

The Scranton Tribune

Published Daily, Except Sunday, by the Tribune Publishing Company, at Fifty Cents a Month.

The Tribune's telegraphic news is from three to five hours fresher than that of any Philadelphia or New York paper circulated in its field.

New York Office: 150 Nassau St., S. S. VREELAND, Sole Agent for Foreign Advertising.

ENTERED AS SECOND-CLASS MAIL MATTER, FEBRUARY 22, 1878.

SCRANTON, APRIL 4, 1898.

TEN PAGES.



Of course it would be sad to see the queen regent of Spain deprived of her mortgaged crown; but if the deprivation should save the life of a single Cuban victim of Spanish barbarity it would be justified in history.

Not Vengeance But Justice.

So far as the general situation in Cuba is concerned there is no occasion for congress to declare war. We should snuff the starting and recognize the belligerent in Cuba. We should go further, and say that the massacre of the innocents by Spain shall be stopped by the one means which can be relied upon to stop it finally—namely, the liberation of the island from Spanish rule.

To be sure, a declaration of war could be made and justified on the basis of the destruction of the Maine, which was in itself an act of war by Spain, not yet apologized for or in any manner disavowed.

In other words, passion at Washington should subordinate itself to justice. The United States is too big and too nearly a power to go toward its duty in Cuba vengefully and with vindictiveness. True, we have been ill treated. The deed done to our warship was diabolical. The history of mankind does not supply an instance of perfidy greater in degree or more contemptible in kind.

Senator Quay's Cuban resolution is terse, timely and sufficient. Give the Cubans recognition and ammunition, and they will be fully able to do the rest.

Good Allies.

The Cuban junta in New York has on its rolls the names of 5,000 Cubans now in this country who have signified their desire to return to their native land and enter the army of its liberation as soon as they can be spared.

Before it adjourned the last legislature of New York enacted a law which provides that "any firm, person, corporation or association of persons, or any employee of such or any other person, who in the newspapers or other periodicals of this state, or in public advertisements, or in communications intended for a large number of persons, knowingly makes or disseminates any statements or assertions of facts with respect to his, its or their business affairs concerning the quantity, the quality, the value, the price, the method of production or manufacture or the fixing of the price of his, its or their merchandise or professional work; or the manner or source of purchase of such merchandise; or the possession of awards, prizes or distinctions; or the motive or purpose of a sale, intended to have the appearance of an advantageous offer, which is or was untrue or calculated to mislead, shall be guilty of a misdemeanor."

A bill similar in its terms is likely to appear at Harrisburg next session, in which case it should be passed unamiously. This measure offers no menace to the honorable advertiser. The business man who engages in business with a view to permanency knows or soon learns that it does not pay to mis-

at Washington decides to relieve the Junta of the task of furnishing to the army of Gomez and Garcia its necessary supplies, every able-bodied Cuban in the United States will feel free to join his compatriots in the field or act with American troops in an invasion of the island. These men will form invaluable allies. They know the Spanish tongue and the lay of the land. They are strategists thoroughly familiar with all the Spanish tricks. With American aid they and their colleagues already in the field will make short work of Spanish dominion in the blood-bathed Pearl of the Antilles.

The fact that Providence has unexpectedly delayed Spain's torpedo flotilla should not cause the government at Washington to neglect the hint which Providence has thus given. The flying squadron should proceed to fly.

Legal Consequences of War.

While it is unlikely that congress will this week make a formal declaration of war against Spain, the probability that a condition of war will soon be reached lends interest to an article in the Washington Star pointing out some of the legal consequences of such a condition. From this article we now quote:

"If a general war is declared, the situation is governed by the general laws of civilized warfare, and everything that is recognized by the international code of laws may be done by one belligerent to cripple, weaken and destroy the other, even to the confiscation of property on land and sea. As a general thing, the property of a citizen of a belligerent nation found within the territory of the other nation is respected, as are the owner's life and liberty, but in this country such property could be confiscated by congress and the Supreme court, if such a course was deemed necessary as a war measure. Spain would undoubtedly confiscate all the property of the citizens of the United States within its borders, in the event of war, regardless of the laws bearing on the subject.

