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Decision Bad for Berger

Harrison's Action Cancelling Second-Class Privilege of Socialist Sheet Upheld

TWO JUSTICES DISSENT

WASHINGTON, D. C.—Refusal of lower courts to issue a mandamus requiring Postmaster General Burleson to restore second-class mail privileges of the Milwaukee Leader, Vice-President of the Socialist Party, was sustained Monday by the Supreme Court.

Second-class mailing privileges of the Leader were withdrawn by Burleson in 1917 on the ground that articles published by it regarding the purposes of the United States in entering the war were calculated to interfere with military operations, and were in violation of the espionage act. The District of Columbia Supreme Court dismissed the suit brought by the Leader.

The opinion cited numerous excerpts from articles submitted by the Government as showing the Leader's anti-American policy, and the Court condemned these in measured terms as "false" and tending to "disloyalty."

The case was declared by counsel for the Leader to be "more important than was the Lindbergh case" or "any question heretofore raised concerning the destiny of democracy in America."

Publishers of the New York Call, which also was denied the second-class mailing privilege during the war, joined in the appeal.

The power to give the permit and to withdraw it, the Court said, is vested in the postmaster general, and the latter policy "has been repeatedly upheld."

The case was brought on the apparent theory, the Court said, that this Government, "competent to fight a foreign enemy," is helpless to fight an insidious enemy at home.

The opinion of the Court was delivered by Associate Justice Clark. Justice Brandeis delivered a dissenting opinion.

The question is not one of a war power or statute, or of a fact incident to war, Brandeis said, but of a war power exercised. Neither the act establishing the postal service nor any other of the laws of the United States mention any such conditions as those imposed by Burleson, Brandeis said.

Brandis contended that any abuse of the power to grant or withhold a permit to mail should be subject to judicial review.

Brandis said the attempt to pass a censorship law had failed, and that if it had been passed he thought it would have violated specific sections of the Constitution.

Associate Justice Holmes concurred "in the substance" of the Brandis opinion. The Postmaster General could not determine in advance whether a publication would violate the law, he said. The action of the postal authorities, the dissenting Justices said, practically made "an out-law" of the applicant in his own country.

The right of free speech is almost as inherent as the right to use our tongues," Holmes declared.

Grant Tillman A New Trial

Johnston Man Convicted of Killing His Wife To Be Given Another Hearing.

EDENSBURG—A new trial was granted in Court here late Tuesday afternoon by President Judge Marlin B. Stephens to Marshall Tillman, colored, of Johnston, who was convicted of first degree murder at the September term of court. He was convicted of killing his wife, Beatie Tillman, with an ax on May 22 last in the Twelfth Ward, Johnston. She died at the Memorial Hospital in the defendant's testimony he confessed that his wife was intimate with other men and that he caught her in another house with a man. The new trial was granted on the grounds that the Court had erred in its charge to the jury. Attorney Sharkey and Waldman, Johnston, are counsel for Tillman. The Court handed down the following opinion:

"And now, March 8, 1921, upon due consideration, we are of the opinion that the charge of the Court in this case did not clearly express to the jury the law as we intended to do. Thus we have concluded that a new trial be granted. Therefore it is ordered, adjudged and decreed that the motion for a new trial hereto be made and the same sustained and a new trial granted."

"By the Court.

"MARLIN B. STEPHENS,"

"President Judge."

In the case of the City of Johnston against a certain John H. Herberich, a verdict was returned in favor of the plaintiff in the sum of \$455.85, with interest from September 1, 1919.

A verdict for the plaintiff in the amount of \$822.25 was returned in the case of J. G. Albert against the Johnston Traction Company, an action in trespass.

In the case of Steve Otto against Joseph Nannetta, a suit in trespass a verdict was returned in favor of the plaintiff in the amount of \$184 and \$500.

A verdict in the sum of \$12.22 with interest from September 21, 1915, was awarded the plaintiff in the case of W. H. Adams vs. Johnston Face Brick Company, an action in trespass.

A non-suit was entered in the case of Beatrice Nelson vs. Miller Coal Company, a suit in trespass.

