

CONVICTED OF MURDER IN THE FIRST DEGREE.

W. Josiah McMeen Poisons His Wife.—History of the Crime.—His Arrest.—The Jury.—The Verdict.—Motion for a New Trial.

Last Wednesday afternoon, W. Josiah McMeen was placed upon trial before the Juniata county Court on an indictment for having murdered his wife by the means of a dose of strychnine, recommended to his wife as medicine, on the morning of the 29th day of March.

It was 8 o'clock on the morning of the 9th of March, 1886, when the neighbors heard Mrs. McMeen cry out, "My Lord! My God! help me!" She was found by neighbors on her back porch in convulsions. She died within fifteen minutes. A tin plate, with two table spoons, and a tea spoon, and a pointed Barlow knife, lay on a table in the house, there was jelly and a whitish powder in the spoons, and a paper with a whitish powder on the table. These things taken in connection with her death, caused the people to say, she was poisoned. Her husband was not at home, he had gone away the day before. Mrs. Shelly and Graham pronounced the powder in paper and spoons, strychnine.

Squire Stimmel summoned a jury, consisting of W. T. McCulloch, E. M. Stretter, J. F. Johnson, S. E. Ard, P. M. Kepner, Jacob Groninger, an inquest was held, which revealed the fact, that W. J. McMeen, husband of the deceased, had bought strychnine at W. H. Banks & Co.'s drug store, in Patterson, the day previous. On the evening of the 9th, McMeen came home from Harrisburg, where he had spent the night of the 8th of March. He discouraged a post mortem examination of his wife. He said, they knew she had taken poison, from what the doctors said, and there was no use to mutilate her body. The funeral took place on the 11th of March. Mrs. McMeen was buried in the Sowerby grave-yard, in Walker township. When McMeen returned from the funeral, he was arrested by constable Heid on information given before Justice Joseph Stimmel, by A. J. and George C. Funk, brothers of the deceased wife, and lodged in jail, in this place, to answer for the murder of his wife. He did not ask for a hearing, but remained in jail till he was brought into Court on Wednesday, April 28, 1886, to answer the charge of murder.

His appearance when he was brought into court was not like that of a man who had suffered by a long confinement in jail, where he had been lodged on the 11th day of March, on the information of his brothers-in-law, A. J. and George C. Funk. He did not appear like a man who had suffered by mental distress. His appearance was good, and he was neatly clad in a dark plaid suit of clothes with a redish tinge. To the charge of murder as read to him by District Attorney Doty he plead not guilty.

The lawyers for McMeen were Lyons, Junkin and Jacobs. The lawyers for the Commonwealth were Parker, Patterson and Doty.

John Bowers was the first jurymen called. After a good deal of argument by the lawyers as to the matter of challenging jurymen it was decided by the Court that the Commonwealth must first challenge. A jurymen could be challenged for cause. He could be set aside. He could be peremptorily challenged.

The Commonwealth did not challenge Bowers, they passed him over to the prisoner's lawyers. Under questions of Junkin, he stated that he could render a verdict in accordance with the evidence that might be produced before the Court. He was accepted and stepped into the box. An other discussion took place as to the method of challenge.

The Court could not think that the Commonwealth could wait till the panel is full and then challenge, but when the juror is on the stand he was to be challenged.

David Shover was the second juror called, Commonwealth passed him over to the Defendant, and under their questions he stated that he could form an opinion from the evidence produced. He was accepted.

John A. Shively was the third juror called, passed by Commonwealth to Defendant and questioned. He had formed no opinion, could render a verdict in accordance with the evidence, and was accepted.

witness called. Questioned by Commonwealth. He said, "I have no conscientious scruples against capital punishment if the evidence proves him guilty." He was passed to the Defendant, was questioned by Jacobs. He said, he had no acquaintance with the prisoner, and had not read much about the case. Accepted.

Joseph Kline was the eighth juror called. Commonwealth stood him aside.

J. P. Sterrett was the ninth juror called. Passed to the Defendant. He was sworn. Had read and talked about the case but had not expressed or formed an opinion. Challenged.

Jacob Rice was the tenth juror called. Stood aside by Comm.

James S. Winey was the eleventh juror called. Stood aside by Comm.

John Hollough Jr., was the twelfth juror called. Passed to Defendant. Questioned. Does not believe in capital punishment. At this juncture the Court took occasion to caution the Commonwealth, that they might, by failure to question witnesses, imperil their cause. It is not discreet to pass a juror in that way. Comm., challenged Hollough for cause.

