## the Scranton Tribune

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SCRANTON, AUGUST 6, 1897.

We assume that the citizens of Scranton will greet the returning heroes of the Scranton base ball club today with floral wreaths and a brass

Where Judges Disagree. The fact that Judges Hanna and Penrose of the Philadelphia courts have decided the direct inheritance tax enneted May 12 to be unconstitutional gives interest to the ruling, on Wednesday, of Judge Ashman, also of the Philadelphia judiciary, affirming the constitutionality of this act. In this opinion Judge Ashman confesses that discrepancies appear in the act but holds that since these do not obscure the clear intent of the act to impose a tax on personalty alone, they are insufficient to invalidate it. Proceeding thence to the essence of the act three points are specially considered; first the exemption of bequests under \$5000 in value; second, the retroactive feature; and third, the conditions as to the payment of the tax.

On the first point Judge Ashman helds that while uniformity in the taxation of estates requires that all estates of the same character shall be taxed in the same ratio; yet it is permissible to tax or exempt any fraction of such estates. Furthermore the act under review is in fact not a tax upon property at all, but upon the right of succession to property, and as such belongs to a province wherein it is difficult to assign any limit to the law-making power. In this belief the judge is fortified by numerous similar decisions in other states, one of the latest being that of the supreme court of Illinois.

With reference to the retroactive feature the opinion is less satisfactory. It dismisses the matter somewhat curtly by asserting that a retroactive law is not expressly forbidden by the constiinhibition of ex post facto legislation, which is all that bears upon the subject. Constructively this has been held by federal courts having reference to the identical prohibition in the United States constitution to apply to legislation affecting criminals, and it was proposed during the formation of the Dingley tariff bill in a parallel emergency to introduce in that measure a retroactive or retrospective clause, But here there was a division of expert opinion as to the constitutionality of such a clause and it was dropped. Common sense if not express constitutional mandate is against retroactive legislation, whatever its kind or intent.

"It may be objected, finally," says an "that the imposit the tax upon those distributees only, of estates of decedents dying before the act, who have not been paid their shares, is not uniform taxation within the meaning of the constitution. The answer seems to be that the legislature may in its absolute discretion create new classes as the objects of taxation, and may determine the composition of these classes by purely arbitrary distinctions. The only prerequisite to the constitutional exercise of this power of classification is that the tax shall be uniform as to its subject matter within the class." Here, surely, the position taken by the judge is impregnable.

The ruling adds a final word respecting the question of hardship. It points out that compared with the collateral inheritance tax the burden placed by this act upon the taxpayer is far less than even the lower rate of the tax would at first sight suggest. In any estate, for example, of \$10,000 going to four collaterals, the entire fund is taxed to 5 per cent, and the share of tax assessed against each distributee is \$125. In an estate of the same amount going to four lineal descendents only \$5,000 is taxed, which, at 2 per cent., renders each distributee liable to but \$25. This clucidation is non-essential but interesting, for it makes clear that if in equity the collateral inheritance tax has one leg to stand on, the direct inheritance tax has two.

A layman's opinion on this subject is unimportant; but we must for our own satisfaction say that Judge Ashman's view appears in the main reasonable and sound.

Governor Hastings evidently acts upon the belief that if the duties of the present be properly performed the future can safely be left to take care of itself.

## An Emphatic Endorsement.

Service Reform League, Mr. George McAneny, has prepared an interesting statement showing the genuineness and extent of the reform introduced by President McKinley in the national civil service by means of his new rule requiring that no removal shall be made from a position subject to competitive examination except for just cause and upon written charges, of which the accused shall have full notice and an opportunity to make defense. After pointing out that the plove in the departments at Washington excepting officers confirmed by the senate, certain attorneys in the department of justice, a few private secretaries and common laborers, as well customs houses and larger postoffices,

he says: "In the case of each office or employthe good of the service, that have nothare frivolous or unjust, and the officer | complicated private concern is a strangor employe, of whatever rank, will en- | er, has little room in his life for new

joy a reasonable degree of security se long as his services continue to be meritorious. On the other hand, it is is a mistake to suppose that the discretion of the department head is to be unduly limited or that there will be the slightest difficulty in getting rid chinery of government in operation." of an objectionable subordinate. The new rule provides for no form of trial, Nor is the action of the department officer subject to review by any other executive authority. All that is required is that the reasons for his action shall be a matter of record, and that if the person removed wishes to be heard before his case is finally adjudicated he may have a fair opportunity. Unless the reasons are sufficient the department officer will hesitate to file them, and if the person removed knows that they are good he will hesitate to dispute them."