The Court appointed Attorneys P. J. Hartman, Thomas C. Evans, Robert C. Hoerle, J. Earl Ogden and William Williams to examine applicants for admission to the Cambria County Bar.

Would Curb Truck Speed

Maximum Pace Would Be Painted on Side if Bill is Passed by Legislature.

SCHOOL DAYS

HARRISBURG.—By the terms of a bill introduced in the House by Mr. Staudler, of Pittsburgh, all motor vehicles in Pennsylvania would be illegally operated unless, painted on the side three inches high, they bore the maximum speed limit for such vehicles. In other words all motor cars, whether trucks or passenger cars would display three inch numerals on the bodies.

Friends of the measure declare that it is intended to apply only to trucks. It is well known that the speed limit for passenger cars is 30 miles an hour, except in built-up sections properly posted, where it is 15 miles an hour. But the act of June 30, 1919, specifically provides that trucks of certain weights may travel only at specifically named speeds. The maximum speed for a truck is 20 miles an hour, and very heavy trucks are limited to 10 miles an hour. The Staudler bill is to be amended so as to apply only to commercial vehicles.

Another provision of this bill, and one having the backing of the Pennsylvania Motor Federation, is that which provides that no truck may carry a load in excess of the maximum for the various classes fixed by the act. The present law says "the maximum is fixed by the manufacturer."

Following the passage of this act numerous manufacturers discontinued fixing a capacity for their trucks. The Staudler bill will clear up a situation which in another year would become confusing. The bill very plainly sets forth the weight of chassis, body and load for trucks from Class AA (1,000 pounds) to Class AA (20,000 pounds). While the legal limit is 20,000 pounds a Class AA truck or chassis between AA and EEE may not weigh that much.

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Reply to An Unfair Offer

Patton Won Two Out of Series of Three From Barnesboro.



Calvary Baptist Chapel is a place where everybody enjoys himself and everybody is blessed. Jacob called the place where he had his wonderful vision "Beth-El" the house of God. That is how everybody feels at the Calvary Chapel. Come to all services as follows: Sunday School 10:30 A. M. Evening worship 6:15 P. M. General prayer meeting and Bible study, Friday 7:00 P. M. Everybody welcome to all meetings.

The Walter McC Post

Happenings of Patton's American Veterans

Last Monday night was regular meeting night and we had over a hundred in attendance. Several new members were added to our roll call. After the regular business and induction a smoker was had and a fine luncheon was given by the luncheon committee. The menu follows: Hot home made baked beans, sandwiches, pickles, olives, coffee, ice cream and cake, and, of course, the smokers. We hope you fellows who have not had the pleasure to enjoy these good times will get an application blank and fill it out and send it to a comrade, and join the best service club ever.

Last Thursday night a special Banquet meeting was held in the A. W. V. Hall and several prominent business men were present in behalf of the community. Temporary officers were elected as follows: Ralph Winslow, president; Francis Fitzgerald, secretary-treasurer; Messrs. W. A. Dinmore, Thos. Quinn, Sr., Dr. P. J. Kelly and Lester Larimer were present and gave some very interesting talks as to the good of a home town. It is certain we cannot get a good band in progress in less than a year, but we guarantee you this much, that out of the 75 to 80 members in Patton, we will give you more than you could expect of a newly organized band, as many of our prospects are band men. We have with us Mr. Rudolph Horay, who has willingly consented to be our instructor with W. Williams as his assistant. Now we want every man, woman and child in Patton to give us their best support in boosting the community band and in helping to give it the most support in the making of a band, and when the boys come out, we will be glad to help them in any way we can.

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Visit in New York Recently

Representatives of Firm in New York Last Week and Stocks are Arriving.

Mr. and Mrs. Barney Blankfeld and Mrs. Rose Kusner returned late last week from a several days visit to New York City at which place they were buying spring and summer stocks for the firm of Kusner & Blankfeld. Mr. Blankfeld left again the latter part of this week for eastern cities where he will purchase additional stocks.

This enterprising firm announces a spring opening on another column of the Courier.

