

The Fulton County News.

VOLUME 4.

McCONNELLSBURG, PA., OCTOBER 16, 1902.

NUMBER 5.

OCTOBER COURT.

Adjourned Thursday Forenoon, All the Old Cases Cleaned up.

For the first time in several years we have a clean calendar—all the old cases having been disposed of. As we went to press last week the Road Plow case was being tried. Following is an abstract of the principal cases.

F. C. Austin Mfg. Co., now use of Miss Florence Hanks, vs. The township of Ayr.—In September 1892, an agent for a road plow called on George W. Glenn and David L. Rinedollar, at that time supervisors of Ayr township, with a view to selling the township one of the machines. It was finally understood that the agent should have one of his plows shipped, and if it came up to his representations, the supervisors would buy it for the township. Accordingly on the 20th of November a test was made of the machine at Jugtown, and on the road near Dr. Cook's, in the presence of the agent, the supervisors and a number of taxpayers of the township, many of the taxpayers protesting against the utility of the machine and its purchase by the supervisors.—The supervisors, however, used their own judgment and bought the plow for \$250, giving two notes—one payable December 1, 1893, and the other, December 1, 1894, both with interest from date. The term of office of the supervisors who had purchased the plow had expired, and others serving when the notes became due, and they, with each succeeding set of officers, refused to pay the notes, which soon after the sale of the plow, had been purchased by Miss Florence Hanks of Brush Creek township.

Just prior to the end of six years limitation, suit was brought against the township for the payment, and the matter was heard in court, October term 1899.—Judge Swope, holding that there was not sufficient deliberation on the part of the supervisors, ordered a compulsory nonsuit. An appeal was carried up to the superior court which reversed the lower court, and the case was sent back for trial again.

At the trial the Court held that before the order requesting the shipment of the plow on trial was given, there was no deliberation on the part of the supervisors. The Court directed the jury to find for the defendant. Exceptions were taken to the opinion of the Court, and the case will, likely, again be taken to the superior court.

Mrs. Sarah A. Pittman vs. Geo. W. Cooper.—Mrs. Pittman owns the property in which is H. C. Smith and Co.'s store. George W. Cooper owns that adjoining on the east. A few years ago Mr. Cooper built a house on his lot adjoining, and filled up the lot back of the new building. He also erected a shed along the line, the roof projecting over Mrs. Pittman's lot. Mrs. Pittman claimed that the water thus turned onto her lot by the filling of his lot and by the drainage from the shed roof, damaged her lot and caused her cellar, and that of her tenant, the storekeeper, to be flooded, thus causing damage to her property as well as loss of rent. This case was down for trial two or three times before this, but as often continued. This case came before the jury Wednesday forenoon and was not disposed of until Thursday morning when the jury returned a verdict of twenty-five dollars damage to be paid by Geo. W. Cooper to Mrs. Pittman, and Mr. Cooper, of course, to pay the costs.

Among the suits for trial were (1) Elsie Greathed, admx. of Hepzibah Greathed, dec'd, vs. John W. Greathed, and (2) W. E. F. A., and G. W. Greathed vs. John W. Greathed.

In the first suit it appears that Sarah and Hepzibah held a note against John W. Greathed. After the death of Hepzibah, Sarah

and Mrs. Thrasher, another sister, by some arrangement with John W., surrendered the note, Sarah taking her individual note for her share in the note, to wit, \$700. The other heirs of Miss Hepzibah, not being satisfied with this arrangement, letters of administration were granted to Miss Elsie Greathed, a niece, who instituted suit against John W. for sum due Hepzibah.

In the second suit, Miss Sarah for several months prior to her death lived in the home of John W. Greathed, and during her residence there, made a will in which John W. was the principal beneficiary. After her death the foregoing plaintiffs filed a caveat attacking the validity of the will, alleging (1) lack of testamentary capacity, (2) undue influence, and (3) that the will was procured by duress and fraud practiced upon Sarah by the defendant, who was named as one of the executors.

