

THE LAW OF LICENSE.

ABLY EXPUNDED BY JUDGE CUMMIN, OF LYONING COUNTY.

WILLIAMSPORT, March 13.—Judge Hugh H. Cummin, in granting and rejecting applications for license, gave an important general oral opinion yesterday that is considered a noteworthy one by the bar, and is favorably commented on by every one as being the ablest and most concise exposition of the law that has ever been uttered by the bench. In suspending a number of applications for further information and consideration, the Court delivered substantially the following opinion:

"Notwithstanding much has been said from time to time by courts on the subject of contested licenses, there still remains much apprehension and haziness about the real points at issue in such cases. Courts are just as much bound to grant licenses in proper cases as they are to refuse licenses in improper cases. Courts do not make the law; their only function is to administer it. What are the questions involved in a contested license case? The applicant must, in a manner prescribed, present in his petition the following facts: First, that he is a person of good repute for honesty and temperance; second, that he has the accommodations required by law; third, that his house is necessary to accommodate the public and to entertain strangers and travelers.

"The statute also provides that it shall be lawful for the Court to hear remonstrances against such applicant. It follows that such remonstrance must traverse all or some of the facts alleged in the petition, and should, in substance at least, set forth that the applicant is not a person of good repute for honesty and temperance, or that the applicant has not the accommodations required by law, or that the applicant's house is not necessary to accommodate the public and to entertain strangers. Thus we discover that the questions to be determined are questions of fact, not questions of political economy, not questions of morality, not matters of sentiment. The points before stated are the only ones that can arise in the controversy and are the only ones the Court can pass upon. This is true, not only from the manner of the procedure, but because the statute of April 14, 1859, section 1, decides "that the several Courts of Quarter Sessions empowered to grant licenses shall have and exercise such direction, and no other."

"The point of issue being thus clearly defined, how shall the facts on which the Court is to act be presented? This is easily answered as to the first and second points, because they are susceptible of positive proof, but how shall they be presented as to the third point—the necessity of the house? Just here it may be observed that on this point the Court is not called upon, nor has it authority, to decide whether it is better that such public house should or should not sell intoxicating drinks. The only question before the Court is whether such licensed house is necessary for the accommodation of the public, and the entertainment of strangers and travelers. "When the application is for a house not before licensed, perhaps the only evidence of its necessity is to be found in the papers filed, having due regard to the number and character of the petitioners and remonstrants. Such a case, however, should not be determined by merely counting the number of petitioners and the number of remonstrants, and deciding in accordance with the preponderance of numbers. That method would clearly meet the important rule, viz. the characters of the signers. By the word character, as here used, is not meant only the moral or religious standing of the signers, but their probable knowledge of the subject on which they speak and their ability to form an opinion thereon.

"When persons sign a petition for or a remonstrance against a license, touching the point of the necessity of the house, they say to the Court, 'We know what public houses are needed for the accommodation of the public and the entertainment of strangers and travelers in our township, ward or borough, and we have the ability to form and express an opinion on that subject.' On this the signers have some knowledge of that subject,

and some ability to form an opinion thereon, and do form an opinion. Signatures to the petition or remonstrance are therefore to be valued by their number, by the character of the signers, and having regard to their knowledge of the subject and their ability to form an opinion thereon."

The Court has ordered that in all suspended license applications the applicants must file affidavits setting forth the number of lodgings and meals furnished by them the past year, holding that with such proof in the case the question of the necessity of the house would be of easy solution. It is inferred that houses which have not been patronized for lodging and meals do not come under the requirements entitling applicants to licenses, and will be refused. The items of meals do not include free lunches, cheese crackers, pretzels, etc., furnished with drinks. The Court holds that general remonstrances are of no value and that only citizens of the township, ward or borough in which the house is located should sign petitions or remonstrances.

CODE OF LOVES LUNACY.

If you have a distant creditor who is capable of taking a delicate hint, you should, without comment (silence is golden), inclose his unrecipited bill in an envelope bearing his address, and having placed the stamp upside down on the right upper corner, mail it. In the language of the post office this means "no more."

"Just about the summer of the year," said the veteran assistant postmaster at Brooklyn. Mr. Smith, "a very large proportion of the letters mailed to the various summer resorts, and in ninety-nine cases out of a hundred, addressed to Miss So-and-so, have the stamp placed in some peculiar position. This doubles the work of the canceler, and sometimes results in these letters being rejected at first as unstamped. It is only of recent years that the practice has assumed the proportions of an actual nuisance. The force of habit impels all sensible men and women to put the stamp on the upper right hand corner of the envelope, straight up and down. Only lovers and lunatics stick it on where the canceler has to hunt for it."

Last week a young man of unquestionable intelligence and old enough to claim American citizenship visited Mr. Smith in a pitiable condition of despair and wanted him to stop a letter addressed to a young lady at the Katterskill House. He had dropped it into a letter box fastened to a Clinton avenue lamp post.

"Is the address wrong?" asked the assistant post-master.

"No; the address is fatally correct," replied the young man between gasps for breath.