Reads First Mass Recently

The Rev. Father Patrick Harkins Honored by Capacity Audience.

WILMORE.—The Rev. Father Patrick D. Harkins of Wilmore said his first solemn high mass in St. Bartholomew's church, Wilmore, Sunday morning. The assistants at the mass were the Rev. Fathers F. McQuinn and John Doole, both of the Pittsburgh diocese, and John C. Dunphy, the rector of the parish. In the sanctuary were the Rev. Fathers James Graven of Cresson and Matthew, O. S. B. preceptor of Father Harkins, who preached the sermon, the Very Rev. Bernard Conley, rector of Holy Rosary church, Juniata and Chancellor of the diocese, and Mrs. M. A. Doan, a nun, who acted as altar girl. The church, besides the regular congregations, were many relatives and hundreds of friends of the young priest, among the latter being many non-Catholics, invited guests who came to honor him by their presence.

At the gospel, Father Dunphy, in a short but eloquent address, congratulated Father Harkins on the attainment of the desire of his life and wishing him a long and happy life and his mother, sister and brothers and relatives and the congregation in the another mass, the Rev. Father Harkins had been called to the service of God in the priesthood. He then gave way to the Rev. Father Matthew, O. S. B., of St. Vincent's Seminary, Beatty, at which institution Father Harkins had been educated.

The mass over, hundreds flocked to the altar rail to receive the blessing given by young priests on the occasion of their first mass.

A large well-filled purse was made up for Father Harkins by those present, and there was a genuine surprise for him in the parlor of the Mountain house, where the invited guests were entertained at a banquet by Father Harkins' family and relatives. There was the presentation by County Superintendent M. S. Bentz of a handsome gold watch and chain to the people of South Fork, where the young man was born. The presentation speech was in the usually happy style of the county superintendent, from whose hands several young men were entertained at a banquet by Father Harkins' family and relatives. There was the presentation by County Superintendent M. S. Bentz of a handsome gold watch and chain to the people of South Fork, where the young man was born. The presentation speech was in the usually happy style of the county superintendent, from whose hands several young men were entertained at a banquet by Father Harkins' family and relatives. There was the presentation by County Superintendent M. S. Bentz of a handsome gold watch and chain to the people of South Fork, where the young man was born. The presentation speech was in the usually happy style of the county superintendent, from whose hands several young men were entertained at a banquet by Father Harkins' family and relatives.

Confirm the New Cabinet

Submission of Nominations New President's First Official Act.

WASHINGTON.—President Warren G. Harding was in office less than an hour before he broke Presidential precedents. He also established a record in getting down to official business.

Proceeding from the inauguration stand to the Senate chamber, Harding went into Executive session with the Senate, presenting his nominations for the Cabinet.

They were immediately confirmed, as follows:

Secretary of State: Charles Evans Hughes.

Secretary of Treasury: Andrew W. Mellon.

Secretary of War: John W. Weeks.

Secretary of Navy: Edwin Denby.

Secretary of Commerce: Herbert Hoover.

Secretary of Interior: Albert B. Fall.

Secretary of Agriculture: Henry C. Wallace.

Secretary of Labor: James J. Davis.

Postmaster General: Will H. Hays.

Attorney General: Henry M. Daugherty.

Westover News of the Week

The Pic Social given last Thursday night by the Ball Boys was a grand success. Some pies sold for \$5.50 and none went lower than \$2.50. They realized \$50.00 clear on the social.

Boyd McNulty spent a couple days last week with relatives and friends.

Fred Smith of Allentown was a business caller in town this week.

Don Westover, who is employed in the Barnesboro bank spent Saturday and Sunday with friends in Williamsport.

Miss Nell Johnston returned to her home in Mahaffey to attend the funeral of her aunt, Mrs. John Simpson.

On March 17 the Willing Workers class will hold a bazaar in the Community hall. Everyone is invited to bring or send something useful to sell as well as to attend the bazaar. Ice cream, cake and coffee will be served.

Mr. and Mrs. Sellers spent some time recently with their daughter, Mrs. Melvin Young.

