

THE TIMES.

New Bloomfield, Nov. 2, 1880.

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The Letter Forger Captured.

NEW YORK, Oct. 27.—Kenward Philp, a journalist, was arrested in Brooklyn to-day on a charge of libel in connection with the Garfield Chinese letter. He will be arraigned in the Supreme Court this afternoon. His counsel has already applied for his discharge on habeas corpus. Another report states that the arrest was made on a charge of counterfeiting postoffice dies, upon a warrant granted in Federal courts.

Philp was arrested in the lobby of the Park theatre, Brooklyn, while in conversation with ex-Sheriff Daggett, the Republican leaders of Kings county and other gentlemen. The arrest was made by Detective Stewart, of New York, upon a warrant issued by Judge Noah Davis, Presiding Justice of the Supreme Court, which charges the prisoner with malicious libel. Mr. Philp and the officers, accompanied by William Vedder, came over to the police headquarters in this city. After a brief detention here he was taken to the Supreme Court.—Judge Davis being temporarily absent, he was detained in the district attorney's office. He was arraigned before Judge Davis later in the day, and held in \$5000 bail to answer.

Robbing His Grandfather.

SANDWICH, MASS., Oct. 24.—Ezra Clement, a lad of 17 years, was arrested on Friday for the robbery and attempted murder of his grandfather in Pocomset. Disguised with a mask, the boy forced his way to his grandfather's sleeping room and ordered him to say where he kept his money, threatening instant death should he resist or refuse. The old man attempted to seize his assailant, but the youth dragged him from bed and beat him unmercifully. The boy then lighted some matches, and, holding his pistol under the old man's nose, ordered him to smell of it. The victim, weak from loss of blood, directed his assailant to the table drawer and the bed ticking, where he found some greenbacks. Having secured his plunder the boy again struck the old man, saying that "dead men tell no tales."

Young Clement came directly to Sandwich, and put up at the hotel. Later in the afternoon he took the train for West Sandwich. From there he started afoot for Plymouth, was traced, and arrested near Plymouth Rock. The recovery of his victim is doubtful.

Effect of Recent Collisions.

An exchange suggests that cabooses similar to those run on freight trains be attached to the rear of all passenger trains to avert the destruction to life in cases of railway collisions instead of providing against collisions. As it is now, the rush for rear cars has entirely ceased, no one being desirous to take a seat in them. The depot master at the Union depot, Pittsburg, says he finds it necessary to cut off the rear cars of all local trains, so great is the aversion to travel in them, or otherwise send out an empty coach in the rear. Taking that view of the matter, the caboose car is a good suggestion. But the question is, who will ride in the caboose?

Arrested for a Mysterious Murder.

ST. LOUIS, October 27.—It will be recalled that about a month ago Dr. P. H. Talbot, a prominent citizen of Marysville, Mo., and editor of the Greenback paper published at that place, was shot through the window of his residence and killed while he was retiring for the night. Yesterday his son, Albert Talbot, was arrested on the charge of committing the murder, and Mrs. Talbot, wife of the doctor, Ed. Talbot, another son, and the hired man, were arrested as accomplices. Their preliminary examination is going on to-day at Marysville.

A Terrible Charge.

Moses Kane, a brakeman on the Philadelphia and Erie railroad, now in jail at Meadville, is charged with deliberate murder in having caused a collision between trains by which two lives were

sacrificed, his motive being to revenge himself upon the engineer of his train, with whom he had had a difficulty, but who escaped injury after all. Kane was employed on a freight train which was required to take a side track five miles from Corry to allow a fast Baltimore oyster train to pass, but on the occasion of the collision it is charged that he purposely left the switch open and the oyster train, going at the rate of twenty-five miles an hour, crashed into the rear of freight, by which two men on the oyster train were killed.

Additional Local Matter.

[Reported by John C. Wallis, Esq.]

