Butler Citizen.

VOL. XXI. BUTLER, PA., WEDNESDAY, MARCH 5, 1884 NO. 16

LEGAL ADVERTISEMENTS.

Estate of Wm. Barrickman.

LATE OF CONNOQUENESSING TWP, DEC'D

Letters of administration upon the estate of Wm. Barrickman, dec'd, late of Connoquenessing twp., Butler Co. Pa., having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment, and those having claims against the same will present such claims duly authenticated for settlement.

SARAH J. BARRICKMAN, Adm'r.
Mt Chestnut, Pa.

A. M. Cornelius; Att'y

Estate of Leonard Wise

LATE OF THE BOROUGH OF BUTLER, DEC'D.

Letters of Administration upon the estate of Leonard Wise, dec'd, late of the Borough of Butler, Butler county, Pa., having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment, and any having claims against said estate will present their claims duly authenticated for settlement.

CAROLINE WISE, Administratrix,
Butler, Pa

Jan. 23, '84.
Mcdunkin & Galbreath, Att'ys.

Estate of John Rosenberry.

LATE OF ALLEGHENY TWP., DEC'D.

Letters of Administration C. T. A. on the estate of John Rosenberry, dec'd., late of Allegheny township, Butler county, Pa., having been granted to the undersigned, all persons knowing themselves indebted to said estate will please make immediate payment and any having claims against said estate will present them duly authenticated for settlement to

S. P. EAKIN, Adm'r
Parkers Landing P. O., Armstrong Co., Pa.

Notice.

Public notice is hereby given that an application will be made to the Governor of the Commonwealth for a Charter of incorporation to be called the Workingmans' Building and Loan Association of Butler. The character and object of which shall be to enable persons to borrow money on Bond and Mortgage by the payment of weekly dues. Application to be made on or about 6th day of March next.

WALTER L. GRAHAM,
Feb. 2, '84. Att'y for Applicants.

FARM FOR SALE.

The undersigned desires to sell his farm, located in the Bald Ridge oil district, Adams township, Butler county. Pa., containing

ONE HUNDRED AND ONE ACRES

of land, all cleared but about twenty-five acres which is in good young timber. There are three never-failing springs of good water. Good House and Barns with a splendid young orchard. Near to churches and schools, and within five minutes walk of Marshall Station on the P. & W. railroad. For particulars inquire of the undersigned living on the premises.

CHRIST. BALLHORST, Sr.,
feb. 27-4t Mars P. O.

FOR SALE!

Over THREE HUNDRED CHEAP FARMS in West Virginia. 200 of these farms are located in the Shenandoah valley, famous for healthfulness and productiveness. Improved farms at $5 to $50 per acre. Coal, timber and grazing lands, $2 to $30 per acre. Have a few large tracts suitable for colonies. For circulars, giving description, location, price, &c., address J. H. BRISTOR, Martinsburg, W. Va. jan30-4t.

MILL FOR SALE.

A 3 run grist mill, near Whitestown, this county. Mill is in good repair, has both steam and water power. Good dwelling house and other necessary buildings on the premises. Running expense very low. Good reason for selling. Must be sold before 1st of April. Only those who mean business need address for particulars.

W. L. ALLEN, Whitestown, Pa.
Jan30-4t.

FOR SALE.

18 Acres of land, with large two-story brick house and large barn thereon erected. Good orchard; situated in Butler twp., Butler county, Pa., adjoining Butler borough. Is on the south, will be sold cheap and on easy terms. For particulars inquire of Lev M. Quinton, Esq., Butler, Pa.

LOST.

On the 23rd of January, 1884, on the road from Sunnyside Station to the Brownsdale M. E. Church a pocketbook about four inches long by two and a half wide, and containing one hundred and twenty dollars—four twenty dollar gold pieces, two ten dollar gold pieces, and the balance in notes. Any person finding and returning the book and money to me, at Brownsdale or leaving it at this office can have $25.00 for his or her trouble.

J. E. BLAKELEY,
Brownsdale, Butler Co., Pa.

HOUSE AND LOT FOR SALE.

A VERY COZY

Two-Storied Frame House

of six rooms, cellar, out houses and two lots of ground in Butler will be sold on reasonable terms. Call at office of

F. M. EASTMAN
Mar-14tf. Butler Pa.

CONTINENTAL NURSERIES

Rochester, N. Y.

GEORGE A. STONE NURSERY COMPANY.

Fruit and Ornamental Trees, Shrubbery, Roses, Creepers, etc.

Moore's Raspberry, Pocklington and Empire State Grape, and other choice varieties of all fruits.

