

The Somerset County Star.



VOL. XI.

SALISBURY, ELK LICK POSTOFFICE, PA., THURSDAY, APRIL 20, 1905.

NO. 14.

HATS! HATS! HATS!

We have just received a very fine assortment of men's and boys' hats and caps for spring and summer wear.

The latest shapes in Derbys at \$1.25 to 3.00. Also the newest shapes and colors in soft hats at \$1.00 to 2.00.

CAPS! CAPS! CAPS!

Children's, boys' and men's caps at 25, 50 and 75c.

ELK LICK SUPPLY CO., LTD.,

General Merchandise.

THE FIRST NATIONAL BANK

OF SALISBURY.

Capital paid in, \$50,000. Surplus & undivided profits, \$9,000.

3 PER CENT. INTEREST On Time Deposits.

J. L. BARCHUS, President. H. H. MAUST, Vice President. ALBERT REITZ, Cashier.

DIRECTORS:—J. L. Barchus, H. H. Maust, Norman D. Hay, A. M. Lichty, F. A. Maust, A. E. Livengood, L. L. Beachy.

LOOK -- HERE!

Pianos from \$125.00 up. Organs from \$15.00 up. Sewing Machines from \$10.00 up.

The asking for a catalogue, getting prices and looking over our stock may mean the saving of a good many dollars. Agents for the following makes:

PIANOS.

WM. KNABE & CO.
BUSH & GERTS,
SCHOMACHER,
VICTOR,
HOBERT M. CABLE,
KIMBALL,
SHUBERT,
OXFORD.

ORGANS.

FARRAND,
ESTEY,
KIMBALL,
DAVIS,
WHITE,
STANDARD,
NEW HOME,
DAYTONIO,
GOLDEN STAR.

We have engaged the services of C. E. LIVENGOOD, Piano and Organ Tuner and Repairer, and orders for work in that line left at the music store will receive prompt attention.

Somerset County Agents for Estey ipe Organs.
REICH & PLOCH, CENTRE STREET, MEYERSDALE, PENNA.



Greatly Pleased

are all people who call to inspect our immense stock of new goods in all departments. We have just added to our store

A Nice Line of Dry Goods.

Call and see if we can't save you some money. Our prices are very low and our goods the very best.

Elk Lick Variety Store.

Important Announcement!

To the people of Salisbury and vicinity I wish to announce that I have purchased the undertaking business of Rutter & Will, in Meyersdale, and have moved to that town.

However, I have not sold out in that line in Salisbury, and I have a representative to look after my interests in Salisbury, where I shall keep constantly on hand a fine stock of

Undertaking Goods, Coffins, Caskets, Etc.

L. C. Boyer is my Salisbury salesman, and can sell you anything you may need in my line. I will continue to do embalming and funeral directing, both in Salisbury and Meyersdale.

Thanking the public for a generous patronage in the past, and soliciting a liberal future patronage, I remain your servant,

H. McCULLOH, Meyersdale, Pa.

E. E. CODER,
Watches, Clocks and Jewelry,
SALISBURY, PA.
Repairing neatly, promptly and substantially done. Prices very reasonable.

BANK BY MAIL
This 20th Century banking method brings this strong, old bank to every post office in the world. Write for Banking by Mail booklet.
Founded, 1862
Assets, \$14,000,000.00
4 per cent. interest paid
PITTSBURGH
BANK FOR SAVINGS
of Pittsburgh, Pa.

SHIRT WAIST STARCH

Send for Catalogue of Premiums.

Stronger and whiter than any other starch. It is made by a new process, whereby, more of the strength of the corn is retained than by the old process.
In the top of each pound package there is a piece of **White Polishing Wax** and four balls of **Best French Laundry Blue**.
Price Ten Cents.
In using Shirt Waist Starch the linen will never blister; the iron will never stick; results in a snowy, white satin finish. It is the best and cheapest starch on the market. We ask you to give it a trial. For sale by all grocers. Prepared only by
SHIRT WAIST STARCH COMPANY, Norwalk, Conn.

