

Johnstown Weekly Democrat.

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JOHNSTOWN, CAMBRIA COUNTY, PA., FRIDAY, MARCH 14, 1890.

NO 47

COURT PROCEEDINGS.

FRIDAY MORNING.

The case of the Commonwealth vs. Mary Farrell, begun in the afternoon, was concluded. Briefly, the facts as adduced by the evidence are about these: Mrs. Biddy Woods, of Prospect, kept a "speak-easy" in that building. On February 24th a number of the friends of Mrs. Woods were at her house, when Patrick O'Connell came in and asked for beer. It was furnished him, and some trouble resulted about the paying for it. This was about 10 o'clock p. m. The women present, among whom was Mrs. Farrell, wife of Andy Farrell, took up the case for Mrs. Woods, and rather summarily ejected O'Connell. He went to the kitchen door to effect an entrance, but when the door was opened he was met by a shower of missiles, among which were two pokers and a butcher's knife. The latter took effect above the eye, resulting in its loss. Mrs. Farrell, it was charged by the prosecutor, threw the knife. One of the witnesses swore to this. Others saw it strike him and saw him fall. Dr. W. B. Lowman, who attended O'Connell testified that the wound was made by some sharp instrument like a knife and not by a fall or by a poker. O'Connell was drunk at the time and could not tell just what happened. Mrs. Farrell, while on the stand admitted all but the throwing of the knife. Chal. L. Dick and F. P. Martin defended Mrs. Farrell.

The jury deliberated only a short time, when they returned a verdict of guilty in manner and form as indicted, but recommended her to the mercy of the Court. Her counsel made a motion in arrest of judgment. The matter will come up on Monday next, when it will be disposed of finally.

Commonwealth vs. James Farrer, resisting an officer. *Nolle prosequi* entered on payment of cost by defendant.

Patrick O'Connell, charged with various kinds of assault and battery pleaded guilty to simple assault and battery, and was remanded to jail for sentence.

On Friday the case of the Commonwealth vs. Harry L. George, fornication and bastardy, was taken up. He was found guilty, but on the charge of seduction and bastardy he was acquitted, the act not having been committed in this county.

Bertram Simon, was convicted of assault and battery. This case came from Gallitzin, where the defendant keeps a store. The difficulty was between him and a customer.

The case of the Commonwealth vs. Andrew Urbanitz, murder, was put on trial Friday afternoon.

EBENSBURG, March 8.—Yesterday afternoon Court took up the Peters gambling case. The several witnesses, who were all colored men, testified to having played cards there, one of them saying he had lost money there in games. The others played for drinks in various ways, but they did not consider that they were gambling. Mr. Peters was the only witness examined in his defense. He did not know if any gambling was done at his place. The instruction of the Court to the jury was to the effect that no conviction could be made, as the indictment was drawn up under the act of 1860, whereas there was a later act—that of 1881—under which he might also be convicted, and this point is guarded against under the law.

The jury retired shortly before Court adjourned and on

SATURDAY MORNING, brought in a verdict of not guilty, thus clearing Peters on a mere technicality. The costs were put on Peters by the jury.

In the case of Commonwealth vs. Frank Kinney, aggravated assault and battery, a *nolle prosequi* was entered, as the prosecutor has left the county.

The case against Andrew Urbanitz, charged with murder, was taken up. He pleaded guilty, and the case was held over till Monday. Meanwhile the degree of his guilt will be determined, the Court having examined several witnesses for that purpose.

The case of Commonwealth vs. Thos. Brown, embezzlement, was continued. This case comes from Washington township, where the defendant was tax collector.

EBENSBURG, March 10.—Quite an interest was manifested here to-day in Court matters. Several parties convicted last week were called up and sentenced.

Patrick O'Donnell who plead guilty to an assault and battery in the Cambria Iron Company's office, was sentenced to pay a fine of five dollars to the Commonwealth, cost of prosecution, and undergo an imprisonment in the county jail for three months.

