# EVENING.



## HERALD.

VOL. IX,--NO. 243.

SHENANDOAH, PA., SATURDAY, SEPTEMBER 29, 1894.

ONE CENT

#### THIS CHAIR SCHMIDT

Williams & Son's.

#### Bed Sheets and Pillow Cases.

Buy them ready made. It does not pay to get the sheeting if you can get the ready made sheets at same price. We have them different styles. Plain bem, hem-stitched, tucked and

The P. N. Corsets are no doubt the best corset in market

116-18 N. Main St.



····We Can Do You Good on

## Lamps and Lamp Goods

Let us quote you our prices on Vase Lamps and you will see the unprofitableness and also unnecessary cause of shifting with the old broken one. We are also offering until October 2nd, 20 per cent. discount on all our Tea, Dinner and Toilet Sets. Come to us and we will tell

#### Chas. Girvin,

SPROREZET to GIRVIN, DUNCAN & WAIDLEY,

8 South Main Street.

#### Special Drive in Shoes

Just received from Boston 800 Pairs of Ladies' Fine French Kid Shoes (D, E & E E widths) all sizes, at \$2.00 per pair—half a llar less than the regular price.

As fine as any \$3 shoe ever handled.

Rare bargains for Ladies.

Our general line of shoes is up to the Regular Standard and includes all sizes and styles at all prices.

We Court Inspection.

#### JOSEPH BALL, 14 S. Main Street, Shenandoah, Pa.



# Going Like

Another lot just received, New patterns, good styles.

Linoleum, 2 yards wide, 75c.

Floor Oil Cloth, New Patterns,

One yard wide, 25 cents. Two yards wide, 50 cents.

#### Bargains in Moquette Rugs.

Beautiful Patterns, from \$1.00 to \$2.25. Wilton Velvet Rugs, very handsome, at \$2.25 Worth more money.

RETTERS

## THE VICTOR.

A Law Suit Which Created Much Local Interest Ended.

#### THE ARBITRATORS' AWARD.

They Allow the Ex-Receiver of Taxes Most of His Claim and Give Waters an Allowance.

A case which has excited some interes was arbitrated in the office of M. M. Burke, Esq., in the Egan building, yesterday afternoon. Interest in the case was created by the fact that it was based upon a suit to recover taxes, and in the offset put up against the claim a defunct ornet band became involved and revealed the vicissitudes which stray the path of

some who seek fame in the musical world. The plaintiff in the case is Christ Schmidt, ex-Receiver of Taxes in this borongh, and the defendant Thomas C. Waters, formerly a business man of this place and now a resident of Enreka, Bucks county.

It seems that several weeks ago, when Mr. Waters was about to ship his household effects from town to his new home Mr. Schmidt sued him for taxes amounting to about 573. Mr. Waters gave security for the amount pending a trial of the case to decide the claim and when the suit came up in court all parties agreed upon an arbitration.

In accordance with this agreement Messrs. M. C. Watson, John A. Reilly and A. H. Roads, the arbitrators. S. G. M. Hollopeter and T. R. Beddall, E-qs., counsel for the defense, and M. M. Burke, Esq., counsel for Mr. Schmidt, met yesterday to hear the evidence.

Mr. Schmidt claimed that Waters was in his debt to the amount already stated. Mr. Waters testified that about three or four years ago the members of the Cambria Band called upon him and rented his basement for a band room. Mr. Waters tore out a petition and fixed up a place for the purpose and it was occupied. Shortly after the band got shaky. It didn't pay its rent, or for the coal oil or coal furnished. The members ultimately confessed that they were in a pinch, that a note for two hundred dollars which they had borrowed from Mr. Christ Schmidt was to fall due and they had no means to provide for it. After some persuasion Mr. Waters took a personal interest in the band and an agreement was made between him and the band that he should receive all the instruments in consideration for his assuming the debt of the band to Schmidt.

Mr. Waters finally became the possessor of the instruments and after holding them about four months he transferred them to Mr. Schmidt upon the understanding, he said, that in case a sale should be made and Mr. Schmidt would receive anything over \$200 for them the excess was to be paid to Waters for the rent in a struments and the band Mr. Schmidt said he ioaned t

by the individual members of the band, or promised to pay Mr. Waters for rents, etc.

Messrs, David Jenkins, Thomas Jones and George Dawson testified that the band was defunct and that they surrendered the instruments to Mr. Waters. They also testified that Mr. Schmidt had been paid \$50 on account of the note.