TWENTY-SECOND INTERNATIONAL CONVENTION, CHRISTIAN ENDEAVOR,
BALTIMORE, MD., JULY 5-10, VIA BALTIMORE & OHIO RAILROAD.

From all points East of the Ohio River, West of Martinsburg, W. Va., and South of Summit Point, W. Va., tickets will be sold at One Fare plus \$1.00 for the round trip.

Tickets good going July 3, 4 and 5, valid for return not earlier than July 5, nor later than July 15, 1905.

Extension of return limit to August 31 may be obtained on deposit of ticket and payment of \$1.00 to Joint Agent at Baltimore, Md.

Stop-overs will be allowed at Oakland, Mt. Lake Park, Deer Park and Washington, in either direction.

For detailed information apply to nearest B. & O. Ticket Agent or C. W. Bassett, G. P. A., B. & O. R. R., Baltimore, Md. 6-29

REPUBLICAN TICKET.

For Sheriff, WILLIAM BEGHLEY, of Somerset Borough.
For Prothonotary, CHAS. C. SHAFER, of Somerset Borough.
For Recorder of Deeds, JOHN R. BOOSE, of Somerset Borough.
For Clerk of Courts, MILTON H. FIKKE, of Meyersdale Borough.
For Clerk of Orphans' Court and Register of Wills, CHAS. F. COOK, of Berlin Borough.
For Commissioners, JOSIAH SPECHT, of Quemahoning Township.
ROBERT AUGUSTINE, of Somerfield Borough.
For Treasurer, PETER HOFFMAN, of Paint Township.
For Auditor, W. H. H. BAKER, of Rockwood Borough.
J. S. MILLER, of Somerset Township.
For Poor Director, WILLIAM BRANT, of Brothersvalley Township.
JOHN MOSHOLDER, of Somerset Borough.
For County Surveyor, ALBERT E. RAYMAN, of Stonycreek Township.

NEW TURN IN LICENSE CASES.

Late Superior Court Decision at Variance With Hair-Splitting Decision of Judge Kooser.

It now looks as though the fifteen Somerset county hotel men, who were recently refused license on account of a trifling omission in their petitions, would yet be granted that which was denied them by the recent far-fetched, labored and hair-splitting decision handed down by Judge Kooser, who took the ludicrous position that he had no jurisdiction to allow an innocent error to be amended. The Superior Court, however, and every judge composing it, too, takes a far different and more common sense view of the matter.

In Lycoming county, at the last license court, Frederick Oberfell applied for license to sell liquor. His petition had the same omission that fifteen good hotels in Somerset county were turned down for, but the Lycoming judge allowed the petitioner to amend his application by supplying the necessary correction, and then he granted the license. The temperance people of Lycoming county took the position that the court had no right to allow the amendment to be made, and they carried the matter to the Superior Court. The Superior Court promptly concurred with the opinion of the lower court, and following is the complete text of its sensible opinion and decision:

IN THE SUPERIOR COURT OF PENNSYLVANIA, SITTING AT WILLIAMSPORT.

In Re Petition of Frederick Oberfell for Retail Liquor License. Term, 1905. Appeal from order of Court of Quarter Sessions of Lycoming County.

Rice, P. J.

