

A SERIOUS CHARGE

The Story of Justice Potter's Remarkable Relationship With the Governor of the Commonwealth.

SCORED BY THE PAPERS OF ALL PARTIES

Severe Criticism From Sources Which Demand Attention. What Will Be the Outcome? Will the Court Order an Inquiry?

The Philadelphia Press has submitted to the people of Pennsylvania proof that Justice William P. Potter, Governor Stone's former law partner and appointee to the Supreme Court bench, has prostituted the office by betraying secrets of the court and attempting to smirch the integrity of his judicial colleagues.

When the legislature was in session there were "leaks" on questions affecting "machine" legislation pending before the Supreme Court, and it was an open suspicion that either one or the other of Governor Stone's appointees, Justice Brown or Justice Potter, was the betrayer of court secrets.

On May 1 The Press laid the grave charge directly at Justice Potter's door, declaring that he informed Governor Stone of the standing of the court upon the Pittsburg "Ripper" legislation prior to the announcement of the decision.

Although Stone and Potter made weak denials at the time, the justice took no steps to refute the charge or protect his sullied reputation, and the announcement of the decision confirmed the account of the betrayal, even the names of the justices voting affirmatively having been announced in advance.

The Press now gives in detail the long-distance telephone conversations between Potter and Stone when the justice "tipped" the governor in advance of the "Ripper" decision, and also the decision sustaining the governor's cut of the school appropriation.

These telephone talks revealed Potter in the attitude of a boasted "manipulator" of the remaining members of the Supreme Court; he assumed to be able to "control" certain justices, without hesitating to reflect upon their integrity; and Governor Stone commended him for "doing a good thing."

The papers of the state generally, except a few stalwart organs that would defend highway robbery if done by one of their candidates, condemn Justice Potter for his course. It shows that he acted more as a paid attorney determined to win his case than a member of the highest judicial body of the state. Following are some of the opinions of leading papers of the state:

Philadelphia North American.
No greater infamy could be charged against a judge. The offense alleged is not a mere impropriety. It is a crime punishable by impeachment and perpetual disqualification to hold any office of honor or profit. It is incredible that a reputable newspaper would make such an accusation without absolute certainty of the completeness of its evidence, and evidently The Press has not the least doubt of the accuracy of its reports of Justice Potter's conversations with Governor Stone.

Philadelphia Times.
The Press has published at length the alleged conversations by telephone between Governor Stone and Justice Potter, in which they discussed the attitude of the supreme court upon the "ripper" legislation and Justice Potter's successful efforts to bring about a decision in favor of the machine. This extraordinary exposure should make impossible the election to the supreme court of an appointed member who has not only betrayed its secrets but dishonored its integrity, if it does not make impossible his further presence in the court. It matters not how this conversation was overheard and recorded. The report is positively vouched for and its authenticity was practically admitted at Harrisburg by the passage of an act, under machine direction, making the betrayal of telephone messages a penal offense.

Pittsburg Dispatch.
The charges preferred against Justice Potter and Governor Stone by The Philadelphia Press, in connection with the Pittsburg charter bill, lack the element of freshness. They were published last winter, in a general way, and were promptly denied by both Governor Stone and Justice Potter. Now, after many conferences of insurgents and Democratic leaders, they are renewed shortly before the eleventh hour of a political campaign, without giving the name of the man who made them, but shrouded in even greater mystery of anonymity than ever—yet with a degree of circumstantial detail that most positively calls for an answer in more authoritative form than hitherto given. No affidavits accompany them and no proof is given whether they emanate from a responsible man or a professional campaign liar, yet they are published by The Philadelphia Press in its largest type, attended by declarations from that journal of its entire responsibility and a bold challenge to the governor or Justice Potter to deny them if they can.

Philadelphia Record.
In May last The Press startled its readers by the publication of a Harrisburg dispatch accusing Justice Potter, of the supreme court, of having made improper disclosure to Governor Stone of the impending action of the court with reference to the contested constitutionality of the Pittsburg "ripper" legislation. The governor and Justice Potter both denied the truthfulness of the publication, but the charge was reiterated by The Press and its verity measurably confirmed by the subsequent decision of the court when announced.

The Press has republished its dispatch of May 1, with further confirma-

of the country have been heard complaints against judges who have seemed to waver in the performance of their duty and who have not always held the scales of justice firmly. This is one of the most depressing signs of the times, full of significance and danger. The American people have always, heretofore, held the judiciary in the very highest respect. They cannot permit any lowering of the standard; nor can they tolerate any looseness of personal or official conduct.

Throughout all the partisan and factional conflicts waged in our own state no member of the supreme court, and no candidate for a place therein, has ever been publicly subjected to such a grave charge as that which now confronts Justice Potter. Such flagrant disregard of propriety as this misfit appointee of the present executive is accused of, is unprecedented in the entire history of the court. Such intimate secret relationship between a justice and any other public official is mutually discreditable. In this instance the offense is aggravated on account of Governor Stone's misuse of his official powers to serve himself and a corrupt political organization. It shows Justice Potter to be himself a part of the machine. This is contempt for judicial dignity that words cannot fitly characterize. These revelations surely will make a profound impression upon self-respecting citizens regardless of partisanship.

Under such circumstances, it becomes the duty of all decent Republicans to unite with the minority party in electing Judge Yerkes to Justice Potter's place. Happily, the Democratic reform candidate is a jurist of the highest rank already, so far as ability, character, experience and learning are concerned. For nearly 20 years he has presided over the courts of Bucks county with thorough acceptability to all classes of the people, and has repeatedly been called, in a neighborly way, to fill a gap on the bench in Philadelphia, when judges have been ill. The people of Pennsylvania will make no mistake if they promote Judge Yerkes to the supreme court, but they will be grievously unjust to themselves and greatly imperil their own interests, should they vote to continue in an exalted place in the public service the Allegheny tool of Quyanism.

