

The Centre Democrat

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OPENING OF THE TROUT SEASON

THOUSANDS OF ANGLERS LINED THE STREAMS.

SOME BIG CATCHES WERE MADE

Began Fishing at Midnight—Big Catch Near the Bush House—Many Came a Great Distance—Standing Room in Demand.

The opening of the trout fishing season on Saturday, the 15th, was an important event to the citizens of this community. Ordinarily it attracts much interest, but this year there was unusual excitement among the natives on account of the large number of trout released last fall from the hatchery that found their way down Logan's Branch and into the streams that are tributary to it.

For months it was a treat to walk along the stream and watch the large speckled beauties disporting themselves in the pools. They would huddle together in schools and seemed to pay little attention to spectators on the banks. It was a sight to see the fish feed when any kind of food was thrown in the stream. The big fellows would fairly tumble over each other in the rush to seize the morsels when the same food was thrown on the surface of the water. Everywhere along the stream the big fellows could be seen along the banks watching for food. Never in the history of the stream was there such a display of trout, and for that reason there was great anticipation for the opening day. The story of these fish spread far and wide. From all the adjoining towns of Lock Haven, Philipsburg, Snow Shoe, Tyrone, Altoona, and other points, fishermen came in great numbers to participate in the catch on Saturday morning. Never were there so many local fishermen on the job, as every man and boy who could spare the time had his rod and tackle ready.

When the clock struck 12 on Friday night there were at least a hundred and fifty fishermen lined along the streams in the borough of Logansport, Logan Branch and Spring creek. When the first stroke was pealed from the town clock splash went the hooks and lines into the water. Fishermen stood so close to each other along the iron railings on the bridge that the most touched shoulders and there was such a tangling of lines that made the attempt almost useless at first. As the last stroke of 12 was tolled W. Harrison Walker pulled out a 12 inch trout at the Bush House wall, probably the first of the season. Others began landing nice fellows, while some were not so fortunate. When the fishing began there were 80 anglers between the Bush House and the Central R. R. distance of two squares. It was so dark that you could only see the stream to cast a line and then wait for a tug. From Pleasant Gap station on to Bellefonte, the stream was lined just as thick with anxious fishermen so that it would be safe to estimate that there were at least a thousand scattered along the small stream.

The night was quite cold and at 2 o'clock many quit as they did not want to risk the exposure. At day break reinforcements came, and between 5 and 8 in the morning the fish seemed to be more active and began feeding, and that is when the best catches were made. Several fishermen secured forty nice trout, the limit. There were many catches ranging from eight to twenty, varying in size, mostly seven to ten inches, with plenty twelve and fourteen, some eighteen, and one twenty two inches.

The most fish caught came out of the pool side of the Bush House which is a natural haunt for fish, and for the reason that they could not get up stream further on account of the falls, and that they had been especially fed there with the offals of the hotel. Several hundred fine fish were landed there during the day, and all were large and plump. They took the ordinary worm freely, and the white sawyer seemed also to tempt them. Very few fish were caught on the fly. James Furst succeeded in making a large catch with the fly, and some others were fairly successful.

It is impossible to get at anything like a close calculation of the entire catch on Saturday. We would say that 2500 trout were taken out of Logan's Branch, and most of them were the fish that had been released from the hatchery, that were lacking the instinct and cunning of the native fish that grew in the banks, and were wary enough to distinguish the natural food from the tempting bait.

It was an enormous catch, but the day's work has literally cleaned the stream. No more fish are to be seen sporting themselves along the banks or in the pools. What are left are the wise old guys who hide under stones and in holes and are not so easily fooled. Now and then some fellow catches a few nice ones, but since Monday very few fish were landed and many a poor fisherman has returned home with an empty basket and a heavy heart.

The catch along Fishing creek is reported unusually small and our people who went there had been disappointed. Small catches are likewise reported from other parts of the county.

Fire at Milesburg.
Wednesday morning about 1 o'clock the residence of Clayton Shope, at Milesburg, was discovered to be on fire, and by the time the Shope family had gained considerable headway. The house was an old structure, built of stone, and was owned by the Curtin estate. It is situated on Water street, and is supposed to have caught fire from a defective flue. The roof was burned off and the inside pretty well gutted before the fire company succeeded in getting control of the flames. Mr. Shope was able to save only a portion of his household goods, which were insured in the W. H. Musser agency of this place.

