Kent News.

SATURDAY, - - APRIL 20, 1895.

THE APRIL COURT.

The Big Damage Case Compromised for $3500 and Costs—Others Removed—Numerous Whiskey Presentments—The Term to Close About Next Tuesday.

The April Term of the Circuit Court for Kent County convened on Monday the 15th inst. with His Honor Judge Joseph A. Wickes on the bench. Judge Frederick Stump arrived on the noon train Monday and took his seat.

The officers of the Court are the following: Clerk, Dr. Sam'l G. Fisher; deputy clerk, Frank H. Greenwood; sheriff, Thos. S. Dodd and deputy, John Hurlock; crier, John H. Greenwood; bailiffs, James A. Russell, and Jervis Spencer, and Geo. C. Atkinson, bailiff to the grand jury.

The Clerk called the following gentlemen to the grand jury box and named Cornelius J. Scott, Esq., of Galena, the foreman to preside over said body:

GRAND JURY.

C. J. Scott, foreman;	Robert S. Crew,
Thos. D. France,	John W. Jarman,
Chas. H. Price,	James H. Gale,
Wm. A. Kennedy,	Rich'd W. Jones,
Wilbur Eliason,	John K. Aldridge,
Aug. Hendrickson,	John E. Morris.
Daniel E. Jewell,	Wm. H. Cacy,
John Hurlock,	Edw. W. Hepbron,
Edwin S. Morris,	John M. Comegys,
Columbus A. Leary,	Jos. W. Harper,
Geo. W. Rodenhiser,	Henry S. Cook.
Alday Clements,	

PETIT JURY.

Wm. H. Lambert,	Sam'l J. Wickes,
Cornelius C. Brown,	Ellsworth Bowers.
Samuel Beck,	Hiram M. Brown,
Thos. Rasin, Jr.,	Geo. W. Smith,
Sam'l Mallalieu,	Colin F. Taylor,
Wm. A. Hyland,	W. D. Pennington,
J. P. Hendrickson,	Sam'l F. Cooper,
E. E. Woodall,	Wm. W. Coleman,
Anth. H. Johnson,	Geo. Bell,
Geo. M. Beaston,	Walter T. Morris,
Henry J. Gray,	Wm. D. Burchinal,
J. Walter Skirven,	Edw. W. Emory,
Joseph Rasin,	

In the course of the delivery of his charge to the grand jury, Judge Wickes said he had been informed by the sheriff that there were confined in the jail a considerable number of persons whose cases would come up for trial at this term, but that it was a source of not a little gratitude and pleasure to know that there were no crimes of a serious nature to be investigated. He remarked that in this respect we were to be congratulated, for in other parts of the State crimes of a most atrocious nature had been committed. The able Judge commented upon the frequent and flagrant violations of the Local Option Law, and deemed it proper to refer to the organization of the Law and Order League, and said he was sure that there was actual if not open warfare being waged against the violators of this law by the better thinking class of our citizens and drew a vivid picture of the deplorable state of affairs that inevitably follow disgard of law. In conclusion he admonished the jury to keep secret and inviolate their proceedings and to discharge faithfully the solemn duty that devolves upon them and thus maintain their personal honor and the good name of the State.

After the grand jury had retired to their rooms the court proceeded to take up the business in regular order. After the criminal, appearance and appeal docket had been called the trial docket was taken up.

In the suit of Robert A. Blain vs. Commissioners of Kent and Queen Anne's Counties, Mr. R. R. Walker, representing Mr. Blain, made a motion for a removal and the case was removed to Cecil County Court.

John B. Brown, of the Centreville bar, and counsel for the plaintiff in the case of Merrick vs. The Mutual Fire Insurance Co., of Kent county, removed his case to Caroline county court.

Farmers in the county who grew tomatoes for shippers and canners under contract were interested in the case of Willis vs. Trew in which the plaintiff sues to recover for fruit grown under contract and which was not accepted on the ground of its not being merchantable as required by the contract. This case was continued at adjournment for the day.

TUESDAY.

Judges Wickes and Stump on the bench.

The case of Willis vs. Trew, continued from Monday's session, occupied the attention of the court until afternoon. H. H. Barroll for Willis and C. T. Westcott for Trew. The jury brought in a verdict for the plaintiff for $33.80.