John B. Leister was the thirteenth juror called. Set aside by Comm.

Daniel Aaker was the fourteenth juror called. He was sworn. Questioned by Comm. Could not say that he has conscientious scruples against capital punishment. Where a real murder has been committed he might favor capital punishment. Had heard about the Commonwealth, that they might, by failure to question witnesses, imperil their cause. It is not discreet to pass a juror in that way. Comm., challenged Hollough for cause.

Charles Farman was the seventeenth juror called. Sworn. Questioned by Comm. He had read and talked about the case, had formed no opinion, does not know the prisoner. Accepted by Defendant.

J. K. Lance was the eighteenth juror called. Affirmed. Questioned by Comm. Has conscientious scruples against capital punishment. Some talk took place over this juror by the lawyers and in answer to a question gotten in by Lyons, he said, if the evidence is such as to convict he would find him guilty. He had not passed out of the hands of the Commonwealth, they stood him aside.

Byron Shuman was the nineteenth juror called. Sworn. Questioned by Comm. He had no conscientious scruples against capital punishment. He was passed to Defendant. Questioned. He had heard about the case, had read all about the case in the papers, but formed no conclusive opinion, has no bias of mind in the case. Challenged by Defendant.

George Lukens was the twentieth juror called. Affirmed. Questioned by Comm. Has no conscientious scruples against capital punishment. Stood aside by Comm.

George L. Hoyer was the twenty-first juror called. He was not present. D. B. Stouffer was called and sworn. Questioned by Comm. Has no conscientious scruples against capital punishment. Stood aside by Comm.

Thaddeus Switzer was the twenty-second juror called. Sworn. Questioned by Comm. Has no conscientious scruples against capital punishment. He was passed to Defendant. Had expressed an opinion, he thought it would be a good thing to hang him, he could not form an opinion according to evidence. Set aside.

H. S. Scholl was the twenty-third juror called, and sworn, and questioned by Comm. Has no conscientious scruples against capital punishment. Stood aside by Comm.

Henry Hopple was the twenty-fourth juror called. Mr. Parker addressed the Court, and said that Mr. Hopple and Mr. Hibbs had been in his office and they had talked about the case, but that was before he knew that Hopple was a juror. Sworn. Questioned by Comm. He has no conscientious scruples against capital punishment. Stood aside.

Charles Trezo was the twenty-fifth juror called. Sworn. Questioned by Comm. The usual question as to whether he believed in capital punishment, was put to him. He asked what was meant by the question. It was explained to him. He was set aside.

Isaac Book was the twenty-sixth juror called. Mr. Patterson in his behalf stated that he had examined the case he had been sick and felt as if he might not be able to sit for a lengthened time on the jury. To the Court Mr. Book stated that he had taken three doses of medicine from a doctor since he came to town. The Court ordered his name to be stricken from the record.

Mac Eaton was the twenty-seventh juror called. Sworn. Questioned by Comm. Has no conscientious scruples against capital punishment, believes that he ought to be hung if the evidence proves him guilty of murder. He was passed over to Defendant. Was accepted.

J. S. Barton was the twenty-eighth juror called. Sworn. Questioned by Comm. He has no conscientious scruples against capital punishment. Passed over to Defendant. Questioned. He had not read on the case, had not expressed an opinion on the case, people had talked to him about it, his mind is not biased. He was accepted by Defendant.

conscientious scruples against capital punishment, which would prevent him from determining the guilt or innocence of the prisoner. Challenged.

The thirty-second juror called was Henry Aaker, affirmed, questioned by Commonwealth. Has no conscientious scruples against capital punishment—stood aside by Commonwealth.

J. C. Powell was the thirty-third juror called, sworn, questioned by Commonwealth. No scruples, stood aside by Commonwealth.

James Casner was the thirty-fourth juror, sworn. No scruples, passed to Defendants. Challenged.

S. H. Isenberg was the thirty-fifth juror, sworn. No scruples, passed to Defendant, had talked, had opinion as to guilt or innocence. Challenged.

Jacob Cramer was the thirty-sixth juror, affirmed, questioned by Commonwealth. No scruples, passed to Defendants. Had expressed no opinions. Challenged.

George Hockenbery was the thirty-seventh juror called, sworn, questioned by Commonwealth. No scruples, handed over to Defendant. Had talked about the case, had read the newspapers, had opinions, but they would not prevent him from rendering an opinion according to evidence. Challenged.

James McGruder was the thirty-eighth juror called, sworn, questioned by Commonwealth. Has scruples, but believed he could render a verdict according to evidence. Set aside by Commonwealth.

