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NO. 7

GRANTING OF LICENSES NOT MANDATORY, JUDGE DECLARES.

Brooks Law Interpreted to Allow Court to Refuse All Applications. Differs From Most Other Rulings.

A communication to Judge Woods, presiding in the twentieth judicial district, composed of Bedford, Huntingdon and Mifflin counties, asking his reasons for interpreting the license law "dry," brought forth from him the following reply:

"I am aware that most of our judges do not agree with me on the construction of the license law of 1887 (Brooks high license). But I am satisfied that when the law says the court may grant license and then in the seventh section says that there are two conditions, if either exist, it is mandatory on the court to refuse. One, if the applicant is not a fit person, it must be refused; if all were unfit, could it be said that some must be granted just because some courts hold that some licenses should be granted?"

"The other condition is, if the remonstrance outweighs the petition in number and character, the act says 'shall be refused.' If the remonstrances in all cases outweighs the petition, should they not be refused? See 47, superior court report, page 554." Very respectfully,

J. M. Woods

This is a case where the superior court affirmed a decision of Judge Woods' turning down applications for license. From the record it appeared that both general and specific remonstrances were filed.

The court made the following order: "And now, February 27, 1914, after a full hearing both on the part of the petitioners for and the remonstrants against the granting of a license to within applicant, and after due and careful consideration of the case, taking into consideration the number and character of both the petitioners for or against the remonstrants against, the within license is refused."

Judge Woods filed the following opinion:

"The reason of the court for refusing the several applications for license are embodied in the decree as indorsed on each application, and the court, being satisfied from the petitioners and remonstrants that the necessity for a license had not been established, refused the license.

"Counsel for applicants laid great stress upon opinion of Judge Agnew, who was referred to frequently as a 'temperance judge.' Judge Agnew determined the cases in the light of the law as it then stood. The people, realizing and knowing the harmful effects of the use of liquors, succeeded in having the legislature pass the act of assembly of May 13, 1887, P. L. 109, and known as the Brooks high license law, which changed the law as construed by Judge Agnew so as to separate and divorce the license from the hotel and throwing the burden of the necessity of the hotel, not the necessity of the hotel, on the people of the district and making it incumbent on the residents of the borough, ward or township to inform the court that a license was not necessary.

"The fact that a place is necessary either as a hotel or as an eating house

for the public accommodation does not necessarily and under all circumstances compel the conclusion that the license to the applicant to sell intoxicating liquors at retail at such place is necessary. In other words, not every place that may be necessary as a hotel or as an eating house for public accommodation is entitled as a matter of right to be licensed to sell liquor if the other statutory requirements are complied with. 34 superior court report, 525.

"The act of assembly confines the petitioners and remonstrants to the district. Section 7 says: The said court of quarter sessions shall hear the petitions of the residents of the ward, borough or township in addition to that of the application in favor of and remonstrance against the applications for license, and in all cases shall refuse the same wherever, in the opinion of the said court, having due regard to the number and character of the petitioners for and against such applications, such license (not hotel but license) is not necessary.

"The third section vests the court with discretionary power in granting or refusing the license upon cause shown, viz.: 'Such licenses may be granted,' etc., while all the other provisions of the act are mandatory.

From these words we see that discretionary power to grant is lodged in the court, of the necessity, and not on the traveling public, and we can very readily see the reason; because the locality is interested in the sale of intoxicating liquors and knows the harmful effect of promiscuous sales in each locality.

"It is to the local people, the petitioners for and remonstrants against, that the court must look for information. There is no co-ordinate branch of our government which comes so close to the people as the district court, and it is for these courts to administer the laws affecting the people in the localities over which they preside in such a way as to bring about the best results for the people generally, guided by certain rules and regulations as we find them in the law regulating the conduct and actions of the people and as laid down by the appellate courts.

"We dare not still the will of the people, when we know what it is, just because we are in a position to do so. As Dean Kirkway, of the Columbia Law School, in his dress before the American Bar Association, speaking of the courts, said, 'They will receive and they will deserve respect so long as the law they lay down is the expression of the public will, and no longer.'"

The superior court affirmed Judge Woods' refusal to grant license. The Brooks high license bill admits of many constructions. Under it some judges grant license. Others do not, and in the cases cited by Judge Woods the appellate courts have sustained him in interpreting the law. It seems to depend on the viewpoint and the inclination of the judge.