By agreement of the parties interested the cases were settled as follows:

John W. Greathed is to confess judgment in favor of the plaintiff in the above stated action, No. 5 Mch T. 1900, in the sum of Seven Hundred (\$700) dollars and costs, without prejudice to the right of the said John W. Greathed to participate in the distribution of the estate of the said Hepzibah Greathed, dec'd, and to claim therefrom on the distribution whatever share or shares he may be entitled to, but he is not to claim anything on account of any funeral expenses or other expenses paid by him heretofore on account of the estate of said Hepzibah Greathed, dec'd.

The said John W. Greathed is further to pay to Geo. W. Greathed, F. A. Greathed and Wm. E. Greathed each the sum of one hundred dollars, the same to be secured by judgment. In consideration of the above the issue to test the validity of the will of Sarah Greathed, dec'd, is to be determined in favor of the proponent of the will, John W. Greathed, and no appeal is to be taken by the caveators, but the said John W. Greathed is to pay all costs which have accrued upon the proceedings in relation to the contest concerning said will including the costs upon the feigned issue aforesaid.

Nothing in this agreement is to prejudice the right of the said John W. Greathed to participate in the distribution of the estate of Hepzibah Greathed as an heir or as a legatee under the will of Sarah Greathed or as the owner of the share of Elizabeth Thrasher, his sister.

John W. Greathed is to pay one-half of the \$700 judgment, to wit \$350, within thirty days from this date, and also, the \$100 each to Geo. W. Greathed, F. A. Greathed, & Wm. E. Greathed within the same time.

The balance of the \$700 judgment not to be paid until distribution of the estate of Hepzibah Greathed, and then only such portion as may not be awarded to John W. Greathed, and is to be charged no interest on the same.

George Finiff, Sr., of Tod township thinks he knows about as much as any of them as to where Lewis the Robber hid some money. A few years ago, Mr. Finiff says, he was out in a lonely part of the mountain, he didn't say just what mountain, and found sticking in a tree a butcher knife with an old fashioned horn handle. The knife had been stuck into the tree when it was a mere sapling by Lewis, maybe, to mark the spot where he had buried money. So long ago had the knife been put there that the tree had grown out to the handle, embedding the entire blade. So good was the steel of which knives were made in those days, that when the blade was removed from the tree, although the handle was much decayed, the blade was bright as new.

Subscribe for the News.

CUPID'S LITTLE ARROW.

Brings More People to the End of Their Troubles.

STRAIT—SCHOOLLEY.

On October 9, at the M. E. parsonage by the Rev. A. D. McClosky, Samuel J. Strait of Hustontown, Pa., and Wretta E. Schoolley of Saluvia, Pa.

MELLOTT—SWOPE.

Mr. Anthony Mellott and Miss Ada J. Swope both of Pleasant Ridge, this county, were married in the parlor at the Washington House in this place on Tuesday afternoon, October 14, 1902, by Rev. Dr. West. The bride and groom have the best wishes of a large circle of friends for their happiness and prosperity.

LAIDIG—HAMPTON.

Mr. Hiram Laidig and Miss Bessie Hampton, both of Laidig, this county, were married by Rev. A. G. Wolf at the Lutheran parsonage in this place on Tuesday, October 14, 1902. The bridal party left immediately after the ceremony for a trip to Franklin county where they will visit relatives and friends of the groom.

LOCKE—PARSONS.

At the M. E. parsonage in Burnt Cabins, Pa., Monday evening, October 6, 1902, by Amos S. Baldwin, Presiding Elder of the Juniata District, Mr. John E. Locke of Braddock, Penn'a, and Miss Effie L., daughter of Mr. and Mrs. Geo. W. Parsons, were united in marriage. They at once left for Braddock where the groom, a former Dublin township boy, has a good position, and a well furnished home prepared for his bride. Many friends wish them much happiness.

Saluvia.

Mrs. Amy Hann is visiting relatives in Wells Valley. Charlie Mann who is employed in Wells Valley, spent several days at his home last week.

Mr. and Mrs. Samuel Strait were visiting relatives at Hustontown Friday.