George Thompson was the thirty-ninth juror called, sworn, questioned by Commonwealth. No scruples, passed to Defendant. He had never heard the case talked about, he had read a little about it in newspapers, had formed no opinion. Accepted.

James Nelson was the fortieth juror called, sworn, questioned by Comm. No scruples, passed to Defendant. Had heard talk, had formed an opinion, but not such an opinion as would prevent him from rendering a verdict according to the evidence. Challenged.

Cyrus Jacobs was the forty-first juror called, affirmed, questioned by Comm. No scruples, questioned by Defendant. Had heard the case talked about, had not read the newspapers about it, don't know who he heard talk about it, has no opinion as to the guilt or innocence of prisoner, did not know much about the case. Accepted.

Jacob Sheesley was the forty-third juror called, sworn, questioned by Comm. No scruples, had heard and read of the case, but had not formed an opinion. Challenged by Defendant.

Cyrus Jacobs was the forty-fourth juror called. His name was erased from the record.

Harry McClellan was the forty-fifth juror called, and sworn, questioned by Comm. No scruples. Set aside by Comm. McClellan was the last of the panel, and the Commonwealth fell back on the jurors that had been set aside.

John Shoberger, the first juror that had been set aside was recalled and was accepted by the Defendant, and became the eleventh of the jurors in the box.

Joseph Kline was recalled and challenged by the Commonwealth.

Jacob Rice was recalled. Accepted by Defendant.

Jacob S. Winey was recalled, and as he had not been qualified, he affirmed, and was questioned by Comm. He had not formed a decided opinion. His mind was unbiased. He was passed to Defendant, who challenged him.

John B. Leister was recalled, and affirmed, and accepted by Comm, but he was challenged by Defendant.

Daniel Aaker was recalled and accepted by Comm., but rejected by Defendant.

ed. There was jelly on the spoon and appearance of powder. It had the appearance as if licked out. The breakfast things were on a table in dining room. The plate and spoons were on a table in pantry. The powder was on the corner of the table in the pantry. It was a red jelly. The powder on the paper was in a tin. Couldn't tell whether the spoon had been full. Did not examine jelly in jar. Don't know whether the jelly was in liquid form.

Catharine Koons sworn: I live in Port Royal, right across the corner from Mrs. McMeen. Did not see her before death. I saw her in front room on lounge. I saw a paper with powder in it, saw tin plate, two large spoons and a small spoon, noticed jelly and powder in one spoon. The spoons looked as if they had been used. They appeared like as if they had been medicine taken from them by the lips. Cross examined. Did not notice Barlow knife. The tin plate was in pantry. No one called my attention to them. I did not examine the plate or spoons particularly. I told Dr. Shelly I saw the dark jar.

Dr. A. W. Shelly sworn: I am a practicing physician in Port Royal. Have practiced eleven years. Edgar Moist, son of Mrs. McMeen by first husband, attracted my attention. I went over. Mrs. McMeen was lying on back porch in convulsions. She was very rigid. I put my arm under her to help her in the house. Mrs. Oliver and I carried her in, laid her on a lounge, applied the remedies to help her over the convulsions. She died in a few minutes. After two or three minutes she partially relaxed. I said to Mrs. Oliver, now we'll get a history of this case. Mrs. McMeen winked and muttered. I thought she was rational and wanted to talk. She soon took another convulsion in which she died. It took place in tea to fifteen minutes. Her body from head, to heels, was curved backwards, her hands were clutched, her feet curved upon themselves, the toes curved inward toward the heel, the muscles were very tense. The symptoms indicated poisoning, or the jaw. It indicated poisoning, or the jaw. I don't know when I saw her before that time. A wound generally produces lock jaw. I saw a tin plate after her death. Mrs. Koons called my attention to a white powder in Foutz's liniment paper. I tasted the powder, it was bitter. Afterwards I saw a plate, two table spoons, a tea spoon, a Barlow knife and a jelly dish with jelly like in the spoons. One spoon contained jelly and white powder. I looked as if I had it contained molasses. Took them to my office and looked them in a drawer, and afterwards handed them to Squire Stimmel, for the inquest. The paper that the powder was in was part of a Foutz liniment advertisement. The powder was white with yellowish tinge. The paper looked as if it had been opened and some of the powder taken out of the center. We made a post mortem examination thirty three hours after death. We opened the body took out the stomach, emptied its contents in a vessel. I know what are tests of strychnine as laid in Bowman's Medical Chemistry, applied the test-in-presence of other physicians to contents of stomach, found indications of strychnine. I formed the opinion that she died from the effects of taking strychnine. Women have a disease called hysteria, the symptoms are somewhat like that of poison. Hysteria is not suddenly fatal. I am not an experienced chemist, my tests would not be conclusive. I would want corroborative tests. Ordinarily there is a state of consciousness at intervals in which the patient will talk. I knew there was a Barlow knife, when I made the second visit. The jelly seemed to be the one that was licked, the other spoon seemed to be the one used to mix. Saw no bottles. The powder was lying open on the table in the paper, the jar was on the right side of the paper, the three spoons and plate on the other side. I estimated the powder at four grains. I gave the powder to the Coroner. In the examination or test of strychnine we used potash. We got the violet color. It was the color test.

