The Lehigh Register.

VOL. XXIII. ALLENTOWN, PA., WEDNESDAY MORNING, SEPTEMBER 29, 1869. NO. 39.

ADVERTISING RATES.

	3t.	1 mo.	3 mos.	6 mos.	1 yr.
One Square	1.50	1.75	3.50	6.00	10.00
Two Squares	3.00	3.50	5.50	10.00	16.00
Three Squares	4.50	5.00	8.00	15.00	22.00
Six Squares		8.00	15.00	25.00	40.00
Quarter Column		10.00	20.00	35.00	60.00
Half Column		15.00	32.50	50.00	80.00
One Column		20.00	50.00	80.00	150.00

Professional Cards $1.00 per line per year.

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City Notices, 20 cents per line 1st insertion, 15 cents per line each subsequent insertion.

Ten lines agate constitute a square.

ROBERT IREDELL, Jr., PUBLISHER,

ALLENTOWN, PA.

ROBERT IREDELL, JR.,

Plain and Fancy Job Printer,

No. 47 EAST HAMILTON STREET,

UPSTAIRS,

ALLENTOWN, PA.

ELEGANT PRINTING

NEW DESIGNS

LATEST STYLES

Stamped Checks, Cards, Circulars, Paper Books, Constitutions and By-Laws, School Catalogues, Bill Heads Envelopes, Letter Heads Bills of Lading, Way Bills, Tags and Shipping Cards, Posters of any size, etc., etc., Printed at Short Notice.

Clothing.

EVERY SUBSCRIBER

TO THIS PAPER

Is hereby congratulated

On the fact that he has Spread freely before him

The ADVERTISEMENT of

ROCKHILL & WILSON,

The Best and Oldest Established Clothing House of Philadelphia.

ROCKHILL & WILSON

Would say to all the subscribers, and all of their male neighbors and relations, that they have made the most ample preparations for an immense business for the present Fall.

ROCKHILL & WILSON

Have laid in an immense stock of the most desirable goods, both of American Manufacture and of Foreign Importation, from which they offer the most delightfully fitting suits, either ready-made or to order at the shortest possible notice.

ROCKHILL & WILSON

Invite gentlemen from the surrounding Country, Towns, Cities and Villages, to call at their GREAT BROWN STONE HALL, 603 and 605 CHESTNUT Street, where they will find opportunity to select from the abundance of elegant Fall apparel, at lower prices than anywhere else in town.

Respectfully yours,

ROCKHILL & WILSON,

GREAT BROWN STONE HALL,

603 AND 605 CHESTNUT ST.,

PHILADELPHIA.

sep 22-3m

Coal and Lumber.

FROW, JACOBS & CO.,

WHOLESALE DEALERS IN

ROUGH & WORKED LUMBER,

SASH DOORS AND BLINDS,

WILLIAMSPORT, PA.

☞ Orders from the trade solicited. sep 15-1y

TO CONTRACTORS AND BUILDERS.—The undersigned is prepared to contract for furnishing sash, blinds, window frames, door frames, shutters, and all kinds of building lumber. Agent for Hope Slate Company's Lehigh Slate. Post office address, Wm. H. BERLIN, Quakertown, Bucks Co., Pa. sep 22-6m.

S. A. FILBERT. S. OTTO. D. M. OTTO. G. W. MILLER.

FILBERT, OTTO & MILLER,

MANUFACTURERS AND DEALERS IN

LUMBER,

WILLIAMSPORT, PA.

MILL ON CANAL, WEST OF MAYNARD STREET. OFFICE AT THE MILL.

W. F. CRANE, AGENT. 4, aug 69-1y

ELLIS P. MOORE & CO.,

LUMBER MERCHANTS,

NO. 620 BEACH ST.,

BETWEEN GREEN AND COATES ST.,

PHILADELPHIA.

Dealers in all kinds of

CAR BUILDERS', CABINET MAKERS' & UNDERTAKERS'

LUMBER.

A full assortment of seasoned

WALNUT,

ASH,

POPLAR,

CHERRY,

CHESTNUT, and

GOOD PINE

Always on Hand.

Particular attention paid to shipping. je26 6m

REMOVAL!

SMITH & OSMUN'S

COAL AND WOOD YARD!

The above Coal and Wood Yard has been removed to the east end of the Jordan Bridge, SOUTH SIDE, where will be constantly kept a fine and full supply of

Egg, Stove Nut and Chestnut Coal,

selected from the best mines in the country.

OUR COAL

is under cover—and it is to the interest of every one to purchase

DRY AND SCREENED COAL

☞ A large stock of all kinds of good Wood constantly on hand, and delivered to all parts of the city at the lowest market price.

☞ RANCH YARD.—A branch yard is kept at the Lehigh Valley Depot, known as the former yard of Lentz and Hecker.

☞ THIS IS THE PEOPLE'S COAL YARD. ☜

Our Coal is selected from the best mines in the Lehigh region, and knowing this to be the fact and that it will give perfect satisfaction, there is no use in offering to refund the money. All we ask is a trial. Orders taken at Deshler's hat store.

