

The Daily Review.

Towanda, Pa., Saturday, Jan., 24, 1880.

EDITORS:
S. W. ALVORD. NOBLE N. ALVORD.

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OF INTEREST TO MONEY LENDERS AND BORROWERS.—Judge Williams of Tioga county has rendered a decision in regard to usurious interest which does not accord with the views of all the members of the Bench in the state. The judge states his position in unequivocal language, and he will probably be sustained by the Supreme Court. Most judges here hold that an amicable revival of a judgment barred the defendant from claiming an offset on account of illegal interest. Judge Williams thinks it does not. The decision was rendered in the case of Smith vs Elliott in Tioga county. The Judge says:

"On examination of the evidence, it seems that 12 per cent. was paid upon the sum loaned until September, 1877, when the last payment of interest was made prior to the judgment on the amicable scire facias. Before the next year ended this judgement was obtained. During the whole time, therefore, preceding the judgment now sought to be opened, the rate of twelve per cent. had been paid, except for the first year, and for that year it had been included in the note.

"If we refuse to open this judgment, it is difficult to see under what circumstances we ought to extend relief. The opening of a judgment is said to be a matter of discretion, but that discretion is to be exercised in accordance with decided cases. The act of 1858 and the cases under it leave no reason to doubt that the defendant has the right to refuse payment and retain the stipulated usury. The court is not the keeper of the defendant's conscience, but the custodian of his legal rights; and as the defendant in this case invokes the aid of the Act of Assembly, we see no legal reason for refusing it. The rule is therefore made absolute. Issue to be made by the entry by defendant of the plea of payment with leave."

In this conclusion, after examination, the Court are unanimous.

The *Tribune Almanac* does not have any encyclopaedic aims. It is a common sense manual of American politics intended for actual use by a practical public.

The general table of contents of the present issue will be familiar to the public. After the calendar and astronomical observations is placed a digest of the public laws of the regular and extra sessions of Congress, with summaries of the party platforms adopted in 1879 and the Constitutional Amendments enacted and sanctioned in the various States.

The Almanac has been compiled by the Hon. Edward McPherson, a statistician of National reputation, who has conducted the series for several years. The price remains as before—twenty-five cents for each copy—with the usual discount to the trade. The Almanac for 1880 will be sent post-paid to any address in the United States, on receipt of price, and all orders will receive immediate attention.

At Chicago in 1868 not a single vote was cast against the nomination of Gen. Grant. At Philadelphia in 1872 the same record was made. No other President in our history enjoyed such unanimity of support among his partisans for two consecutive terms. And now that the third term spook has been allayed by the intermission of four years since the close of his last administration, it is not improbable that at Chicago next June this same record will be repeated again.—*Washington Republican*.

The signs of the times give assurance of a slow but steady revival of business enterprises in the old world as a reflex of the condition of things in the new. There it must necessarily be much more tardy than with us, the number out of employment being larger and the competition from this side of the water so pressing and marked. This is shown by our ability to successfully compete with

many European manufacturers upon their own ground and in the markets of all the nations of the world.

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