

# THE EVENING HERALD.

VOL. IX.—NO. 172

SHENANDOAH, PA., SATURDAY, JULY 7, 1894.

ONE CENT

REFRIGERATORS.  
REFRIGERATORS.

BABY CARRIAGES.  
BABY CARRIAGES.

Large Assortment—Low Prices.

## WILLIAMS & SON.

### Our Fourth Celebration

Continues all week.

THURSDAY, the 5th, from 9 till 10 o'clock—All Challies sell at 25c.

FRIDAY, the 6th, from 9 till 10 o'clock—Swivel Silks from 65c to 90c.

SATURDAY, the 7th, from 9 till 10 o'clock—China Dress Silks reduced from 60c to 40c; from 45c to 35c.

Sale only one hour a day.

## Girvin's

Fruit Jars, Jelly Tumblers,  
Stone Preserve Jars,

Preserving Kettles and  
Midsummer Specialties.

Chas. Girvin,

Successor to GIRVIN, DUNCAN & WAIDLET,

8 South Main Street.

## M. P. CONRY,

31 South Main St.

Monongshela whiskey.....50c a qt.  
Pure rye whiskey.....\$1 a qt.  
Fine Old Bourbon.....\$1.25 a qt.  
Superior Blackberry Brandy.....\$1 a qt.  
Superior Cognac Brandy.....\$1.25 a qt.  
Imported Jamaica Rum.....\$1.50 a qt.

YUENGLING'S Stock and Fresh Ale, Draught Porter and Wiener Beer.  
Best brands of Cigars and all kinds of Temperance Drinks.

### The Attraction

In Carpets is a new stock

## Tapestry Brussels

Now coming in.  
The first lot of new patterns  
For the fall trade.

### Retail Liquor Store



## A Cup OF Good Coffee

Is a certainty if you use

## Keiter's 30-Cent Roasted Coffee

It is a combination of ALL GOOD COFFEES. No inferior  
Coffee is used to cheapen the price at the expense of quality.  
Our JAVA COFFEE is straight Old Government Java.

For Sale:

Two Cars No. 1 TIMOTHY HAY.  
One Car CHOICE YELLOW CORN.  
Two Cars CHOICE WHITE OATS.

## AT KEITER'S.

## THE NEWS GLEANINGS

Items of Interest Noted by  
the Reporters.

### THE ELECTRIC RAILWAY.

At the Next Meeting of Council an Ordinance Will be Presented to Cover the Right of Way For the Bowers Street Trestle.

The work on the extension of the Lake-side Electric Railway in town is progressing rapidly and by next Tuesday the rails will be laid from the Plum alley end of the proposed extension along Oak street to White, to Centre and to the corner of Main and Centre streets.

The track is now complete from a point on Centre street midway between White and Main streets to the corner of Main and Oak streets, including the curve at White and Centre streets, and on Monday the work of extending the road on Oak street to Plum alley will be commenced.

When the last ordinance was passed giving right of way to the railway company on Bowers, Oak and White streets was passed there was an oversight in failing to specify the right to erect a trestle on Bowers street to enable the cars to reach the bridge which will span the Lehigh Valley Railroad at Oak street. On account of this oversight it is quite likely the matter will be brought before Council at the next meeting.

Sol. Foster, Esq., the solicitor for the company, said to-day that he realized that the point about the trestle had been raised, but the company will take steps to remedy the defect in an additional ordinance. Mr. Foster also said that the ordinance to be presented will be so drafted that no one will find room to complain about the probable effects of the trestle. The company will indemnify the borough against all possible claims for damages and should any property become injured by reason of the trestle, or any other part of the road, there will be no question as to the railway's liability to satisfy the property owner.

### DANGEROUSLY ILL.

Hon. D. D. Phillips Probably Dying at Atlantic City.

A dispatch to the HERALD states that Hon. D. D. Phillips, of Gordon, who has been ill for some time, from stomach trouble, and who went to Atlantic City a few days ago to recuperate, is lying near death's door to-day and his family has been telegraphed for.

### PERSONAL.

Robert Oliver is confined to his bed through illness.  
Mrs. P. P. D. Kirlin spent the past few days in Philadelphia.

