

BUTLER CITIZEN.

New Advertisements. Jury and trial lists for April term. Treasurer's sales for Monday, June 12th.

LOCAL AND GENERAL.

The State conventions will be held in the House of Representatives. A lot of second-hand Watches cheap for cash, at E. Grieb's.

"Betty and the Baby" claim a large share of public attention just now.

New Fringes, new Ornaments, new Passenments, at L. STREIN & SON'S.

Henry W. Longfellow, the poet, died at his home in Cambridge, Mass., last Friday.

You can have a nice violin for 50 cents at J. F. T. Stehle's.

Chicago papers say that gamblers in that city made \$8,000,000 in grain speculations last year.

Fine neck wear, large stock and low prices, at Heck & Patterson's.

We direct the attention of our readers to the card of H. Gaston & Co. of New York, in another place in this paper.

Ladies and children's Gossamer circlets and mens' Gossamer rubber coats at L. STREIN & SON'S.

Somebody who's been there, flatteringly remarks: "It isn't flattering to a man to be summoned in a breach of promise case as an expert."

Buy the Elgin patent shirt at J. F. T. Stehle's—best in town—fit guaranteed.

During the last few days we have heard several persons in this town complain or say that they paid or was charged with more coal than was actually furnished them.

Wall paper and window shades at J. F. T. Stehle's.

The Rev. W. H. McKinney will take pastoral charge of the Butler Baptist Church on Sunday April 2d. Services will be held regularly every two weeks, all are invited to attend.

Largest stock of Embroidery in Butler county at lowest prices at L. STREIN & SON'S.

We are requested to state that the amount realized from the subscription and by the collection taken up since Chaplain McCabe's lecture here last Wednesday evening, amounted to \$102.

Ladies' and Gents' Gossamer Gum Coats, cheap, at Heck & Patterson's.

Mr. Shambler, the butcher, killed a western steer, last week, the meat from which could not possibly have been sweeter, tenderer or juicier. He intends butchering more of the same kind.

Heck & Patterson are closing overcoats out, at less than cost to manufacture.

Prof. F. H. Umboldt of Mercer, Pa., has been elected Professor of German in the Pine Grove Normal Academy. He will enter on his duties at the commencement of the spring term, beginning March 28th, 1882.

Hats, Caps and Gents' furnishing goods, cheap, at J. F. T. Stehle's.

While Mr. Lewis Cochran, ex-County Clerk, was in the Campbell hardware store in Millerstown, last Saturday morning, his right side suddenly became paralyzed and he fell to the floor. He was brought home that afternoon and is doing well.

Ladies' Gossamer Gum Coats, cheapest in Butler, at Heck & Patterson's.

The Simcox & Myers well is not completed. They are drilling leisurely and are not yet through to the sand, which is said to be very thick and to contain good. The hole is full of water, which temporarily forces the oil back, as drilling proceeds.

New Spring Hose for ladies and children, all styles at all prices at L. STREIN & SON'S.

An employee of one of the vaccine farms near Chambersburg, while handling hay, scratched his ear with a thorn. Some days after, while operating with one of the animals from which vaccine is secured, he placed his hand to the scratched ear, the result being a vaccination that "took beautifully."

The Pearl shirt, the finest dress shirt in the market, only \$1, at Heck & Patterson's.

All the Jury for last week with the exception of the one hearing the Douglass case were excused Thursday morning. All the other cases on the list were necessarily continued, and the court has ordered two weeks more of court for trial of cases, beginning on the fourth Monday of April and third Monday of May. See jury and trial lists for April term in another place.

Go to J. F. T. Stehle's and see Oil Bull Patent Violin.

Five men were hanged in this state last Friday; Frank Small in Pittsburgh for the murder Nicholas Jacoby on the 19th of January, 1879, Jonathan Moger in Middleburg, Snyder county, for participation in the murder of John and Gretchen Kuntzer on December 9, 1871; John A. Neaving in Clearfield for the murder of Samuel Pennington in February 1880, and the two Rumberger boys in Harrisburg for the murder of Daniel Troutman in November 1880.

