been looked upon as a Republican and he had probably always voted the Republican ticket before that time, he turned in with the insurgents and voted for the fusion candidates for the legislature, who included Democrats and former Republicans. When the next Republican primary election was held this individual went to the polls and sought to participate in the election of Republican delegates. His vote was challenged and the judge of the election refused to accept his ballot. There were, of course, expressions of great indignation from the men who had worked with him to defeat the regular Republican candidate at the preceding election. They made all sorts of threats as to what they would do with this Republican election judge, who had exercised his best judgment as to what he should do under the circumstances.

First there was a criminal prosecution instituted, but when the matter came before the grand jury and all the circumstances in the case were recited, the bill of indictment was promptly ignored, and again the insurgents were much chagrined. They did not give up the fight, however. They had powerful political influence back of them, with the Martin-Flinn organization of the state deeply interested in the outcome of this important issue as to the status of the men who follow the leadership of Flinn and Martin and vote for Democrats, Prohibitionists or any other candidates against the regular nominees of the Republican organization.

A civil suit for damages was next brought and the strongest legal talent available was retained to make the best possible presentation of the case in favor of the representative of the insurgent cause. After the matter was fully argued and all the opinions and other precedents were presented to the court, Judge Hemphill took ample time to carefully consider and weigh all the facts in the case. His conclusions in the matter spread demoralization among the advocates of fusion in every quarter of the commonwealth.

JUDGE HEMPHILL'S OPINION.

Judge Hemphill, in his opinion citing the facts of the case, wrote:

"Edwin W. Thomas vs. Thomas C. Smith. In the court of common pleas of Chester county, No. 17, to October term, 1899. Trial by court without a jury.

"This is an action of trespass to recover damages for the rejection of plaintiff's vote at a Republican primary election held in the eastern precinct of Tredyffrin township in June, 1899, and the following are our

"FINDINGS OF FACTS:

"The defendant was the duly elected and qualified judge of a primary election held by the Republicans of the eastern district of Tredyffrin township, at Stratford, on June 3, 1899. The plaintiff offered to vote at said election, and was challenged by William P. Heite, on the ground that 'he had not supported the Republican ticket at the last general election,' whereupon the defendant declined to receive his vote unless he would be sworn or affirmed to and sign a printed affidavit, of which the following is a copy:

"'State of Pennsylvania, county of Chester, ss.

"'Personally appeared before me, a judge of the Republican primary election of the township or ward of ——, who, being duly affirmed, or sworn, according to law, doth depose and say that he voted the Republican ticket at the last general election as required by the rules of the Republican party.

"'Affirmed, or sworn, before me this 3d day of June, A. D. 1899. ——

"'——, Judge of Election.'

"which had been furnished him with the other election papers and blank, and which he understood to be in compliance with the requirements of that portion of rule 3 of the rules of the Republican party of Chester county, that reads as follows: 'On Saturday next before the time of holding the nominating convention, the Republicans of the different boroughs, wards, precincts, townships or election districts, who, if challenged, will make a declaration to support the party and an affidavit that they voted the Republican ticket at the last general election, shall assemble at the usual places of holding delegate election * * * and elect by ballot the delegate or delegates to represent them in said nominating convention.'

"The plaintiff refusing to make the affidavit his vote was rejected as it was also when offered a second time, and for the same reason.

"The plaintiff had generally co-operated with and supported the Republican party and had been considered and treated as a Republican, having been elected by that party inspector of elections, assistant assessor, and from 1887 to the present time township auditor, but in 1893 had opposed the election of Governor Stone and actively supported the fusion legislative ticket, composed of equal numbers of Democrats and Republicans, in opposition to the regular Republican nominees.

"As judge of the election, the defendant, when plaintiff's vote was challenged, had a sworn and judicial duty to perform, viz.: to determine whether under the rules of the Republican party he had or had not a right to vote, and this he did, and as far as the evidence discloses conscientiously and without malice or any animus whatever.

POINTS OF FACT.

"The following points were presented by the defendant:

"'The court is respectfully requested to find

"'1. That under the rules of the Republican party of Chester county, plaintiff was not entitled to vote at the Republican primary election held June 3, 1899, after being challenged until he had made (1) a declaration to support the party; (2) an affidavit that he voted the Republican ticket at the last general election.

"'2. That in refusing plaintiff's vote defendant performed a judicial act, in which he would not be answerable for a mistake of judgment or a mistake of conclusion.

"'3. The plaintiff had failed to show that the action of the defendant in refusing plaintiff's vote was willful or malicious or that such a refusal was unlawful or illegal.

"'4. That plaintiff had failed to prove a clear and intentional dereliction of duty by defendant.

"'5. That defendant in refusing plaintiff's vote was acting within the limits of his jurisdiction as judge of election of the Republican primary meeting, and incurred no legal liability for a mistake of judgment.

"'6. That plaintiff's action can not be sustained and judgment must be entered for defendant.

"'7. That judgment of non-suit must be entered against plaintiff.'

"We do not deem its necessary to pass upon these points seriatim, as all that are material to the issue will be found answered in either our findings of fact or conclusions of law.

