

FULTON COUNTY NEWS

Published Every Thursday.

E. W. P&K, Editor and Proprietor

McCONNELLSBURG, PA.

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Political Announcements.

For President Judge of the Court of Common Pleas of the 51st Judicial District. DONALD P. McPHERSON, Gettysburg. Subject to the Non-Partisan Primary.

In announcing my candidacy for President Judge of the Court of Common Pleas of the 51st Judicial District, I wish to thank my friends who, without regard to Party, have so generously expressed their approval of it and to assure every voter of Adams and Fulton Counties that I shall appreciate his suffrage and support.

The Judgeship is now non-partisan—made so specifically by Act of Assembly—and if nominated and elected to that high office it will be my endeavor to observe the spirit of that act and to administer the duties of the office with fidelity and impartiality, to the end that the law may be enforced and justice done.

DONALD P. McPHERSON, July 1, 1915.

County Treasurer

I hereby announce myself as candidate for nomination for the office of County Treasurer of Fulton county, to be voted for by the voters of the Democratic party at the primary election to be held Tuesday, September 21, 1915, and I pledge myself to support the ticket nominated as I always have been loyal to the support of the Democratic ticket. Your vote and influence are solicited.

DAVID GREGORY, Thompson township.

County Commissioner.

I announce myself as a candidate for the nomination for the office of County Commissioner subject to the decision of the democratic voters of Fulton County, at the primary Tuesday, September 21st. I have announced my candidacy after assurances of support came to me unsolicited from all over the county and if nominated and elected I promise the same business administration of the affairs of the office that I have given during the present term. I am willing that my record shall speak for itself.

FRANK M. LODGE, Brush Creek Township.

I hereby announce myself as a candidate for the nomination for the office of County Commissioner of Fulton County, subject to the decision of the voters of the Republican Party, at the primary to be held Tuesday, September 21st, 1915, and pledge my support to the ticket then nominated. Your vote and influence are solicited.

GRANT BAKER, Dublin Township.

District Attorney.

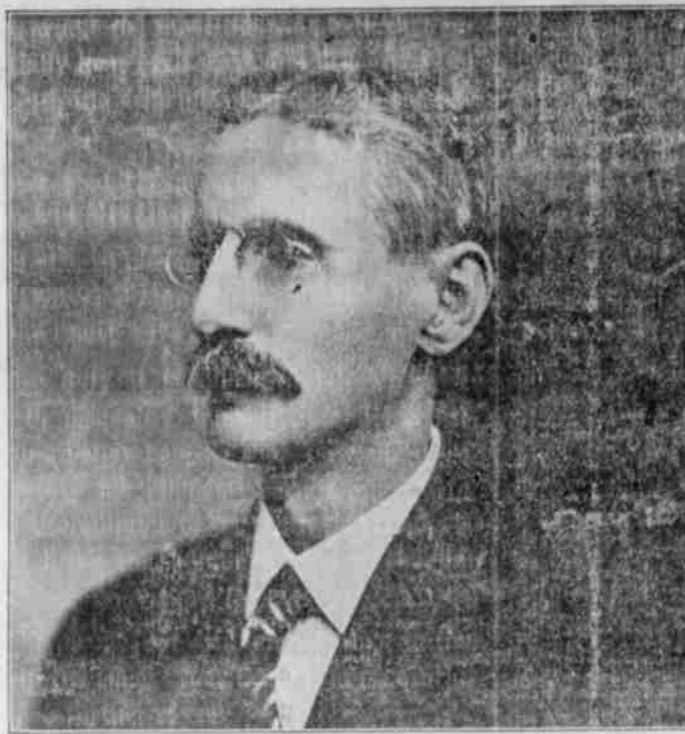
I hereby announce my candidacy for the office of District Attorney subject to the decision of the Democratic voters at the uniform primaries on Tuesday, September 21st.

FRANK P. LYNCH, McConnellsburg, Pa.

WELLS TANNERY.

Mrs. W. H. Baumgardner received a telegram last Saturday evening telling of the death of her brother W. A. Johnston, Streator Ill. Mr. Johnston was married to Julia Edwards, daughter of Mrs. Frank Mills of New Grenada. Mrs. Joe Horton was taken by Dr. Campbell last week to the hospital at Roaring Spring for treatment. Harry Schenck and John Shenafelt started last Thursday to hunt wolf, and found plenty of it at Newton Hamilton. Ernest and Dewey Sprowl entertained a number of their young friends last Friday evening. One of the pleasant features was wading corn. Mr. and Mrs. Chester Mills entertained last Saturday evening. The taffy pullers had a sweet time of it. A crowd of little people gathered in the home of Mr. and Mrs. Alfred Stunkard last Saturday to celebrate the 6th birthday of their daughter Irene.

