

BARRIERS TO BARS. Some Snags Against Which License Applicants Are Likely to Stumble.

A Number of Papers That May Need Amendment.

JUST 1,960 APPLICATIONS FILED.

Where two or more children are made sleep in the same bed, which is often the case with families of moderate means, one at least is tolerably certain, should he be troubled with a sensitive epidemic, to be greatly annoyed by the propensity of some one of his fellows to call supper in bed, and the resultant crumbs are intensely torturing as would be a colony of fleas. There are some people who predict that the couches of most applicants for license to sell liquor wholesale in this county will soon find crumbs on their sheets, which will disturb their repose.

A reporter happening to fall upon some petition prepared by E. H. Cotton, Esq., was struck by the difference between the form made out and that of the general type of those filed, and Mr. Cotton was sought for enlightenment. He stated that he had amplified the form of application to comply with the requirements suggested by the special act of 1872, as developed by Chief Justice Paxson in his opinion on the cases of Judge E. Pollard, et al., where he held that Judge White had acted in treating applicants for wholesale license the same as those for retail.

NOT SUCH AN EASY JOB. Since the decision in the case of Pollard, et al., it has generally been thought that all an applicant had to do was to file his application and rest on his oars, sure of a successful issue, and on the face of the returns it looks somewhat that way. While the Court in the absence of remonstrances may grant licenses on the showing made in the form provided, yet makes it sets forth that the applicant is a citizen of the United States, is of good moral character and temperate habits, discretion may be exercised. If these averments are not set forth in the petition the applicant has failed to make out a prima facie case, and is left to the mercy of the court, and still further, and the remonstrance of an opponent.

THE REMONSTRANCE WHICH MOST APPLICANTS have filed does not contain all of these averments, and but few, it appears, have thought of the necessity of supplying them. It is supposed there will be a great scramble this week for amendments.

THE FOLLOWING IS THE LIGHT IN WHICH THE matter is received by the Supreme Court: The case of E. H. Pollard, et al., which covered those of the L. H. Harris Drug Company, Joseph Fleming & Son, T. D. Casey & Co. and those of Joseph Einstein and nine other bottlers, the writs of certiorari were based on the claim that the retail act of May 13, 1887, was intended to restrain the sale of liquors, while the wholesale act of May 24, 1887, was merely a revenue act, with no intention of any intention to restrain the sale of liquor.

JUST WHAT IS MEANT. The provision in the wholesale act of 1887, that licenses shall be granted by the Court of Quarter Sessions "in such manner as is provided by existing laws," means, in the case of Allegheny county, the local act of April 3, 1872, which is not repealed by the act of May 24, 1887, in express terms or by necessary implication, so far as it relates to the granting of licenses, excepting to the extent that one act is supplied by the other.

A citizen of the United States, of temperate habits and moral character, who presents his application in due form, and who has complied with the requisites of the law, has a right to a license, in the absence of anything on the record to impeach such right, and it is the duty of the court to grant it. If a remonstrance is filed, setting forth the grounds on which the license is to be refused, it is the duty of the court to hear it, and if sustained by evidence, to refuse a license. The discretion conferred upon the court by the wholesale act of May 24, 1887, is not the large discretion authorized by the retail act of May 13, 1887, but is confined to the granting of a license to a citizen of the United States, of good moral character and of temperate habits.

IT IS FURTHER HELD THAT A WHOLESALE license is not granted for the convenience of a particular neighborhood, nor for the accommodation of strangers or travelers, nor does it matter where the place of business is located.

THE POINTS MERITING POINTS. The points made by Paxson, C. J., reversing the court below, were in brief: That Judge E. Pollard's petition was regular; that the acts of May 13 and May 24, 1887, were his objects essentially different; licenses shall be granted by the Court of Quarter Sessions in such manner as is provided by existing laws; the requisites for licenses may be heard by evidence, petition, remonstrance or counsel. The discretion of the court is defined by the latter proposition.

AS PRELIMINARY TO THE DISCUSSION, reference is made to that portion of the second section which provides that licenses shall be granted by the court, "in such manner as is provided by existing laws." Judge Paxson held to be the special or local law of April 3, 1872, applicable to Allegheny county only.

