

# THE PATRIOT

Published Weekly By  
THE PATRIOT PUBLISHING COMPANY,

Office: No. 15 Carpenter Avenue  
Marshall Building, INDIANA, PENNA  
Local Phone 250-Z

FRANCESCO BIAMONTE, Publisher

Entered as second-class matter September 26, 1914,  
at the postoffice at Indiana, Pennsylvania, under the  
Act of March 3, 1879.

SUBSCRIPTION  
ONE YEAR . . \$1.50 | SIX MONTHS . \$1.00

## The Aim of the Foreign Language Papers of America

TO HELP PRESERVE THE IDEALS AND SACRED TRADITIONS OF THIS, OUR ADOPTED COUNTRY, THE UNITED STATES OF AMERICA; TO REVERE ITS LAWS AND INSPIRE OTHERS TO OBEY THEM; TO STRIVE UNCEASINGLY TO QUICKEN THE PUBLIC'S SENSE OF CIVIC DUTY; IN ALL WAYS TO AID IN MAKING THIS COUNTRY GREATER AND BETTER THAN WE FOUND IT.

## March Grand Jury Is Charged By Judge

March Sessions, 1917.

Gentlemen of the Grand Jury:  
Your names have been drawn from the Jury Wheel, you have been regularly summoned and sworn as Grand Jurors for the March Sessions of this Court, in keeping with the laws of Pennsylvania. The qualifications of Grand Jurors as required by the law of our State are that they must be "sober, intelligent and judicious persons." This Court is of the opinion that you measure up to the full legal requirements in point of qualification, and you are now entering upon the high and exalted duties you are called upon to discharge. It is important that you fully realize and appreciate the responsibility resting upon you to the end that your duties may be clearly comprehended and faithfully performed. All that you need to do to come up to the full measure of your duty is to exercise your common sense and conscience along the lines of fairness and justice with sober, thoughtful and unprejudiced minds. The result of your deliberations and findings is important to the parties charged with violations of law to see that no injustice is done them, which is within your power to prevent, and it is also important to society that all violators are properly presented for trial. In this connection it is proper to say that some criminal cases get past the Grand Jury where the prosecution is prompted by malice, hatred, revenge or some other equally unworthy motive. Where the evidence

and circumstances disclose motives of trying to "get even" with somebody, or to punish somebody, or to avenge a personal wrong or injury, the best service you can render your County, or society in general, is to return "Not a True Bill." Grand Jurors at almost every session of Court err in not weeding out such cases by ignoring such bills. To do so is expensive to the County, and encourages criminal prosecutions that have no proper place in our Courts. You must not fall into the error that because the District Attorney prepared and submitted a bill of indictment that it necessarily follows that you, as Grand Jurors, must return "A True Bill." The District Attorney may or may not know the facts in the case, and it is no difference whether he knows or does not know the facts and motives which have prompted the prosecution, you as a Grand Jury, and not he, as District Attorney, are charged with the responsibility of determining whether the case should be ended before the Grand Jury or submitted to the Court and Petit Jury for further investigation.

From the time the Grand Jurors are summoned until finally discharged, they bear an official relation to the Court, and no person during that period has any right to talk to you about any case or in any manner attempt to interfere with your duties. Anyone thus attempting to influence a Grand Juror would be guilty of contempt of Court and his offense would be punishable as a misdemeanor.

The District Attorney will present the Bills of Indictment, and advise

you upon questions of law. It would not be proper for you to consult him as to the propriety of finding "A True Bill" or not, and it would be just as improper for him to express himself as to whether a bill should be returned "A True Bill" or "Not a True Bill." During the discussion of a case or while taking a vote, the District Attorney should retire from the Grand Jury Room. It is for the Jury alone to consider the evidence and apply it to the case in hand without interference or attempt at influence from any person not a Grand Juror.

If any of the Grand Jurors should happen to be related to any of the parties to any prosecution brought before you, that is to either prosecutor or defendant, or should any juror be interested as a witness, or has had the facts detailed to him by parties or witnesses outside the jury room, before or since summoned as a Grand Juror, of if interested in the result of the prosecution in any manner whatsoever, such juror should take no part in the hearing, discussion or decision on the Bill of Indictment. It is proper for you under such circumstances to remain silent. The reason for such a course on your part is, that both the Commonwealth and the accused are entitled to the undoubted action of an unprejudiced Grand Jury.