New Dress Goods in all the new shades, from 10 cents a yard up at L. STREIN & SON'S.

Neal Blaney's house at Carbon Centre station, on the narrow gauge rail road, was totally destroyed by fire last Monday night. The fire originated in the kitchen, and it is supposed, from the natural gas used in the house. Mr. Blaney was awakened by the noise and smell of the fire, when he awakened the family and went down stairs to see what was the matter. When he returned the family had all made good their escape. Nothing was saved from the fire excepting a barrel filled with old clothes. Mr. Blaney had some insurance on the house, but we have not learned how much.

New Collars, new Ties, new fashions choice assortment, latest styles and lowest prices at L. STREIN & SON'S.

The case of Dr. Lamson, the American lately tried in London for the murder of his young brother-in-law, and found guilty, is attracting wide attention in this county. The poison used was aconite, and the evidence was purely circumstantial, but strongly against the prisoner; while back of it was the fact that by the lad's death the doctor, who was in needy circumstances, would come into possession of some \$7,000. The result was conviction of murder in the first degree, and sentence of death.

How the hearts of a crowd swell and throb with pitiless hatred against the man who coughs during the performance at a theater, when they know he is stung to invest twenty-five cents in a bottle of Dr. Bull's Cough Syrup.

Thirty have been added to the Muddybrook Baptist church as the result of a meeting of twelve evenings recently held there. Rev. W. H. McKinney, the pastor of this church, is also pastor of the Amuna church, of Evansburg, and is much loved and respected by his churches and people of both communities. He expects to move from Evansburg to Butler on the 1st of April, to take charge of the Baptist church at that place. The church at Evansburg has refused to release him as pastor and he has consented to remain in that relation, preaching for them occasionally until a pastor can be secured.

Mrs. Lydia E. Pinkham, 233 Western Avenue, Lynn, Mass., is fast acquiring an enviable reputation for the surprising cures which daily result from the use of her Vegetable Compound in all female diseases. Send for her pamphlets.

The Pittsburg papers of last week stated that the wife of Rev. James Demmitt of Springdale, Allegheny county, was killed on the West Penn R. R. on Thursday afternoon, at a curve just above Lincoln station. The train was so close to her when the engineer first saw her that he was unable to stop and she had an arm and leg cut off. Chaplain McCabe in his lecture here Tuesday evening, referred to the accident and stated that the woman had a bottle of whisky with her and that the bottle of whisky was picked up unbroken after the terrible accident and carried after her. If there is not some mistake about this, it is a sorry ending for a preacher's wife.

To men desiring permanent employment we would refer them to D. H. Patey & Co.'s advertisement for men, in all trees, which appears in another column.

The application of John Belfour, of this county, committed at September sessions, 1881, of aggravated assault and battery upon the person of Newton Letting, for pardon was heard by the Board of Pardons sitting in Harrisburg, last week, and refused. Mr. Robinson presented the petition and spoke in favor of the pardon being granted, and Kennedy Marshall opposed it. John's character was shown by the Court records here to be not of the best, and we are informed that the petition opposing the pardon was signed by over three hundred of his nearest neighbors, and that his own brother would not sign the petition for a pardon. John's sentence was light and he will likely serve it out.

Spring session of the Pine Grove Normal Academy will begin Tuesday, March 28th, 1882. For catalogue and information address the Principal, Isaac C. Ketter, Wolf Creek, P. O., Pa. March 15, 3t.

Shakespeare's description of man's last state in this life is "Sens'd childlessness and love oblivion, Sans teeth, sans eyes, sans taste, sans anything."

The stage before it is that of the "lean and shivering pantaloons." The writing that purports to be the last will and testament of the late David Douglass, was without doubt, written when he was in the last stage of life, but as Judge McDermitt virtually took the case from the jury, leaving them nothing to pass upon, excepting as to the matter of undue influence alleged to have been exerted by Mr. Mitchell, and on which point there was no direct evidence, the jury was forced to find for the plaintiff and sustain the will. We are informed, however, that with the jury on retiring, first took a vote as to what would have been their verdict, had not Judge McDermitt's extraordinary charge prevented, and that they would have pronounced a unanimous finding for the defendants. The case will now go before the Supreme Court where Judge McDermitt's "peculiar views on wills" as he himself described to Mr. Jenks, will be ventilated.