The next case on the appeal docket was that of Loper vs. Warner. It came from Magistrate Townsend's docket, Millington, where the plaintiff below, Martin Warner, received a judgment of $99.99 against Wm. H. Loper for false arrest and malicious prosecution. Loper appealed and the jury reversed the decision of the lower court. W. W. Beck for appellant and M. deK. Smith for appellee.

The grand jury found presentments against Wm. Price, Theodore Diehl and James P. Rambo for selling intoxicating liquors in violation of the local option law.

A surprise was given by the following resolution from the grand jury:

To the Hon. Circuit Court for Kent County:
Resolved, that in the opinion of this Grand Jury, the sheriff and his deputies are not using the proper diligence in performing their duties in summoning the witnesses asked for by this jury.

Signed, CORNELIUS J. SCOTT, Foreman.

Sheriff Dodd arose and said the charge against him was untrue; he had 42 summons placed in his hands at 4½ o'clock the evening before and he had succeeded in summoning 19 all he could find.

The grand jury brought in presentments against W. W. Price for selling whiskey in two cases, in July, 1894; against James P. Rambo, selling whiskey in September, 1894; Theodore Diehl, keeping a gambling house, and for selling whiskey. Attachments were issued for John Ryan, witness in Diehl case, one for C. H. Harris and Benjamin Quillen to Queen Anne's county.

WEDNESDAY.

Court opened with Judges Wickes and Stump on the bench. The case of John Berger vs. State was called. Berger was charged with the taking of oysters by means of tongs, out of season, and was found guilty before Squire Dickinson, of Rock Hall. An appeal was taken, and a verdict of not guilty rendered. Court trial; Slay for State, Hynson and Beck for Berger.

The next case was Hope H. Barroll administrator of James Hurtt, against John D. Urie and Dr. Samuel Beck, administrators of Mrs. M. A. Hurtt. The heirs of James Hurtt claim that Mrs. Hurtt as administratrix of her husband, did not administer on all of his property; that there were three judgments held by her husband, and which she collected and never distributed. The court instructed the jury to bring in a verdict for defendants, which the jury proceeded to do without leaving the box; the court held that the administrator d. b. n. was not the proper person to sue, and a *non pros* was taken. This leaves the plaintiffs free to bring a new suit in a court of law or in equity. H. H. Barroll and J. A. Pearce for plaintiffs; J. D. Urie and R. D. Hynson for defendants.

The case of Mrs. Cannan vs. Jeremiah Peacock, which was tried at the last October term, was again called as it will be remembered that the counsel for the plaintiff in the last trial entered a *non pros*. After considerable skirmishing by the opposing counsel it was finally agreed that the case would be taken up at the next morning's session.

The grand jury brought in two true bills against W. W. Price, one presentment against Jerome Rambo, four presentments against Theodore Diehl, and 2 presentments against Morgan I. King.

THURSDAY.

The much talked of Cannan-Peacock case which was called for trial late in Wednesday's session was the first to occupy the court's attention. From the time court convened it was evident that the case was to be settled out of court and before any witnesses had been called Mr. Constable announced to the court that the counsel for the defense had made an offer to Mrs. Cannan that would be acceptable to all concerned and the clerk was then instructed to enter a confessed judgment for Mrs. Cannan for $3500 and costs and in the case of Samuel E. Cannan vs. Jeremiah Peacock judgment was confessed for plaintiff for costs.

Wood vs. Jackson. Wm. T. Wood purchased a farm of Thos. Jackson for which he was to give $500 cash and then to get a deed from Jackson to his wife (whose money was used to buy the farm) and Jackson was to take a mortgage for the remainder of the purchase money. Wood paid the $500 in compliance with the contract and Jackson gave him possession of the farm, but delayed giving any deed for 9 months and then refused to give it unless Wood would pay all interest on the unpaid purchase money and taxes for '93 and '94 and on Wood's failure to comply with this demand took possession of the farm. Wood then sued to recover the money paid by him on the farm alledging that Jackson violated the contract in holding him for taxes and not giving the deed.

In the case of Hadaway vs. County Commissioners of Kent county, the plaintiff sues to recover $1000 damages alleged to have been suffered by negligence of the county in not having a keeper to open and close draw bridge over Morgan Creek bridge. H. H. Barroll for Capt. Hadaway demurs to the plea and proceeded to the argument on law when the court adjourned for the the day. H. W. Vickers represents the county.