FRANKLIN SMITH, WILLIAM OSMUN.

july 10ly

COAL CONSUMERS,

LOOK TO YOUR INTEREST!

P. H. STELTZ

Hereby informs the citizens of Allentown, and the public in general, that he is prepared to furnish all kinds of

COAL,

from his well stocked Yard, formerly H. Guth & Co.'s, at the Lehigh Basin, in the City of Allentown, where he will constantly keep on hand a full supply of all kinds of Coal, at the very lowest market prices. His coal is nice and clean, from the very best mines, and in quality superior to any offered in Allentown.

He will sell Coal by the CAR LOAD, at very small profits, as he intends to do business upon the principle of "Quick Sales and Small Profits." Give him a call, and upon comparing prices you can judge for yourselves.

He will deliver Coal upon call to any part of the City upon orders being left at the Yard, or Weisheimer's store

POWDER AGENCY.

Also, Agent for Lehigh county for the "Laflin Powder Company." Prepared at all times to deliver superior Blasting and Blasting Powder, Sporting Powder, Sporting Powder in kegs and canisters, Fuse, &c., at any point and in any quantity. The same as retail at the Gun and Cutlery store of B. F. Wolfert, No. 36 East Hamilton street. Orders by mail promptly filled.

mar 31-tf P. H. STELTZ.

REMOVAL.

TREXLER & BROTHERS,

DEALERS IN ALL KINDS OF

LUMBER,

Hereby announce to their friends and patrons that they have just removed from their old stand to their

NEW YARD,

near the corner of Tenth and Hamilton streets, formerly occupied by Brauss & Miller, as a Lumber Yard, where they will constantly keep on hand a large and seasoned stock of

LUMBER,

such as all kinds of

PINE, HEMLOCK, CHESTNUT, POPLAR, SHINGLES PICKETS, LATHS, &c

In fact everything usually kept by the trade.

☞ All kinds of lumber cut to order at short notice

Thankful for past favors, we trust our friends, as well as the public in general, will give us a call at our New Yard, where we will use our best endeavors to render satisfaction, both as regards quality and prices. [oct 27 '68-tf

Paints, Oils, Etc.

KREMNITZ

WHITE LEAD, ZINC,

AND COLOR WORKS.

We manufacture a Chemically Pure CARBONATE OF LEAD.

Also, Manufacturers, Importers and Dealers in all grades and qualities of LEAD and ZINC PAINTS, COLORS, &c.

Sole Manufacturers of the celebrated Permanent SYRIAN GREEN, with more Brilliancy, Beautiful Shade of Color, Body and Durability than any other Green in the market.

Also, Sole Manufacturers of McK. & Co.'s celebrated JAPAN DRYER, very thin, light in color, free of sediment, and very strong.

Dealers also in Oils, Turpentine, Varnishes, Window Glass, Brushes, &c., &c.

Prices low, and all goods warranted as represented.

McKNIGHT & CO.,

Manufacturers, Importers, and Wholesale Dealers,

TWENTY-SECOND AND RACE STS.,

PHILADELPHIA.

☞ Send for PRICE LIST. [aug11-3m

ACCORDEONS, CONCERTINAS, Jews Harps, Violin Strings, of the best quality, to be had at C. F. Wolfert's Store, No. 36 E. Hamilton St.

Dry Goods.

A GREAT FAIR

Is to held at Allentown, on September 28th, 29th, 30th and October 1st. Many thousands of people will be present, and hundreds will take this opportunity of laying in their fall stock of Dry Goods. *We want you to buy them of us.* First, because this will be to our interest. Second, *because this will be just as much to your interest.* We are selling many goods at about half the prices charged by credit stores, who make cash customers pay for the losses they sustain in selling to credit customers.

KEEP CLEAR OF THESE CREDIT STORES.

They can't sell cheap even if they would. Buy your Goods at our store, for *ours is the only exclusively cash store in town.* We are crushing out high prices for DRY GOODS and CARPETS. We sell goods here just as cheap as in our two New-York City stores. Having been brought up in the New-York market we know just how and where to buy cheaply. The people are flocking to our store from far and near. Already we have had customers come *sixty miles* to trade with us, and not one but have found it to pay them largely to do so.

YOU CAN SAVE FROM TWO TO FOUR DOLLARS ON EVERY TEN DOLLARS WORTH OF GOODS YOU BUY

What you save will pay your trip here, and thus you may visit the fair without it costing you anything. It will be best to come in early and do your shopping before going to the fair grounds, leaving your bundles with us until you return. We will also receive and care for any packages you may leave with or send to us from other stores. We have but one price for all, and so, whether judges of goods or not, you can buy equally cheap. Our profits are very small, so small we could not live upon them if our business were not so extensive. We allow no misrepresentation of goods in our establishment. *If we can't sell you goods by telling you the plain truth about them, then we won't sell you goods.* We do not advertise goods at one price and then charge you another when you come to buy them. We hope to see you soon.

