THE COLUMBIAN, BLOOMSBURG, PA.

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CHAS. M. EVANS.

THE COLUMBIAN.

BLOOMSBURG, FA. THURSDAY, MAY 28, 1908

satered at the Post Office, Bloomsburg, a. as second class matter, March 1, 1885.

What Can a Young Man Do ?

Hon, Frank West Rollins, the originator of the old Home Week idea, gives a good common-sense talk about the young man and the farm in the Farm and Fireside. He SBVS:

"While farming does not promise the largest rewards in the way of wealth or fame, it offers compensations that may be as attractive and satisfying. A competent farmer with a good farm is assured of a comfortable living, and can win a moderate fortune. He has the privhis family. He enjoys the greatest annoyance the dignitary turned to degree of personal and business in dependence. His products are articles of universal use. If one market will not take them, another will. He has no occasion to fawn npon clients or cringe to magnates. Commercial panics rarely affect him. His goods are still necessary; and while their value may be less, the cost of production is often much more than enough lower at such times to make up the difference. In fact, his margin of profit is often greatest in years of depression. While farm life is laborious, there is often variety about it that contrasts pleasantly with the monoto ny of a life spent at a bench or the desk. To the lover of home, farm life is delightful, in that it is a constant process of home development. Each tree and vine acquires a personal value to him far greater than its worth in money. All the domestic animals are his pets and is sold by subscription. friends. A well-kept farm is a bit of landscape gardening that helps to make home beautiful, and is a er."

Every Woman Will Be Interested.

The College of the Future. The college chapel was througed with admiring parents and friends who had come to witness the commencement exercises. Amid an expectant hush the venerable president arose and summoned the graduates to receive their hard-earned diplomas.

The sturdy football team were awarded the coveted sheepskins, while the wall echoed with the applause and cheers. The lithe track athletes in running attire received their well-merited degrees, and the Varsity crew, oars in hand, gracefully accepted their honors.

As the exercises were concluding and the orchestra about to play, a member of the faculty stepped reluctantly forward and touched the president's arm, whispering in his ilege of constant association with ear at the same time. In apparent

> "Pardon me, ladies and gentlemen, but I have made a slight omission. I understand that one student should receive the degree of bachelor of arts. Will he kindly step forward as quickly as possible ?"

A shrinking young man stepped forward apologetically, a diploma was thrust in his hand, and he was are found and presented by the trial haughtily waved aside, while the orchestra struck up a two-step.

--- June Lippincott's. For headache Dr. Miles' Anti-Pain Pills

"The Old World and Its Ways."

By William Jennings Bryan.

This remarkable book of 575 pages, voluminously illustrated and elegantly bound, has been issued Company" of St. Louis, Mo., and

friends who are out of employment canvass of the returns by the judges, to seek the agency and canvass for it appears that William Krickbaum tribute to the character of its own- this book It is certainly one of received three thousand forty-three the most readable, entertaining and votes and that Geo. M. Hughes reedifying volumes we have read in a colved three thousand twelvy votes.

KRICKBAUM CASE

Full Text of Supreme Court Decision in the Much Discussed

THE LAW FULLY OUTLINED

The opinion of the Supreme Court in the Krickbaum case in which Judge Evans was reversed and Krickbaum declared the duly elected Associate Judge has been received from the Supreme Court. It is in full as follows:

"In the opinion of this court, in independence Party Nomination, 208 Pa. 108, Chief Justice Mitchell points out that proceedings by certiorari on a summary petition occupy a middle ground between those in common law actions and equity sults. And that the appellate court, in the exercise of the supervisory powers in such cases will not stop with a mere inspection of the formal proceedings,

but will examine the opinion of the court below so far as may be necessary to ascertain the basis of its action. This statement of the principles and practice by which this court is governed in such cases was again cited and approved in Chester County Republican Nominations, 213 Pa. 64, and it was further pointed out that "where the facts appear upon the record this Court will examine whether the judgment is correct upon such facts and may for that purpose consider the opinion of the Court as part of the record." See also Mulholland's case, 218 Pa. 631. The

opinion of this Court in Von Moss's Election, 219 Pa. 454 is also consistent with this rule, and in that case we took in to consideration the facts presented, as found in the opinion of the court below. In the present case the facts are not disputed; they judge as the basis of his action, and It becomes our duty to examine the judgment to see if it is correct upon facts, and for that purpose, we take them as set forth in the opinion of

