

NOT IN THEIR LINE.

Judges Ewing and Magee Declare That Holding License Court IS AN IMPOSITION UPON THEM.

That Proposed Excise Commission Meets With General Favor.

SEVERAL MORE SUGGESTIONS MADE

An opportunity was found to interview Judges Ewing and Magee, yesterday, on the suggested amendment to the Brooks law outlined by interviews in THE DISPATCH several days ago.

"Of course they are," answered both gentlemen. "We have more ordinary business than we can attend to, and it is an imposition for us to have to sit in license court."

"Do you not want to do it, anyway?" "We do not want to do it, anyway,"

"No," answered Judge Ewing, "we would like to give each case more time, if it were possible."

"Would you like to say more?" "At this time they were almost inside their private office, and when their opinion was asked they were unwilling to talk on it, but did not have time."

Everywhere in the Court House the license commission suggestion was a favorite theme of conversation, among attorneys and business men. Those who argued against it were hopeless in the minority, and when one of the speakers said, "I am sure that a commission would make more for the city," he was met with the reply: "Do you think all men are as dishonest as you?"

Among the many men talked to on the subject was an attorney, who, beside being a leader in the business, is prominent in politics. He expressed himself as follows: "The suggestion outlined in THE DISPATCH is the most advanced idea on the license question I have ever heard of. It would accomplish the result of putting the best class of men possible in charge of the license court. It would stigmatize the object of the law as a thing to be done for the benefit of the city, and to perfectly regulate the trade."

"The bench," he continued, "should be entirely free from the license work. It is conducted so unlike a court of justice that it casts a stigma upon the character of the court of law."

"NOT COMPREHENSIVE ENOUGH." "The Brooks law, while well intended, has been a failure. It is a step in the right direction, but is not sufficiently comprehensive. It is a broader of speak-words, which are far worse than the records of crime, and in nine cases out of ten, where whisky has been a factor in the crime, the intoxicated come from a speak-easy, and not from a saloon."

"This plan would do away with the speak-easies, and secure a conservative enforcement of the law. The Commissioners should be neither politicians nor liquor men. The bar association would be able to select men who would administer the law fairly. Then, they would have the aid of the police in their work. The police would be required to point out where licenses were needed and also the number of licenses to be issued. They would also have to give an account of the decisions of those having licenses, and back up their statements with evidence. The people, of course, would have a chance to renege against the police recommendations, and between the two a just decision could be reached."

"It is all nonsense to say that a license commission would not be honest, or to recall the fact that Allegheny county tried the County Commissioners at issuing licenses twenty years ago, and the deplorable result that followed."

"PLENTY OF HONEST MEN." There are plenty of honest men, and if the suggestion, as published, were followed, it would certainly bring the best of men into the positions. When the County Commissioners had charge they were anxious for reelection, and fearing that they would not be returned to office, they feathered their nests while they were there. With the commission proposed, the members would be surrounded by the same safeguards as a judge, and the causes which corrupted the old board would not affect them. Then, people forget that for a commission to give unrestricted licenses, it would have to abrogate the Brooks law entirely, and nothing of that kind is suggested."

"Another matter which has been overlooked is that 20 years ago the license question was not as clearly understood as at present, and was not under the same rendering of the law. Practices indulged in then could not be indulged in at present."

"It has also been argued that a judge was the only person who should sit in a license court. Do the people forget what a judge does? When they want a judge they don't take a man off an express wagon and set him on the bench. He is a lawyer, taken from among the members of the bar, and it does not alter the constitution of that lawyer by making him a judge in license court instead of electing him to that position. In fact, if such a move is not made, it will lower the quality of our judges, from the fact that the whisky element will make it pay to put men who favor liquor in the position. It is a step toward that direction is not likely to be as well fitted to decide other points of law as honestly as a more conservative man."