Court Proceedings.—At a Court of Common Pleas, Court of Quarter Sessions, and Court of Oyer and Terminer and General Jail delivery began and held in Bloomfield, for the County of Perry, on the 25th day of October, A. D. 1880, being the last Monday in October, before the Hon. B. F. Junkin, President, and Samuel Noss and William Grier, Esqrs., Associate Judges, the following proceedings were had, viz:

Jas. A. Gray, Esq., High Sheriff of Perry county, made return of the *Venue Facias*.

The Constables were sworn and made their returns to the Court.

Those persons summoned to serve as Grand Jurors at this term were then sworn and affirmed.

On motion of Chas. A. Barnett, Esq., Charles W. Wells, Esq., of Pottsville, was admitted to practice law in the several Courts of this County.

HABEAS CORPUS.

Com. ex rel. Jonathan Sanderson vs. Jacob Kramer, Robert Hackett, Columbus Minich, et al.

This was a case brought to compel the production in Court by the defendants of the body of Rebecca Ellen Sanderson. But as the several defendants denied by their several answers having the custody of the girl the Court sustained their answers as sufficient and discharged them. W. N. Seibert for defts.

COURT OF QUARTER SESSIONS.

Not True Bills.

Com. vs. Mary E. Smeigh. Charge, of Assault and Battery. The prosecutor directed by the Grand Jury to pay the costs of prosecution. Peter Low, the prosecutor was sentenced by the Court to pay the costs or give security within ten days to pay the same and to stand committed until the costs are paid.

Com. vs. Peter Low. Charge of Larceny and receiving stolen goods. Eli H. Crum, prosecutor.

True Bills.

Com. vs. Hiram Weaver. Charge, Fornication and Bastardy.

Com. vs. William Elliott. Charge, Assault and Battery.

Com. vs. Henry Sarver and George Kramer, Supervisors of Greenwood twp. Charge, neglect to keep open and repair the public road.

Com. vs. John Freeland and Samuel Moore, Supervisors of Howe township. Charge of neglect to keep open and repair the public roads.

Com. vs. Henry Sarver and George Kramer, Supervisors of Greenwood twp. Charge of neglect to keep up and maintain Index Boards at intersections of public roads.

Com. vs. Jacob Fleisher and Benjamin Fikes, Sr., Supervisors of Oliver twp. Charge of neglect to keep up Index Boards at the intersection of public roads.

Com. vs. Annie Rice. Charge of Fornication.

Com. vs. Fannie Garling. Charge of Fornication.

Com. vs. George W. Lupfer, Samuel Bealor, Laura Howenstine, Luper Watts, Jefferson Latchford, Amos Corl, Phillip Corl, John A. Fleisher, Horace Bixler, John Howenstine, David Howenstine, D. C. Flickinger, Lewis Baker, Ida Watts, Alice Fleisher, Maggie Howenstine and Maggie Flickinger. Charge of Larceny and receiving stolen goods.

Com. vs. Alonzo Clouser and John Derrick. Charge of Assault and Battery.

LIST OF NOLLE PROSEQUIES.

Commonwealth vs. Adam Fortney of Montgomery's Ferry, Buffalo township. Charge of violation of the Liquor Laws. On the oath of A. E. Howe, prosecutor. Case settled and costs paid by the deft.—Dist. Atty. Wallis for Com. Lewis Potter for Deft.

Commonwealth vs. George Stroup of Juniata county. Charge of fornication and bastardy on the oath of Catherine Ann Long, of Liverpool twp. Case settled by the marriage of the parties.—Dist. Atty. Wallis for Com. George Stroup for Deft.

THE CRIMINAL TRIAL LIST.

Com. vs. William Elliott. This case upon its trial disclosed the fact of an aggravated Assault and Battery. The defendant on August 18th 1880, while employed in the rolling mill at Duncannon, after a squabble with a fellow workman named James Smith, seized hold of a fifteen pound iron rod or scraper, about six feet long and three quarters of an inch thick, and struck the young man Smith a dreadful blow on the side of his head with the iron rod, inflicting a dangerous wound and cutting the injured man to the skull. The prosecutor bore the mark of the blow in court. The defendant was convicted, and sentenced to pay the costs of prosecution and stand committed until paid. Dist. Atty. Wallis & Markel for Com. Wm. A. Sponsler & Wm. H. Sponsler for Deft.

