

THE ANDOVER NEWS

VOL. XXXVII, NO. 12.

FOR THE WEEK ENDING FRIDAY, MARCH 24, 1922.

TERMS \$2.00 the Year
In Advance

THE NEW VILLAGE OFFICIALS ELECTED

E. J. Atwood President, C. E. Brown, Trustee—Proposition Carried to Create Police Justice in Andover.

The village election in Andover passed off very quietly Tuesday, there being no strife and but one ticket in the field.

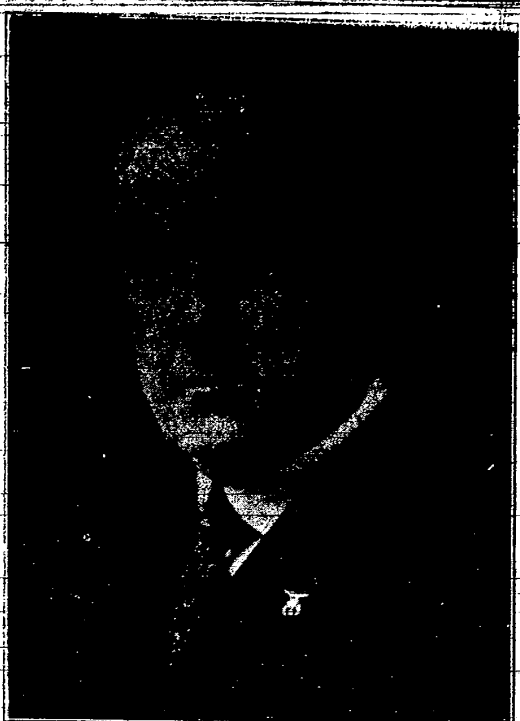
Following are the newly elected officers, who will be sworn in next Monday evening.

President, E. J. Atwood.
Trustee, 2 years, Chauncey E. Brown.

Treasurer, Andrew D. Fuller.
Collector, Mrs. Valencia Slocum.
The proposition submitted to the voters "Shall the office of Police Justice be established in and for the Village of Andover, N. Y." was carried yes by a two-to-one vote.

The new board will have the appointment of the first Police Justice to serve until Jan. 1, 1923. Next year the office of Police Justice will take its place on the regular ballot and become elective annually thereafter, but the term of office of a Police Justice runs from January to January, instead of from March to March.

The board will also appoint a Village Clerk and a Street Commissioner.



EDWARD ATWOOD

Unanimously Chosen President of the Village of Andover, last Tuesday, at the Corporation Election

CAN'T SEARCH AUTOS WITHOUT WARRANT

So Decided Attorney-General Charles D. Newton in Recent Official Opinion—Motorists are Pleased.

Rochester, Mar. 20. — After-midnight holdups of law-abiding motorists on County roads by state police, village constables, agents of justices of the peace, prohibition enforcement agents and other representatives of the "majesty of the law", in their zealous search for bootleggers of contraband booze, have become so frequent and numerous of late, that the voice of protest is beginning to be heard in the land.

It is all right, the motorists say, for officers to investigate persons driving automobiles, when they have evidence that the law is being violated by the persons chosen for investigation, but they believe that the mere fact of a motorist being on the road after midnight, is too flimsy an excuse for subjecting him to the annoyance and indignity of being stopped on the road like a common outlaw, and having his car searched without warrant of law. They believe that such procedure is an invasion of their constitutional rights, and they have decided to have it stopped, or at least find out why it cannot be stopped.

A copy of an opinion on this subject, written by Attorney-General Charles D. Newton, under date of May 4, 1921, addressed to Harold A. Jerry, district attorney of Clinton County, at Plattsburg, have been furnished by the Attorney-General's office to certain of the complainants as pertinent to the present situation and explaining the rights and powers of peace officers under subdivision 5, section 802, of the code of criminal procedure, to be as follows:

"When any peace officer shall discover any person in the act of transporting in violation of article 119 of the penal law, intoxicating liquor in any wagon, buggy, automobile, water or air craft or other vehicle, it shall be his duty to seize any and all such intoxicating liquor found therein being transported contrary to such law, and shall take possession of the vehicle or other conveyance and arrest the person in charge thereof."

Mr. Newton, however, goes on to say that this power is limited by the operation of the Fourth Amendment to the Constitution of the United States, which declares the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures.