George Jones, James Edwards, John Tracy, Michael Hohan and Frank Beamish, the boys who stole the money from Ramp & Horan, and went off to New Haven and had a big time were next called. They had pleaded guilty to the charge of larceny of the money and six other charges of misdemeanors. The Judge asked some questions to ascertain their age and the circumstances of the stealing. Horace R. Rose, Esq., made a plea in mitigation of sentence. The Judge spoke to the boys at length giving

them good advice and exhorting them to reform, and suspended sentence in six charges and sentenced them in one, each to pay a fine of five dollars, costs of prosecution, and three months to the county jail.

August Fresh who pleaded guilty of stealing a watch was fined five dollars, costs of prosecution, and three months to the county jail.

Mary Farrell who was found guilty of knocking Patrick O'Connell's eye out with a butcher's knife in Biddie Wood's "speak-easy" on Prospect, and recommended by the jury to the mercy of the Court, was next called. F. P. Martin, Esq., argued in favor of a motion in arrest of judgment. Motion was overruled and sentence passed. Fine of ten dollars, costs of prosecution, and imprisonment of three months to county jail.

Ella Drass, who had prosecuted Catharine McCloskey for malicious mischief, and the bill was ignored by the Grand Jury, was sentenced to pay costs of prosecution.

Andrew Urbanitz, the Hungarian, charged with killing one of his countrymen with a red hot poker, had pleaded guilty to the charge. The Judge decided it to be murder in the second degree, and sentenced him to pay a fine of fifty dollars, costs of prosecution, and five years in the Western Penitentiary in Allegheny county.

There are now in the county jail ten boys under sentence, between the age of thirteen and seventeen years. These boys had been instructed by Mr. W. Tate, before their trial, and he will continue the instruction hereafter, in the hope that it may benefit the boys. Mr. Tate says they are studious and desirous of learning, and believes that they, if properly cared for, will lead a better life and make useful men.

EBENSBURG, March 10.—Court met at 2 o'clock.

MONDAY AFTERNOON SESSION.

Michael Conway, of Lower Yoder township and John J. Kitzney, of Tunnelhill, were excused from serving on the jury.

James Myers and Eben D. Evans, were the constables appointed to take charge of the juries for the week.

Charles Shappire who failed to appear last week, having been brought up on a bench warrant was discharged by his paying the costs of bench warrant.

The bar list was then called, and the following petitions were presented and motions made.

By George M. Roade, Esq.: Motion for judgment by default, for want of appearance in the case of J. P. Fry, Executor of Barbara Lloyd, deceased, vs. Elizabeth Kuntzman. Motion granted.

Motion for judgment by default for want of appearance in the case of J. P. Fry, Executor of Barbara Lloyd, deceased, vs. Robert Hoffman. Motion granted.

Motion to appoint auditor to report upon exceptions filed and report distribution of the funds in the hands of Charles Weakland and P. P. Miller, Administrators of W. A. Rager, T. W. Dick, Esq., appointed.

By W. H. Necher, Esq.: Petition of Simon Vaught, Administrator of Matthias Hoffman, deceased, for an order to sell real estate for payment of debts. Order granted.

By Jacob Zimmerman, Esq.: Motion to appoint auditor to report distribution of the funds in the hands of the assignee to and among the parties interested in the fourth and final account of Stephen Stutzman, Assignee of M. W. Keim & Co., and M. W. Keim and wife, John M. Rose, Esq., appointed.

Motion to appoint auditor to make distribution of funds in the hands of Andrew Yeagley, Assignee of Hugh Greenwood, James M. Walton, appointed.

Petition of Sam'l Schrock praying the Court to direct the Prothonotary to mark certain judgments of Joseph Shoemaker vs. said Samuel Schrock satisfied. Petition granted.

By Alvin Evans, Esq.: In the matter of the proceedings in partition in the estate of Henry Willebrand, deceased, motion for appointment of auditor to ascertain liens against the heirs of the decedent, and to report distribution of the money in the hands of the recognizer to and among the persons legally entitled to receive the same. A. V. Barker, appointed.

