

Scranton Tribune
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TEN PAGES.
SCRANTON, MAY 3, 1906.
FOR VICE-PRESIDENT,
CHARLES EMORY SMITH,
OF PENNSYLVANIA.

REPUBLICAN NOMINATIONS.
State.
Congressional Large—C. L. SHAW, A. G. BROWN, ROBERT H. FORD, JOHN H. HARRISBERGER.

Legislative.
First District—THOMAS J. BRYAN, JR.
Second District—JOHN SCHIFFER, JR.
Third District—EDWARD JAMES, JR.
Fourth District—P. A. PHILLIPS.

Is Governor Patterson willing, but does not seem to think the chances of victory in the vice-presidential contest warrant the invitation of danger from over-training.

The Carter Case.
AN INVESTIGATION of the frauds charged to have been perpetrated upon the government by Captain Oberlin M. Carter, now serving a sentence in the military prison at Leavenworth, Kan., has been made by an expert accountant detailed by Attorney General Griggs, and the result is that the government's loss is officially computed at \$2,000,000, of which Carter's share was only about one-third.

In another column appears a chronology of this justly-celebrated case, which shows that eleven years have been required even under the swiftest methods of military law, to work out substantial justice on the engineering side. But, as the Engineering News, to which we are indebted for the chronology, says, the same evidence that proved Carter guilty, "logically, though not legally, proved guilty those who conspired with him. If they now escape all punishment for a crime thus publicly proven, what a precedent it will establish! If the United States government is thus powerless to punish those who conspire to defraud it, those who engage in river and harbor work, the construction of public buildings or such great enterprises as the Isthmian canal, will take notice and govern themselves accordingly. If the precedent is established that wealthy and influential contractors for public works can thus rob the government and escape punishment, the way of every honest engineer and honest contractor is made more difficult.

We will not believe, until we have to, that Carter's co-conspirators are to escape. But the delay in rounding them up is certainly discouraging.

The contemplated action of congress for the protection of song and insectivorous birds is a step in the right direction that has not been taken any too soon. The work should begin with the fixing of heavy penalties for selling air guns, shotguns and other weapons with which fond parents teach their children to become destructive at an early age.

To Be Investigated.
ONE RESULT of the exposure made by the New York Sun of the scheme of James D. Richardson to speculate in the literary property of the government under his personal copyright, of a commercial edition of the "Messages and Papers of the Presidents" has been the introduction of a bill by the house judiciary committee providing for a revision and new edition of the "Supplements to the Revised Statutes," one clause of which reads:

"The work and plates and all right and title therein to be in and fully belong to the government for its exclusive use and benefit."

Another result has been the introduction in the house by Representative Babcock of a resolution directing the public printer to issue 15,000 additional copies of the public document entitled "Messages and Papers of the Presidents," and the introduction in the senate by Senator Gallinger of a similar resolution, calling for 20,000 copies, 10,000 for the use of the senate, 10,000 for the use of the house, and the remainder, if any, to be held by the superintendent of documents "subject to the future action of congress."

Mr. Richardson, who as member of the committee on printing got congress to give him duplicate plates of the "Messages and Papers," and then organize a company to sell the books under the misleading representations now fully exposed, and who, while doing this little commercial turn on the side managed to prevent any further issue of the messages by congress for free distribution, is to be the subject of a congressional investigation, before which it is hoped that he will make a better defense than any which has thus far been published.

that Mr. Gorman has no hopes of getting a free trip to the Paris exposition as the most popular presidential candidate on a newspaper coupon vote.

Upon the American indemnity question the sultan is no doubt paved with good intentions.

Postmaster General Smith.

PROPHET is without honor save in his own country. The people who expected that the silence of the Harrisburg convention would end Charles Emory Smith's name in connection with the vice-presidential nomination are mistaken. The omission of the Pennsylvania state convention to endorse Mr. Smith has not been accepted and will not be accepted by the balance of the country as possessing the slightest significance in the matter of his availability.

Nobody contends that his name on the national ticket would cost the party a solitary Republican vote in the state on account of his antecedent factional issues. On the contrary, the belief obtains that Mr. Smith's nomination for the vice-presidency would materially add to the popularity of the ticket in the state.

The Harrisburg convention settled nothing as far as Mr. Smith and the vice-presidential nomination is concerned. The Philadelphia convention will not be influenced by the conditions that controlled at Harrisburg. The convention wants an available man who will be absolutely acceptable to the president and who will be his peer in every way. The party demands such a candidate for the vice-presidency. Mr. Smith meets the requirements. There may be others. There are others. But with the single exception of Governor Roosevelt no name in this connection has stood the test of public criticism so successfully as Charles Emory Smith.