Last Friday Mrs. Walter Perkins gave birth to twin girls, in the Springfield hospital. One baby died and was brought home for burial, the other baby and Mrs. Perkins are doing fine at this writing.

Evan McEwen a prominent citizen formerly of Westover died at the home of his daughter Mrs. Ira Plank Irons, last Saturday morning at 1:30, aged 77 years. He is survived by the following children: Mrs. John Lightner of Blaine City, Mrs. Tressa Hamery of New York, Mrs. Wharton Smith of Detroit, Forest McEwen of Swanton, Will J. of Columbus Ohio and Dutton Clark of Dalton Ohio. Two sisters, Mrs. Jane Fry and Mrs. Harry Lawhead also survive.

Mr. McEwen was a former resident of Westover all his children except the two youngest were born here. He was a member of the Presbyterian church in Irons in which church he was an elder. The body was brought here and interment made in the Baptist cemetery.

Last Friday night the willing workers class spent a pleasant evening at the home of Mr. and Mrs. J. W. Sylvester. The evening was spent in scripture reading and prayer singing and music after which a delicious luncheon was served. Those present were: Mrs. G. W. Westover, Mrs. Wallace Frank, Mrs. Bill Smith, Mrs. Sylvester, Mrs. Blair Moore, Mrs. Harry Wilson, Mrs. A. M. Comley, Mrs. C. A. Neff, Mrs. H. F. Moore, Mrs. W. J. Seabrook and Mrs. Telford.

Rev. Ott Goes to Conference

Methodist Trinity Episcopal Church Will Leave on Tuesday March 15.

Rev. L. Dow Ott, the pastor of the Methodist Trinity Episcopal church will leave on Tuesday March 15, for the annual conference of his denomination in central Pennsylvania, which will meet at Newberry, Pa. and last week. Mr. Ott has had a very successful year, the congregation having grown materially during the year the entire inside of the church, and all necessary have been renewed and beautified. The reports for Conference causes will be the best ever made, and with regard to conversions, sessions, and local financing they will rank with the best of any previous year and in some respects exceed any.

Mr. Ott and his family have made many friends both in and out of the church who look forward to having them with on another year. Mr. Ott accompanied Rev. Ott on this trip and they both expect to visit Danville where Miss Marguerite is training at the Geisinger Memorial hospital for a nurse.

Party at Little Home

The Home of Mr. and Mrs. Walter Little on Magee Ave. was the scene of a pleasant gathering Sunday evening.

The home of Mr. and Mrs. Walter Little on Magee Ave. was the scene of a pleasant gathering Sunday evening when the 18th anniversary of their twin daughters, Catherine and Elizabeth were celebrated. The evening's entertainment consisted of music in various forms, several vocal selections were rendered by Joseph Hopkins and Miss Josephine Little, a violinist and Ella Mae the pianist, played many beautiful selections. Miss Helen Brown was piano soloist.

A dainty luncheon was served. Those present were: Helen M. Brown, Ella Mae and Virginia Lily, Joseph Hopkins, Jeremiah Flynn, Edoose Little, Beatrice Flynn, Mildred Little, Mr. and Mrs. Joseph Short, Richard Little, Mr. and Mrs. Walter Little, Mr. and Mrs. Joseph Short, Mildred Turnbull, Catherine Little, Isabelle Turnbull and Elizabeth Little.

Good Speakers for Convention

Cambria County School Officials to Convene at Edensburg on March 16 and 17.

Announcement has been made by Pres. M. S. Bentz, superintendent of the Cambria County schools, that three prominent speakers have been secured for the School Directors' Convention, which will be held in the Park Auditorium, Edensburg, on March 16 and 17. Supt. Bentz has secured Dr. Lee Driver, of the Bureau of Rural Schools; William Dennison, Director of the Bureau of Attendance; and J. W. Sweeney, superintendent of 224 County schools. A splendid program is being arranged for the session. Dr. Driver will speak on "Consolidated and Rural Schools" at the evening session of the opening day.

CHALLENGE

The Patton High School Basketball team challenges the Carrolltown High School Basketball team for a game on any floor with the exception of Sunset Park.