CONCLUSIONS OF LAW.

"The important legal question presented is, Can this action, under the evidence, be sustained?

"Under the provisions of the act of June 29, 1881, to regulate the holding, etc., of primary elections, the defendant was required to take and subscribe to an oath or affirmation that he would 'impartially and faithfully perform his duties * * * in accordance with the rules and regulations adopted by the Republican party of Chester county, for the government of primary elections, meetings or caucuses,' and the same act subjects him to a heavy fine 'if he shall willfully disregard or violate the provisions of any rule duly made by the Republican party of Chester county for the government of the primary elections of the party,' or if he 'shall knowingly reject the vote of any person entitled to vote under the rules of said party,' or if he 'shall knowingly receive the vote of any person or persons not qualified as aforesaid.'

"When, therefore, the plaintiff's vote was challenged it became the duty of the defendant, under his oath or affirmation, as judge, to determine whether it should be received or rejected, and this in accordance with the rules of the Republican party of Chester county.

"He was consequently compelled to construe those rules, which he did (and it is not questioned) by holding that plaintiff was not entitled to vote unless he would make affidavit that he 'voted the Republican ticket at the last general election.'

"That affidavit the plaintiff declined to make and his vote was rejected."

After citing a number of precedents in both this country and in England, to sustain his position, Judge Hemphill directed that judgment be entered by the prothonotary in favor of the defendant.

INSURGENTS DEMORALIZED.

This decision has spread consternation in the ranks of the insurgents.

Men who take an interest in politics usually like to be identified with one of the great political organizations. They believe in certain fixed principles and they wish to be regarded as supporters of the party representing such principles.

Even some of the most ardent advocates of fusion at this time, when put to a test, admit that they would not be identified with the Democratic party under any circumstances. They are however, in opposing regular Republican candidates for the legislature giving the most valuable assistance possible to the Democratic machine in this state. It is hardly possible that Pennsylvania can become one of the doubtful states in the approaching presidential campaign, but if there shall be a question of the Republicans continuing in control of congress, Pennsylvania and her delegation in the national senate and house may be an important factor in deciding whether the next Republican administration shall be backed by a Republican congress.

It is therefore important that every legislative district that can be carried by the Republicans this fall shall be won, so that there shall be no question of the election of a Republican to the United States senate to succeed Colonel Quay. The running of fusion tickets may imperil the election of many of the candidates of the Republican party for the state senate and the house, and it is therefore essential that the lines of the Republican organization shall be held intact and that every effort shall be made to defeat the plans of the fusionists who seek to draw Republicans from voting the full Republican ticket. There will be a full delegation to the national house of representatives to elect and the fusion campaign will undoubtedly place in jeopardy several of the congressional districts which should be carried by Republicans.

Weary Women

Rest and help for weary women are found in Lydia E. Pinkham's Vegetable Compound. It makes women strong and healthy to bear their burdens, and overcomes those ills to which women are subject because they are women.

Lydia E. Pinkham's Vegetable Compound

Is known from coast to coast. It has cured more sick women than any other medicine. Its friends are everywhere and they are constantly writing thankful letters which appear in this paper.

If you are puzzled write for Mrs. Pinkham's advice. Her address is Lynn, Mass. She will charge you nothing and she has restored a million women to health.

Herald Job Work is best.

Splendid Flower Picture to be Given Free to Everybody Next Sunday.

The appreciation shown for the two splendid flower pictures given free to readers of the great Philadelphia Sunday "Press" this year has led the publishers to provide a third great picture which will be given free with every copy of next Sunday's "Press" (June 3). This picture, which is quite as attractive as the famous "Yard of Roses" and "Easter Lilies" pictures, is called "A Basket of Blossoms." It is by the famous Paul De Longpre, and is one of his best works. It is 20 by 28 inches in size and is also noteworthy as being the first example of a new method of color printing, which is quite as wonderful as the picture itself. The publishers guarantee that every picture will be perfect. There is certain to be a great demand for next Sunday's "Press," hence it will be well for all who want this picture to order their copy in advance.

Career of William A. Clark.

In his speech in which he announced his resignation as a member of the United States Senate, Hon. William A. Clark, who was born in Dunbar township, Fayette county, Pa., said:

"I was born amid the humble surroundings of farm life in Pennsylvania. I went to the West when a lad, educated myself as well as I could by my own exertions while working on a farm and teaching school for a few years, when a spirit of adventure led me to the Rocky Mountains, where I have lived, mostly in Montana, for thirty-eight years. For three years I worked in the mines and then engaged in other pursuits, and my enterprises now extend from one ocean to the other. I employ thousands of men and pay them generously for their labor. I have occupied many positions of honor and trust. I was never in all my life charged with a dishonorable act, and I propose to leave my children a legacy worth more than gold—an unblemished name."

ADMINISTRATOR'S NOTICE.

Estate of George Williams, late of Upper Turkeyfoot township, deceased.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for payment, at the store of J. R. Gerhard, Kingwood, Pa., said township, on Saturday, June 30, 1900.