The appellee's application for a retail liquor license was in the exact form prescribed by the statutes, and was complete in every particular, except that the spaces left for the names of his proposed sureties in the ninth paragraph of the printed blank were not filled. Was this a fatal defect? The statute does not require that the bond be filed with the petition but it does prescribe that the applicant set forth the names of his proposed sureties, and that this be done a certain length of time before the day of hearing. This statutory prerequisite was intended for the information of the public, and cannot be regarded as merely directory. But in determining whether there was substantial compliance with the statute in the proceedings under review, we must look at the whole record. On the same sheet with the petition, the affidavit of the applicant and the certificate of the free holders was a bond duly executed by the applicant and his sureties. True, their names did not appear in the petition proper, but the applicant having thus filed and tendered with his petition a bond executed by them, the averment of his petition that his proposed sureties were worth the amount required by the act giving it a reasonable intent, must be deemed to refer to the sureties who executed the bond. No member of the public, examining the paper as a whole, would

have any room for doubt that this was what the applicant meant. No information which the public was entitled to was withheld, and we do not see how any one could be misled. It is to be noticed further that the motion to amend by the insertion in the proper place of the names of the sureties was supported by an affidavit of the applicant that they were omitted by mistake, that the affidavit to the truth of the matters set forth in the petition was made after their names had been inserted in the bond, and that at the time he made it he supposed they had been actually inserted in the petition. In view of this affidavit and his unequivocal act in presenting and filing the bond with the petition, we cannot give our assent to the proposition that an indictment charging him with making a willful and false statement as to the financial responsibility of his sureties would be demurrable. The distinction between this case and the cases cited by appellant's counsel:—Miller's License, 13 Pa. Superior Court, 272; Kramer's License 23 Pa. Superior Court 596; Forst's License 23 Superior Court 600; 208 Pa. 578, is well stated by the learned judge below as follows: "An examination of all these cases will show that there was nothing upon the record or in any way connected with the petition, from which an amendment could be made or that would give notice or information to any one who might examine the petition, of the facts omitted from the petition, and in that respect they differ from the case in hand. Here the record itself shows who the bondsmen are, and the evidence before us shows that the omission of the names from the petition was but a clerical omission and could mislead no one, as all the essential facts were contained in the record, from which the omission can be supplied and an amendment made."

We adhere strictly to the doctrine of Forst's License supra; but in that very case the power of the court to permit amendments in matter of form merely was impliedly recognized, and it has been exercised in numerous analogous cases. We are all of opinion that the defect complained of in this case was one of form only, and not of substance, and therefore was curable by amendment in the discretion of the court, under the common law power which every court of record has. See Pa. and N. Y. R. E. Co. vs. Bunnell 81 Pa. 414.

The other objection made in the court below to the granting of the license, and reviewed here, will be considered and disposed of in Fournery's License in which we file an opinion herewith. The order is affirmed. It is now up to Judge Kooser to do justice to the hotel men he refused license on a mere technicality, and it is also time for Cal Lowry, Bill Ruppel and a few dirty political schemers to crawl into their holes. J. A. Berkey isn't a political corpse yet, by a blamed sight.

DECIDED IN POETRY.

From The Green Bag.

In the case of Harvey Steel Company versus United States, the court of claims recently rendered a judgment, by a majority of four of the five judges, the majority opinion being written by Nott, chief justice, and a dissenting opinion by Wright, justice. The following lines are dedicated to Mr. Justice Wright.

That Wright is Wright and Nott is Nott,
Logicians must concede.
That Nott is right and Wright is not,
Four judges have decreed.

That Nott is right and Wright is not,
We all must now agree;
Then Nott is right and Wright is Nott—
The same thing, to a t.

If Nott is Nott and Wright is Nott,
It comes without a wrench
That we have not, if not two Notts,
Five judges on the bench.

If only four, as shown before,
And three agree with Nott,
The judgment is unanimous,
And Wright's dissent is naught.

The knot is not, is Nott not Nott?
But is Wright right or not?
Is Nott not right? What right has
Wright

To write that Nott is not?
Do I do right to write to Wright
This most unrighteous rot?

RHEUMATIC PAINS QUICKLY RELIEVED.

The excruciating pains characteristic of rheumatism and sciatica are quickly relieved by applying Chamberlain's Pain Balm. The great pain relieving power of the liniment has been the surprise and delight of thousands of sufferers. The quick relief from pain which it affords is alone worth many times its cost. For sale by E. H. Miller. 5-1

STRIKE IS OFF.