The grand jury brought in three presentments against Geo. L. Chrisfield, two against Dr. Nat. Comegys, three against Morgan I. King.

FRIDAY.

The court took up the case of Capt. Hadaway vs. County Commissioners that had been called just before court adjourned for Thursday. Mr. Barroll demurred to the defendants plea and attacked the constitutionality of the act of 1849 authorizing the county commissioners to construct a bridge over Morgan Creek and not providing for a keeper to attend the draw placed in said bridge.

Mr. Vickers argued that the public nuisance which had been thus created was a matter to be suppressed by the grand jury by indictment or else to be abated by the act of the party injured thereby. He further argued that Capt. Hadaway had turned the draw-bridge off and proceeded on his way up the creek, that the nuisance had been abated and no action would lie whereby the plaintiff could recover. The case was held *sub curia*.

In the matter of Wood vs. Jackson which the court held under consideration at the session of the previous day, a verdict was given Wood for $258.84.

E. J. Power et al, vs. Julian Power et al is a case in which the children of the late Dr. E. J. Power are trying to break the will. The matter was compromised and it was only necessary for the jury in this case to find that the will was duly executed. The caveators are represented by Messrs. Smith and Hynson and the caveatees by Messrs. Pearce and E. H. Brown.

Lewis H. Young plead guilty to charge of illegally selling whiskey and was fined $300 on each of four counts making a fine of $1200. Young was sentenced to the House of Correction for six months in default of paying the fine. It may be of interest to say that under the statute of prohibiting the sale of intoxicating liquors in Kent county it is not discretionary with the court to impose a fine or inflict a punishment in case of conviction, but there is a fine attached to infraction of the law and only in default of the payment can the party be sentenced to the House of Correction.

In the Tolchester case continued from the October Term, Judge Wickes decided there was no evidence to prove that the Company or any of its agents had been guilty of violating the Sunday law by selling cigars on the grounds of the Company. The Judge in disposing of the charge of selling sandwitches, cakes etc. said that the law was not to be construed to apply to light lunches and that lunches or light meals could be sold at the lower restaurant.

ON THE DIAMOND!

W. C. Wins from Hopkins—Other Games.

Spring has come. Any one who doubts this has but to take a walk to the College Campus or on the outskirts of the towns and villages of Kent. Everywhere is heard the murmurings of coming battles on the baseball diamond. This season promises to be a great one in baseball. Young and old are preparing their muscles for work in this the greatest ot American games.

The Church Hill and Chestertown nines crossed bats on Monday on the College Campus. But Church Hill was too much for the Chestertown boys. The score resulted 15 to 5 in favor of the Queen Anne representatives. The batteries were, for Church Hill, Armstrong and Catlin. For Chestertown; Lucas and Pippin. Umpire—Mr. Coulbourn of the College.

The fourth nine of Locust Grove defeated a nine from Cecilton on Monday by a score of 21 to 12.