Mr. McAneny adds: "The suggestion that Mr. McKinley settled on this policy only after he had noticed the popular disapproval with which reports of his Intention to do otherwise had been received is quite unfair to him. I have had several interviews with the president on this subject during the past few months. On the 2d day of July, a week before these reports were published, he assured me positively that no changes of serious character would be made, and that the exceptions other than those recommended by the civil service commision would be confined to isolated cases in which, owing to peculiar circumstances, an exception might seem necessary. When I again saw him on the 24th he spoke in the same encouraging way, adding that he would seek to improve and extend the system rather than to restrict it. I do not believe that at any time since the 4th of March the president has intended to do anything but what he now has done. I believe, moreover, that with the order of July 27 as an earnest of Mr. McKinley's disposition and purposes it is to be expected that this administration will carry the reform of the civil service very near to completion, and that for that accomplishment it will be remem bered historically."

This is testimony which carries weight. It is to be hoped that hereafter civil service reform will be what it long has not been-the real thing.

Governor Hastings won't run for senator. Senator Quay won't support Attorney General McCormick for governor next year; Israel W. Durham has not been dumped and David Martin is in status que. This represents one day's news harvest in state politics. Now that these important points tution. In the bill of rights there is an are understood, let the procession pro-

> Have Our Statesmen Deteriorated? The feature of the Forum for August which immediately attracts attention is Senator Hoar's comparison of the statesmanship of England with that of the United States. So much complaining is heard nowadays at what is called the decadence of our public men, and so frequently is this alleged decadence emphasized by magnified contrasts of our senators, representatives, cabinet officers and chief diplomats with the corresponding publle functionaries of Great Britain, quite invariably to the former's disparagement, that the opinion concerning this subject of a veteran and distinguished excepted from the contemporary depreciation, becomes really a matter of keen interest. Senator Hoar's paper is in the nature of expert testimony, and that, to laymen, is always fascinating.

The senator's contribution is not easily abridged and therefore should be read by itself; but the sallent note in it is not a denial that English publie life does offer better oppurtunities to the man ambitious for a public cureer than is afforded by public life in this country. On the contrary he points out many things in respect of which the English statesman has the advantage-as, for instance, in the fact that residence in a certain congressional district, state or section is not a requisite to perferment, and also in the further fact that the aristocratic spirit in England tends to restrict the available competition for public honors, creating in effect a governing class which may prepare its young for the public service secure in the knowledge that such preparation will not be wasted. But he also contends that the peculiar needs of the United States are calling into play the kind of statesmanship best suited to supply them. "Were Webster, or Clay or Calhoun alive today," Senator Hoar remarks, "his career as a senator must be, from necessity, of a different character from what it was. His leadership and guidance of the public thought would be exercised by writing or speech elsewhere than in the senate chamber. If Benton were living now he would be known only as an insufferable bore. The public business cannot bear the interruption of the great debates of former days. The public is impatient even of discussions which are absolutely necessary."