THE ACT OF MAY 24, 1887, contains no repealing clause. The act of 1872 is not repealed in express terms, or by necessary implication, so far as regards wholesale licenses, extending to the whole of the act as it is supplied by the other. The wholesale act of 1887 imposes no qualifications, not even requiring that applicants shall be citizens of the United States, or of good moral character, or persons of temperate habits, so then we must look to the act of 1872.

ON THE FACE OF IT.

"It follows," says the Judge, "that a citizen of the United States, of temperate habits and good character, who presents his application for a wholesale license in due form, and who has complied with the requisites of the law, has a prima facie right to a license, and in the absence of anything upon the record to impeach such right, it is the duty of the court to grant it. If a remonstrance is filed, setting forth the grounds on which the license is to be refused, it is the duty of the court to hear it, and if sustained by evidence, to refuse such license."

From the above it would appear that there can be no doubt that Mr. Cotton's proposition is timely and calculated to save much trouble. Petitioners for licenses are not required to run the gauntlet as to character that might have been required.

HIS BELIEF NOT IN IT. The applicant's religious views now have little to do with the general estimation of his character. His orthodoxy may be of the Salt Lake, Westminster, Augsburg, Rome or Constantinian character; he may be an Arminian or a Calvinist, and yet, in the legal and popular definition of the term, possess a good character, his deeds, and not his confession of faith, fixing the standard. But so matter how above suspicion he may be, it might be as well for

THEM TO MAKE THE CLAIM OF "GOOD MORAL CHARACTER AND TEMPERATE HABITS" AS WELL AS THAT OF CITIZENSHIP.

ALL THE RETURNS IN.

NEARLY TWO THOUSAND APPLICANTS FOR LIQUOR LICENSES—SPECIALISTS WILL WRITE AS TO THE JUDGE WHO WILL SIGN THE BONDS NOT ALL FILED YET.

One thousand nine hundred and sixty people have filed applications in the Clerk of Courts' office to be allowed to administer to their fellow men in this county. They seem to be getting accustomed to the terrors of the Brooks law. Two years ago there were 1,553 applicants and last year but 1,360, but the Supreme Court decision in the case of Pollard, et al., has not fainthearted this year. Yesterday was the last day for the filing of applications and all day long the Clerk's office was thronged over 400 applications were received. The office was kept open until 7.30 last night in order to give retail applicants a chance to file their applications for wholesale and for retail licenses. The country districts came in heavy on the wholesale list, and a great many have filed double applications for both wholesale and retail licenses. It was also noted that several colored men made applications for license. From two to three was the highest number of colored men who made applications for license. Clerk McKean states that it will be fully two weeks before the list is published, as it will take some time to prepare it.

The clerk has been allowed to put in their papers and file bonds subsequently. The Court will hold its first session on St. Patrick's Day.

Some applicants were quite sanguine of success, while others didn't feel altogether easy in their minds on that head. Some people think there will not be many more licenses granted than last year, but they expect the distribution will be more general, which would result in knocking out some applicants and letting others in.

BUCKLEY WON AGAIN. Lively Session of the Independent Sovereigns of Industry—Charges Against an Officer Made and the Order Rescinded—A Move to Extend the Organization.

The Grand Council of the Independent Sovereigns of Industry held its annual session last night. It was a lively session almost from the beginning. It was understood that a move was being made among the older councils of the order to secure a change in the officers of the Grand Council.

At the previous quarterly meeting of the Grand Council Mr. Buckley, C. B. Stewart, of Wilkesburg, and James H. Brown were a part of the Riverside side school. West End, and announced that the judges had worked a combination to defeat Brown, and when the vote was announced after Buckley was a winner. Others say Judge Meigs will sit with him.

Major Moreland presented the prize—a splendid set of books, the gift of Dr. Torrence, Chairman of the Industrial School Committee—to Miss Bertha Gessner, a pupil of the Riverside side school. West End, and announced that the judges had worked a combination to defeat Brown, and when the vote was announced after Buckley was a winner. Others say Judge Meigs will sit with him.