Under the law of Pennsylvania the foreman of the Grand Jury, or any member thereof, may administer oaths to witnesses which may appear before you. Your authority for this procedure is found in the Act of March 31, 1860, which reads as follows: "The foreman of any Grand Jury, or any member thereof, is hereby authorized and empowered to administer the requisite oaths or affirmations to any witnesses whose names may be marked by the District Attorney on the Bill of Indictment." In this connection you will observe that the power of a Grand Juror to administer the oath is limited to those cases where the name is marked on the Bill of Indictment. If the name of the witness is not on the bill you can't swear him, and it will then be the duty of your foreman to call the attention of the District Attorney to that fact and have the name of the witness placed thereon. And furthermore, his name must be marked on the back of the Bill as a witness, even though the same name or the name of the same person may be found on the bill somewhere as prosecutor. The name of the prosecutor should be endorsed upon the bill of indictment and all bills of indictment should be signed by the District Attorney before consideration by the Grand Jury. The District Attorney has the authority to administer oaths to witnesses, and will aid you in that regard whenever necessary. He may also assist in the examination of witnesses as any juror may.

Twenty-four Grand Jurors are summoned, but the maximum number that could be sworn is twenty-three, for the reason that a majority of your number, and not less than twelve, must agree before you can return a "True Bill," and if twenty-four were sworn you might divide equally on some case. Unless at least twelve of your number are in favor of returning a "True Bill" on any case, you will return "Not a True Bill," but before you can ignore a bill, that is, return "Not a True Bill," you must call and examine all of the witnesses named on the back of the indictment. If twelve of your number are agreed after hearing one or two witnesses it is a waste of time to investigate further, and you should make your finding, take your vote, dismiss your witnesses and proceed to the next case.

You may have Bills of Indictment before you containing 1, 2, 3, 4 or

more counts. If the evidence warrants you can find a "True Bill" on one or more counts, and "Not a True Bill" as to the others, but you must specify as to numbers as to which are "True Bills" and which are ignored. After you have made your findings and taken your vote, your foreman will date the bill and sign as foreman. The form on the Bill of Indictment will indicate to you how this shall be done. After a Bill of Indictment has been acted upon by the Grand Jury it should remain in the possession and custody of the foreman until return be made to the Court.

The District Attorney will designate by endorsement on each Bill of Indictment whether the charge is a felony or a misdemeanor, and in all prosecutions of misdemeanors, if the bill of indictment shall be returned by you "Not a True Bill," it is your duty to decide and certify on such bill whether the county or the prosecutor shall pay the costs of prosecution; and if the prosecutor be adjudged by you to pay the costs you must name him in your return and unless otherwise directed by you, he will be required to pay the sum of Four Dollars (\$4) for the use of the county, in addition to all other costs of prosecution.

The costs of prosecution accruing on bills of indictment charging a person with felony, ignored by the Grand Jury are by law payable by the county, except, however, that in all prosecutions for assault, or assault and battery, where the prosecutor has made complaint, under oath, that the assault was made with the intent to maim, disfigure or disable such prosecutor or other person, or to commit the crime of murder, or where the bill of indictment in cases of assault, or assault and battery, charges the defendant with a felony, if the bill of indictment be returned "Not a True Bill" and the Grand Jury believe from the evidence that the prosecutor had no reasonable grounds for making the charge of felony, they shall decide and certify on such bill whether the county or the prosecutor shall pay the costs of prosecution.

In all cases of misdemeanor and in all excepted cases charged with felony, as just explained, where you find the prosecution to have been instituted without probable cause, or for revenge or in a spirit of retaliation, the costs ought to be put on the prosecutor.

On a Bill of Indictment based upon the return of a Constable, if the bill is ignored, the county as a general rule should pay the costs. You can't fix the costs upon an individual prosecutor without he appears before you as a witness.

You should not compel the county to pay costs in unfounded prosecutions, and to this end carefully investigate the circumstances of each particular case, where the indictment is returned "Not a True Bill," with a view of ascertaining whether the prosecution was brought in good faith or not, and what disposition should be made of the costs as between the prosecutor and the county. You cannot divide the costs between the county and the prosecutor. When the county is required to pay the costs it pays all the costs of prosecution. When the costs are paid by the prosecutor you must name him in your return. Under no circumstances, where the bill is ignored, can the defendant be made to pay the costs or any part of them.