Our store is upon the right hand side of the main street—called Hamilton street—as you come up from the depots of the Lehigh Valley, East Penn and L. & S. Railroads, and is opposite the only church standing upon this street. Remember this and remember the name and you will have no trouble in finding us.

FOSTER'S

NEW YORK CITY STORE,

19 EAST HAMILTON STREET,

ALLENTOWN, PA.

WHITE GOODS.

BELOW REGULAR RATES.

PLAIN, PLAID AND STRIPED NAINSOOKS.
PLAIN, PLAID AND STRIPED ORGANDIES.
VICTORIA AND BISHOP LAWNS.
PEKIN POINTES, New Style, and Choice for Dresses.
PIQUES, in all grades.
SOFT AND HARD FINISHED CAMBRICS.
SHIRRED MUSLINS. A Choice Stock.

EMBROIDERIES.

FINE NEEDLE WORK EDGINGS and INSERTINGS at ONE-HALF VALUE.
HAMBURGS, in SWISS and CAMBRIC. A Full Stock.
RUFFLINGS of all kinds, as MAGIC, EMPRESS, &c.

LACES.

REAL and IMITATION GUIPURE,
THREAD and VALENCIA.
BOBINETS and WASH BLONDS.
GRENADINES FOR VEILS. The New Colors.
LADIES', MISSES', and BOYS' CUFFS and COLLARS.

LEMAISTRE & ROSS,

212 NORTH EIGHTH STREET, PHILADA.

July 7-'69

CHEAP PHILADELPHIA STORE,

You are most respectfully invited to call and examine my stock of Cheap Goods, consisting of

RIBBONS, CORSETS, HOOP-SKIRTS, KID GLOVES,

HANDKERCHIEFS, REAL AND IMITATION

LACES, LACE COLLARS, FRINGES, BUGLE & SATIN TRIMMINGS, FANCY

ARTICLES, &c., &c., &c.

GENTS' FURNISHING GOODS

At 20 per cent. less than any other Store in Allentown.

GOODS DAILY RECEIVED

From New York and Philadelphia Auctions.

THE CENTRAL PARK SHIRT,

white, colored, ruffled, striped and other styles.

Call and examine before purchasing elsewhere.

LEOPOLD SALINGER,

aug3-3m Hamilton St., bet. Second and Third, First Ward

"SUDDEN CHANGE."

WILL LOW PRICES INFLUENCE YOU?

OLD TIMES AGAIN.

IMMENSE REDUCTION IN PRICES!

THE OLD CORNER

Just opened an enormous

STOCK OF SPRING GOODS,

Which as usual for

STYLE, VARIETY, AND LOWNESS OF PRICE

shall and cannot be surpassed.

☞ *Competition defied with any other Establishment outside of the larger cities.* ☜

SPACE WILL NOT PERMIT OF NAMING such an immense stock of goods, but let it suffice to say that we have the most COMPLETE assortment of Ladies' Dress Goods, Dress Silks, Poplins, Shawls, Balmorals, House Furnishing Goods, Ladies' Cloaking Cloth, Men's Wear in Cloths, Cassimeres, &c., and everything that is kept in a FIRST-CLASS DRY GOODS STORE in endless variety. I do not "QUOTE PRICES" as some houses do, but will guarantee

ASTONISHING FIGURES.

The difference in prices of goods to-day, and a month ago, is really painful for those who have been caught with large stocks on hand at high prices, but as that is not the case with me, I shall as heretofore make the OLD CORNER

THE GREAT PLACE OF INTEREST AND HEADQUARTERS

for the masses to get their goods at the

LOWEST MARKET PRICES.

I fully realize that no permanent success can be achieved unless the promises held out by advertisements are found to be fully sustained on a visit to the store. Nor can it be a large success without scrupulously reliable and fair dealing at all times and uniform courtesy to every customer, and the endeavor to make every buyer a constant dealer. All I ask is simply to decide by *actual trial* whether or not it is to your advantage to become a customer.

Respectfully Yours,

M. J. KRAMER,

"OLD CORNER,"

OPPOSITE THE EAGLE HOTEL.

april 14 —tf

210. THIS IS BIRD'S. 210.

Thankful for past favors, and hoping for future patronage, we have on hand a great variety of STOCKING YARN of all descriptions. Also,

GERMANTOWN, EUREKA AND GERMAN

ZEPHYRS,

Wholesale and retail, as cheap as any house in this City.

P. S.—Our GERMAN BALMORAL YARN a SPECIALTY.

☞ Large assortment of

HOSIERY, SHIRTS AND DRAWERS,

half and full, regular made, *very cheap!*

THOMAS BIRD

sep 8-3m 210 Poplar St., above 2d, Philad a.

DRY GOODS.

EYRE & LANDELL,

FOURTH AND ARCH STREETS,

PHILADELPHIA, PA.