George H. Hann who is employed at Clearfield, is visiting relatives at this place.

S. K. Pittman of Harrisonville has been seriously ill the past week.

Allan Sipes of Toledo, Ohio, after an absence of thirty years, is visiting his brother Theo. Sipes of Harrisonville.

Mrs. Rhoda Keefer and daughter Miss Malinda of Franklin county, were visiting Mrs. Keefer's brothers Joseph and R. R. Sipe and other friends in this vicinity.

Mrs. Nathan Mellott, of Sipes Mill was called here by the dangerous illness of her son Charles H. Mellott.

George McDonald who has been employed by the Western Union as lineman in Somerset county the past summer, has been transferred to the line along the State Road. They are now putting up a number of new wires on that line.

W. E. Bair and George Schoolley, who are employed on the Telegraph line on the State Road, were visiting their respective homes over Sunday.

James B. Horton moved his family to Wells Tannery, last Tuesday, where they will reside in the future.

Emanuel H. Sipes, left for Franklin county Monday, where he expects to secure employment.

L. R. Swartz, our practical well driller, is engaged in drilling a well for Homer L. Sipe.

Charles H. Mellott, whose illness had been noted in the News died this Monday morning. A more extended notice next week.

Prof. Conn, the shoe salesman, who spent Sunday at the Green Hill House, attended services at the Presbyterian church Sunday. The Prof. sang several selections that added very much to the interest of the Sunday school.

T. J. Weiner, Hancock's enterprising merchant, has a new ad this week. Go in and see his store when you go to Hancock.

Mrs. Rebecca Carbaugh.

Mrs. Rebecca Carbaugh died at 6 o'clock Friday morning, September 19, 1902, at the home of her son-in-law, Geo. W. Deshong near Big Cove Tannery, of diseases incident to old age. Deceased was born in Adams county, Pa., in 1821, and lived 81 years 7 months, and 4 days. She was married to James Carbaugh, and spent her married life in Fulton county. Her husband preceded her to the grave years ago. She is survived by one sister, Mrs. Margaret Johnson of Greencastle, and by eight children—William, John S., of the Corner, Austin, Knobsville; Mrs. Geo. Glenn, Webster Mills; Mrs. G. W. Deshong, Big Cove Tannery; Mrs. Lew Tittle, London, and Mrs. Barney Gordon, Plum Run. She was a noble Christian woman and a member of the Lutheran church. Her funeral occurred at 2:30 on Saturday September 20, and was conducted by Rev. Chambers.

Licking Creek.

Irwin Sipes and family spent Sunday at Harry Mumma's.

George Hoop and wife, spent Saturday with Mrs. Hoop's sister, Mrs. Lewis Mellott.

Miss Lizzie Wink is spending several weeks with her sister, Mrs. Lucy Mellott, who has been ill, but is much better.

Mrs. Collie Reed, who had an attack of fever, is much better.

Ulysses Deshong and wife, spent Sunday at Richard Deshong's.

Harry Mumma is preparing for cold weather by building a new chicken house.

Miss Susan Barnes, who has been with Mrs. Thomas Rash for sometime has gone to Berkeley Springs, where she is employed.

John Bard and son Virgil have Dr. Hoop's house under roof and three stories high.

The annual love feast will be held at the Dunkard church in Belfast township, October 24th and 25th.

John Wink made our merchant Joe Lake a present of a pumpkin weighing 86 lbs. He raised several others weighing over 100 lbs. Can anyone beat that?

Miss M. Alto Lake, who had been visiting her sister at McConnellsburg returned home last week.

Simon Deshong has purchased a new surrey.

The farmers have their corn cut, and buckwheat put away.

Miss Roxy M. Sipe is employed in Franklin county.

The well drillers are putting down a well at H. L. Sipes.

John E. Deshong is wearing a smiling face, as a stork left with him a baby boy.

Cleveland Strait, David Strait and Reamer Sipe who were cutting corn in Franklin, have come home. They say the corn is a good crop over there.

