

The Centre Democrat.



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"EQUAL AND EXACT JUSTICE TO ALL MEN, OF WHATEVER STATE OR PERSUASION, RELIGIOUS OR POLITICAL."

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FRANK E. BIBLE, Editor.

1887.

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H. Y. STEVENS, Secretary.

COERCION won't "coersh" in this 19th century.

INSIDE of a year every beer saloon in Philadelphia will have been turned into Y. M. C. A., Rooms, so fast is reform-travelling under the new city charter.

THE angel of peace don't hover over the Democratic factions of Philadelphia very much, and Pap Randall's sheep fold is getting in a very shaky condition. Uncle Randall had better look after his fences and let some one else distribute the Federal Pap.

ONE of our Republican exchanges complains that the present administration is not disposed to look after the interests of the American fisherman, the reason assigned for this indifference is the lack of a navy to back up our demands for redress of grievances. As our present inefficient and rotten navy is the result of twenty five years of Republican profligacy and plunder it comes with a very bad grace from the organs of that party to complain of fear. We might as well attempt the destruction of the English Navy with a fleet of canal boats as to pit the navy left by Chandler and Robeson against even the fishing smacks and revenue cutters of Canada. About the last thing a Republican editor should open his mouth about is our present navy.

THE engagement of Beatrice Lieb and company is cancelled and that dramatic organization will not be here to-morrow evening. This is owing to high railroad rates caused by the interstate commerce regulations. It will be a disappointment to the amusement-loving public and a financial loss to Gregg Post.—Daily News.

Baily has as usual got things slightly mixed. Miss Lieb did not come it is true, but that is a small matter. The objectionable part of our friends local is that he tries to saddle the high railroad rates on the interstate commerce law. Since the railroads seem to be endeavoring to make the law as objectionable as possible, it is well enough for the people to know it. Section 22 of the Interstate Commerce act says "That nothing in this act shall apply to * * * the insurance mileage excursion or commutation passenger tickets. If railroads do not grant these favors it is their own business, but the people may as well know that the interstate commerce act is not responsible for the absence of these courtesies. It would be a good idea for some one about the News establishment to post himself on some points before asserting that the interstate commerce law is responsible for this that and the other.

Means Business.

"The Board of Trade of Shamokin, Pennsylvania, is prepared to offer inducements to manufacturing enterprises to locate in our midst. Population 15,000 and three lines of railroad. Located in the anthracite coal region, correspondence solicited, address D. L. Shellenberger, Secretary."

The above advertisement appeared in the Philadelphia Times of Saturday last. Shamokin like every other town in the State with a live Board of Trade, is endeavoring to secure industrial establishments in her midst and tells the world that she "is prepared to offer inducements to manufacturing enterprises." Pittsburgh, Erie, Corry, Warren, Lancaster, Williamsport, Lock Haven, Shamokin and other large towns in the State, do not hesitate to bid for manufacturing enterprises. Many of these towns while larger than Bellefonte have not half the advantages that we possess. Why not make ours known, why should the car works remain idle, its buildings decay, its machinery rust and its water power sing a song of slothfulness. Every building of that vast establishment is capable of being turned into a large manufacturing establishment. The power is there to run a dozen different concerns. There are a dozen locations in and about town, that could be had at reasonable figures. Milesburg offers a good field for the establishment of manufactories, with abundance of room and water power. Every dollar invested in the county helps our town to a certain extent. If people cannot be suited in Bellefonte perhaps they can find some where else in the county. We want to see our entire county grow, and while Bellefonte possesses peculiar advantages over other towns of the county, we do not overlook any advantages or inducements that other towns have to offer. We can say that Centre county offers a better field for the investment of Capital than any other county in the State, and nature has fitted her for the centre of vast manufacturing district. We have Iron ore, Coal, Fire clay, Limestone and Sand in inexhaustible quantities. All these are being developed by the energy and enterprise of our people but to a very limited extent when compared with other sections. We need a Board of Trade, with the business ideas of that of Shamokin, and an organization backed up by every business man, mechanic, capitalist or public spirited citizen in town.

An organization with ideas large enough to take in the interests of the entire county. To gather information and statistics in regard to our resources, and furnish the information to the business world. To ascertain what particular lines of goods can be manufactured here, and to offer inducements to manufacturers. There are a thousand ways of making known and developing our resources. It wants but the united action of all persons interested. There are plenty of bright intelligent wide awake men in the county who would make good members and who would doubtless join such an organization. We may be wrong about the constitution of a Board of Trade, but it certainly is important to have as many men working for the same object as possible, and with these workers directed by a central organization properly offered their work must be effective.