Adam Harter, of Millheim, is seriously ill, resulting from two strokes of paralysis, within two weeks.

EXECUTION ON TUESDAY.

When Bert Delige Will Suffer the Penalty For Murder.

The execution of Bert Delige will take place in the Centre County jail-yard on Tuesday of next week, April 25th, between the hours of 10 and 3 p. m. for the murder of Mrs. John Bauda, at Scotia, last October. Sheriff Hurley informs us that he has all preparations made, and that he does not anticipate any unusual demonstration on account of the event. He will perform this unpleasant duty as the law directs, and there will be very few persons permitted to witness the scene.

The prisoner is perfectly resigned to his fate, and thus far has displayed no fear of passing through the terrible ordeal, and is willing to atone with his life for that which he had taken. In fact, that has been his disposition from the time he made a full confession of his crime. Since then he has given his attention to the thought of the future and professes to have found forgiveness with his Maker, and is fully prepared. He gives much of his time to the study of the Scriptures, consultation with his pastor, the Rev. Paul, meditation and prayer.

His brothers and sisters have paid him frequent visits of late, and his pastor makes a daily visit to the cell of the condemned man, which gives him much comfort. All through his confinement he has been a model prisoner, causing the authorities no trouble or care whatever, and has no criticism as to the treatment he has thus far received.

After the execution the body will be taken in charge by Mr. Osman, the undertaker at Port Matilda and conveyed to his home at Scotia where the family will accord the remains proper burial.

As there is little to be learned in connection with this crime and the attending execution, we do not deem the matter of the execution of sufficient interest to warrant the publication of a "special," to satisfy the cravings of those who may be interested in its harrowing details. The account of taking of a human life, even though it is fulfilling the mandates of the law, is not the most inspiring reading and it would be better for the community if it were entirely ignored by the public press.

GOT HIS MAN.

The Tyrone correspondent of the Altoona Tribune says: "The police department of Tyrone division, Pennsylvania railroad, has been annoyed a number of times on account of would-be 'bad men' creating disturbances at stations and annoying passengers at various points along the division and when an officer is sent to the scene of the trouble the offender almost invariably has skipped. Although they don't always get the culprit landed, the offense is not forgotten. A case of this kind happened at Fairview on December 6, 1910, when a desperado by the name of Howard Kunes, a giant in stature, terrorized the natives at the station. When Officer Fred Giles, of Tyrone, was sent to get the gentleman he had left the community and nothing was seen of him until Wednesday of this week when Officer Giles captured him at Howland station and placed him under arrest. He was taken to Bellefonte where he was given a hearing which resulted in his paying a heavy fine and costs."

An Enjoyable Occasion.

The seventh annual commencement of the Walker Township High school, held at Hublersburg, Thursday evening, April 13th, 1911, was one of the most successful and best patronized ever held in that community. The part of each member of the graduating class was well rendered. The hall was beautifully decorated in the class colors, orange and black, with some evergreen and "Old Glory" for a background. Smith's orchestra rendered the music, which was much enjoyed by all present. A grand finale was given by the graduating class by the Alumni at the home of E. L. Markle, where a sumptuous banquet was served. The house was decorated with the class colors, ferns and flowers, and music by the orchestra enlivened the occasion. The whole was a memorable event, and long will be remembered by those present.

Hospital Notes.

Operations: Mrs. Clara Gross, of Bellefonte; Miss Annie Stine, of Scotia; Miss Elizabeth Stone, of State College; James Mathews, of Bellefonte.

Discharged: Miss Elizabeth Davis, of Tyrone; Mrs. Annie Kundrat, of Snow Shoe; Albert Osman, of Centre Hall; George Inhoff, of State College.

Admitted for treatment: Charles Courtney, of Mt. Penn.; a son born to Mr. and Mrs. George Meek, a daughter born to Mr. and Mrs. Frank Beezer.

Thirty-three patients are now in the hospital.

Of Importance to All Hospitalists.

An important bill was reported from the Appropriations Committee at Harrisburg last Wednesday night, requiring all hospitals receiving state aid to allow patients, making the request to be attended by any regularly licensed physician or surgeon whether a member of the hospital staff or not. Institutions violating this law are to forfeit appropriation.

Alumni Meeting.

There will be a meeting of the Alumni Association of the Bellefonte High school on Friday evening, April 21st, at 7:30 o'clock, in the offices of Fortney & Fortney. This meeting is called for the purpose of arranging for the annual reception to the graduating class, and it is important that a large number of members be present. JOHN J. BOWER, President. Attest: Elsie Rankin, Secretary.