CASH DEALERS IN THE BETTER CLASS OF

DRY GOODS.

GOOD BLACK SILKS, MELODEON COVERS, EXPENSIVE SHAWLS, FINE PIANO COVERS, FINE DRESS GOODS, DOUBLE DAMASK CLOTHS, PILLOW LINENS, FINEST BLACK MOHAIR, FRUIT DOYLIES, GOOD PLAIN SILKS, MOIRE ANTIQUE NAPKINS.

BLANKETS.

P. S.—We keep a stock of Good Goods, adapted to the daily wants of families. sep 8-6t

FOWLING PIECES,

A reduced prices, Revolvers, Powder Horns, Shot Bags, Percussion Caps, etc., by C. F. Wolfert, No. 36 East Hamilton Street. sep 15-1y

A SCHOOL-GIRL OF THE PERIOD.

Geography? Yes, there's a lesson each day,
But it's awfully hard to remember.
We've been in South Africa nearly a month;
Perhaps we'll go north by November.

What History have we? It's quite a big book,
Without any pictures—the bother!
To-day I was told I'd sustained a defeat
In the battle of—something or other!

Arithmetic? Oh, it's the bane of my life!
No matter how hard I may study,
My knowledge of dividends, fractions, and rules
Continues unchangably muddy.

Proficient in spelling? I hope that I am,
Though I shine less as writer than talker!
And don't mind confessing how often I use
A pocket-edition of Walker.

I write compositions? Of course, once a week—
We've such a dull subject to-morrow!
I manage to spin out a page and a half,
Though lots of girls copy and borrow.

You ask me which lesson of all I prefer?
You'll think my reply quite alarming;
In French we've a *gentleman* teacher, you know,
And somehow it's perfectly charming!

Edgar Fawcett, in Harper's Magazine for October.

Judicial Record of Hon. Henry W. Williams, of Allegheny, Candidate for Judge of the Supreme Court of Pennsylvania, 1867.

To the Members of the Bar of the State of Pennsylvania:

The subject matter of this address is our apology, if any be needed, for addressing it to you. We have been for many years resident members of the bar of the court in which Judge Williams sits, and may therefore claim to know something of his judicial character. And being the Pittsburg members of the State committee appointed by the convention which nominated him for election to the Supreme bench, we may, for that reason, be allowed to obtrude our names before you. If further ground of excuse be needed, it may be found in the special relations which you and we occupy towards the people in all judicial elections.

We pass over the deductive evidences—from age, education, experience, and acceptance at home—of Judge Williams' eminent fitness for a fifteen-years term in the highest court of the Commonwealth, and proceed at once to call your attention to the best evidence of his character as a judge—that of the *records.*

It detracts nothing from the standing of a well-read Pennsylvania lawyer to assume that, while conversant with the rulings of the cases affirmed by our Supreme Court, he may not always have noted by what judge of the lower court they were ruled. Allow us, therefore, to present to you some of the reported cases wherein Judge Williams' decisions have been *affirmed*, and wherein his *charges* and *opinions* have been *adopted* by the Supreme Court—frequently, as you will see, with the highest commendations. We present them in the order of time, giving a brief synopsis, in each case, of the questions considered or points ruled. The asterisk [*] prefixed to the name of the case denotes that the judgment is "affirmed for the reason given by the court below," without anything more. In a few cases, the judge whose charge or opinion is, in whole or in part, reported, is not named, but all that we cite are those of Judge Williams:

HARDY VS. WATTS—1853—10 *Harris*, 33.—Practice under landlord and tenant act of April 3, 1830.—What is a good recognizance on appeal. For Judge W.'s *opinion* see "Pittsburg *Legal Journal*," vol. 1., No. 11, July, 1853.

*CRAWFORD VS. MURPHY—1853—10 *Harris*, 84.—Acceptance of deed with covenants bars defence to suit for purchase money, on *doubtful unasserted* outstanding title. The title conveyed must be positively *bad*.

GALWAY VS. BLACK AND WIFE—1854—12 *Harris*, 18.—Married woman may mortgage her lands for husband's debts, and her agreement in the mortgage deed waiving the year's delay after due is valid. (Judge W.'s opinion is not fully reported—for which see P. L. J., vol. II., No. 3, May 6, 1854.)

PATTERSON VS. ROBINSON—1855—1 *Casey*, 81.—Married women may purchase land, and give a judgment for the purchase money, which will be levied only out of the land conveyed. (This is a leading case. See 2 Wright, 146. 4 ibid. 140; 7 ibid, 66. For Judge W.'s opinion see P. L. J., vol. I. No. 31, 1853.

GREER VS. SAMPSON—1856—3 *Casey*, 186. Liability of owners and occupants for injuries occasioned by nuisances in public highways, into which, *ad medium viam*, title extends. Concurrent negligence. Parol sale of land. How vehicles should pass on public highways.

STOOP VS. BACKENOP—1856—3 *Casey*, 213.—Mortgage of married woman's separate estate. How husband may act for her under act of 1848—how he must join with her in *assigning* mortgage given *to* her.