In expecting one kind of service from our public men which we don't The secretary of the National Civil get we stand in danger of failing to appreciate the kind of service which we are receiving. "It is," says the gentleman from Massachusetts, "nearly impossible now for a statesman who is in power in this country to be the leader of its advanced thought. His whole time and strength must be taken up in dealing with the routine duties of his office. This is true of the president; it is true of the heads of departments; it is true of the leaders of the dominant party in both houses of congress; certainly of the members of the rule applies to every officer and em- finance committee of the senate and of the ways and means of the house; of the committees on appropriations in either branch; of the members of the great law committees. The American statesman of today, who is to provide as the great body of employes in the supplies to carry on the routine of our vast administration, and so regulate conomies that the supply may be equal to the demand; to determine the ment affected it will mean that the burden and the benefit in every detail incumbent shall not be removed ex- of a tariff or a tax as it affects thoucept for reasons having to do with sands of industries; to understand every part of the complicated mechaning to do with politics or religion, ism of our government; and who goes and that may be safely put in writing, to bed every night wearied and worn An officer having the power to remove out with labors and anxieties to which will hesitate to assign reasons that the manager of the largest and most

new principles, thoughts. The country owes more than it knows to the men of both parties who have, of late years, so conscientiously and faithfully performed the great labor of keeping the ma-

It is the conclusion of his paper that the senator makes the aptest reply to the current criticisms of contemporary statesmanship. "The people of both England and America," says he, "are enlightened, honest, patriotic and free. They are able to command, and in the main do command, in each generation, the kind of public service which the needs of the generation require. If the lofty and stimulant leadership of the elder Pitt, if the parliamentary skill and resolute courage of the younger Pitt, if the independence and economic wisdom of Cobden and Bright, or the military genius of Wellington, be not found in the counsels of England today, it is be-

cause England does not need them today. When she needs them, they will be forthcoming. If the constructive statesmanship of the framers of the constitution, the comprehensive wisdom of Madison, the profound insight and dominant intelligence of Hamilton, the majestic eloquence of Webster, the chivalrous leadership of Clay, the uncompromising devotion to humanity of Sumner, the patient circumspection of Lincoln, are not now to be found in the counsels of our Republic it is because the present day demands another kind of service for the Repub-When these things are needed, they will appear."

This puts the responsibility where it

The truth about gallant old General Gomez is that he is too ancient and wary a bird to be caught by Weyler's antonomy chaff.

## Reminiscences of Thomas C. Platt

Walter Wellman, in Times-Herald. One of the last things I heard before eaving New York was that President dcKinley and Tom Platt are getting on o well together that the New York politicians are simply amazed. They had been expecting trouble, and some of them are disappointed that it has not come. nconsciously they look back to the stor-y days of 1881, when Conkling and Arhur and Platt were fighting Garfield and Saine. They are unable to see any rea-on why President McKirley should go out of his way to please Tom Platt, who was the only bitter and unfair opponent Mr. McKinley had before the St. Louis convention. Nor can they understand why Platt, who is reputed to be so much of a fighter, should be willing to "knuckle" to McKinley, whom he so savagely denounced a year ago. As a matter of act, whether these marveling politicians inderstand it or not, McKinley and Platt are both men of peace. The former is

suilding strongly for the future. Mr. Platt loves peace, too. He is much ore of a peace man than he is generally redited with being. A fellow passenger, Chief Justice Goodrich, of New York, tells me a most interesting and I think hitherto unpublished stery of the Garfield-Conkling-Platt episode. It was on a Monday that Garfield sent to the senate the nomination of Robertson to be collector. The next day Mr. Platt went to New York, and Wednesday morning told Mr. Goodrich the story which he now tells

iving the country a fine example of what

little tact and fairness will do toward destroying factions within the party and

eached the senate chamber Conkling and Platt were talking together. Arthur was in the chair, and when the message was handed him by the veteran Bassett he opened the envelope in a nonchalant, matter of course way, never dreaming that it contained the bit of political dynamite which was to kill Garfield, ruin the career of Conkling and snorten his days, and make himself president and lead indirectly to his early death.

When Arthur opened the envelope and is eye alighted upon the fatal words he urned as pale as a sheet. He clenched the gavel convulsively, as if he would use it as a weapon. Then he beckoned to Conkling and Platt, and they both walked up to the vice president's desk. Arthur handed them the sheet of paper earing Garfield's signature. hearing Garheld's signature. Conking looked at it, and an indescribably flerce expression came over his face. Arthur was simply speechless and now livid with rage. Flatt alone met the most unexpected situation with something like a alm and practical view.
"I shall resign my seat in the senate,"

"Why do you say that?" asked Arthur, ow recovering his speech. "Because this nomination means war," replied Platt, "and because I came here for peace and am physically unable to go through such a war as this is going to be. It will kill me, and the only way I can save my life is by resigning."