Com. vs. Peter Low. This was to be a trial of an indictment found at the August Sessions 1880. After a jury had been impaneled and sworn, the defendant pleaded guilty to the charge contained in the bill of indictment. So peculiar are events, and such a civilizing and humanizing influence has an assault and battery upon some people, that the prosecutrix, Mrs. Smeigh, the defendant's housekeeper, it is reported, now intends marrying the man who whipped her.—It is to be hoped that her generous nature may not be abused by her contemplated spouse, and she be whipped often-

er after marriage than before, as is the custom generally. A charge of Fornication and Bastardy pending against the same gentleman at the instance of the same lady, proves that knocking a woman down is not the only trouble Mr. L. has got into. Mr. Low was sentenced to pay the costs and stand committed. Dist. Atty. Wallis for Com. Chas. J. T. McIntire for deft.

Com. vs. Alonzo Clouser and John Derrick. The defendants in this case are young men living in Bloomfield who were charged with making an indecent assault upon Birdie Alexander, the daughter of Dr. Alexander, a child of nine years of age, also a resident of Bloomfield. The trial showed that on the evening of September 26th ult., Sunday, the little girl was going along the pavement at the Court House, toward her home on High Street, when the defendants approached her and took hold of her and hustled her about, and held her wrists and pulled up her clothes etc., and otherwise treated her rudely and improperly. The boy Derrick is about thirteen years old, and the young man Clouser about seventeen years of age. This case excited considerable interest and was watched anxiously by the people from beginning to end. The jury after deliberating seven hours brought into Court a verdict of guilty with a recommendation to the Court for a merciful sentence. A motion was made by Defts' counsel for a new trial, and sentence was deferred. Dist. Atty. Wallis & Chas. J. T. McIntire for Com. Wm. A. Sponsler & Wm. H. Sponsler for Defts.

The business of the Quarter Sessions was the lightest at this term that has been known for many years.

MISCELLANEOUS BUSINESS.

In the Court of Common Pleas.

Report of Lewis Potter, Esq., Auditor to distribute balance in the hands of William Lodge, assignee of Michael Bitting, filed. J. C. McAllister, att'y.

W. N. Seibert, Esq., appointed Auditor to take testimony in the case of Wm. Jacobs vs. Matilda Jacobs for divorce. J. E. Junkin, att'y.

Inquest of the body of an unknown man killed on the Pennsylvania Railroad near Perdix Station, approved and confirmed by the Court. Wallis, att'y.

Subpoena in divorce awarded to J. W. Thompson vs. Lydia A. Thompson, and J. C. McAllister appointed commissioner to take testimony. McIntire, att'y.

A petition was filed by James Miller, Committee of Ellen Miller, and it was ordered by the Court that \$200 be paid out of her estate for her support. J. E. Junkin, att'y.

A. B. Clouser, Esq., was appointed Assignee of William Hench of Wheatfield twp., under a deed of assignment for the benefit of creditors. W. A. Sponsler, att'y.

The sale of real estate by the Assignees of Cyrus and W. E. Clouser, to John Smith, for \$2,000 confirmed. W. H. Sponsler, att'y.

Subpoena in divorce awarded to Sallie J. Branyan vs. Harry E. Branyan. C. H. Smiley, att'y.

Decree of sale of the real estate in Liverpool borough, owned by Perry Lodge of Odd Fellows, granted. W. A. Sponsler, att'y.

Samuel Noss, Assignee of Samuel Rife, vs. Daniel Rife. Rule granted to show cause why a judgment for \$1,500 should not be opened. Chas. A. Barnett, att'y.

On the petition of Mary Charles the Court granted a rule to show cause why a certain judgment for \$64 against her should not be stricken from the record because she is a married woman. Lewis Potter, att'y.