W. C., 7.—J. H. U., 6!

The Washington College base-ball team played its first game of the season at Clifton Park, Baltimore, on Wednesday last with the Johns Hopkins Univ. and succeeded in defeating the Baltimore lads by a score of 7 to 6. The team left town by the way of Buck Neck, and were quartered at the New Mansion House. The boys immediately donned their uniforms after lunch and at 2.45 the buss left the hotel with the team and other friends of Washington, the party composed in all about 22. The grounds were reached about 3.15 and after a good old college yell the boys jumped into practice. It was soon evident that good base-ball on that diamond was an impossibility. The boys worked hard notwithstanding and left the practice feeling sure they would give the home team a hard road. The crowd was very quiet at the opening of the game. The home team choose the field and the game is bugun. Deakyne the first man for W. C. hits the ball but is caught out at first, Stidham was also retired, Burris hits and Zearfoss makes first on a fumble, Cameron touches her up but Davis ended the inning with a hard grounder to first. Hopkins fails to score in their half. The second inning things worked better for W. C. Errors on the part of the Hopkins and a hit netted one run, and again Hopkins failed to score. No more scoring was done until the fifth, when old W. C. got in better stick work. The fifth inning was the fatal one for Hopkins. Hodges fumbled a hit by Holloway to short, Nelson's wild throw of Deakyne's hit advanced the runners, a wild pitch by McCormick, and a hit by Stidham brought in Hollow and Deakyne. Burris got his base on balls, and a second error by Williams and a hit by Cameron netted two more runs. The Hopkins men made three runs during their half of the inning, making the score 5 to 3 in W. C.'s favor. They increased their lead by two more runs in the seventh inning. The Hopkins men made no runs during the sixth, seventh or eighth innings, and looked as if the game belonged to Washington College by the score of 7 to 3. But the second half of the ninth inning became very near being fatal to the W. C. Beckwith, the first man at the bat for the Hopkinsians struck out. Lackey got his base on a fumble by Cameron, and Hodges got his base on balls, McCaskell struck out, and with two out, things looked dubious for runs, but, Williams who had brought in two runs in the fifth inning by a beautiful timely hit, again came to the rescue and lined out a daisy cutter, which brought in Lackey and Hodges, he himself scoring on errors by Cameron and Massey. Herrick got his base on the former's error, and McCormick was hit by a pitched ball. The score was now 7 to 6 two men on bases and two out and Brown the big Hopkins hitter at the bat. He hit a ground ball to Faithful who threw wild to first. Davis succeeded in stopping the ball which struck his glove and rebounded. Zearfoss then picked it up and on the prettiest play of he game caught McCornick who had ri ed to make second. Stidham was quick as a flash in playing the man and the game was ended.

Burris pitched a fine game having eleven strike outs and only allowing the Hopkins men five hits. McCornick, the Hopkins boy, also did himself credit although very wild he struck out ten men and allowed nine singles and a double. Zearfoss getting the double. The support given W. C. battery was fair considering the rough grounds and the first game played. Boston put up a fine game both in the field and at the bat.

Washington College.	R.	H.	O.	A.	E.
Deakyne, 2b	1	0	2	0	0
Stidham, 3b	1	1	1	0	2
Burris, p	1	1	1	5	0
Zearfoss, c	1	2	14	2	0
Cameron, s. s	1	2	1	1	3
Davis, 1b	0	1	5	1	1
Boston, l. f	0	1	2	0	0
Massey, r. f	1	1	0	0	1
Holloway, c. f	1	0	0	0	0
Totals	7	9	26	9	7

Johns Hopkins Univ.	R.	H.	O.	A.	E.
Williams, ss	2	2	2	1	2
Herrick, r. f	0	0	0	0	1
McCormick, p	0	2	0	1	0
Brown, c	0	0	11	2	0
Nelson, c. f	0	0	0	0	1
Parker, l. f	0	0	0	1	0
Lackey, 2b	2	1	3	5	0
Hodges, 3b	2	0	1	2	1
McCaskell, 1b	0	0	10	0	0
Beckwith, l. f	0	0	0	0	0
Totals	6	5	27	12	5

*Lackey out, hit by batted ball

Score by Innings.

Washington College	0 1 0 0 4 0 2 0 0—7
Johns Hopkins	0 0 0 0 3 0 0 0 3—6

Umpire—J. Hurst Purnell.

Notes.

Deakyne sprained his ankle in the Hopkins game on Wednesday. He was running for home when he slipped and fell, bruising his arm and spraining his left ankle. He will not be able to play to-day.

Brown, a new player from Clayton, is trying to make the team and may play in to-day's game against Baltimore City College.

The Balto. City College team, will arrive to-day by tug. Manager T. W. Perkins says the game will commence at 2.30 o'clock. Mr. H. W. Beck will umpire. The ladies will be charged a slight admission of ten cents and the gentlemen twenty-five cents.

THE PRICE OF PEACHES.

How to Make the Prospective Crop Pay.

Dr. W. S. Maxwell, of Still Pond, who is not only eminent in physics but is an authority on fruit growing, agrees with most persons that we have talked with on the fruit prospect, that there is likely to be a full crop this year. This being the case the great apprehension is that prices will fail to remunerate the grower. Information on this point and helps to better prices is the thing most desired now. We asked Dr. Maxwell the other day what he was doing, and his answer was so sensible and apparently to the point, that we give it for the benefit of the many readers of the NEWS who are interested. He said:

"I am hard at work in my orchards TRIMMING CLOSE. I want to get rid of not only the dead wood but of surplus wood—putting it better, of *too much wood*. I don't want too many peaches on a tree—no one tree ought to bear over a bushel. It is the *quality* of fruit that every grower should seek now. We must compete in the city markets with the California fruit, and we can't do it with inferior stuff. Good peaches will likely pay this year even with a good crop, if growers act wisely and do not attempt to market worthless fruit. It is not only a loss of the freight charges but it gluts the market and degrades the article."

