

TWO CENTS.

SCRANTON, PA., TUESDAY MORNING, DECEMBER 18, 1900.

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SESSIONS OF SUPREME COURT

Two Cases That Will Decide the Status of the Philippines and Porto Rico.

DIAMOND RING QUESTION

A Soldier Returning from the Philippines Claims That as the Islands Belong to the United States, No Duty Should Be Charged Upon Articles Brought from That Country. Constitutional Phases of the Situation—Arguments Made and Cases Cited.

By Exclusive Wire from The Associated Press.

Washington, Dec. 17.—In the United States Supreme court today argument was begun in two cases, the decision of which is expected to fix the status of Porto Rico and the Philippine Islands and other insular possessions acquired through the war with Spain with respect to the United States proper; to say whether the people are citizens, and to indicate whether the constitution follows the flag.

One of the cases is that of John H. Goetze, who in June, 1899, imported cigars from Porto Rico in quantity of ten thousand into the United States through the port of New York and protested against the assessment of duty on the importation, claiming that the tobacco was not subject to duty because "Porto Rico at the time of the annexation was not a foreign country, and because therefore the imposition of duties on goods brought from a place within the territory of the United States is not lawful and void under the constitution. The collector of the port and the board of general appraisers both ruled against him, as did the United States circuit court for the Southern district of New York, when Goetze took the case before that tribunal. From the opinion of that court the importer appealed to the United States Supreme court.

The other case is known as the Fourteen Diamond Ring case. In that suit the claimant is one Manuel Pepke, who served as a soldier of the United States in Luzon in the Philippines. While there he purchased, or acquired, the rings in question and brought them into the United States without paying duty upon them, between July 31 and September 25, 1899. The rings were seized on May 18, 1900, at Chicago by a United States customs officer as liable to duty, which should have been imported and brought into the United States contrary to law. An information for the forfeiture of the rings was filed on behalf of the government, June 1, 1900, to which the claimant pleaded, setting up that at the time he acquired the property Luzon was a part of the territory of the United States and that the seizure was contrary to the claimant's rights as a citizen of the United States under the constitution, and particularly Section 2, Article IV, thereof, and he insisted that under Article I, Section 8, congress is required to see that all taxes and duties shall be uniform throughout the United States, and to this plea the United States demurred upon hearing of the demurrer, the district court gave judgment of forfeiture for the government. This judgment the claimant removed into the Supreme court by a writ of error.

ON INDUSTRIAL CONCILIATION

Conference Held at Chicago Under Auspices of the National Civic Federation.

By Exclusive Wire from The Associated Press.

Chicago, Dec. 17.—A conference on "industrial conciliation and arbitration" under auspices of the National Civic Federation began here at 10:20 o'clock today. Secretary J. H. Eastley, of the National Civic Federation, declared that the numerous labor captains present from various points of the country formed a good return on the invitations sent out. The conference has as its object the striking up of public sentiment by means of intelligent discussion between representatives of labor and employer, rather than taking definite action, although it is not unlikely that some resolutions giving the sentiment of the conference on the best ways of dealing with the industrial disputes will come up before the close of the meeting Tuesday night. The audience during the forenoon listened with close attention to the variety of views presented by the speakers. President Samuel Gompers, of the Federation of Laborers, presided. He will speak tonight. The conference was called to order by Franklin MacVeagh, chairman of the committee on arrangements. Carroll D. Wright, United States commissioner of labor, followed. He was greeted with applause.

Mr. Brown refreshed the main features as to the session of Porto Rico with the circumstances of the enactment of the tariff law of 1897 and the imposition of the duties on the goods of Goetze. The main contentions, he said, were that Porto Rico was not a "foreign country," as contemplated by the tariff act and that Porto Rico was within the United States so that an import duty against the goods of Porto Rico would be in violation of the constitutional provision that "all duties, imposts and excises shall be uniform throughout the United States." Mr. Brown remarked that the counsel who had opposed this view had maintained that Porto Rico was a part of the United States only in a Pickwickian sense. It was conceded, he said, that "the people of the United States constituted an absolute sovereign nation; that the power to declare and carry on war had been delegated by the people to its constitutional agents and that this includes the power to occupy foreign territory subject only to the rules and usages of civilized warfare under international laws.