"Under the law of nations, a citizen of one country at war with another, in given a reasonable time to withdraw from the hostile territory. If he see fit to do so, although reasonable time is not clearly defined, in adjudicated cases it has been held that eleven months is more than a reasonable time. If, under existing conditions, congress should, through the president, issue an ultimatum to Spain that the Cubans be granted independence, war being conditioned on its refusal, there would virtually be a declaration of war the moment that Spain refused it.

"War having been declared, new civil conditions and relations immediately arise. According to one authority on international law, upon the outbreak of hostilities, the persons of the enemy are subject to imprisonment and their property to confiscation unless protected by treaty provisions. This alleged right of imprisonment and confiscation is not always enforced, however, and notice of the intention of the government in this respect, is usually set forth in the declaration of war. One of the provisions of a treaty entered into between Spain and the United States in 1795 has a direct bearing on this point. The provision in question is as follows: 'For the better promoting of commerce on both sides, it is agreed that, if a war shall break out between the said two nations, one year after the proclamation of war shall be allowed to the merchants in the cities and towns where they shall live, for collecting and transporting their goods and merchandise.'

"Among the other effects of a declaration of war, in addition to the actual hostilities, are the suspension of the remedy for the collection of debts, the cessation of all intercourse between the countries at war and the respective citizens thereof (unless sanctioned by the government or in the exercise of the rights of humanity), the suspension of contracts and the cessation of the turning of interest."

It should be added that these consequences affect only contracts between Americans and Spaniards. The amount of business done between citizens of Spain and citizens of the United States is not sufficient at this time to involve much hardship through its interruption by war. There is consolation, too, in the probability that the war will be brief.

The Scrantonian celebrated its first anniversary yesterday. The success of this publication has been a puzzle to journalistic prognosticators hereabouts. The paper was first distributed free to readers, but soon became too good to be given away, and for some months past has been delivered only to regular subscribers. If not always discreet, the Scrantonian has been fearless in all things and has earned its popularity and success by enterprise and hard work.

Outlawing Fake Advertisements.

Before it adjourned the last legislature of New York enacted a law which provides that "any firm, person, corporation or association of persons, or any employee of such or any other person, who in the newspapers or other periodicals of this state, or in public advertisements, or in communications intended for a large number of persons, knowingly makes or disseminates any statements or assertions of facts with respect to his, its or their business affairs concerning the quantity, the quality, the value, the price, the method of production or manufacture or the fixing of the price of his, its or their merchandise or professional work; or the manner or source of purchase of such merchandise; or the possession of awards, prizes or distinctions; or the motive or purpose of a sale, intended to have the appearance of an advantageous offer, which is or was untrue or calculated to mislead, shall be guilty of a misdemeanor."

A bill similar in its terms is likely to appear at Harrisburg next session, in which case it should be passed unamiously. This measure offers no menace to the honorable advertiser. The business man who engages in business with a view to permanency knows or soon learns that it does not pay to mis-

represent. Therefore the prices which he quotes in his bargain bulletins are honest prices and the quality of the goods offered for sale is as represented. Once in a while he is imposed upon, but when this is discovered he promptly repairs the injury and thus retains his patrons' confidence and respect. This kind of a dealer does not need to indulge in circus poster advertising, in lottery schemes or in hocus pocus of any kind for those who trade with him serve as living advertisements of his store.