To the business man and the traveler we would say don't shie your hat into the arena and invite a contest with the Interstate Commerce law. The gladiator you want to tackle is the innocent looking Railroad. Does the new law forbid "commutation" tickets? no. Does it forbid the issue of mileage books? no. Does it forbid the issuing of excursion rates? no. Does it prohibit any reduction in passenger or freight rates? no. Give the law a chance, and don't forget that the railroads of the country are deliberately making its provisions obnoxious in order to raise a popular demand for its repeal by the 50th Congress.

A gentleman said to us the other day "I am willing to help boom the town, but I don't want to help pile up wealth for a lot of millionaires and bankers who skin the poor and do nothing for the borough." This is of course a very weak reason why the town should not be pushed along. Suppose it should add thousands of dollars to the bank account of every wealthy man in town, suppose it should do this without their doing anything to help the town? These money gatherers cannot live according to the natural order of things more than ten or fifteen years, and the Lord may send for them sooner, they can't take their money with them, and their legal representatives will get away with some of it, perhaps all, in the following twenty years. In the mean time others have been accumulating money and among them our friend who did not want to help pile up money for those who were already wealthy. A spirit of envy can do as much to retard progress as the grasping skin diat disposition of a miser.

Refusing to help along your town simply because you will increase the wealth of your already rich neighbor, is to act as mean as the wealthy man who lays back and hopes to grow richer through the exertions of those who have yet their fortunes to make.

Bellefonte pays her efficient chief of police the magnificent sum of \$15. per month. Council must have been studying the "penny wise and pound foolish" system of economy. At the same time she is taking up the water pipe extending to the Glass Works which was laid last year, and putting down new pipe. Somebody has blundered.

We don't have what Alice McClure denominates a "clam" but we do have a class of people which with propriety may be called "crabs," fellows who are always advancing backwards, or who predict such an advance for the town, fortunately the class is small in numbers and not eminently respectable. They will do in the next few years to stand up in the park as pillars of salt, once animated humanity, but who in the towns progress looked back like Lot's wife and ceased to be.

We have taken pains to inquire of our business men in all lines of trade as to the volume of business done and the prospects for the future. In every instance we have had the most cheering replies. The best index to a man's business is his advertising. When his business is large he invariably increases his advertising and when it drops off he feels like cutting down his expenses and, lops off some of his advertising. At present all the leading business houses are advertising largely.

The new park which the county Commissioners are having graded in the public square between the jail and the Court House, will in a year or two be a little gem, all that will be needed to make it so, is that keep the street gain off until the grass grows.

A band is one of the things that Bellefonte needs. Of course the politicians and candidates will object to this instant, but we mean an independent public spirited band that after it is once organized and equipped will not bleed candidates, one that will merit and receive the support of the public spirited citizens, a band like that of twenty-eight years ago when—well, we were going to mention the names of some of the gentlemen who were members of that old band, but it would perhaps lead to the discovery of their age. That was a band that a Bellefonte archer could follow to Milesburg in his bare feet on a hot summer day, over a dusty road and never tire. To some of us who were archers then there is a halo of glory about that old band, and

then there were the Bellefonte Fencibles and the Bellefonte (yellow caterpillar) Dragons two crack companies with the best citizens of the town enrolled. Lamb street was our northern limit, Bishop the southern, the Union Cemetery on the east and the creek on the west. Cheepside was across the creek but unimportant. A stone spring house stood where are now the ruins of the Bush Arcade and the beautiful mound in the meadow where the Phoenix planing mill now stands, and which always excited in our minds thoughts of dead Indians was still there in all its beauty, hundreds of trout sported in our beautiful streams, and the whistle of the locomotive was not heard in the land. Stage coaches rattled in and out of town with their four and six horses, creating great bustle and excitement; and the citizen got his mail from the Post office now occupied by W. B. Rankin, as an Insurance office.

How easy it is to rattle on from brass bands to soldiers and to the appearance of our town twenty-eight or thirty years ago. Another generation will likely see even greater changes than we have witnessed. Every old landmark that has disappeared, has been replaced by a building of grander proportions. Well we are growing, we don't call our town a city as some of our smaller and less enterprising neighbors do, but we are getting there all the same.

A year ago between seven and eight thousand people used our Post office, a year hence ten thousand will use it. This is not an over estimate. The increase of population within the borough limits will not be half of the increase outside.

Engineer Ryan who is well posted on the water supply of the borough predicts that the engine at the works will have to be run almost constantly in the next year and perhaps during the present, to keep up the supply, so much being used during the summer and now that the glass works are running so strong. The capacity of the works will be taxed considerably more.