*MCCLOWRY VS. CROGHAN'S Administrator—1856—1 *Grant*, 317.—Measure of damages on breach of contract to lease is the price paid for, not the value of, the leasehold. Implied covenants in a lease die with the lessor. (A well-fought case; and see how regarded by the Supreme Court, per Woodward, J., in 5 *Wright*, 213.)

*EDGARD, Administrator, vs. SHIELDS—1856—1 *Grant*, 361.—Duties and rights of administrator in making distribution. If he pays over without refunding bond he cannot recover back, on debts coming in.

*LEONARD'S Executor vs. WINSLOW, LANIER & Co—1856—2 *Grant*, 139.—Power of one partner over partnership funds. Cannot pay his private debts with them, &c. When delivery, weighing, setting apart, &c., necessary in sale of chattels. Carriers have no lien for back freights. (An interesting and intricate case.)

GARRARD VS. P. & C. R. R. Co—1857—5 *Casey*, 154.—When pledgee of property of a corporation by an officer for his own debt, is bound to restore it. Measures of damages in such cases. (Judge W.'s *charge* only is here reported, not his *opinion* on the reserved question—for which see P. L. J., vol. 5, p. 109, No. 14—and as to the question of the case see 5 Casey, 160.

*BROWN VS. LYNN—1858—7 *Casey*, 510.—Mooring of coal boats—when one owner is responsible to another for loss by reason of insecure fastenings or negligence.

LIVINGSTON VS. P. & S. R. R. Co.—1858—2 *Grant*, 219.—When one partner will be bound by a subscription of stock to railroad company made in firm name by other partner. (See 2 Wright, 89.

ROBINSON VS. P. AND C. R. Co.—1858—8 *Casey*, 354.—Effect of private agreement with president of railroad company on subscription to stock.

BAKER VS. LEWIS—1858—9 *Casey*, 301.—Obstruction to and rules of navigating and mooring in inland navigable waters.

SCHENLEY VS. CITY OF ALLEGHENY—1859—12 *Casey*, 29.—Presumption of dedication of land to public use; as against feme covert. Retrospective remedy laws. Municipal claims for grading, paving, &c. Measure of amount of lien and defences to it.

ROBINSON, MINIS & MILLER'S APPEAL—1859—12 *Casey*, 81.—Requisites of affidavit to obtain an issue under acts relating to distribution of proceeds of sheriff's sales.

*CAMPBELL VS. LACOCK—1861—4 *Wright*, 448.—Rights of creditor on contract of guaranty made with his debtor. Privity of contract requisite to maintain suit at law. (A case full of nice discriminations.)

HAYS VS. KENNEDY—1861—5 *Wright*, 378.—Collision. Meaning, in bill of lading, of "unavoidable dangers of the river navigation excepted." (Judge W.'s opinion on entering judgment for defendant, *non obstante veredicto*, is not here reported—for which see P. L. J., vol. 9, No. 5, p. 33. It was the first well-considered opinion on the question in any court in the United States.)

*CRAFT VS. FLEMING—1863—10 *Wright*, 140—Qualified endorsement of commercial paper. Effect of endorsing "without recourse to me."

PAINTER VS. CITY OF PITTSBURG—1863—10 *Wright*, 213.—Liability of municipal corporation for negligence of contractor employed by it. The principle of respondent superior discussed. (Judge W.'s *charge* and *opinion* on the reversed questions are omitted in the report, and are to be found only in the record and in defendant's paper-book. The latter put the case on the same grounds and authorities with those given by the Supreme Court; so much so that this might have been a * case.)

REED VS. REED—1863—10 *Wright*, 239.—Distinctions between presumptions of payment after twenty years, and statute of limitations as to how met or rebutted. Relative powers of courts and juries in such cases.

*FLEMING VS. RAMSEY—1863—10 *Wright*, 252.—Fencing private roads. Agreements concerning them not *nud. pact.* nor within the statute of frauds and perjuries. User of such roads.

BURKE VS. NOBLE—1864—12 *Wright*, 168.—Release of one of several joint debtors on paying his part (prior to act of 22d March, 1862) did not release the others. (Overturning Milliken vs. Brown, 1 Rawle, 391.) Practice in suits in such cases.

*OAKLAND PASSENGER RAILWAY COMPANY VS. FIELDING—1864—12 *Wright*, 320:—Liability of passenger railway companies who are bound to keep street in repair, for injury to minor, resulting from defect in it. Measure of damages in suit by parent for injury to minor son. Concurring negligence discussed.

SHEEVE ET AL. VS. BEERETON ET AL.—1865—1 *P. F. Smith*, 175.—Where plaintiff may recover beyond amount of penalty named in contract, although stated to be "not a penalty, but stipulated damages." (A well-considered and important case.)