"The

the trial judge as follows: petition of George M. Hughes was filed in this case on the 4th day of December, 1907, to contest the election of William Krickbaum to the office of Associate Judge in the Counby "The Thompson Publishing ty of Columbia. At the general election held on the 5th day of November, 1907, in said county, an Associate We would advise our young Judge was to be elected. On the long time It was almost like re- The petition alleges that one hundred of the inspectors, and that he then If you have pains in the back, Uri-tracing our first trip around the and seven votes were cast for Wil-proceeded with the other members liam Krickbaum, and that thirty-nine votes were cast for George M. Hughes in Mifflin township at said election, and that all votes cast at said election in Mifflin township were illegal and void and should not be counted for either Krickbaum or Hughes in computing the election returns of Columbia County. That if the votes cast at said election in Mifflin township were not counted George M. Hughes would have received twenty-nine hundred and seventythree votes and that William Krick-That George M. Hughes received a election held Novembed 5, 1907. The objection to the vote counted for Mifflin township is, that the legally elected judge of election was not permitted to take part in the holding of the election and that a usurper acted as judge in holding said election." The court below proceeds to find specifically, "1. That at the February election, 1907, in said district of Mifflin township, A. E. Jornson was duly elected as judge of election to serve for the ensuing year. 2. That at the next following election in said district, to wit, the June primary election, the said A. E. Johnson did not attend and that thereupon one of the inspectors appointed Whitney Hess as the judge of election in the place of Johnson, and who, after being sworn, acted as judge during the said June primary

the board proceeded to conduct the election without Johnson and received the votes cast at said polling place, counted and made return of the same without the said Johnson participating therein. 6 That Whitney Hess acted ac judge of the general election held in Mifflin township, November 5, 1907. That he was not the regularly elected judge of election to hold the November election, 1907. in said Mifflin township. That there was no vacancy in the office of judge of election in Mifflin township on the morning of November 5, 1907, A . E. Johnson, the regularly elected judge of election being present at the time of opening the polls and demanding his right to participate in the receivcounting, and return of the votes cast at said polling place. 7. That the

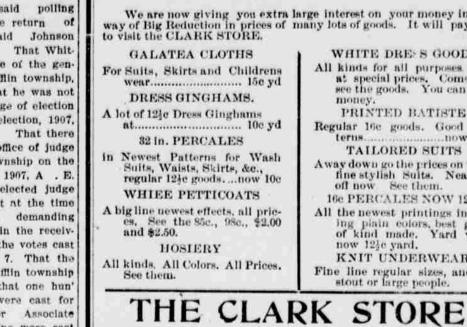
Whitney Hess and other members of

election returns from Mifflin township for said election show that one hun' dred and soven votes were cast for William Krickbaum for Associate Judge and that thirty-nine were cast for George M. Hughes for Associate Judge.

"On the part of the respondent it is contended that the vote of Mifflin township cannot be thrown out, (1) Because the action of Whitney Hess as judge was not in fraud of the rights of either candidate; neither was his appointment fradulently obtanled; nor did his action or the action of the board in allowing him to sit, change, alter or even render uncertain a single vote cast at the election. (2) Because Whitney Hess holding and claiming to hold by virtue of a valid appointment at the June primary election was acting under color of title, and was therefore as respects third persons, the defacto judge of election and his acts as such are binding on the contestant and respondent.

"On the part of the contestant it is contended that because the election in Mifflin township was held by a judge of election who was not legally appointed the return of votes cast at the poll is illegal and cannot be counted."

