

Johnstown Weekly Democrat.

VOL. XXVIII.

JOHNSTOWN, CAMBRIA COUNTY, PA., FRIDAY, JUNE 6, 1890

NO. 7

COURT PROCEEDINGS.

Regular June Term—Monday Forenoon Session.

EBENSBURG, Pa., June 2.—Court convened at 10 o'clock this forenoon with Hon. Robert L. Johnston on the bench.

The Court appointed James Myers as the officer to attend upon juries and for general purposes until further order.

John W. Tudor was appointed co stable to attend upon the Traverse Jury and Porter R. Miller upon the Grand Jury.

Joseph Lantz was appointed Supervisor for Susquehanna township, in the place of Elias Driscoll, former Supervisor, lately deceased.

The case of Commonwealth vs. Jacob Gates for surety of the peace was called. The defendant was ordered to enter into recognizance in the sum of \$100 to keep the peace for one year and pay the costs of prosecution. In default of costs he went to jail.

The case of John Q. A. Chappel for surety of the peace was called. After hearing the evidence the Court ordered that the defendant enter into recognizance in the sum of \$100 to keep the peace one year, and to pay the cost of prosecution. He is in jail, not yet having furnished the required security.

In the case of the Commonwealth vs. Edward Horner his recognizance was forfeited, he failing to appear, as was that of Margaret Hermer, the prosecutrix, who also failed to appear.

The case of the Commonwealth vs. Thomas Kingston, surety of the peace, the defendant was discharged, the prosecutor failing to appear.

Joseph Widman, charged with surety of the peace, was required to enter into a recognizance in the sum of \$100 to keep the peace for one year, and to pay the costs of prosecution. He is now in jail in default of costs.

Samuel Eastwood, brought up for surety of the peace, was discharged, no prosecutor appearing.

The recognizance of Conrad Gerhart was forfeited, he having failed to appear.

Court then adjourned until 2 o'clock.

AFTERNOON SESSION.

The case of the Commonwealth vs. Edward D. Stork, surety of peace, came up next. When the Court had heard the case it ordered that the defendant and the prosecutors, Mary J. Stork and George Stork, pay the costs jointly, each to pay one-third, and to enter into recognizance to keep the peace toward one another and the rest of the world.

The case of the Commonwealth vs. Margaret Doyle, surety of the peace, Felix Doyle, prosecutor, was heard by the Court. Defendant and prosecutor ordered to pay the costs jointly, and the defendant to enter into recognizance.

On motion of A. V. Barker, Esq., Jefferson Harrison was admitted specially as an attorney of this Court and was sworn in as such.

Patrick McCann, James Dunn, Adam Nickle, John Keszinski, John Kudel, Jacob Muller, Robert Kishner, Dennis Sullivan and John Sullivan were naturalized.

The bar list was then called:

John Fenlon.
In case of Alice McIntosh vs. John Erb, bail of Thomas Brown, judgment on return of two bills.

George M. Reele.

T. W. Dick, Esq., appointed Commissioner to take testimony in the matter of the citation on heirs of John Westover, deceased.

Jonathan Custer, executor of Jacob Stiffler, discharged on his paying \$88 to Mary Stiffler, the sole legatee.

Alfred Heslop appointed committee and bond filed in the matter of the habitual drunkenness of Joseph Heslop.

Rule granted on Jacob R. Troxell in the matter of a private road for which he petitioned, to show why he should not pay costs.

John P. Linton.

Petition for the abolition of the South Fork Independent School District. Rule granted to show cause, returnable at Argument Court.

Citation on John Burket, guardian of Bella Verga, to file an account by the first Monday of next July.

Petition of Samuel Dibert for a citation on Martha Dibert, administratrix of John Dibert, who was trustee for sale of certain real estate for petitioner. Citation awarded and account to be filed not later than the first Monday of July next.

Decree made on petition for performance of a contract made by David Dibert with L. M. Bowman, relating to sale of land in Johnstown.

A similar decree made in relation to a contract between David Dibert, deceased, and Virginia Rice.

F. A. Shoemaker.

In the case of Armina Baum vs. Jonathan Baum, libel in divorce, William H. Sechler, Esq., appointed Commissioner.

In the case of Florian Bengel vs. Louis Smith, issue awarded to determine ownership of certain property.

T. W. Dick.

His own report as Auditor in the estate of William A. Roger, deceased. Confirmed.

His own report as Auditor to distribute

the balance in the hands of Thomas D. Evans, one of the executors of Daniel E. Evans, (Weaver), deceased. Confirmed.