George Goodman visited friends at Mahanoy City last evening.

Miss Mollie Crossen, of Delano, was a town visitor Thursday evening.

Mrs. John F. Finney and son, John, went to Philadelphia yesterday afternoon.

Dr. Wendell Reber, of Pottsville, announces for the benefit of his many patrons, that his office at that place will be closed on Thursday, 12th inst.

W. W. Lewis, of Mahanoy City, in company with his friend, James Mulligan, of New York city, circulated among town friends last evening.

### BASE BALL.

The Lock Haven game will begin at 2:30.

The game of the home team with the Lock Haven club at the Trotting park will be the best contest of the season, as the Lock Haven team is a very strong one and all the points on the home team have been very much strengthened.

Justice Shoemaker rendered a decision this morning finding James Smith and John F. Higgins guilty of selling tickets at the base ball grounds on Sunday. A fine of \$4 and the costs were imposed on each defendant. An appeal will be taken.

McElheny's Bill of Fare.  
Snapper soup,  
Oyster and clam soup,  
Hard shell crabs,  
Devilled crabs,  
Devilled clams,  
Lobster salad,  
Little neck clams,  
Fresh and salt oysters.

Mr. Flynn a Candidate.  
Richard Flynn, of Rappahannock, is the latest candidate in the field for the Republican nomination for four Director. Mr. Flynn has served six years as a trustee of the Miners' hospital at Fountain Springs; four years on the executive committee of the same institution; twelve years as a School director of Butler township; four years as treasurer of the School Board of that township; two years on the Republican county committee; and sixteen years on the Republican standing committee.

Change of Meetings.  
The Christian Endeavor Society connected with the Evangelical church has changed its meeting night from Sunday to Saturday and in the future will conduct an entertainment every Saturday evening, commencing at 8 o'clock. Everybody invited to attend the consecutive meeting in the Evangelical church this evening. The programs of the meetings for the future will be announced in the HERALD.

Conferring Degrees.  
The degree team of Shenandoah Lodge No. 591, I. O. O. F., went to Nuremberg this afternoon and this evening will confer degrees on several members of the lodge of that place.

Hotel Keiter, Mahanoy City, Charles Burchill, proprietor. The best arranged hotel in the county. Convenient to all railroads. Excellent management. If

## ORDERS TO THE MILITARY

MAJOR-GENERAL SCHOFFIELD TAKES ACTIVE COMMAND.

The Northern Pacific Railroad Declared a Military and Mail Line and the United States Troops Ordered to Keep It Open at All Hazard.

Special to EVENING HERALD.

WASHINGTON, D. C., July 7, 2 p. m.—Major-General John M. Schofield has just ordered the United States troops to keep the entire length of the Northern Pacific Railroad open as a military and mail line.

Similar orders will be issued shortly to cover the entire Union Pacific lines.

The Government is taking what steps it can and the entire militia force of several states may be called out.

It is now certain that the trouble in the West has assumed the proportions of the greatest uprising of the kind against authority in the history of the country.

General Miles, who is in command in Chicago, takes a hopeful view of the situation, but with over 3,000 policemen and with nearly 2,000 deputy marshals, deputy sheriffs, regular troops and militiamen, the authorities there have been powerless to put an end to the uprising. From all over the country come reports of riots, bloodshed and incendiarism and resistance to the constituted authorities by the railroad strikers.

### REV. POWICK WRITES.

He Commends Council's Action on Sunday Base Ball.

EDITOR HERALD:—The straddling action of Council on the Sunday base ball question reminds one of the laboring mountain that brought forth a mouse. I suppose, however, that we ought to be thankful that Council stands by the ministers—and goes even beyond them—in word if not in deed. It is a gain to have our Borough Fathers on record to the effect that, "playing base ball on Sunday is wrong and is a disgrace to the town and should be condemned by every good and law-abiding citizen." This logically brands as a bad citizen not only every one who patronizes and apologizes for Sunday base ball, but also every one who does not condemn it. So far as words go this is a clear and manly putting of simple truth which will certainly win the approval of every patriotic citizen in town. No pulpit can denounce the act of Sunday base ball in more emphatic language than this. Here is the laboring mountain.