"A VICIOUS SYSTEM." "The present system is vicious, because the judges are made to sit to the license court properly, while the judges who would accomplish the best results and guarantee that liquor would be sold in compliance with its laws and regulations. The District Attorney Johnson has not seen and gave his approval of the plan. He believed it would regulate the speak-easy question and the number of saloons. He said: 'The Court cannot look after the matter properly, and liquor cases have to be rushed through as though they were as unimportant as the cases in the District Court. That Court is also suffering from want of attention, and when the judges reopen their usual business much of it will have to be done in a hurried and hurriedly to make room for what follows. The matter of granting licenses should be taken away from the Courts entirely, and the plan suggested would be a proper remedy.'"

This opinion was echoed by Attorney F. L. McGirr, who said the present system was most universally acknowledged as the most vicious, and he believed the plan suggested was the proper remedy."

Another gentleman was seen who said that although the usual members of the bench to the plan, it could be remedied. His suggestion was: "When the Board of Judges in any county should decide in full session, in either direction, without the extra tax of conducting the license courts, on petition to the Legislature, signed by a majority of said judges, the Legislature shall provide a board of license commissioners in accordance with the provisions of the act suggested in THE DISPATCH."

"WOULD HELP ALL COUNTIES." The speaker thought this would entirely relieve counties of a small population from bearing the expense connected with such a commission, and enable these counties

ONLY MEANT TO VEX.

Mayor Wyman Doesn't Think Mr. Stayton Expects to Win His Case.

ALL OF THE CHARGES DENIED.

OTHER NEWS FOUND IN THE COURTS

The answer of Mayor Wyman to I. R. Stayton, in the contested Mayorality of Allegheny, was filed yesterday morning. In the paper the respondent says he does not know that all the votes received by Stayton were legal, but he can prove that a number of persons alleged to be illegal voters cast their votes for Stayton. He denies that any of several voters that he specifies cast illegal votes in the First ward, or that any illegal votes were cast for him in that ward.

In conclusion, Mr. Wyman asserts that the suit was not entered with a reasonable purpose, but with an intention to harass. In proof of this he cites a number of men alleged to be non-citizens who are native-born, and others to be illegal voters by reason of non-payment of taxes, residence, etc.

"The respondent alleges, as legal voters and could easily be ascertained to be such. Attention is called to this that the costs may be placed on the petitioner and not on the county. Mr. Wyman also adhered to his plea as to jurisdiction."

A supplementary petition was filed, relating to the vote cast. In the Second district, Fourth ward, the illegal votes were alleged, the total poll was 63, of which Stayton received 28. Several other similar cases are noted, and in two instances—the Seventh district, Sixth ward, and Second district, Fifth ward—the number of alleged illegal votes exceeded the entire number cast for both candidates.

"COULDN'T LOVE BUT ONE." A divorce suit that brings out a peculiar experience.

The testimony taken in the divorce case of Florence C. Hughton against Joseph A. Hughton was filed yesterday. The couple were married in September, 1879. Hughton was an oil broker and with his wife resided in Bradford. In 1881, it was stated, Miss Frances Whittaker, the 20-year-old daughter of A. P. Whittaker, an editor in Franklin, Pa., came to Bradford to visit her sister, Mrs. H. H. Mercer. Mr. Hughton and Miss Whittaker became acquainted and an intimacy sprang up between them.

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STOPPING A BIG LEAK.

Unnecessary Witnesses' Fees to Be Headed Off in the Future.

HOW THE WORK IS TO BE DONE.

TO CUT OFF PROFESSIONAL WITNESSES

The County Salary Board met yesterday afternoon to consider a question of great importance to taxpayers. It was decided to stop a big leak in the County Treasury. For many years—just how long no one knows exactly—a cloud of witnesses has turned up in almost every case tried in the Quarter Sessions Court and usually 75 per cent of them knew nothing about the case. They probed their coats, however, and got just as much pay as those whose evidence is material.