His own report as Commissioner to take testimony and report decree in the case of Lizzie A. Gill by her next friend Thomas Evans vs. Lemuel D. Gill, libel in divorce. Report filed.

W. H. Sechler.

Petition of the several minor children of Mitilda Smith, deceased, for the appointment of a guardian. F. N. Burk, appointed.

Tavern license granted to Neil McGlade, transferred to W. E. Nash.

In the estate of Elias Hoffman, deceased, return to an order of sale, setting forth that the property was sold to Josephine Hoffman, widow of the deceased, for \$510, and asking confirmation. Confirmed.

In the case of executors of Joseph Miller, deceased, vs. Edward McGlade et al., petition for an order to give bond and release certain property from the charge of the Sheriff, rule was granted to show cause.

Judgment ordered for want of affidavit of defense in the case of John M. Weakland vs. Wm. H. Garman.

R. L. George.

In the case of Henry M. Horn vs. Caroline Horn, libel in divorce, pluries subpoena awarded and order of publication made.

Jacob Zimmerman.

Hiram Oris appointed guardian of Emma Dimond.

Order granted to George Nitch, Administrator of Peter Nitch, late of Cambria borough, deceased, to make private sale of the real estate of the decedent for payment of debts.

Partition awarded in the matter of the petition of N. B. Swank, Administrator of Jacob Swank, deceased, for the division of certain real estate in Johnstown.

E. G. Kerr.

Petition of citizens of Portage township asking for the incorporation of the town of Portage into a borough. Referred to Grand Jury.

Alvin Evans.

Return of Wm. F. Diller, Administrator of Rev. A. P. Diller, deceased, setting forth that the property had been sold to A. V. Barker, Esq., for \$15,700, and asking confirmation. Confirmed.

Return of Jessie H. Dimond, assignee of John and Lucinda McCormick, asking for an alias order of sale. Order granted.

His own report as Auditor in the matter of John T. Long, Administrator of Dr. W. H. Barnett, deceased. Report confirmed.

John H. Brown.

Petition for an order of sale in the estate of Henry Pritchard, deceased, for the payment of debts. Order granted.

Same action in the matter of the estate of C. Eleaser, deceased.

Return to an order of sale in the estate of William Layton, deceased, stating that the property was sold to Herman Baumer for \$5,258.50. Confirmed.

Return to an order of sale in the estate of Joseph R. Moore, deceased, setting forth that the property had been sold to Mary Goughnour for \$925. Sale confirmed.

James M. Walters.

Return of the viewers in the matter of widening Locust street. Filed.

Return of viewers in the matter of widening Clinton street in the Third ward of the city of Johnstown. Filed.

His own report as Auditor to distribute the fund in the hands of Andrew Yeagley, deceased, assignee of Hugh Greenwood and wife, among those entitled to it. Confirmed *nisi*.

Petition of R. H. Pike, guardian of Anna M. and George M. Pike, for an allowance for said wards. Allowance of \$6 per month for former, \$10 for latter, granted.

H. W. Storey.

A. E. Somerville, George Spangler and Chas. Ogle appointed viewers to locate bridge site at Coopersdale.

George Stutzman, Jacob Singer and Chas. Ogle appointed viewers to lay out a public road in West Taylor township connecting with a certain road in Indiana county.

Order granted to John Ludwig, guardian of the children of Henry Ludwig, to sell the interest in certain real estate at private sale.

Petition of citizens of West Taylor township asking to be annexed to Coopersdale borough, was referred to the Grand Jury.

Petition of minor children of Mary C. Loughry, deceased, late of West Taylor township, asking for the appointment of a guardian.

Order of publication granted in the case of Belle Dunford vs. Samuel Dunford, libel in divorce.

His own report as Auditor in the estate of Susan and Charles C. McMillen. Confirmed *nisi*.

O'Connor Bros.

E. O. Fisher appointed guardian on petition of Mrs. Ella Potts, a minor child of Henry Reiking.

Licence of Henry Graffus, of Summerhill, transferred to Henry F. Bernd.

Petition of minor children of John

Brady, deceased, late of Johnstown borough, to have guardian appointed. Thomas F. Brady appointed.

Petition of E. O. Fisher, guardian of Mrs. Ella Potts, for an order to sell certain real estate at public or private sale. Order granted.

Answer to rule on Mrs. Bridget Woods to show why she should not be removed as guardian of minor children of James Sullivan. Put on argument list.

Rule on John Thomas & Sons to show cause why a judgment of *non pros*, taken against Mrs. Jane Gahegan should not be stricken from the record. Rule returnable immediately. Rule granted.