The two men are not unlike. Both attained the highest official distinction by methods of their own. Both are men of indomitable energy. Both are active, zealous, indefatigable workers. It was Roosevelt who defied the antiquated machinery in the war department in meeting public emergencies incident to the Spanish war. Besides developing and directing the domestic postal service with conspicuous ability, Postmaster General Smith has quickly apprehended and mastered the new duties and responsibilities incident to the establishment of the American postal system in our foreign possessions. Under his direction "our postal service rode along on the very crest of the wave of expansion, landing on the shores of Cuba, Porto Rico and the Philippines with the vanguard of our victorious armies and delivering mail to the men in the trenches."

By his own energy and by his own methods the postmaster general overcame apparently insuperable obstacles in the accomplishment of this result. The emergencies demanded uncompromising firmness and unerring judgment. The way had not been blazed by any antecedent experiences. He made his own methods and ruthlessly destroyed every inch of departmental red tape that stood in the way of his speedy execution. A prospective postal delinquency appropriation never disturbs him. The postal service, in his estimation, is a great business enterprise; under his direction, consequently, the service has attained its highest efficiency.

Mr. Smith has been to the postoffice department what Roosevelt was to the war department. Both are men of great activity. Both men are gifted with quick perception. They are original men in their methods. Both are in the prime of manhood and in robust health. Either name on the presidential ticket this year would honor the Republican party. Roosevelt declines. The party needs Charles Emory Smith.

The get-rich-quick man has been sentenced to prison for ten years. This will probably be a case of get-out-slow.

To Regulate Interstate Commerce

THE LONG fight to induce congress to give vitality to the interstate commerce commission, a battle in which the railroads have thus far proved uniformly victorious, still continues and is probably destined to continue until the interests of the public receive the fair protection which they demand. Before the present congress the fight turns upon senate bill No. 1428, amending the interstate law. A synopsis of its principal features is appended, with comments by William S. Warren, president of the Chicago board of trade:

"The first section absolutely prohibits railroads from charging more for a short than for a long haul, over the same line and in the same direction, unless they have first obtained permission of the commission so to do. The present law has the same prohibition under similar circumstances and conditions," but the courts have decided that the competition of other railroads made such "discriminatory circumstances and conditions," that the carriers were absolved from obedience to its terms. This decision absolutely nullified the long and short haul clause in the original law, since there is hardly a railroad station in the United States where there is not competition enough to bring the carrier under the exception noted by the court. The next section provides for the publication of their tariffs by the carriers, and forbids any change in them on less than 60 days' notice, except the commission authorize it. This change in the law is in the direction of stability in rates, and there is no danger to the carriers, since the commission are authorized to shorten the time in case there is any necessity for so doing. The next section directs the commission to make and thereafter

maintain, a classification of freight which shall be uniform throughout the United States. The importance of this is shown by the action of the carriers, in making by changes in classification taking effect Jan. 1st last, a practically surreptitious advance in rates of from 5 to 45 per cent, on several hundred articles of staple merchandise.

The next section exempts the shipper from the criminal penalties of the law, except when he obtains reduced rates by fraud, when he is subject to a maximum fine of \$5,000. This will render his testimony easily compellable, and aid in enforcing the law as against the carrier. The imprisonment penalties of the present law are entirely gone away with, and the carrier, its officers and agents who violate the law, are punishable by fines running up to \$20,000, and in some cases as high as \$10,000 a day. This change in the law does away with the objections of the railroad officials, who have heretofore claimed that they would not furnish the testimony which might send a brother official to prison, but would furnish it when it would only mulct his corporation. It is quite likely this change will lead to severe punishment for the corporations in the way of heavy fines, in cases of future violations of the law under it.

