

Meyersdale Commercial.

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THE MEYERSDALE COMMERCIAL,
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New Use For The Army.

There are those who are much opposed to the standing army and the large expense connected with that safe guarding of the nation. The spirit of war is not the spirit that should be cultivated in the 20th century, but the well drilled, and disciplined men can be made of much service, aside from the bloody field of battle. The administration without any authority by law took hold of the flood situation in Ohio. The secretary of war was early on the field, and helped to bring order out of chaos. It strikes us that in situations that confronted our country a week ago there should be authority by law, to do what the secretary of war did, without this authority. An army does a good work when it saves life and preserves property. That opens a new field for the army's operations and a better sphere of usefulness. While this was done without the authority of law, there was no criticism made. Indeed, the course of the secretary and the administration deserves the highest commendation for their zeal in behalf of their afflicted countrymen.

The Court Decides.

The expected has happened in the license court. Somerset county continues wet from north to south and from east to west. Those who stood for a dry county are filled with dismay. The battle which the temperance people have made apparently counts for naught. The church element to whom the strongest possible appeal was made during the judgeship campaign, on the grounds of W. H. Ruppel's life long professions as a temperance man, have little to show for their zeal, and Somerset county continues wet, even though the candidate of the Prohibition party was elected to the judgeship.

We take it for granted that the character and number of remonstrants and signers was taken into consideration by the court, and it would seem that the court places the character of the patrons of the saloon on a higher plane than the pious mother and the praying father. Judge Ruppel exercised his prerogatives as a judge and as good citizens we submit to those things coming from the court but, in view of all that W. H. Ruppel, church man, professed in the past, and in view of all the claims his church friends made for him during the campaign, we feel that the Christian church in Somerset county received the heaviest blow she has received in a quarter of a century, and that the darkest page of Somerset county's history was written when Judge Ruppel granted practically all the old licenses and added new ones to the list.

Less Than Two Year Later.

In the last judicial campaign The Commercial supported the Republican candidate for the office in question. It did so for several reasons. In the first place The Commercial had been a Republican paper from the beginning. In the second place in the comparison of candidates, the estimate it formed of them did not justify it to forsake the candidate of its own party. It was appealed to, and impertuned to espouse the cause of another on the ground of his reputation as a great temperance man, and zealous churchman. The Commercial however did not believe that the promised good results would follow upon success of the one upon whom it was so strongly urged to support—by many full of zeal. It followed its own judgment in the case. In consequence it was reviled, denounced and threatened with loss of patronage. But now in less than two years the very parties who so bitterly opposed its course, are ready to admit sorrowfully, that they have been grievously disappointed and greatly deceived by their expectations, and that The Commercial had a better forecast of the future results than they, and the stand taken by The Commercial in the fall of 1911 is now commended by hundreds of men who at that time thought its course should be unsparingly censured. The Commercial does not rejoice, for the case is a sad one, nevertheless it cannot help but smile, just a little to hear its former critics relate with sorrowful countenance, how greatly they have been fooled.

The Great Flood.

A large section of our country has passed through an experience of tornado, flood and fire in which many lives were lost, millions of dollars in property swept away, transportation interfered with, distress, poverty and hunger with many have taken the place of comfort, good circumstances and plenty, but in all this the nation once more learned a beautiful lesson. If any have lost confidence in human nature let them revise their views, if any are disposed to think only of man as a selfish being let them look at the other side. Joaquin Miller, the poet of the Sierras some years ago said

Men whom men pronounce as ill,
I find so much of goodness still,
Men whom men pronounce divine,
I find so much of sin and blot,
I hesitate to draw the line
Between the two where God has not."

If human aid can feed those who hunger it will be done. If their suffering can be alleviated that will follow, the heart of man is touched by suffering, and in the depths of the heart there is much goodness. This relentless flood was only another opportunity to see the goodness of man. We are living in the age when more and more we are actualizing the Christ idea that we are our brothers keeper. The cry of the perishing and the wail of the sorrowing is heard and the response is always liberal and cheerful.