Carpets, a fine stock, at low prices, at Heck & Patterson's.

The method taken by Chaplain McCabe to raise money, reminds us of that of a street swindler who was in Butler several years ago. This fellow (the swindler) hired a two horse rig at one of our lively stables, put a lot of cheap jewelry into the buggy, drove up to the corner of Main and Jefferson streets, drew a crowd around him by loud talking, and then gave each of his bystanders his money back, sold another lot at a high price and again returned the money, and kept on repeating the operation each time raising his prices, until for the last lot he had money in his hands amounting to many times the cost of all the polished peddle he had sold and given away, when thanking his customers very kindly, he bade them a pleasant good-day and quietly drove off. And there was nothing criminal in the business, the man hadn't promised to return the money, it was his, and the Common wealth had no case against him. There was a species of deception, however, in his method of doing business, and so, too, there is in Chaplain McCabe's. The difference in the two cases is this—the swindler deceives people for his own personal gain while McCabe is working for the Church. The money he raises by the work of church extension, the grandest work that human beings can engage in. "The end justifies the means" is the preacher's motto, and the man in trade who tries to advertise his business by having his name called out for twice as much as any other person gives, thinks, perhaps, that the means will justify the end.

Special Bargain.

Imported all wool Dress Goods, 48 inches wide, all colors at 50 cents a yard at L. STREIN & SON'S.

COURT PROCEEDINGS.

The following case to test the validity of a will of the late David Douglass, occupied the whole of last week. The case is stated on the record as follows:

L. Z. Mitchell, Executor and Devisee, and Catharine Protzman, William Protzman and William M. Douglass, Devises under the will of David Douglass dec'd, vs. A. P. Wilson, Wm. A. T. Wilson, Anna D. Wilson, Mrs. Carolin Ennis, John N. Anderson and Maggie J. Anderson, his wife, in the right of his wife, Helen A. Douglass, and James Douglass. This was an issue framed to try the validity of David Douglass's last will and testament.

Who David Douglass was is well known to all the readers of this paper. Suffice it to say that on the 8th day of November, 1881, he died at the great age of 102 years, one month and fifteen days. The oldest man in all Pennsylvania, that ever resided in any part of Butler county. In the trial of the case a scrap of paper was produced by Mr. Anderson which is said to be in the hand writing of the father of David Douglass, which is a record of the dates of birth of his children. The following is the record. On the back of the old paper is the following:

"Account of the children's ages."

The paper reads as follows:

"James Douglass born on the first day of September, 1774.

"John Douglass born on the 29th day of January, 1778.

"David Douglass born on the 23d day of September, 1779.

"Mary Douglass born on the 24th day of March, 1781.

"Sally Douglass born on the 16th day of April, 1783.

"Samuel Douglass born on the 4th day of February, 1785.

"Ann Douglass born on the 3d day of May, 1789."

David Douglass died Nov. 8th, 1881.

Died 102 1 15

Born 1779 9 23

Age 102 1 15

The defendants in the case are grand nephews and grand nieces of Mr. Douglass.

The Wilsons are nephews and nieces of Gen. Andrew Porter Wilson, late of Huntingdon Pa., who was a man of note, and a very intimate friend of Col. Lowry. L. Z. Mitchell, Esq., had been for many years the attorney, and confidential adviser of Mr. Douglass and as such had charge of his business.