In summing up before the arbitrators Mr. Hollopeter argued that after Mr. Schmidt's warrant expired and the proceedings provided by law had not been resorted to any taxes remaining unpaid and due to him became a common debt under the law and that Mr. Waters had a right to set up an offset in the suit, as it was instituted for the collection of a common debt. The only question in the case, he argued, was whether or not Mr. Waters had an offset in the case. If he had there should be a verdict of no cause of action. There was an offset, he claimed, because Mr. Schmidt became a trustee for Mr. Waters, promising to pay that gentleman all he should receive over \$200 on a sale of the instruments.

Mr. Burke argued that the setoff set up by Mr. Waters could not stand, because it was a claim based upon an alleged breach of contract and was premature; that a suit for a breach of contract against Mr. Schmidt was essential to establish the claim before it could be used as a set-off. The claim must be liquidated. On the facts of the case Mr. Burke argued that in stepping into the shoes of the Cambria Band Mr. Waters became subject to the conditions of the agreement between Mr. Schmidt and the band, i. e.

that in stepping into the shoes of the Cambria Band Mr. Waters became subject to the conditions of the agreement between Mr. Schmidt and the band, i. e. that if the note given by the band should not be paid the instruments were to be turned over to Mr. Schmidt; that Mr. Waters did turn over the instruments, and Mr. Schmidt sold them and applied the proceeds to the payment of the note. If there was a trustee in the case at all Mr. Waters was the trustee of Mr. Schmidt, because when he had the musical instruments he held them as personal property belonging to Mr. Schmidt. Mr. Burke also argued that Mr. Schmidt could not be held for the rent, etc., which the band owed Mr. Waters, because he had not signed an agreement to that effect and under the law a man cannot be held responsible for the debt of another in the absence of an agreement in writing.

After the conclusion of the arguments the arbitrators took the case under advisement and half an hour later rendered a verdict in favor of Mr. Schmidt for the amount of his claim, less \$50, which they thought Mr. Waters was entitled to for taking care of the musical instruments for four months.

#### PERSONAL.

Miss Edith Fisher, of Brandonville, is

wisting friends in town.

Mr. and Mrs. T. G. Mayherry left town
this morning to visit friends at Shamokin.

Mrs. William J. James and son are
visiting friends and relatives in Philadel-

Miss Hattle L Hess, one of our popular roung school teachers, spent to day at Pottsville.

Miss Annie Scaman, of Frackville, en-oved the musicale in the M. E. church

Mr. Robert Towns, one of the oldest of orden's residents, was a visitor to town

Seaver S. Leslie, Jr., representing Barn-hart Bros. & Spindle, of Chicago, pali-the Heralli sanctum a visit yesterday. Mrs. Elizabeth and Mrs. John Bartsch eft town this morning for Philadelphia, where they will spend a few days with

A young physician has made his ap-earance at the Kistler residence, on North Jardin street. Mother and babe are both doing well.

Alex. Scott, the Republican candidate or Sheriff, spent yesterday afternoon in own. Mr. Scott says his canvass is congressing very favorably and he is confident that he will go through, the campaign with flying colors.

James Quirk, alias Daly, of Canada, at one time a noted sprinter and resident of this place, spent yesterday as the guest of D. R. Lewis. Mr. Quirk brought the trotter Neille T. to town several years ago and he was the victor in the famous Rodgers-Daly sprint here about ten years ago.

The new edition of "She Couldn't Marry Three," will be brim full of new songs of the day, dances, medleys, etc.

#### The Bestons Will Come,

The Besions Will Come.

Jack Stivetts, the star pitcher of the Besten National league base ball club, visited town yesterday and was cordially received. He stated that the club will positively be here to-morrow and meet the Shenndoans at the Trotting park if the weather permits. Stivetts went to his home in Ashland last evening. He will pitch in to-morrow's game and it is expected that Ashland will send a large delegation to see his work. Shenndoah has secured the assistance of Betts, of Wilkes-Barre, and Ellis and Fuller, of Pottaville. The home team will be arranged as follows for the game: Ashenbach, center field: Gill, right field; Betts, left field: Weikert, second base; Ellis, third base; Fuller, first base; Toman, short stop. Messitt, catcher; Yesger or Dunkle, pitcher; and Yerkes, substitute. The Bostons will play with this team: Lowe, second base; Connaughton or Nash, third base; Duffy, center field; Bannon, right field: Tucker, first base; Stivests, left field and pitcher; Ganzell, catcher; Nichols and Staley, pitch and left field.