Petition of Harry M. Benshoff as Administrator to sell certain real estate in Johnstown. Granted.

Robert E. Creswell, Esq., appointed Commissioner to take testimony and report a decree in the case of Eliza Boles vs. John J. Boles, libel in divorce.

M. B. Stevens, Esq., appointed Commissioner to take testimony and report decree in the case of Gustav Burger vs. Mrs. Burger, libel in divorce.

Robert E. Creswell, Esq., appointed Commissioner to take testimony and report decree in the case of Alice Kelly vs. William Kelly, libel in divorce.

Petition of Annie McKenzie for her appointment as committee of Chas. L. McKenzie, a lunatic. Appointment made.

In the case of Samuel J. Buck, charged with fornication and bastardy, a *nolle prosequi* was entered, on payment of costs by defendant.

The case of the Commonwealth vs. Joseph Anderson, for the same charge, was continued.

Donald E. Dugton.

Writ of partition in the estate of Jonathan Kearney, deceased, returned by the Sheriff. Confirmed.

In the matter of Asaph W. A. Chaplin vs. P. Flin and others, in equity attachment to the plaintiff for costs.

Horace R. Rose.

Two reports of W. Horace Rose, Esq., Auditor in the estate of Wm. H. Richards. Confirmed *nisi*.

Return to an order of sale in the estate of Peter E. Phillips, deceased, and petition for an alias order. Petition granted.

Frank P. Martin.

His own report as Auditor to distribute in the hands of Eben James, Committee of Robert J. Williams, a lunatic. Confirmed.

His own report to an order of sale in the estate of Catharine Keelan, setting forth that he sold the property to Richard Howe and Patrick McLaughlin for \$1,565. Confirmed.

In the case of Mary Tearpeck vs. John Tearpeck, libel in divorce, Robert E. Creswell, Esq., appointed Commissioner.

In the case of Mary Harris vs. D. J. Harris, libel in divorce, pluries subpoena awarded.

Return to an order of sale in the estate of Hugh McGlory, setting forth that the right, title and interest of Catharine McGlory was sold to Patrick Boyle for \$1,125. Confirmed.

M. B. Stephens.

Application of the citizens of the village of Morrellville, asking incorporation into a borough, was referred to the Grand Jury.

Discharge of James King as Administrator of Charles E. Hallan, granted.

Ed. T. McNeelis.

Petition of Rev. Jas. P. Tahaney in the case of James McMillen vs. Jas. P. Tahaney, for rule to show cause why judgment should not be opened.

R. E. Creswell.

His own report as Commissioner to take testimony in the case of Catharine Statler vs. Sanford Statler, libel in divorce. Report filed.

TUESDAY FORENOON SESSION.

EBENSBURG, Pa., June 3, 1890.—Court assembled at 9 o'clock this morning, Judge Johnston on the bench.

The first jury trial was called: It was the Commonwealth vs. Thomas A. Brown for embezzlement. Mr. Brown was collector of school taxes in Washington township for 1889, and is charged with having misappropriated about \$900 of the money. The prosecutor is the Washington township school district. The case occupied the attention of the Court until noon adjournment.

TUESDAY AFTERNOON SESSION.

Court convened at 2 o'clock, Ephraim Findley appointed guardian of John W. Harvey and May Edith Loughry, minor children of M. C. Loughry.

Louis Escher was naturalized.

The embezzlement case against Thos. A. Brown was then resumed. It was occupying the attention of the Court at 3:30 o'clock when this report closes.

THE GRAND JURY.

Up to the time of this report the Grand Jury, Adam Huebner, foreman, found true bills in the following cases:

Commonwealth vs. Christopher Mechlin, seduction.

Commonwealth vs. Thomas A. Brown, embezzlement.

Commonwealth vs. John Pfeiffer, asault and battery.

Commonwealth vs. Maggie Miller, aggravated assault and battery.

Commonwealth vs. Joseph Wherry, larceny.

larceny.

Commonwealth vs. Charles Chappel and Reuben Smith, assault and battery.

Commonwealth vs. Miles Grubb, aggravated assault and battery.

Commonwealth vs. Joseph Donahue, fornication and bastardy.

Commonwealth vs. Mary Stork, aggravated assault and battery.

Commonwealth vs. Wm. Nicholson, larceny and receiving stolen goods three indictments.

The following bills were ignored by the Grand Jury.

Commonwealth vs. John Pfeiffer, murder.

Commonwealth vs. Joseph Wherry, burglary.

