

TERMS. Subscription, \$1.50 per annum, if paid within 12 months; \$2.00 if not paid within 12 months.

PENN'A. R. R. TIME TABLE. On and after Monday, June 25th, 1877, passenger trains will leave Mifflintown Station, P. R. R., as follows:

EASTWARD. Philadelphia, daily, except Sunday, 12:30 a.m. Mifflintown, daily, except Sunday, 6:30 a.m.

WESTWARD. Mifflintown, daily, except Sunday, 12:30 p.m. Philadelphia, daily, except Sunday, 6:30 p.m.

LOCAL INTELLIGENCE. The stay-at-home Republicans in Ohio number about 115,000.

Don't fail to go and see the new styles of Sewing Machines, all new, at Todd's at \$25.

The roosters' voice resounded in the land, and the Democracy are happy.

Philadelphia Markets.—Wheat \$1.42 1/2. Corn 62, Oats 40 1/2.

A brilliant effort says that only the Hayes ticket will give us a President in favor of Hayes.

The Levittown Sentinel says the new wheat is so rank in growth that cattle are being turned on it to keep it down.

John Hahore shot 2 turkeys on shade mountain last week.

You can buy the cheapest clothing at Todd's.

Dr. S. T. Lineawear, of Millers town Perry Co., has received an appointment as surgeon in the Turkish army.

Captain W. W. Nevin and his cousin have bought Furber's press. Price paid for Press and books \$180.00.

Col. Farney goes to Europe.

The man who wrote this ought to be a clerk of art and science as thrown away on some people.

M. F. Gates, of Huntingdon, several months ago fled to Denver, Col., leaving behind him an empty stove and a forged note bearing the names of John Gessia, his father and himself.

Col. James F. Milliken of Blair county, who was taken into Court on the charge of having delivered an incendiary speech to renters, last July, was not found guilty of the charge preferred against him.

Mr. and Mrs. S. M. Loudon, visited among their friends in Tuscarora valley last week, and while there, Mr. Loudon and others did some hunting in the wood of the valley which resulted in the shooting of 3 wild turkeys, a number of pheasants and squirrels.

Rev. E. B. Berry, and Perry Thomas went to Shade mountain to shoot turkeys, last Saturday. The Reverend gentleman started a flock of turkeys, and a red fox. He got a shot at a turkey but missed it.

Members of the Juniata Scouts held a pleasant reunion at the Jacobs house last Thursday, thirty one old members were present and after dinner twenty-three resolved to sign a paper as the beginning of a new organization and that number was put down as the nucleus.

The Perry county Freeman says, some three weeks ago there appeared, just under the right jaw of Arthur Toland, son of our postmaster, a lump about the size of a shellbark, which the boy's parents supposed to be a boil, and which his mother began forthwith to poultice.

The lump continued to increase in size till it became almost as large as a hen's egg, and on Sunday, when changing the poultice, Mrs. Toland saw what she supposed to be the core of the boil, but what proved to be a hideous brown worm nearly an inch in length.

The reptile is still alive at this writing (Monday), and is exhibited by Toland to all curious beholders.

During the late rain the Juniata river became sufficiently muddy to cause the eels to make their way down stream.

Some Newport fishermen noticing this, laid their plans accordingly and caught over 3,000 in one night.

FLOUR, CORN, BEAN AND FEED of all kinds kept constantly on hand by Buyers & Kennedy, for sale.

Public Sale.—Mrs. Mary S. Thompson will offer at public sale, at her residence in Port Royal, at 2 o'clock P. M., on Saturday, October 27, 1877, her entire household effects, consisting of tables, chairs, stoves, etc.

Grand Army Day at the Permanent Exhibition.

The Grand Army of the Republic of Pennsylvania will celebrate the eleventh anniversary of the establishment of the Order in the State, by a Grand Army Veterans Reunion at the International Exhibition, Thursday, October 18th 1877.

There will be unusual musical and other entertainments during the day. At two o'clock P. M. there will be a parade of the Order through the building, and a grand review by the Commander-in-Chief, General John C. Robinson, after which there will be a soldiers' meeting in the immense auditorium.

President Hayes, Gov. Hartranft and many other distinguished military men have been invited and are expected to be present. There is every indication that there will be a large gathering of veterans, and that the day will be a memorable one. There will be several excursions from the surrounding towns.

COMMON PLEAS OF JUNIATA COUNTY, IN EQUITY.

John N. Moore, President of the Board of Trustees of "The Presbyterian congregation of Cedar Spring, comprising the congregations of Mifflintown and Lost Creek," for and on behalf of the congregation of Lost Creek, Plaintiff.