Besides these general duties that we have been discussing there are special duties devolving upon you as Grand Jurors. Thus it is the duty of the Grand Jury to inspect the county buildings, the Court House, and suggest any needed repairs; the County Home for the indigent poor of our county; the Willard Home for the dependent, neglected and incorrigible children of our county; the County Jail, now used mainly as a place of detention for criminals. On account of the construction of our jail we cannot use it to any extent as a place for offenders of the law after sentence. There were some changes made with a view to classification of the prisoners we think in the long run it would be in the interest of economy, but for the time that the proposed change would be completed it would be an advance step toward proper prison discipline. As conditions now are we are compelled to send many prisoners to the Allegheny County Work House: an increased expense to our county that otherwise could be kept in our own County Jail. You should not forget, and the people and taxpayers of Indiana County should know and not forget that every prisoner that is sent out of Indiana County to serve a sentence is sent at the County's expense. Sometimes we hear criticism of the Courts for not sentencing certain criminals for longer periods. Sometimes that criticism is a just and proper one, but Courts have a duty to perform in looking after the interests of the taxpayer as well as the reformation of wrongdoers. The high cost of living has affected penal institutions as well as individuals, and today they are charging higher rates for maintenance of prisoners than they did a few years ago. It must be said, however, that the maintenance rate has not been increased for prisoners confined in the Indiana County Jail. That may not be fair treatment of our present Sheriff, but it is nevertheless the fact.

In 1915, Indiana County paid for maintenance of prisoners at the Allegheny County Work House, the sum of \$3,586.50; at the Western Penitentiary \$2,615.69; at Morgantown, \$3,759.72; and at the Huntington Reformatory, \$779.60, making a total of \$11,741.51.

In 1916, is sent our County for maintenance of prisoners at the Allegheny County Work House the sum of \$2,690.00; at the Western Penitentiary

## PENNSYLVANIA—WHEN?



## VARE, SUFFRAGE SENATE LEADER

Chosen by Big Women's Organization to Guide Enfranchizing Amendment

### LINES UP ALL DIVISIONS

Suffrage strategists have announced a political coup, which even their opponents have admitted will go far toward lining up all factions in the present Legislature in support of the woman suffrage amendment bill. This is revealed in their announcement that in the upper branch their leader and champion will be Senator Edwin H. Vare.

The full significance of this revelation is appreciated, when it is recalled that Representative Samuel A. Whitaker of Chester county, a Penrose lieutenant, is sponsor of the suffrage amendment in the House, and suffragists declare that the Vare leadership carries with it the full strength of Governor Martin G. Brumbaugh, who, in fact, suffragists aver has promised personally, to do all he can to have his entire following in both House and Senate vote to pass bills which will authorize a woman suffrage amendment in 1920.

### Repeats Promise

Upon the other hand, although opponents of suffrage say that the suffragists are basing their hopes of Senator Penrose's support upon statements made by him last fall, the suffragists also reveal for the first time that they have had recent reiteration of the senator's promise of aid.

Thus, the suffrage forces declare that any who oppose them in the Legislature, not only will be repudiating their National party platform, but will be repudiating their leaders, under whatever factional division they may come, and in most cases will be basing their opposition upon allegiance to some force, which they will not openly admit.

When the alignment on the amendment comes, the suffragists declare they are prepared to show how opponents have stood upon other progressive legislation.

Apart from their strategy in choosing their House and Senate leaders, the suffragists are known to consider as their best weapon the \$50,000,000 good roads amendment, which personally they declare in all its phases parallels the woman suffrage amendment. This amendment was defeated at the polls in 1913, was re-introduced and passed in 1915 and must pass again this session to secure a vote again in 1918.

Senator Vare, who is chosen by the women as their Senate leader, has been a constant friend of suffrage, and was a valuable asset in their last fight—in the 1913 and 1915 sessions of the legislature.

### Young Tactician

In contrast to the seasoned campaigner, who will direct the progress of their amendment bill in the Senate, Senator Vare, suffragists have chosen as their House leader, a young tactician, Samuel A. Whitaker of Chester County.

When last elected to the Legislature, Mr. Whitaker was serving on the Mexican border with the Phoenixville Battery, the oldest organization of its kind in the state. Mr. Whitaker was graduated from the law department of the University of Pennsylvania in 1897 and practices in Philadelphia. He has been president of the State Institute for the Feeble Minded at Spring City and has been interested in public libraries and other activities in his home county and in the Eastern part of the state.

## SOLDIER-LAWYER SPONSOR OF SUFFRAGE IN HOUSE



## PATRIOTIC WOMEN WILL AID COUNTRY

County chairmen of suffrage organizations throughout the state have received from their headquarters in Harrisburg a detailed report of the plan adopted by the Executive Council of the National American Woman Suffrage Association, which met recently in Washington, D. C., to devise methods of assisting the various states and the federal government if the United States engages in actual hostilities.