Dr. Graham sworn: I live in Port Royal, have practiced medicine thirty-three years. Had a case of a man who died of strychnine poison. I saw the man five minutes before he died. He was on a bed, his head and heels were touching the bed. I could have passed under the curve of his back. The spasms relaxed, the man became sensible. Strychnine produces a twitching, an intense suffocation, the patient feels as if he cannot live, becomes convulsed, and is bent back. Mrs. McMeen was dead when I saw her. I believe from the history of the case that Mrs. McMeen died from taking strychnine. Any ordinary physician could tell from the symptoms if it was strychnine poison. Was present at the post-mortem examination. Her stomach was taken out. The test used on contents of stomach was sulphuric acid and potash, it produced a violet bluish tinge, changed to red. The indications were of strychnine poison. The stomach was taken to Squire Stimmel's office and sealed up in a bottle. I have not seen it since. The stomach had but a little greenish fluid in it. The test would not indicate how much strychnine had been taken. I am no chemist. I did not examine the issues, or a portion of the poison would have to be sufficient. Fifteen minutes would be sufficient. Time to produce death on an empty stomach. Hysteria symptoms are not like strychnine symptoms, there are no convulsions in hysteria. Can not pronounce as to the disease did not know of her being sick.

Dr. Lucien Banks, sworn: I live in Mifflintown, was present at the post mortem examination of Mrs. McMeen, of Port Royal. Her stomach was taken out. It was taken to the office of Dr. Shelly, from there to the Coroner's, and there sealed the stomach in a glass jar. We applied Otto's test of sulphuric acid and potash. It produced a violet bluish turning to a dirty green or reddish brown. I thought I could see a violet color faintly. Never saw a case of strychnine poisoning. I know by description in the books. I heard Dr. Shelly's testimony. From his testimony Mrs. McMeen died of strychnine poison. I have practiced

medicine at Mifflintown nineteen years. The test of color would not verify the case. The test I would not consider reliable in a criminal case. I would want a precipitate test that brings the strychnine itself. I would not risk an opinion on color. We got no strychnine, only color. I have seen cases of hysteria, you have everything in such cases they go through all kinds of motions. No chemical tests were applied to anything but the stomach. Did what we were told to do.

Dr. Dowd Crawford, sworn: I graduated in medicine this spring. In the course of my studies the symptoms of poisons are studied. He described the symptoms of poison from the books. From the testimony of Dr. Shelly, I believe that Mrs. McMeen died of strychnine poison. I learned the tests from the books. Was present at the post-mortem examination. Otto's test was applied. Would not rely on the color test. To make the test absolute, it should go through a course of evaporation to get the poison of strychnine itself.

Joseph Stimmel, sworn: I live in Port Royal. Am a Justice of the Peace. Held the inquest of Mrs. McMeen. Dr. Shelly brought to my office, tin plate, spoons, Barlow knife, and powder wrapped in Foutz's Cat-tle Powder paper. I sealed the plate in an envelope and with plate and spoons, I placed them in my safe. I delivered them to Dr. Hugh Hamilton of Harrisburg, eight or ten days ago. I have not seen the tin plate, spoons, or the stomach from the physicians, sealed in a glass jar. I have it yet.

