

## THAT DOLLAR ROAD TAX.

A Personal Tax Can be Levied Only at Place of Residence, says Judge Walling.

### CANNOT COLLECT FROM NON RESIDENTS

State Highway Commissioner Clunker's interpretation of the one dollar road tax upon each taxable is already causing considerable trouble throughout the State; he says "the dollar is assessed against the property, and must be paid by the non resident as well as the resident owner."

This is not law, but only his opinion, and in many of the districts of our County, the Supervisors have placed this dollar tax on all non-residents. On this principle if a person residing in this Borough owns taxable property in half a dozen districts in the County, he will be taxed \$6.00, while he should only be taxed one dollar. This matter was brought before Judge Walling, of Erie, on a case stated, and he filed the following opinion, in the case of Millcreek township v. Willis:

"The defendant, S. H. Willis, resides in Erie City, and owns a farm in Millcreek township. He has paid the tax levied upon his property, but declines to pay a further tax of \$1.00 levied upon him by plaintiff under the provision of section 2 of the Act of April 12, 1905, P. L. 142, relating to the levy and collection of road taxes, etc., in townships, which provision is as follows: 'That upon every taxable road supervisors of each township shall assess the sum of \$1.00, in addition to the millage tax above mentioned.'

"The question presented by the case stated is, Does that provision apply to a non-resident who owns property in the township? In our opinion it does not. It is not levied upon property, but against the person in the nature of a poll tax. The taxing power of a township cannot be extended so as to embrace a personal tax against a non-resident. A personal tax can be levied only at the place of residence. For the right to levy a poll tax depends upon residence: 27 Am. & Eng. Ency. of Law (2d edition), 634.

"A person is not liable to a poll tax in more than one place, and that is at the place of his residence: Preston v. Boston, 12 Pickering, 7.

"It is not necessary to pass upon the constitutionality of said act. That question will soon be settled by an appellate court.

"And now, June 4, 1906, on the case stated, judgment is entered for the defendant and against the plaintiff for costs."

Enjoys the Service.

Russel Garland, of the United States Marine Corps, is spending a short furlough with his parents Mr. and Mrs. Geo. Nebraska Garland, formerly of this county, but who now reside at Washington, Pa. Young Garland is at present inspector of quartermasters' department and is stationed in Philadelphia. When his present term of enlistment expires on June 21, next, he will have been in the service 11 years. He is so well pleased with his line of work that he will immediately re-enlist.

Mr. Garland's rise has been rapid, and he has been exceptionally honored during the past few years of his service. He was selected to take charge of the marines who accompanied the remains of the Mexican ambassador back to his country for interment, and he was also selected to accompany Secretary of War Taft on his recent trip to Panama, Cuba, and Porto Rico. Young Garland seems to thrive on his work, he now tipping the scales at more than 180 pounds.

Miss Minnie McGovern, who has been spending some time with her brother Will at Bristol, Tenn., has returned to McConnellsburg for the summer and is staying at the Washington House.

## Primary Election Vote, June 1, 1907.

DISTRICTS.	St. Delegate	Sheriff	Dist. Att'y	County Treas.	C. S. Surveyor	Coroner
Ayr	16	13	29	24	12	42
Bethel	37	21	47	21	41	29
Brush Creek	18	18	18	8	18	16
Dublin	11	26	23	20	19	23
Licking Creek	12	16	16	9	15	14
McConnellsburg	31	39	38	39	39	39
Taylor	9	14	28	14	14	21
Thompson	5	11	35	24	11	33
Todd	3	35	18	23	8	30
Union	8	19	19	13	11	18
Wells	4	28	6	13	5	23
<b>Total</b>	<b>148</b>	<b>162</b>	<b>185</b>	<b>200</b>	<b>181</b>	<b>479</b>
Stevens' majority	153					40
Harris' majority		160				

### The Primary Election.

The citizens of this county last Saturday afternoon pulled off their first Primary election under the new law, and the performance was considerably dampened through the antics of Jupiter Pluvius who poured down a rain during the entire time, that kept all but the most ardent at home. Not half of the number of Democratic votes polled last fall were registered last Saturday, and the Republicans were still more afraid of water, while the Prohibs didn't risk it at all.

Our county still made a better showing than our neighbor Franklin, for the Chambersburg papers are authority for the statement that in several districts in that county, the votes of the election officers were the only ones cast.