"Platt," said Conkling, "It will be fatal to my plans if you resign now. Promise me you will withhold your resignation for a few weeks, and if you are then of the same mind I will resign with you." Platt agreed to this and the bargain was made. Some weeks later Platt in-sisted upon resigning, and Conkling's re-signation, he below the senior senator. signation, he being the senior senator, was offered first. Platt told his friend and counsel. Judge Goodrich, of this agreement made at the vice president's desk in that dramatic moment before the nomination was laid before the senaate, within forty hours. The story told here is as Platt himself narrated it, and it effectually disposes of the "Me-too" eer under which Platt rested in silence

for many years.

There has never been anything more renarkable in the history of our politics than Platt's return to power in New York and in the country. He is now more nearly absolutely master of his party's affairs in his state than any other Re-publican leader of the north. If he can win the Greater New York campaign next fall his place vill be fixed in history as the greatest political captain of his time. He survived he faux pas which killed Garfield, rulr.ed Conkling, kept Blaine from the presidency, sent Cleveland to the White House, and caused such a great the white House, and caused such a great upheaval in the politics of the country. He has risen above personal, political and legislative scandals at Albany which would have ruined almost any other man. He has more than once been near bankruptcy as a man of business, and as a politician he has often risked everything upon the turn of a card.

Much of his time he has been fighting for his life. He has often been so near death's door that his family and friends thought all was over. Four or five times he was picked up from the floor of his private-room, where he had fallen in a faint from sheer exhaustion caused by passage of blood. For more than a year he lived on peptonized milk, nothing else passing his lips. For several years this fight for life and health continued, with varying success. All this time he was lirecting the affairs of a great corpora tion and resuming his political leadership. I am told that Mr. Platt has been to more than one state or national conven-tion from which Mrs. Platt feared he would not return alive. He owes not only his life but much of his success to the faithful care and unfailing good advice of his wife.

Under these circumstances, having won his battle for political leadership and for health, is it any wonder that Mr. Platt

seeks peace rather than war with Me seeks peace rather than war with Mc-Kinley? He cannot afford to take any other risks than those which are thrust upon him by the enemy. Of these he is likely to have a plenty in the immediate future. There are indications that another great political captain, William C. Whit-ney, is planning a rehabilitation of the New York Democracy, with a view to win-ning the great prize of control of Greater New York and Mr. Platt is thus to have New York, and Mr. Platt is thus to have a foeman worthy his steel. Platt is per-sonally responsible for the Greater New York scheme. He went into it con-vinced he could win, and thus bestride the empire state from Far Rockaway to Niagara, the greatest political Colossus of the last quarter century. Platt still thinks he can do it, but his closest friends advise him that there is trouble ahead.

### THE MINING OF COAL.

From the Philadelphia Record.

In the progessive development of pro-luctive processes the mining of coal has some to be the primary industry on which dmost every other form of human activity depends for its ways and means Neither manufacturing nor transportation nor even agriculture on any extended scale, can be carried on without a regular and sufficient supply of mechanical power; and with the machinery at pres-ent in use coal is the only source from which can be obtained either power or the which can be obtained either power of the artificial heat which is necessary in nearly all the operations in which human energy is employed. It is, therefore, of the utmost importance that the business of coal production should be relieved as far as possible of the vicissitudes and fluc-tuations to which it has long been subected, and that the relations between the capital and the labor employed in its production should be equitably adjusted and placed on a stable and permanen