Motion for judgment for want of appearance in the case of use of Thomas Griffith against John Beers and William H. Beers. Judgment granted.

Petition of Elias Rowland for an order directing the satisfaction of a certain mortgage given by the petitioner in favor of Isaac Rowland. Petition granted and John Davis, Administrator of Isaac Rowland, directed to appear at next term to answer said petition.

By John H. Brown, Esq.: Petition of Edward H. Frohneiser, Guardian of Jennie Hendling, for discharge, he having received no funds and said ward being now deceased.

By Chal. L. Dick, Esq.: Petition of Elizabeth Horton, Francis Horton, and Gertrude Horton, minor children of Joseph Horton, late of Woodvale, for guardians, Charles Horton appointed; also Charles Horton appointed guardian of George Horton, William Horton and Joseph Horton, minor children of said Joseph Horton, deceased.

By M. D. Kittell, Esq.: In the matter of the first and final account of Florence Willebrand, Administrator of Henry Willebrand, deceased. Motion to appoint Auditor to decide on exceptions filed and make distribution of funds. A. V. Barker, Esq., appointed.

In the matter of the account of David Barry, John Dowling, and M. D. Kittell, Executors of John Ryan, deceased, who was one of the Executors of Catharine Curran, deceased, motion to appoint D. E. Dutton, Esq., Auditor to report distribution of funds in hands of accountants. Motion granted.

Petition of Joseph F. Cooper, Executor of Patrick Donivan, deceased, for an order to sell real estate. Granted.

Petition to the return of order of sale in the estate of Patrick McPhillips. Granted.

In the matter of Wm. D. Sargeant, against C. P. Sargeant, motion for judgment by proclama-

tion against defendant on return of two writs.

In the matter of M. D. Kittell, Esq., Assignee of J. H. Fish, against A. S. Edmiston, motion for judgment against defendant for want of an affidavit of defense. Motion granted.

In the matter of J. H. Fish, Administrator of A. H. Fish, against Wm. McManamy, motion for judgment against defendant for want of appearance. Motion granted.

In the matter of Executors of John Ryan, deceased, against Michael Rodgers, motion for judgment against defendant for want of appearance. Motion granted.

In the matter of Martin Ward against James McCloskey, motion for judgment against defendant for want of appearance. Motion granted.

In the matter of A. W. Buck, Administrator, against James McCloskey, motion for judgment against defendant for want of appearance. Motion granted.

In the matter of Wm. M. Brinker against Mrs. C. Parrish and J. P. Parrish, agent, motion for rule to show cause why judgment should not be entered for want of a sufficient affidavit of defense returned at Argument Court. Granted, by Horace R. Rose, Esq.:

Petition of Robert Snowden, Guardian of Royer Dibert and John Dibert, minor heirs of John H. Dibert, deceased, for permission to join the remainder of the heirs in the sale and conveyance of certain real estate to John Thomas. Granted.

Petition of Robert P. Snowden, guardian of John D. Weaver, minor child of Susan Weaver, deceased, for permission to join the remaining heirs in the sale and conveyance of certain real estate to John Thomas.

Petition of Mazie M. Kelly, minor child of Martha Kelly, deceased, for appointment of G. M. Hughes guardian. Petition granted.

Petition of Franklin P. Kelly by next friend for the appointment of G. M. Hughes guardian. Petition granted.

After calling the bar list, a jury was called in the case of Joseph Miller against Neil McGlade. After which Court adjourned until Tuesday morning.

TUESDAY MORNING SESSION.

The case of Miller against McGlade was the first case taken up. This is a feigned issue, being a *scire facias* to revive a judgment entered in favor of Joseph Miller against Edward McGlade, Patrick Comey and P. McGough. The plaintiff alleges that Patrick Comey who was but surety in said judgment paid the same to Joseph Miller and this *scire facias* is brought to obtain a revival of the judgment for the benefit of Patrick Comey, surety.