"After conceding that the irregular conduct upon the part of the election officers, is not to be allowed to defeat the expressed will of the voters, unless there is a fraud,or such conduct as will alter or render uncertain the result, the learned judge in the court below announced his conclusion that Whitne Hess was not de facto judge of election, acting under color of title, but that he was a mere usurper, and he therefore rejected all the votes cast in Mifflin township. How he could have reached this conclusion we do not understand. It is directly in the teeth of, and is entirely unwarranted by the findings of fact; for he found expressly that in truth and in fact, Whitney Hess was sworn in as judge of election by one



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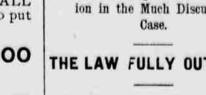
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want a certain, pleasant herb cure for woman's ills, try Mother Gray's Austra-lian-Leaf. It is a safe and never failing regulator. At Druggists or by mail 50 cents. Sample package FREE. Ad-dress, The Mother Gray Co., LeRoy, N. Y. 5-14-4t.

Woman's Home Companion for June.

Five hundred photographs of President Roosevelt, all assembled in one big double-page picture, 13 by 121/2 inches in size, is an extraordinary feature of the June Woman's Home Companion. The five hundred photographs were taken in almost every state in the Union, at all periods of Roosevelt's public career, and show his wonderful versatility and energy.

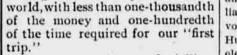
In the June Companion appear the first chapters of Harvey J. O' Higgins' great story, "A Grand Army Man," based on Belasco's famous play of the same name, in which David Warfield starred all last winter. Other fiction in this delightful summer magazine is by Elizabeth Stuart Phelps, Zona Gale, Charlotte Perkins Gilman, Temple Bailey and Clinton Dangerfield.

Kellogg Durland, who of late has writes on the American woman as ty to sellet from. a social engineer. Dr. Edward Everett Hale devotes his monthly page to some working rules of life. Grace Margaret Gould, the fashion expert, gives many practical suggestions for summer dressing. Sam Loyd's Own Puzzle Page is a mine of interest for the puzzle lover.

DISEASES OF CHILDREN & SPECIALTY

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The great problems of civilization, religion, philosophy and government in Japan, China, the Philippines, India, as well as Europe, are presented in a clear light by a great brain.

Mr. Bryan was accompanied on this trip by his wife and two younger children, William J., Jr., and Grace, aged 16 and 14, respectively. They started September 21, 1905, and reached home September baum would have received twenty-5, 1906, sixteen days less than one nine hundred and thirty-six votes. year. While most of this trip was in the North Temperate Zone, they majority of the legal votes cast for were below the equator a few days Associate Judge in Columbia at the

in Java, and for a while above the arctic circle in Norway. This book ought to be in every

home where there are boys and girls with brains and promise.

Dr. Miles' Anti-Pain Pills relieve pain.

Envelopes

75,000 Envelopes carried in stock at the COLUMBIAN Office. The line includes drug envelopes, Kellogg Durland, who of late has spent much time in Russia, tells the dramatic and thrilling story of one of the barnet disk of the Bussian 11, catalog, &c. Prices range of the bravest girls of the Russian from \$1.50 per 1000 printed, up to Revolution. Margaret E. Sangster \$5.00. Largest stock in the coun-

ADMINISTRATRIX NOTICE. Estate of Haltus A White, Deceased, Letters of administration c. t. a. on the estate of Baltus A. White, late of the Township of Scott, Columbia County, Pennsylvania, deceased, have been granted to Luanna H. Terwilliger residing in the Town of Bloomsburg, Pa., to whom all persons indebted to the said Albra W. Baker, M. D., ROMEOPATHIC PHYSICIAN AND SURGEON ROMEOPATHIC PHYSICIAN AND SURGEON ROMEOPATHIC PHYSICIAN AND SURGEON

Administratrix C. T. A. Wm. C. Johnston, Attorney. 5-21-6t

H. W. Sloan's residence has been Corner of Third and West Streets, newly painted, and has undergone general repairs. It is very much improved in appearance.