Mrs. J. C. Kirk and daughter Marjorie are visiting friends in Pittsburgh. The barn raising at W. H. Baumgardner's last Saturday was completed without a mashed finger or any other accident to mar the pleasure of the occasion. One of the carpenters, (G. F. Truax) must have been dreaming about the raising the night before for he got up in his sleep to right it, and



J. L. BUTT

Candidate for President Judge of the 51st Judicial District Composed of the Counties of Adams and Fulton.

J. L. Butt's Answer to Questions Put to Judicial Candidates.

Gettysburg, Pa., August 18, 1915.

REV. J. B. BAKER, Chairman Joint Committee of Inter-County Judiciary Temperance League, Gettysburg, Pennsylvania.

SIR:—

The receipt of your communication of recent date, containing questions submitted to me as a Candidate for President Judge Fifty-first Judicial District, is acknowledged.

The Questions submitted are so numerous and intricate that I shall not attempt to answer them in detail.

A Judicial candidate should not in any way commit himself in advance upon any subject which might come before him afterward for judicial determination.

On the 16th day of January, 1915, Orvis, President Judge, in re Centre County Liquor License, found in District Reports Volume 24, page 616, relating to the granting of liquor licenses, filed an opinion in which, among other things, he says:

"This Legislation requires the Courts to hear the testimony and pass upon the merits of each license application. It is therefore, unthinkable for one to pledge himself in advance, out of deference to some supposed moral sentiment, to refuse all licenses when he must take an oath that requires him to impartially hear each case and dispose of the same in accordance with the principles laid down by the appellate Courts, etc."

In the case of Reiner's License, 50 Superior Court, page 190, which involved an effort to disqualify two Associate Judges because of an alleged pledge made before election, not to grant liquor licenses, Judge Rice, following the decisions of the Supreme Court, says:

"No Judge whose duty it is to hear and decide has a legal or moral right to disqualify himself to render a just decision by determining before hearing that he will grant all applications or refuse all applications. It would be a mere idle ceremony, discreditable to the Court that conducted it and tending to bring the administration of the law into contempt."

In referring to the pledges of candidates, that, in the event of an election to the office, they would refuse all the applications Judge Rice further says:

"This is a grave charge. It implies an accusation that each of these Judges had made a pledge, the keeping of which would disqualify him in this class of cases, to give such hearing and decision as the law and his oath of office require a Judge of the Quarter Sessions to give."

A statement of opinion as to what a Candidate for Judge would do under certain circumstances, under the above decisions, would raise a question to disqualify him in the event of having afterwards to pass upon a similar question after election. A Judge must show respectful obedience to the laws and their interpretation by the Superior and Supreme Courts, and under the decisions of these Courts it would be improper for me as a Candidate to say more than, if I am elected Judge of the 51st Judicial District, composed of the Counties of Adams and Fulton, that I will always give a fair, impartial and conscientious hearing, consideration and determination of all applications for licenses and remonstrances thereto as they arise, according to the law and under the decisions of the higher Courts interpreting these laws, as I will seek to do in all matters that should come before me if elected.

All of which is respectfully submitted.

Yours very truly,

J. L. BUTT.

Editorial From the Gettysburg Compiler, September 4, 1915.

There is but one position for a judicial candidate to take in the matter of an answer to the 29 questions asked him by the Inter-County Temperance League published in a recent issue. He has no moral or legal right to give expression to an opinion that will disqualify him afterwards and so prevent him from discharging the duties to which the people shall have elected him.

This is no new question for the Supreme Court of the State in a case years ago declared "that the act of deciding is judicial and not arbitrary or willful. The discretion vested in the Courts is therefore, a sound judicial discretion and to be a rightful judgment it must be exercised upon the facts and circumstances before the Court after they have been heard and duly considered. To say that I will grant no license to anyone or that I will grant it to everyone is not to decide judicially on the merits of the case but to determine beforehand without a hearing or else to disregard what has been heard."

The Supreme Court again declared that "if a judge should refuse a license because in his opinion the law authorizing licenses is a bad law or if he should grant all licenses because he believed the law wrong as tending to confer a privilege on a special few in either case, there would be no exercise of judicial discretion, both would be the mere despotic assertion of arbitrary will by one in power, that sort of lawlessness which is least excusable and excites most indignation."

A candidate who expresses an opinion is putting himself into a position of straddling, saying something to gain support in the campaign, and then defeating the very thing he would be pretending to help, for he would thereby disqualify himself to sit in any application on which questions are raised covering his expressed opinion. If he heard a liquor application and remonstrance there would be objections at once to his hearing and deciding anything in the matter and on appeal the Supreme and Superior Courts would affirm what they have previously said and hand down a decision refusing to permit such a judge to hear and decide what he had decided before he was elected. Such a judge would be a joke and when license court came around another judge would have to be sent into the district to do the work he had disqualified himself from doing by the expression of his opinions before hearing.