Just as we go to press a report reaches us from Meyersdale, and it seems to be thoroughly confirmed, that the miners' strike in this region has this day been declared off. The useless struggle lasted 16 months and 4 days, and so far as the coal companies were concerned, the strike was a thing of the past long ago. No other strike in this region ever made such a large number of fools as the last one, and the time has at last arrived when many short-sighted miners must admit that they have been ruined by the advice of their pretending fool friends, such as the Meyersdale Commercial and others, who held out false hope to them instead of printing the honest, naked truth, as THE STAR has done. The relief suckers can now shed their coats and go to work, if they can get the work, but many of them will not find it in this region, and many of them are not worthy of it.

CHAMBERLAIN'S COUGH REMEDY THE BEST AND MOST POPULAR.

"Mothers buy it for croupy children, railroad men buy it for severe coughs and elderly people buy it for la grippe," say Moore Bros., Eldon, Iowa. "We sell more of Chamberlain's Cough Remedy than any other kind. It seems to have taken the lead over several other good brands." There is no question but this medicine is the best that can be procured for coughs and colds, whether it be a child or an adult that is afflicted. It always cures and cures quickly. Sold by E. H. Miller. 5-1

MARK TWAIN'S DEFENSE OF STANDARD OIL.

The following letter apropos of Mr. Rockefeller's contribution to the American Board of Foreign Missions, signed by Satan, was received by Harper's Weekly, recently. The editor of the publication asserts that he has reason to believe that the name of Satan is forged, and the name of Mark Twain is mentioned in connection with the crime:

To the Editor of Harper's Weekly.

Dear Sir and Kinsman—Let us have done with this frivolous talk. The American board accepts contributions from me every year; then why shouldn't it from Mr. Rockefeller? In all the ages, three-fourths of the support of the great charities has been conscience money, as my books will show; then what becomes of the sting when that term is applied to Mr. Rockefeller's gift? The American board's trade is financed mainly from the graveyards. Bequests, you understand. Conscience money. Confession of an old crime and deliberate perpetration of a new one; for deceased's contribution is a robbery of his heirs. Shall the board decline bequests because they stand for one of those of fenses every time and generally for both?

Allow me to continue. The charge most persistently and resentfully and remorselessly dwelt upon is, that Mr. Rockefeller's contribution is incurably tainted by perjury—perjury proved against him in the courts. It makes us smile—down in my place! Because there isn't a rich man in your vast city who doesn't perjure himself every year before the tax board. They are all caked with perjury, many layers thick. Iron-clad, so to speak. If there is one that isn't I desire to acquire him for my museum, and will pay Dinosaur rates. Will you say it isn't infraction of law, but only annual evasion of it? Comfort yourselves with that nice distinction if you like—for the present. But by and by, when you arrive, I will show you something interesting; a whole hellful of evaders! Sometimes a frank lawbreaker turns up elsewhere, but I get those others every time.

To return to my muttons. I wish you to remember that my rich perjurers are contributing to the American board with frequency; it is money filched from the sworn-off personal tax; therefore, it is the wages of sin; therefore, it is my money; therefore, it is I that contribute it; and, finally, it is therefore as I have said; since the board daily accepts contributions from me, why should it decline them from Mr. Rockefeller, who is as good as I am, let the courts say what they may?

SATAN.

A DAREDEVIL RIDE

often ends in a sad accident. To heal accidental injuries, use Bucklen's Arnica Salve. "A deep wound in my foot, from an accident," writes Theodore Schuele, of Columbus, O., "caused me great pain. Physicians were helpless, but Bucklen's Arnica Salve quickly healed it." Soothes and heals burns like magic. 25c. at E. H. Miller's drug store. 5-1

A present duty: Subscribe for THE STAR.

The Pittsburg Daily Times and THE STAR, both one year for only \$3.75 cash in advance. Send all orders to THE STAR, Elk Lick, Pa.