And Ezra D. Parker, George Wilson and David Cunningham, Committee, and T. J. Sherrard, Pastor of and representing the congregation of Mifflintown, Defendants.

The answer of Ezra D. Parker, George Wilson and David Cunningham, to the above Bill of Complaint.

1.—We admit the facts in paragraph No. 1 of plaintiff's bill, with this qualification, that the title to the real estate in the corporation, and that part of the proceeds of the proprietary grant was used in the erection of the Millin church.

2.—We admit paragraph No. 2 contains the substance of part of the charter, but as pertinent to this answer we annex to it the whole charter.

3.—We admit part of the facts in paragraph No. 3, but do not admit that Mr. Sherrard "became and continued sole pastor in the employ of said congregation."

4.—We deny the allegations in paragraph No. 4, that a congregational meeting was held in Lost Creek church, Oct. 15, 1872, and the resolution "that it is expedient to divide the congregations into two separate and independent congregations" was lost by a vote of 5 to 21; but we aver that a meeting of the congregation of Mifflintown was held in the Millin church a few weeks afterwards to consider the same subject, and the same resolutions were presented and the vote was almost unanimously in favor of the resolutions—there being only three or four dissenting votes—the first meeting having been convened by the following notice, read from the pulpits:

MIFFLINTOWN, PA., October 5, 1872. REV. T. J. SHERRARD.—Please read the following to the congregation on next Sabbath and the Sabbath following:

At the next annual meeting of the congregation for the election of Trustees, to be held on Tuesday, October 15, prox., the subject of the division of the congregation into two separate and independent parts will be brought up, and as reasons for such action we offer the following:

1st. We are no longer one congregation, except so far as we are made such by our charter.

2nd. Each part of the congregation is amply able to sustain a pastor.

3rd. The field is entirely too large to be successfully cultivated by one minister.

4th. The interests of the Master's kingdom demand it.

5.—We deny the allegations in paragraph No. 5, that the decree of Presbytery "that the Mifflintown congregation should become and be ecclesiastically separate and distinct from the Lost Creek congregation," and affirmed by the higher appellate courts of the Presbyterian Church was in violation of chartered rights, contrary to the constitution and laws of the Presbyterian Church, and to the great injury of the Lost Creek congregation; and we deny that Presbytery entertained the petition of the congregation of Mifflintown for a separate organization without due previous notice of the Lost Creek congregation, and we refer to facts in paragraph No. 3 of this answer in relation to notice.

6.—We do not admit the facts in manner as stated in paragraph No. 6, but do admit that the title to the real estate in the corporation name, and the Millin congregation is in possession of the real estate and claim to have the lawful and equitable right to the use and enjoyment of the property of the borough of Mifflintown.

7.—We do not admit that the "Lost Creek congregation are unable to support a separate pastor," as alleged in paragraph No. 7 of plaintiff's bill. On information we believe otherwise, but if mistaken, we would suggest to plaintiff that provision is made in the Presbyterian Church, by which destitute and needy congregations can obtain relief. We deny that the Lost Creek congregation since the division have requested the Millin congregation to join with them in electing a pastor. We deny that they are now, and have been since the resignation of the Rev. Mr. Sherrard, without their rightful enjoyment of public religious worship.

8.—We deny the allegations in paragraph No. 8 of plaintiff's bill, that the division they have been supplied by the Presbytery of Huntingdon at appointed and frequent periods with ministers to preach and administer the ordinances, and by other ministers on invitation; and that they possess and use the church building and real estate of the corporation, at Lost Creek, unmolested and undisturbed. We do not know by what authority the plaintiff "offers to join with the Mifflintown congregation in electing a pastor to and for said corporation," but we do know that we have no authority to accept of the offer, and have no inclination to do so if we had.

9.—We deny the authority and power of the Trustees of said corporation to authorize, by the resolution of 29th May, 1877, part of which is contained in paragraph No. 8 of plaintiff's bill, the institution of such a suit in equity as has been instituted against the defendants, or to make use of the corporate name for the purposes therein set forth. And the defendant avers that Ezra D. Parker and George Wilson are two of the six trustees of said corporation, and that said bill was framed and filed without their knowledge and consent, and the same is disavowed by them.