License Granted.

On Wednesday the court granted the application for liquor license at the Centre Hall hotel, James W. Runkle, proprietor. This application was held over since the December court. This hotel was without license for over a year, due to a technicality in the former application.

DEATH SEEKS A SHINING MARK



Hon. J. Calvin Meyer.

Stricken on Friday Evening in Sight of His Home—Suddenly Passes Away.

COUNTY AND STATE MOURNS UNTIMELY DEATH

Suffers the Loss of a Distinguished and Useful Citizen—A Remarkable Tribute by Public Officials—Thousands of Friends and Neighbors Pay Their Final Respects—A Brilliant Career Ended.

It is with a sense of deepest sorrow that The Centre Democrat this week records the untimely death of one of Bellefonte's foremost citizens—Hon. J. Calvin Meyer. While we valued him as a patron, respected him as a citizen, admired him as an attorney, appreciated his worth as a public official, above all we esteemed him most, through many years of close acquaintance, as a friend—loyal and true. His untimely death came like a shock, when life seemed the most propitious, and the doors were opening wide and beckoning him to enter wider fields of usefulness where there was still greater work to be done, and higher honors attained. This state, the county, the community, neighbors and countless friends joined in paying their respects to the departed one on Tuesday, and extend their sympathy to the once happy home that now deeply mourns.

SUDDENLY STRICKEN.

Last Friday evening Hon. J. Calvin Meyer attended a Constance Commandery function in the Masonic building on Allegheny street, and apparently was in the enjoyment of good health, participating freely in the festivities of the occasion in his customary jovial manner. About 11 p. m. he started for his home on Curtin street in company with W. B. Rankin, followed by W. Frank Warfield and Walter H. MacIntire, his son-in-law.

In going up the North Allegheny street hill, near the Shoemaker residence, Mr. Meyer was suddenly overcome, had to stop and rest and was in great distress. They assisted him as far as Mr. Warfield's residence where he had to sit down on the porch for relief, and finally was taken inside, although his home was only about 200 feet distant. At Mr. Meyer's request, Mr. MacIntire ran hastily down street to summon Dr. J. L. Seibert the family physician, who quickly responded knowing the complete confidence of his large clientele. He was a very able trial lawyer, especially before a jury. His faculty to see the human side of a case gave him great strength in this regard and he never lost sight of this very important feature either in preparation or in actual trial. At the counsel table he was alert and resourceful not only in the presentation of his case as he had previously conceived it, but also in moulding his case to meet the actual exigencies of trial. He had a pleasing presence, a fine command of language, aptness in the choice of words to express his thoughts, and earnestness, forcefulness and persuasiveness in their presentation. All of these qualities combined in making him a strong advocate and a formidable opponent. He was well grounded

in the law, and was a very successful practitioner and throughout his professional career had the full confidence of his large clientele. He was a very able trial lawyer, especially before a jury. His faculty to see the human side of a case gave him great strength in this regard and he never lost sight of this very important feature either in preparation or in actual trial. At the counsel table he was alert and resourceful not only in the presentation of his case as he had previously conceived it, but also in moulding his case to meet the actual exigencies of trial. He had a pleasing presence, a fine command of language, aptness in the choice of words to express his thoughts, and earnestness, forcefulness and persuasiveness in their presentation. All of these qualities combined in making him a strong advocate and a formidable opponent. He was well grounded

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DENMAN THOMPSON DEAD.

One of the oldest and best known actors in America, Denman Thompson, the man who made "The Old Homestead" famous, died at his country estate, West Swanzey, last Friday, after several weeks' illness with uremia and heart trouble. The veteran actor was born at Grand, Pa., on October 15, 1833. His parents were the descendants of old colonists who had settled at Swanzey, N. H., and to that quaint old village they returned with Denman when he had reached the age of 14.

Young Thompson went to the district school at Swanzey and attended Mt. Caesar Seminary in the neighboring town several winters. The rest of the time he worked on the old Thompson homestead, helping his father in farming and at his various trades.