Prefacing their offer of service to the President and government of the United States, the national suffrage leaders expressed the following sentiment:

"We devoutly hope and pray that our country's crisis may be passed without recourse to war."

"If, however," the suffragists declare, "our nation is drawn in the maelstrom, we stand ready to serve with the zeal and consecration which should ever characterize those who cherish high ideals on the attitude and obligation of citizenship."

It was also made plain that there was no intention of laying aside their constructive, forward work to secure the vote for women.

Specifically, the offer of service contained the suggestion that a national central committee be formed at once to be composed of a representative from each national organization of women willing to aid in war work if the need arises as a clearing house between the government and women's organizations.

It was suggested that the central committee undertake to establish a department consisting of employment bureaus for women, another to increase the food supply by training women for agricultural work and the elimination of waste, a third to direct co-operation with the Red Cross Society, and another having as its object the Americanization of foreigners. If the need arises a council of chairmen will be called to discuss details of state-wide plans.

## Facts Versus Fallacies

FACT is a real state of things. FALLACY is an apparently genuine but really illogical statement or argument.

EXPERIENCE has taught that Prohibition is a FALLACY, and where Local Option (or local Prohibition) has been applied in counties of Pennsylvania, through Judges refusing all licenses, FACTS and figures have shown no lessening of indulgence in liquors. For instance, in 1915 J. A. McLaughry was elected Judge in Mercer County, and he refused all licenses under his jurisdiction for 1916. With what result? Read what authoritative witnesses testified at License Court on December 4 and 5 last:

"J. M. Cundy, freight agent for the Erie Railroad, testified that 374 cars of liquor were shipped into Farrell, Mercer County, Pennsylvania, during the nine months the county has been 'dry.' These consignments included 242 barrels of beer, 306 half barrels, 38,248 quarts, 94,667 cases of two dozen bottles each, and 7076 packages of whisky."

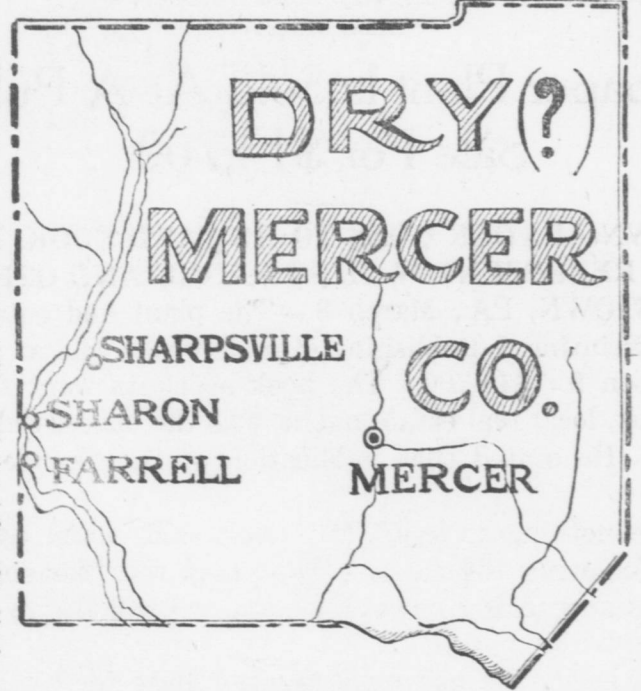
"W. W. CARTRIGHT, freight agent for the Erie railroad, testified that seventy-five carloads of liquor were shipped to the valley towns in six months."

"G. K. MOORE, Erie freight agent at Sharpsville, said 28,162 packages of booze had been received at Sharpsville."

"O. L. LATIMER, a railway clerk, testified that within two weeks something like 750,000 glasses of beer, 200,000 glasses of whisky and 50,000 of wine were shipped to Sharon from outside points, the per diem cost of which was \$4000."

"CHIEF OF POLICE MILLER, of Mercer, stated that arrests were running about even. In the eleven months of 1916 the police arrested 407 persons from intoxication, while in 1915 for twelve months, when the county was 'wet,' 426 persons were arrested for the same cause."

THE above FACTS in evidence are quoted from the news columns of a Philadelphia daily paper that advocates Prohibition, and the testimony shows conclusively the FALLACY of "dry" conditions in Mercer County. Likewise did the Venango Herald, of Franklin County (a Prohibition organ), editorially confess to no betterment of conditions in Venango County, after Judge Criswell had refused all licenses.



Pennsylvania State Brewers' Association