The gunning season is almost here; then the boys will have sport.

A wild cat was heard on Stone Ridge by G. L. Decker, Ralph Decker and Rexey Sipe. It gave the boys a chase, but they escaped all right.

One of Licking Creek's teachers, going to school last Wednesday morning, espied two raccoons on a tree in Lick Hollow. As luck would have it they were near the home of the noted coon hunter, Milton Decker, who was called to come and kill them. As soon as he saw them he said, "They are our meat, George; we need no dog to chase them as long as I have an eye on them."

The carpenters have completed the frame of G. B. Sipes' building. The raising was last Tuesday.

Neighboring counties are being worked by a slick scoundrel who represents himself as an agent for a city clothing house, and takes orders for suits at \$15, receiving \$5 down, the balance to be paid when the suits are delivered. Of course, the suits are never delivered.

Thompson.

Rev. George Martin preached a very able sermon at Antioch last Sunday.

Dr. Fisher of Warfordsburg, and Dr. Myers of Martinsburg, W. Va., were in consultation over the illness of W. H. Hess last Friday. Mr. Hess's condition does not seem to be improving.

Mr. and Mrs. S. C. Peck spent last Sunday with the family of Jacob Hess.

George N. Garland of Washington, Pa., was a visitor in the family of P. P. Shives last week.

Mr. and Mrs. J. C. Comer visited friends at McConnellsburg and in the Little Cove last week. James Johnson and Nellie Hess were guests of John Hess last Sunday.

Mrs. Dennis Gordon and Mary Etta Evans spent last Monday with W. H. Hess.

Pleasant Ridge.

W. F. Hart and family of Needmore, spent Sabbath with Mr. J. W. Lake's at Pleasant Ridge.

Mrs. Lewis Mellott spent Friday afternoon at W. F. Wink's.

Miss Laura Deshong of Pleasant Ridge has gone to work for Uncle John G. Shaffer at Needmore.

Mr. W. F. Wink, wife and little daughter, spent Sabbath with Mrs. Wink's father and mother, Mr. and Mrs. Morgan Deshong.

Mrs. Abbie Deshong spent several days last week visiting her niece Mrs. Wm. Wink, and other friends along the creek.

Mr. W. F. Wink, who has an enormous lot of pumpkins, has one which weighs 58 pounds.

McKibbin.

Some of our farmers are done seeding while the rest on account of the wet weather are still seeding.

Howard L. Mellott has returned from Potter county where he has been employed in the woods the past summer.

Ross A. Bard intends to remove his family to Clinton county in the near future.

John A. Henry the enterprising stock dealer of Clear Ridge, was driving cattle through here last Tuesday.

A protracted meeting will commence at Pleasant Grove Monday night, Oct. 20.

Mr. and Mrs. Wm. Truax and Misses Delphia Truax and Erma Hess visited John M. Truax's, Sunday.

Mrs. Ledridge of Akersville, is visiting her daughter, Mrs. W. H. Lake at present. They spent Thursday with Mrs. Hayes Morgret.

George W. Garland of Washington, Pa., passed through our vicinity last Tuesday enroute to his mother's Mrs. Daniels of Sipes Mill.

Mrs. Mary Truax is our champion pumpkin raiser this year, having raised several large ones, one of which weighed 73 another 51 1/2 another 45 1/2 pounds.

Needmore.

Mrs. Louie Hixon, daughter of Mr. Israel Hill, is visiting her parents and other friends here.

Mr. Dwight Mason's smiling face was seen in our midst one day last week.

Mrs. Isaac Conner, mother of Mrs. T. W. Peck, has been spending a few days here with her daughter.

Mr. Martin Bruner of Darke county, Ohio, is visiting the family of Mr. George F. Smith and other friends in this vicinity.

Uncle John Shafer is moving into a house belonging to Job and Howard Garland.

On the 8th inst. the Presbyterian church at New Bloomfield, Perry county, Pa., extended a call to the Rev. I. Potter Hays, of Wrightsville, Pa., to become their pastor. The early action of Shermansdale congregation, a part of the charge, in the same direction is anticipated.