The Compiler is paying more for its temperance views than any one individual in the county, having within a single year refused more than \$300 worth of liquor and dope advertising. This is mentioned by way of showing the strength of our temperance views but in our opinion any candidate for judge who would give expression to any opinion on any subject prior to his election would be doing the most lawless of acts and in the doing would be showing himself unworthy to be trusted, for as the Superior Court has said such act would be "discreditable to the Court and tending to bring the administration of the law into contempt."

The only position a candidate should put himself into is that expressed in Mr. Butt's answer in another column, "A fair impartial and conscientious hearing, consideration and determination" in all matters. Anything more is simply lawlessness outside of the laws and the authorities of the Supreme and Superior Courts he would be sworn to obey.

Cider Making.

Nick Hohman will begin to make cider Wednesday, September 8th, and the mill will be in operation every Wednesday after that during the season.

Sale Register.

Friday, September 24, J. C. Fere, intending to quit farming, will sell at his residence at Knobs, Pa. all his farming implements, live stock, household goods, and at the same time offer for sale his farm of 113 acres and improvements.

Chas. Hess last Saturday in honor of visiting guests, Mr. and Mrs. Riley Garland, of Hagerstown. After having spent the evening in amusement, fine refreshments were served to more than fifty. The decorations were beautiful. A little daughter was born on September 5th to Mr. and Mrs. Frank Post. Mr. and Mrs. John Berg, of Hagerstown, attended the funeral of the latter's grandmother, Mrs. Catherine Decker, at Cedar Grove, last Sunday.

SIDELING HILL.

A pleasant social and pound party was given by Mr. and Mrs.

PROPOSED AMENDMENTS TO THE CONSTITUTION SUBMITTED TO THE CITIZENS OF THE COMMONWEALTH FOR THEIR APPROVAL OR REJECTION, BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, AND PUBLISHED BY ORDER OF THE SECRETARY OF THE COMMONWEALTH, IN PURSUANCE OF ARTICLE XVIII OF THE CONSTITUTION.

Number One.

A JOINT RESOLUTION

Proposing an amendment to section one, article eight of the Constitution of Pennsylvania.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendment to the Constitution of Pennsylvania be, and the same is hereby, proposed, in accordance with the eighteenth article thereof:—

That section one of article eight, which reads as follows:

"Section 1. Every male citizen twenty years of age, possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact:

"First. He shall have been a citizen of the United States at least one month.

"Second. He shall have resided in the State one year (or, having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

"Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

"Fourth. If twenty-two years of age and upwards, he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election." Be amended so that the same shall read as follows:

"Section 1. Every citizen, male or female, of twenty-one years of age possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact:

"First. He or she shall have been a citizen of the United States at least one month.

"Second. He or she shall have resided in the State one year (or, having previously been a qualified elector or native-born citizen of the State, he or she shall have removed therefrom and returned, then six months) immediately preceding the election.

"Third. He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election.

"Fourth. If twenty-two years of age and upwards, he or she shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election.

"Fifth. Wherever the words "he," "his," "him," and "himself" occur in any section of article VIII of this Constitution the same shall be construed as if written, respectively, "he or she," "his or her," "him or her," and "himself or herself."

A true copy of Joint Resolution No. 1.

CYRUS E. WOODS, Secretary of the Commonwealth.

Number Two.

A JOINT RESOLUTION

Proposing an amendment to section eight of article nine of the Constitution of Pennsylvania.

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth article thereof:—

"Section 8. The debt of any county, city, borough, township, school district, or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the consent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum in the aggregate. At any one time, upon such valuation, except that any debt or debts hereinafter incurred by the city and county of Philadelphia for the construction and development of subways for transit purposes, or for the construction of wharves and docks, or the reclamation of land to be used in the construction of a system of wharves and docks, as public improvements, owned or to be owned by said city and county of Philadelphia, and which shall yield to the city and county of Philadelphia current net revenues in excess of the interest on said debt or debts, and the annual installments necessary for the cancellation of said debt or debts, may be excluded in ascertaining the power of the city and county of Philadelphia to become otherwise indebted: Provided, That a sinking fund of their cancellation shall be established and maintained," so that it shall read as follows:—