TO OUR PATRONS

We again beg leave to state that pressure of work in the job department of this office has been so great that we have been unable to use the Pink Label, in other words give credits on the label for subscription paid since January 1st. We have received remittances from five or six hundred of our subscribers, and we assure them that the credits will appear just as soon as it is possible to perform the work. We have added an additional compositor, and in the near future expect to add an experienced all-round printer to our force, and then work will again be dispatched on time. We ask the indulgence of our many patrons for a brief time.

THE CENTRE REPORTER.

UNMASKS ENEMY'S PLOT.

Palmer Says It is False that Letters are Received by Him Urging the Withdrawal of McCormick for Governor—The Publication of the Story Titled a Trick of the Opponents.

Congressman A. Mitchell Palmer emphatically denied the published story that he had received scores of letters from Democrats all over the State urging him to persuade Vance C. McCormick of Harrisburg, to withdraw as a candidate for Governor at the Democratic primaries.

Publication of this story illustrates beyond all doubt the difficulties in which the boosters of Michael J. Ryan candidate for that office, find themselves. The story, he asserted, that "it was said," that Mr. Palmer had in his possession these letters, urging him not only to induce Mr. McCormick to withdraw but to withdraw his own support of the former Harrisburg Mayor.

Mr. Palmer on top of his denial declares that not only are such stories false, but that on the other hand the hundreds of letters he does have warmly approved the McCormick candidacy and says in his statement that "the suggestion that McCormick should withdraw is absurd on its face and is inspired by the knowledge on the part of some of his opponents that he is bound to win."

CONGRESSMAN PALMER'S STATEMENT FOLLOWS:

"The story published in a Philadelphia paper that hundreds of letters from prominent Democrats of all sections of the State have been sent to me protesting against my supporting Mr. McCormick for the nomination of governor is very far from the truth. I have had hundreds of letters from prominent Democrats all over the State but they have uniformly endorsed Mr. McCormick's candidacy.

"I have been much impressed by the wide spread support which Mr. McCormick is receiving from Progressive Democrats in every corner of the state who recognize in him one of the real leaders in the movement which resulted in purifying the Democratic organization. It was he who really started the reorganization movement from which the party has so greatly benefited and his nomination will make it absolutely certain that our party will never be returned to the disreputable position which it formerly occupied as a trading post for a bunch of machine politicians in both the great parties.

The suggestion that McCormick should withdraw has not reached me and such a proposition is absurd on its face. It is inspired by the knowledge on the part of some of his opponents that he is bound to win."

Go To The Central State Normal School, Lock Haven, Pa.

The Spring term of twelve weeks begins April 6. The total cost is \$56.50 if you are over seventeen years old and intend to teach. A thorough review of the common branches, special instruction in Pedagogy and an opportunity to observe Teaching in the Training-school, are features of this term. Send for particulars and illustrated catalog to Dr. George P. Slinger, Principal, Lock Haven, Pa.

Brings results—a Reporter ad.

THE STATE POLITICAL FIGHT.

Republican Party Fighting for Its Life—The Democratic Party in Better Condition than for Years. Will Go Into the Field On National Issues.

Saturday was the first day for signing nomination petitions for candidates for public office in Pennsylvania this year. Candidates to be placed in the field in 1914 will be those for United States senator, governor, lieutenant governor, secretary of internal affairs, judge of the supreme court, congressmen, state senators and representatives in the general assembly.

As everybody now realizes, the big fight in Pennsylvania will be for United States senator and governor. The battles to be waged for these offices will be of more importance and will have more far reaching consequences than any in the previous history of the state. The Republican party in Pennsylvania is literally fighting for its life. If defeated in its fight for senator and governor in the state at the November election, it is difficult to see how that party can maintain its organization. The spoils of battle have been the life blood of the party. For some years it has had no other real coherency.

There are today fewer signs than ever of a coalescence of the Republicans and Washingtonians. The leaders of both parties are in pursuit of the offices and of state control. Neither party can be described as a well disciplined, well led political army. Opposed to both is the Democracy of Pennsylvania in better condition than it has been in many years but also considerably divided by disputes over the leadership. It is now pretty well known who the Democratic standard bearers will be. It may as well be added that this is no time for the Democrats to fall out among themselves, for a united Democracy next November would mean that the party would sweep the state, and if ever a state needed sweeping from north to south, from east to west Pennsylvania does.