Citing the Fourth Amendment to the Constitution of the United States, which guarantees the right of the people to be secure in their persons, houses, papers and effects, against unreasonable search and seizure, Mr. Newton says that this provision of the Federal organic law is not applicable to the State of New York, except as a limitation upon the powers of the Federal government in this state. The constitution of the State of New York, he points out, contains no such provision, and remarks that the chief question involved in the extent of the authority of peace officers to make searches and seizures without warrant.

The state law, says the attorney-general, empowers the officer to search and seize vehicles transporting liquor, arrest the persons in charge and take possession of the conveyance when he shall discover them in the act of unlawfully transporting liquor, but not before.

Since, under the common law, he proceeds, no person can be arrested for a misdemeanor unless it was committed in the presence of the person seeking the arrest, it is his opinion that officers making searches and seizures without warrant, when they have not personally discovered the person whose property is so searched in the commission of an illegal act, are exceeding their lawful authority and are themselves guilty of an illegal act. This opinion concludes:

"I believe, therefore, that a peace officer has no right to stop an automobile or other conveyance for the purpose of ascertaining whether it is being used as a means of transporting liquor illegally."

LOCAL HOLSTEINS IN BATAVIA SALE

consigned four head of pure bred Holsteins to the Western New York Breeders' Sale, at the Fair Grounds at Batavia, on March 29th. The sale is under the management of the New York Holstein-Friesian Association and comprises 75 head of registered Holsteins selected from the Batavia and several other counties of Western New York.

FIREMEN MAKING DRIVES

Business Men and Others Being Asked to Help Pay for Truck

The Fire Department are making a drive to raise funds for the first payment of their new fire truck which will be within about 30 days.

Already the business men on Main Street have been solicited and have, as they always do, come across with generous contributions. Six hundred dollars is already subscribed by them.

Property owners and others are asked to chip in for whatever amounts they can. Treat the solicitors courteously when they call upon you for a contribution and come across as liberally as possible.

Help the firemen to help protect your property.

MARSH BURDICK DIES SUDDENLY

Tillamook (Or.) Herald Tells of the Passing of a Former Andover Man Says Kind Words of Him

Marsh Burdick, popular member of the fire department of this city, was taken suddenly ill Monday night with an attack of appendicitis. He was operated on at the Shearer and Merrick Hospital Tuesday afternoon at 2 o'clock, and passed away Wednesday afternoon, at 12:55.

He was born in Andover, New York, September 7th, 1881, and spent his early manhood in New York State, moving to Saginaw, Michigan in 1905, and in April of 1907 he was united in marriage with Miss Gertrude Schultze. He came to Tillamook in December, 1913, where he made his home since then. He is survived by his wife and four small children, two sons, Norman M. and Clarence R., and two daughters, Marguerite I. and Rosetta V.; also his mother, Mrs. Charles Page, of Hornell, N. Y., four brothers and three sisters, Mrs. Cora Brun, of Plainsville, N. J.; Mrs. Jennie Carr, of Andover, N. Y.; Mrs. Iona Bowness, of Hornell, N. Y.; Charles, of Coneville, N. Y.; Menzo, of Wellsville, N. Y.; Norman, of Portland, Oregon; and Herbert, of Rochester, N. Y., and a number of relatives and hosts of friends.

He is also survived by a half brother, George Burdick, of Whitesville.

Deceased was a member of Marathon Lodge No. 98, of K. P. and Ab-Uh-Atef Temple No. 117, K. of P. Portland, Oregon.

He has been a member of the Tillamook Hose Company for the past seven years and has been a constant and faithful helper for the betterment of the company. In times of trouble and need he has always been a true friend and a devoted husband and loving father.

The funeral services will be conducted under the auspices of the Tillamook Fire Department and the K. P. Lodge Saturday, at 2 o'clock, March 12th, at the Christian Church.

QUICK BUILDING

The Dairymen's League Co-Operative Association have made quick work of erecting their skimming station in Andover. It has been only a little over a week, and they have a building about 20 x 50 feet constructed, a concrete floor all in and machinery being installed.

A large boiler was unloaded the first of the week, and is being installed.

Other machinery is beginning to arrive.

PRODUCING OIL WELL AT WHITESVILLE

Residents Hopeful of Opening Up New Petroleum Field. Leasing Land is Lively.