A *nolle prosequi* was entered to each of the following cases:

Commonwealth vs. Julius Kahn, Commonwealth vs. B. Goldstein, Commonwealth vs. Chas. E. Schappire, Commonwealth vs. Sylvester Cruso, Commonwealth vs. A. J. Walters, Commonwealth vs. August Saltzgriver, Commonwealth James Null.

WEDNESDAY SESSION.

In the case against Thos. A. Brown for embezzlement the jury found him guilty in manner and form as indicted.

In the case of the Commonwealth vs. Maggie Miller for assault and battery the jury found her not guilty as indicted, but to pay one half the costs, the prosecutor, Nicholas Wolf, to pay the other half.

In the case of the Commonwealth vs. Joseph Wherry, for larceny of a horse belonging to Joseph Horner, of Wilmore, the jury found him guilty.

In the case of Charles Chappel and Reuben Smith, charged with assault and battery, J. Q. A. Chappel, prosecutor, the jury found the defendants not guilty and that the county pay the costs. The defendants were accordingly discharged.

Recognition of Edward Stork accepted and filed in the sum of \$100 to keep the peace for one year.

The case of the Commonwealth vs. John Copenhaver, embezzlement was then taken up. Copenhaver was charged with appropriating money to his own use while serving in the capacity of clerk in a drug store at Hastings. His case occupied the attention of court till the noon adjournment.

THURSDAY AFTERNOON SESSION.

On motion of Jas. M. Walters, Esq., Patrick Flaherty appointed guardian of Chas. C. Hecker, and Edward Flaherty appointed guardian of Nellie O'Para.

The case against John Copenhaver was resumed. The books and accounts for about five months of the business were all presented in evidence making the trial long and tedious. The case was occupying the attention of the court at 3:30, when this report closed.

THE GRAND JURY.

The Grand Jury found true bills in the following cases in addition to those previously reported.

Commonwealth vs. James Sarver, larceny. Defendant pleaded guilty.

Commonwealth vs. Stephen Suloch, Paul Jailer, and Andrew Schonowski, riot.

Commonwealth vs. Clement McGough, disturbing a religious meeting. Sentenced to pay \$10 and costs.

Commonwealth vs. Clement McGough, carrying concealed weapons. *Nolle prosequi* entered on payment of costs.

Commonwealth vs. James Sarver, entering a dwelling house with intent to commit a felony. Defendant pleaded guilty.

Commonwealth vs. Bird Davidson, murder.

Commonwealth vs. William Benouger, burglary.

Commonwealth vs. Herman Molen, larceny and receiving stolen goods. Defendant pleaded guilty.

Commonwealth vs. Herman Molen, forgery. Defendant pleaded guilty.

Commonwealth vs. John Copenhaver, larceny and receiving stolen goods; also on another indictment for embezzlement.

Commonwealth vs. James Hoddie, aggravated assault and battery and assault and battery.

Commonwealth vs. Michael Broderick same charges. Pleading guilty. Sentenced to pay a fine of \$20 and thirty days in the county jail.

Commonwealth vs. William Baldwin, assault and battery. Pleading guilty and sentenced to pay a fine of \$10 and costs.

Commonwealth vs. Patrick Manton and John McDonald, murder.

Commonwealth vs. Patrick Manton and John McDonald, arson.

Commonwealth vs. Thomas A. Brown, three charges for fraudulently altering a written instrument.

Commonwealth vs. Thomas A. Brown, two charges for fraudulently altering a written instrument. Another indictment against the same on the same charge.

Commonwealth vs. Louis Fulmer, fornication and bastardy.

Commonwealth vs. James Morris, resisting an officer. Defendant pleaded guilty and was sentenced to pay a fine of \$10 and one month in jail.

Commonwealth vs. James Morris carrying concealed weapons. Pleading guilty.

Sentenced to pay a fine of \$10 and costs.

Commonwealth vs. Elsworth Thomas, criminal assault.

Commonwealth vs. Thomas McGoldrick, stoning cars. Sentenced to pay costs and one month in jail.

Commonwealth vs. Peter McGough, pointing a pistol.

Commonwealth vs. Peter McGough, carrying concealed and deadly weapons.

Among the matters disposed of at the call of the Attorney's list were the following:

Petition for viewers to lay out a public road from Frugality to Ashville. J. A. Shoemaker, Dennis Cawley, and Joseph Van Ormer appointed.

Report of viewers on site for bridge over the Clearfield creek in Gallitzin township. Referred to the Grand Jury.

Report of viewers to view site for a new bridge over the Conemaugh at Summerhill, filed and referred to Grand Jury.

Petition of John Gaffney, guardian of Peter Gaffney, to be allowed to join the heirs in the sale of certain real estate. Order granted.