The report of viewers to view and change the road leading from Zeigler's saw mill to Landisburg confirmed by the Court. Seibert, att'y.

The report of viewers to view and change the public road from Wm. Stambaugh's to Gibson's Mill confirmed by the Court. Seibert, att'y.

The report of viewers to view and straighten the public road leading from King's Mill to Duncannon, confirmed. Sponsler, att'y.

The report of viewers to view a public road from land of Jacob Hemminger to Roseburg, confirmed. McAllister, att'y.

The report of viewer to view and lay out a public road from Sweger's lane to the Ridge Road at Barclay's School House, etc., confirmed. Seibert, att'y.

The report of viewers to re-view Main street in Marysville, confirmed. Sponsler, att'y.

Rule granted why a certain judgment against Henry Zeigler and J. J. Smith in favor of Wm. H. Minich for \$53.80 should not be satisfied of record. Barnett, att'y.

IN THE ORPHANS COURT.

Inquisition awarded on the estate of Jacob C. Smith, on petition of Andrew Shearer and wife. W. A. Sponsler, att'y.

Second *quarries* order of sale awarded to Abraham Fry, executor of John Linn, dec'd to sell real estate. W. A. Sponsler, att'y.

Appraisement confirmed *in re* the estate of John Bretz, dec'd. W. A. Sponsler, att'y.

Alia order of sale awarded David Burd, adm'r., of Orpha Jane Burd, late of Watts twp. W. A. Sponsler, att'y.

In the estate of Lawrence Koons, dec'd, the real estate of decedent was awarded to Henry Barner under proceedings in petition. Lewis Potter att'y.

In the petition of Eliza Emerick an order was made that a sum of money not exceeding \$50 be deducted from funds in the hands of Geo. Mitchell, adm'r., to pay for tomb stone on the grave of Jacob Emerick, dec'd. Wm. A. Sponsler, att'y.

Order of sale to pay debts *in re* estate of James G. Galbraith to Wm. A. Sponsler, adm'r. Wm. H. Sponsler, att'y.

Alia order of sale awarded A. B. Clouser, adm'r., of Samuel Messimer, dec'd., to pay debts of decedent. Chas. A. Barnett, att'y.

In the estate of John Rice, dec'd a second *quarries* order of sale was awarded by the Court to Adam Rice, executor. W. A. Sponsler, att'y.

In the estate of Catherine Foust, dec'd., Solomon Bower, trustee, the sale of the decedent's real estate to John A. Wilt for \$940 was confirmed by the Court. Chas. A. Barnett, att'y.

THE CIVIL TRIAL LIST.

There were ten cases on the trial list. The first case was an action of ejectment brought by Wm. M. McCoy vs. Elizabeth Jones, to recover a small patch of ground in the possession of the defendant lying and being in Penn twp. There has been considerable litigation between these parties, civil and criminal, growing out of this mutually disputed potato patch, and it is now decided by the verdict in this case to belong to William M. McCoy, but in as much as the law permits further actions of ejectment before the title is definitely settled perhaps the end is not yet reached. Sponsor for pliff. Barnett and McAllister for deft.

The second case of Jacob Bretz vs. George W. Blattenberger, was continued till next term.

The third case on the list and the second case tried was The Pennsylvania Canal Company vs. George Losh, a suit brought to recover damages under the Act of April 10th, 1826, Section 9. The plaintiffs alleged that Losh had unlawfully, since 1876 till date, constructed and maintained at Losh's run, a device for taking water from the canal for his own purpose and use, by opening a channel in the berme bank of the canal to a trunk constructed to the head race of Losh's saw mill through which trunk the water from the canal was diverted to the injury of the said plaintiffs. The jury returned a verdict against the defendant and in favor of the plaintiffs for \$1.00, six cents damages and the costs. The plaintiffs submitted to the Court during the trial that they did not sue to recover any money from Mr. Losh but simply to define the rights of the respective parties and stop the nuisance. And it was accordingly left to the jury to say whether they should fine \$1.00 or \$10.00 damages and no more. Col. Francis Jordan and C. J. T. McIntire for pliff., and Chas. A. Barnett for the deft.