AN HONEST JUDICIARY

Judge Yerkes' Declaration As to the Duty of Members of the Bench.

In his acceptance of the Fusion nomination for the supreme court, Hon. Harman Yerkes thus farcibly writes: "I have the honor to acknowledge the receipt of your favor of the 12th inst. informing me of my nomination by the Union Party for the office of Justice of the supreme court of Pennsylvania. "This nomination coming to me as the unanimous expression of confidence from a convention composed of representative Republicans of the highest character, I regard as a very great honor. "In reply to your expressed belief that, if elected, I will fill the office to the satisfaction of the people of the commonwealth, regardless of political affiliations, I can only respond in the terms of my acceptance of the nomination for the same office by the Democratic party. My election will not be a partisan victory. The office for which you have named me is non-political, and I would belie my record of 18 years upon the bench and would betray and insult my supporters if, in the event of an election, I could degrade myself by cherishing a partisan or political purpose in the execution of any duty of my office, or if I should stoop so low as to allow myself or my office to be used to the prejudice of or to the favor of any party, class, interest, enemy or friend. "As a judicial officer I never have considered any man's position, class, trade or occupation, circumstances, friendships or enmities, and, God willing, I never will. My only pledge is that, if elected, I will devote all my strength and ability to a faithful discharge of the duties of my office. I will obey and uphold the constitution. I will endeavor to interpret the law justly, relying upon its sound principles, following established rules, and giving due weight to reasonable precedents. "Whatever opposition may be incited against my candidacy by any class, corporation, organization or individuals, as a result of a strict adherence in the past to these just rules of judicial duty and conduct, I shall observe them. I have an abiding confidence that the whole people of Pennsylvania, realizing at this time as never before the necessity of upholding the administration of the courts in promoting law and order, will endorse her judiciary in every effort to maintain the highest standard of duty and impartiality. "I accept your nomination upon the assurance that the contest for my election will be made not for partisan advantage but in the interest of all Pennsylvania. "With great respect, I am, "Your obedient servant,

LUZON IS DISTURBED

An Attempt to Concentrate Rebel Bands.

MORE TROOPS ARE SENT TO SAMAR.

General Chaffee Does Not Expect an Extensive Engagement—The Island of Leyte Is Also Stirred Up.

MANILA, Oct. 23.—General uneasiness prevails in central Luzon. The garrisons report that several bands of rebels, numbering twenty-five or fifty, are endeavoring to concentrate at one point. This, it is believed, is the result of General Malvar's efforts at recruiting.

Notices which were recently posted on the doors of the churches in Batangas province urge that an organization be completed in January. There is a periodical scare over this in Manila, which is fomented by the sensational papers. The editors of these journals demand that additional troops be sent to Batangas as once, as there are now only 1,200 men there under Colonel McKibbin, in addition to the metropolitan police. The native police, which can hardly be counted on, are not taken into account.

The transport Sumner sailed for the island of Samar today with a battalion of the Twelfth and Twenty-second infantry.

Governor Taft is confined at the palace with an attack of bowel troubles. He has been ordered by his physicians to remain absolutely quiet for a week.

The Philippine commission has prepared 116 laws which are necessarily most stringent. The newspapers propose to fight these laws through their lawyers. The chief objection is to the unusual powers which are conferred on the judges owing to the non-existence of jury trials.

General Chaffee does not expect to hear of any extensive engagement in the island of Samar. He believes the operations there will not result in an open fight. It is hard to find armed Filipinos, but every man without occupation will be compelled to go into a town.

It is reported that all the rifles captured by the Filipinos at Balangiga are now in the island of Leyte, where many bolomen are known to have gone from the island of Samar. In fact, Leyte is as disturbed as Samar.

The object of the re-enforcements of American troops now being pushed forward is to increase all the garrisons to thirty-eight men. Some of them have until recently numbered only eight. The re-enforcements will also allow the detailing of a working force to operate in the field, hunting for insurgents.

Ten Americans Killed.

MANILA, Oct. 19.—Five hundred bolomen yesterday attacked a detachment of forty-six men of the Ninth Infantry at Bangajon, island of Samar.

Ten of the United States troops were killed and six wounded.

The rest of the detachment reached the scene of the battle in time to prevent further slaughter.

The enemy were routed and over a hundred of them killed.

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| Eggs, per dozen | 22 |
| Lard, per pound | 13 |
| Ham, per pound | 15 |
| Beef (quarter), per pound | 6 to 8 |
| Wheat, per bushel | 90 |
| Oats, do | 50 |
| Rye, do | 60 |
| Flour per bbl | 3 84 |
| Hay, per ton | 12 00 |
| Potatoes, (new), per bushel | 65 |
| Turnips, do | 20 |
| Tallow, per pound | 04 |
| Shoulder, do | 11 |
| Side meat, do | 09 |
| Vinegar, per qt | 05 |
| Dried apples, per pound | 05 |
| Cow hides, do | 35 |
| Steer do | 80 |
| Calf skin | 80 |
| Sheep pelts | 75 |
| Shelled corn, per bushel | 75 |
| Corn meal, cwt | 2 00 |
| Bran, cwt | 1 10 |
| Chop, cwt | 1 50 |
| Middlings, cwt | 1 15 |
| Chickens, per pound, new | 10 |
| do do old | 9 |
| Turkeys, do | 12 |
| Geese, do | 23 |
| Ducks, do | 08 |
| COAL. | |
| Number 6, delivered | 3 50 |
| do 4 and 5, delivered | 4 40 |
| do 6, at yard | 3 15 |
| do 4 and 5, at yard | 4 12 |

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