But there is another class of business men—bunco men—who would be a better term—who promise everything and perform just as little as they can. The law heretofore has made it difficult for the victim of this kind of false representation to secure justice. Usually the men who offend most unscrupulously in this respect do not stay long in any place. They find it convenient to be on the move. Generally their moving is remembered by reason of gullible patrons and unpaid bills. In every essential their method of doing business stands on a footing in morals with that of the pickpocket and the highwayman. They are fakers who ought to be suppressed. Their suppression is demanded by consideration for the general welfare and in fairness to reputable resident merchants, upon whom falls the brunt of their competition while it lasts. The decent newspapers of the land should welcome such a law, since in addition to protecting the public at large it would also enable them more effectively than at present to protect themselves.

James McManes, the Philadelphia banker, who has just made good a big deficit in his bank, although not legally compelled to do so, is a retired politician whom the silk stocking element used to sneer at and call a boss. They know now what a true politician's sense of honor amounts to.

The treacherous destruction of visiting warships is not a programme calculated to enhance the great maritime power.

Minister Woodford, all things considered, shows up as another good example of the right man put in the right place.

Europe's "sympathy" for Spain consists chiefly in refusals to help, which shows that Europe is sensible.

North America is no place for the tactics of the Inquisition.

TOLD BY THE STARS.

Daily Horoscope Drawn by Ajaechus The Tribune Astrologer. Astrolabe Cast: 2:24 a. m. for Monday, April 4, 1898.

A child born on this day will notice that it is rather difficult for the average newspaper to avoid becoming "yellow" in this season of unrest and suspense.

The queen regent of Spain seems bloodthirsty enough to wear a whole flock of dead birds on her Easter bonnet.

Until the Spanish torpedo flotilla reaches Pittston our citizens need not become unduly nervous about the war.

The religion that causes a man to attend divine services on a rainy day has some points worthy of consideration.

Ajaechus' Advice. In the absence of anything from Mr. McKinley on the Cuban question, the message of Mayor Bailey may be perused by those who yearn for something in the message line.

War Usually Begun Ere It Is Declared

From the Philadelphia Press. A WAR draws near and shadows the sky it is just as well to sweep away the popular misapprehension that war and acts of war must be preceded by a "declaration." Of the eight larger wars in the past twenty-eight years all but one, that between France and Prussia, have been preceded by a formal declaration of war. Germany gave France a week's warning. Russia did nearly as much by Turkey in 1877. England and China declared war a month before hostilities. In 1870, Milan declared war the day he crossed the Bulgarian frontier. In 1883, as Prussia did in 1867, Japan declared war against the United States on September 25, and the Chen Yuen Jing was sunk July 29 and the Chen Yuen Jing was sunk July 29 and the Chen Yuen Jing was sunk July 29.

But while the past thirty years have made formal declarations of war familiar, the lesson and experience of history are precisely the opposite. Between 1599 and 1859 there were 107 cases in which war was begun before a declaration, and in sixty of so many cases was prosecuted without one. In the other forty a declaration was made only after a blow was struck. In only ten cases during this 150 years of European history was a formal declaration made before the fighting began.

The English wars of the opening of this century were nearly all begun without a declaration. Learning by the purchase of some papers that Napoleon and Paul intended to use the Danish fleet, of which Denmark knew nothing, the Danish vessels were sunk, and the helplessness of the anchor. In 1801 England seized four Spanish frigates on the high seas, and Lord Westmoreland, in holding them as good prizes, declared that "war without a previous declaration was neither contrary to the law of nations nor unprecedented in history." In 1822 Napoleon seized Sardinia, Sicily and Berne without a declaration of war with Switzerland, and in 1838, 1844 and 1855 the territory of the republic was crossed without notice by French, Russian and Austrian armies respectively. Gibraltar, Ceylon and Cape Colony, to name three conspicuous instances, were seized without any declaration. Ceylon in 1815, destroyed a Dutch fleet on the Hooghly while England and Holland were at peace. "Sink the Dutch," he wrote to his subordinate, "and I will give you the official orders tomorrow." In 1861 France

seized Holland; in 1866, Prussia Hanover; in 1870, Napoleon Saxony, as Frederick the Great had before him, and England laid hands on Egypt and the Danish fleet without notice to anyone concerned.