Miss Iva Mellott of Brush Creek is employed sewing at M. E. H. Bard's at Pleasant Ridge.

Pertinent Paragraphs.

J. W. Stech, and J. W. Johnston of Altoona are spending a few days here this week on their return from a trip to Baltimore.

B. F. Simpson spent a few hours in town Monday. He lost a valuable horse last Wednesday from lung fever. The prospectors for coal have not abandoned their work.

Miss Myrtle Stevens, teacher of the Clear Ridge school, called at the News office a minute while in town last Saturday.

A total eclipse of the moon will occur soon after midnight on Friday morning of this week, and will be visible here if it is not cloudy.

J. N. Nelson, of Huntsville, Logan county, Ohio, is visiting friends in the Cove after an absence of eleven years, looking hale and hearty. He has four brothers two sisters and many other relatives, and a host of friends here.

D. D. G. M., J. V. Deavor installed the following officers at McConnellsburg Lodge I. O. O. F. last Friday evening: N. G., Geo. B. Daniels, V. G., Dr. W. L. McKibbin; secretary, L. H. Wible; treasurer, C. B. Stevens; Rep. to G. L., Geo. A. Comer.

John T. Kerr, Esq., of Aurora, Ill., is visiting here, the first time for 30 years. He left here after making a fortune at teaching school in Ayr and Bethel township, and went west; and was, for several years, largely engaged in the tile business in his city, at which he has been very successful and has materially added to his fortune.

The first local institute of the present school term in Licking Creek township was held last Friday evening at Siloam, which proved to be one of great success. It was very well attended by the patrons of the school, and the topics were very well discussed by the fourteen teachers present. Much literary work was well rendered by the pupils of the school, which was very much enjoyed by all. The audience adjourned feeling much benefited, and wishing others to follow in having institutes.

In one of Editor Barron's letters some time ago, he referred to the time fifty or more years ago when he found himself up against Davy Gillis at a spelling school over in the Dutch Corner. Mr. Gillis was in the News office a few days ago and spoke of that spelling school, and of the advance that had been made in public sentiment in regard to popular education since that time. Said Mr. Gillis, "I was just thinking the other day as I read in the News the names of the men who were candidates for school director at that first election in 1851. John Barron, Editor Barron's father, one of the most intelligent and progressive men in the township, a man whose sons have risen to eminence and usefulness through the fact that the father recognized the value of education—John Barron was defeated for the office of school director by a large majority. I went to school in the township the following winter," continued Mr. Gillis, "and one of the men who had been chosen instead of Mr. Barron, came into the school, and because he had heard that some one of the boys had brought a Smith's Grammar to school with a view to learning how to use his mother tongue with some degree of correctness, gave the teacher to understand in very much more emphatic than polite language that there would be no new fangled notions put in to the heads of the scholars in that school. The grammar had to go. Of course, we studied nothing but spelling, reading, writing and arithmetic, and instead of seven months, our term was only three months a year."

Miss Jennie E. Cooper, of Chicago, whose visit here a few weeks ago was interrupted by a telegram to return on account of sickness, is now here again to complete her visit. We hope that nothing may occur to prevent her staying and enjoying a long visit with the friends of her school days.

Mrs. S. J. McCauslin, and Mr. and Mrs. J. R. Kirkpatrick and son of Philadelphia, who had been spending a few days visiting their relatives here, returned home Saturday last. Miss Cora V. Shoemaker will remain home until the last of this month.

Miss Jennie E. Cooper, of Chicago, whose visit here a few weeks ago was interrupted by a telegram to return on account of sickness, is now here again to complete her visit. We hope that nothing may occur to prevent her staying and enjoying a long visit with the friends of her school days.

Mrs. Fanny M. Akers spent a few hours in town Monday ordering sash and doors for her new house. She also called at the News office and left us some cash to advance her subscription, and also presented the Editor's family with a mammoth pumpkin, the largest we have seen for many a day.