10.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

11.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

12.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

13.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

14.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

15.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

16.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

17.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

18.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

19.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

20.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

21.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

22.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

23.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

24.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

25.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

26.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

27.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

28.—And defendants further answering, say, that a meeting of Presbytery was held at Perryville, April 18, 1875, and a petition with 126 names of the Millin congregation was presented, praying for "a separate and independent organization." The commissioners appointed at the meeting of April 8, 1875, and other members of the Lost Creek congregation were heard on the subject of division and resignation, and a paper containing the action of the Lost Creek congregation, in reference to the resolutions of December 18, 1874, was read before Presbytery. That a committee was appointed by Presbytery to organize a church if the way be clear. The committee reported to Presbytery, held October, 1875, among other matters, that at the Mifflintown church, on the 15th June, 1875, "a large congregation" was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present; that the object of the committee was stated to the congregation was present.

The second proposition was then submitted, viz: Did they desire a separate and independent church organization by the division of the Mifflintown and Lost Creek congregations, so that Mifflintown and Lost Creek congregations would each have a separate and distinct organization, without affecting the rights of either to church property under the existing charter, but leaving that question for future adjustment? This was unanimously decided in the affirmative by a rising vote.

The committee then organized the separate and independent church, and further declaring "that the title to the real estate in the corporation, and that part of the proceeds of the proprietary grant was used in the erection of the Millin church, and that the title to the real estate in the corporation, and that part of the proceeds of the proprietary grant was used in the erection of the Millin church."

The Lost Creek congregation, by a commissioner, made objections in Presbytery, and at appeal duly taken to Synod; and extracts from the minutes show that the case was there proceeded in with deliberation and solemnity; "that the appeal was read; the records of the judicatory appealed from were read; all the papers in the case were then read; the original parties were then heard. The members of the inferior judicatory having been heard, were requested to withdraw, and that Synod roll called and voted taken, which resulted as follows, viz: To sustain the appeal, 3; not to sustain, 29. An appeal was taken to the General Assembly, on behalf of the congregation of Lost Creek, and the commissioner filed with the clerk of the Synod his reasons therefor, viz: "Because the action of said Presbytery in making division of the congregation aforesaid was irregular, unconstitutional and void," and elders William Caveny and E. L. Jamison, of the Lost Creek congregation, also filed the following reasons: "1st, The irregular, unconstitutional and injurious manner in which the division was effected." (The second or other reasons were not filed by these elders.)

The commission of the General Assembly, to whom the case was referred, in their report, which was accepted by the Assembly, recommended that the complaint be dismissed, and reported a deliverance, of which the following is an extract: "The Cedar Spring church consists of the two congregations of Mifflintown and Lost Creek, eight miles apart, and united as one incorporated society. The people at Mifflintown petitioned the Presbytery to be organized into a new and separate church, and a committee was appointed by the Presbytery for this purpose. Having been informed that an organization into a new church might jeopardize their claims, no portion of the property they hold in common with the people of Lost Creek, the members of the Cedar Spring church at Mifflintown recalled their previous request, and asked the committee of Presbytery to divide the old church and set them off as a part of it, and organize them into a distinct church. The committee acceded, and the set was approved, and accepted by the Presbytery. The people at Lost Creek complained to the Synod, that the division of the church was irregular, unconstitutional, and injurious."

"1st. Because the committee of the Presbytery were appointed to organize a new church, and not to divide the old one.

"2nd. Because the Presbytery were incompetent to divide the church without the consent of that part of it connected with the Lost Creek congregation.

"3rd. Because no notice of an appointment of the committee of the Presbytery had been given to the Lost Creek people, and

"4th. Because a division of the church must be injurious to Lost Creek, by the alienation that must be produced.

"5th. Because the Synod dismissed the complaint and sustained the Presbytery.

"6th. The complaint of the action of the Synod is brought up to the General Assembly, on the same grounds on which complaint of the action of Presbytery was based.

"7th. The dismissal of the complaint is recommended to the Assembly, because

"1st. The action of the committee of Presbytery was made their own by the Presbytery. The Presbytery are competent to divide a church on a petition from a portion of its members, and especially of a majority of its members.

"2nd. Notice of the coming of the committee of the Presbytery was published from the pulpit at Lost Creek, and the proposed coming of the committee was well known to the people there.

"3rd. The Synod dismissed the complaint and sustained the Presbytery, which deemed it expedient and for the interest of both congregations that the church should be divided, and that the property of the two congregations be left for future adjustment. While recommending the dismissal of the complaint, let the earnest desire of the General Assembly be expressed, that, while by the admission of all parties, the division of their church is inevitable and desirable, their actual division be generally accepted by the Lost Creek congregation, and that both congregations proceed amicably to a settlement of their pecuniary claims, and that the Presbytery interpose their offices to procure and promote harmony and love."