The entire morning session was consumed in taking testimony in this case.

EBENSBURG, March 11.—Court met at the usual hour, when the case of Miller (for the use of Comey) vs. McGlade was taken up. The facts in the case as ad-

duced from the evidence are about these: It appears that in 1868 Edward McGlade borrowed a sum of money from Joseph Miller. Upon one of the notes given for this money Patrick Comey was bail, and afterward paid \$142 the amount of the note. This suit is brought by the representatives of Joseph Miller—Mrs. Kate Blaisdell and Mrs. Emma Davis—to recover from McGlade the money paid by Comey for him. The verdict is really for the use of Patrick Comey. For some legal reason this round about course had to be pursued in order that Mr. Comey might be reimbursed for the bail money paid by him.

Mr. McGlade claimed that he paid the note himself and gave notice to Comey not to pay anything to Mr. Miller. On the contrary the plaintiff alleged that the money paid by McGlade was simply the interest on this and other notes held by Miller against McGlade.

After several hours the jury returned with a verdict for the plaintiff in the sum of three hundred dollars, being the full amount of the judgment in issue and its interest.

The next case taken up was E. Deemer & Co., against C. Guyer, trustee. This was a feigned issue brought to determine the ownership of some three miles of railroad track, an engine, seven trucks and other property connected therewith. This property is said to have been worth about four thousand dollars, and was used by P. and A. Flynn, lumbermen in the north of the county. P. and A. Flynn being financially troubled gave to C. Guyer, Trustee of several of their (P. and A. Flynn's) creditors. A judgment note for \$20,000. On this judgment the property was levied on in spring of 1888 and, after several adjourned sales, sold in December, 1888. At this sale it was bought by Elias Deemer for the firm of E. Deemer & Co., of Williamsport, Pa., who, it was claimed by Elias Deemer, had some interest in the property before the sale, and was particularly desirous to secure the property at Sheriff's sale to complete their title. The price paid for the property was \$105. E. Deemer & Co. claim the property under this sale, showing that the sale was properly advertised, regular and according to law, and went into immediate possession of it.

The defendant claims that he, being then plaintiff in the judgment under which the property was sold, had no notice of the sale; that E. Deemer & Co. had served several notices on the Sheriff not to sell the property for it belonged to them, and the buyer would take no title. Disregarding and not reading these notices at the sale, the Sheriff sold the property.

After the testimony was all in the Council began to argue the case to the Court and recite authorities. After hearing the argument the Court directed a verdict for the plaintiff.

The next case on the list is John M. Young against the Johnson Steel Street

Railway Company, and is for damages for injuries which Young received while in the employ of the Johnson Company in June, 1888. Young having had his hand taken off in the machinery.

NOT SO BLACK AS PAINTED.

The Truth About the Charges Made in the "Tribune" Against the Cambria County Court.

Under the caption of "Some Curiosities of our Court," the *Tribune* descants in a manner that would make one believe that anything is possible in a Cambria County Court. If what is stated in last evening's issue of that paper were true then we have only a travesty and a farce instead of a Court of Justice. The truth is that either the *Tribune* or its informant misstated some facts and put some others in such light that wrong conclusions would necessarily be drawn from them.

The *Tribune* alleges that the counsel for the defense in the Peters gambling case prepared the indictment for the prosecuting attorney, and asks the question, "Is it likely that a defendant's lawyer would prepare a bill of indictment against his client that would stand?" We answer this by saying that it is not likely that an attorney for the defense, if so employed, would undertake to prepare an indictment against his client at the request of the prosecuting attorney. But if he did so it would be a grave charge for any newspaper to make or even intimate that he did it in bad faith or with a view of taking advantage of it. The truth is that the indictment was prepared for the district attorney by no less than four competent attorneys, the return having come in late, and when he was very busily engaged in the trial of causes before the Travers Jury, and in giving instructions to the Grand Jury. The counsel—W. Horace Rose, Esq.—who defended Mr. Peters was not employed or retained for the defense until several days after the bill of indictment was drawn. It is certainly a very grave reflection, if not a libel, on the counsel for the defense to intimate that he acted in bad faith, and no other conclusion can be drawn from its remarks.