"Isn't it stamped?" further inquired Mr. Smith.

"Yes, and that's the trouble," said the young man. "You see the young lady and I are not exactly engaged, but we would be if it wasn't for her mother. She is down on me, and reads all my letters to her daughter. So we don't say much in our letters, but speak unutterable things by pasting the stamps according to the code. Her mother isn't aware there's a code. I got the stamp wrong on the letter I mailed today, and will give five dollars for a chance to fix it."

The assistant postmaster finally consented to one of the carriers looking over the mail from the Clinton avenue route. The letter was found. The young man was too happy to speak. He was not allowed to mutilate the envelope, which was stamped on the upper left hand corner straight up and down. So with feverish haste he produced another stamp, and glued it over the first one, but upside down. Blushing with the heat and consciousness of acting like a lunatic, he explained:

"Upside down means 'I love you.' Right up and down means 'Good-by, sweetheart good-by.'" What would she have thought if that latter had reached her?"

Mr. Smith's curiosity was aroused. Here was a cipher mystery that he had always attributed to the transitional idiosyncrasy of unsettled minds. Filled with gratitude the young man gladly disclosed the glossary of the postage stamps vernacular. The secrets of the upper left-hand corner are many and momentous. Here also the message, "My heart is another's"

may be conveyed by placing the stamp crosswise. By swerving the little parallelogram to a right angle the dreadful confession, "I hate you" stands revealed.

In the event of your wife becoming so much interested in the nature of your correspondence as to wish it to cease, all that she has to do is to stamp your letters for you in a thoughtful wifely way, and by simply putting the head of George Washington upside down on the right hand upper corner, tell the fair unknown to "write no more."

Very coyly the maiden you love may say you may, by putting the stamp in the centre of the lower edge of the envelope, which may contain only a formal note of inquiry after your health or nothing at all. With equal coyness she may convey the glad tidings of "yes" by planting the bust of George in the middle of the top border.

Perhaps you are in serious doubt as to her real feelings toward you, despite the fact that she danced with you until no little comment was excited. You dare not ask her if she loves you. To write might seem equally presumptuous. Just pen a dispassionate note of invitation to the theatre and mail it with the usual tax receipt adhearing to the lower right hand corner at an angle of forty-five degrees toward the name of the State. Her performed missive politely but firmly declining your invitation, will reach you with the stamp affixed to the upper left corner, but crosswise which tells you that your life is wrecked because she loves another. Had you been wise you would have asked only her friendship and have waited and worked for her love. You might have done this by stamping your invitation obliquely in the top corner on the right, or better still, you might have impressed her with the humility of your spirit by placing the stamp at a right angle on the lower corner on the left, which means, "I seek your acquaintance." Later on you could have asked her to accept your love by boldly gluing the mask of the hatchet hero rigidly up and down on a line with the surname toward the left. Should the stamp be at a right angle although in the same place, she expresses her longing to see you so unmistakably that it is doubtless a case of love at first sight.

It sometimes happens, but very seldom, that a woman writes a letter without a postscript injunction to "reply immediately." Occasionally she puts this in the body of the letter and has to think of some other excuse for a postscript. Should this be forgotten until the letter is sealed and directed, much trouble may be saved by causing the postage stamp to cling upon the middle of the right hand edge. It is understood that the Post-master will hereafter employ a special clerk to keep track of erratic postage stamps, so that at the close of the season he may be able to supply a reliable data upon the fluctuations of the matrimonial market.

LIFE IN FLORIDA.

ST. AUGUSTINE, March 10.—The severity of the weather and other causes have directed an unusual amount of winter travel to this region, especially from Philadelphia, which always furnishes a generous quota of pleasure travel winter and summer to the fashionable resorts. Interesting as it has been for centuries, St. Augustine is to-day one of the most fascinatingly interesting spots on the American continent. The people who have been coming here every season for years find changes that give an entirely new character to the city of venerable associations. Many old things have passed away, but the best remain, and the new things embody so much of the old that they have a double interest.

A year or two has wrought great changes in the hotels here as well as in other parts of the South, and they are now not only kept as a rule by Northern men (generally experienced men interested in White Mountain summer hotels), but are conducted in a style quite equal to anything in the North. Take for instance the one item of music. A year or two ago such a thing as music in a Florida hotel was unknown and would have seemed to the average Southern hotel-keeper an absurdity. Now there is

not an important Florida hotel that has not a band or orchestra that plays each afternoon and helps to divert and amuse the guests during the evening hours. Many reports have reached the North about the small number of winter visitors to Florida, but it is an error and arises from the fact that there are so many more hotels to accommodate the people who come, so that whereas formerly a few hotels were crowded there are now numerous large hotels, none of them full. Still St. Augustine is now the fashionable place of the South, except in the case of consumptives and a few other invalids. The absence of invalids who avoid the sea and seek out inland and dry atmospheric places like Tampa makes St. Augustine all the desirable to pleasure seekers.