Following these numerous precedents, in 1812 we seized every English vessel in our harbors to keep the news at home, and June 16, by act, declared that war existed. Several battles had been fought with Mexico before President Polk declared that "war existed by the act of Mexico." In 1835 Portugal seized the Spanish colony of the Plate or Argentina and lost it—all without war. Spain, in 1838, invaded Portugal, as France in 1857 had invaded Spain, and in the former instance each country kept its envoy at the capital of the other. English troops were at once landed in Portugal, and a formal declaration of war was made by England was at war with neither country. In 1827, at Navarino, the Turkish fleet was destroyed, and each flag in action was hoisted over an embassy in Constantinople. For ten years after this date France and England were occupying Turkish territory, as occasion demanded. The two wars, the Holstein wars, in 1818 and 1863, came without a declaration, and in countless cases disputed territory has been occupied without notice of hostilities.

Long and abundant precedent therefore exists for action by a nation without a formal declaration of war. The aggrieved nation can treat the action as war, but that is for it to decide. The nation which acts is within the rights established by the centuries of precedent if it maintains our rights, and if it does not, it is at strife or to protect its own interests it occupies territory, seizes a port or even deals with the military force opposed to it.

AN EXCELLENT EXAMPLE.

From the Washington Star. One of the national banks of New York has announced that in the event of such dictatorial acts as will require the services of the national guard on duty the salaries of certain employees who are members of the militia will not be stopped, but will be paid as usual, and that they will not be so treated as a punishment for such a reason. This policy, if generally adopted, is calculated to strengthen the forces of the government materially.

In case of war or riot the banks and similar institutions would be among the first to need protection, and it is fitting that so good an example of public spirit should be shown in this manner. The militia force is the country's first line of reserves. It is the substantial backing behind the merely skeleton organization of a standing army. The hundred thousand men or so composing the government-aided militia companies in the various states would, in time of war, become immensely valuable by reason of their training in the use of arms. The business interests have in most cases adjusted themselves to the proper theory with regard to this force. The men have been encouraged to enter the ranks of the citizen-soldier, their membership has not been made to involve them in the fear of rendering aid to their country directly resulting from actual participation in active service.

There should be a minimum of sacrifices involved in the enlistment of a young man in the guard. It may be that many men who would form admirable guardsmen are deterred from joining because of the fear that their families may suffer from a failure of income when they are obliged to attend encampments or to go forward for the stern duties of war. The reluctance of the business community upon this force is unmistakable. It cannot be forgotten that in very many cases the prompt presence of the guardsmen in the field or in the line of battle has resulted in a pacific outcome. Millions of dollars in property values have doubtless been saved in this manner. The debt of the commercial world to the militia is too heavy to be quickly estimated, and the proposition of the New York bank is in fact a paying at least the interest on this indebtedness.

THAT TORPEDO FLOTILLA.

From the Chicago Inter-Ocean. As a matter of abstract theory, there can be no question that Spain has a right to send her warships where she pleases on the high seas. She has a perfect right to send them to any of her colonies. She has a moral right to prepare, by so doing, to defend her possessions against this country in the face of the fact that the United States is assembling a fleet, plainly for hostile purposes, at Key West.

But that is not the main point in the departure of this flotilla. It is the first time that such vessels have been sent across an ocean. They are needed for fighting against the Cubans, for the Cubans have no navy. Their only mission on this side of the Atlantic is to sink our battleships and cruisers and their cargo not have been sent across the water for any other purpose. This action is as distinctly hostile, therefore, as if we had sent a flying squadron to be deployed off the coast of Spain for days and weeks before hostilities should come, ready to pounce upon that nation's commerce at an instant's notice. Spain's course would be a menace of war on our part, Spain's act in sending her fleet of torpedo boats outside of home waters, their proper province, amounts to the same thing.