But Council proceeds: "If we had in our investigation found that Council had the power to comply with the petitioners' request we would have reported in favor of suppressing the evil complained of." Here is the poor little mouse. When words slip over on one side there is always a danger that deeds will slip over on the other side.

That the decision of the law committee, as to the law in the case, is utterly unworthy the confidence of the people is evident from the method taken of forming an attorney who was disinterested, as was suggested, to say committee, it listens to long and labored off-hand arguments of private counsel of the parties to the controversy. Who ever heard of counsel for either side in our courts being permitted to interpret the law which was to guide the jury?

It may seem presumptuous for a layman to discuss points of law, but it will hardly be deemed out of place for him to raise a question as to methods of reconciling conflicting statements of the law. For example, among the separate powers of a borough is the power to appoint and remove such officers, prescribe their duties, and allow them such compensation as they may deem necessary to secure the peace, order and well being of the inhabitants, etc." The Borough Solicitor (who admitted that he was also private counsel for the ball players) denied that this referred to police officers, while Trickett, in the latest book on the subject, says it does. The Borough Solicitor also denied, "that Council had power to instruct its police, that they are subject to the Chief Burgess, while Trickett, in the same work, holds that Council, through the Chief Burgess, has such power. The Borough Solicitor also argued that the only relief afforded by the act of 1794 is the exacting of the penalty after the violation, which logically reduces it to a sort of license law—a position which the Supreme Court has more than once repudiated.

In the face of these things, an opinion from a disinterested source would have commanded more confidence, to say the least. Meanwhile we are placed by Council in the position of helpless victims of downright lawlessness. Council, which is clothed by law with power to "secure the peace, order and well being of the inhabitants," says Sunday base ball is a disgrace to our town, but our hands are tied—we are powerless to prevent it.

If this be so, local government is a ridiculous farce and we are subjects of a limited form of anarchy under the hypocritical pretense of democracy. Several thousand people may assemble in a sequestered spot and play base ball on Sunday until riot reigns over base ball, heads are broken and doctors refuse to bind up the wounds through fear of having to attend court as witnesses, and the noise can be heard from Yatesville to Jardin street—as was the case on last Sunday—and we have no power to stop it, eh? Then we may as well open the jails and discharge the police.

Very truly yours,  
Wm. Powick.

Shenandoah, Pa., July 7, 1894.

DIED.  
DORIS—On the 6th inst., at Shenandoah, Pa., Ruth, daughter of E. A. and Jessie Doherty, aged one month. Funeral will take place on Sunday, 8th inst., at 2 p. m., from the family residence, 300 North Emerick street. Interment in the Odd Fellows' cemetery. Relatives and friends respectfully invited to attend.

## SZLUPAS ACQUITTED!

But the Jury Tacks on a Costs Provision.

### JURY OUT TWELVE HOURS

The Doctor Directed to Pay Two-Thirds of the Costs and His Co-Defendants to Pay the Balance—Comments on Such Verdicts.

POTTSVILLE, July 7.—The prolonged libel suit of John Rogers, Anthony Alex' Joseph Kephinsky, John Mieladzis and Charles Radziewicz, all of Shenandoah, against Dr. John Szlupas, George Nanjunos, Joseph Kelsner, George Shumansky and John Petrika, which occupied the attention of Judge Weidman and a jury from the 26th of June until yesterday afternoon, is at last ended.

The verdict is "not guilty," but Dr. Szlupas is directed to pay two-thirds of the costs and the remaining four defendants one-third.

The jury retired shortly before one o'clock yesterday afternoon and remained closeted until midnight before a verdict was agreed upon. Warden Dunkelberger served the jury with a supper at 9 p. m. When the verdict was determined upon it was sealed and held reserved until Judge Weidman opened court at eight o'clock this morning and directed that the verdict be opened and read.

This verdict has revived the discussion which was recently precipitated by the result in the case of County Commissioner Allen, in which the Jury also decided that the accused was not guilty but directed to pay part of the costs. The discussion of such verdicts is now being taken up in all parts of the state and more recently by the Philadelphia Press and the Philadelphia Patriot. The Press picks out a particular case for its objections, but every verdict of the kind is open to exactly the same criticism.