Petition of Patrick McAneny to be allowed to join with the other heirs of Neil McAneny, deceased, in the sale of certain real estate. Order granted.

Jacob Singer, John S. Blough, and S. W. Miller, appointed viewers to locate a new bridge over the Stonycreek between Upper Yoder and Stonycreek townships.

MAIL AND EXPRESS FUND.

Report of the Committee Appointed to Distribute It.

The Committee appointed to distribute the Mail and Express fund report as follows:

We, the Committee appointed to distribute the Mail and Express fund, have finished the work assigned us. We have labored faithfully and conscientiously to do justice to all. That we might be able to do this we have spared neither time nor labor. Going over the circumstances of all the applicants as they gave them to the Committee, and seeking information from others as far as our time and opportunity would allow, we distributed to these who appeared to be the most needy.

More than two thousand persons made application and over one thousand were granted relief. That we have made mistakes is probable, but we are convinced that we have done the best possible under the circumstances. Comparatively few of the persons granted assistance were personally known to us, no questions were asked as to church connection, and we made no appropriation to ourselves or personal relatives. We have done the work without receiving or expecting any pecuniary reward, and if we have failed to do the best possible in every case, we most sincerely regret it.

Following is the summary of our work:

The Mail and Express fund amounted to.....	\$17,954 55
326 persons received \$16 50 each.....	\$5,379 00
564 persons received \$7 each.....	\$3,958 00
2 persons received \$60 each.....	120 00
43 persons received \$40 each.....	1,720 00
63 persons received \$10 each.....	630 00
6 persons received \$7 to \$15 each.....	80 00
Expenses—stationary and postage.....	22 55
Number of persons aided, 1,059.	

[Signed] DAVID J. BEALE,
JAMES P. TAHANEY,
HENRY L. CHAPMAN.

ANOTHER BODY FOUND.

The Search Force Uncovers Another Flood Victim Yesterday.

Yesterday afternoon a body was found near the abutment of the Point bridge in the Conemaugh River at the south edge of the stream. It was discovered by Sma's force of searchers for the dead. Word was sent to the morgue authorities, and a wagon was sent for the body. It was taken to the morgue, coffined and buried, as all that are found now are. The description is as follows: 549, male, height about six feet, black vest, pants and coat, white or gray knit underwear, gray or black socks, about No. 8 Congress gaiters, black or brown derby hat, pocketbook containing a quarter, a dime and a nickel, small black-handle knife.

Don'ts For Men.

Don't carry valuables in your outer coat.

Don't make too great a display of your jewelry.

Don't go into a crowd with your outer coat unbuttoned.

Don't forget that you are just as likely as anybody else to be the victim of pickpockets.

Don't carry money in the pocket on the right-hand side of your trousers; pickpockets expect to find money there.

Married and Departed in Haste.

WASHINGTON, Pa., June 5.—A young couple, W. M. Barhour, of Hanover township, and Miss Clara A. Shumaker, of Bedford county, did some active moving about here yesterday in order to get married and catch a certain train to their future home in Hanover township. "Squire Donahoe" was not in his office. The impatient young people waited for some time, but finally became so restless that they went to the "Squire's" house, where the ceremony was performed. They had nine minutes in which to make the train, and succeeded in doing so.

FOUND IN THE RIVER.

A MAN'S BODY DISCOVERED IN THE CONEMAUGH LAST EVENING ABOUT FIVE O'CLOCK.

Jeremiah Lynch, of the Fourteenth Ward, Found Dead in the River, After an Absence of Several Days—No Alarm Because He Was Thought to Be Out of the City.

Jeremiah Lynch, a young man, of the Fourteenth ward, formerly Minersville, after having been at work during last Monday, accompanied an acquaintance to the Pennsylvania Railroad Station, about 5 o'clock in the afternoon, who took the train. Since then his friends have heard nothing of him until his dead body was found by Mr. James Dyson last evening about 5 o'clock in the river, a short distance above the site of the old bridge connecting Millville and Cambria borough.

At 11 o'clock Monday night he was seen in a house on Iron street, and at a later hour he was in the Company's water closet, where at a still later hour his hat was found. It was but a short distance from this place that his body was recovered. At this same place about seven years ago he met with an accident on the Cambria Iron Company Railroad by which he lost one of his legs.

The family were not alarmed at his absence from home, thinking that he had gone to Pittsburgh to get a new artificial leg, which he had ordered some time ago, and which was supposed to be ready for him. And the first information they received was the intelligence of the finding of his body last evening.

He was born in Wales of Irish parents twenty-six years ago, and the family came to