It was also conceded, Mr. Brown said, that the people had delegated the power to add permanent acquisitions to its territory. But with these concessions, Mr. Brown declared that the people had established certain constitutional limits never to be transcended. This case was something more than one of ex proprio vigore. It went to the extent of denying the right of any branch of government to transcend the limitations laid down by the constitution. He closed his brief introductory presentation of the case by referring to its momentous character, which he and his colleagues regarded as the most profoundly important that they ever had been called upon to present.

PITTSBURGH TRACTION CASE SETTLED.

By Exclusive Wire from The Associated Press.

Philadelphia, Dec. 17.—After numerous legal steps and delays the counter equity suits between William L. Elkins, P. A. B. Widener, George W. Elkins, William Flinn, Joshua Rhodes and M. K. McMillan, plaintiffs, and Drexel & Co. and Whitney & Stephens, defendants, have been amicably settled. The litigation arose over the consolidation of traction lines in Pittsburgh.

By Exclusive Wire from The Associated Press.

Wilkes-Barre, Dec. 17.—The strained relations which have existed for some time past between the Kingston Coal company and its 1,500 employees, culminated today in a strike. The firm and pump runners were allowed to remain at work.

INVESTIGATION OF BOOZ CASE

The Military Board of Inquiry Begins to Hear Evidence at Bristol.

TESTIMONY OF PARENTS

The Father of the Dead Student Tells of Letters Received Describing the Tortures Inflicted Upon the Victim—A Mother's Opinion of the Conduct of Superintendent Mills. Testimony of Physician—An Unwilling Witness.

By Exclusive Wire from The Associated Press.

Philadelphia, Dec. 17.—The taking of testimony in the case of Oscar L. Booz, the West Point cadet who died two weeks ago from injuries which his parents allege, were inflicted at the West Point military academy, was begun today by the board of inquiry appointed by the secretary of war. Three sessions were held during the day, two at Bristol, the home of the Booz family and a short session in this city late in the afternoon. The members of the board, Generals Brooks, Clous and Bates, accompanied by Captain Dean, of the Fifth artillery, who acted as recorder, arrived at Bristol at 10:30 and shortly afterward went into session. The court sat in the study of Rev. Dr. Alexander Allison, the pastor of the Bristol Presbyterian church, which adjoined the Booz home.

The witnesses called were William H. Booz, father; Mrs. Sarah Booz, mother; Nellie Booz, sister of the young man; the Rev. Dr. Allison, Dr. Weaver, a Bristol physician, who attended Oscar Booz, and several others. Little of the testimony was new, after hearing all the Bristol witnesses, the board made a flying visit to this city, where it took the testimony of Dr. J. Sells Cohen, who had Oscar under treatment at 8. Cohen, a former classmate of Oscar Booz. The board left for New York tonight and will sit at West Point tomorrow afternoon.

Hearing at Bristol.

Bristol, Pa., Dec. 17.—The military board of inquiry appointed by the secretary of war to investigate the charges made by relatives and friends of Oscar L. Booz, the former West Point cadet, that he came to his death on December 3, at his home here, as the result of hazing by fellow cadets at the academy two years ago, began the taking of testimony here tonight. The father of the dead student, testified on the lines of his recent published interviews. He said his son had written him of the brutal treatment he had received in hazing; how he had been forced to fight an expert boxer, how he had received in the boxing a severe head blow, and furthermore, that tobacco sauce had been forced down his throat, while he had been tightly held by a number of the upper class men.

Mr. Booz told of his son's return to his home in broken health and spirits and that he was finally forced to take his bed, from which he did not arise. He said his son stoutly refused to reveal the names of the students who persecuted him.