There are many other cases tried and decided by Judge Williams which are reported and affirmed, but in which his opinions or rulings are not given at length. We have referred to only two or three of such. Pardon a reference to one or two more, which are not in the direct line of the reports:

The point decided by the Supreme Court, in 1857, in the City of Erie vs. Knapp, 5 Casey, 173—that a municipal corporation cannot be made garnishee in an attachment, &c., was decided by Judge Williams in 1853, in Greer vs. The City of Pittsburg, reported in Pittsburg *Legal Journal*, vol. 1, No. 1.

BRASIER VS. BANNING—1853—8 *Harris*, 348.—That taking judgment for amount defendant admits to be due is a bar to another suit for other part of the claim—as ruled upon the authority of the previous case of Dodds & Crozier vs. Blackstock (cited as Dodds vs. Crozier), decided by Judge Williams, in 1853, and affirmed on his opinion, but not reported. His opinion, &c., is in P. L. J., vol. 1, No. 15.

An interesting and important *charge*, by Judge W., on a case of malpractice by a physician, is reported in the *American Law Register* for August, 1865, page 587—Braunberger vs. Cleis—to which you all have access. It decides that the words "unlawful violence or negligence" in the act of 15th April, 1851, giving an action to surviving relatives, &c., includes malpractice by a physician. The degrees of skill required and of malpractice, and the measure of damages in such cases, are ably discussed.

After having consulted "this array of authorities"—some, if not all, of which we ask you to look into—sustaining Judge Williams' claims to be a judge of the very highest order, it would be bootless in us to attempt any *resume* of his judicial character. *Prout patet per recordum.* We think you will readily accord to his decisions eminent rectitude and accuracy of discrimination, always based upon law and right, and impregnably fortified by precedents, if any there be; if none, then by a process of reasoning clear and convincing. His style is lucid, succinct, vigorous, direct, and appropriate; never turgid or equivocal; modelled after no one, yet combining many of the excellencies of many of the best judicial writers. His opinions have, we think, one especial merit, they are never of undue length, not cumbered with useless discussions of minor points nor lengthened copyings from books to which most lawyers have ready access. What he writes is as far as possible his own. We submit that the *manner* of his opinions at least is such as well becomes a judge whose writings are to be reported and read. As well the manner as the matter of his opinions seem to have won the special favor of those who are presumed to be the best judges. For of the many able and learned expositors of the law who have sat in our lower courts during the last fifteen years, to no one has been accorded the honor of having so many of his opinions made those of the Supreme Court, *by adoption*, as has Judge Williams.

The reported rulings of Judge Williams, you will see, are as varied in their subjects as are the varied interests which cluster in and around a great commercial and manufacturing emporium, and the multiform questions which spring from them. He has shown himself able to grasp and master them all. Most of the cases ruled by him which have been taken up for review, have been cases of special intricacy and importance, many of them cases of first impression. We need not state that those which have been reviewed by the Supreme Court are but a small quotient of the many he has decided. Suitors and their counsels are very prone to rest content with the decisions of a judge who is seldom reversed.

The judicious and courteous editor of the Pittsburg *Legal Journal*, the prothonotary of the Supreme Court of the Western district has constantly, from its foundation in 1853, commended it to the profession, by the publication of many of Judge Williams current opinions. To refer to these would carry this address beyond its proper limit. Those of you who have access to that journal will find them all through it, *possim.* And you will find them as varied in the questions considered, and many of them as valuable, as are those reported in the books.

The many and increasingly novel questions of judicial cognizance which have constantly arisen in and around Pittsburg during the period of Judge Williams' tenure *and the promptitude with which causes are here brought to hearing*, have not unfrequently imposed upon our judges the duty of being the *first* to decide them. Some of such will be found in the preceding references. There are, however, others of more recent origin and of pervading interest. Of such are those which have grown out of what are known as the "bounty laws." The principal case, and the only one of this class which we cite, was that of an application to the District Court for an injunction to restrain the proper functionaries from levying the tax. It was refused. The chief attack was upon constitutional grounds. Each of the judges of the court gave a full opinion sustaining the validity of the law. These were published at the time. That of Judge Williams' will be found in the Pittsburg *Ledger Journal* of October 24, 1864, p. 132. Judge Hampton fortified his views by the highest authorities, while Judge Williams, without citing a single case, works out his conclusions, after the manner of Chief Justice Marshall, by a process of analytical and inductive reasoning which compels conviction. It is enough to say here of these opinions that they enunciate pretty much the same doctrine afterwards more elaborately expounded in the opinion of the majority of the Supreme Court (per Agnes, J.), in Spear vs. The School Directors, &c., of Blairsville, 14 Wright, 150; affirmed in Ahl vs. Gleim, 1 P. F. Smith, 432; and in Weister vs. Hade, 2 ibid, 484.

It is probable that Judge Williams will be regarded as having led off in the solution of another question of absorbing interest to the profession and the public. Upon a bench warrant recently issued by him—Millinger vs. O'Hara—under the act of July 12, 1842, wherein, as it appeared upon the hearing, the complainant had a pending attachment of execution and fi. fa. levied upon all the debtor's property, the arrested debtor moved to quash the warrant.