Denman was to be a carpenter, but he became restless and when he had reached his seventeenth year he persuaded his parents to let him go to Boston to seek his fortune. Equipped with a new suit of clothes and several pairs of mittens and stockings, young Thompson started for Boston. The first job he obtained there was with a circus. After the circus had finished its season, Thompson obtained a position as supernumerary on the stage. Then he got a job as door-keeper and lecturer for a collection of portraits of Indian chiefs and finally he landed in the drygoods store of his uncle, D. D. Baxter, in Lowell. That business was not exciting enough for young Denman and he soon returned to the stage. In it he and George W. Ryer wrote the original version of "The Old Homestead."

It is claimed Thompson once lived for a time in Bellefonte, being employed at the old Cummings House, now the Haag Hotel.

"THE CLIMATOLOGERS."

The Penn State Theatians, bigger, better and funnier than ever, will be the attractions next Saturday evening. They will present the original medical comedy, "The Climatologists," in two acts. The scene of the first act is laid in a quaint little town of central Pennsylvania. Beside the cast there is a large and beautiful chorus which makes merry the between-times and which will set your heart beating to the tune of its tripping feet.

You simply can't afford to miss the performance. It is the one best bet, and a wise owl is he who gets his tickets now. Don't forget the time and the place, 9 o'clock, Saturday evening at the Garman Theatre.

The following ladies, of Bellefonte, have kindly consented to serve as patronesses for the Theatians: Mrs. Walker, Mrs. A. O. Furst, Mrs. George Williams, Mrs. Thomas R. Hayes, Mrs. D. Potter, Mrs. John Hewitt, Mrs. Harry Keller, Mrs. John Lane, Mrs. Ellis Orvis, Mrs. J. H. Potter, Mrs. J. O. Canfield, and Miss Mary Meek.

TRIAL LIST.

For the May Term Commencing Monday, May 15th, 1911.

First Week.
Kline & Co. vs. Edgar Sheffer, Spring Twp. vs. Central R. R. of Pa. George Confer vs. W. E. Hurley, sheriff.

Ada Fisher vs. W. E. Hurley, sheriff.

Frank Columbine vs. W. E. Hurley, sheriff.

Second Week.

Isaiah Davis et al vs. M. D. Kelly et al.

George Fravel vs. Greek Catholic church of Clarence.

George Scott vs. Henry Kline.

Morris Bohn vs. College Twp.

D. O. Downing vs. Safety Surety Fire Ins. Co. of Lebanon.

W. F. Fredericks Piano Co. vs. Z. I. Woodring.

Com. Pa. vs. Jere and Manassah Aumiller.

Samuel S. Osseman vs. Spring Twp.

J. Henry Meyer admr. vs. Thomas Meyers, est.

W. D. Zerby, trustee of Irvin Gray, bankrupt vs. St. Paul Fire & Marine Ins. Co.; also the Niagara Insurance Co.; The Aetna Ins. Co.

Wm. S. Hammond vs. William Groh Runkle.

Dora M. Rine vs. Ephraim and Elmer.

Moshannon Mill & Lumber Co. vs. Grace A. Hollen.

It is a Journalist.

During the past week Geo. R. Meek has been showered with congratulations over an event, on last Saturday, that is of much moment to him.

While it was the opening day of the trout season, he was one of those who had more important matters that demanded his attention and in consequence he failed to report along the stream. The explanation is brief, as that day his home circle was made happy by the addition of a son and heir, who is hale, hearty and strong.

Peter Gray Meek will be his name, sir; may he live long and prosper, and in years to come may the Democratic Whimsies shine with an increased lustre from the pungent pen of this young journalist.

An Aged Lady.

Now in her ninety second year, Mrs. Nora McClain, of this place, is perhaps the oldest inhabitant of our town, and among the highest in years of the county. Mother McClain is still in fair health and can attend to many household duties, maintains a general disposition, attends St. Johns church regularly of which she has been a lifelong and consistent member. Many friends wish her a span of years yet in the enjoyment of good health.

New Opera House for Philipsburg.

Arrangements are now being made for the rebuilding of the opera house in Philipsburg on the site of the one recently destroyed by fire. Work on same will be started in a short time. The building will be 68 feet wide and 140 feet deep, and arranged to seat 1500 people. It will be on the ground floor, entirely fire-proof, and of a substantial character.

A COURT DECISION OF GENERAL INTEREST

PUBLIC OFFICIALS CAN READ IT WITH PROFIT.

CUSTOMS THAT ARE UNLAWFUL.

Commissioners Can Not Furnish Supplies—Attorneys Can Not Charge Extra Fees—A Lot of Surcharges—A Warning to Public Officials.