L. C. WILLIAMS,
Administrator.

Fred. W. Biesecker, Attorney.

ADMINISTRATOR'S NOTICE.

Estate of Elizabeth Rayman, late of Brothersvalley township, dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement on Saturday the 26th day of May, 1900, in the borough of Somerset, county and State aforesaid.

JAMES L. PUGH,
Administrator.

ADMINISTRATOR'S NOTICE.

Estate of George F. Reitz, late of Shade township, Somerset county, Pa. dec'd.

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement, on Saturday, the 2d day of June next, at the store of the administrator, in Shade township.

JOHN M. REITZ,
Administrator.

Ray & Hay, Att'ys.

ADMINISTRATRIX'S NOTICE.

Estate of Dr. J. W. Carothers, late of Somerset borough, Somerset county, Pa., dec'd

Letters of administration on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons knowing themselves indebted to said estate to make immediate payment and those having claims or demands against the same to present them duly authenticated for settlement on Tuesday, the 31st day of June, 1900, at late residence of dec'd.

ELEANOR F. CAROTHERS,
Administratrix of Dr. J. W. Carothers, dec'd.

AUDITOR'S NOTICE.

In the matter of the estate of William Fritz, late of Brothersvalley township, Somerset county, Pa., dec'd.

In the Orphans Court of Somerset Co., Penn'a.

May 2, 1900, on motion of John R. Scott, Esq., attorney for W. H. Fritz and S. W. Fritz, administrators, the undersigned was appointed auditor in said estate to make a distribution of the fund in the hands of the administrators to and among those legally entitled thereto; also, to fix the amount due the widow, and ascertain advancements to the heirs, hereby gives notice that he will sit to discharge the duties of his appointment at his office in Somerset, Pa., on Thursday, June 7th, at one o'clock P. M., when and where all parties in interest may attend if they see proper.

JOSEPH LEVY,
Auditor.

EXECUTOR'S NOTICE.

Estate of Adam Poorbaugh late of Larimer township, deceased.

Letters testamentary on the above estate having been granted to the undersigned by the proper authority, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them duly authenticated for settlement on Saturday, June 23, 1900, at the late residence of dec'd.

H. B. BEAL,
Executor of Adam Poorbaugh, dec'd.
J. L. Pugh, Attorney.

NOTICE.

The undersigned hereby gives notice that he has made application to the Secretary of Internal Affairs for 20 acres of unimproved land situated in Stonycreek township, Somerset county, Pa., adjoining lands of Joseph E. Spangler on the east, Edward Landis on the south, William and Martin Shank on the west and George Mostoller on the north.

ALBERT E. RAYMAN,
May 16, 1900. Pugh, Pa.

Orphans' Court Sale
OF
Valuable Real Estate

By virtue of a certain order issued out of the Orphans' Court of Somerset county, Pa., I will offer at public sale in the borough of Somerset, Somerset county, Pa., at the COURT House, on

FRIDAY, MAY 25, 1900,
At 2 o'clock p. m.

the following described real estate, late the property of Elizabeth Rayman, dec'd, viz:—

All the following described real estate, situate in Brothersvalley township, Somerset county, Pa., and being lands of C. W. Knepper, F. T. Boucher, Mosholder and others, containing forty-nine (49) acres more or less, with a good story and one-half plank house, good bank barn and other outbuildings thereon erected. A good orchard of fine fruit, well watered and in every way a desirable home.

TERMS Cash on confirmation of sale.

JAMES L. PUGH,
Adm'r of Elizabeth Rayman, dec'd.

COURT PROCLAMATION.

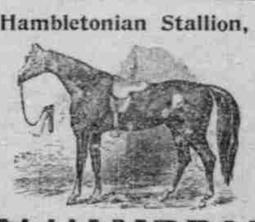
WHEREAS, The Hon. JACOB H. LONGENECKER, President Judge of the several Courts of Common Pleas of the several counties composing the 16th Judicial District, and Justices of the Courts of Oyer and Terminer and General Jail Delivery, for the trial of all capital and other offenders in the County of Somerset, have issued their precepts, and to me directed, for holding a Court of Common Pleas and General Quarter Sessions of the Peace and General Jail Delivery, and Court of Over and Terminer at Somerset, on

MONDAY, MAY 28, 1900,

NOTICE is hereby given to all the Justices of the Peace, the Coroner and Constables within the said county of Somerset, that they be then and there in their proper persons with their rolls, records, inquisitions, examinations and other remembrances, to do those things which to their office and in that behalf appertain to be done, and also they who will prosecute against the prisoners that are or shall be in the jail of Somerset County, to be then and there to prosecute against them as shall be just.

JAMES B. SAYLOR,
Sheriff.

Hambletonian Stallion,



ALHAMBRA!

Will stand for mar-s at High and Farm during the season. This horse needs no boasting, as his get have sold for more money, and produced more speed and faster than any in the county, some having gone the mile in 2:3

DRAFT STALLION,

FRED!

Bay, three-year-old, bred deep in old Nigger blood, who, in his day, produced more high-priced draft horses than any stallion ever owned in this county