The Patriot treats the subject in a very forcible manner when it says: "It is preposterous that a man having been tried by a jury of his peers, according to the laws of his state, shall be found not guilty but at the same time punished by the infliction of costs. It is the rule in the United States that a man shall be acquitted innocent until shown to be guilty and it is the burden of the Commonwealth to establish his guilt. There can be no half way measures about the finding. It must be either guilty or not guilty.

In the case of a man found not guilty but forced to pay the costs he may not leave the court room an innocent man; or if he is innocent he is robbed of the verdict to save the county the expenses of prosecution which is a double wrong, since he has been compelled to stand trial upon a false charge and must pay costs despite the fact that it is false.

The cost of bringing in the middle aged, not to the close of the nineteenth century. If a man is at all guilty he is fully guilty and should be convicted. The jury should not be permitted to allow a man to buy his acquittal by the payment of money. An official advising it should be asked to resign. On the other hand the really innocent man receiving such a verdict should refuse to pay the costs, for no matter what may be the argument responsible for it it is simple robbery. We must have verdicts of guilty or not guilty, coupled with punishment or full release."

### SOCIAL EVENT.

Miss Maud Lewis—Entertains Royalty at Wm. Penn.

Miss Maud Lewis gave a superb party at her residence in Wm. Penn last evening in honor of her guest, Miss Louise Hughes, of Portland, Oregon. It was one of the finest society events held in Wm. Penn for some time and the reception and entertainment given the guests was on a scale wholly regardless of expense. The mansion was brilliantly illuminated and the refreshments were in keeping with the other magnificent arrangements for the occasion. Miss Maud Lewis and her ever generous and hospitable father, Superintendent William H. Lewis, were especially active in making the event pleasing to all.

Among the ladies and gentlemen present were Miss Patterson, of New York City; Miss Flora Fulton, of Shamong; Misses Hunter and Lessie, Mr. and Mrs. Harry Hunter, and Messrs. Robert Henton and George Evans, of Ashland; Mr. Baird Halberstadt, of Pottsville; Mr. Ed. Murrer, of Wilkes-Barre; Mr. John Bucher, of Lewisburg; Messrs. Hakesco and Butler, of Delano; Dr. and Mrs. Jordan, Misses Jessie Grant and Emma Krick, and Messrs. John Grant, I. A. Hamberger and H. H. Zulick, of Shenandoah; and Messrs. Maud and Carrie Lewis, and Messrs. William H. John and Wilbur Lewis, of Wm. Penn.

The ladies' prize was won by Mrs. Harry Hunter and the gentleman's prize by Dr. Jordan.

Go to Cardin's, 224 W. Centre St., for bargains in wall paper. 5-18-94

Mougan's Bargains.  
A good quality home-made rag carpet at 30 cents a yard; nice table oilcloth, 10 cents a yard; good dress gingham, 6 cents a yard; the best 50 cent corset in the market. Lace curtains and dress goods of all kinds cheap.

P. J. MONAGHAN,  
No. 28 S. Main St., Shenandoah.

D. of P. Anniversary.  
Junata Council, No. 31, Degree of Pochontas, of town, will celebrate its anniversary at Ashland Park on Friday, July 13th. An invitation to the Imp. O. of E. M. and D. of P. of Mahanoy City is extended.

Special Sermons.  
Rev. William Powick will preach a special sermon in the M. E. church on Sunday morning on "The Preciousness of Death."

Schnieker's Ashland Summer Garden open evenings. Ice cream and beer. Dancing every Saturday night. 6-16-14

## WE WOULD, WOULDN'T YOU?

Some Things We Would and Some Things We Wouldn't Do.

If we were a storekeeper, we wouldn't block up the sidewalks with boxes and barrels so people could not pass by. We wouldn't, would you?

If we were the Street Committee of Council, we would have the humps removed and the holes filled up on the streets. We would, wouldn't you?

If we were Congressman Kelly we would secure a few more postoffices and public buildings (on paper) to fix up dissatisfied Democrats. We would, wouldn't you?