Some of these witnesses are recognized by county officials as men who have small incomes of various kinds which enable them to be where they can get a smattering of knowledge of a majority of criminal cases. They are subpoenaed, and an official gets pay according to the work he does in this line. Some of them come in court and tell how they saw an officer make an arrest—that is, testify to the arrest, a fact utterly immaterial to the issue.

"A COSTLY AFFAIR." Many are never called at all, but as soon as the case is tried they rush into the Clerk of Court's office, where their names are on file, and prostrate their costs, and each rakes from \$3 to \$10, or even more, and the aggregate is a heavy increase of cost in running the Criminal Court.

It is said that some police officers make so much in this manner that their regular salary is the smallest part of their income. Yesterday the salary board decided to give District Attorney Johnson two clerks, whose principal function will be to put all witnesses through a course of sprouts, and ascertain whether their evidence is material. If it is not, they will not go on the list, and the principal function will be to put all witnesses through a course of sprouts, and ascertain whether their evidence is material.

The reform will also be salutary in another respect, as it will save the Court much time in examining people who know nothing of use. It is the intention to have all useless witnesses lopped off. It is often the case that a dozen reputable men testify to the same thing, when the evidence of two or three of them would establish the fact just as well as that of the dozen.

Officials with elastic consciences often subpoena redundant witnesses merely to make fees.

"FOUND IT DIDN'T PAY." It was stated by a prominent attorney that ex-Alderman Sorg was driven out of his office by persons thinking of putting money into the hands of the aldermanic business entirely, by his opposition to officers' practice of piling up costs. He would reduce the volume of carbonic acid gas in the office by calling a couple of reputable witnesses, and if they substantiated or refuted the charge, he would refuse to allow the crowd to testify. In retaliation, the officers, who carried on were curtailed diverted business from Mr. Sorg, and he, finding that it didn't pay him to maintain a court, resigned the deputyship and went into other business.

It is estimated that there might be sufficient pruning in the criminal expense list to pay the interest on a million of the county debt without injuring the morale of the administration of justice in the least.

The salaries of the two clerks allowed for the purpose named will be \$100 for one and \$70 for the other, monthly.

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COULDN'T MAKE A CASE.

Judge Acherson Decides a Point in Favor of a Gas Company.

Judge Acherson, of the United States Court, yesterday handed down an opinion in the case of Roland H. Smith vs. the Pittsburgh Gas Company. The suit was on infringement of letters patent granted in 1885 on a process of making gas for illuminating purposes from natural gas.

Judge Acherson reviews the testimony at great length, and decides that by reason of the process virtually being in use prior to the date of letters patent, by the defendant company and others, that the plaintiff's case does not make out, and he therefore dismisses it.

"Notes From the Courts." A DECREE was granted yesterday on the petition of H. W. Hartman, President, and John G. MacConnell, Secretary, of the Southern Improvement Company, asking for change of name of the corporation to the Pittsburgh Company.

APPLICATION was made before Judge Collier yesterday for the release of Thomas Moran and Ed Steel from the workhouse on writs of habeas corpus. The two men are serving 90 days terms each for having been arrested. It is alleged they are unjustly held and no criminal charge is against them. The Court took the papers.

SUBPENA in divorce were granted yesterday in the cases of Andrew Wecker vs. Annie Wecker, J. J. Lawler vs. Mary A. Lawler, and Mrs. Edw. Davis vs. Frances Davis, A. E. Anderson vs. Annie Anderson, and the aggregate of \$100 was appointed commissioner, and in the case of Annie L. Roberts vs. R. A. Roberts, L. L. Davis was appointed commissioner.

"An Item of Interest." Grand Army boys, as well as many others, will be interested in the following from Alex. C. Moore, Stewart, Tenn., who is 80. D. C. Commander Dep't Tenn. and Ga. He says: "We have had an epidemic of whooping cough here, and Chamberlain's Cough Remedy has been the only thing that has done any good." There is no danger from whooping cough when this remedy is freely used.

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