The people of Pennsylvania know what they are talking about when they say: "Give us a new political deal." The state has had enough of past practices and enough of its past masters. There will be few things to befall the issues this year. The Democracy can afford to go into the state fight next fall on national issues; but there are enough state issues, if all others were lacking, to lay the foundation for a winning fight and a most decisive victory.

All petitions of candidates must be filed on or before Tuesday, April 21. The primary election will take place Tuesday, May 19. Within party lines this will mean a short, sharp and decisive battle. The general election will occur Tuesday, November 3. This will mean a campaign before the whole people of the state, of nearly six months. In that time every real party issue will be threshed out and the voters will be able to go to the polls thoroughly informed as to party tendencies and fitness of the candidates.

Transfers of Real Estate

Thomas Foster et al to J. E. Atkinson lot of land in State College. \$300
J. E. Atkinson et ux to Charles A. Fisher, lot of land in State College \$400
John L. Holmes et al to David H. Ewing, lot of land in Ferguson twp. \$700

Percival Rudy et ux to J. P. Hagman, lot of land in State College \$3,750.
Elda D. Spotts et al to J. S. Askins, lot of land in Unionville. \$1,250.
G. F. Dunkle to Jessie W. Ferguson, lot of land in Phillipsburg. \$2,700
Adam Hoster, et ux to John Hoover, lot of land in Penn twp. \$1,500.

Rebecca Steiger to John W. Conner, lot of land in Penn twp. \$1,000
Joseph H. Cori to David Treasurer, lot of land in Ferguson twp. \$500
Luther D. Fye et ux to Jennie E. Johnston, lot of land in State College. \$450

Pricilla Cooper et bar to Annie C. Rowland, town lot in Phillipsburg. \$300.

Miles Poorman's heirs to Harry Johnston, tract of land in Bogg, twp. \$225.

Lenna H. Lausberry to Alfred Spotts, tract of land in Union twp. \$300

Charles D. Kuhn to W. W. Forcey, tract of land in Phillipsburg. \$1,000
Warren M. Ward et ux to John E. Ward, tract of land in Ferguson twp. \$300

William T. Fulton et al to Samuel L. Fulton, house and lot in Milesburg. \$100.

Mrs. Lou Belle Hynes et bar to Walker Scutt, house and lot in Boalsburg. \$500.

Sath B. Pratt et al to Howard R. Pratt, lot of land in Unionville. \$1,000.

The first half of February averages much colder than January.

DEATHS.

Paralysis was the cause of the sudden death of Perry H. Stover, on Wednesday night of last week, at the home of his sister, Mrs. T. B. Metz, in Millheim. Mr. Stover, a native of Penn township, and long a resident of Coburn, but for eight or more years living in Elkins, West Virginia, came to Centre county to attend the funeral of his brother-in-law, J. C. Morris, at Rebersburg, whose death was also sudden. After the funeral, Mr. Stover came to Millheim, stopping with his sister named above, and that night died suddenly as related.

The deceased was the son of George W. Stover of Penn township, and was well known throughout the county, and for a number of years had been engaged in buying and selling lumber. His wife, who before marriage was Miss Eliza Wolf, survives, but no children. "A brother, Kryder H., Elkins West Virginia; and the sister named in this account, are the only survivors of his family. His age was about sixty years.

Jesse Tanyer, a native of Centre county, died at his home in Tyrone of Bright's disease, following an illness of some months. He was a son of Joseph and Frances Tanyer, early settlers of Penna Valley, and was born at Penna Cave seventy-one years ago. When a young man he learned the cooper's trade, an occupation he followed for many years. When a boy he united with the Methodist church and was a faithful member of the same until his death.

Fifty-one years ago he was united in marriage at Pine Grove Mills to Miss Susan Potter who survives with the following children: Mrs. John B. Graizer of Tyrone; F. C. Tanyer of Martinsburg; Mrs. Peter Muesy, Mrs. Grace Fitzpatrick, Mrs. Arthur Summers and Miss Margaret Tanyer, all of Youngtown, Ohio, and Albert Tanyer of Tyrone. Funeral services were held at his late home in Tyrone. The remains were taken to Juist. for interment.