and receive the votes, and counted beyond question he was actually, in fact and in deed, the judge of election. He performed the duties of the office with apparent right, and under claim and color of an appoint ment, even though it be granted that he was acting under a mistaken authority. But he was in the exact sense of the term an officer de facto. Now the validity of the acts of officers of election who are such de facto only, so far as they affect third persons, and the public, is nowhere "The doctrine that questioned. whole communities of electors may be disfranchised for the time being, and a minority candidate forced into an office, because one or more of the judges of election have not been duly sworn, or were not duly chosen, or do not possess all the qualifications requisite of the office, finds no support in the decisions of our judicial tribunals: McCrary on Elections (4th ed.)) 1897, Sec. 251. tain this statement the author cites our own case of Board vs. Bank of Washington 11 S. & R, 411 where Justice Gibson said (p. 414); "The question does not depend on whether the appointment is void or only voidable, or whether it emanated from an an authority which had full power to make it; but whether the officer has come in under the color of right, or in open contempt of all right whatever. The King v. Leslie Andr. Rep. 163, S. C. Stra. 190. This distinc tion runs through all the cases. This election. 3. That on the morning principle of colorable elections holds of the general election held in said not only in regard to the right of township, on the 5th day of Novemelecting but also of being elected. A ber, 1907, before the polls were openperson undisputably ineligible may be ed the said A. E. Johnson appeared an officer de facto by color of elecat the regularly appointed place for tion: Knight v. The Corporation of holding the elestion in said township Wells, Lutw. 508. So even, where and demanded to be sworn in as the regularly elected judge of the the office was not vacant, but there was an existing officer de jure at the election in the said district. 5. That time: "O'Brien v. Kuivare, Cro. the said A. E. Johnson persisted in 552; Harris v. Jays, Cro. Eliz. 699." demanding his right as one of the "And in Kayser v. McKissan, 2 said election board, but notwithstand-Rawle 139, the case of a county treasing his demand, Whitney Hess was urer appointed by the county commissworn in as judge of election by the minority inspector, and then said

To sus

REDUCED RATES TO WESTERN CITIES.

For the benefit of delegates attending the sessions of the bodies enumerated below and others desiring to visit the cities of the West, the Pennsylvania Rail.oad Company has arranged to place on sale to all persons excursion tickets to the various meeting places at a considerable reduction from the usual fares :

CHICAGO, ILL. American Modical Association. June 2 to 5. Tickets sold May 28 to 30, good returning until June 12, inclusive.

LOUISVILLE, KY. International Sunday School Associa-tion, June 15 to 23. Tickets sold June 13 to 17, good returning, until June 26, inclusive.

CHICAGO, ILL. Republican National Convention, June Tickets sold June 12 to 16, good returning until June 27, inclusive.

DENVER, COL. Democratic National Convention, July 7. Tickets sold July 1 to 4, good to return until July 17, inclusive.

CLEVELAND, OHIO. International Convention, Baptists Young People's Union of America, July 8 to 12. Tickets sold July 6 to 8, good to return until July 15, inclusive.

ST. PAUL, MINN. Imperial Council, Mystic Shrine, July 13 to 18. Tickets sold July 9 to 11, good to return until July 25, inclusive.

COLUMBUS, OHIO. Prohibition National Convention, July 14 to 16. Tickets sold July 10 to 13, good to return until July 24, inclusive.

INDIANAPOLIS, IND. National Convenion, A. O. H., July 20 to 25. Tickets sold July 17 to 19, good to return until

July 31, inclusive. TOLEDO, OHIO. National Encampment, G. A. R., August 31 to September 5. Tickets sold August 27 to 30, good to return until September 15, inclusive.

DENVER, COL. Sovereign Grand Lodge, I. O. O F., September 19 to 26. Tickets sold September 15 to 17, good to return until September 30, inclusive. The Pennsylvania Railroad maintains a comprehensive

schedule of fast express trains to Chicago, St. Louis, Indianapolis, Louisville, Columbus, Cleveland, and Toledo from the principal cities of the East.

Full details of the reduced fare arrangements for these conventions and the through western train service may be obtained of any Pennsylvania Railroad Ticket Agent.

Continued on page 8.

5-81-8t