Another rich bed of oil sand has been struck about a mile and a half south of Whitesville, on the farm of Fred Dean, it became known here today. The well is now producing in paying quantities and a new oil boom has been started as a result.

The well was put down by Adelbert Austin and son and the drillers were Howard Westfield and Fred Fenton, of Wellsville. This is the first time a well has been drilled in this section, and the unexpected success of the venture has aroused considerable interest in Greenwood, Rexville and Whitesville.

A few years ago the Marsh swamp near Whitesville was recognized as one of the best oil producing territories in this locality, and a great many wells were drilled there. However, it has been getting dry during the past few years and the oil prospectors are working in surrounding territory.

Several wells have been put down in the vicinity of Whitesville, but none have yet proven as good as those struck in the marsh. If this new well proves as good a producer it will bring a wave of prosperity to Whitesville and surrounding territory. Contracts have already been made for the sinking of several other wells in that immediate neighborhood and the territory is going to be given a thorough trial.

NEW MACHINIST SHOP

Roy Parker has installed in his garage a new lathe this week and has made arrangements with Floyd Christ, an experienced mechanic, to work for him. They will do any work performed on a modern lathe in connection with their regular garage work.

This will be a great accommodation to Andover people who heretofore have been obliged to take their machine work out of town. Mr. Christ has had abundant experience in handling lathe work, having been employed a number of years in the Cleary Outfit Plant of this village as machinist.

No work is too large or none too small to receive prompt attention if it can be done on a modern lathe.

Rude Rural Rhymes

COFFEE

I speak the truth, I stand in sooth within a prophet's shoes I dare to say that coffee has a trick almost like booze. From Greenland's icy mountains to India's coral strand, my fellow men pay francs and yen each for his favorite brand. It is a mighty stimulant, a habit forming drug, as potent as the erstwhile beer or cider from a jug. When this for evening drink I steep, I go to bed and do not sleep; and when this for morning use I brew, I feel as young and fresh as you. Two hours or three I'm on the jump, but after that my feelings slump. It is not good for me at all, it irks my liver and my gall. Yet when to quit it I begin, I act as mean and cross as sin. I shun the cup for many a day then fall once more beneath its sway. Now, while my weakness I deplore, I think I'll take just one cup more. The flesh is weak and the I aim right soon to quit the coffee game, I hope they keep their pucker still, those sweating peasants of Brazil. I hope the Arab from his tent, a bumper coffee crop has sent, to carry with it everywhere its moratorium of care.

COMMUNITY NIGHT IN M. E. CHURCH

Leonard Ruscetti and Leland Hall, World War Veterans, Explain Photos Projected on Screen

Community Night was observed at the Methodist Church last Friday; 70 people assembled. At these gatherings the attendance has ranged from 70 to 150. Last Friday's program was of a special character. After a few readings by the pastor—several from Dr. Headlam's translation of Chinese Mission Gospels Rhymes, and the famous letter of Ben Franklin to Madam Helvetius—the pictures were shown. They had special reference to the World War, and were both instructive and interesting, as well as possessed of unusual local interest.

Mr. Leonard Ruscetti, who served five years in the Italian Army at a salary of 10c a day—the regular pay of an Italian soldier—exhibited the photographs taken by him while in the service—photos showing Italian, American, English and French soldiers, guns, defenses, etc. We saw the Plave River, the Austrian frontier, Italian and Austrian villages, and the ruin and havoc caused by war. Mr. Ruscetti explained the views as they were projected on the screen.

He was succeeded by Leland Hall, who served for two years in the American Army, as an aviator. Life in the training camps, and especially up in the air was profusely illustrated by the splendid photographs taken by him. Many views of Miami, and vicinity, and some notable moonlight effects were displayed. Mr. Hall's talk was very interesting.

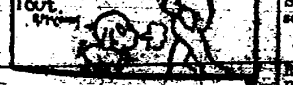
All persons present enjoyed the descriptions given by these young men, and in all hearts there was the deep desire and prayer that there may be war no more, but that thru the new beginning inaugurated at the Washington Conference ways and means may be found to safeguard the world against it.

RUMMAGE SALE

There will be a rummage sale at Village Hall, Friday, April 7th, beginning at 10 a. m. Everybody cordially invited to come and purchase themselves rich.

THE CHEERFUL CHERUB

Joy is the sunshine of the soul; That this is so I have no doubt. When folks are cold as frozen pipes, A cheerful smile will thaw them out.