The truth in regard to the gambling case is that in the information against Mr. Peters he was charged with keeping a gambling house on Adam street, in which money was won and lost in a game of cards known as poker. It was not charged that he was a hotel keeper or permitted playing for drinks. The keeping of a gambling house as alleged in the information is an offense under the penal code of 1860. The matter of a landlord permitting gaming for drink alone is an indictable offense under an act of 1881. This was not alleged in the information, and if it had been alleged in the indictment, the indictment would have been quashed for the allegations therein were not contained in the information. The information contained only an offense under the penal code of 1860. The indictment could contain no more. It was not quashed by the Court nor is it true, as has been alleged, the indictment didn't "hold water." On the contrary the indictment was sustained as being perfect in form and sufficient under the penal code of 1860, but the Court charged the jury that the testimony would not warrant the jury in finding Mr. Peters guilty of keeping a gambling house as alleged in the indictment, but would have warranted a conviction of permitting gaming for drinks; yet the information did not charge this, nor could it have been contained in the indictment framed on the information as returned to the District Attorney.

In regard to the other matter, already twice printed by the paper named, this is the truth: It was in the case of the Commonwealth vs. McMullen. It will be remembered that the December Court McMullen made statements in regard to where he received the money. The jury disagreed and the case was tried again this court. The defendant told a very different story at the March term of court. In referring to this Chal. L. Dick, Esq., in arguing the case for the Commonwealth pointed out this discrepancy in the two stories of the defendant, and in the heat of his argument said that he regarded the defendant as one of the d—est liars that ever perjured himself in the witness stand in our temple of justice.

HOOVERSVILLE ITEMS.

Here we are again.

The roads are in bad condition.

Mr. S. S. Swank has been on the sick list for several weeks.

Mr. F. F. Clark also shipped one car load of coal to be tested at Philadelphia.

Mr. Joseph Schrock, of Ohio Pyle, rented John A. Clark's hotel property at this place and moved here this week. We hope he will be successful in this place.

Wm. Hoover & Bros. shipped one car load of coal from this place to Philadelphia to be tested, and if it proves successful it is rumored that the mine will be worked at an early day. This would put new life in the town of Hooversville.

John B. Curtis, of Portland, Me., has made nearly \$1,000,000 in the manufacture of chewing-gum.

THE NEW ROUTE.

The Proposed New Road to the North of the County.

The Committee on Municipal Affairs of the Johnstown Board of Trade, Mr. P. S. Fisher, Chairman, has received the annexed letters in reference to the proposed new road from this city to the old State pike at Munday's. At an informal meeting of the Committee, it was agreed to hold a meeting at the Board of Trade Rooms at 2 P. M., on Thursday, March 27th. It is expected that at this meeting all persons interested in any proposed road to this city, and especially those interested in the Hinckston Run and Conemaugh routes, will be present and be able to present their figures and facts, when definite action will be taken.

VINCO, Pa., March 5, 1890.

To the Committee on Municipal Affairs of the Board of Trade.

GENTLEMEN: I would say that a pike road from your city to the National Pike would be a desired benefit to your city and country surrounding. Financially we in the country are not able to build a good pike, but all favor of the enterprise. There are personal interests that, to some extent, cause or bring about a concern for the different routes. My interests in the location don't vary much. However, were I to invest money in a pike with the expectation of reaping a benefit, I would invest in the Conemaugh route for this reason: It would be a pleasanter drive for city folks through the farms, etc., etc. It would make a solid dry road, free of bridges, culverts, and marshy ground. The scenery would be grand.

The present township road, via Conemaugh, in case a pike is built along run, cannot possibly be dispensed with unless substituted by a pike.