Meyersdale, which did so much to relieve Johnstown in the time of the flood, is again stretching forth the hand of help, and a heartfelt God bless you as she sends her contribution to the unfortunate in their great trial.

The Commercial Has All the News.

BALDWIN BILL BECOMES A LAW

Tener Signs Measure Creating County Controller.

ELECTED IN NOVEMBER

Governor Also Vetoes House Bill, Regulating Cross Examination of Defendants in Criminal Trials.

Harrisburg.—Dauphin county will get a county controller. Governor Tener made possible the establishment of this office in this county and in all other counties having over 100,000 population when he signed the Baldwin bill. At the November election counties having that population which have not controllers will elect such an officer. The bill abolishes the office of county auditor or auditors. The controller to be elected in November will hold office until the first Monday of January, 1916, and at the November election in 1915 a controller will be elected for a four-year term.

Salary \$2,500.

The governor also approved the companion bill to fix at \$2,500 salaries of county controllers in counties having over 100,000 population where no provision has been made for the pay.

Another bill approved prohibits the carrying of red flags in parades and provides that only the stars and stripes shall be allowed to wave from public buildings except such as are occupied by representatives of foreign powers. The effect of this bill might be to remove the state flags from the capitol.

Vetoes House Bill.

The governor vetoed the house bill regulating cross examination of defendants in criminal trials, saying: "The subject of the act of 1911, which act it is now proposed to amend, is the cross examination of defendants in criminal trials, whereas the subject of the proposed amendment is the introduction in evidence, by the commonwealth, in chief or in rebuttal, of the records of a prior conviction of a defendant. It is, therefore, at least questionable whether the proposed amendment is germane to the subject matter. Apart from this question of constitutionality, however, the approval of the amendment might tend to defeat the proper administration of the criminal law, especially in the trial of defendants charged with second offenses."

Other Bills Signed.

Other bills signed include: Authorizing forestry departments to lease for ten years sites on forest reserves for cottages, churches or schools.

Regulating appeals from judgments of magistrates to the county court of Allegheny.

Permitting husband and wife to sue each other for recovery of their separate property regardless of whether they have separated.

Amending act of 1907 requiring that reports of county auditors shall be published in weekly newspapers. This act simply provides that they shall be published in at least two newspapers, one to be of the minority party.

Validating obligations issued prior to January 1, 1913, where there has been a failure to file financial statement of municipality in court under act of 1874.

House Passes Liability Bills.

Harrisburg.—The workmen's compensation, or employers' liability, acts were passed finally in the house of representatives and will go to senate for concurrence. There was very little opposition to the bills when they were reached under a special order and no debate occurred.

The bills were drafted by the state industrial accidents commission, appointed under act of 1911, and establish a complete system, including a proposition for a constitutional amendment to take away any rights which may be found to exist in the constitution or in the common law against compensation.

The main bill, which defines liability of an employer to pay damages for injuries received by an employee in the course of employment and establishing an elective schedule and procedure, received the votes of 158 members, 28 voting in the negative. The votes were still more decisive on the proposed amendment and the bills to regulate policies of insurance against liability, provide for incorporation of employers' mutual liability insurance associations and requiring employers to make reports of accidents to the state bureau of industrial statistics.

The hunters' license bill was temporarily postponed.

Other Bills Passed.

Other bills passed finally were: Prohibiting any anthracite miner from having charge of more than one breast or chamber.

Empowering municipalities to regulate mining of minerals beneath surfaces.

The bill to provide for fire escapes and exits in third-class cities was amended so as to give jurisdiction to the state fire marshal.

JUDGE RUPPEL'S LICENSE DECISIONS

(CONTINUED FROM PAGE 1)

typewritten form and all averring the same facts, a sort of blanket remonstrance which likewise could be used anywhere in the State as effectively as in Somerset County.