The Quarter Session cases having ended on Thursday afternoon the next case on the civil list was taken up. This was an action by John C. Klipp vs. The School District of Tuscarora twp., to recover from the township \$300, money paid by him as bounty to fill up the quota due by the township, said township having paid for eight men and the demand on them being for nine men. Mr. Klipp had been drafted and he paid \$400 for a substitute and the man was credited to the township and Mr. Klipp charges it \$300, and this action is to recover that \$300. The township authorities had given Mr. Klipp a bond for \$300 and this suit was to recover on the bond. But inasmuch as there was no lawful power to give such a bond vested in the authorities at the time they gave it the Court was of opinion that the plaintiff could not recover. Still to save the legal question a verdict was taken for the plaintiff for \$300 and a rule entered to show cause why judgment should not be entered for the defendant, *Non obstante verdicto*, or, in plain English, in spite of the verdict. W. A. Sponsler for pliff., and Chas. A. Barnett for deft.

P. A. Hl vs. Samuel Lay. Continued.

The fourth case tried was John H. G. Kinter and brother, creditors of Kirk Haines, dec'd., vs. The United Brethren Mutual Aid Society, a Life Insurance Company. It seems that Mr. Kirk Haines in his lifetime had a policy on his life in this Company for \$3,000 taken out for the benefit of his creditors. Messrs. Kinter and Brother. The Insurance Company resisted the payment of the money on the ground that Mr. Haines in his application for the insurance made false representations, and that the insurance was given to him on those representations. A great deal of testimony was heard by the court on both sides of the case,—and, perhaps, on four sides of it—consuming all of Friday in the hearing. It seemed to be the object of the defendants to show that Mr. Haines was in a dying condition when he effected this insurance and concealed the fact from the company, and the purpose of the plaintiffs to show that Mr. Haines was a healthy man in vigorous life and capable of taking his solid and fluid refreshments with exemplary regularity and gusto. It may well be supposed that the evidence was conflicting. It was. Anything more conflicting it would be hard to imagine, unless it were right and wrong or their equivalent Republicanism and Democracy. The Court gave an able and fair charge to the jury on the law of the case, stating substantially, (1) that if Mr. Haines was suffering from dyspepsia or other disease at the time of effecting the insurance and knew it and purposely concealed that fact from the company the plaintiff cannot recover, and (2) if dyspepsia and the other complaints were such diseases as were material to be known by an Insurance Company and Mr. Haines failed by forgetfulness or inadvertency to state his afflictions when applying for the insurance in that case the plaintiff cannot recover, and (3) if his ailments were not material to be known and could not effect the risk if known and the Company was not prejudiced by his failure to disclose them then the suppression of them by him was unimportant and the plaintiff can recover, and (4) if Mr. Haines was in fact not diseased but was at the time a healthy man the plaintiff should recover. The jury brought in a verdict for the plaintiff for \$3317.30. Sponsler & Barnett for Pliff. McIntire & Benson for Defts.

Ensminger vs The Farmers' Mutual Fire Insurance Company. Continued.

J. T. Robinson vs. Samuel A. Hollenbaugh, was the case next tried. This was an action on an article of agreement made and entered into by and between the parties to the suit some time in 1874. Robinson leased a store located at Sandy Hill from Hollenbaugh and bought out the stock and carried on the business for two years, from 1875 till 1877, the term of the lease. The agreement provides that at the expiration of the lease Mr. Hollenbaugh would take the stock then in the store off the hands of Robinson and pay for it provided the stock was no larger than the stock originally sold to Robinson. This clause in the agreement Mr. Hollenbaugh repudiates and says it should not have been put in the agreement, or at least it should have been otherwise modified to express the actual contract. Mr. Hollenbaugh refused to take the goods at any rate and

Mr. Robinson now sues him for damages. The parties had each their own version of the agreement, and, like the two wives of the old man who pulled out his hair, the young one pulling the gray hairs and the old one the black hairs, they pulled at it this way on the one side and that way on the other until that article of agreement became as it were, as said headed as a hitching post. The verdict of the jury was \$22 for the plaintiff. Robinson sued for \$600 and if his claim for damages was true he just loses \$578 by this verdict.—Sponsler for Pliff. Barnett for Deft.