David Knepper of Taylor township called at the News office a few days ago. His father, Solomon Knepper bought the farm east of town now owned by Judge Morton, from John Barron, and moved there in 1853. Mr. Knepper has in his family a Bible that the Barrons left there that was printed in 1788, and is said to be grandfather Barron's old Bible.

Mrs. David Harr of Belfast township, sent the Editor's family the other day, a head of cabbage, which for size and quantity, beats anything in the cabbage line that has been given us this season. The head weighed 19 pounds, and measured 4 inches less than five feet in circumference, after all loose leaves had been removed. It was too large to enter the top of a flour barrel.

Wanted—to buy—A good Single or Double Driving Horse.—Safe, Sound & Trusty. Weight from 11 to 12 hundred pounds or over. Must be young & good traveler & Guaranteed to be as Represented. None others need apply.—D. A. Black, Six Mile Run, Bedford Co., Pa.

LOCAL AND PERSONAL.

Brief Mention of Persons and Places You Know.

Miss Katie S. Fore has been nursing a felon on her left thumb for the last three weeks, and prospects are good for three weeks more.

George Bard of Pittsburg is quite ill at the home of his brother William Bard near Needmore. Dr. Swartzwelder is the attending physician.

George Garner, George Snotts, John and Lewis McQuade—all of Altoona, are spending a few days among their respective Fulton county friends.

Quarterly love feast will be held in the M. E. church in this place on October 19, at 9:30 a. m. Preaching and communion service at 10:30, and Sunday school at 2:00 p. m.

Mrs. W. R. Palmer of Sipes Mills who has been in Everett for some time under medical treatment, has returned to her home.

Mr. and Mrs. John Lamaster and daughter Ethel of Franklin county and Miss Katie Fore spent last Sunday with Mr. and Mrs. Grant Baker and had a very enjoyable time.

Miss Katharine Palmer Hart, who has been spending several days with her uncle and aunt Mr. and Mrs. J. W. Lake of Pleasant Ridge, returned to her home at Needmore last Sabbath evening.

Mr. and Mrs. John Lamaster and daughter Ethel of Markes, Franklin county, were visiting Mrs. Lamaster's father Daniel E. Fore, Esq., of Tod township last week.

Mr. John Porter who spent his boyhood days in McConnellsburg and who has been a resident of Kansas seventeen years, dropped in on his old friends here a few days ago for a short visit. John looks like the West was taking pretty good care of him.

Mrs. S. J. McCauslin, and Mr. and Mrs. J. R. Kirkpatrick and son of Philadelphia, who had been spending a few days visiting their relatives here, returned home Saturday last. Miss Cora V. Shoemaker will remain home until the last of this month.

Miss Jennie E. Cooper, of Chicago, whose visit here a few weeks ago was interrupted by a telegram to return on account of sickness, is now here again to complete her visit. We hope that nothing may occur to prevent her staying and enjoying a long visit with the friends of her school days.

Mrs. Fanny M. Akers spent a few hours in town Monday ordering sash and doors for her new house. She also called at the News office and left us some cash to advance her subscription, and also presented the Editor's family with a mammoth pumpkin, the largest we have seen for many a day.

David Knepper of Taylor township called at the News office a few days ago. His father, Solomon Knepper bought the farm east of town now owned by Judge Morton, from John Barron, and moved there in 1853. Mr. Knepper has in his family a Bible that the Barrons left there that was printed in 1788, and is said to be grandfather Barron's old Bible.

Mrs. David Harr of Belfast township, sent the Editor's family the other day, a head of cabbage, which for size and quantity, beats anything in the cabbage line that has been given us this season. The head weighed 19 pounds, and measured 4 inches less than five feet in circumference, after all loose leaves had been removed. It was too large to enter the top of a flour barrel.

Wanted—to buy—A good Single or Double Driving Horse.—Safe, Sound & Trusty. Weight from 11 to 12 hundred pounds or over. Must be young & good traveler & Guaranteed to be as Represented. None others need apply.—D. A. Black, Six Mile Run, Bedford Co., Pa.