McElbenny's ladies' dining rooms are

McElbenny's Isdies' dining rooms are the codest in town.

#### Jumped the Track.

Jumped the Track.

The Lehigh Valley passenger train which started at 4:10 p. m. met with an accident yesterday. At the junction of the Lehigh and Pennsylvania tracks near the round house the rear truck of one of the ears left the rails and disabled the train. The car was left on the track and the engine, with the remainder of the cars and one taken from the Shamokin train which was side tracked at the rear of the Pennsylvania depot, proceeded to Pottsville. The train behind the depot was obliged to remain there until the derailed car was put on the track again by a wreck crew from Delano, which was accomplished at about seven o'clock last night. The 4:40 run to Shamokin was made by a special train sent down from Delano.

Lillian Kennedy and Charles Robinson as mirth provokers, are a host in them-

#### Birthday Party.

Birthday Party.

A very pleasant and enjoyable time was spent at the residence of Mr. and Mrs. Jos. Marshall, on North Jardin street, Thursday evening, the occasion being a birth day party tendered their daughter, Miss Mabel. It was the young lady's nineteenth anniversary, and an enjoyable time was spent by those present, among whom were the following: Misses Annie Taylor, Grace Strong, Lottle Lilly, Nellie Brown, Nellie Baugh, Annie Timmons, Mrs. Marshall, Mabel and Amanda Marshall; Messrs. G. Payne, B. Shapbell, John Lawson, W. Payne, Harry Parker, L. A. Hopkins, Robert Lawson and William Bath.

Mrs. Bridgeman, B. C. M., teaches violin (specialty) cello and plano. Corner of Jardin and Lloyd streets. 9-3-tf

#### Young Medical Students.

Young Medical Students.

A number of our prominent young men will leave town on Monday for Philadelphia, where they will take a course in the medical colleges of that city. Messra. Harry Owens, J. M. Monaghan, H. C. Clouser and J. S. Scheiffy will enter the Jefferson College; D. J. Price, Hahneman; William Baird and A. C. Morgan, Medico Chirurgical; J. D. Riley, James O'Hara and Clifford Robbins, University; and Harry Mellon, Fred, Wasley and Charles Kirlin, to the College of Pharmacy.

See the realistic fishing village, with real boats, real lighthouse, etc., in "She Couldn't Marry Three."

#### The Safe Open.

An expert arrived from Philadelphia last night and after considerable work succeeded in opening the safe in the post-office. It was found that the boits of the door refused to work became a bay of coin had fallen down and became entangled with one of the bolts in such a manner as to prevent the whole methanian from o prevent the whole mechanism from

McElhenny will have snapper, clam and oyster soup this evening.

A team of horses purchased from Wm. Neiswender, for the Humane Fire Company of Mahanoy City, attracted considerable attention last night while driven through the streets, hitched to the truck of the Rescue H. & L. Company.

#### Election of Officers.

thought Mr. Waters was entitled to for taking care of the musical instruments for four months.

Lodge Room for Rent.

Schmidt's hall is vacant Tuesday and Saturdays. Any one wishing to rentsame msy apply to Max Schmidt.

Schmidt, 9-25-5t

Plank Ridge Lodge, No. 889, L. O. O. F., beld an election of officers last night with the following result: Robert Fishburn, noble grand; William S. Parry, vice grand; E. D. Beddall, secretary; Thomas Martin, assistant secretary; John Clough, treasurer; Lewis Lebe, trustee for 18 months and representative to the Grand Lodge.

#### THE BOARD OF HEALTH

Proceedings at the Semi-Monthly Meeting Last Night.

#### TOWN FREE OF DISEASE

Only One Case of Typhoid-Contrast With the Statistics of a Year Ago. Good Sanitary Work.

The Board of Health held a regular emil-monthly meeting in the Borough Council chamber last evening to hear the eports of committees and the Health Offlcer. Their was very little business for the Board to transact and the adjournment

Board to transact and the adjournment was an early one. The members present were Messrs. Spalding, Miles, McHaleand Broughall.

Secretary Scanlan made a report showing that but one case of typhoid fever exists in town and that there are no cases of contaglous disease.

Upon hearing the report President Spalding stated that it was a very gratifying one, especially so when compared with the statistics of last year. At the same period in 1893 there were a large number of typhoid fever cases in the town.