Notes By the Way.—Mr. D. P. Jones has made two artistic signs, one for the Kent County Savings Bank and the other for Col. W. P. Howard. They are in black and gold and are beauties.

The tennis club has done one good thing for Queen street in having the old eye sore of a house removed and a neat fence put in front of the lot.

Sheriff T. S. Dodd's dog has broken jail and left for unknown parts. The sheriff says on Saturday afternoon he noticed the dog and thought it had a fit. He got his gun and gave it to Jas. Marsden and told him to shoot the dog. Marsden started after the brute, but he ran out the court house green and up town to the sheriff's mother's, where he had another fit. The dog was a red setter and bob-tailed. The dog was muzzled and the sheriff is of the opinion that the rabies—if it was so afflicted—has proven fatal.

How Times Change!—The firm of Stevens Brothers, of Baltimore, buyers and shippers of asparagus in the city, seeing the crate offered by R. S. Emory, sent an order for 100, that were sent on the Ford on Friday last, stating they would want more. Such things heretofore have been sent *from* Baltimore. This is a great compliment to Capt. Emory's crate, and a credit to the county. When we can do the *selling* instead of buying, then we are prospering. Another fact comes out in this. Capt. Emory informs us that he has orders from points between Townsend, Del., to Baltimore city, not only from every section of Kent but from different sections of the Peninsula for his crate, in response to his advertisement in the KENT NEWS. There is not the slightest doubt of the fact that the NEWS is not only the best advertising medium in Kent, but it is unexcelled on the Peninsula.

The Terrible Tornado at Still Pond in August '88, in which 11 persons were killed, has been brought to notice this week. Frank Havelick arrived from Baltimore the past week to see Mr. W. H. McFeely about the insurance money of Charles Breadenkoff and wife who were killed in the above mentioned tornado. Mr. McFeely had to get an interpreter to talk with Havelick, who is a German. Havelick says that when Breadenkoff and wife were killed, Adam Jerscheld, of Baltimore stole the insurance policies and got the money. Jerscheld is in jail, having been in Baltimore. The policies amount to $1600. Havelick is a nephew of the Breadenkoffs.

Arbor Day at Chesterville.

The following program was well rendered at the Chesterville school Thursday afternoon:

Sunbeams.....School
History of Arbor Day.....Ethel Loller
Months.....Class
Kitty's Prayer.....Katie Stevens
Music.....Berthe Dill, Beulah King and Maud Spry
Arbor Day Trees.....Class
You put no flowers on my pap's grave.....Ada Pennington
The Old Mountain Tree.....Katie Stevens and Ada Pennington
Shacobs Lament.....Willie Merritt
Clap your hands for joy.....Class
The Farmer and the Wheel....Ethel Solloway
What do we do when we plant a tree?.....Mary Coppage
Maryland, my Maryland.....School

The music was especially fine, and much credit is due to Mrs. Katie Spry, an accomplished organist from the village. The school was decorated with pictures and evergreens. Afrer singing "Clap your hands for joy" the teacher, Miss Josie Harris, announced that the exercises would be continued in the yard. The children filed out, followed by the visitors, and surrounded the tree planted. Miss Mary Coppage dedicated the tree to Maryland in an effective style, then the school sang "Maryland, my Maryland." On returning to the school-house, they found that Miss Joe with several assistants had prepared an ample repast of cake and lemonade. We all went home well satisfied. GUEST.

The concert by the "Mandolin Quartet" in Stam's Hall on Thursday night was most excellent and the audience very good.

As the Old Saying Goes, "Goods Well Bought Are Half Sold!"

TRULY, the saying will hold good with us in this instance, as we have just bought an Enormous Stock of Goods, "CHOICE SELECTIONS," from the GREAT RECEIVER'S SALE of

E. F. JAFFRAY & CO.'S

$3,500,000 STOCK!