First, Because the United States bankrupt act of March 2, 1867, supercedes all proceedings under the State act of July 12, 1842, and under the State insolvent laws, where the complainant's debt is provable under the bankrupt act, and the defendant is subject to its provisions.

Here we rest. If upon these data a lawyer trained to measure men by their intellectual statute, and judge of what they can do by what they have done, cannot form a right estimate of Judge Williams' fitness for a seat on the Supreme Bench, we know of nothing else that would effectually aid that result, unless it be the personal intercourse with him as a man and a judge, which we have long enjoyed, and which we confidently trust the entire profession of the State will soon be permitted to enjoy.

A. M. BROWN,
THOS. EWING.

PITTSBURG, Sept. 2, 1867.

Second, Because the warrant is irregular, and cannot be enforced pending the attachment and levy.

After full argument, by able counsel, Judge Williams, with the concurrence of all the judges of the District Court and Common Pleas of Allegheny county, decided that the warrant be quashed upon both grounds, and sustained this ruling by a most learned and lucid opinion published in several of the daily papers of Pittsburg of the date of August 22 and 23, 1867. Its importance will doubtless cause it soon to appear in many other periodicals in the State and elsewhere. It appears in the Pittsburg *Legal Journal* of September 2, 1867.

DIGEST OF THE REGISTRY LAW.

HEADQU'RS REPUBLICAN STATE CENTRAL COM., NO. 1105 CHESTNUT ST., PHILADELPHIA, SEPT. 7, 1869.

The following synopsis or digest of the act approved April 17, 1869, entitled "An Act further supplemental to the act relative to the elections of this Commonwealth," commonly called the "*Registry Law*," has been carefully prepared by the Republican Executive Committee of Allegheny county. It exhibits the various things necessary to be done under the provisions of so much of said act as applies to the State at large, including the duties to be performed by the commissioners, assessors, election officers, &c. Our friends in the different counties should see that its provisions are faithfully carried out.

JOHN COVODE, Chairman.

I. DUTIES OF ASSESSORS.

By section 1, of the Registration Act, each assessor is required to take up the transcript, or list of taxables resident within his district, furnished him by the commissioners of the county under the provisions of the act of April 15, 1854, section 8, relating to the assessment of taxes.

In almost every district names will be found on this list of transcript, of persons who are not legal voters. It is made the duty of each assessor to commence the revision of this list on the first Monday of June in each year. He is required,

1. To strike from this list the name of every person who is known by him to have died, or removed from his district, since the last previous assessment, or in other words, since the said list was made out.

2. He shall also strike from the said list the names of all such persons as he shall have been made known to him to have died or removed from the district.

3. He shall add to the same list the names of such persons as he shall know to be qualified voters, and who shall be known by him to have removed into the district since the last previous assessment.

4. He shall also add to such list the names of such persons, qualified voters, as shall be made known to him to have removed into said district since the last previous assessment.

Under this 4th article it is proper to remark that assessors should add to the list the names of no persons not known to them without satisfactory evidence that such persons had not only moved into the district since the last previous assessment, but also that they were legal voters.

5. He shall also add to the said list the names of all persons who shall make claims to him to be qualified voters in his district.

And here again under the 5th article, it is proper to say that the assessor should not add to his list the name of any person making claim to him to be a qualified voter in his district if the assessor knows him him to be either a non-resident of the district, or if a resident not be a legal voter. And if the person making such claim be wholly unknown to the assessor, it is his duty to require of the person so claiming to have his name added to the list clear and satisfactory proof both of his residence within the district and of his legal right to vote.

6. So soon as the assessor shall have completed the revision of his list, in the manner before stated, it is his duty to take his list so revised, and visit every dwelling house in his district, and ascertain, by careful inquiry, if any person whose name still remains on his list has died or removed from the district, and if so, to strike such name from the list. He will also carefully inquire so as to ascertain whether any qualified voter resides in his district whose name is not on the list, and if so to add such name to his list. The assessor should be careful to add no name to his list without being fully satisfied, either from his own personal knowledge, or from satisfactory evidence, that the person whose name is so added to the list is a legal voter and a *bona fide* resident of the district.

9. In all cases of the addition of a name to his list by the assessor, he shall assess a tax forthwith to such person; and the assessor shall in all such cases ascertain by inquiry, upon what ground the person so assessed claims to be a voter,

From this provision of the act it will be at once seen the duty of the assessor is to see personally, in all cases of additions to the list, every person whom he registers within his district. He should register the name of no person at the instance or request of a third party, but only at the instance or request of the person to be registered himself, and then only upon the personal knowledge of the assessors of the applicant's right to register, or upon sufficient evidence of such right.

8. Upon the completion of the registration, the assessor is to prepare an alphabetical list of the white freeman, above twenty-one years of age claiming to be qualified voters in his district, and opposite each name he shall state whether such alleged voter is or is not a housekeeper, and if a housekeeper he shall note the street and number of his house, if living in a town where the houses are not numbered.

