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Won His Election Bet.

Our good friend, mine host John D. Makiver, of the Cuadd's Ford hotel, was the lucky winner of numerous hats at the late election. He has now stored away one fine silk hat, six fine felt hats, one boys cap, one fur cap and one seal skin cap, all trophies of his skill as a gasser of election results.—Delaware Democrat.

That Democratic prophet is not without honor in his own country.

The DEMOCRAT of this week casts its vote solid and straight for Hon. Lewis C. Cassidy for United States Senator. There is some encouragement in this announcement, from the fact that it is the first straight Democratic vote that was ever cast by the combination that runs that paper.—Watchman.

The DEMOCRATS is always straight and stands square for the interests of masses. It has always put up the names of candidates of the party when nominated, a little matter which the Watchman failed to do twice in the last six years. Our vote for Hon. Lewis C. Cassidy will no doubt elect that gentleman to the Senate.

A FELLOW who voted against Curtin in Elk county, the day after the election, wrote to Mr. Curtin asking for an appointment. That's cheek, and there are others who will look for favors from the same quarter after working for Curtin's defeat.—Center Reporter.

There is not as much cheek in the Elk county fellow as there is in the Centre county fellow who bet ten dollars of Curtin's money that he (Curtin) would be defeated. The fellow lost the money but not his cheek. Centre can discount Elk on cheek.

At a meeting of the First ward republican club of Brooklyn, Thursday night, General B. F. Tracy introduced resolutions charging disloyalty to those members who worked against Blaine and Logan, but recommending that all action looking to their expulsion be abandoned. The resolutions were adopted.

How kind in the Blaine Republicans in allowing the Independents to stay. To be sure they brand the aforesaid gentleman as "traitors," but as the Republican party is growing smaller and smaller, and befitfully less, they are very thankful to have the erring brothers still keep house with them. There was a time when these Independent cusses would have been unceremoniously kicked out. But that day has gone by. The vote of a "Dude" a "Pharisee" or a "Mugwump" counts. Gentlemen, if you are willing, you may stay.

Ferguson Township School Board.

At a meeting of the Board of School Directors of Ferguson township, held on September the 11th, 1884, a resolution was adopted introducing Roub's Readers, Grammar, Arithmetic, and Backwalter's Speller, into the schools of that district, instead of those then in use. The resolution making the change was adopted before the election of teachers for the ensuing term and without a meeting of the directors and teachers of the district according to the provision of 25 "section of the Act of Assembly of May 8," 1854.

A large majority of the citizens of the township objected to the change of books being made. They were advised that inasmuch as the Board of Directors in making the change had not complied with the law, their action was illegal and void, and that if proper application was made, the Courts would interfere and restrain the Board by injunction from placing the new books into the schools.

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The motion to continue alias special injunction. By the Court.—I have carefully read the petitions of the tax payers and parents of pupils and the injunction and counter affidavits presented to the Court at the hearing of this case. There are apparently sound reasons given on both sides. On the question of the propriety of changing the books to be used in the schools of the district opinion is divided. It could hardly be expected to be otherwise. With this question the Court has very little, if anything, to do. Under the School law of 8th May, 1854, the power of directing what branches of learning shall be taught in each school and what books shall be used, is committed to the school directors, but without any right of appeal; and in the exercise of such discretionary power, they are responsible only to the people whose representatives they are.

The courts may compel them to perform their duties, or restrain them when they transcend their powers; but they cannot interfere, where they exercise their unquestionable powers unobscuredly. Where no irregularity, neglect of duty or excess of authority can be shown there is no remedy. All complaints such as, that the school directors have determined on the wrong sites for school houses, that the amount of taxes assessed are in excess of what is necessary, that they have selected or decided upon the wrong kind of books to be used, &c, are but appeals from their discretion in the exercise of clearly granted powers. No such appeal lies, for none is given by law.

The school directors of Cass township and O. Brien Collector, v Wright 358. The bill and affidavits in the present case show that the school directors of Ferguson township district at a meeting held on the 11th day of September, 1884 before the election of teachers and with out a meeting of the directors and teachers passed a resolution adopting a series of text-books known as Roub's Reader, Raub's Arithmetic, Raub's Grammar and Backwalter's speller for use in the schools of that district. Some of the affidavits state that before the teachers were appointed some of them were consulted in relation to the books to be selected, but there is no pretence that there was a meeting of the school directors and teachers, and I am of opinion that there was no substantial compliance with the law. At the time of the meeting of the school directors and when the decision was made the school teachers were not present, and none had been elected for the current school year to teach in that district.