The candidates on the several tickets were exceptionally good men, and there was some nice fighting. The only contest of interest being that for the Democratic nomination of Sheriff and County Treasurer. By the table of votes above, it will be seen that Harris won over Garland by the close margin of forty votes, while Stevens won over Daniels by only

### TEACHERS' SALARY BILL.

Thousands of public school teachers all over the State will be glad to learn that the Governor has approved the bill fixing their minimum salary at \$40 per month when they hold a provisional certificate, and not less than \$50 per month when they hold a professional, permanent or Normal School certificate.

While we have not been able to secure a copy of this measure as it came from the hands of Governor Stuart, we have been informed that while the new law will add a nice little sum to the former wages of teachers it will not increase the hardship of taxation on any of our school districts, for while the legislature increased the wages of the teachers, they increased the State appropriation from eleven million to fifteen million dollars; hence the school districts will receive more than one third more State appropriation, the teachers will get more money and the local school tax will not be any higher than heretofore.

No one should begrudge the capable teacher the wages she gets, for mankind has no greater interest than the proper training and education of our coming citizenship. The man or woman who has brains enough to teach school successfully, has brains enough to earn twice the sum that teachers usually get, at something else that would not be nearly so wearing upon the nervous constitution of the person thus engaged. And now that fair wages is provided, it is up to the school directors to see that incompetent teachers are relegated to a back shelf.

### MRS. DONEHOOD.

Wife of a Former Editor of The Fulton Democrat Dies at Their Home in West Virginia.

Through the courtesy of our personal friend Col. Bambrick, of the Soldiers' Orphans' Industrial School, Scotland, Pa., we have a copy of "The Independent," a newspaper published at New Cumberland, W. Va., containing an account of the death of Mrs. Eleanor McCowen Donehod, wife of ex-Senator John R. Donehod, on Monday of last week. She was born July 10, 1835, and was married to Mr. Donehod April 26, 1860. In 1863 they moved to McConnellsburg, Mr. Donehod bought the Fulton Democrat, and they remained here until 1868.

It was during their stay here that the present editor of the News, entered Mr. Donehod's office as an apprentice to learn the printing business, and boarded in the home of the Donehods, which was, at that time, in the house now the residence of Rev. J. L. Grove. Mrs. Donehod was the highest type of a cultured, Christian, southern lady, and her influence for good upon the mind of the then young apprentice, has been a lifelong inspiration of true helpfulness.

Their son Jay, who was at that time a bright little curly-head, is now Rector of the Episcopal church at Opelousas, La., and a noted writer of church literature. The husband, son, and three daughters are left to mourn the loss of a noble wife and mother, and the editor wants to assure them that their sorrow is shared by him.

### Card of Thanks.

Mrs. Ellen Shaw takes this method of expressing her appreciation of the kindness and sympathy of their friends and neighbors during the illness and funeral of her late husband W. L. Shaw.

## VETERANS HONOR DEAD COMRADES.

Ideal Weather for Memorial Day and The Event Very Generally Observed.

### PROF. RIFE AT McCONNELLSBURG.

Dame Nature was generous to the old soldier in according him a bright and beautiful day on which, in loving memory, to strew with fragrant flowers the graves of his former comrades. This day, above all others sacred in the minds of the Grand Army of the Republic and the Women's Relief Corps, was very generally observed throughout the county, and the exercises were characterized by a reverent and dignified deportment that was most impressive and becoming.

No other patriotic observance means so much to the children of our country as this beautiful memorial, for it impresses upon them the sacrifices made by the men who went out in the trying days of '61.

At the Union cemetery at an early hour had collected a crowd of those who follow the custom of decorating the graves of their dead, and at 10 a. m., it was increased by a squad of veterans and numbers of children, who formed in line and proceeded to pay tribute to those who have answered the last roll call. The graves of sixteen soldiers were decorated, fifteen of which held the remains of volunteers of the Mexican, Civil and Spanish-American wars, and one is the last resting place of one who wore the gray.

Following the ceremony of decoration, the children gathered at the central mound and were addressed by Mrs. S. M. Cook on their duty in perpetuating this day of hallowed memories, to the end that the honor and the glory of our nation may not suffer.