—NEW YORK—

One of the Largest Wholesale Dry Goods and Notion Houses in the U. S.

A few prices will convince our many readers of how we shall dispose of this large stock and give our friends the benefit of the purchase.

19c. buys New York Mills, regular 25c.
10-4 Bleached Sheeting Muslin.
19c. buys Pepperell 10-4 Unbleached.
12½c. buys good 10-4 Unblc'hed Sheeting.
15c. buys good 10-4 Bleached Sheeting.
7½c. buys good 7-8 Bed Tick.
11½c. buys an extra good 7-8 Tick.
33c. buys Fine Bleached 45c. Table Linen
50c. buys Fine Cream 65c. Table Damask.
19c. buys Good Turkey Red 25c. Table Damask.
23c. buys a Goods Corset.
39c. buys the best 50c. Leader Corset.
49c. buys Good Laundried Shirts Waists.
75c. buys Extra Fine " " "
33c. buys a Fine 50 cent Cassimere.
12½c. buys Fancy Silkoline Drapery.
10½c. buys the best 12½c. 36-inch Percale.
9½c. buys the best 12½c. Fancy and Black Figured Lawns.
6¼c. buys Pacific 3-4 Print Satines.
11c. buys the best 12½c. Fancy 7-8 Satine.
6¼c. buys a choice lot of Fancy Batiste.
10½c. buys Fancy Dimities, Organdie Lawns, and all the best 12 and 15c. Light Dress Goods.
9½c. buys the best 12½c. Dress Ginghams.
6¼c. buys the best 8 and 9c. do
6c. buys Fancy Plaid Dress Goods.
19c. buys Ladies' Fast Black Extra Fine 25c. Hose.
19c. buys Men's do.
7½c. buys Child's Black 10c. Hose.

We have marked our India Linens, White Plaid Dress Goods, Laces, Hamburg Edging, etc., about

20 per cent. under the Regular Prices!

as we bought them from the sale for less than the wholesale cost.

☞We solicit an early visit.

MEDDERS & CO.,

"The Cash Store." Still Pond, Maryland.

GRAND Spring Opening!

Beautiful and Cheap!

J. H. SIMPERS

HAS JUST OPENED A FULL AND BEAUTIFUL STOCK OF GOODS FOR THE

SPRING of '95.

WE CAN'T BE UNDERSOLD!

—NOR—

BEATEN IN QUALITY OF GOODS

An Examination Only is Asked to Prove This

A full line of DRY GOODS, NOTIONS, BOOTS and SHOES, LAMPS, GLASSWARE, and GROCERIES.

☞Call and see the great reduction in all classes of goods. We will compare goods and prices with any.

Don't mistake the place:

JOHN H. SIMPERS, Chestertown.

m30.

FIRE! FIRE! FIRE!

—o—

LIGHTNING! LIGHTNING!

Those desiring protection from FIRE or LIGHTNING call on or address

HARRY L. BOYD,

CHESTERTOWN, MARYLAND,

—AGENT FOR—

ÆTNA, OF HARFORD, CONN.,

Assets $11,000,000.

PHŒNIX, OF HARTFORD, CONN.,

Assets $6,000,000.

Where the lowest rates consistent with honest protection will be given.

☞Don't wait until you are burned out.

H. L. BOYD, CHESTERTOWN, MD.

aprl.

Call at R. BERGEN'S.

He has just received a full line of

DRESS GOODS and SILKS TO MATCH.

Also a nice line of

Wash Goods, Cambrics, &c

A full line of the

LATEST SPRING CAPES.

MRS. BERGEN is now at the store, and will be pleased to show her customers all the Latest Novelties of

Spring Millinery

just received.

PAINTS! VARNISHES!

We have just closed a contract with JOHN W. MASURY & SONS, of New York, for the SOLE AGENCY of their RELIABLE

Ready-Mixed Paints, Railroad Colors, Leads, Etc.

On lots of Ten Gallons or more in Ready-Mixed Paints, and lots of 500 to 2,000 pounds of Railroad Colors or Lead, WE CAN QUOTE VERY LOW FIGURES.

Glass! Glass! Glass!

BY THE DOZEN OR BOX.

You will find a full line of everything kept in a First-class Paint Store.

PERCY T. McFEELY, Opposite Voshell House.

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