By the 25th section of the act of 1854 it is enacted as follows: Immediately after the annual election of teachers in each school district of the State, and before the opening of the schools for the ensuing term, there shall be a meeting of the directors or controllers and teachers of each district at which meeting the directors or controllers shall select and decide upon a series of school books in the different branches to be taught during the ensuing school year, which books, and no other, shall be used in the schools of the district during said period.

By the Act of 1871 the directors are forbidden to make any change in the series of text books more than once in three years. Part n 299 p 148. Whether the meeting of the 11th of September, 1884, before the election of teachers was a legal meeting for the purpose of selecting and deciding upon a series of school books, in the different branches, to be taught during the ensuing school year is the principal, and indeed the only question to be determined in this case. I am clearly of opinion that the provisions of the Act of 1854, requiring that there shall be a meeting of the directors and teachers after the annual election of teachers are mandatory and not merely directory.

The reason why the teachers are to be present at such meeting is obvious. It is true, the directors are to select and decide, but that they are to be aided by persons having experience, practical knowledge and acquaintance with school books is plainly implied. The legislature has commanded how the duty is to be discharged. It is a power conferred which concerns the public as well as individuals. No one can justly say that the provisions of the law in this respect are not wise and important. I have not the time nor is it necessary to write an extended opinion. Suffice it to say, that the same question has been carefully considered and decided by several other judges. See case of S. P. Krickbaum vs. The school directors of Benton, decided by Judge Ewell, of Columbia County reported in

The Luzerne Legal Register, vol. 13, page 66 A. L. Tilden vs. James Mitchell et al. School directors of Luzerne township decided, by Judge G. I. Smith of Erie and McNair vs. The school directors of Clarion 224, Pittsburgh Legal Journal page 42, decided by Judge Ames of Pittsburgh. What has been said by these able judges, and the authorities cited in their opinions, to show that the provisions of the act of 1854 are mandatory is sufficient. The resolution of the directors of the 11th of September 1884 was invalid. They may yet, however, in my opinion, make a selection and decide upon a series of school books at a meeting to be held according to the provisions of the act of 1854.

The act of the 26th of May 1871, does not, in my opinion, repeal the provisions of the 25th section of the act of 1854. There may be annual meetings under the latter act, and there may be a selection of a series of school books to be taught, but there can be no change made in the school books or series of text-books used in any school more than once in every period of three years. If for more than three years certain books have been used to teach certain branches of learning, I can see no reason why there cannot be a meeting of the school directors and teachers convened according to the provisions of the 25th section of the act of 1854 and a selection and decision made upon another series of books relating to those branches of learning. But there can be no change of the series of books relating to the same branch of learning more than once in every three years. I do not know that the question arises in this case, but something was said about it at the hearing and what I have said is merely what has occurred to me in passing.

The above preliminary injunction is continued till further order of the Court. JOHN H. ORVIS and D. F. FORTNEY, Attys for the Plaintiffs. ALEXANDER & BOWEN and BEAVER & GEHART, Attys for the Defendants.

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IN THE ORPHANS' COURT OF Centre Co. In the matter of the estate of Hugh Lantz, deceased. The undersigned, appointed an Auditor to hear and pass upon the account of and make distribution to and among those legally entitled thereto, hereby gives notice that he will be in his office in Bellefonte, on Friday, Dec. 19th, 1884, at 10 o'clock a. m., when and where all interested may attend. W. H. WILKINSON, Auditor.

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AUDITORS NOTICE.—In the Orphan's Court of Centre county, estate of Henry C. Beck, deceased. The undersigned an auditor appointed to hear and pass upon exceptions, if any, to the administrators account, and to make distribution of the fund in their hands, to and among those legally entitled thereto, will meet the parties interested at his office in the borough of Bellefonte, on Tuesday, the 23rd day of December, A. D. 1884, at 10 o'clock a. m. S. D. RAY, Auditor.