CHALLENGE

Rev. French McAfee, Pastor, Sunday morning sermon 10:30, Sunday School 11:45, Sunday evening sermon 7:30, Midweek Prayer Services, Wednesday evening 8 o'clock.

TRINITY METHODIST EPISCOPAL CHURCH

Rev. L. Dow Ott, Minister. Class meeting at 9:30 A. M.; H. A. Withrow leader.

Morning worship and sermon at 10:30 o'clock, "Which one of the Matter off, the Righteous or the Wicked." Sunday school at 11:45 P. M. Epworth League at 6:45 o'clock. Leader, John Mitchell.

Evening worship and preaching at 7:30 with Eli Starr, leader. A cordial invitation to the public to attend all services. No preaching Sunday, March 20th, but other services as usual.

"CHU CHIN CHOW" COMING

"Chu Chin Chow," the musical extravaganza of the Orient, which has met with tremendous favor in London and New York, and which is now in its fourth season of great success in America, comes to the Madison Theatre, Altoona, for a week, starting Monday, March 21, with matinees Wednesday and Saturday.

For nearly five years "Chu Chin Chow" has been running at His Majesty's Theatre in London, and it also ran an entire season in New York at the Century Theatre. The complete original production made by F. Ray Constock and Maria Gest, comes here with the same big cast that has presented "Chu Chin Chow" so successfully in other cities for the past three seasons. It is a story of ancient legend, told in fourteen big scenes, with a company of 300 people, and is embellished with a rich musical score containing eighteen song tunes. There are many new costumes, and the color scheme are said to be richly ornate and very brilliant.

The Pennsylvania Railroad announced the suspension of 35 additional employees at the Mount Carbon shops near Duncansville.

MALE HELP WANTED

Get busy. Keep busy. Is your job unsafe? Is it permanent? You want a life long business. You can get into such a business selling more than 150,000 Walkers Products direct to farmers if you own an auto or team or can get one. If you are under 50 and can give bond with personal surety. We back you up with big selling helps. 52 years in business, 20,000,000 users of our products. Write us for information where you can get territory. J. R. Watkins Co., Dept. C, Winona, Minn. 41pd

DOG TAXES ENRICH TREASURY

\$3,684.50 During Last Two Months.

Despite the decision of the lawmakers that there can be no such thing as "bottled in bond," "100 proof," and similar intoxicating beverages, Cambria County collected \$3,684.50 from prospective liquor license holders, according to the report of County Treasurer John D. Walker at the close of business Wednesday night.

The report shows that the balance on hand in the county coffers Jan. 3 was \$144,985.19. During this period, \$2,996.58 was received from seated lands, \$1,346.66 from unseated lands; \$26,243.16 from delinquent tax collectors; \$99.50 from redemption; \$12,837.59 from miscellaneous; \$3,684.50 from dog licenses. The total receipts were \$300,860.27. Warrants paid amounted to \$105,978.30, making a balance on hand of \$194,881.97. Under the road bond issue the balance on hand Jan. 3 amounted to \$284,252.46 warrants paid, \$80,949.93 making a balance on hand of \$203,302.53. Of this \$180,000 is on interest.

GRANT 240 DOG LICENSES

Payment of licenses for 240 dogs in the county has been received at the office of the county treasurer, it was announced Monday. Licenses for the past year were ineffective after January 15.

St. Benedict News Brieflets

Miss Ellen Holmes, of Clymer, was a guest for a few days at the home of Mrs. Arthur Dukes.

Mr. and Mrs. E. T. Williams, of Spangler, visited at the home of Mr. and Mrs. Thomas Scollons on Sunday.

Mrs. Lieby, of Catawissa, Pa., is visiting her daughter, Mrs. Martin Getty.

Miss Letham Williams, after an extended stay in town, has returned to her home in Clymer.

The Misses Jane and Edith Hunt, or, very business callers in Patton on Friday.

Mr. David Horner, of Raiphton, Pa., is visiting his brother, Mr. Morgan Horner.

Mrs. Noah Williams, of Clymer, visited relatives in town over Sunday.