Mrs. Booz also testified of her son's complaints in letters to her of the brutal treatment he received at West Point. She said her son never told a lie and never acted a lie. She thought Superintendent Mills, of West Point, should be made to apologize for calling her son a liar. Nellie Booz, a sister of Oscar, also testified, and she had complained to her of ill treatment received in hazing at West Point. She said he had told her that if he had not swallowed the tobacco sauce he would have been strangled. They were holding him down and he could do nothing else.

Doctor Refused to Answer.

Dr. Weaver, the physician of the Booz family, testified that when Oscar left for West Point he was in robust physical condition, but when he returned home a few months later he was pale and thin. On examining Oscar's throat after his return he advised him to consult a Philadelphia specialist, which he followed.

Dr. Weaver refused, for professional reasons, to answer the question of General Bates as to whether tobacco sauce would dissolve the boy's throat. He was informed that he was in contempt of court but the board would not exact any punishment.

Rev. Dr. Allison in his testimony paid a high tribute to the character of Oscar Booz. He had received a letter from the student shortly after he had gone to West Point in which Oscar had told of ill treatment he had received and added that it was hard to be a Christian at West Point.

Some other witnesses were examined without the elicitation of any thing new and the board then adjourned to meet at Philadelphia later in the day.

At Philadelphia, Dr. J. Sells Cohen, a throat specialist, testified to having treated Oscar Booz. He said the latter's case was a hopeless one. He said he had noticed on examination he found Booz had an old injury in the throat. He could not tell how long he might have been troubled with the affection. He thought if tobacco sauce had been forced down Booz's throat it may have made him more susceptible to the disease.

Strike at Shamokin.

By Exclusive Wire from The Associated Press.

Shamokin, Pa., Dec. 17.—Twelve hundred men and boys at Shamokin, operated by the Shamokin Coal company, struck today because fifteen blacksmiths and carpenters had not given the ten per cent. increase in wages.

TREATY VOTE ON THURSDAY

The Senate Reaches an Agreement on the Hay-Pauncefote Affair.

BUSINESS IN THE HOUSE

Under Suspension of Rules Important Measures Concerning Kentucky and West Virginia Are Passed. A Fine Tribute is Paid to Representative Charles A. Boutelle. Upon Request of Mr. Littlefield He Is Placed on Retired List.

By Exclusive Wire from The Associated Press.

Washington, Dec. 17.—Just before adjournment late this afternoon, the senate gave its consent to the fixing of a definite time to vote upon the Hay-Pauncefote treaty. Senators Money and Mason had occupied the time of the executive session in making speeches upon the treaty, and when Mr. Mason, who was the last speaker, concluded, Senator Lodge renewed his request to take a vote next Thursday. No voice was raised in opposition and the unanimous agreement was recorded. The understanding is that the voting shall be on the amendment at 2 o'clock, and that the senate should continue in session until the first vote on the treaty itself is reached.

ROYAL MARRIAGE BEING ARRANGED

The Projected Alliance Between Prince Charles and the Princess Asturias.

By Exclusive Wire from The Associated Press.

Madrid, Dec. 17.—General Aznar, the premier, in full uniform, read today in the chamber of deputies, a royal message announcing the projected marriage of the Princess of the Asturias to Prince Charles, second son of the "Don" Carlos, king of Spain, accompanied by the other ministers, he proceeded to the senate chamber, where the message was again read.

A committee is drawing up a reply to the message, unanimously favoring the alliance. It is reported, however, that at a private meeting Senor Sagasta, former liberal premier, decided to vote against the marriage.

For some months, it has been asserted in responsible journalistic circles in Spain that the chief of the dynasty, King Alfonso XIII, in consequence of his well-known personal devotion to the queen regent and to the Alphonse branch of the Bourbons, would not refrain from stating in the cortes in the name of his party that he must censure the marriage of the heiress of the throne to the son of a Bourbon, a Bourbon of a man who was chief of staff to the pretender in the last civil war, when Don Carlos was confronted by Alfonso XII, father of the present king and the princess.

RUHLIN AND MAHER FIGHT SIX ROUNDS

The Consensus of Opinion of Spectators Is That Ruhlín Had the Best of the Bout.

By Exclusive Wire from The Associated Press.