"Another section provides that when, after a full hearing, the commission finds a carrier in violation of the provisions of the law, in the order requiring it to desist from such violation, they shall prescribe the thing which it must do or cease to do, in order to bring itself into conformity with the provisions of the law, and in so prescribing, the commission shall have power (a) to fix a maximum rate covering the entire cost of the service; (b) to fix both a maximum and minimum rate or differential in rate, when that may be necessary to prevent discrimination under the third section; (c) to determine the division between carriers of a joint rate, and the terms on which business shall be interchanged, when that is necessary to an execution of the provisions of this act; (d) to make changes in classification; (e) to amend the rules and regulations under which traffic moves as to bring them into conformity with the provisions of this act. The carrier may at any time within 30 days of the service of such order upon it, appeal to the circuit court of the United States, and this court may in its discretion, under certain circumstances, suspend the operation of the order pending the hearing of the case, and either party may appeal from the decision of the circuit court to the Supreme court of the United States, where the case must have preference over all others except criminal cases. In case no appeal is taken from the order, or in case the appeal is not sustained, the order goes into effect at the time fixed in it, which must not be less than 30 days from the time of service upon the carrier. In case any carrier or any of its officers or agents disobeys, or fails to obey such an order, it or they shall be fined \$5,000 for each offense, and in case of a continuing violation, each day shall be considered a separate offense. This provision, by giving to the order of the commission the effect of the decision of a court, will enable the commission to protect the public from any wrongs, which an examination may show it is suffering at the hands of the carriers. At the same time no injustice is done the carrier, since an appeal to the Supreme court of the United States always lies in its hands and it is here that the life, liberty and property of every citizen finally rests. The commission are further authorized to prescribe the form in which the carriers shall keep their accounts, and to inspect the same by their authorized agents, much as National banks are now examined, and any falsification of such accounts is made a misdemeanor and punished by a heavy fine."

It will be observed that this bill is based upon the theory that the interstate commerce commission, if it exists at all, should have something definite to do and should have power sufficient to enable it to do so. We consider this theory sound.

Prophet Brigham Roberts has been vindicated in his own country; which fact also vindicates congress in firing him.

A LOYAL REPUBLICAN.

From the Troy Times.
Former Senator M. S. Quay, of Pennsylvania, sets an example which some of his revilers might well imitate. Asked as to his plans for the future, now that he is no longer a senator by narrow vote, lacking but one to give him a majority, he has decided against admitting him to Governor Stone's appointment. Mr. Quay said: "This is no time for me to accept a call. We have a national campaign before us, and there is too much at stake to pursue a policy of that kind. The Republican party of Pennsylvania cannot divert from its principles or its purposes by such expediency as to accept a call in the senate. Pennsylvania has been true to Republican principles by overwhelming majorities on national candidates for forty years, and will continue on that line. There is no reason why the action of the senate should be resented by Republican voters upon the nominees of their party. My administration has been excellent. It has fulfilled all pledges of the platform of 1888. In fact, it has done more. It carried to a successful issue a war with one of the military powers of Europe, has extended the jurisdiction of the government not only to the islands in the Pacific, but beyond, with an empire almost within sight of the shores of Asia, besides the West Indies, and the elimination entirely of a troublesome neighbor. And added to this, an unbounded prosperity. The Republican organization of Pennsylvania will do its duty. It will also settle with those who have been trying to overthrow the honest and true career of the state. There is in that declaration far more of honesty and fairness and of fidelity to high public duty and party responsibility than can be found in the utterances and actions of Mr. Quay. He will not allow personal feeling to influence his course, but will be faithful to the public welfare and the party principles. Senator Quay has done the Republican party an effective service, for which it owes him grateful recognition. He has suffered more abuse, vilification and persecution than any other contemporary Republican in our country. But where is there another who has shown greater loyalty or less vindictiveness?"

Its Strange Aspect.
"This is Mrs. Gusheligh's portrait, is it?" said the caller. "I should hardly have recognized it. The child doesn't look at all like her." "Perhaps," suggested the husband of Mrs. Gusheligh, "you have never seen her in her proper attire."—Chicago Tribune.

Like a Fish.
"Outside—A man is a lot like a fish; isn't he? Wagstaff—How so?
"Outside—If he wants to stay in the swim he'd better keep his mouth shut."—Tammany Times.

DUKE D'ARCOS.



Duke D'Arcos, Spanish Minister at Washington, who, according to a cabled statement, is to return home, to succeed Dupuy de Lome as Under Secretary of State, the latter going to Italy as Ambassador. D'Arcos' successor at Washington has not yet been named.

Chronology of the Carter Case

Here is the extraordinary record of twist, turn and squirm in the case of Captain Oberlin M. Carter, late of the United States engineers, who was the first officer of the engineering corps to disgrace his uniform by cheating his country that had educated and honored him. Carter is at least in prison, where he belongs; but the civilians who shared in his thefts are still at large and defiant.

