

IT IS HONEST IF NOT BRILLIANT

Something About the Character of Pennsylvania's Supreme Court.

IT HAS PROVED A SAFE TRIBUNAL

The Worst Scandal in its Recent History Concerned the Finding of a Pocketbook Full of Passes Belonging to One of its Members.

"Penn." in Philadelphia Bulletin. The Supreme court in Pennsylvania has not for many years been considered a brilliant tribunal by those members of the bar who are best qualified to pass an opinion on its ability. It has been regarded as a safe and respectable court rather than as one made up of jurists of the first rank. Indeed, it has not been uncommon to hear some lawyers express a mild feeling of contempt for the learning and judicial acumen of one or two of the present members of the court. It is probable, however, that there has been no time when there have not been a similar proportion of such judges on the Supreme bench. They always are obliged to suffer the additional disadvantage of being held up for comparison with some of the great judges who have gone before them. In the legal profession the names of such Pennsylvania jurists as John Bannister Gibson, Jeremiah S. Black and George Sharawood, three of the strongest legal minds that have graced and strengthened that tribunal, are looked upon with a reverent awe, integrity, learning and judicial capacity. Compared with such men, it is probable that the four of the present Supreme court judges would not be raised in the public estimation. Yet it must be said that the Supreme court of this state has for some time past been free from any serious criticism on the score of personal worth.

Although the judges are selected by political conventions, it may be said that most of them keep out of politics, and that they are much less under the influence of politicians than is commonly supposed. It has been a long time since any of them has been accused of making a decision for purely political purposes. In fact, only one of the present occupants of the bench has ever been involved in such a suspicion. With a term of twenty-one years before him which practically amounts to life service, a judge of the Supreme court has little cause for servile fear of party masters. Even those judges who were originally chosen to the bench have not lowered their credit with the bar on that account. A noticeable example of this fact is to be found in the case of Chief Justice Sterrett, of Allegheny. He was defeated as a candidate for Supreme Judge in the general election which befell the Republican ticket in the autumn of 1877. It was then a common allegation that his intimacy with politicians would impair his usefulness. But a year or two later, when Judge Sterrett was vindicated by an election to a term which will expire in the year 1898, he quietly took his seat in the court, and has since made an excellent impression on the minds of the lawyers who have practiced before him.

It is a remarkable fact that, with but one exception, there has been no judge re-elected to the Supreme bench in the past forty years, even during the time when the term of service was but fifteen years. Several times have judges asked for re-election, but for the last thirty-five years they have been uniformly defeated. Among these were Walter H. Lowrie, James Thompson and Daniel Agnew. William A. Porter and Henry W. Williams, of Pittsburgh (not the Judge of the same name from Tioga county), were the only two who were also defeated after they had been appointed by the governor to fill vacancies.

It is also seldom that any Judge of the Supreme court has ever reached a higher position than that of Justice. The exceptions to the rule were Jeremiah S. Black, who became Buchanan's attorney general, and William Strong, who was raised to the Supreme bench of the United States by President Grant. Those that have had political aspirations have almost invariably failed in having them gratified. The Democrats once persuaded George W. Woodward to become their candidate for governor, but he was defeated by Curtin. The venerable Daniel Agnew, when his term expired in 1878, foolishly imagined that he was strong with the Democrats, and that he might become governor or senator. Judge Mercer was also strongly impressed with the idea that he might be made a candidate for governor up to the time that the leaders decided to give General Patton the nomination. The most restless of the Supreme judges in putting aside political honors was Judge Trunkley, who, if he had consented to say the word, would have been the candidate of the Democratic party for governor in 1882. Instead of Patton, the firmness with which Judge Trunkley acted on that occasion was a lesson to every Supreme court judge who may be tempted to enter the arena of political strife. Since the judges have been elected for a term of twenty-one years of service, the tendency of the members of the court has been to feel that they have been set apart and consecrated for the judicial service, and that the only avenue of distinction before them is that which leads to the Supreme court of the United States.

It has often been said that the selection of these judges by political convention is injurious to the character of the supreme court. Yet it will be found that in character, in attainments and in excellence in service the judges who have been chosen by the people since the elective system was adopted in 1851, rank as high as could be expected from any other system of selection. If we may judge at this late day from the average reputation of the supreme court judges that were appointed by the governors, there is no reason why those of the last thirty-seven years should shrink from a comparison. After all that may be said of political conventions, it is seldom that an unfit name for the Supreme bench is allowed to go before them.

The most serious charge and the one not without some ground here and there for justification, is that the Supreme court is susceptible to the influence of corporations. The railroad interests in particular have for many years endeavored to have a voice in the selection of judges and sometimes have succeeded. The power, social, official and otherwise, which may be thus moved in favor of the judges is insidious and far-reaching. Nevertheless it is a long while since any decision of the Supreme court affecting these interests has been called in question. There are some judges, however, who lay themselves open to imputation which they could easily avoid. Judge Green, for exam-

ple, at one time lost his pocketbook; when it was picked up on the streets it was found filled with railroad passes. No good judge will carry a pass or accept a private favor of any kind that might probably be construed as influencing his judgment. I don't suppose that Judge Green's travelling on the passes he lost would have cost him \$300 annually at the most if he had paid his fares, and he could have afforded to pay this rather than suffer the tart criticism which the discovery of his passes excited. The fact is the Supreme court judges, indeed all judges, and the members of the legislature should by law and not by the grace of companies, ride free while in office.