MUCH OF INTEREST. Among the many visitors present the following were noted: Miss McClellan, Superintendent Luckey, Dr. Burger and most of the public school teachers of the two cities. Miss Ballou's methods, her teaching and enthusiasm in the work seemed to be the most general theme of conversation, and if the opinions uttered are as true as all taken as indicating the favor in which she is held, it is safe to say that it is here to stay. Dr. Kearns distributed the diplomas, remarking that he was pleased to state that the prophecy he made two years ago, that it would be successful had been abundantly fulfilled.

HAD QUITE A CLOSE CALL. Mr. J. M. Taylor, of the Keystone Salt Works, Takes a 25-Foot Tumble.

Mr. J. M. Taylor, one of the members of the Keystone Salt Works Company, while experimenting the work of some men dumping coal from cars on the Little Savannal Run Railway lost his balance and fell into the water. He was rescued by the company's workmen on West End, and was taken to the coal falling on him.

A HARD RIFFLE TO MAKE. An Examination of Railroad Employees.

As some time the examination of the employees of the Pittsburgh and Wheeling divisions of the Baltimore and Ohio Railroad have been going on. The examinations are very rigid on this road, and a large number of applicants failed to pass. The examination went to the general physical condition of the men, and accuracy of their eyesight and hearing and general education and social relations.

THE TAILOR COMPROMISED. Alois Emmerick, a Lawrenceville tailor, caused the arrest of Solomon Lowenthal, before Alderman Leslie, for false pretenses. Emmerick said that Lowenthal gave him a worthless check in payment for clothing. Prosecution was had on payment by the defendant for the clothing and all costs.

WHAT PEOPLE ARE DOING.

Some Who Travel, Some Who Do Not, and Others Who Talk. C. C. Lord, Third Vice President, and C. C. Seull, General Passenger Agent of the Baltimore and Ohio road, stopped over in the city yesterday while on their way East from their annual meeting at the Pennsylvania Hotel. While here Mr. Lord called on Superintendent and Division Passenger Agent E. B. Smith.

Alderman Manning, of the New York road of Aldermen, passed through the city yesterday morning. He found time to say much to the citizens, and to give the people the world's fair. The matter has been so tangled up in politics that a recent Chicago would likely slip in and get the prize.

William O'Brien, of the blumling firm of Schute & O'Brien, of Butler, Pa., has been visiting his brother, Samuel F. O'Brien, the general agent of the Humane Society, during the past week.

Justice Brewer, of the United States Supreme Court, breakfasted in the Union station yesterday morning. He is en route to Toledo on circuit duties.

Dr. Brock Baker, the "Mayor of Weaselsville," has the grip.

BAKED GOOD BREAD. Little Bertha Gessner, of Riverside School, Winner of the Prize.

THE CONTEST A CLOSE ONE. Major Moreland Makes a Pleasant and Interesting Address.

TO THE COOKERY GRADUATING CLASS.

The room devoted to the cooking class in the Grant school building, was packed to the overflowing point yesterday afternoon between the hours of 3 and 4, when the graduating exercises for that department took place. Down the center portion of the room a double row of tables were ranged loaded down with all sorts of fancy pastries, cakes, etc., showing the efficiency acquired by the pupils during the past term. In another room the bread entered for competition was placed in rows on tables, each loaf bearing a number corresponding with that affixed to the names on the graduating list. The judgment was made to render the decision according to number without reference to or knowledge of the names of contestants.

TO MEET ON MONDAY NIGHT. The Grievance Committee Will Discuss the Eight-Hour Question.

The Allegheny County Grievance Committee, an organization akin to the Central Trades Council, with a membership of 163 delegates, will hold its regular bi-weekly meeting on Monday evening at K. of L. Hall, 101 Fifth avenue. Many questions of importance are expected to be discussed.

MR. GEORGE W. BAGGS DEAD. Called Suddenly by the Grip at the Ryan Hotel, St. Paul.

George W. Baggs, a delegate from the Wheeling Builders' Exchange, who accompanied the Pittsburgh delegation to the St. Paul convention of master builders, died in that city on Wednesday from the grip. He was in good health and spirits when he left Pittsburgh on Monday. His death is a surprise to all. He died at the Ryan Hotel.