If the person registered be not a housekeeper, the assessor will note upon his list of voters the place of boarding of the person registered, and the name of the person with whom he boards, and in all cases he will note the occupation of the person for whom he is working. He will also write opposite the name of each person registered the word "voter."

9. No assessor should register any person claiming to vote by reason of his being naturalized, until such person exhibits to him his certificate of naturalization, unless such person shall have been a voter in such district for five consecutive years next preceding such registration.

10. The name of every person registered by reason of naturalization should be marked with the letter "N." But if the person has only declared his intention to become a citizen, intending to be naturalized before the next election, the name shall be marked "D. I."

11. When the person registered claims to vote because of his being between the ages of twenty-one and twenty-two, the assessor at the time of registering him, should write opposite his name the word "age."

12. If the person registered has moved into the district to reside since the last general election, the assessor should place the letter "R." opposite his name.

"Upon the completion of the list of registration and assessment by the assessor, it is made his duty, by the second section of the act forthwith to return the same to the commissioners of the county, who should cause duplicate copies of the said list, with the observations and explanations, to be made out as soon as practicable, which duplicate copies they are to place in the hands of the assessor, whose duty it is made to put one copy thereof on the door of, or on the house where the election of the district is required to be held, and to retain the other in his possession for the inspection of any voter in the district who may desire to see the same.

14. It is further made the duty of each assessor, from time to time, to add, on the personal application of any one claiming the right to vote, the name of such claimant, marking opposite the name "C. V." meaning thereby that the person claims a right to vote, and immediately to assess such person with a tax, noting, as in all other cases, his occupation, residence, whether a boarder or housekeeper; if a boarder, with whom he boards, and whether naturalized or designing to be naturalized.

15. Any person so claiming to be assessed and registered, who has been, or claims to have been naturalized, shall; at the time he applies to be assessed, exhibit to the assessor his certificate of naturalization; and if he claims that he designs to be naturalized before the next election, he shall exhibit the certificates of his declaration of intentions.

16. No assessment or registration of any names shall be made within ten days next before any election, by any assessor, under a penalty of fine not exceeding one hundred dollars or imprisonment not exceeding three months, or both such fine or imprisonment.

17. After the assessments have been completed, on the tenth day before the second Tuesday in October, in each year, (and the same before each presidential election,) the assessor shall, on the Monday immediately following, make a return to the county commissioners of the names of all persons assessed by him since his previous return.

II. DUTIES OF COUNTY COMMISSIONERS.

1. It is made the duty of the county commissioners to furnish the assessors with the list of taxables or transcript required by the eighth section of the act of April 15, 1834.

2. Upon the return of the assessors of the assessments and additional assessments and registration by the assessors, they are required to have prepared and furnish to the assessors duplicate copies thereof.

3. It is also their duty to furnish to the election officers a full and correct copy of the assessments containing the names of all persons returned by the assessors of the respective districts as resident taxables in said districts, together with the necessary election blanks.

III. DUTIES OF ELECTION OFFICERS.

1. It is the duty under the registration law, to reject the votes offered by all persons whose names are not found on the assessment or registration lists furnished to them by the county commissioners, unless such persons are able to make proof of their right to vote, as required by the fourth section.

2. It shall be the duty of the election officers, in case any person offers to vote whose name is not found upon the proper assessment list, to require such person to make proof of his right to vote, by producing at least one qualified voter of the district as a witness to his residence within the district at least ten days next preceding such election. Such witness will be required, by the board, to take and subscribe a written or printed affidavit to the facts stated by him, which affidavit shall define, clearly, the place of residence of the person claiming to vote.

They shall also require a written or printed affidavit, to be taken and subscribed by the party to vote, stating to the best of his knowledge and belief when and where he was born; that he is a citizen of this Commonwealth and of the United States, and the length of time he has resided within this Commonwealth; that he did not remove in the district for the purpose of voting therein; that he has paid a State and county tax within two years, which was assessed at least ten days before the election at which time he offers to vote; and if a naturalized citizen he shall state when, where and by what court he was naturalized, and shall also produce his certificate of naturalization for examination; such affidavit shall also state when and where such tax shall have been assessed and to whom paid, and he shall produce a receipt for such tax, unless he shall state in his affidavit that such receipt has been lost, and such affidavit shall be filed with the election board, and returned by them with the list of voters.

3. In all cases of a voter claiming to vote by reason of having been naturalized, the election officers should require him to produce his certificate of naturalization when offering to vote, unless he has been a voter in the district for at least ten years preceding such election.

The penalty imposed upon assessors, election officers, &c., for any neglect of duty under the act, is a fine of one hundred dollars; and if any assessor shall refuse to assess any person who is a qualified voter, he shall be guilty of a misdemeanor in office, and on conviction thereof shall be punished by fine and imprisonment.

HUNTING THE WOODCOCK.