The ceremonies in McConnellsburg were of a more elaborate character and were conducted in the Court House. Prof. W. M. Rife of the C. V. S. N. S., delivered the address and when he reminded the old soldiers that "their glory cannot fade" he held the attention of a house in which there was not standing room.

Lincoln's Gettysburg Address was recited by Edgar Alexander. This matchless expression of loyal devotion to country, and gem of American literature, should be memorized by every teacher and pupil in the county.

Appropriate recitations were well given by Misses Anna Reischer and Marden Stoutteagle.

"Some good words in behalf of the W. R. C.," were spoken by Mrs. S. M. Cook, Secretary of that association, an auxiliary of the G. A. R.

The large and intelligent audience present gave unmistakable evidence of the high place which our "boys in blue" hold in the hearts of the people. Mothers had left their home duties, and brought with them their tastefully dressed little ones, to learn lessons of patriotism, and to follow with their fragrant tribute of flowers, the tottering steps of the veterans to the graves of their comrades, many of which are nameless and dateless, owing to a lack of suitable markers.

The procession was conducted to the various cemeteries by the McConnellsburg band, to the inspiring music of that grand old march, "Onward Christian Soldiers," and never did they do themselves greater credit than on this occasion—the marching and music being so thoroughly in good form. The line was gracefully manipulated by Marshal Thos. Hamil, and a corps of Aids, recruited from the sons and friends of the veterans.

No grave was neglected in the distribution of flags or flowers—the ceremony being one of beautiful and impressive solemnity, as it should be, and a Sunday still-

## AGED NINETY-ONE YEARS.

Benjamin F. Clevenger Dies at His Home in Ward Township, Indiana.

### HE WAS A NATIVE OF THIS COUNTY.

The many friends and relatives, in this county, of Benjamin F. Clevenger, will learn with sorrow of the old gentleman's death at the home of his daughter, Clara F. Nickey, near Ridgeville, Ind., Sunday morning, May 19th.

His parents, William and Charity Clevenger were born in Virginia, and settled in this county many years ago, where Benjamin was born on the 29th day of February, 1816.

May 9, 1844, he was united in marriage to Barbara Sipes, who died on the twelfth anniversary of their marriage. Two children resulted from this union, Barbara F., deceased, and Samuel F., who resides in Columbus, O. May 21, 1857, he was married to Sarah Smiley, whose death occurred January 28, 1906. One child was born to this union, Clara F. Nickey, who very tenderly cared for her father during his declining years.

He became a member of the Masonic fraternity in 1850, and was a most loyal adherent of that order to the time of his death. He leaves to mourn their loss 2 children, 7 grandchildren, and 16 great-grand children.

He was a man of rugged physical constitution, and in his younger days thought it no trick to walk from his Fulton county home to the state of Indiana, and made several trips between that state and this, on foot, during his life. His last visit to his native county was about four years ago, and he will be remembered for the vigor by which he was able to walk about from one community to another, with all the sprightliness of one who had not seen one-half so many years.

Politically, he was an adherent of the Democratic party, and a local leader for many years. Possessed of a splendid mind, he was companionable, and could entertain one by the hour with a fund of facts and anecdotes about the persons and places of three quarters of a century ago.



J. WESLEY JOHNSON.

The above is a good picture of Mr. J. Wesley Johnson whose tragic death occurred in an elevator shaft in the Andrus building, in the city of Minneapolis, Minn., Thursday evening, May 16, 1907, as was told in the NEWS two weeks ago. His home in early life was at Barre Forge, Huntingdon county, where he lived shortly after his marriage to Miss Mary Elizabeth Porter, and then moved to Wells Valley where he lived about ten years.

He then moved with his entire household goods and most of his stock to North Dakota, and located there with a colony of Pennsylvanians in or about Steele, where he lived but one summer, and was ruined by drought and prairie fires, leaving them scarce enough to eat until they could again locate elsewhere. From North Dakota they went to the city of Minneapolis, where Mr. Johnson started his life anew, and by hard, conscientious Christian work, he became General Superintendent and Overseer of the finest office building in the Twin Cities.

Mr. Johnson was a member of Company H, 184th Regiment Pennsylvania Volunteers, and served in active service in the Civil War for nearly a year before the close of that bloody struggle.

Had he lived until the 29th of August, he would have been 62 years of age.

He is a brother of Mrs. W. H. Baumgardner at Wells Tannery.

