The Somerset Herald.

GEORGE R. SCULL, Editor.

WEDNESDAY. July 3, 1889.

Perfume cases at Biesecker & Snyder's.

All kinds of trusses at Biesecker & Snyder's.

Eye glasses and spectacles at Biesecker & Snyder's.

Alabastine in all colors at Biesecker & Snyders.

All the different odors of extracts at Biesecker & Snyder's.

Removed, and don't forget—J. B. Holderbaum's Hardware Store.

We're to have a cool summer all through, say the weather prognosticators.

Even the oldest inhabitant gives up the phenomenal weather we have experienced.

Bedford Water, bottled, recommended by all physicians, to be had only at Biesecker & Snyder's.

Uniontown has raised funds sufficient for the encampment there of the Tenth regiment, N. G. P.

When you go to town next week, don't forget to call and see J. B. Holderbaum's new store-room.

Tramps are disenouragingly numerous—and if possible they are more audacious and impudent than ever.

Pennsylvania is the eighth State in which Prohibition has been successfully submitted to a popular vote and defeated.

Ice-cool soda water at Biesecker & Snyder's Drug Store. The only place in town where you can get this delicious and cooling drink

We have on hand a large number of good brick which we will sell in quantities to suit the purchaser. Prices very reasonable. Yard opposite the planing mill.

HOLSINGER BROS. & PARSONS.

Physicians claim that if the present continued wet weather should be followed by a hot, dry summer and autumn, it will be productive of many cases of typhoid fever. Our citizens should see to it that their premises are thoroughly disinfected.

In Westmoreland county there were forty-two applications for saloon license, of which Judge Hunter granted twenty-three; refused seven; held over eleven, and one was withdrawn. He notified the successful applicants that they must close their bars at 9:30 p. m., and on public days at 12 m. noon, and in the sale of liquor packages they must exercise caution.

Wanted!

Hides, and Furs. I will pay the highest cash price for all kinds of hides, pelts and furs. I also want 500 cords of Rock Oak and Spruce Bark. 100 cords wanted at once. Call on me at my residence, immediately west of the S. & C. Station.

H. G. CUNNINGHAM.

Teachers Wanted.

The Rockwood School Board will meet at the Rockwood House, Saturday evening, July 6, 1889, for the purpose of employing four teachers for the school year.

D. H. WOLFGANGBURGER, Secretary.

The latest swindle is the selling of ribbons. Sharpers visit the farm houses, exhibit rich samples at low figures, take orders from the ladies, get half the payment in cash, and promise to forward the goods, when the remainder is to be paid. Neither the swindlers nor the ribbons are heard of again.

For Sale or Trade.

A country store, in a good location, and doing a good business. Satisfactory reasons given for selling. Address

SAMUEL RISINGER,
Gibbons' Glade, Fayette County, Pa.

June, 1889, has been much wetter and cooler than the average June. During the month there have been only four days without rain and there has been only one cloudless day. The average rainfall during June for the past nineteen years has been 3.61 inches and the average for twenty-five days 2 inches. To midnight Tuesday the rainfall for the present month has been 4.01, and there promises to be much more during July. Since January 1, '89 over 21 inches of rain has fallen. This is four inches more than the average. The average temperature for nineteen Junes has been 71°, but this year the average has been about 2° below the average. The temperature for the year still remains 2° above the average. The highest for the month was 87°, on the 21st of June.

Fourth of July Excursions on the P. R. R.

In pursuance of its usual custom the Pennsylvania Railroad Company will open its line for Fourth of July travel at the usual reduction in rates

Excursion tickets will be sold between all stations on the system on July 2d, 3d, and 4th, valid for return until July 8, 1889.

The Fence Law Repeal.

It has been heretofore stated in the columns of the HERALD that good legal authority coincided with the opinion that the repeal of Section 1, of the law of 1800, makes every man fence against his own cattle, and consequently outside fences are not now required by law. Section 2 of the same law, however, which has not been repealed, makes provision for line, or inside fences. The first legal opinion upon this subject, that has come under our notice, is that of Judge William McLean, of Gettysburg. In answer to the Editor of the *Compiler* he says:

"The common law required every man to keep his cattle within his own close, and treated every intrusion by them upon another's possession as a trespass. This was a general rule and continued so with us in Pennsylvania until the change by the statutory enactment of 1700. Section 1, which provided that all "cornfields and grounds kept for inclosure, shall be well fenced. And that whosoever not having their ground enclosed with such sufficient fence, shall hurt, kill, or do damage to any horse, kine, sheep, &c., of any other persons, by hunting or driving them out of or from said grounds, shall be liable to make good all damages sustained thereby to the owner of the said cattle." This law was modified and repealed by subsequent special acts as to Bedford, Fulton, Washington, Allegheny, Cumberland, Perry and certain other counties for the regulation and the appraisement of damage done by trespassing cattle. There was no special Act for York county until after Adams was erected and there has been no special Act for Adams, and thus our county was under the old law of 1700, which the present Legislature has repealed.

"This repeal brings us back to the rule of the common law (protecting land not fenced and making it the duty of the owner of cattle to keep them from entering upon the land of another, especially upon improved land. Of course there is not the same strictness as to unenclosed woodland, and consequently the repeal will work no changes in our mountain districts. The browsing of cattle on neighbor's unenclosed woodland is an immunity of a license revokable, and the cattle may be turned away. It is in strictness a trespass, but for its insignificance is not noticed by the law, and is not actionable. In fine, the law may be said to be now: Outside fences are not required, and owners of live stock must keep them off the improved land of others."

Wanted! Wanted!!

I want to contract with responsible parties to log, saw and load on cars, one million feet of oak and hemlock timber, located on railroad between Rockwood and Casselman. This timber is owned by S. Philson. Will contract for either logging or sawing separately, if parties prefer. Contracts will be let at once and operations must begin inside of thirty days. Send bids to

W. A. SCHERR,
Berlin, Pa.

Chas. Dick, Esq., of Johnstown, spent a portion of Friday in Somerset.

Mr. Kennedy Price, was circulating among his friends in Somerset, Monday.

Farmers are busy harvesting their hay crop, which is an unusually heavy one.

Messrs. Gaither and Marchand, attorneys, of Greensburg, were in Somerset Friday.

There will be no public celebration of the ever glorious Fourth in Somerset this year.

Judge Baer has been suffering severely from a very painful carbuncle on the side of his neck.

Lieut. James Neil, of Wheeling, West Va., with his wife and family, are visiting friends in Somerset.

Mr. George R. Coffroth, of Baltimore, is spending a few days in Somerset visiting relatives and friends.

Street Commissioner Kiefer is rapidly putting the public thoroughfares of the borough in first class condition.

Mr. Charles E. Herr, editor of the Butler County *Record*, with his family, are visiting relatives in Somerset.

Several Johnstown families whose homes were carried away by the flood, have rented houses and are occupying them in Somerset.

Mr. Herbert Nicodemus died at his home in Somerset township, at 8 o'clock Monday evening. He was in the 20th year of his age.

Mr. W. C. Smith, editor of the Everett *Press*, was in Somerset Friday. The Squire was on his way to Johnstown to take a look at the ruins.

Dr. Clark, and wife, of Dunbar, are visiting in Somerset. They are guests at the residence of Mrs. Clark's parents, Mr. and Mrs. Jacob J. Schell.

The members of Somerset Council, Royal Arcanum, will celebrate the third anniversary of their council by a banquet in their hall on the evening of July 9.

Two train loads of excursionists, one with eight and the other with eleven coaches, all crowded, passed over the Somerset and Cambria Railroad to Johnstown Sunday.

The citizens of Johnstown are considering the feasibility of building a sea wall ten feet high from a point directly opposite the P. R. R. station on both sides of the Conemaugh.

There are now twelve prisoners confined in the county jail. Sheriff McMillen informs us that during the first half of 1889 he has had two more prisoners under his charge than he had during the whole of the previous year.

Postmaster Coffroth sent between two and three tons of mail matter to Johnstown on Thursday morning, that had accumulated in his office for that point since the flood. The Johnstown office has been re-established in its former quarters in the *Tribune* building.

We desire to call the attention of our readers to the advertisement of Selover & Atwood, Geneva, N. Y., one of the leading nursery firms of the United States. They desire an active agent in this section, and now is the time to take orders for the fall delivery. Interested parties will do well to write them at once.

Mrs. Ed. M. Kimmell, after a painful and protracted illness, died at her home in Somerset Tuesday afternoon. While her death was not unexpected, the announcement of the sad event carried sorrow to almost every Somerset home. Mrs. Kimmell was a most estimable lady, and was universally respected and esteemed.

At a meeting of the members of the Somerset Driving Association held at the office of F. W. Biesecker, Esq., Friday evening, it was decided to make some changes in the association's grounds and to repair and improve the race track. When the proposed improvements to the course are made it will be one of the best in this section of the state.

David L. Lohr was committed to the county jail Monday morning on a charge of larceny. The warrant was sworn out by his cousin, Lincoln Lohr, who charges the prisoner with having stolen a pair of pants from him. This is David's second term in jail, he having been committed about a year ago on a charge of surety of the peace.

This from the *Scientific American* is timely and worth a trial; Take a small quantity of a two per cent. carbolic acid solution and sprinkle sheets, coverlets, pillows and bolsters on both sides, the edges of the bed curtains, and the wall next to the bed. The face and neck may also be slightly wetted with the solution. Not a single gnat or mosquito, it is said, will come near.

Our friend, Poor Director Jacob M. Fike, whose broad acres are the first to catch the morning sun on the Summit north of town, has just erected a wind-mill for the purpose of lifting water to different parts of his barn and farm. Mr. Fike is one of the most progressive farmers in the county and is always among the first to adopt labor-saving inventions. So far as we know, his is the only mill in Somerset township.

Somerset has a baseball club, composed of boys under eighteen years of age, who are becoming quite proficient in the national game. In a contest at Berlin last Saturday they were victorious by a score of 61 to 7, and would like to administer a similar dose to Meyersdale, or any other town in the county, which has a club whose members are of similar age, who feel like offering themselves up as victims.

Chambersburg *Public Opinion* says that an Adams county man named Mears brought to Carlisle last week about 800 bushels of potatoes and was trying to sell them. He was offered ten cents a bushel and came near selling at that figure, but finally decided to send them to the city and run the chance of better prices. When they reached the city the floods had made the market short and he received 75 cents a bushel for them, thus making quite a lucky strike.

The Stevens & Zimmerman sale of Iowa and Western horses, advertised in the HERALD, attracted a large crowd of horsemen and stockraisers from this and adjoining counties, to Somerset, Tuesday. The sale took place at the Somerset House stables. The bidding was quite spirited, and every head of the two car loads was disposed of. The average price paid was very fair. Mr. D. B. Zimmerman, who conducted the sale, is to be congratulated upon its success.

George Shaffer, a native of Somerset county, but for a number of years a resident of Cambria borough, Johnstown, lost his home and household goods in the flood. Since that fatal day Mrs. Shaffer has been stopping with friends in Somerset, and her husband came up to join her Sunday. He had received an even hundred dollars Saturday evening, the result of four weeks labor at the carpenter's bench, but was relieved of his earnings by a recently pick pocket on the crowded excursion train.

The hands of the clock pointed the hour of 8:30 Thursday morning, June 27th, when Rev. Appleton Bash, of the Methodist Episcopal Church, stepped into the handsome parlor of Dr. Henry Brubaker, followed by the Doctor's eldest daughter, Ella, and Dr. H. L. Newlin, and in the presence of the family and a few invited guests, pronounced them man and wife. A wedding breakfast followed the ceremony, and at 10:16 the bridal party took the east bound train for Oakland, Md., and will spend their honeymoon at that delightful summer resort. Miss Brubaker was one of Somerset's most intelligent and popular daughters, and the best wishes of her many friends go with her to her new home in McKeesport, Pa., where her husband is a prominent and successful practitioner.

FAITHFUL UNTO DEATH.

(MAY 31st.)

BY MARGARET J. PRESTON.

"'Fly for your life! The deluge is upon us;
It soon will load the town.'
Become with messages are crowding on us.
We to wait and drown?"

"Just one more warning. Let my frantic Squire
Take off one message more."
And o'er the wires with blanching face she lingers
Amid the rush and roar.

Of maddening waves that gather fast and faster.
My God, Thy will be done!
One life may save a thousand from disaster.
And shall I grudge that one?

"Another warning yet." Will naught affright her?
She struck the key, and cast
One backward look. Her only cheek grew whiter.
She murmured, "'Tis my last!"

One moment, and the overwhelming torrent
Buried her within its sway;
The next, beneath the maelstrom's deadly current
All, all was swept away.

What soldier at the cannon mouth of duty,
What martyr for Christ's cause,
Ever showed sacrifice of braver beauty
Than this pale woman's was?

Surely she heard above the seething water,
Above the wreck and strife,
"Thou hast been faithful unto death, my daughter;
Take now the crown of life."

Mrs. H. M. Ogle.

When our country's historian comes to write the history of 1889, and to depict the awful ruin and loss of life in the valley of the Conemaugh, occasioned by the bursting of the South Fork dam, one of his principal pages will be devoted to describing the heroism of Mrs. H. M. Ogle, who stood at her post in the Western Union Telegraph Office sending forth messages of warning to the towns below, until her instrument was about to be submerged by the rapidly rising waters, when she despairingly ticked the words, "this is my last message," and the next moment was seized by the angry waves and carried away in their resistless current to a sure and sudden death.

Mrs. Ogle was a woman among ten thousand. Just before the great wall of water broke over and flooded Johnstown, she cried to a friend quivering on the roof of a building opposite, "Let it come; I'm not afraid."

Mrs. Ogle was a native of Somerset. Her father was the late William Earl. While quite a young woman she was married to Charles Ogle, son of the late Congressman of the same name who made a national reputation in the House of Representatives during the administration of Mr. Van Buren. Her husband was a member of the first company to leave Somerset county and enlist in the civil war. He was killed at the battle of Gaines' Mill and his body rests in one of the unknown graves on that fatal field. His widow was left no estate, and with three small children dependent upon her labor she at once learned the art of telegraphy, and for a number of years had charge of the office in this place.

From Somerset she removed to Bedford, and it was while she was in charge of the Western Union office at that place that the management of the company learned that she was one of the most skillful operators in their service, and she was tendered the Johnstown office, one of the busiest and most important provincial offices on their lines. Accepting this offer, she conducted the company's business at that point with such rare ability and skill that when it became necessary to establish several branch offices in that fast-growing town, Mrs. Ogle was given the general superintendency of them all. She was universally esteemed by the patrons of the office, and no woman in the country made more substantial friends among the business classes.

She was an especial friend of the leading politicians of both parties in this section of the State, and was entrusted with the secret workings of many campaigns. Her generous, accommodating, and sympathetic nature, endeared her to the thousands who had the pleasure of her acquaintance.

Mrs. Ogle's life was one of untiring activity, but notwithstanding the urgent and constant demands upon her time, she made her home one of the cheriest and most orderly in the world. Her children received all of a mother's thoughtful love, care and training, and her two boys grew up to occupy prominent and honorable positions in the flooded city. Her daughter, Minnie, who assisted in the office, was lost in the flood.

"This is my last message!" are words that burn deep into the hearts of all who read, and are destined to go hand in hand with the story of the unparalleled disaster, and will furnish an inspiration for the best moments of gifted writers of this and future generations.

In this issue will be found two touching poems founded on this theme. The one on the first page, from the pen of Elizabeth Stuart Phelps, was written for the New York *Independent*, and the other from the pen of Margaret J. Preston, for *Harper's Bazar*.

Two Thousand Five Hundred and Fifty-Three Bodies.

Friday's Johnstown Tribune.

The total number of bodies recovered to date, as recorded by Rev. Beale, Chairman of the Committee on Morgues, is 2,253, to which must be added about fifty that have been found at points along the river below Nineveh, of which no accurate list has been secured.

The following shows the number received at each morgue, according to this report: Morgue A, Fourth Ward, 301; Morgue B, Presbyterian Church, 92; Morgue C, Millville and Pennsylvania Railroad Station, 344; Morgue D, South Side, 143; Morgue E, Cambria City, 875; Morgue F, Morrellville, 238; Morgue G, Nineveh (both sides,) 248; Morgue H, Hibert's Soap Factory, 12.

The list is probably as nearly accurate as was possible under the circumstances in every district except Cambria. Though this was closed a week ago, 875 are said to have been received there, while the Millville morgue, which has been in continuous operation since the flood, has a record of only 314.

The error, if there be one, was made by those having charge of the Cambria morgue, who gave no descriptions or names of fully one-third the entire number.

When bodies were first recovered the descriptions were necessarily recorded on slips of paper picked up in the ruins; these were in some instances lost and in others probably duplicated, and thus it is next to impossible to obtain anything like an accurate list of the dead.

Base Ball.

The Maroons and Clerks played a well contested game of base ball Monday afternoon, resulting in a victory for the Maroons. The features of the game were the work of the pitchers, Ull's throwing to bases, and Holderbaum's home-run hit over right field fence. This was the first game the Maroons have played this season. Following is the score:

MAROONS.

	AB.	R.	BH.	P.	A.	E.
Cunningham, 3,	5	1	0	1	1	0
Ull, c,	5	0	1	11	0	0
Snyder, r,	4	0	0	1	0	0
Roser, 1,	5	1	2	7	1	1
Meyers, 2,	4	1	0	6	1	0
Buckley, l,	5	2	2	1	0	0
Love, s,	5	1	0	0	0	1
Johnson, m,	4	0	0	0	0	1
Pisel, p,	4	1	0	0	16	0
Totals,	41	9	6	27	20	3

CLERKS.

	AB.	R.	BH.	P.	A.	E.
Walter, p,	4	0	0	2	6	1
Cooper, c,	3	1	2	6	1	1
Snyder, s,	4	0	0	1	2	0
Holderbaum, 1,	4	2	1	10	0	1
Knepper, 2,	4	0	0	0	0	1
Lippincott, 3,	4	2	0	4	0	0
Kimmel, r,	4	0	1	1	0	1
Tayman, l,	4	0	1	0	0	0
Lentz, m,	4	0	0	3	0	0
Totals,	35	3	5	27	10	7

SCORE BY INNINGS.

Maroons,	1	3	1	0	0	0	0	1	1	—9
Clerks,	0	0	0	0	1	0	0	2	0	—3

SUMMARY—Earned runs—Clerks, 1, Maroons, 2. Home-run—Holderbaum. Base on balls—Meyers. Passed balls—Cooper, 4; Ull, 3. Hit by pitcher—Snyder, Cooper. Struck out—By Pisel, 11; by Walter, 4. Stolen bases—Maroons, 7; Clerks, 2. Time of game, 2 hours. Umpire, Coffroth.

MUST BE LICENSED.

Wholesalers Win Their Case.

Judge White and the Philadelphia Court Reversed by the Supreme Tribunal.

The Supreme Court of Pennsylvania Saturday handed down an opinion in the cases of an appeal taken from the lower Court's rulings by Pittsburgh wholesale liquor license applicants and bottlers, reversing Judge White. The Supreme Court also ordered the High License Court of Philadelphia to grant a brewer's license to the Prospect Brewing Company, who had been refused a license.

The decision, as interpreted by lawyers and judges, means the granting of licenses to all applicants for wholesale licenses, provided the applicant is a citizen of the United States, of temperate habits, and good moral character.

The Philadelphia Court, in compliance with the Supreme Court decision, granted a license to the Prospect Brewing Company Saturday morning, and the Pittsburgh bottlers who had been refused, by Judge White, were given their licenses Monday.

The instance of Mary E. Pollard, of Pittsburgh, was used as a test case, and the opinion, delivered by Judge Paxon, reads as follows:

The question prescribed for our consideration, in the appeal, is whether, under the act relating to wholesale license, the Court has the same discretion to grant or refuse that it has under the prior act relating to retail license. The object of the two acts is essentially different: the retail act of May 13 was intended to restrain the sale of liquor, while the act of May 25 was a revenue act. The latter provides for the granting of license according to existing laws and gives the power of discretion to the Judge. But, although he has this power, it will be our purpose to explain its character. The act in force in Allegheny county in May, 1887, in regard to wholesale license was the special act of April 9, 1872, which provides for the granting of license to persons of good moral character and temperate habits upon the payment of the license fees to the treasurer. The act of May 24 contains no repealing clause, either directly or by the needful implication regarding the granting of wholesale license.

The act is supplied by the others, declaring that the Court of Quarter Sessions shall grant the wholesale license instead of the county treasurer. It follows that a citizen of the United States, of temperate habits and good character, who presents his application for a wholesale license in due form, and who has complied with the requisites of the law has a primis facia right to such license.

A LIMITED DISCRETION.

If a remonstrance is filed, setting forth the disqualification of the applicant, it is the duty of the Court to hear the case, and if the remonstrance is sustained by evidence, to refuse a license. If a ward has 100 public houses where only 50 are needed it is plain that 50 must be denied, though every applicant is a worthy man and keeps a respectable house. But none of these reasons apply to a wholesale license, as it is not granted for the convenience of any particular neighborhood, and it would make no difference if all the wholesale houses of Pittsburg were in a single block. The power to close up large establishments, where perhaps hundreds of thousands of dollars are invested, is too vast to be exercised by any man or court, except upon the clearest grant of legislative authority. We are of the opinion that the powers have been exceeded in this instance, and the applicant is entitled to her license.

NO ISSUE IN THE PROSPECT BREWING CASE.

In ordering the madamus in the Prospect Brewing Company's case the Chief Justice held that as there was neither remonstrance nor objection against the granting of the license there was no issue before the Court and no disputed question of fact for it to decide. "The act" says the Chief Justice, "does not confer upon the Court of Quarter Sessions the power of a roving commission to inquire as to matters not properly before it and in no way connected with the petitioner's right to a license. As there was no issue before the Court, it follows that necessarily there could have been no legal trial, and as there were no disputed questions of fact there could have been no valid findings of fact. We might well, therefore, discard the entire return of the learned Judges of the Court of Quarter Sessions to the writ of alternative mudamus. That we may not seem wanting in respect to them, I will proceed to its consideration."

THE KEY OF THE WHOLE DIFFICULTY.

The Chief Justice then discusses at some length the three points raised by the return. He first quotes the preliminary statement made by the License Judges that in addition to the three qualifications required by law the License Judges deemed it their duty to determine whether applicants were "fit persons to receive a license."

"This was a matter," says the Chief Justice, "with which the Court had nothing to do. They have nothing to do with it because this act of 24th May confers no such power on them. It is incorporating into the wholesalers' act a provision of the retailers' act. The key of the whole difficulty may perhaps be found in this assumption of a discretion which is not found in the law and which is applicable only to the case of retailers. The fitness of a man to have a wholesale license depends upon his having the three qualifications before mentioned, not upon the opinion of the Court on other matters outside of them."

AMBROSIA FAVORABLY CONSIDERED.

Concerning the sufficiency of the ambrosia sales as a reason to disqualify Mr. Wolters from holding a license Chief Justice Paxson says: "It appears that at the hearing of the Court below the main question was as to the manufacture and sale of a mild form of beer called 'Ambrosia,' which appears to contain only a little over 1 per cent. of alcohol. The return states that the Court found from the evidence that the company had brewed an intoxicating malt liquor for the purpose of selling it to unlicensed dealers, to be sold by them in Philadelphia in violation of law, and that by false representations as to the character of this liquor numerous unlicensed dealers were induced to purchase it, and then sold the liquor so purchased. It is to be observed that this return is entirely outside of the case."

A RAMBLING INQUIRY NOT PROPERLY BEFORE THE COURT.

"It had no bearing on either of the three qualifications required of a wholesale dealer and at best refers to a rambling inquiry not properly before the Court. The license which the company held authorized them to sell beer to any person who was willing to buy, licensed or unlicensed. The return is, moreover, vague and uncertain. We are not told what false representations were made by the company in regard to the character of the beer, and mere adjectives are entirely out of place in a return to a writ of alternative mandamus. Nor does this portion of the return allege a violation of any law of this Commonwealth. I have dwelt upon it at greater length than was necessary because it had evidently much to do with the action of the Court below."

REVOKING THE LICENSE COURT.

"I have already said," says the Chief Justice, "that the fitness of the company to receive a license is not in the discretion of the Court below, unless from one of the three causes of disqualification before mentioned. A return generally that the applicant is not a fit person to receive a brewer's license, without specifying for what cause, is uncertain and evasive."

The proposition that "so far as is possible for a corporation to possess any good moral character it did not possess a good moral character," the Chief Justice says it is difficult to treat seriously. "That a corporation," he says, "an invisible, intangible thing—an artificial being created by law—can have a character of any kind is a novel proposition. That the learned Judges below so regarded it is evident by the qualification in their return, but the corporation has officers and directors. If the Court below had found upon evidence, and so returned, that these officers and directors were not men of good moral character, I apprehend the return would have been sufficient. At the same time I doubt whether anyone of the learned Judges of the Court below would have been willing to put his name to a return that they were men of bad moral character. The return that the corporation has not good moral character is insensible."

SEVERE COMMENT ON THE LOOSENESS OF AVERMENTS.

The Chief Justice also comments with some severity upon the looseness of the averments of fact in the return, and the occasional substitution therefor of general conclusions of law, and concludes with the remark that it is the unanimous conclusion of the Court that the return set forth no valid reason for the refusal of the brewing company's license. A writ of peremptory mandamus was therefore awarded.

THE COURT WILL MEET THIS WEEK.

The Chief Justice announced that the Court would convene again in Philadelphia on Wednesday next, July 3, at which time it is supposed that decisions will be rendered upon the constitutionality of the new Road law and in other important cases.

HOW THEY VIEW IT.

What the Leaders of Three Parties Say of the Prohibition Waterloo.

Chairman Palmer says: "We have been licked the worst kind, and there is little use now to say anything more about the matter. The advocates of Prohibition will be heard from in the future. The defeat has been overwhelming, but it has not been appreciated yet in all of its effects. There is always a reaction after a flood, and the reaction that will follow this deluge will be to the serious injury of the people who caused it. I do not believe that Prohibition has been permanently condemned by the people. The High License bill was the first club used against the amendment. The blow struck then was followed by the perfidy of both the great political parties, neither of which was sincerely in favor of the cause."

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Collector of Internal Revenue, David Martin, of Philadelphia: "The threats of the Prohibitionists to remember us in November will not hurt us in the least. They have lost their cause, but it was not the fault of the Republican party. I know very well it has been the means of bringing the German voters of this city back into the ranks of the party. How it will act throughout the State I am unable to say, but there is no doubt but that the Republican party will be perfectly able to carry through its ticket."

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Rev. Dr. A. J. Kynett, of Philadelphia: "We are still in the fight, and I want it understood that we do not intend to give it up. The great defeat of our party yesterday is good evidence of rapid progress. No attempt was made to defend the liquor traffic. The election yesterday ended one campaign; but another is begun in the long war against the saloon."

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James McManes, the Republican leader, Philadelphia: "I can only reiterate what I have heretofore said that such a defeat for the prohibitory amendment in the face of such a large majority as the Republican party has in the state can't be otherwise than detrimental to the party. The result is no surprise to me, as the leaders and the workers of both sides were all against the amendment. I was against the submission of the amendment at the time it was presented, because I did not understand for what purpose it was offered. My opinion at the time the resolution was submitted to the convention was that it was offered in good faith, but I am now satisfied that such was not the case."

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Horace Geiger chairman of the prohibition city committee of Philadelphia: "The result of this election will defeat the Republican candidate for State Treasurer and carry the fight to legislative districts. The returns show sufficient districts in favor of prohibition to insure a majority for statutory prohibition in the next Legislature."

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W. U. Hensel, ex-chairman Democratic State Committee: "It is no hacket to the temperance cause, but, again, it is a rebuke to intemperate methods of law-making. I think the Prohibition leaders will be angered at the Republicans for trifling with them and they may work some harm to the party, but I doubt if there is enough in it to 'revolutionize' the politics of Pennsylvania."

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Chris. L. Magee, of Pittsburgh, said he considered the Prohibition movement ill-advised from the start. The result was not unexpected. The issue was started wrongly in the convention of 1886—a convention had no other business to do than to nominate State officers. He then took the ground that there was no more reason to expect reform from prohibition in Pennsylvania than in any other State where there had been an abundance of blossom, but only a small return of fruit and that blasted. Mr. Magee seems to think that many men really of temperance proclivities had voted against the admendment on conviction that it would prove ineffective, and this made the big majorities. "The result," said Mr. Magee, "places the voters of Pennsylvania in no uncertain position. I am pleased with the result of the election, which most effectually disposed of what threatened to be a most vexatious question."

Relief Party From St. Louis.

From Saturday's Johnstown Tribune.

E. A. Noonan, Esq., Mayor of St. Louis came into the *Tribune* office this morning in his shirt sleeves, and, after introducing himself asked if we knew where some money could be well placed among needy persons. He was accompanied by Secretary, C. E. Meade, an old newspaper man who in 1873 was running a paper in Mt. Pleasant, Pa., and August Reimler, representing the German singing societies of St. Louis. The party reached this city yesterday, took in the ruins, and went to Cresson to spend the night returning this morning to perform their mission, which was to distribute among sufferers the sum of $3,000 raised by a concert of the Consolidated German Singing Societies of St. Louis and $1,100 received from other sources, making $5,000 in all. All around town they went, hunting responsible men of the town and through them making the money fly, and their presence and breezy Western way were as cheering as the solid comfort they gave to several hundred people.

Picnic Courtship.

When summer fair her charms displays
And wild flowers gem the leas,
And musical are woodland ways
With song birds' melodies;

The gentle maid in white arrayed,
Then to the picnic hies,
And helps to make the lemonade
And carve the custard pies.

She walks with John o'er mead and lea
And plucks the daisies white,
She hears his vows of love, and she
Returns engaged at night.

Meeting of the Relief Committee.

There will be a meeting of the Finance and General Relief Committee of Somerset, at Fisher's Book Store, on Wednesday evening, July 3rd, at 8 o'clock, to audit the accounts of the funds and other donations subscribed and contributed for Johnstown sufferers. A full attendance of the Finance Committee, and the General Committee, including the ladies thereon, is urgently requested. The town's Burgess, and other parties who may feel interested, are cordially invited to be present. There is still an unexpended balance of money, and it is thought proper to make some provision for the equitable distribution of the same.

CHAS. H. FISHER,
Chairman of Finance Committee.

His Second Funeral.

From the Philadelphia Record.

The body of Jonathan Carlin, the salesman, of this city, and one of the victims of the Johnstown flood, which was found three weeks ago and then mysteriously lost, has after a long search been a second time recovered.

The story is an exceedingly interesting one. His remains arrived in this city yesterday morning in the custody of T. B. Bickerton, his employer. Carlin's body was taken from the ruins of the Hulbert House, at Johnstown, and buried in the cemetery at Kernville under another name. The second discovery of the body was an accident. His family complain of the undertaker's action, and declare that he is responsible for the mistake which might have consigned their relative to an unknown grave. All the valuables were found, and the identification is complete.

The loss of Carlin's body was a strange sequel to his death. When his remains were taken from the Hulbert House ruins they were removed to Kernville and the body tagged No. 12. Upon the register of the dead opposite the name was the following: "Salesman for T. B. Bickerton & Co., railroad supplies, No. 19 South Fourth street, Philadelphia."

In the undertaker's possession were Carlin's watch and other valuables. After waiting three days for the body to be claimed the authorities buried it. Then a corrected list of the dead was made, and Carlin's grave was numbered 109.

HIS SON ON A LONG SEARCH.

His son John went to Johnstown in search of his father, and traced the body of Kernville, where he lost track of it. "The undertaker told me that he had shipped father's body to Cumberland," he said. "Several reporters assured me that they had seen the body shipped. Then I learned that the tag on the coffin with the directions on had been lost. We were all at sea and lost track of the body entirely, and I came home."

As a last resort Mr. Bickerton left for Johnstown on Wednesday. He was sure the remains had not been lost on the road, but were buried at Kernville. By good fortune Mr. Bickerton learned of the revised list of the dead, and scrutinized the names carefully. No. 109 was Carlin's number, and Mr. Bickerton insisted on exhuming the body. Over in Grandview Cemetery with a plain board marked 109 was the grave which Mr. Bickerton was satisfied contained the body of his salesman. He hired two laborers, and they dug the coffin out of the ground.

THE BODY FOUND AT LAST.

The lid was raised, and there, in a remarkably good state of preservation, laid Carlin's body. If any doubt existed it was dispelled by the finding of his Masonic ring on a finger of the right hand.

Carlin was a fireman on one of Admiral Farragut's ships during the war, and, like a sailor, was all tattooed. This was additional proof of his identity. Contact with the atmosphere turned the face black in an hour.

Items from Over the County.

W. E. Lohr, the enterprising merchant of Forward, is doing a flourishing business.

The picnic and horse race at Cross Roads on the Fourth, promises to be a grand affair.

John Custer, Esq., of Harrisburg, is on a visit to his relatives and friends in Stoystown.