By produce being shipped to your city it gives our farmers small profits on home products, so that if a toll road and a free road run side by side, the free road will be used; this would be economy and business.

I think a free right-of-way could be had along the Conemaugh route. A fine graded road could be made.

Were I to invest money in a pike I would twice as soon risk it from Conemaugh. It is a pleasanter route, a shorter route, and by about half a cheaper route.

I might say much more would I think it necessary. Yours Respectfully,

P. F. CUSTER.

To the Honorable, the Committee on Municipal Affairs of the Johnstown Board of Trade.

GENTLEMEN: Concerning the proposed turnpike from Johnstown north along Hinckston's Run, you learned, at a special meeting of your Board of Trade held in your hall on February 8th, last, that a turnpike north from Johnstown is badly needed. There are only four rough mountain roads leading to Johnstown from all the territory north of the Conemaugh river. These roads run over the highest hills to be found, are very frequently blocked by snow-drifts and are almost impassable four or five months of the year. Johnstown loses much trade on this account because, instead of traveling over bad roads to Johnstown, their best market, they take better roads to more distant points. Of this fact the *Carrolltown News* is fully convinced as may be seen by referring to one of its January issues.

The citizens of Jackson and the two Taylor townships, being almost unable to reach Johnstown at all this winter, propose to construct a turnpike from Johnstown north; Hinckston's Run to the old Pittsburgh turnpike.

The advantages of the Run route are apparent to every one who is at all acquainted with it. It seems to have been designed as a natural and easy route for a highway. The route was once surveyed for a proposed plank road and the distance from Lincoln Bridge to the old Pittsburgh pike was found to be nine miles, fully a mile shorter than by the proposed East Conemaugh route. The grade is never blocked by snowdrifts and can be used any day or hour in the year. There is a township road running from Minersville up the run about three or three and one-half miles, or may be four. When all other roads to Johnstown are closed by snowdrifts people call themselves lucky when they are able to reach that road, and thus reach Johnstown.

The proposed pike would reach the city near its center, enabling travelers to quickly reach any part of the city. At the farthest there will be not more than three bridges along this route and by cutting away one or two bluffs only one would be required. Neither of the bridges need be more than twenty-five feet in length. A turnpike along the run would pass centrally through all the arable land east of Laurel Hill and could be easily reached from all sides. These are a few of the facts that we hope will induce your honorable committee to decide in favor of the Run route.

Another route for the pike has been proposed. This route runs through East Conemaugh and follows the Ebensburg road to the stone pike. This route is only mentioned to be condemned. If it followed the present road it would run over the highest hills to be found, thus making very heavy grades. If it deviates from the present road it would pass through cultivated land, and the right of way would cost considerable. The grades can not be materially lowered without increasing the distance far beyond that of the Hinckston Run route. In any event the road would inevitably drift shut in winter, requiring a good part of the tolls to keep it open or else it must be abandoned till spring.

The material along the Conemaugh route would be very hard to get along two thirds of the route, as there are not many stones and much of it would have to be hauled up hill nearly a mile at great

expense. The distance from East Conemaugh is greater if anything to the stone pike than from the northern boundary of Minersville or Johnstown City, and there would be no more pike to build on the run route than on the Conemaugh route, likely not as much. There could scarcely be any money raised along the Conemaugh route, as the people there are indifferent to any turnpike; while the best men in the three townships are enthusiastic as to the run route.

East Conemaugh and Franklin did not recognize the eternal fitness of things, but refused to enter into a city government along with the other boroughs. Actuated by pure selfishness they thus refused to help build up their neighbors that were worse injured by the flood than they. Your honorable Committee certainly cannot report in favor of a route that would give these boroughs all the traffic passing over it, and Johnstown get very little of it. This fact alone ought to induce you to decide in favor of the Hinckston's Run route which would give to Johnstown City all the trade passing over. It could not possibly do anything else.