A few weeks ago Judge McClure, of Lewisburg, handed down an opinion in Union county court that is of general interest as it covers a number of points that will apply to a great many other officers, as it clearly defines certain things that many of our public officials can not do, without subjecting themselves to surcharges. In Union county the Commissioners Attorney got an annual salary of \$150, but on account of unusual service in an important case he was allowed extra pay. County commissioners used their own teams in traveling, auditors made extra charges, etc. When the annual audit took place there were a number of exceptions filed to these bills. There was no dispute that in most of cases services had been rendered, but the point was raised that payment was illegal. There was no intimation of graft, or any question of improper motives. The officials had only followed a custom that seemed reasonable, and up to that time similar bills had been paid without a protest.

This opinion is of general interest as the principles involved apply to a great many officers in townships, boroughs and counties. We deem it of special interest and instruction to our people, and therefore print the opinion of Judge McClure. The principles involved are not new to the legal fraternity, but it makes clear certain things that are not generally known by the average citizen, and especially those who may hold public offices in their community such as road supervisors, school directors, poor overseers, councilmen, and their attorneys. The following is the opinion:

By the Court—

The first exception questions the legality of the payment of the commission of \$150, to Robert W. Johnson, for legal services in cases of S. E. Benner and J. H. Hildebrand, and the second the payment Nov. 8, 1909, of \$50.00 on account of Lewisburg, and \$100.00 on account of \$100.00, and Nov. 20, 1909, of "Bill to date Lewisburg Bridge \$200.00."

These exceptions raise the same question and can be considered together. By the Act of May 23, 1886, P. L. 207, as amended by the Act of March 1, 1905, P. L. 11, county commissioners are given the authority to appoint a county solicitor, who shall hold the office during the term of the commission, and receive the usual reasonable fees charged for his services, and shall receive Mr. Johnson was appointed solicitor at a salary of \$150.00 per annum. The duties of the solicitor are clearly defined in the third section of the act of 1886, which is as follows:

"He shall commence and prosecute all and every suit and suits brought or to such compensation as was provided by the act of January 4, 1906, by which any of the rights, privileges, properties, claims or demands of the county are involved, as well as defend all actions or suits brought against the county and shall perform all duties now enjoined by law upon county solicitors and shall do all and every professional requirement of the law which may be named in said bill."

Benner and Hildebrand, commissioners, sought to hold the county liable for their traveling expenses between their homes and the county seat, and the charge of \$15.00 was for the solicitor's services in resisting these claims. The Lewisburg Bridge Company brought an action against the county to recover damages caused by the erection of a bridge across the Susquehanna River at the foot of Market street, and the charge of \$200.00, as shown by the bill of the solicitor accompanying his bill was for six weeks continuous work of himself and his stenographer in preparing the facts for the trial in pursuance of a resolution of the board.

It is as plain as can be that the services for which these payments were made are part of the duties of the law, upon which the defense is to rely, is as much the duty of the solicitor as the pleading of the cause in court.

The payments are sought to be justified by an agreement made with the solicitor when he was appointed that he was to have, in addition to his fee, the usual reasonable fees charged for conducting suits and trials in court and any other business outside of the commissioners' office. The contract also contains the inconsistent provision following the language of the statute that Mr. Johnson, for the stipulated salary will perform all duties now enjoined by law upon the County Solicitor and all professional acts incident to the office which may be required of him by the said county commissioners.

If we assume that the contract calls for extra compensation for conducting trials in court, the question arises, had the commissioners at the time of their appointment any such duty? This question has been before the courts a number of times, and it has been uniformly held that the commissioners have no such duty.

In Lancaster County vs. Fulton, 13 Pa. St. 4, the plaintiff was the duly elected and qualified solicitor of Lancaster County, serving under the Act of Feb. 18, 1870, P. L. 100, which provides that the salary of said officer shall be \$500.00 per annum, that he shall be an adviser of the board of commissioners and shall represent the board in all proceedings in law or equity where in the said county is a party or has any interest. While solicitor Fulton was authorized by the commissioners to obtain credit with the commonwealth for all over bills taken on personal property, and his compensation was fixed at twenty-five per cent, upon the amounts credited, Fulton acted on this contract, proceeded to receive the services it provided for, and continued to do so after his term of office had expired. Upon suit against the county the court below allowed a recovery on the ground that the services for which the action was brought had been rendered after his term of office had expired.

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