In 1874 Mr. Douglass became blind. At that time he was owner of one hundred acres of land in Summit township and in the borough of Butler. In 1878 he found a home on his farm with William and Catharine Protzman, who had been his tenants for about 20 years. Soon afterwards he made a deed to them for one-half of his farm in consideration of their taking care of him and decently burying him at his decease. In 1879 he made them a deed for the remainder of the farm as an additional consideration for the same purpose. On the 31st day of December, 1880, Mr. Mitchell drew the last will and testament of Mr. Douglass, in which he devised his town lots to Mr. Mitchell, the Protzmanns, Wm. Douglass and James Douglass, one fourth each. That will was filed on that day by the four children of the Protzmanns, John, William, Maggie and Mary. They about six months afterwards it was witnessed by a neighbor, August Jekman. The devise to Mr. Mitchell was to be in full for all the services rendered by him to the decedent. The devise to the Protzmanns was in consideration of an additional pay for the care rendered to the testator. When the will was presented to the Register to probate the Messrs Wilsons objected to it on the ground that the testator had not sufficient mind and memory to make a will and that influence and fraud had been used in procuring him to make such a will. The Register, after hearing the testimony of the subscribing witnesses, refused to admit the will to probate, and certified the present issue to the Court for trial.

Mr. Mitchell being related to both our Judges by marriage they could not try the case. They so certified, and called upon Hon. A. McDermitt, President Judge of Mercer county, to try it.

Geo. A. Jenks, of Brookville, Jefferson county, was present and, with local counsel, represented the defense. Mr. Jenks was comparatively a stranger personally to our people, yet his reputation as an upright and able lawyer and statesman has reached every town and hamlet in the country. His politeness and his strict observance of the rules of professional courtesy won the respect of every one.

The case came on trial on Tuesday the 21st. The Protzman boys and girls, who are witnesses to the will, were first called. Mr. Jenks moved the Court for an order removing the young Protzmanns from the Court room and let each one be called and testify with the others absent. One of the defendants filing an affidavit that he had reason to believe there was collusion and signs between these witnesses which he had observed at the hearing before Register Gallaher, the motion was granted and the witnesses retired to one of the jury rooms and were called one by one and testified.

John Protzman said: A short time before the will was made Mr. Douglass requested him to come to Butler and Mitchell to come out and bring his papers and some writing paper; that on the 31st of Dec., 1880, his father came to town and brought Mr. Mitchell out in a sled; that it was after dinner, and that after Mr. Mitchell got something to eat (and by the way Mr. Mitchell was never known to refuse) he went into the room, and it was made known to Mr. Douglass that Mitchell was there. He said, "Mr. Mitchell, did you bring my papers and some writing paper," Mitchell said he had. Mitchell gave him the papers, and they moved up to the fire and threw two deeds and a former will into the fire; he asked if they were burning; somebody said they were; he then said, now, Mr. Mitchell, I want you to write me out another will: Mitchell says, how do you want it made: Douglass said, I want to divide my town property into four shares, one for Protzmanns, one for James Douglass, one for Wm. Douglass and one for you, Mr. Mitchell; Mr. Mitchell says, thank you, Mr. Douglass, you are very kind; that Mr. Mitchell wrote as Douglass told him, and when it was done, read it over, and Douglass said it was right—just as he wanted it; then Douglass asked if the children were present; he was told that John and William were in the

room and Maggie and Mary were in the kitchen; he said, call them all in, I want them to sign my will; then Douglass said to John, steady my hand so I can make my mark; after he had made his mark he said, it is plain—can it be seen; then they signed as witnesses, and he told Mitchell to take the will, keep it and see that it is carried out.

On cross-examination this witness said that Mitchell did most of the talking; he recollects he corrected himself and said Douglass did the talking, but again being interrogated by Mr. Jenks he said Mitchell would write, then read it to Douglass and ask him if it was right, and Douglass would say yes. The testimony of all the Protzmanns, father, mother and other children, did not vary from John's statement.

August Jackman was called in sometime the following May to sign as a witness. The will was read to Mr. Douglass, but he refused to let Jackman sign as a witness. In June he was sent for again. This time the will was not read. Mitchell just pressed the paper against Douglass's hand and said, this is your will, and Douglass said yes—yes, and then Jackman signed as a witness.