1880, May 31.—Sworn statement made by W. R. Curtis, an assistant engineer in the government, concerning the discovery of irregularities in the conduct of the Savannah harbor work.
1887, Aug. 21.—General P. C. Hains, division engineer, instructed to proceed to Savannah and conduct an investigation of the charges against Captain Carter.
1887, Sept. 7.—General Hains made a report unfavorable to Captain Carter, the whole matter was laid before the secretary of war, and Captain Carter, then in London, was ordered to report at Washington.
1887, Sept. 21.—A board of engineer officers, Colonel Gillespie, Major Raymond and Major Adams convened at Savannah to inquire into the charges against Captain Carter.
1887, Nov. 13.—Board of engineers presented its report recommending that Captain Carter be tried by court martial. The examination of the board was most thorough, occupying nearly two months. A great number of witnesses were examined and the entire record of the inquiry was over 1,000 pages in length.
1887, Dec. 2.—Court martial ordered to meet at Annapolis, on Jan. 12, for the trial of Carter.
1887, Dec. 20.—Copy of formal charges and specifications transmitted to Carter.
1888, Jan. 12.—Trial by court martial begun.
1888, April 20.—Court martial adjourned, and its findings reported to secretary of war. Records of the trial were sent to the president.
1888, July 5.—Judge-advocate general reported to secretary of war his approval of the findings of the court martial.
1888, July 12.—Report of board of engineers referred to judge-advocate general's office for examination and preparation of formal charges.
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1887, Sept. 27.—Final oral plea for Carter made by MacVeagh.
1887, Sept. 29.—Attorney-General Griggs reported to the president his opinion that Carter had been proved guilty on the principal charges against him.
1887, Oct. 1.—President McKinley approved findings and sentence of court martial. Captain Carter placed in military prison at Fort Mifflin.
1887, Oct. 3.—Carter's attorneys obtained writ of habeas corpus on claim that both fine and imprisonment cannot be imposed for the same offense.
1887, Oct. 4.—Habeas corpus case argued before Judge Lacombe.
1887, Oct. 24.—Judge Lacombe rendered decision denying writ of habeas corpus. Appeal taken to United States Court of Appeals.
1887, Nov. 1.—Wayne McVeagh made plea to the president for commutation of Carter's sentence.
1887, Jan. 9.—Carter's appeal argued before United States Circuit Court of Appeals.
1887, Jan. 21.—Court of Appeals affirmed decision of Judge Lacombe.
1887, Feb. 1.—Petition for writ of certiorari made to United States Supreme court by Carter's attorneys.
1887, Feb. 2.—Court of Appeals granted stay of execution of Carter's sentence pending action of Supreme court.
1887, Feb. 27.—Supreme court refused petition of Carter's attorneys, who obtained a writ of error returnable before United States Supreme court, March 25.
1887, April 9.—Petition for writ of error argued before United States Supreme court, and later refused.
1887, Dec. 8.—Federal Grand Jury at Savannah, Ga., indicted B. D. Crozes, John F. Gaylor, Edward H. Gaylor, William T. Gaylor, M. A. Conolly and Oberlin M. Carter on the charge of conspiring to defraud the government, the same charge on which Captain Carter was found guilty by court martial.
1887, Dec. 11.—Indicted parties, except Conolly, surrendered themselves in New York to United States Commissioner Shields. Bail was accepted, and Dec. 22 set for examination.
1887, Dec. 23.—Hearing before Commissioner Shields adjourned one week by agreement of counsel. Adjournment curiously reported to be to enable John F. Gaylor to take a wedding journey.
1887, Dec. 20.—Examination begun before Commissioner Shields. Adjourned to Jan. 3. Continued on Jan. 3 and 4. Adjourned on latter date to Jan. 16.
1887, Jan. 10, 17, 18, 19.—Proceedings continued before Commissioner Shields. Adjourned on last date to Jan. 24.
1887, Jan. 24.—Proceedings resumed, adjournment taken to Jan. 27.
1887, Jan. 27.—Proceedings resumed, but witnesses' defense not ready and case adjourned to Feb. 1.
1887, Feb. 1.—Examination of witnesses concluded.
1887, Feb. 2, 3.—Summing up of counsel before Commissioner Shields.
1887, Feb. 10.—Commissioner Shields decided there was "probable cause" to hold the indicted persons.
1887, Feb. 12.—Application for warrant for removal of indicted persons to Savannah made to Judge Brown, in United States District court. Feb. 17 set for hearing of arguments on application.
1887, April 3.—Federal grand jury at Savannah made formal indictment calling attention of

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EMMA: I don't care what they contain, they are just wonderful.