It is another significant fact that the remonstrances against the applicants for brewers' and distillers' licenses are identical in form as those against the applicants for hotel licenses, and the only reason suggested for refusing the licenses is that such licenses are unnecessary. The act of Assembly under which these licenses are granted specifically enacts and the appellate courts have repeated over and over again that this is not a valid reason; that the question of necessity does not enter into the consideration for a brewers' or a distillers' application for license. To refuse a brewer's or distiller's license, the Court must have some reason which is recognized by the Act of Assembly. Where a corporation is an applicant, the question of "fitness" is not involved, and therefore the objections, to some of the applicants which relate to alleged misconduct of certain individuals connected with corporations cannot be considered as was ruled recently by the Supreme Court in the Indian Brewing Company license. I am satisfied that if I were to refuse all licenses against which remonstrances have been filed simply for the reasons set forth in the remonstrances, the appellate courts would reverse. And believing it my duty to follow the line marked out so clearly and so plainly by the higher courts, I cannot depart therefrom simply to conform to the wishes of people whose views are antagonistic to the laws we have. I think it a dangerous business to try to upset a law or render it to no effect by such procedure. That is what leads to anarchy, lynching, and other disorders.

Neither can I accede to the sentiments frequently expressed by persons who perhaps thoughtlessly say the Court should simply refuse a license without giving any reasons, because the Supreme Court in such cases will not reverse. I cannot stifle my conscience so easily as that.

AS TO VIOLATION OF LAW.

And it may be well at this time to give expression of another thought in connection with the license system, and that is on the question of violations of the liquor laws by persons holding licenses. There are differ-

ences of opinion among the Judges in the State on this question and as far as I know there has been no expressed ruling by the higher courts, and therefore every Judge is at liberty to follow his own inclinations, or his own views, as to the interpretation of the statute.

NO TREATING TO BE PERMITTED.

I have been appealed to by persons of all sections of the county to adopt a rule against the practice of treating. From what has been developed in the cases now before the Court, it is very clear that much of the complaints and much of the trouble brought on the landlord arises from this pernicious custom. I do not think it is a custom contemplated by the act of the Assembly and it is not to be encouraged in any way, and the licenses this year are granting with the understanding that no treating is to be allowed in the barroom. As I stated to the landlords in granting licenses last year the hotel men must conduct their business in such a way as to conform largely to the reasonable wishes of the public, and if they fail to do so, they are not conforming their privilege to the requirements of the act of Assembly, and they are expected to yield a cheerful obedience to this rule, as they have done, I believe, in the main to all other rules prescribed by the Court and the hotel keepers' association a year ago. The licenses granted at this time are for a period of one year, and no licenses will be transferred during the year except upon such a cause as is recognized by the act of Assembly or under special circumstances, unless such transfer is provided for at the time of the granting of the licenses.

The depositions taken in some of the contested cases reveal the fact that a few of the landlords have side rooms connected with their barrooms, some of them probably almost entirely exclusive of the barroom, and others with small openings through which drinks can be passed by the bartender. I have not had time to make a careful examination of this question, but I am impressed with the fact that this would make it very easy for a landlord to evade the responsibility by having drinks passed into that room to persons of the excepted classes and yet the landlord or bartender have no personal knowledge. Whether it be a violation of the law or not to maintain such a room, I think the better practice is for the landlord to discard such opportunities for evasion, and opportunities for witnesses to be produced against them on issues of fact raised as to illegal sales. The landlord ought to see the persons who get liquor, and

ought also to see who does the drinking, and his only safe course is to have no such objectionable features connected with his bar.

BY THE COURT.

FOR SALE—August Daberko's valuable farm, south of the Union Cemetery, one mile from Meyersdale, containing 60 acres, under laid with coal and good mine in operation. A dwelling house, barn and all necessary out-buildings on the premises—All in good repair. A good bearing orchard and spring water. feb.13-14.

My wife Maggie, on Wednesday, March 26th, 1913, left my bed and board without my knowledge and without any cause, and consequently I will not be responsible for any debts she may contract. apl 3-2t. ROBT. E. LEE, ad

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