It is not easy, however, to conceive of any plan by which this may be accom-plished. The miners' strike, which is at plished. The miners' strike, which is at present disturbing the peace of a number of states and checking the business of the whole country, will, no doubt, be settled in some way or other. The differences may be arbitrated, or the strike may be brought to an end by the surrender of either the miners or their employers; but no matter what may be the outcome of this contention, it is useless utcome of this contention, it is useless to hope that the forms of agreements can be other than temporary in their nature The conditions which prevail in the coal regions are such as to render a permanent settlement of the relations between the miner and his employer almost impossible. According to the testimony taken by the legislative committees which recently inquired into this matter, backed up by the observations of almost every person who has knowledge of the coal regions. the situation appears to be this: First, the possible production of the mines pened and ready for operation is greatly in excess of the needs of the coal mar-ket; and, secondly, the number of la borers of all classes in the coal regions is enormously out of proportion to the amount of work to be done. The result s excessive competition between the ope rators, which is further intensified by the fact that some mines can be worked more easily and with less expense than others, and the impossibility of giving either the miners or the outside laborers full employment even when the demand for coal is greatest.

These conditions are evidently the fund-imental cause of the disorders and agita-ions to which the business of mining coal seems to be peculiarly subject, as well as of the spirit of strife and violence which periodically seizes those engaged in it Moreover, they add greatly to the cost of production, because they involve a waste of both capital and labor even in times of peace; and while they shall continue o exist it is by no means easy to se how the operators can arrive at any agreement which will withstand the test of time either between themselves as to the quantity of coal which shall be mined and the price at which it shall be sold. or with their men as to the wages which shall be paid. There are also other fac-tors of disturbance; but these might be abated by law, and, though improbable it is not impossible that the output of the mines all over the United States might be limited by mutual agreement to the actual demand and apportioned in an equitable percentage of capacity be tween the various producers. But these reforms, while they would relieve the miners of the robbery to which they are now subjected and the operators of the risk of loss from falling prices, would not add a single day's work to the aggregate amount of labor to be done The most virulent element of disturb-

ance in the situation, as well as the mos difficult to eliminate, is the maulfest fac that all the miners cannot be fully en ployed; and there is also the further fact that no possible advance in wages can compensate them for time lost in enforced idleness. The pay which if earned every day would enable a man to keep himself and his family in comfort would mean semi-stravation if earned only three or four days a week; and as the plethora of labor now in the coal fields precludes the possibility of full employment being given to all, it certainly constitutes the gravest difficulty with which those who hope to permanently adjust the differences between the coal operators and their employes have to contend. It cannot be overcome, as was once proposed, by giving steady employment to a sufficient number of the most skillful to do the work and leaving all the rest to shift for themselves as best they can, because while this policy would no doubt in time rid the coal regions of surplus labor, it would immediately deprive a vast multi-tude of men, woman and children of all possible means of subsistence, and for a long time to come the conditions of pov-erty and suffering would be such as no erty and suffering would be such as no Christian community could tolerate in its midst. Besties, so long as cupidity shall continue to be a factor in determining human action it will scarcely be possible that the coal operators, some of whom are not noted for either humanity or foresight, could be induced to unanimously refrain from taking advantage of the precessities of the unemployed to of the necessities of the unemployed to reap immediate gain by getting their work done more cheaply.

The problem, however, is not altogethe insoluble. Other means of employment may be found for such as desire to abandon the hopeless struggle for life nder existing conditions in the coal regions. Mr. Claus Spreckels, Mr. Balling-ton Booth and others who propose to establish agricultural and industrial col-onies in various parts of the country may turn their attention to the strong, healthy and industrious men who have been drag-ging out a half-starved existence in the coal fields. If they do, and shall suc ceed in locating any considerable num-ber of these men on the unoccupied agri-cultural lands of the West-where they would, at least, be sure of enough to cat —they will probably find them peculiarly well fitted to secure the success of such enterprises; and whether their ulterior motives be selfish or humane, they will not only have aided in the practical solution of the labor problem, but they will have done a good thing for the whole country as well as for the miners.

### TOLD BY THE STARS.

Daily Horoscope Drawn by Ajacchus The Tribune Astrologer. Astrolabe cast: 1.42 a. m., for Friday, Aug. 6, 1897.

D

The faces of our sporting men who

A child born on this day will be of the opinion that the Eiks are certainly afraid of a liquid known rs water. One of the things to be dreaded is the song on Klondike that will be rendered by the scubrette with an oxidized voice furing the coming theatrical season.

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