Charles Troutman vs. Jesse Johnson, adm'r. A jury was dispensed with in this case and its decision left to the Court. But the plaintiff seems to have been at a venture and when the time came to try the suit the argument was not upon the merits of the case but upon the question whether the suit should have been brought at all or brought in the way it was. The facts at first thought to be admitted were finally disputed and the trial was consequently postponed to a later day. Sponsler and Potter for pliff. McIntire and McAllister for deft.

Minnie A. Bortner vs Chas. M. Dickinson. This was the last case on the trial list and it was settled by the parties.

Shocking Disaster.

Mrs. John Rea, who resides near Madison, Ind., while sitting in front of a large fire-place nursing her 6 week-old babe, was suddenly attacked with vertigo, and in falling threw her babe upon the burning logs of the fire, burning it in a frightful and fatal manner, there being no assistance near except a 4 year-old child, who dragged the burning infant from the fire across the body of its prostrate mother, setting fire to her clothing. She, however, recovered in time to save herself.

A Surprised Barber.

A West Chester barber was surprised the other day by the appearance in his shop of a well-dressed, fine-looking woman and a young man of dignified bearing. The man asked for a keen razor, which being furnished, was used by the woman to shave the man. The tonsorial operation was quickly and skilfully performed, whereupon the strangers left with thanks.

Dollars Lying Around Loose.

At the wreck of the Pacific express, two miles above East Conemaugh, last Thursday, several bags containing silver coin were in the express car, and when it went crashing down over the filling the treasure was distributed around promiscuously because of the sacks bursting. The money consisted principally of silver dollars, and nearly all was recovered by the trainmen.

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OUR WASHINGTON LETTER.

WASHINGTON, D. C., October 27, 1880.

All the Departments of the Government will send to the President this fall highly satisfactory reports. That of Secretary Sherman will of course attract much attention. It will be a remarkable paper—one the like of which was never issued in the history of the world. It will show such a reduction of the public debt and of the interest charge as will, when studied over, startle even those business men who keep watch of financial affairs. Politicians will, of course, attribute the gratifying result to Providence or to the Secretary's financial skill, or to the general quietness which some believe is a result of President Hayes' policy, but all will rejoice at the facts to be given.

The State department will report us "at peace with all the world and the rest of mankind," and will, it is hoped, be able to say that the proffered mediation of this Government in the affairs of Chili and Peru has brought about peace between those belligerent Nations.

The Post Office Department will tell us truly that it has given the country better postal service than ever before, and that the balance, as to expense, is less than in any recent year.

Secretary Shurtz may have an Indian war to account for, but at this writing it is believed peace will be maintained with the Utes, and that the treaty which assures the permanent pacification of the tribe will be fully executed by the time the Secretary puts the finishing touch on his annual report.

The War and Navy Departments have been economically conducted, and the official reports will be of a kind to please every citizen.

Attorney General Devans, it is understood, will make important suggestions as to the legislation necessary to protect the ballot box, and his is the only official paper of the lot, which is expected to provoke partisan attack in Congress.

There is here probably a greater interest in the result of the coming election than anywhere else. There are at least ten thousand men here whose income is thought to depend upon the maintenance of Republican ascendancy. This number represents fully one third of the population. So far as I can learn the "ins" are more confident than ever, but they express privately a great deal of doubt as to the prospects in New York, New Jersey, New Hampshire, Maine and California. Washington Democrats claim that they have now no doubt of Garfield's election.

A gentleman close to Senator Conkling, and who traveled with him on his Western trip, says that General Garfield will not retain a single member of Mr. Hayes' Cabinet, and that the next administration is to be pre-eminently a stalwart one.

OLIVE.