B. W. DOUTHETT,
Brownsdale, Butler County, Pa
jan9-3m

J. H. Stevenson & Co.'s
REAL ESTATE AGENCY,
100 Fifth Ave., Pittsburgh, Pa.,

Offer for sale a No; 1 Stock or Grain Farm in Peoria Co., Ill., near railroad and river; has three houses, good barn, &c., contains 350 acres. Price $30 per acre. Also a fine farm near New Castle, Pa., of 60 acres; a good dwelling and barn, with orchard; No 1 land; also on same is a large storehouse with a stock of goods worth about $3,500, all in best of order; value of farm and goods $9,500, would exchange. Send for free list of properties f6.84.1y

John L. Jones, Auctioneer,
BUTLER, PA.

All orders will receive prompt attention.
f6.3m

BRICKS! BRICKS!

The subscriber continues the making of bricks common, pavement, bay-window and other qualities at his kiln on the Fair Ground road, half a mile west of Butler. He will keep on hand a lot of bricks at all times. He will also make and burn brick in the country for anyone desiring to have them made on their own farm or premises.

As he intends carrying on the brick making business, he invites the custom of all, promising to give entire satisfaction to all who may patronize him.

All orders promptly filled at reasonable rates. Call on or address,

J. GEORGE STAMM,
mar28-'83 Butler Pa.

Dr. Frease's Water Cure Establishment.

A health institution in its 20th year. For nearly all kinds of Chronic diseases, and especially the diseases of Women. OPEN AT ALL SEASONS. Circulars free. Address,

S. FREASE, M. D.,
jy18-1y New Brighton, Beaver Co., Pa.

TEACHERS WANTED $100. Per Month. Steady Employment during SPRING and SUMMER. Address J. C. McCURDY & Co., Philadelphia, Pa.

☞ Subscribe for the CITIZEN

REMEMBER

THAT

Patterson, the One Price Clothier and Gents' Furnisher has a Fine Stock of new Winter Clothing for Mens', Boys' and Childrens' Wear at one extremely Low Price to all.

PATTERSON'S,
Duffy Block, Butler, Pa.

Planing Mill

—AND—

Lumber Yard.

J. L. PURVIS. L. O. PURVIS,

S. G. Purvis & Co.,

MANUFACTURERS AND DEALERS IN

Rough and Planed Lumber

OF EVERY DESCRIPTION,
FRAMES, MOULDINGS, SASH, DOORS,
FLOORING, SIDING, BATTENS,
Brackets, Gauged Cornice Boards,
SHINGLES & LATH.

PLANING MILL AND YARD
Near German Catholic Church

PERMANENT STAMPING

FOR KENSINGTON, ABRASENE AND OUTLINE WORK DONE,

Also lessons in same given by ANNIE M. LOWMAN, North street, Butler, Pa.
jm20-1y

EXPOSITION

Visitors should not fail to call and examine the largest and finest stock of Imported and Domestic Liquors in the State, at

Max Klein, 82 Federal Street,
Allegheny City, Pa. Opposite Fort Wayne Passenger Depot.

Hard Wood Furniture

for sale at extremely low figures, A great variety of Beds, Tables, Chairs, Children's Chairs, Ladies' Rockers, Extra Heavy Arm Rockers, Marble and Wood Top Parlor Tables Bureaus, Stands, Double and Single Lounges, Spring Mattresses, &c., &c., at

WM. F. MILLER'S,
North Main Street,
BUTLER, PA.,
FACTORY ON WASHINGTON STREET.
d12'83-1f.

Most Extensive Pure-Bred Live Stock Establishment in the World!

NEW IMPORTATIONS CONSTANTLY ARRIVING.

RARE INDIVIDUAL EXCELLENCE & CHOICE BREEDING.

Clydesdale, Percheron-Normans English Draft Horses, Trotting-Bred Roadsters, Shetland Ponies, Holstein and Devon Cattle.

Our customers have the advantage of our many years experience in breeding and importing large collections, opportunity of comparing different breeds, low prices, because of extent of business, and low rates of transportation. Catalogues free. Correspondence solicited.

POWELL BROTHERS,
Springboro, Crawford Co., Pa.
Mention CITIZEN. july25-9m.

NEW LIVERY STABLE,
Henry Leibold,

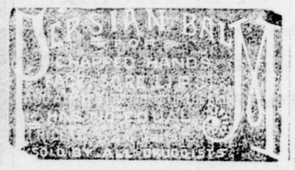
Continues the Livery Business on Jefferson St. first door below Bickel & Gallagher.

Good rigs, first class teams always on hands Horses fed on reasonable terms, also horses bought and sold. oct3-1y.

Pure Bred Holstein Stock.

The undersigned have purchased from the Powell Bros. a pure bred Holstein bull, one and a half years old and weighs 1215 pounds, which can be seen at the farm of John Weber, in Penn town him at any time. Terms $4 cash or $5 charged.