HEAR Most the anarchist who recently exchanged the variegated uniform of a New York penitentiary for the clothes of a private citizen, exhibited his mouth in Philadelphia to an admiring baker's dozen of fowl "birds of a feather." Most ranted, roared, frothed, fumed and sent every thing American to perdition in regular socialistic style. He advocated bombs, bullets, and beer as remedies for the social disorders and inequalities of American society. The blatherskite forgot to tell his admirers where he was when the New York police captured him or where he would likely be found when the Philadelphia officers want him. The superabundance of mouth possessed by Most and his fellows who are living by agitation, is about the best safeguard the order loving people of some of our cities have, it is like a fog horn constantly warning them of danger and goes off on every occasion.

Labor Troubles Settled.

PHILADELPHIA, April 15.—The executive committee of the brick Manufacturer's Association and the committee representing the several local assemblies of their employees held a meeting this afternoon for the purpose of discussing a resolution adopted by the manufacturers a few days ago demanding a settlement of differences between the employers and employees. After a thorough discussion the employees virtually agreed to the manufacturer's terms, and a general strike was averted. The men had demanded that the Knights of Labor be given preference over others, and about 1,600 men had already gone out on a strike. The manufacturers are willing to recognize the men as Knights and treat them accordingly, but they objected to entering into an agreement binding them to show any preference in the employment of hands. These men now out will return to work at once.

Judge Furst's Dissenting Opinion.

The following is Judge Furst's dissenting opinion from the Associate Judges in the matter of license, delivered at the Court in Huntingdon last week.

DISSIDENTING OPINION.

In the matter of the application of Henry Lester to keep an inn, tavern, and the like petition of J. C. Swoop in the borough of Huntingdon.

These applications for licenses under the law and the evidence in the cases clearly should be granted.

The "Leister House" and the "Hotel Brunswick" are the principal hotels in the borough of Huntingdon. They are large and commodious and have all the conveniences required by the Act of Assembly. Both are largely patronized by the traveling public, and without them strangers and travelers visiting this town could not be entertained. If these hotels were to be closed many persons having business at this place would be compelled to beg for lodging at private dwellings or be compelled to leave town. It is an indubitable fact that these hotels are an absolute necessity in this place. They are well kept and constantly full of strangers and travelers. The applicants themselves come within all the conditions and requirements of the law. All the provisions of the law relating to the granting of licenses have been complied with in both cases. The petitions for license have been supported by a large number of other petitioners stating the necessity of these hotels for the accommodation of the public.

Remonstrances have been filed, each signed by a large number of most worthy and respectable citizens, male and female, residing in this town. The remonstrants are the best or among the best citizens of the community. They are persons in whose judgment and sincerity and rectitude I have the highest regard and confidence. I have weighed carefully the objections they present to the granting of these applications.

In their remonstrances they will not state that these hotels are not a necessity for the accommodation of the public and strangers, they however represent that license to sell liquor is not necessary. These remonstrances, therefore, though filed against each applicant by name, are general in their nature and they remonstrate against the law rather than against the hotels. They do not recognize the fact that the Legislature has determined that license shall exist. They ask the court to sit in judgment upon the propriety of the law and not to administer the law as written in the statute and declared in the decisions of the Supreme Court. As a private citizen I have as fixed and positive convictions upon this subject as any one remonstrating before the Court. My sentiments touching the propriety of the license laws of this State and my objections to them have been often publicly expressed. While at the bar I refused to act as prompted by my own individual sentiments, but when I assumed the position of President Judge of the 4th Judicial District I took upon myself an oath of office that I would obey, defend and administer every law upon the statute book whether it be obnoxious to me or not. The only guide I can have is the written statute and the rulings thereunder by the Supreme Court. Loyalty to each requires me implicit obedience: This is the only safe rule by which and under which the law can be administered and the right of all persons under the law vindicated and protected. There is no room for private sentiment or antagonism to the constituted authorities of the law.

If we desire a change in law our duty is to apply to the Legislature. We cannot seek the court of inferior jurisdiction to set aside an act of Assembly or reverse the decision of the higher court, both of which have been done in this case by my brethren on the bench, who are unlearned in the law.

If we desire the fundamental law of the State changed we obtain this by the vote of the people under a constitutional amendment submitted to them for their approval or rejection. We cannot have this done except in the method pointed out by law.

Under the license system it is impossible to have prohibition. Whether license should be granted is a legislative question. Courts sit to administer the law fairly as it is given to them, and not to make or repeal it. The law of the land has determined that license shall exist, and has imposed upon the court the duty of ascertaining the proper instances in which the license shall be granted, and therefore has given to the court to decide upon each case as it arises in due course of law.