The only Democrat on the Supreme bench is Judge McCollum, of Susquehanna, and he reached his place by a curious accident. In 1888 there was a regular vacancy in the court, and the Republicans nominated Judge James T. Mitchell, of this city. As it was certain that the Republicans would elect Judge Mitchell by a large majority, the Democratic nomination went begging. When the convention met, everybody, who had been proposed for judgeship declined. It could easily have been had by Judge Arnold and finally, in sheer desperation, it was tossed to Judge McCollum. In the midst of the campaign Judge Trunkley died. Under the constitution when two places on the Supreme bench are to be filled at the same time, each party is entitled to one. Thus when fell into possession of one of the seats it was by sheer luck that Judge McCollum great prizes of his profession until the year 1915.

WHERE SALARIES ARE QUITE HIGH

Big Pay May Be Had by Competent Mine Managers.

SOME NOTABLE INSTANCES CITED

Remunerated Rich and the Road to Wealth a Sure One for Able Mining Engineers, but Young Graduates More Numerous Than the Opportunities That They Seek.

The general statement sometimes made among men interested in mines and mining, or in the branches of work open to the young graduates of the colleges, that these are not enough competent mine managers to supply the demand, has led at times to the extension of that remark into an assertion that every graduating class in the technical schools is snapped up at once, says a writer in the Sun. As English-

capital, operating mines in this country and in Africa, is perhaps the most in evidence in the mining industry it is commonly said that the Englishmen are doing this or doing that, and the statement has been made that the British mining companies are grabbing up everybody in sight. It is added that the pay is big, as the field is great, and a ready instance of the handsome remuneration awaiting these fortunate graduates is found in the experience of John Hays Hammond, who, it is said, receives \$60,000 a year.

Such statements are misleading. It is unquestionably true that there are not enough competent mine managers to supply the demand. But authorities controvert the assertion that the graduates of technical schools immediately find tempting places waiting for their appearance in the mines of the practical world. It is true that men of ability of John Hays Hammond can command very large salaries for their services in managing mines, but Mr. Hammond, when he went to Africa for \$60,000, had already shown his capability and won a high reputation in the United States. He is a graduate of Yale, but he did not step from the university into the \$60,000 place.

CATCHING "CAP" NELSON.

How a Moonshiner Got Part of the Reward Offered for His Capture. From the Washington Evening Star. "Cap" Nelson is a moonshiner whose stills in Clinton county, Ky., have never been found. The revenue officers have endeavored for years to catch him, but nearest they ever succeeded was about two years ago, the details of which were told by Thad Arnold, one of the deputies who accompanied the posse.

"We left Point Burnside," he said, "and stopped the first night in Monticello, starting early the next morning for Boston mountain, near which Nelson was known to live. As we rode up the narrow bridge path, that is the easiest way to the top of the mountain, a mountaineer met us.

"Howdy, strangers," he said. "You're new here, aren't you?" "Going to Albany?" he inquired. "Yes."

"Wall, I reckon I kin do yo'uns some good an' make an' honer's dollar," he remarked. "One of yo' all jess git down an' come hyar."

"Our leader dismounted, and the man said, 'That's a feller named Cap Nelson hyar, an' that's rewards fur 'im. Ef yo' all will bring some men hyar, I'll go halves.'"

"After a little sparring a deal was made with the fellow, who took us to a house for supper, where he said Nelson had an engagement to come that night. We watched the informer carefully and kept our weapons ready for use.

"Yo'uns all go up yander in the loft an' keep a sharp lookout. When it comes, jump right down an' capter 'im sudden. Take me, too, for my hide won't be worth a chunk of my hed an' I'll be hyar given away."

"We were a little suspicious, but kept a close watch upon the man. He was not out of our sight except when he went to feed the horses.

"About the time it grew dark there were sounds of horses' hoofs and our spy whispered up the loft: 'He'll ride up an' I'll go out an' see 'im an' stop 'im. When yo' all hear three pistol shots yo' kin know it's 'im. Git yo' critters and surround 'im.'"

"We started after the horses, the pistol shots were heard as we reached the log stable. The horses were gone, the lights were out in the cabin, and when we got back it was deserted. We finally got into the house and loosedly scrawled on a piece of brown paper was written: 'I told yo' all I'd show yo' Cap Nelson for half the \$2,000. You all et supper with him, but he don't live hyar as a general thing. He took the horses for half what you owe him for showing himself, and the rest can be sent to him at Monticello.'"

"It was the last trace we could find of him and we walked thirty miles to town, expecting every minute to be shot at."

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NEW WOMAN AND HER SUPERSTITIONS

Advanced Ideas Haven't Changed the Sex in One Regard.

THEY STILL BELIEVE IN OMENS

Some of the Notions Which Assist in Regulating the Lives of the Best and Brainsiest of the Better Halves of Mankind--What a Vassar Girl and a Virginia Girl Thought.

From the New York Telegram.

The new woman believes in the extension of suffrage to her sex, in discussing all social problems, in cancelling the word "obey" from the marriage service, in bloomers and in just as many superstitions as even her great-grandmother adhered to. The very newest woman will hop off her bicycle in a muddy road, drag an old horseshoe out of the mire, carry it home in triumph and attribute her next piece of good luck to that rusty piece of metal, because one of her sex, by habit or natural inclination and in spite of her

MADAME LAURIER, WIFE OF CANADA'S COMING PRIME MINISTER.

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THE BEST COOKS Prepare the best food with the best Shortening Cottolene. It's the worst possible luck to lay an umbrella on a bed or divan, and it is a fair warning of some impending misfortune when a picture falls. I really know of many cases where dreaming of water frequently has been followed by the death of friends, and all women seriously look for wedding cards in the mail after dreaming on real graveyard subjects. It is recognized to be bad luck to go back on one's footsteps for a thing forgotten, and the girl who stumbles on her way upstairs understands that, in spite of leap year, her matrimonial prospects are over for twelve months.

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