J. A. PAINTER,
JOHN WEBER.



Advertising Cheats.

"It has become so common to write the beginning of an article, in an elegant, interesting manner,

"Then run it into an advertisement that we avoid all such,

"And simply call attention to the merits of Hop Bitters in as plain, honest terms as possible,

"To induce the people

"To give them one trial, which so proves their value that they will never use anything else."

"The REMEDY so favorably noticed in all the papers,

"Religious and secular, is

"Having a large sale, and is supplanting all other medicines.

"There is no denying the virtues of the Hop plant, and the proprietors of Hop Bitters have shown great shrewdness

"And ability

"In compounding a medicine whose virtues are so palpable to every ones observation."

Did She Die?

"No!

"She lingered and suffered along, pining away all the time for years,"

"The doctors doing her no good;"

"And at last was cured by this Hop Bitters the papers say so much about."

"Indeed! Indeed!"

"How thankful we should be for that medicine.

A Daughters Misery.

"Eleven years our daughter suffered on a bed of misery,

"From a complication of kidney, liver, rheumatic trouble and Nervous debility,

"Under the care of the best physicians,

"Who gave her disease various names,

"But no relief,

"And now she is restored to us in good health by as simple a remedy as Hop Bitters that we had shunned for years before useing it."—THE PARENTS.

Father is Getting well.

"My daughters say;

"How much better father is since he used Hop Bitters."

"He is getting well after his long suffering from a disease declared incurable"

"And we are so glad that he used your Bitters."
A LADY of Utica, N. Y.

SAMARITAN NERVINE

NEVER FAILS.

THE GREAT

NERVE CONQUEROR

The only known *specific* for Epileptic Fits.
Also for Spasms and Falling Sickness.
Nervous Weakness quickly relieved and cured. Equalled by none in delirium of fever.
Neutralizes germs of disease and sickness.
Cures ugly blotches and stubborn blood sores.
Cleanses blood, quickens sluggish circulation.
Eliminates Boils, Carbuncles and Scalds.
Permanently and promptly cures paralysis.
Yes, It is a charming and healthful Aperient.
Kills Scrofula and Kings Evil, twin brothers.
Changes bad breath to good, removing cause.
Routs biliousness and clears complexion.
Charming resolvent and matchless laxative.
It drives Sick Headache like the wind.
Contains no drastic cathartic or opiates.
Promptly cures Rheumatism by routing it.
Restores life-giving properties to the blood.
Is guaranteed to cure all nervous disorders.
Reliable when all opiates fail.
Refreshes the mind and invigorates the body.
Cures dyspepsia or money refunded.
Endorsed in writing by over fifty thousand Leading physicians in U. S. and Europe.
Leading clergymen in U. S. and Europe.
Diseases of the blood own it a conqueror.
For sale by all leading druggists. $1.50.

The Dr. S. A. Richmond Medical Co., Props., St. Joseph, Mo. (2)

Chas. N. Crittenton, Agent, New York City.

TUTT'S PILLS

TORPID BOWELS, DISORDERED LIVER, and MALARIA.

From these sources arise three-fourths of the diseases of the human race. These symptoms indicate their existence: **Loss of Appetite, Bowels costive, Sick Headache, fullness after eating, aversion to exertion of body or mind, Eructation of food, Irritability of temper, Low spirits, A feeling of having neglected some duty, Dizziness, Fluttering at the Heart, Dots before the eyes, highly colored Urine, CONSTIPATION,** and demand the use of a remedy that acts directly on the Liver. As a Liver medicine **TUTT'S PILLS** have no equal. Their action on the Kidneys and Skin is also prompt, in removing all impurities through these three **"scavengers of the system,"** producing appetite, sound digestion, regular stools, a clear skin and a vigorous body. **TUTT'S PILLS** cause no nausea or griping nor interfere with daily work and are a perfect

ANTIDOTE TO MALARIA.

HE FEELS LIKE A NEW MAN.

"I have had Dyspepsia, with Constipation, two years, and have tried ten different kinds of pills, and **TUTT'S** are the first that have done me any good. They have cleaned me out nicely. My appetite is splendid, food digests readily, and I now have natural passages. I feel like a new man." W. D. EDWARDS, Palmyra, O.

Sold everywhere, 25c. Office, 44 Murray St., N.Y.

TUTT'S HAIR DYE.

GRAY HAIR OR WHISKERS changed instantly to a GLOSSY BLACK by a single application of this DYE. Sold by Druggists, or sent by express on receipt of $1.

Office, 44 Murray Street, New York.

TUTT'S MANUAL OF USEFUL RECEIPTS FREE.

PLASTERING.

The undersigned intends to remove to Butler on the 1st of April next, and hereby informs all persons, that he will be prompt in executing any work that may be entrusted to his care.