Mrs. Sarah Meckley, widow of the late William Meckley, died at the Bellefonte hospital of cancer, with which she had suffered for many months. She was a daughter of the late Mr. and Mrs. N. A. Rockey and was born in Gregg township on July 8th, 1859, hence at her death was 54 years, 6 months and 28 days old. Her marriage to Mr. Meckley occurred in 1887. He died twenty-two years ago and later she married John Fogleman, but they separated several years ago. A good part of her life was spent in Buffalo Run valley but three years ago she moved to State College.

Surviving here are four sons, namely: William and Thomas Meckley and Harry Fogleman, whose whereabouts are unknown. She also leaves the following brothers and sisters: Mrs. J. D. Decker, Spring Mills; Mrs. Harry Corman, Cresson; Mrs. George Zettle, living in Illinois; Mrs. Elmer Lambert, Millheim; John Rockey, of Fillmore, and George Rockey, of Montana.

In the death of Miss Margaret Whitteman, at the Bellefonte hospital, Bellefonte's oldest woman passed away. Miss Whitteman was taken to the hospital over three years ago with a broken hip and she never recovered sufficiently to leave that institution. She was a daughter of Mr. and Mrs. Michael Whitteman and was born in this state on May 1-4, 1816, hence was ninety-seven years, nine months and one day old. She had been a resident of Bellefonte for many years, making a livelihood by her occupation as a professional nurse. Her only known relatives are a nephew, John Whitteman, of Milesburg, and two nieces, Misses Margaret E. and Mary E. Whitteman, of Snow Shoe.

"The New Minister."

The above is the title of a musical comedy brimful of mirth that will be rendered in Grange Arcadia, Saturday evening, by a combination of Millheim young people, who have given the same play twice in their home town, and to the entire satisfaction of the large audiences that greeted them.

Many new features have been added, which will make the comedy almost like new to those who chanced to hear it heretofore. The proceeds are for the benefit of the Grange Arcadia hall fund, and the patronage you extend will be highly appreciated.

The Hooven Mercantile Co., Dividend No. 93

The directors of The Hooven Mercantile Company have declared their regular quarterly dividend of one and one half percent on the preferred stock, and one percent on the common stock, payable March 1st, to stockholders of record February 18th, 1914. Checks will be mailed.

TOWN AND COUNTY NEWS.

HAPPENINGS OF LOCAL INTEREST FROM ALL PARTS

Success is the art of making hay even when it is raining.

A Bell telephone was installed in the Patrons co-operative creamery plant at Centre Hall station.

Warren E. Hosterman of Millheim lost by death one of a team of mated iron gray horses. It was a valuable animal.

L. E. Rossman sold a ten-acre tract of timberland, situate on Brush Mountain north of Millheim, to William A. Stover. The consideration was \$65.

Fourteen inches of snow fell on Friday night, and a wind blowing at the same time filled many of the high ways to the top of the fences. The snow was light, and Saturday morning the shovels were kept busy for a long time cleaning the walks and crossings.

Harry N. Musser of State College closed a deal for the purchase of six hundred acres of pasture land located six miles west of State College in the "barrens" from G. Wood Miller of Tyrone. It is Mr. Musser's intention to fence the land and during the spring and summer will be in the market for cattle for pasturing.

A copper head snake was found in the middle of the road, near Woodward, by Rev. J. W. Romberger, when the temperature was anything but comfortable to a human being. The snake was stiff from the cold, and what puzzles the minister is how the reptile got to that point, as no opening near by from which the snake might have crawled could be found.

The high quality of the butter made by the Patrons co-operative creamery company, at Centre Hall, is gaining trade for it. Many of the former patrons of the Howard creamery corporation have been recovered, and the present management is confident that the trade can be led indefinitely. The supply of cream is growing steadily and it has become necessary to increase the facilities for gathering it.

Evangelist Slough closed his campaign in Sunbury on Sunday and is now at Mount Carmel. It is estimated that at Sunbury, after six weeks' effort, there were four thousand converts. On Sunday fully five thousand people were in the tabernacle, and one half arose when the evangelist asked all to rise who were willing to fight back. Sunbury has had a real revival, and the conditions throughout the city indicate it.