10.—That the charter is silent on the subject of electing a pastor of the congregation, or congregations, or corporation, and it does not explain or require the election or trustees to elect, call, or employ a pastor; that by the government of the Presbyterian church, the election, call, and installation of a pastor is an ecclesiastical act, and that by the charter, the power of the corporation extends only to the fixing and paying the salary of the minister installed over the congregations of Mifflintown and Lost Creek by the ecclesiastical authorities of the church; and to fix and pay the salary of the clerk appointed by the session of the church, in case the clerk should demand a salary, but that event has not yet occurred in the Mifflintown congregation. That the Mifflintown congregation keeps the Millin church and burying-ground in good order, provides for, and pays all the debts of the Millin church, and has fixed and pays the salary of its minister and sexton.

11.—That the congregations of Mifflintown and Lost Creek were originally known as the Cedar Spring congregation since its organization about the year 1767. The church building in which the congregation then worshipped was located two miles southeast of Mifflintown. About the year 1800 this edifice was abandoned, and two churches were erected, one at McAlisterville and one at Mifflintown—a distance of 8 1/2 miles apart—and about this time the name of Cedar Spring was changed to Mifflintown and Lost Creek on the roll of the Presbytery of Huntingdon, and from that time to the present, in its united and separate organizations has been subject to the Presbytery of Huntingdon, and to the government of the Presbyterian church. That since their incorporation in 1807, the glebe land mentioned in paragraph No. 1 of plaintiff's bill has been sold, and the proceeds thereof long since divided in proper proportion between the congregations; that the two congregations, except in proceeds of this land, have been distinct and separate in their receipts, accounts and expenditures. That the Mifflintown congregation bought the lot in Mifflintown and built the church with their own money, and their own share of the proceeds of the glebe land, without any assistance from Lost Creek. Each congregation built their own church, kept it in repair and made their own improvements, and paid, or were liable to pay, their own share of salary to the pastor, and employed their own sexton; and each congregation pledged itself for its own debts and loans; and collected and disbursed its own funds. Since the erection of the church in Mifflintown in 1838, the Mifflintown congregation has worshipped in it, and in its improvement and repair have expended, within the last nine years, more than the original cost of construction, and to this the Lost Creek congregation have contributed nothing.

12.—Defendants further say, that "the certain real estate containing about three acres of land, situated in the borough of Mifflintown," mentioned in paragraph No. 1 of plaintiff's bill, consists of a grave-yard—the old grave yard, a grant by John Harris as a burial ground—and two additions, but that by the purchase of which the members of the Lost Creek congregation contributed nothing. The old part is now filled and sacred with the bones of the fathers and relatives of the Mifflintown congregation of more than three generations; that the new part is divided into lots, many of them owned by individuals, who have already buried some dead relative, or have provided a rest for their own bodies after death. This "real estate" is to the Mifflintown congregation hallowed ground, and they would regard the forced delivery of the burying ground of their dead, "to the ownership, control and management" of a distant congregation, an act of sacrilege and sacrilege.

13.—We deny, as stated in paragraph No. 3 of Plaintiff's Bill, "that Rev. Matthew Allison continued sole pastor, laboring at and supported by both individual congregations, until the 29th February, 1872, when by reason of advanced age he desired to resign, and to prevent this a call was made and signed by the trustees for Rev. T. J. Sherrard to become assistant pastor." We aver that Rev. Mr. Allison tendered his resignation in the summer or fall of 1871; that at a congregational meeting, held about the 1st of October, 1871, to take action thereon, it was resolved not to accept his resignation, but to release him from all duties, except voluntary services, and to call a co-pastor, and the Millin congregation, individually and alone, and in recognition of his past services, pledged themselves to pay to him a stipulated salary of four hundred dollars annually during his natural life, and which they did pay from Jan. 1, 1872, until his death, July 8, 1872; that by virtue of the call of November 18, 1871, Rev. Mr. Sherrard began his ministrations Jan. 1, 1872. We do not know, and therefore do not admit, that Rev. Matthew Allison was duly elected successor of John Hutchison at a meeting in the church at Mifflintown on the 26th March, 1845.

We respectfully pray the bill may be dismissed.

EZRA D. PARKER, GEORGE WILSON, DAVID CUNNINGHAM.

A. J. PATTERSON, Attorney for Defendants.

JUNIATA COUNTY, SS: Ezra D. Parker, George Wilson, and David Cunningham, being sworn according to law, say the facts set forth in the foregoing answer are true to the best of their information and knowledge, and they verily believe them to be true.