As for several seasons past the favorite quarters with Philadelphians is the San Marco Hotel, which is situated outside the gates of the city, and, like so many of the other improvements here, built by Northern capital. Nearly opposite the Smith Moorish cottage Mr. Flagler, the Boston millionaire, has partially completed what is expected to be the grandest hotel in the United States the Ponce de Leon—covering a square in the old Moorish style, with domes, many arcades and vestibules, exterior arched promenades on all the floors and built entirely of coquina, similar to the shell accumulations of Anastasia Island, out of which the walls of the city were built, the quarrying and building by slave blacks and Indian captives of Spaniards taking over a hundred years. It is intended to be finished on the first of January next, and will have cost \$2,000,000. Immense numbers of men are working upon it night and day. Mr. Smith also contemplates a grand hotel adjoining his property immediately opposite, and designs have already been made. Besides the hotel Mr. Flagler has promised other improvements, including among other projects an improvement of the streets, which are very bad, at his own expense. But great as is the Ponce de Leon Hotel, it is possibly excelled by another, that of the wonderful Casa Monica, now partly open and with immense additions in process of erection. This strange medieval structure, with its towers shaped like a bishop's beretta, will be one of the most remarkable specimens of revived Spanish Architecture in the South. The Sunny Side close by, the old St. Augustine, the St. George, the Magnolia and the Florida are all large hotels, each with distinctive characteristics and a patronage of their own, and several more are in contemplation.

One of the great trips which nearly everyone who comes here takes is up the Oklawaha, or Crooked river, by boat to Silver Spring, a new place. Although the direct distance is but thirty miles so circuitous and winding is the river that the trip is expanded to 148 miles and the boat which leaves St. Augustine in the afternoon does not reach Silver Spring until noon the next day. Among a large party who made the trip a few days ago were Mr. Paul and Mr. Beale, of Pittsburgh, with their families; Dr. DeForrest Wilard, of Philadelphia; Mr. and Mrs. G. DeB. Keim and Mr. and Mrs. George C. Boldt, the latter of whom is spending some time at Silver Spring on account of the health of her young son. The river is so narrow most of the way that the branches of each side meet. The boat is low, long and narrow and very sharp bowled. Above the wheel house is a reflector with an immense cauldron filled with blazing pine faggots which show the way ahead and casts a strange weird light on everything. Frequently as the boat turns a corner some big alligator, or perhaps several plungo from their perches into the water with a splash, their jaws and eyes illuminated by the ghastly pine light, and at the same time numerous strange night birds and blue herons and wild turkeys fly from their places across the wake of the steamer or against the wheel-house, uttering cries that are echoed and taken up by other birds in the distance, sometimes making a jargon that keeps nervous people from going to sleep. The river in the day time, especially around Silver Spring, is one of the wonders of the South. Though ninety feet in depth it looks but ten, and the water is as clear as crystal to the bottom.

A penny and a nickel dropped into it can each be distinguished at the bottom. Even a pin and a needle can be seen side by side.

The trip is not unattended with danger and on the downward trip the other day the passengers were surprised to find the boat stopped in front of a sturdy plametto resting on each bank that completely spanned the river. It did not surprise the captain, who backed the boat up and after several vigorous rushes on it broke the trunk in twain. The tide in one direction is so furious that it will carry a steamer as rapidly as it usually goes with steam up and frequently trees are washed from the side in a night in this way. The progress of the steamer, however, is necessarily very slow and cautious, as the turns are abrupt and the river often bends back upon its own course for many miles. It is no wonder that with attractions and opportunity for adventure such as this so many come to Florida.

Rome and the Knights

ROME, March 4.—The American Bishops take a favorable view of the organization known in the United States as the Knights of Labor. Cardinal Gibbons has placed before the Vatican a formal statement as to the nature of the organization and the attitude which the church should adopt toward it. The Cardinal says in his statement that he considers that any condemnation of the Knights would be not only useless but highly inopportune, and that it might alienate the sympathy of the American laboring classes from the church, and might hamper the mission of the church, to the laboring poor. In addition to the above positions recommended by the statement of Cardinal Gibbons, the Primate treats the alarmist theories respecting the Knights of Labor as peevish, and says that nearly one-third of the men belonging to the organization are Roman Catholics. Respecting the charge that the association is a secret order, the Cardinal says it is not a secret society in the sense condemned by the church, and is consequently exempt from canonical censure. In Canada the case is different. Cardinal Gibbons further says that he considers the organization of the Knights of Labor in the United States not only as harmless, but that it will possibly be beneficial in assisting in the eventual settlement of the great question of the proper relation between capital and labor.

POPULATION OF NEW YORK 100 YEARS AGO.

In 1786, this city had 23,614 population, of which 2,103 were blacks, and the entire taxes were only \$15,250. Then the city had been incorporated just ninety years. Broadway ended where the City Hall Park now is, and commanded an unobscured view of the Hudson. Wall street was quite a wide street and filled with costly residences. Hanover square and Dock street (Pearl street between Hanover square and Broad street) was the great place for business and had many handsome houses. The families of the great merchants living overhead and the stores beneath. William was a good street, and it was the place for retail dry goods stores. What a contrast between 1786 and 1886!

1859-1887.

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