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About Weddings.

A very simple home wedding may be very beautiful, and it is eminently practicable, where expense must be considered. It obviates the necessity of large expenditure and cuts off the cost for floral decorations at a church, carriages to and from the church, fee to organist and fee for opening the church—all of these expenses being for the bride's parents. Then, too, the invitations to a small home wedding need not be engraved forms, but may be informal notes written by the bride's mother. If the house is large enough, all one's friends may be invited; if it is small, it is correct to invite only relatives and a limited number of friends, and to send, after the marriage, the announcements to those who were not invited to the wedding. These are issued in the name of the bride's parents, and paid for by them and are sent to the general acquaintances of the families of bride and bridegroom.

The hour popularly chosen for a wedding is midday or afternoon. Evening weddings are now out of fashion. A bride elect has the privilege of choosing the day, the clergyman and the bridesmaids. The ushers are selected from among her friends and those of the bridegroom. One bridesmaid, or maid of-honor, would be sufficient at a small wedding, but it is not necessary to have any attendant.—"The Observances of Society," in the Ladies' World for June.

Mr. and Mrs. Reuben S. Wible of Franklin county, spent a few days among their friends on this side of the mountain last week. Mr. Wible likes his new Franklin county farm first rate and is looking well.

## ABOUT PEOPLE YOU KNOW

Snapshots at Their Comings and Goings Here for a Vacation, or Away for a Restful Outing.

### NAMES OF VISITORS AND VISITED

Daniel Rinehart of Gracey, spent a few hours in town last Friday.

Mr. J. W. Mowers of Clear Ridge, took a day off and visited the County Seat one day last week.

Mr. and Mrs. J. B. Runyan, of this place went down to Needmore last Friday and returned on Saturday afternoon.

Walter C. Peck, a telegraph operator in the Western Union office in Harrisburg, is spending this week with his uncle, the editor of the News. He will have charge of the office at Bedford Springs during the summer.

Mrs. L. L. Hill who has been spending a few weeks in the home of her sister, Mrs. Scott Tritle in the Cove, left Monday for Iowa, where she expects to spend the summer with her sisters Rebecca and Lib, and other friends and relatives.

Miss Anna Mary Snyder of Thompson township who has been in ill health for some time left last Wednesday for Colorado Springs, Colo., where she expects to spend several months in the hope that the change of climate may prove beneficial.

An automobile party consisting of Paul I. Johnson, Walter Reed Sloan, Miss Mabel Trout and Miss Kathryn Cook, went over to Chambersburg last Friday morning and returned Saturday afternoon. Paul and Walter spent Friday night at Harrisburg.

Wm. L. Moseby, of Wells Valley, was a welcome caller at this office Monday. The hand of time seems to rest lightly on Mr. Moseby, who says his father lived to the age of 104. Speaking of the weather, Mr. Moseby says this is the most backward spring since '64, when there was an 11-inch snow in May. A frost late in May '78 killed nearly all growing vegetation.

Mrs. Elizabeth Mergret, wife of Mr. Herbert Morgret, of Belfast township, died last Saturday morning, after a protracted illness, aged about seventy years. Her remains were laid to rest in the cemetery at Pleasant Grove church on Monday, in the presence of an unusually large number of sorrowing relatives and friends.

Mrs. Morgret was a daughter of Dennis Daniels, many years ago sheriff of this county, and a sister of Mrs. Rachel Hart and Mrs. Abram Plessinger, of Whips Cove. She was possessed of most excellent qualities of mind and heart, and will be greatly missed in the neighborhood in which she had lived so many years. She was a consistent member of the Christian church, and always took a great interest in its welfare.

Besides her husband she is survived by three sons and one daughter, J. Riley, of Fairmount, Ill.; Hayes and George, of Belfast township, and Alice, wife of Samuel Rhodes, of Hancock, Md.

Fourth of July in McConnellsburg. Red Men's Parade by Cassawappa and visiting tribes. Ox Roast. Sports and races for prizes. Several Bands. Fair and Festival and Indian War Dance at night. Fireworks.

Persons who have returned from Jamestown give the warning not to go for some weeks to come. It is said by those who have been there that the exposition is not more than two-thirds ready, some of the buildings being incomplete, and it is the advice of those who made the first trip to wait for the late summer.