

THE TIMES.

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SAURDAY, JULY 15, 1905.

STREET CAR OFFENSES. Yesterday the TIMES printed a brief account of the conviction before the Recorder of four young men for using obscene and profane language on a street car, giving the names. