The Forest Republican.

. E. WENK, - - - - - EDITOR.

WEDNESDAY MORNING, MARCH 18, 1885.

ABOUT APPORTIONMENTS.

Under the above caption the Mc Kean County *Miner* editorially gives its views on the Congressional apportionment bill proposed in the State Senate. The *Miner's* logic is sensible to the last, and coming from a disinterested source, should have much weight, and we hope our legislators will look at the matter with the same fairness that the writer does:

It is pretty well settled that if an apportionment bill is passed at this session of the legislature, McKean will be connected with Cameron, Potter, Warren and Venango counties. This is the district as proposed in the senate bill. The house bill adds the county of Forest to the district, and we hope this will be the bill which will be finally adopted. There is an effort made in the senate bill to connect Clarion county to the Elk-Clearfield district. This can only be done by making Forest the connecting link, thereby burying a small but as devoted a band of republicans as can be found in any county in the commonwealth of Pennsylvania. Forest county has never yet faltered in her republicanism, she never fails to send a republican to the legislature, and it is inflicting a great wrong upon the republicans of that county to bury them under the avalanche of democratic votes which are annually piled up in the counties of Clarion, Clearfield, Centre, Clinton and Elk. The republicans of Forest may as well be told, "Go your way, we have no further use for you." The original McCracken bill placed Forest county in this district, and it is where she naturally belongs. Her interests are identical with those of McKean, Warren and Venango, and the sentiment is universal that she should become an integral part of our district. Then again why should not the McCracken bill be adopted by this legislature? It was eminently fair, and the people of the state have, in two elections, endorsed that bill by overwhelming majorities. It gives the republicans eighteen members of congress and the democrats ten. Is it right for the republicans to ask more than that? Are they not making a mistake in attempting to grab another district? We think so.

WASHINGTON LETTER.

From our regular Correspondent.)

WASHINGTON, D. C., March 14, '85.

The office seekers made a rush upon the heads of all the departments yesterday. All the new secretaries were in a state of seige, but nobody got any satisfaction beyond a courteous recognition. All the cabinet made substantially the same reply to every applicant: "We have just taken our oath of office; have held no cabinet meeting yet, and do not know what the policy will be." Secretary Vilas added that there was no doubt that Mr. Cleveland would hold the cabinet responsible for their every act, but would have nothing to do with the offices. "Our policy is yet to be determined," he said, "but I think it will be a vigorous one." This is the most satisfaction anybody got.

The most humiliating feature of the present situation in Washington is the pressure for office, in person or by proxy, of ex-members of Congress. Having once tasted the blood of official position, few of them are able to restrain their appetite, and the scramble is at once disgraceful to them and disgusting to disinterested observers. Some of the more ambitious ones, who succeeded in having themselves "mentioned" in connection with a cabinet position or a leading foreign mission, are now dropping to assistant secretaryships and heads of bureaus in their demands, and by and by they will be content with a third rate consulship or a first-class clerkship in one of the departments,—if they are able to pass the required examination.

A Missouri democrat who left for home last night told the following: "I thought I would call up and see Geo. Vest before leaving town. I don't want any office, but George is an old friend, and I wanted to see him. Early this morning I ordered a carriage and drove to the number given me as Vest's residence. I went early to get in ahead of the numerous patriots from my State who are here offering to sacrifice themselves to the country and the democracy. I thought I would drive to the house, and if Vest wasn't up, I'd just wait for him, feeling sure that the office seekers wouldn't be on the trail so early. I got to the house, and d—d if Switzler wasn't ringing the door bell and Charley Manson was sitting on the steps. I drove away without seeing George." The gentlemen named are in the list of Missouri's aspirants for office.

The administration has decided to withdraw the treaties pending in the Senate. Secretary Bayard has taken steps for the formal withdrawal. Nobody believes there is any idea of returning any of them to the Senate before next winter. The withdrawal of the treaties will leave the Senate with nothing to do but to pass upon nominations, and the prevailing impression now is that the session will not last more than two weeks longer. L.

Judge Neale on License.

The matter of license having since last court been a question of considerable interest in our county, the following decision upon the subject by Judge James B. Neale, of Armstrong county, on the applications recently brought before him, may be of some interest to our readers:

The courts throughout this Commonwealth have uniformly held that the duty of granting or withholding license is beyond the mere inclination of the Judge. It has been so held by every Judge who has presided over the courts of this county, and has at all times been a source of much embarrassment. The advocates of temperance and the applicants for license have always entertained the most antagonistic positions—these relations, under the impetus of recent temperance movements, are becoming more and more hostile. Men and women throughout the land are constantly becoming more in earnest and alive to the greatest interests which pertain to their social, personal and family relations as citizens of the State and as members of society. They have a right to be heard, not only in the halls of the Legislature, but also in the courts of justice. The grievances they complain of connot be too highly colored. The deliverance they pray for they cannot too earnestly demand.

In this court we have at all times been willing to entertain remonstrances coming from any party. But under the construction given from time almost immemorial by my predecessors, and under the decision of the supreme court, which until reversed, must be the chart for our guidance, licenses may only be refused in the exercise of a sound legal discretion or for cause.

In the case of Schlaudecker vs. Marshall, 22 P. F. Smith, page 206, Justice Agnew delivering the opinion of the court says: "Whether any or all licenses should be granted is a legislative not a judicial 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 licenses shall exist, and has imposed upon the court the proper instances in which the license shall be granted, and therefore has given it 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 upon the facts and circumstances before the Court after they have been heard and duly considered, in other words to be exercised upon the merits of each case according to the rule given by the act of Assembly. To say that I will grant no license to any one, or that I will grant it to every one is not to decide judicially upon the merits of the case, but to determine beforehand without a hearing, or else to disregard what has been heard."

It is clear from this enunciation of the law that the powers of the court are circumscribed. It is true as well that the supreme court has said that the exercise of the power by the court below is not the subject of review, but the very case in which the right of review is denied, Toole's appeal, 6 Norris, 376, recognizes the principle of the Schlaudecker case that the refusal of the license "was not arbitrary and without some good cause."

Judicial functions are simply declaratory, they extend in no case to the making of law even the rules which each court may establish for its own guidance, must in every instance be consistent with the law, and although certain discretionary powers may be lodged with the Judge, still it must always be understood that he exercises them, not arbitrarily or according to mere caprice or inclination, but according to law and a sound judgment. If it were otherwise, the vindictiveness on the one hand and the weakness on the other of the Judge, would subject the course of justice to gravest reproach. In some cases judgment would never be tempered with mercy, and in others mercy would always be exercised without judgment; the circumstances of each particular case never considered in shaping the decision, and hence no man could feel assured of safety.

Under the present penal code the punishment of nearly every crime is prescribed for by maximum and minimum penalties, if every conviction for a particular offense were to be followed by the maximum punishment, it would be just as erroneous as if invariably the minimum penalty of the law would be applied. Hence the law makers, the representatives of the people, felt that certain discretionary powers might safely be confided to judicial tribunals. The people themselves have acquiesced in this, in the confidence that the Judges of their own selection will observe faithfully the trust reposed in them, and be influenced in no instance by favor or dislike by sympathy or prejudice, and give ear at no time to the voice of merely public sentiment, however just it may appear, if it involves the violation of law or duty. The maxim is an old one "that it is better that a bad law be strictly administered than the mere will of the Judge be substituted for the law."

Therefore in the present cases if this court, now so forcibly reminded that its decrees cannot be reversed, were to yield to the eloquent and persuasive addresses that have been so touchingly uttered, or to its own convictions on the mere moral aspects of the questions, and determine that it would refuse all licenses merely because it had the power, and its action could not be reversed or so much as reviewed. Would even those who have now demanded such a compliance, in their reflecting moments feel assured that the same court in other cases involving their rights and liberties might not swerve from the strict line of duty prescribed for its observance by the unwritten as well as the written law of the land? Hence in this view of the solemn obligations imposed upon this court, we are compelled to disallow the requests of the remonstrants, so far as they apply for a general denial of the applications for licenses.

We are next confronted with the duty of refusing such licenses as are objected to for cause.

In this may be included very properly any reason applying especially to the applicants, the house, or the necessity for such a house.

In no place has any special objection been made to the applicant, but it is for the court to determine under all the circumstances the necessity of such a house, and it may here be observed that the attention of this court for the past six years has been earnestly directed to the purpose of reducing the number of licensed houses in the county, and in that respect it can be noticed that within that period a reduction has taken place to the extent possibly of one half, this has been one gradually and without serious effect to the injury of any one.

But it has at the same time been a constant thought that the number of licensed houses in the borough of Kittanning has been in excess of any necessity, and greatly disproportioned to the necessity of the place and the requirements of the traveling community. The difficulty, however, has been ever present, as it is now, of reducing that number without unfair discrimination.

In the solution of this we have considered that the mere fact of making the bar a necessity for the continuance of the house, is the strongest reason for its discontinuance, as it is an admission that the hotel is dependent upon the bar, a mere incident, an annex to the bar, while the very contrary should be the case. The hotel is presumed to have been erected and furnished with a view to accomadating the traveling public, if not, then why should they at any time be allowed privilege of a bar? Considered then in this aspect we can make a distinction and where we may believe the existence of the hotel, either from location, or that the house is not kept as a hotel especially for the accomadation of strangers and travelers, but merely as an excuse for the business of the bar, we may feel justified in refusing licenses for such reasons, and feel assured that our action will have the sanction even of those who we thus unwillingly affect, as well as those who have demanded a more general exercise of the power to refuse.

TIONESTA MARKETS.

CORRECTED EVERY TUESDAY, BY RELIABLE DEALERS.

Flour ℔ barrel choice - -	3.60@6.60
Flour ℔ sack, - -	.90@1.65
Corn Meal, 100 ℔s - -	1.25@1.50
Chop feed, pure grain - -	1.25
Corn, Shelled - - - - -	70
Beans ℔ bushel - - -	1.50@3.00
Ham, sugar cured - - -	12½@14
Breakfast Bacon, sugar cured -	12½
Shoulders - - - - -	10
Whitefish, half-barrels - -	8.50
Lake herring half-barrels - -	5.50
Sugar - - - - - -	6½@ 9
Syrup - - - - - - -	50@75
N. O. Molasses new - - -	75
Roast Rio Coffee - - -	18@23
Rio Coffee, - - - - -	12½@16
Java Coffee - - - -	28@30
Tea - - - - - -	20@90
Butter - - - - - -	@25
Rice - - - - - -	8@10
Eggs, fresh - - - - -	20
Salt best lake - - - - -	1.25
Lard - - - - - - -	12½
Iron, common bar - - - -	2,50
Nails, 10d, ℔ keg - - - -	2.75
Potatoes - - - - -	40@50
Lime ℔ bbl. - - - - -	1.40
Dried Apples sliced per ℔ - -	10
Dried Beef - - - - -	20
Dried Peaches per ℔ - - -	10
Dried Peaches pared per £ - -	15

Administratrix's Notice.

Whereas, letters of administration to the estate of Judson Catlin, late of Kingsley twp., deceased, have been granted to the subscriber. All persons indebted to said estate are requested to make immediate payment, and those having claims or demands against the estate of said decedent will make known without delay to
MARY CATLIN, Administratrix.
Jan. 19, 1885. Newtown Mills, Pa.

ESTATE NOTICE.

ESTATE OF PAUL BLUTE, late of Hickory Township, Forest county, deceased. All persons indebted to said estate are requested to make immediate payment, And those having legal claims against the same, will present them without delay in proper order for settlement to
EVA MAY BLUTE, Adm'x.
D. S. KNOX, Adm'r.
or MILES W. TATE, Attorney.

SEND your Job Work to the REPUBLICAN Office.

TIME T...

Westwa...

P. M.	A. M.	
7 50	7 50	
4 34	4 22	
4 23	4 13	
3 09	2 51	
2 40	2 15	
P. M.	A. M.	
P. M.	P. M.	
2 30	9 20	1
†2 11	†8 58	1
†2 03	†8 50	1
†2 00	†8 47	...
1 45	8 28	11
1 30	8 12	10
†1 22	†8 03	10
1 10	7 50	10
12 50	†7 28	9
12 35	7 10	9
12 16	6 49	....
11 40	6 15	....
A. M.	P. M.	A. M.
A. M.	P. M.	
10 00	4 20	.....
A. M.	P. M.	A. M.
11 30	6 10	11 30
11 24	6 05	10 5[illegible]
11 05	5 49	10 05
10 55	5 41	9 45
10 47	5 35	9 31
10 42	5 30	9 21
10 26	5 15	8 56
10 10	5 00	8 15
9 55	4 45	7 48
9 44	4 33	7 27
9 27	4 18	7 00
9 20	4 10	6 45
A. M.	P. M.	A. M.

ADDITIONAL T... 11:50am, Warren ... pm, Tidioute 3:50p... rives Oil City 7:10p...

ADDITIONAL TR... 6:10 am, Oleopolis ... 7:03am, President 7... Hickory 8:45am, Tr... oute 10:20am, Tho... Thompson's 11:20am, ... Warren 1:05pm, Kin... 2:10, Sugar Run 2:20, ... ville 3:25, Wolf Run 3... 3:50, Red House 4:15, ... Carrollton 5:30, So. ... gheny 6:18, arrives Ole...

Trains run on Easter...

TRAINS leaving Pittsb... riving Pittsburgh 7:50p... between Buffalo and Pit...

TRAINS leaving Pittsb... riving Pittsburgh 7:50am ... with Pullman's Sleepin... Buffalo and Pittsburgh.

Tickets sold and b... to all principal points.

Get time tables giving f... from Company's Agents.

GEO. S. GATCHELL...
J. A. FELLOWS,
Gen'l Pass'r and T...
No. 41 Exchange St., ...
J. L. CRAIG, Agent, Tione...