There is only one man in favor of the Conemaugh route, (P. F. Custer, and he because it would pass his front door.)

Only one man, if we except the business men of East Conemaugh and Franklin, who oppose the run route because they are afraid some of their trade would be diverted to Johnstown.

The fact that the run route was adopted for the plank road ought to be positive proof that it is the only good one. This route can be easily reached by any one going to Johnstown. All the travel from points north and east of Fairview or Vinco must pass through that place. Now the pike along Hinckston's Run would pass within a quarter of a mile of Vinco, and all persons passing through it could very easily reach the pike by a road now existing. For the country south of Vinco the run can be reached fully as readily, and also from all points on the west of the run. Only five or six persons living west of the run could use a pike along the Ebensburg road, consequently there would be nearly twice as much travel on Run route that all can reach, than on the Conemaugh route that could be reached by about one half of the people.

We beg your honorable committee not to be misled by Caldwell's Atlas of Cambria County, 1890, as it is absolutely false and does not give the correct course of the run at all especially on the pages devoted to Jackson and the two Taylor townships. It gives its course more nearly correct on page 51.

We hope when you consider these facts that you will decide in favor of the Hinckston's Run route and so report to the Board of Trade at its meeting on the 17th inst. The farmers living north of Johnstown are not able of themselves to build the pike, but as it would benefit the people of Johnstown as well as ourselves we ask the Board of Trade to endorse the project and request all parties, who are interested in Johnstown's welfare to aid the project. As soon as your Board takes this action we shall have a survey made, also estimates, and we shall do our best to have the pike built. We do not ask your Board to assume any responsibility. We only ask you to adopt resolutions stating that a turnpike north from Johnstown is badly needed. That the Hinckston's Run route is the only available good route, and that the Board of Trade earnestly recommend the proposed turnpike to the favorable consideration of those disposed to aid in increasing and extending Johnstown's trade.

At a meeting held in Vinco on the 8th inst., Benj. Benhoff, Jno. A. Strayer, George Varner, James M. Singer and J. C. Wakefield were appointed a business committee to take charge of all matters relating to the proposed pike. This committee appointed Jas. M. Singer and J. C. Wakefield, a sub-committee, to prepare this communication. A meeting on the turnpike matter will be held in Rosedale on the evening of the 14th inst.

We advertised for the whereabouts of Capt. Alexander, who made the survey for the plank road, but we can not find him. We wanted the drafts and notes of that survey but, as they can not be found, another survey must be made.

We earnestly hope the Committee on Municipal Affairs may be able to report in favor of Hinckston's Run route at your meeting on the 17th inst. If you do not decide in favor of it there will be no pike built as nearly everybody is in favor of this route and opposed to the Conemaugh route.

All of which is respectfully submitted.

JAMES M. SINGER,
J. C. WAKEFIELD.

P. S. Some of us will likely attend the meeting of the Board of Trade as to a survey and surveyor.

NON SUITED.

The Case of Young vs. the Johnson Company so Ended.

Special to the Johnstown Democrat.

EBENSBURG, Pa., March 12.—In the case of Young against the Johnson Company for damages for the loss of his hand while in their employ the Court directed a compulsory non suit.

The Delamater Canvas.

Pittsburgh Leader, March 11th.

Cyrus Elder, of Johnstown, while in the city yesterday said he did not think that the delegates to the Republican State Convention will bolt Delamater as reported. Cambria being a minority county, he said is also a machine county and the delegates will vote as the machine dictates.

Warden Young, of the Cambria county jail, says the opinion of Squire Hart on the way the Cambria county delegates will vote in the Republican State Convention doesn't amount to a row of pins; that Hart is the only kicker in the county; that he was appointed Alderman in place of John H. Fisher, who was drowned in the flood, at the instance of General Hastings, whereas, Fisher's son Ed, was the real choice of the people; that at the last election he only received twenty out of 286 votes, and that the people of Cambria county are for Delamater in the proportion of twenty-five to one for Hastings.