Each of the Protzmanns testified that they had not tried to influence the old man in making a will in their favor.

Mr. Mitchell testified that he had been the attorney and confidential adviser of Mr. Douglass for about 20 years. Mr. Douglass told him one day that he would like to see what he could do for him if he used no fraud or persuasion to get the devise made by Mr. Douglass to him. That he had visited Mr. Douglass almost every week for the last year or two of his life. That Douglass had sent Protzman on Sabbath day for him to come out and see if he could do anything for him to show testimony of the Lutheran church in Summit township to bury him there. That if he was buried on the farm, people had prejudices and might desecrate his grave. That many of the settlers were buried there and that in early years he was instrumental in getting that piece of ground set apart as a cemetery.

The Protzmanns, Mr. Jackson and Mr. Mitchell, all testified they believed Mr. Douglass of sound mind and had capacity to make a will on the 31st of December, 1880.

The plaintiffs rested.

Mr. Jenks gave notice that the defence would take the position that the burden of proof was upon the plaintiffs to show, by testimony, competent or difficult to obtain, kidney disease, or difficult urination, kidney diseases, \$1. at druggists. Prepaid by express, \$1.25, 6 for \$5. E. S. Wells, Jersey City, N. J.

Wanted Immediately. A few good responsible men to canvass for Stone's Nurseries, of Rochester, New York. Good salary will be paid. For particulars, apply to JOHN BERDEMAN, Butler, Pa.

"Buchupaiba." New, quick, complete cure 4 days, urinary troubles, syphilis, rheumatism or difficult urination, kidney diseases, \$1. at druggists. Prepaid by express, \$1.25, 6 for \$5. E. S. Wells, Jersey City, N. J.

W. Alford, Merchant Tailor, is now prepared to take your order for early spring garments, offering forty styles. New designs in fine suitings at \$25 for suits. These goods are equal to the best French makes. Also, fine French worsted in black, blue and fancy styles at equally low prices.

American Ladies. The first impression Sara Bernhardt received of the American ladies manifested itself thusly:—"Oh! ze ladies, ze are so beautiful, such clear complexion I never see before, full of life, it is due to the universal use of Swayne's Ointment for skin diseases, which insures a clear and clean complexion and a healthy color. This recalls to mind the divine precept 'cleanliness is next to Godliness'."

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Men's, Boys' and Children's overcoats, at less than cost, at Heck & Patterson's.

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See prices on carpets at Heck & Patterson's before buying.

Drums, fies, mouth organs and jews harps, at J. F. T. Stehle's.

Fine Accordians at J. F. T. Stehle's.

Just Received. A large stock of all the new shades of Belding Bros & Co., celebrated Knitting Silk, the best in the world at L. STREIN & SON'S.

Man's Ingratitude. This is an ungrateful world to say the least. A man will act like a lunatic when he has the Itching Piles, and declare that he knows he can't live another day, yet he applies Swayne's Ointment, the intense itching is allayed at once, he gets cured, and goes down to the lodge with-out one word of gratitude. When asked why he looks so cheerful, he dodges the question by an indifferent answer. Its just like a man though, isn't it?

DEATHS. BALPHE—At his residence in this place on Thursday morning, March 23, 1882, William Balphe, in his 75th year of age. Mr. Balphe was a well known and active citizen of this place for many years past. At one time, about forty years ago, he served a term as Register and Recorder of this county.

HAYS—In Franklin township, this county, on the 23rd of March, 1882, Mr. John K. Hays, aged about 79 years.

McGEARY—At the residence of his son, John G. McGeary, in Buffalo township, this county, March 23d, A. D. 1882, Mr. William McGeary, Sr., in the 50th year of his age.

Mr. McGeary was a respected citizen in the community in which he lived, and a useful member of the church. He was a member of the Presbyterian congregation of Clinton township, in the year 1835, at the organization of the congregation.

NOTICE. Petition for Dissolution of Partnership of Company. In the Court of Common Pleas of Butler county: In the matter of the application of the Bonanza Oil Company for a decree of dissolution.