The act of deciding is judicial and not arbitrary or willful. The discretion vested in the court is therefore a sound judicial discretion and to be a rightful judgment it must be exercised in the particular case and under the facts and circumstances before the court, after they have been duly considered in their words to be exercised upon the merits of each case according to the rule given by the Act of Assembly. This is the language of the Supreme Court as delivered by Mr. Justice Agnew, in the apostle of prohibition, in Schluederker vs. Marshall, 22 P. F. S., 200. This doctrine is also affirmed in the recent case of Reed's appeal, 4 Central Reporter, 900. It has never been departed from in any reported case of the Supreme Court. It has been universally received by the profession and by the courts of Quarter Sessions throughout the State as the settled law of the land.

My brethren have seen fit to depart from it. They hold notwithstanding this clear enunciation of the law by Judge Agnew, whose decisions are held in the highest esteem by the bench and bar that they have the right to pass upon the propriety of the law and that in their opinion no license is necessary.

determination before hearing to refuse all applications. This is arbitrary and without the sanction of the law. It is an utter disregard of the law and the rights of the people. The Judge sits to administer and not to make the law. To say that I will grant no license to any one or that I will grant it to all is no; to decide judicially on the merits of the case, but to determine beforehand without a hearing or else to disregard what has been heard. It is to be determined not according to law, but outside of law and it is not a legal judgment but the exercise of an arbitrary will. The discretion which the court is required to exercise is a sound legal discretion under the law upon the circumstances of each particular case as represented, and not upon the propriety of granting license. It is the duty of the court to hear and determine each case upon the evidence, to ascertain the fitness of the applicant, the necessity of the house for the accommodation of the public and to see that the applicant has fully complied with the law, and when this is done the right to license is a legal incident which the court cannot withhold in a proper case and which ought not to be granted in an improper one. Where the applicant has failed to bring himself and his house within the provisions of the law he is not entitled to a license, but upon the contrary, where the provisions of the law have been complied with and the public necessity requires the accommodation of the hotel for the entertainment of strangers and travelers, then the right to a license legally exists and the court violates the law in withholding it.

The fact that the Supreme Court in Tool's appeal declared that the exercise of the discretion of the court cannot be reviewed has given rise to the exercise in many cases of an arbitrary discretion and it is cited to the court as an authority to do as you please. It has had its effect in the present case.

Tool's appeal is not authority for any such doctrine. Because the Supreme Court may not review the exercise of the discretion of the lower court, it does not follow that the court may then act arbitrarily in deciding these cases.

It affords greater reason why the court should faithfully and sacredly observe the law and enforce it in its true spirit if no review can be had of its discretion. In the cases before us the reason why the license is refused is set forth so that the question may be presented to the court for review if any review is desired or can be obtained. I would have preferred that the full reasons could have been placed upon record so that the question might be fully heard before the court. I have endeavored to do so in the short time I have had to prepare this opinion.

I have united in rejecting all the applications for license except five or six which I believe are absolutely necessary for the accommodation of the public. Wherever it was shown or the court had knowledge that there was no real necessity for the hotel as a house for the accommodation of travelers and strangers; where it was shown to the court that it was really intended as a drinking place, or that it would result as a resort for local drinkers; wherever it is shown that the applicant himself was a drinking man, that he kept a disorderly house that violated the law in selling to the prohibited class, or on Sunday, or election day, or wherever it appeared that due care was not exercised by the landlord in the sales of liquor, in all such cases I have ever refused and will continue to refuse to grant license in this district. In all proper cases I feel it to be my duty under my oath of office to grant the license. For these and other reasons I dissent from the judgment of the majority of this court in these cases.

A. O. FURST, P. J.

Novel Defense.

PITTSBURG, April 15.—The defense of the Pan-Handle Railroad men accused of robbing the company will be mistaken identity in the majority of cases, the idea being that with so much grease and grime of the train upon them no one could swear to their identity when washed. A tailor showed the officers some cloth he was making up for trainmen, and as it was proven to have been stolen, the alleged owners of the clothes will be arrested. One trainman was having a suit made of cloth intended for a lady's suit. The cost of making was double the value of the cloth. A brakeman was having a suit made of 24 ounce English worsted goods, valued at \$75.

PITTSBURG, April 16.—A prominent stock holder in the South Penn Railroad Company was seen and gave a flat contradiction to a report telegraphed from Harrisburg that the project was to be abandoned wholly or in part. He said: "Our plans were somewhat disarranged by the reorganization of the Reading and the wiping out of the very favorable contract we had with that company, but we have not yet definitely determined upon our plans for the future. The road may be built and it may be abandoned, wholly or in part."

At one o'clock Thursday morning the harbor tug Corsair, belonging to Brown & Jones, while going down the river to New Orleans in a fog with a pleasure party on board, ran aground opposite the Willow Grove coal landing, five miles above the city, and turned over on her side. There were ten ladies on board, all of whom were saved except one—Miss Barton, of Algiers, aged 16 years. She clung to the cabin and refused to jump, although it was but a few feet to shoal water, and was drowned.