STUCCO AND MASTIC

Work executed in the best and most satisfactory manner. Give me a call.

jan30-4t. JOSEPH B. PIZER.

G. D. HARVEY,
Bricklayer and Contractor.

Estimates given on contract work. Residence, Washington street, north end, Butler. a. jan2.1y.

MORRIS NURSERIES,
West Chester, Pa.,
GROVER & KINNE.

Fruit, and Ornamental Trees, Shrubbery, Rose, etc., etc.

JAS. M. ADAMS, Agent
nov21-3m Butler, Pa

Union Woolen Mill,

BUTLER, PA.

H. FULLERTON, Prop'r.

Manufacturer of BLANKETS, FLANNELS, YARNS, &c. Also custom work done to order, such as carding Rolls, making Blankets, Flannels, Knitting and Weaving Yarns, &c., at very low prices. Wool worked on the shares, if desired. my7-1y

A Thesis on the License Laws of Pennsylvania.

BY CHARLES A. SULLIVAN, ATT'Y-AT-LAW.

No truth is more clearly visible, to the mind of the student of jurisprudence, than that mutability is written upon every human statute book. It may be assumably said, that from the inception of many acts, passed by the General Assembly of this Commonwealth, no system or class of laws has undergone greater variableness; caused more untold disturbances, and formed a multiplicity of judicial and extra-judicial opinions, than the acts of assembly, relative to the license system, in the licensing of hotels, taverns, inns, eating houses, for the accommodation and entertainment of guests, boarders, lodgers, strangers, visitors and the travelling public.

The license question, in the State, for a series of years, has been a subject of transcendent importance. The great public and private interests, pro and con, have been fraught with vexations and replete with difficulties. Even judges and advocates have been harrassed and hectorcised, ad infinitum, in their efforts to construe and determine the intentions, cherished in the breast of legislators, in the discretionary power of granting or refusing a license. And most truly, may it be observed, that Senators and Assemblymen in this commonwealth, for the past decades, have been censured and adulated and ostracised, by one class of the populace, in failing to pass statutory acts favoring a license system, then by the other class for acceding to the behests of antagonists.

The changes and fluctations, indeed, have been grievous, marvelous and perplexing. The fair-minded and impartial student, upon a full and caustic inquiry, is lead to the irresistable conclusion, that as party tendencies have prevailed, as reform movements have ascended, then was shaped with absolute inevitability the legislation of the State, relative to license or its abrogation. When the temperance movement rose to its flood-tide, and the liquor interests receded, then license acts were repealed in almost prohibitory terms, and *vice versa*, when the interests of liquor leagues, and license acts were brought into activity, when successful with the electoral franchise. The fact can not be controverted, that these interests have, with unappeased hatred, dimetrically opposed each other They have grappled most desperately; one contending for absolute prohibitory acts of legislation and the other with a burning zeal that nothing could lessen or abate for their enactment and passage. And herein consists the marvelous peculiarities, the pro and con, of the prohibitory and the license systems

A perusal of the pamphlet laws will inform the student that the act of 1834 remained a stable and almost an undivisive law for a period of twenty-one years, and its supplemental changes were slight and immaterial. It may be affirmed that during the continuity of this act of assembly, harmony and tranquility prevailed, while courts and yeomanry were allowed to pursue "the even tenor of their way." In 1855, upon the heels of the great temperance reform movement, that swept like a besom of destruction, from the statute book, followed the repeal of the act of 1834, in terms nearly prohibitory. The Senate and House of Representatives were compelled, unconditionally, to obey the mandates of an ardent constituency in almost restraining the passage of liquor acts, granting a license. The new act went into effect, with great eclat and glittering promises, and it seemed that a new dawn of civilization and refinement was showered upon the commonwealth, but dolefully was it to be recorded, that 'ere a fortnight elapsed, the law that was looked upon with brilliancy of success, was obnoxious and most vigorously derided and saterized contemptously, as the "templars'-little-brown-jug law:" And it was demonstrated that the manufactures of liquors, etc., were reaping their harvest and gathering in the skekels, and entailing greater misery, distress and humiliation, than under a lawfully authorized license system. The consequences followed, that the "little-brown-jug-law" was of brief duration and was over-thrown most remorselessly, by the act of March, 1856, passed through the indefatigable activity at the polls, over the entire State, by an organization known as the "Liquor League." The license act of '56 was subjected, however, to many changes and modifications, and not until 1872 was the State again stirred "from centre to circumference," from pit to dome and pillar to corner-stone, with the fury and agitation of the people, pro and con, over the license question. The Senate and House trembling like aspens, fearing an infuriated constituency gave partial relief in the passage of an act, styled the "Local Option." The all-important question *for license* or *against license* was then submitted triennially to a popular vote. Yet the "Local Option" act contained a proviso, that could not be construed to repeal or affect any special law prohibiting the sale of intoxicating liquors or to restrain the granting of license. The act triumphed with small majorities in some counties, indeed, very few, if any cities, and remained in force for three years.