"Section 8. The debt of any county, city, borough, township, school district, or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the consent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which on the first day of January, one thousand eight hundred and seventy-four, exceeded seven per centum of such assessed valuation, and has not since been reduced to less than such per centum, may be authorized by law to increase the same three per centum in the aggregate, at any one time, upon such valuation. The city of Philadelphia

upon the conditions hereinafter set forth, may increase its indebtedness to the extent of three per centum in excess of seven per centum upon such assessed valuation for the specific purpose of providing for all or any of the following purposes,—to wit: For the construction and improvement of subways, tunnels, railways, elevated railways, and other transit facilities; for the construction and improvement of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks, owned or to be owned by said city. Such increase, however, shall only be made with the assent of the electors thereof at a public election, to be held in such manner as shall be provided by law. In ascertaining the borrowing capacity of said city of Philadelphia, at any time, there shall be excluded from the calculation a credit, where the work resulting from any previous expenditure, for any one or more of the specific purposes hereinabove enumerated shall be yielding to said city an annual current net revenue; the amount of which credit shall be ascertained by capitalizing the annual net revenue during the year immediately preceding the year of such ascertainment. Such capitalization shall be accomplished by ascertaining the principal amount which would yield such annual, current net revenue, at the average rate of interest, and sinking-fund charges payable upon the indebtedness incurred by said city for such purposes, up to the time of such ascertainment. The method of determining such amount, so to be excluded or allowed as a credit, may be prescribed by the General Assembly.

In incurring indebtedness, for any one, or more of said purposes of construction, improvement, or reclamation, the city of Philadelphia may issue its obligations maturing not later than fifty years from the date thereof, with provision for a sinking-fund sufficient to retire said obligation, at maturity, the payments to such sinking-fund, to be in equal or graded annual instalments. Such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking-fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred; and said city shall not be required to levy a tax to pay said interest and sinking-fund charges, as required by section ten of article nine of the Constitution of Pennsylvania, until the expiration of said period of one year after the completion of such work.

A true copy of Joint Resolution No. 2.

CYRUS E. WOODS, Secretary of the Commonwealth.

Number Three.

A JOINT RESOLUTION

Proposing an amendment to section twenty-one of article three of the Constitution of Pennsylvania.

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendment to the Constitution of the Commonwealth of Pennsylvania be, and the same is hereby, proposed, in accordance with the eighteenth article thereof:—

"Amend section twenty-one, article three of the Constitution of the Commonwealth of Pennsylvania, which reads as follows:—

"No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such action shall be prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes different from those fixed by general laws regulating actions against natural persons, and such acts now existing are avoided," so that it shall read as follows:

"The General Assembly may enact laws requiring the payment by employers, or employers and employees jointly, or reasonable compensation for injuries to employees arising in the course of their employment, and for occupational diseases of employees, whether or not such injuries or diseases result in death, and regardless of fault of employer or employee, and fixing the basis of ascertainment of such compensation and the maximum and minimum limits thereof, and providing special or general remedies for the collection thereof; but in no other cases shall the General Assembly limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes, different from those fixed by general laws regulating actions against natural persons; and such acts now existing are avoided."

A true copy of Joint Resolution No. 3.

CYRUS E. WOODS, Secretary of the Commonwealth.

Number Four.

A JOINT RESOLUTION

Proposing an amendment to the Constitution of this Commonwealth in accordance with provisions of the eighteenth (XVIII) article thereof.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth (XVIII) article thereof:—

Laws may be passed providing for a system of registering, transferring, insuring of and guaranteeing lead titles by the State, or by the counties thereof, and for settling and determining adverse or other claims to and interest in lands the titles to which are so registered, transferred, insured, and guaranteed; and for the creation and collection of indemnity funds; and for carrying the system and powers hereby provided for into effect by such existing courts as may be designated by the Legislature, and by the establishment of such new courts as may be deemed necessary. In matters arising in and under the operation of such system, judicial powers, with

right of appeal, may be conferred on the Legislature upon county recorders and upon other officers by it designated. Such laws may provide for continuing the necessary funds for insuring, and guaranteeing such titles after the first or original registration has been perfected by court, and provision may be made raising the necessary funds for expenses and salaries of officers, which shall be paid out of the treasury of the several counties.

A true copy of Joint Resolution No. 4.

CYRUS E. WOODS, Secretary of the Commonwealth.

McConnellsburg & Chambers'g Touring Car Line

Will leave the Fulton House, McConnellsburg, and the Memorial Square in Chambersburg, on following schedule:

P M A M A M P
7:30 Lv. McConnellsburg Ar.
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No. 8-3:30 a. m. for Hagerstown, Gettysburg, Hanover and Baltimore.

No. 1-8:30 a. m. (daily except Sundays) press for Cumberland and intermediate points.

No. 4-9:07 a. m. (daily except Sunday) press for Hagerstown, Gettysburg, Hanover, Baltimore and intermediate points, New York, Philadelphia, Washington, etc.

No. 3-2:27 p. m. (daily) Western Express, Cumberland, West Virginia points and the West.

No. 2-2:57 p. m. (daily) Express for Hagerstown, Westminster, Chambersburg, York, Philadelphia, Washington, etc.

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