J. H. Reitz, the enterprising merchant of Reitz's Mills, will move into his large new store-room about July 4th.

Thomas Gallagher, with a large force of men, was engaged in repairing the roads of Jenner township last week.

Prof. James S. Kinsie will open a normal school at Sprucetown on July 22d. A large attendance is expected.

Frank Rodgers, of Shade Township, made a special business trip to Somerset last week, and purchased a brand, splinter new solid steel Whitely Binder.

Kantz Brothers, of Jennertown, have been in Johnstown making arrangements, with a view of moving their carriage works and repair shop to that place.

Joseph Watcher, the new proprietor of the well-known Koehler Hotel, gave a free supper and ball to the young people of Davidsville and vicinity on Saturday evening, June 29th.

George B. Gardner, Esq., of Stoystown, general agent for the Farmers and Breeders Live Stock Insurance Company, of Butler, Pa., was in Johnstown during last week, adjusting their losses caused by the flood, which he says will be very heavy.

A. Manges, of Shade Township, has rebuilt his barn on the site of the one destroyed by fire some months ago. Having had no insurance, the good citizens of Paint and Shade Townships assisted by their contributions of money, labor, and lumber, in building the new structure.

M. R. Bowman, the lightning agent for J. B. Holderbaum, of Somerset, has been traveling through the northern part of the county during the past week, and reports the sale of the famous Whitely Solid steel Mower and Binder as increasing daily, and that he is experiencing a general and gratifying boom in business.

NOT OFFER.

Mount Moriah Items.

Nearly all our people have been down to see the ruins of Johnstown.

Our village has its usual quota of summer visitors at present.

Mrs. Lizzie Smith, an old lady living with D. B. Zimmerman, has been very ill for some time past, and her recovery is not looked for.

Hay making has commenced, and a number of our farmers have their grass down. From the progress they have made this week they will likely finish up by the first of November.

Mrs. Hiram Gardner was in Johnstown at the time of the flood, whither she had gone for the purpose of making her future home. She has lost her exalted opinion of the place however, and will continue to reside at this place.

Wm. Daniels, whose health has been failing for several years, is considerably better this spring. He has sold a large number of his improved beehives, which appear to give very general satisfaction.

Joseph Crist apparently got the blues last week, and dropped his business of selling the White sewing machine, and hied himself to Johnstown. After spending several days in the wrecked city he returned home and resumed business with renewed vigor and now reports that the business is booming, and that the White is becoming more popular each day.

Two of the victims of the Johnstown flood were buried in our cemetery on the 3rd of June. Ellen Swank, a young lady of twenty years of age, and John Maurer, aged 76 years 7 months and 18 days. Mr. Maurer was born and raised here and in his younger days taught school, and for many years served as a school director. He was a administrator for and settled a large number of estates and ably filled a number of offices of honor and trust. He was a faithful member of the Lutheran church from his youth up, and was an upright citizen and a good neighbor.

OCCASIONAL.

Notice to Teachers.

The board of School Directors of Somerset Borough, will meet Friday evening, July 5, 1889, to select teachers for their schools. Applications from teachers, accompanied by proofs of standing in their profession, together with testimonials, will be received by the secretary any time before the meeting.

By order of the Board.

L. C. COLBORN, Secretary.

4th of July Excursion Rates.

In pursuance of its usual liberal custom, the B. & O. Railroad Company will place on sale Fourth of July excursion tickets at reduced rates between all stations on its lines east of the Ohio River, to be sold Tuesday, Wednesday, and Thursday, July 2nd, 3rd, and 4th, going, and valid for the return trip until the following Monday, July 8th, inclusive.

In the Recorder's Office.

Deeds Recorded—Letters Granted—Marriage Licenses Issued.

The following deeds have been placed of record in the Recorder's office since our last report:

DEEDS RECORDED.

David Weimer to Henry Swarner, property in Black township; consideration $5,000.

Josiah Kimmel to John B. Moslolder, property in Stonycreek township; consideration $2,278 37.

Peter Dull's Trustees to Simon P. Fritz, property in Milford township; consideration $3,820.

E. N. and C. H. S. Smith to J. C. Lowry, property in Salisbury borough; consideration $500.

Charles E. Coleman and others to Emma J. Weimer, property in Somerset borough; consideration $700.

J. M. Olinger to Martin Kalbfleish, property in Meyersdale borough; consideration $90.

W. W. Rosenstiel to M. H. Hartsell and John Lane, property in Milford township; consideration $3,500.

John Lane to M. H. Hartsell, property in Black township; consideration $3,300.

LETTERS GRANTED.

Letters were granted to L. M. Hicks, Executor of the estate of John Hicks, late of Somerset borough.

To Linie M. Benford and Annie M. Bell, to administer upon the estate of Clark H. Benford, late of Somerset borough.

To Frederick J. Grosser, Administrator of the estate of John Grosser, late of