This Act sprung upon the judiciary the question of constitutionality. In many judicial districts in the State, eminent jurists, distinguished in the the profession, seriously questioned the constitutionality and the unconstitutionality of the act Here and there were found Judges, who held inexorably that "local option" was a flagrant violation of organic rights, and of an unconstitutional character, inasmuch, as it delegated the legislative power of the commonwealth to a popular vote. While on the other hand, Judges equally celebrated, with parity of reason, maintained that "local option" was just, meritorious and constitutional. In 1875, three years subsequently, the Senate and House at Harrisburg, by an infinitismally small vote, repealed a portion of the "local option" act, and incorporated certain prerequisites and provisions of the acts and supplements of 1858 and 1867, enacting that all applications for license be predicated on the same footing with a right to file objections, in the nature and character of a remonstrance against the granting of license, by the Court of Quarter Sessions, upon good cause shown "BY ANY PERSON."

As we proceed, it may not be amiss to transcend to a few details and particulars. If the petitioner or applicant, who applies for a license complies with the prerequisites of the acts of assembly and showing to the satisfaction of the court his fitness, and sustains a good moral character and of temperate habits, and is provided with the necessary house room, the hotel, inn, tavern or eating-house is absolutely necessary for the entertainment of guests, boarders, strangers and the travelling public; where facts and evidence of a preponderating character is adduced, it is discretionary in the breast, mind and conscience of the court to grant or refuse such applicant a license under the acts of assembly.

It may be parenthetically alluded to, that it is well established in a republican form of government, like ours, where the power is derived from the will of the people, by virtue of an organic law, the constitution, formed by the soverigns of the land, in their wisdom ordained three distinctive functions, viz: the legislative power, vested in the General Assembly, consisting in a Senate and House of Representatives, with inherent power, from the people, to pass good, wise and wholesome laws, regulating and governing the affairs of society, protecting the weak, shielding the wayward, checking the violator, punishing the wrong doer, sustaining the rights of personal security; all these requisites are vested in the servants of the people the functionaries of the legislative power.

The supreme executive power is vested in a Governor, who shall take care that the laws be faithfully executed.

The third, yet not diminutive power, is the judicial. Their province is to call to aid and requisition all wisdon, discernment and well-seasoned knowledge, acquired by dint of application and legal industry, in order to construe, interpret and to give the signification of the laws, the intention in the breast of the legislator at the time of making the laws, whereby the people, the whole people, are to be governed, secured and protected. Judges are simply the mouthpiece of all the acts of General Assembly, and they are bound morally and legally by an oath and good conscience, to preserve all sacred human rights, and keep laws intact, as placed upon the statute book. And the judges are strictly, to all intents and purposes, the servants of the Senate and House of Representatives, and behind the General Assembly, over and above the legislative power, we find the supreme, irresistable, absolute and the uncontroledable authority, the *jura summii imperii*, the rights, the transcendent power of sovereignty, where the will of the whole people reside. Hence, it is the people, "the majority of the people" for ages, in all republican institutions who govern, and it is the great bed-rock upon which rests the pillars of this grand and glorious Commonwealth, and must control the destinies of all human republics. It is the "majority rule," like a *monumentum aere perennius*, of the electoral franchise, who choose and elect their powers, legislative, executive and judicial. And this great and sacred American republican theory will never in the State or the country suffer the sceptre, "majority rule," to pass out of their hands.

The servants of the people are chosen by their free out-spoken ballot, and for the people statutes are ligislated, enforced and construed If an Act of assembly be bad, injudicious and obnoxious, then let the people and their servants vigorously enforce it, and the same power that gave it birth and existence, can equally abrogate and repeal it.

The Senate and House, comprising the legislative power, have seen fit and proper to enact a system of laws. These acts of assembly require certain specific prerequisites to be pursued by the applicant for license. The law requires of him a prima facie case. And wherein does this really consist? Let it be observed in detail, because generalities are apt to mislead and distract. Some minds, apparently, may be familiar with these prerequisites contained in the forms and acts of assembly, yet the minds of many are biased, chimerical and fastidious and press for specifications.