If we were a Councilman, representing a big corporation we would resign. We would, wouldn't you?

If we were Contractor Quinn, we wouldn't delay the completion of the new water works. We wouldn't, would you?

If we were Chairman Whitehouse we would issue a call for the Republican convention. We would, wouldn't you?

If we had a couple hundred thousand dollars we would make a will, and see that Ringtown and Shenandoah were connected by an electric road. We would, wouldn't you?

If we were the Borough Council we would elect a water commissioner who would not delay the completion of the new water works. We wouldn't, would you?

If we were Chairman Whitehouse we would issue a call for the Republican convention. We would, wouldn't you?

If we were the judges and a jury found a man not guilty and placed the costs upon him for being an innocent man, we would change the verdict. We would, wouldn't you?

If we were Chief Burgess we would make the hucksters honest. We would, wouldn't you?

If we had our say, we would suppress the street fair nuisance. We would, wouldn't you?

If we were a candidate for office, we would not keep our hair closed. We wouldn't, would you?

### A Treat.

Shenandoah Valley Encampment, No. 258, I. O. O. F., will celebrate its thirtieth anniversary on Tuesday evening, July 17, 1894, by giving a grand musical entertainment in Ferguson's theatre. The best talent will be secured for the occasion. The committee on program has secured the services of Miss Jennie Palmer, daughter of Superintendent Richard Palmer, of Wm. Penn. Miss Palmer at an early age exhibited extraordinary musical talent which has been constantly developed. After securing an education in the different musical branches Miss Palmer graduated from the Dana Musical Conservatory at Warren, Ohio, in 1889, and to this is due her accomplishment as a pianist. Miss Palmer has formed in many of the principal cities of the West and as a teacher she has had scholarly success and many solicitations have been given her latest classical music abroad. The chart for the entertainment is now open at Kirlin's drug store. Coupon tickets will be sold at 25 cents and general admission tickets at 15 cents.

### A Neat Publication.

The Lehigh Valley Railroad Company has just issued a neat twenty-eight page book descriptive of the many points of interest and picturesque scenery along the route of this great railroad system. Typographically it is an excellent production, and the information its pages contain is of much interest to tourists seeking recreation among the hills and valleys of Pennsylvania, New York and New Jersey, through which the Lehigh Valley runs.

### Talk to Us by Phone.

The HERALD office is connected with all parts of the county and state by the Long Distance Telephone, and parties having business to transact with this office can reach us by that system any hour of the day. Our friends will consider a great favor by telephoning any news happenings that may come under their observation.

### Entertainers Visit.

Quite a number of the members of Maj. Jennings Council, No. 967, I. O. O. F., A. M., paid a fraternal visit to Ringtown Council, and conferred the Oriental degree upon several candidates of the latter council. After the initiatory ceremonies had been concluded the visitors were very pleasantly entertained by the members of Ringtown.

Examinations for Mine Foreman.  
The members of the board appointed to examine applicants for the position of mine foreman will meet in Pottsville on Thursday, at the court house, for that purpose. It is said the number of applicants is unusually large, and among the number are several from this town.

### The Letter List.

The following is a list of the letters which remain uncalled for in the local post office: Mrs. Harry Miller, Miss Bertha Boshough, Henrietta Lowrey, Chester Shaw, J. C. Hotz, Jonathan Lidenmuth, Joseph Spelding, C. Frey, Henry Miller.

Mr. O'Connor's Death.  
Mr. A. J. O'Connor, late principal of the Gilberton schools, denies the report that he instituted the suit against James A. King, the School Director at Malenaville. Mr. O'Connor says a school teacher named Dolan is the prosecutor.

### Obituary.

Ruth, the infant daughter of Edward A. and Jessie Doherty, of North Emerick street, died yesterday afternoon. The funeral will take place at 2 o'clock tomorrow afternoon.

## Flour!

Unknown Brands, from  
Unknown Millers, by  
Unknown Dealers

Attract in judicious buyers only.  
We sell only

WELL-KNOWN BRANDS

At the lowest prices we have ever offered.

## Graf's

122 North Jardin St.