D. J. Nieman closed negotiations with Harry Herr of Millville, for the transfer of the D. J. Nieman & Co. department store in Millheim. Mr. Herr has been very successful in the clothing business in Millville, and owes to Millheim highly recommended for fair dealing. He will take charge of the store on Monday, March 2, and Mr. Nieman will remain with him until April 1st, to acquaint him with the many customers of this popular store.

The young people of the Methodist church, on Saturday evening, gave their entertainment in Nill's Hall, Pleasant Gap, as was scheduled, and they were greeted with a very fair sized audience. The night was an unusually disagreeable one, but the combination of home talent entertainers thought it best to keep their engagement knowing the conditions not at all propitious. The trip over the mountain was made in two large sleas, and it required much time to push the way through the fourteen or more inches of newly fallen snow.

Once farmers learn the benefits of a telephone on the farm, they will go the limit to secure the convenience. This is being illustrated by Foster Frazier, who at present is connected with a rural line from Centre Hall to Tusseyville, and next spring will move east of Centre Hill along Susquehanna Creek where the telephone is a stranger. He has already made arrangements with the Pike Line running west from Spring Mills, a branch of the Patrons Rural Telephone Company, to extend its line to the farm he bought, and as soon as weather conditions will permit, the spur will be built.

At a recent meeting of the Gregg township school board, Prof. W. B. Jones was re-elected principal of the Gregg Township High School. He has been very successful in his school work, and at the close of the present term will hold the first graduating exercises since that institution has an official standing. Prof. Jones will open a summer normal of eight weeks beginning April 15th. The two courses are calculated to be adapted to students wishing to prepare for teaching, and those of a grammar grade who desire to advance. The announcement of the summer normal appears in this issue of the Reporter.

Deaths of Centre Counties.

Edward Curtis Sensor, a native of Unionville died at Reynoldsville, aged sixty-four years.

William Hollis Stiles, at Tyrone, a civil war veteran, aged seventy years. He was a native of Bald Eagle Valley.

Mrs. Mary Denny Eckley, widow of Joseph Eckley, at Valley View. Her age was almost ninety-four years.

Mrs. Mary Brown, aged ninety-four years, in Youngstown, Ohio. She was the mother of Henry D. Brown, Esq., Bellefonte, and for many years made her home with him.

The Central State Normal School, Lock Haven, Pa., is the Place for You.

We have a special course for teachers beginning May 11th and lasting for seven weeks. This prepares for the provisional, professional and permanent examinations, and students who pursue this course also get credit for the work they do in our regular course of study which leads to graduation. The total cost for board, furnished room, washing, etc., is \$34.00 for the seven weeks. Send for particulars and illustrated catalog to Dr. George P. Slinger, Principal, Lock Haven, Pa.

The Page Fence.

A car load of woven wire fencing has just been received by J. H. Weber, Centre Hall. It is the Page make, iron strong. You will find it all heights, and can be bought in any quantity.

Mr. Weber also has on hand smooth and barbed wire, staples, nails and everything needed to construct a wire fence.

OUTBREAK OF G. ANDERS CHECKED.

Columbia County Now Rid of Fatal Disease Brought Here from Western States.

Something over a year ago a carload of twenty-six horses was shipped from a Western State into Columbia county for public sale.

These horses at that time were all in an apparently healthy condition and thus were sold to various farmers and horsemen throughout that community. In a short time, however, several of these horses began to show symptoms of glanders, a dangerous infectious disease, thereby jeopardizing the health of hundreds of horses in neighboring counties, as each horse in the car was undoubtedly a source of infection. Glanders is communicable to man and, as in horses, the disease is fatal.

Following the development of these cases, agents of the State Livestock Sanitary Board began to make a thorough investigation. By the tracing of all animals in this shipment, by the testing of these and in addition all exposed animals with mallein, an efficient diagnostic agent, and by an examination of blood samples collected from the horses and submitted to the Board's laboratory, nearly all of the twenty-six, besides other horses, in all thirty-three, were found to be infected with glanders.

All diseased animals were destroyed and thorough disinfection was carried out in all stables and on all premises where these animals were found and thus the horse owners of that community were relieved from any further loss.

Reporter \$1.50 per year.