MAKING IMPROVEMENTS. The National Tube Works Company Obligated to Increase Its Facilities.

The National Tube Works Company, at McKeesport, is making extensive improvements on the works. Aside from the new pumping department, a complete set of new pipes is being put in. More than 200 additional men will be employed.

LOCAL ITEMS LIMITED. Incidents of a Day in Two Cities Condensed for Ready Reading.

"THROUGH THE JOHNSON FLOOR" is the title of a delightful story, by Messrs. P. J. Fleming & Co. of this city. It has been prepared and published at the request of Governor Beaver and prominent citizens of Allegheny county.

ONLY ONE WAY TO DO IT. Dr. Emmens then explained that the only method of exploding his invention is by using fulminate of mercury.

A SUSPICIOUS RESEMBLANCE. There is every reason to believe that this globe is in the possession of the German government is now boasting the possession of it. Dr. Emmens submitted his globe to the German War Office, and since that they have been bragging of just such a globe.

THEY MAY USE COAL. The Twelfth Ward School Board Objects to the Size of a Gas Bill.

The Auditing Committee of the Springfield School Board, Twelfth ward, completed their report yesterday of the expenses for the last year. The total expenses for the year amounted to \$6,235.94, the principal items of which were: Bonds redeemed, \$2,000; interest on bonds, \$300; insurance, \$200; supplies, \$288.93; natural gas, \$227.85.

MORE GAS FOR M'KEESPORT. A Ten-Mile Pipe Line to be Laid From the Belleverton Field.

The National Transportation Company proposes to lay a pipe line from the Belleverton field to McKeesport next season. It will be a 12 or 16-inch main, and will cross the Allegheny river at McKeesport, and go on to the hills and back of Elizabeth and get into McKeesport by crossing the Youghiogheny at Christy Park.

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TRADES' COUNCIL MEETS. A PERFECT SUCCESS. Experts Witness a Practical Test of Two Wonderful Inventions.

A MOST POWERFUL EXPLOSIVE. And a New Propelling Force Whose Equal May Never be Found.

EVER DOUBTING THINGS CONVINCED.

Yesterday afternoon a special train stole out of the Union depot carrying on board an aggregation of shrewd business men and an equal complement of harmless, necessary reporters. Snow was falling with tolerable rapidity, but the unpromising nature of the elements had no effect upon the buoyant spirits of the special's passengers. The destination of the pilgrims was the thriving settlement of Emmens, on the Pennsylvania Railroad, a few miles beyond Painterstown, and they wended thither to witness an official examination of the new explosive, "emmenite," and "gelbite," the famous smokeless powder, by an emissary of Uncle Sam, Lieutenant Brainerd, of the United States army, had been dispatched to Emmens, as representative of Lieutenant Commander Curtis, to test both "emmenite" and "gelbite," and make full reports upon them.

THE PARTY PRESENT. Among those on board the train were: Messrs. C. A. Shipley, of the Pennsylvania Railroad; J. H. McCallister, of the Allegheny County Grievance Committee; Maurice I. Cohen, of the Builders' Gazette; T. J. McTigue, Frank Pollock, H. T. Logue, T. J. Garland, ex-Sheriff John Guffey, of Westmoreland county; E. S. Kennedy, and M. H. Lyman, of Lyman & Harris, the Emmensite Company's stockholders. Mr. Schlessor had charge of the catering, and his provisions were highly appreciated.

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NOT FOR A CHURCH SITE. St. Peter's Episcopal Church Not Buying Property on Grant Street—The Purchaser is Mrs. Read—She is Burying Her Investment.

AGAIN TRIMMED.

The gelbite was then tried with the rifle, and not only exploded, but exploded so exactly like the sharp, resonant crack of a cart whip, and has none of the deep tones produced by the powder.

PUT OFF THE TRAIN. A Little Boy at the Central Station Whose Case Will be Investigated.

REMOVAL PRICES ON MEN'S HANDKERCHIEFS. Hemstitched, corded border, 15c, were 25c; 10c were 25c; 25c were 45c; plain white, 15c, were 25c; 25c were 45c. Similar reductions on finest goods.

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