The applicant or petitioner who craves for a license, under the acts of assembly, 1st must be a citizen of the United States; 2d, a person of good moral character; 3d, a person of temperate habits; 4th, must have sufficient house room and dormitory accommodations, exclusively, for the entertainment of guests, boarders, lodgers and the accommodation of the travelling public; 5th, the general body of the petition must be printed, with the blanks filled in, and must be verified by an oath; 6th, it must contain a certificate of twelue good, reputable citizens, in the vicinage or neighborhood where the hotel or eating-house is proposed to be kept; 7th, the certificate of the twelve citizens must clearly show and certify that the applicant is a person of fitness, the house is necessary for the entertainment and accommodation of guests, lodgers, strangers and the travelling public; 8th, must also be accompanied with a bond in two thousand dollars, with good freehold sureties, for the faithful performance of the trust and preservation of the law; 9th, the petition must be presented to the clerk of the court of Quarter Sessions for filing and placed among the records of the county. It is the business of the petitioner to see to it personally or by his counsel for him, that his application is in due form and fills all prerequisites of the acts of assembly. When once on file its character, legally, is prima facie, and is a public record, and as such is subject to open attacks and the aggression of any person, upon a legal technicality as well as upon a stinging demerit. Many who oppose the granting of license by the Court of Quarter Session, flippantly have said: why can't a petition be granted by the court to keep a hotel or eating-house, and exclude the sale of liquors, etc. Any person in the State may throw open his house to entertain and accommodate guests, boarders, strangers, travellers, and descriminate who the inmates may or may not be, for entertainment and accommodation, and the law has no power to interfere directly or indirectly. But the acts of assembly passed by a Senate and House, incorporated the power to vend liquors, wines, ale, beer, etc., spiritous and malt, as an incident thereto; and no court of any judicial district in the State, can exercise a power that would be arbitrary and extra judicial A decisive measure or opinion, by a court of judication suppressing an act, would never be tolerated and would be a malfeasance of office

Now it rests imperatively upon the people to see to it that the spirit and the reason of the acts of assembly, relative to the granting or refusal of license, is taken care of and faithfully performed. The great object, the sole purpose and the ultimate result of all law, nestles in the reason and spirit of it. Go back to the misty regions of the past and you will be taught by points renowned in erudition and legal lore as well as the poets and men of profound learning, that "law is the perfection of reason," and in this day and age of intelligence, refinement and christian civilization the DICTA is just as inexorably true; that where reason fails to exist, then law is abandoned, sunk, gone forever.

It is the spirit and reason of the acts of assembly that must be carefully weighed and vigorously pursued. The person in the possession of a license, who vends and sells liquors, wine, ale or beer, indiscriminately to his neighbor, or a minor, or a man of known intemperate habits, or a lunatic, or one who has been declared judicially an habitual drunkard—the frail bull grinding on the bottom, moving and crawling like a loathsome creature, none on the earth or beneath its surface, so repulsive or more pitiable; such a creature—a drunkard, was never born, but is the creation of man—or if a person of a low vile depraved nature, neglects to provide wife and children with the comforts and necessaries of life, and pays over the last dime to satiate a morbid appetite and quicken a habitated brain, with drink, then common justice, the rights of humanity seasoned with the reason and spirit of the law, steps in, revokes the license, inflicts the penalty and renders the violator powerless to do evil in the community. Courts have always construed the acts strictly, and when the facts and evidence were adduced showing just cause, licenses were immediately revoked and the penalty imposed upon the offending violator by the court.

The acts of assembly have also provided and prescribed certain additional prerequsites controlling the license system in this commonwealth. That after the applicant has filed his petition praying for a license under the acts of assembly, a prerogative is granted to any person, an invitation as broad and boundless as the waters of nature herself, *to any person*, to prepare a petition in the nature and character of a remonstrance, supported by facts and evidence to the satisfaction of the court, to reject the applications, petition and peremptorily refuse a license. The law requires a clear and indisputable proof to overcome the prima facie case of the petition and the twelve persons who have certified to the due forms and prerequisites of the acts of assembly. If the evidence tends substantially to show what has already been descanted upon and predicated, then no court, with a sound discretion, would violate the interests of the law-making power.

The discretionary power vested in the court, is truly a serious, as well as a delicate one. No branch of legal science or jurisprudence has been so elaborately and eloquently discussed for years, as the granting or refusing of license under Pennsylvania acts of assembly. The abilities of jurists, divines, temperance advocates, platform lecturers and an honest and conscientious yeomanry, have been baffled, pro and con, with the all-prevailing question, the license system in the State. And it is an incontrovertible fact that in some judicial districts in this commonwealth, certain judges who are honest in their convictions, hold the law to be obligatory upon their conscience, and in the exercise of their discretion to grant a license to every applicant, who brings an application within the due forms of the acts of assembly. Then in other districts, equally honest and sincere judges learned in the profession, hold most inexorably with an iron hand that under the same acts, they are not bound to grant any license whatever. Clearly neither of the positions are, judicially, well taken, or just and reasonable and within the spirit of the acts as found in the breast of the legislator, "by signs the most natural and probable," at the time of making the law

The province of the judges of the Court of Quarter Sessions is to exercise a sound, broad discretion upon the merits of each particular case. They are to patiently hear, investigate and with discrimination all the facts and evidence and weigh them judiciously in the scales of justice with the golden wand of discretion.