Dr. Hugh Hamilton, sworn: I live in Harrisburg, have practiced medicine there fifteen years, am an Agricultural chemist, have been a chemist twenty years, have never analyzed a human body, have analyzed plants and minerals for corporations, for iron companies. Am chemist for the Agricultural Society of Pennsylvania, can analyze almost anything handed to me. Met Mr. Stimmel in Harrisburg. He came to see me. He gave me a square box tied with a pink string. He told me it was a tin plate and spoons. I have them with me. Here they are—produced box—sealed with the seal of Alderman, A. B. Breckenridge, of Second Ward of Harrisburg. Opened the box,—these are the identical papers that were around them when I received them. The quantity of powder in spoons was not as large as when I received them. This is the identical paper that contained the powder when I got it from Stimmel, the quantity of powder is not so great, but it is same material after analysis. I applied 13 tests. Have results here,—showed results in a drawing, and the jelly used precipitate test, color test. Each of the 13 tests was different from the others. From the examination, the tests, I know that strychnine was in the paper. I applied seven tests to the powder in the spoons. I found it to be strychnine. The amount of strychnine in the paper was sufficient to produce death. I have administered strychnine to cats, dogs, it produces curvature of back. In animals the symptoms are like in men. I have never seen a person die of strychnine poison. I cannot detect the poison by the eye. I judge there were four or five grains in the powder. Could not determine quantity in spoons. Tested and re-tested it, took it apart and put it together. The spoons and knife contained strychnine. The ordinary dose is one sixteenth of a grain. The stomach may be turned by a heavy dose. On the full stomach of a cat or dog, it produces vomiting. It is a vegetable poison, made out of certain beans. There was enough poison in the paper to kill a human being or an animal. Parker proposed to try some of the powder on a frog.

Mrs. Fanny Funk, sworn: I live in Port Royal, am a sister-in-law of the deceased Mrs. McMeen. Was present in McMeen's house when he talked about buying medicine for the children. Mrs. McMeen said they did not have the itch.

Wm. Thurks, sworn: I have a drug store in Patterson. I met the prisoner in my store in March. Forget the date. He bought 15cts. worth of strychnine, 10 grains. I put it in an envelope and marked it "poison", and wrapped it in Ploutz's Horse and Cattle Powder paper. I think he placed it in an envelope or pocket book. He said he wanted it for a rat.—The paper that was found in McMeen's house was handed to him. He recognized the paper as like the paper in which he had wrapped the poison on McMeen. I made record. It has no date. Harry Copeland was present when he bought the poison. It was on Monday. I can fix the date by the fact that the Pool room in Patterson was burned that morning. I talked with McMeen about the fire.

Harry Copeland, sworn: I live in Patterson. I remember when the Pool room burned. It was on Monday. I saw prisoner in Banks' drug store, he asked for strychnine. He said, he wanted it to kill rats. The Pool room was burned on the 8th of March.

Mary McManigal, sworn: I am a clerk in Port Royal post-office. Remember a letter that came for Mrs. Joseph McMeen from Patterson, on Johnstown Express, March 28th. I gave it to Edgar Moist when there was four o'clock that day. It was a white or light-tinted envelope.

Edgar Moist, aged about 8 years, son of deceased Mrs. McMeen, was brought to the stand by his grand-mother, Mrs. Henry Moist, but the Judge thought him too young to understand the nature of an oath on the witness stand.

Howard Kirk, sworn: I am Post Master in Patterson, and remember that on the eighth of March, a letter was sent through this office to Mrs. Elmer McMeen and to another Mrs. McMeen, of Port Royal.

Mary McManigal, clerk in Port Royal post-office, was recalled. She remembered the letters for the two Mrs. McMeens, Mrs. Elmer McMeen, and Mrs. Joseph McMeen, had come to her office from Patterson on the 8th of March.

Mrs. Samuel Ard, sworn: I live in Port Royal. Was at the home of Mrs. McMeen after her death. Saw a white envelope in hands of Edgar Moist.

George Oliver, sworn: I live in Port Royal, across the street from McMeen's. Don't remember that Mrs. McMeen went away on the morning of the eighth.

DR. FAHRNEY'S HEALTH RESTORER.

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LEGAL.

ADMINISTRATOR'S NOTICE.

Estate of Thomas Beemer, deceased. Letters of Administration having been granted to the undersigned, in the estate of Thomas Beemer, deceased, late of Walker township, Juniata county, Pa. All persons indebted to said estate are requested to make immediate payment and those having claims against the same will present them without delay.

ABRAHAM BENNER, Administrator. Van Dyke, Pa. April 28, 1886.

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DR. FAHRNEY'S HEALTH RESTORER.

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Spring and Summer Goods. I would inform the public that I have now in my new millinery store at my place of residence on Water street, Mifflintown, second door from corner of Bridge street, a full stock of Spring and Summer millinery goods, all new, and of the latest styles, and having employed first class milliners, I am prepared to supply the public with everything found in a first class millinery store, come and examine my stock. I consider it no trouble to show goods.

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