Philadelphia, Dec. 17.—Fus Ruhlín and Peter Maher met tonight at the Penn Art Athletic club in a six round contest that proved to be one of the fastest and most furious bouts of that length between heavyweights which has been seen in some time. Under the local laws governing boxing no decisions are permitted. Judgment as to the outcome being left to the spectators. The consensus of opinion was that Ruhlín had by far the better of the fight and clearly outclassed the Irishman, notwithstanding Maher put up one of the gamiest battles that he has in some time. Both men were apparently in excellent shape and from the first sound of the bell to the end of the fight went at it hammer and tongs. Maher was especially active in the first three rounds, after which he did not show the same form, but apparently avoided the heavy swings of Ruhlín. Attendance, 4,000.

TO SUPPRESS TRAIN ROBBERY.

Representative Ray Proposes a Death Penalty.

By Exclusive Wire from The Associated Press.

Washington, Dec. 17.—Representative Ray, of New York, today introduced a bill "for the suppression of train robbery in the territories of the United States and elsewhere." It provides the death penalty for those guilty of a "robbery" in case the death of any person on the train results.

Steamship Arrivals.

By Exclusive Wire from The Associated Press.

New York, Dec. 17.—Arrived: Victoria, from Naples; Umberto, Liverpool; La Chamagagne, Havre; Cleared: Kaiser Wilhelm III, Naples and Genoa. Arrived: Nordland, from New York; Gibraltar—Arrived: Columbia, New York for Naples and Genoa. Sailed: Aller (from Genoa and Naples), New York; Liverpool—Arrived: Ecuria, New York; Lizard—Passed: Potsdam, New York for Rotterdam.

DEATHS OF A DAY.

By Exclusive Wire from The Associated Press.

New York, Dec. 17.—Justice Henry R. Beckman, of the supreme court, died in front of his residence on West Seventeenth street today. He had just left his home to go to court. Mr. Beckman was 55 years of age. He had a long career he was recognized as a man of unusual attainments, and when Abram S. Hewitt was nominated for mayor he demanded that Henry R. Beckman be named on the ticket with him as the Democratic candidate for president of the board of aldermen, realizing that Mr. Beckman would frequently be called upon to assume the duties of acting mayor. Mr. Hewitt was ill for some time after his election, and the president of the board of aldermen by virtue of the office acted as the city's executive.

Industrial Commission.

By Exclusive Wire from The Associated Press.

Philadelphia, Dec. 17.—The industrial commission began a special session at the Manufacturers' club here today, and representatives of all the important industries in Pennsylvania have been invited to appear.

Porter's Neck Broken.

By Exclusive Wire from The Associated Press.

Wilkes-Barre, Dec. 17.—John Nasser, a porter employed at the Luzerne hotel, Luzerne borough, near here, fell down stairs this morning and broke his neck.

THE NEWS THIS MORNING.

Weather Indications Today.

PARTLY CLOUDY; WARMER.

MR. CLEVELAND SPEAKS OUT

His Opinion of the Democratic Party Expressed to a Correspondent of the Atlanta Journal.

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"In my opinion the great need of the Democratic party is a return of first principles. The Democratic party has not been fatally disorganized, but it sadly needs rehabilitation on purely Democratic lines.

"What is the matter with the party? It has in my humble judgment simply wandered off after strange gods. A large mass of Democratic voters saw this before the last election. They remained quiet but when the time came to vote, they said: 'This is not Democracy,' and they refused to support it.

"As I see it, it is the duty of Democrats everywhere to aid in the rehabilitation of the party. There are some signs of an insistence upon the necessity of a return to Democratic doctrines in the south but they are not so general as I would like to see."

"What of the future?" was asked.

"With a sincere return to its old time doctrines," Mr. Cleveland replied, "the old time victories of the Democratic party will certainly be won."

COLLISION OF STEAM AND TROLLEY CARS

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The coal train was on the crossing, but the motorman could not hold his car, owing to the wet rails. When the crash came the passengers were thrown in all directions, and the car smashed into kindling wood.

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Capital Question Is Not to Be Settled Place of Milner's Residence.

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