As the liquor acts to-day exist in the pamphlet laws of Pennsylvania courts with a sound discretion must determine upon the fitness of the applicant, the necessity of the house, for the accommodation and entertainment of strangers, guests and the travelling public. No court in the State can say arbitrarily or even arrogate to itself the propriety or the impropriety of who shall or who shall not have a license. The question to all intents and purposes is of a legislative character purely and not a judicial right in the mind, breast or conscience of the wisest or the sternest judge. Courts sit to hear, to interpret and to administer the law as prescribed by the acts of general assembly, and have no power, immediate or remote, to add to or repeal it. "Judices est jusdicere non dare."

The pamphlet laws of the State say that licenses shall exist and that the Court of Quarter Sessions must ascertain, with sound discretion, who shall and who shall not, from the proof and evidence adduced, be entrusted with the power of a license. This discretion, the law in its wisdom prescribes is to be exercised, primarily for the good of the public and secondarily for the mediate or immediate private interest.

Judges must perform a duty under the oath they have taken. The Senate and House at Harrisburg have enacted and, by law, caused to be promulgated, the acts of general assembly, relative to the present license system. Hence, in the nature of things, it is binding on the good conscience and unskaken integrity of every Judge in the state, to preserve, to vindicate and keep intact the laws, until repealed by the general assembly.

In fine, Judges who fill the bench, of the several courts in the Commonwealth, are simply the expositors of our laws, while we, the people, are the only true conservators.

Butler, Pa., Feb 27, 1882.

Unwritten History of the War.

In the last volume of Thurlow Weed's reminiscences there is much of hitherto unwritten history. Among Mr. Weed's papers was found the following:

It will be remembered that early in the rebellion a Russian fleet lay for several months in our harbor, and that other Russian men-of-war were stationed at San Francisco. Admiral Farragut lived at the Astor House, where he was frequently visited by the Russian Admiral, between whom when they were young officers serving in the Mediterranean, a warm friendship had grown up. Sitting in my room one day after dinner Admiral Farragut said to his Russian friend: "Why are you spending the winter here in idleness?" "I am here," replied the Russian Admiral, "under sealed orders, to be broken only in a contingency that has not yet occurred." He added that other Russian war vessels were lying off San Francisco with similar orders. During this conversation the Russian Admiral admitted that he had received orders to break the seals, if during the rebellion we became involved in a war with foreign nations. Strict confidence was then enjoined.

"When in Washington a few days later, Secretary Seward informed me that he had asked the Russian Minister why his Government kept their ships of war so long in our harbors, who, while in answering he disclaimed any knowledge of the nature of their visit, felt at liberty to say that it had no unfriendly purpose

"Louis Napoleon had invited Russia, as he did England, to unite with him in demanding the breaking of our blockade. The Russian Ambassador at London informed his government that England was preparing for war with America on account of the seizure of Mason and Slidell. Hence the two fleets were immediately sent across the Atlantic under sealed orders, so that if their services were not needed, the intentions of the Emperor would remain, as they have to this day, secret. It is certain, however, that when our Government and Union were imperilled by a formidable rebellion, we should have found a powerful ally in Russia had an emergency occurred."

The latter revelation is said to be corroborated by a well known New York gentlemen, who was in St. Petersburg when the rebellion began and who, during an unofficial call upon Prince Gortschakoff, was shown by the Chancellor an order written in Alexander's own hand, directing his Admiral to report to President Lincoln for orders in case England or France sided with the Confederates.

Man Always the Same Animal.

George Ticknor Curtis says in the Manhattan Magazine: The most splendid specimen of the Caucasian race that the civilized world can show to-day has no more organs, bones, muscles, arteries, veins or nerves than those which are found in the lowest savage. He makes a different use of them, and that use has changed their development, and to some extent has modified stature, physical, intelectual and moral, and many other attributes; as climate and habits of life have modified complexion, the diseases to which the human frame is liable, and many other peculiarities. But if we take historic men, we find that in all the physical features of his animal construction that constitute him a species he has been essentially the same animal in all states of civilization or barbarism. And unless we boldly assume that the prehistoric man was an animal born with a coat of hair all over his body, and that clothing was resorted to as the hair in successive generations disappeared, we can have no very strong reason for believing that the human body has been at any time an essentially different structure from what it is now. Even in regard to longevity or power of continued life, if we set aside the exceptional cases of what is related of the patriarchs in the biblical records, we do not find that the average duration of human life has been much greater or much less than threescore and ten or the fourscore years that are said to have been the divinely appointed term. As to what may have been the average duration of life among prehistoric men, we are altogether in the dark.