Tidbits From Our School

The program for Friday morning was as follows:

Song, "Battle Hymn of the Republic" by School
Simple Questions Mr. Tubbs
31. Distinguish between a grade and a pure bred Holstein cow.
32. When is the Spring equinox? What is its meaning?

Mention five migratory birds that should arrive before the Spring equinox; five that usually arrive later.

34. How should the "dishes and silverware be arranged for breakfast? for dinner?

What becomes of our worn-out paper money?

Basket Ball

Last Thursday night Andover High School Girls and Beta Mu Boys played against the Canisteo teams on the local court, both local teams winning. The scores were:

Canisteo Girls, 8. Andover Girls 10
Canisteo Boys 19. Andover Boys 22.

Wednesday night the Andover Girls' Team journeyed to Alfred to play the championship game with Wellsville.

Last Saturday night the Friendship girls played a game for championship with Richburg. Friendship won, the score being 11-13. Whoever wins Wednesday evening will play Friendship in a final game for the cup.

Wellsville won by a score of 13 to 10.
Our County Boys' Basket Ball League is a member of the State League, and therefore the winning team which is Cuba, goes to Rochester to play in a sectional tournament on March 23rd and 24th.

The Koach-Freeman Entertainers, appeared at the Auditorium Monday evening in one of the most clever entertainments ever staged in Andover. This was an extra number in our Entertainment Course given by the Redpath management, because there were some who did not like the Fine Arts Company. It was fully appreciated by the large audience present.

Mr. Wood, who comes April 6th, will be just as entertaining, but on an entirely different line.

Perfect Spellers

Third Grade
Llewellyn Scott.

Fourth Grade
Marguerite Perry, Lucile Dawson.

Fifth Grade
Mildred Campbell, Lillian Holmes, Dorothea Snyder, Margaret Folsing, Edwin Gardner, Cecelia O'Connell, Raymond O'Boyle.

Sixth Grade
Luella Lockwood, Mary Horan, Gertrude O'Connell, Pauline Martin, Anita Hurd, Robert Lynch, Frances Brundage, Lillian Halsey, LeRoy Shirey, Rose Dawson, Ruby Robinson.

Seventh Grade
Gertrude Joyce, Birdie Sandberg, Beth Whitson, Alice Hower, Mary Bredding, Dwight Conley.

FEBRUARY MILK WILL BE \$1.97

In Spite of Increased Production League Farmers Get More For Milk Than Some Others

Announcement is made by the Dairymen's League Co-Operative Association, in their regular monthly statement and letter which is now being mailed to the dairymen that the pooled price for February milk will be \$1.97. This is the pooled price allowed to the farmer for 3% milk in the 201-210 mile zone after expenses for administration and advertising have been deducted. This is 29c per hundred pounds more than the average price received by the farmers in sixteen other organized milk associations. Of course even with this the prices to dairymen are still under the cost of production, for dairymen in common with other farmers, have suffered their share of the difficult economic times, but the farmers who have pooled their milk thru the League are in better shape than dairy farmers are elsewhere even where those farmers are organized. On the pooled milk alone dairymen of this section save because of the pooling plan \$550,678.81 for the month of February over other organized dairy farmers.

General Manager W. W. Hovey's report shows that the total amount of pooled milk handled thru the 31 plants operated by dealers and the 81 plants operated by the association during February was 139,889,245 pounds. Of this amount 44% was sold as fluid milk, 22% as cream, ice-cream and soft cheese, 15% as evaporated and condensed milk and 19% as butter and American cheese. 29,255,282 pounds of this milk was handled thru the League's own plants. Total sales for January milk amounted to \$5,526,726.91 of which \$4,884,721.02 was received for fluid milk sold to dealers. The total sales of milk and milk products thru the plants operated by the League during January was \$641,992.88.

A striking increase over December is shown in the sales of the League's evaporated milk. The domestic sales for January total \$64,358.29 as against \$37,145.14 for December. Foreign sales of League evaporated milk for January amounted to \$71,215.65 as against \$3,217.42 for December.

Jokes
Car, don't fall up the "Golden Stairs" when you visit the "Air Castle."

Evelyn is getting very "Mary" now days.

My, but some of "our boys" have heavy feet.

The reporters for next week at Marion Rogers and Frances Deas.

Put a touch of "The Cheerful Cherub" on your face. For Sale at the Andover News article for its value in cash.