Health Officer Miles stated that the Girard Estate officials could not set apart a plece of land to be used as a dimping ground for privy offal.

Mr. Miles, member of the board, put several interrogations to Borough Solicitor Pomeroy as to the law of nuisances and the latter gentleman stated that the duty of the board was simply to order the abatement of nuisances and see that the orders are carried out.

The deaths reported to the health department during the past two weeks numbered twenty-one, a big decrease from the number reported for the previous two weeks.

partment during the past two works numbered twenty one, a big decrease from the number reported for the previous two weeks.

Health Officer Miles presented the following report: Privy wells full on Oak street, between Gilbert and Cather the streets; owner will sink new wells well on South Pear alley cleaned; and a well on Jardin street, between Centre and Oak streets, will be connected with a sewer. Well on Coal street, between White and Bowers streets, cleaned. Mr. Rell notified to clean a well on West Coal street. Complaint made against a well on North West street; owner notified to disinfect it. Same order Issued as to wells on West Coal street. Owner of a well on South Main street notified to clean it out. New well sunk on the Snedden property on West Lloyd street and ashes taken from the yard. Nalsance on the Simmons property, South West street, absted. Notified owners of the O'Hara property on North White street to abate nuisance, and same order issued to property owner on South Bowers street. Hog pen on North Emerick street. Hog pen on North Emerick street cleaned. Ash bin corner of Main and Coal streets cleaned. Property of Mrs. Davis, on East Centre street, cleaned. Ash bin corner of Main and Cherry streets cleaned. Yard of property on East Centre street in poor conficient. Notlfied the owner, Mr. Bradigan, to put in a drain, which will be done. Blocked drain at the rear of the Sunday News office opened. Owner of property at the corner of Coal and Catherine streets is gementing cellar to abate unsance. Gutter of property on Mayberry alley cleaned and the owner promises to keep it in good condition. John Robbins is abating a nuisance at the corner of Emerick street and Strawberry alley by making connections with a sewer. Owner of Santon property on South Gilbert street promised to disinfect the privy well. A blocked drain on West street, between Poplar and Cherry streets, will be attended to. Hog pen nuisance on North Chestnut street at tended to. Nuisance of paper in rear of yard at HERALIO office remo

#### WILKINSON'S BUSY STORE.

Shenandoah's Leading Dry Goods House Offers Many Bargains.

Prices to suit the times always. To-day we call attention to the following specials in rich dress goods: All the 25 and 35-cent goods for 19 cents; our full lines of fine all-wool cashmeres that were 50 cents re duced to 40 cents; all the choice Henriettas upset from 75 to 50 cents; storm serges, formerly 75 cents, now 50 cents; and so on through the line. New coats, wraps, ges, formerly 75 cents, now 50 cents; and so on through the line. New coats, wraps, fur capes, at new prices—lower, of course, than any competitor. The largest stock in the county. Lace curtains this week at 39, 50 and 75 cents per pair. Half the regular prices. Blankets at less than cost of manufacture. Buying at the lowest notch for prompt cash makes the prices 55 and 75 cents and 81 per pair. Great bargains in woolen underwear. All sizes and all grades retailed at wholesale prices. Men's fine white dress shirts for 35 cents, worth 75 cents. New line of hosiery and gloves. Special prices for small wares. 1,000 purses worth 25 cents for 10 cents. 100 dozen ladies' fine hair plus, regular 25-cent goods, for 10 cents each. The carpet department is also asking for special mention. First-class lingrains at 45 cents, were 65 cents. Brussels at 50 and 65 cents that were \$1 per yard. Will it pay you to call?

L. J. WILEINBON,
20 South Main street.
Shenandoah, Pa.

#### Artistic Decorations.

One of the most artistically trimmed show windows seen here for some time is that at Hyde's millinery establishment, 20 North Main street. The decoration is after the style in vogue in New York, and consists of a tree branch studded with birds used in trimming millinery. It is worth seeing.

Get your repairing done at Holder man's.

#### BASE BALL.

The Harrisburgs Will Claim the State League Pennant.

The Pottsvilles failed to make their appearance at Harrisburg yesterday and the club of the latter place was awarded the game. The Harrisburgs say the Pottsgame. The Harrisburgs say the Potts-villes were in duty bound to appear as Manager Smith received the rain guaran-tee for \$25 for the postponed game. The Senators will make a request for the pen-nant on the ground that the articles of agreement between the two clubs were unconstitutional and that the Harris-burgs won the accessary three games only of five required by the constitution of the State Learne.