WILL SOON BE SAFE.

From the New York Sun. It looks as if Havana harbor would soon be safe for American ships and American men.

IF.

For the Tribune. While all are fretting, fuming or the wearisome delay, And are swift to tell the public What we'd do or what we'd say— If the final consummation Just ahead of our command, And the world could be set righting To the music of the band; Did we ever stop to ponder What the result would be, If it had to take its orders From the lips of you or me? And the sudden skyward antics Of our gallant navy, too, If it had to start instanter When we told it what to do? —H. C. P.

Baby Carriages

Just received a carload of Carriage and Go-Carts. A large variety of styles and prices. If you intend to buy the baby a carriage we can surely please you.

THE CLEMONS, EPP & O'BALLEY CO. 422 Lackawanna Avenue.

GOLDSMITH'S G. B. BAZAAR.

Easter Fragrance

Mingled with the joyous feelings of Easter-tide, by the

Special Sale of Harrison's Perfumes

At Our Notion Counter.

Harrison's Quadruple Extracts, formerly 25 cents; now 19 cents per ounce.

Harrison's Sextuple Extracts, formerly 39 cents, now 29 cents per ounce.

The stock we have on hand we know to be all right. But, since the manufacturers have broken faith with us, we cannot afford to take any chances upon their maintaining the quality of their goods in the future. We have it in Jockey Club, White Lilac, Crab-Apple Blossom, Heliotrope, White Rose, Lilac Blossom, Nigronette, Lily of the Valley, Sweet Pea and other extracts. They are all in bulk and can be tested before buying.

Easter Parasols and Sun Umbrellas are receiving marked attention by us. The prettiest we ever saw. Can be shown you all this week.

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in endless variety is arriving daily. It is of the "Boyle & Mucklow grade," which is sufficient guarantee of its style and quality. Before making your spring purchases we would be pleased to show you our line. Everybody buys at the same price.

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BRASS BEDSTEADS.

In buying a brass bedstead, be sure that you get the best. Our brass bedsteads are made with seamless brass tubing and frame work is all of steel.

They cost no more than many bedsteads made of the open seamless tubing. Every bedstead is highly finished and acquired under a peculiar method, nothing ever having been produced to equal it. Our new Spring Patterns are now on exhibition.

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Garden Tools, Pruning Shears, Pruning Saw, Timothey Mowers, Wheelbarrows, etc.

FOOTE & SHEAR CO., 219 N. WASHINGTON AVE.

FINLEY'S Easter Dainties

Special Offerings For Easter Week

In Ladies' and Gent's Fine Umbrellas, New Parasols, New Gloves and New Fancy Hosiery

Elegant Assortment of Ladies' Silk Petticoats, Fancy Ribbons, Scarfs and Sashes,

and a new line of Babies' and Children's Fine Hats and Caps

Our Glove Offering for this week will consist of 50 dozen Real Kid, 2-clasp, our regular \$1.00 Glove, all the leading shades, at 89c.

25 dozen best \$1.25 Glove shown, at \$1.00.

(For this week only,) And the "Le To be a glove" failor-Made mass, in Castor, Grey and Black only, at \$1.50.

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FRANG'S BEAUTIFUL BOOKLETS, CARDS AND NOVELTIES, THE LATEST AND MOST VARIED, SELECTED LINE OF THE BEST BOOKS, SPECIAL BINDINGS, AT 25 PER CENT DISCOUNT. THE TIME IS RIFE TO MAKE THE BEST SELECTIONS.

Sing for the merry Easter-ids, May joy and love with thee abide.

REYNOLDS BROTHERS.

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General Agent for the Wyoming District for

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Orders received at the office, first floor, Commonwealth Building, room No. 5; telephone No. 264 or at the mine, telephone No. 272, will be promptly attended to. Dealers supplied at the mine. WM. T. SMITH.