Notice is hereby given that the Bonanza Oil Company, a corporation organized under the Act of April 29, 1874, entitled, "An act to provide for the incorporation and regulation of certain corporations," will, on the 25th day of April, A. D. 1882, present to the Court of Common Pleas of Butler county, under the seal of the said corporation, and by and with the consent of a majority of a meeting of its incorporators duly convened, a petition praying for a decree of dissolution of the said corporation under the provisions of the act of Assembly in such case made and provided.

EUGENE G. MILLER, Solicitor for the Bonanza Oil Company, 229-30.

\$72 WEEK. \$75 a day at home easily made. Postly Quirt free. Address THE E. & Co. Augusta, Maine. mar29ly

by Col. Thompson and Judge McCandless for plaintiffs, and Mr. Campbell and Mr. Jenks for defendants, and occupied two hours on each side.

His Honor Judge McDermitt charged the jury that there was a growing disposition in courts and juries to interfere with wills which ought not to be tolerated. That a man's will ought to be sustained unless clearly proven that there was a want of testamentary capacity, and that it was procured by fraud or undue influence.

That the law presumes that every man is capable of making a will, and that there was not sufficient evidence of want of testamentary capacity in this case to submit it to the jury and, therefore, the jury were instructed to find for the plaintiffs on that branch of the case.

On the other branch of the case fraud and undue influence must be proved and not inferred. That there was no direct proof of fraud and undue influence. If the jury believe the testimony of Mr. Mitchell they should find for the plaintiffs; if not, for the defendants.

The jury after being out a short time returned a verdict for the plaintiffs, which sustained the will.

The defendants will take the case to the Supreme Court and are very sanguine of reversing the Court here.

The Supreme Court in a number of opinions has set the seal of disapprobation upon attorneys acting as such and in violation of the rules which they take to themselves large portions of the property devised.

The defendants claim that in Cuthbertson's Appeal, a recent case decided by the Supreme Court, that tribunal held that a will made by a man who was admitted to be in good mind, but the will drawn by his lawyer who was a clerk in the office of the defendant could barely be established. That it is against public policy to countenance such instruments, and that when this case comes before that Court, the most remarkable will case ever tried in the State, the decision will be in effect, not only to pronounce this will void, but that all wills hereafter made under like circumstances shall be entirely void.

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CHARLES R. GRIER, DEALER IN HATS, CAPS, GENTS' FURNISHING GOODS. MAIN STREET, BUTLER, PA.

TRIAL LIST FOR SPECIAL COURT, COMMENCING 24th APRIL, 1882. Table with columns for No. Term, Party, Plaintiff's Attorney, Defendant's Attorney, and Defendant's Attorney.

It Tells Its Own Story. LANCASTER, N. H. Dec. 3, 79. By the way I will say that I think Dr. Allen's Elixir the best cough remedy that I can find at our Druggists. We always use it.—J. S. Peavey, Pub. Republican.

1882. A. TROUTMAN, 1882. Dry Goods, Notions and Trimmings! Large Stock! Lowest Prices!

Extra good value in all kinds of Dress Goods, from the cheapest Calico up to Silks and Satins. Shawls of all kinds in Wool, Cashmere and Brocade. Cassimere, Jeans, Tweeds, Ladies' Cloths, Flannels, Shirts.

UNDERWEAR FOR MEN, LADIES AND CHILDREN! SPECIAL FOR EARLY SPRING. EMBROIDERY AND INSERTING.

I have received and am showing one of the largest stocks of Embroideries and Insertings that is to be found, extra quality and patterns, at the very lowest prices. Table Linens and Napkins, in bleached, half bleached, unbleached and Turkey red. Towels, Toweling, Sheetings. All the popular makes of!

BLEACHED MUSLIN, Lonsdale, Pocohontas, White Anchor, Fruit of the Loom, Wamsuta, Unbleached Muslin, &c. New White Goods, White Spreads, Lace Curtains, Yarns, Zephyrs, Hosiery.

GLOVES OF ALL KINDS,