State League.

Manager Huston says that if the State league officials do not give bim the penant he will appeal to the National Board of Arbitration and show up the league from beginning to end. This, he says, will reveal some queer deals.

#### Oysters!

If you want good oysters go to H. Mehl's, 105 East Centre street, next door to Devers' barber shop. The best selected cysters in the town. Private parlors for ladies, 9-13-th-east

#### Delightful Entertainment.

Delightful Entertainment.

A large audience enjoyed one of the most pleasing entertainments of the season in the Methodist Episcopal church, on East Oak street, last evening. It was a musicale given under the auspices of the choir of the church. The program was one of excellent instrumental and vocal music and for over two hours held the attention of the audience. The selections were: Patriotic song, "Let the Hills and Vales Resound," Richards' choir, song, "The Volunteer Organist," James Patterson; duet, "The Two Sailors, b. J. Price and Jesse Hughes; solo, "Siumber Song," were: Patriotic song, Let the Hills and Vales Resound." Richards' choir; song, "The Volunteer Organist." James Patterson: duet, "The Two Sailors," D. J. Price and Jessa Hughes: solo, 'Slumber Song," Miss Maud Gilpin; "Sailors Chorus," male party; duet, "I would That My hove, 'Misses Ruby Yest and Sailie Wasley; song, "O. Loving Heart Trust On." Miss Edith Morgan; chorus, "The Bird at Sea," Ladles' Singing Club, chorus, "Hunting Song," chorr: song, "Answer" B. J. Price; quartette, "O. Rosebud Garland of Girls," Misses Yost, Wasley, Morgan and Brown; song, "The Bugler," Jesse Hughes; part song, 'Davy Jones," male party; duet, "'Howell and Blodwen," J. J. Price and Edith Morgan; glee, "Arabella," choir; song, "The Palms," Miss Ruby Yost; finale, "Good Night," Ladles' Singing Club.

#### Special for One Week.

Special for one week.

We offer to-day a full line of ready made sheets, pillow cases and holster cases at less than the price of the muslin alone. Sheets, bleached or unbleached for 50 cents; pillow cases 15 cents; bolster cases 125 cents. All the best quality.

L. J. WILKINSON, 9-29-4f 29 South Main St.

Social Gathering. A social gathering was held last evening at the home of Mrs. William Casiner,
in honor of Miss Kate Frances, of Shamokin. The evening was spent in a most
pleasant manner, games of various kinds
being played and many of the guests
taking part in a program of vocal and instrumental music. There was a dainty
apread at which the guests partook of the
delicacies of the season. The hostess' entertainment of the visitors was a royal
one.

#### Jewish New Year.

Jewish New Year,

The Jewish New Year (5055) will begin
at sundown to morrow evening and will
last until sundown on Tuesday evening.
The reformed Jews, however, only keep
one day. This is one of the most hollest
of Hebrew holiday seasons and is observed
by the Israelites all over the world. Services will be held in the synagogue on
West Oak street on Sunday ovening, Monday morning and evening, and Tuesday
morning.

#### Head Injured.

Patrick Connelly, of the First ward, sustained a severe scalp wound last night while at work in the Maple Hill coillery, but the Injury is not a dangerous one. Dr. Hamilton is attending the injured

Begley & Schoener's oyster bay, 11 West entre street. Meals served at all hours. Families supplied with oysters at sho notice, thursdesat

### W. C. No. 112, Attention !

Commencing on Tuesday next, October 2nd, the meetings of Washington Camp No. 112, P. O. S. of A., will be held in Egan's hall, corner of Main and Centre streets, at 7:30 p. m. By order of LEWIS LEHE, Pres.

Attest:—F. C. REESE, Sec'y. 9:36-1w

#### Grand Fall Opening.

Levi Refowich, the old reliable clothler, announces that his opening of fall and winter clothing takes place to-day. Call and inspect his stock.

#### How to Make Money.

Great wealth has been accumulated by small savings. You can save money by purchasing Wall Paper now to keep for future use. I am selling out my othre stock at just what it cost me. Come and see the bargains.

J. P. Camden, 224 West Centre street.

## Cure guaranteed. No operation. In-puire at the Shenandoah drug store, No. 8 South Main street.

Rupture.

Mackerel! Any size you want from half a pound to a pound and a half. Beautiful white ones, three quarters of a pound each. We will have them on the pavement this evening where you can examine

### Graf's

122 North Jardin St.