Mr. John C. Reisinger, Wrightsville, Pa., says: "I had heartburn that nothing relieved until I tried Brown's Iron Bitters."

The Hand of Lincoln.

Look on this cast, and know the hand
That bore a nation in its hold;
From this mute witness understand
What Lincoln was—how large of mold.

The man who sped the woodman's team,
And deepest sank the plowman's share,
And pushed the laden raft astream,
Of fate before him unaware.

This was the hand that knew to swing
Thr axe—since thus would Freedom train
Her son—and made the forest ring,
And drove the wedge, and toiled amain.

Firm hand, that loftier office took,
A conscious leader's will obeyed,
And, when men sought his word and look,
With steadfast might the gathering swayed.

No courtier's toying with a sword,
Nor minstrel's, lay across a lute;
A chief's uplifted to the Lord
When all the kings of earth were mute!

The hand of Anak, sinewed strong,
The fingers that on greatness clutsh,
Yet, lo! the marks their lines along
Of one who strove and suffered much.

For here is knotted cord and vein
I trace the varying chart of years;
I know the troubled heart, the strain,
The weight of Atlas—and the tears.

Again I see the patient brow
That palm erewhile was wont to press;
And now 'tis furrowed deep, and now
Made smooth with hope and tenderness.

For something of a formless grace
This moulded outline plays about;
A airying flame, beyond our trace,
Breathes like a spirit, in and out—

The love that casts an aureole
Round one who, longer to endure,
Called mirth to ease his ceaseless dole,
Yet kept his nobler purpose sure.

Lo, as I gaze, the statured man,
Built up from yon large hand appears;
A type that Nature wills to plan
But once in all a people's years.

What better than this voiceless cast
To tell of such a one as he,
Since through its living semblance passed
The thought that bade a race be free!

—*The Independent.*

My Neighbor and I.

M. Quad in Drake's Traveler.]

I am mad at the man on the southwest corner of the block, and he is mad at me, and it's all on account of nothing at all. We bought a mantel and grate just alike and costing the same price. We had tiling just of the same pattern, laid down by the same man. For five years we were like brothers. If I had a sick horse, I consulted him. We went over to his house to play old sledge, and his family came over to my house to play croquet. I'd have turned out of bed at midnight of the darkest night you ever saw and walked twenty miles through mud thirty feet deep to bring a doctor in the case of sickness and I'm certain he'd have done fully as much for me.

In an unfortunate hour my brother-in-law from Chicago paid me a visit. He said the mantel was very handsome and the grate a perfect beauty, and added:

"But you want a brass fender."

"No!"

"Certainly you do. It will be an immense improvement."

A day or two after he returned home he sent me a brass fender from Chicago. He not only sent it as a present but paid the express charges. Some one told the man on the southwest corner that I had a brass fender.

"It can't be!"

"But he has."

"I'll never believe it."

"But I've seen it."

"Then he is a scoundrel of the deepest dye. Some folks would mortgage their souls for the sake of showing off a little.',

When this remark was brought to me I turned red, clear back to the collar-button. I called the southwest corner man a liar and a horse thief. I said that his grandfather was hanged for murder and that his oldest brother was in State Prison. I advised him to sell out and go to the Cannibal Islands, and offered to buy his house and turn it into a soap factory.

The usual result followed. He killed my cat and I shot his dog. He complained of my ally and I made him put down a new sidewalk. He called my horse an old plug, and I lied about his cow and spoilt a sale. He got my church pew away by paying a higher price, and I destroyed his credit at the grocery. He is now maneuvering to have the city compel me to move my barn back nine feet, and I have all the arrangements made to buy the house next to him and rent it to an undertaker as a coffin ware-room.

"Mary has a little lamb—its fleece is white as snow," but it wants Day's Horse and Cattle Powder to make it strong, you know. That it does. Price 25 cents per package of one pound, full weight.

—The duke of Athol plants from 600,000 to 1,000,000 trees every year.

—Notwithstanding the unfriendly action of France and Germany with respect to our "swine product," the price has advanced at Chicago.

Knives with ivory handles, which become loosened or have fallen out entirely, can be cemented at home, and with small expense, by using this cement: Take four parts of rosin, one part of beeswax, one part of plaster of Paris; fill the hole in the handle with the cement, then heat the steel of the handle, and press it firmly in the cement.

☞ Fashion is Queen. Fast, brilliant and fashionable are the Diamond Dye colors. One package colors 1 to 4 lbs. goods. 10c. for and color. Get at druggists. Wells, Richardson & Co., Burlington, Vt.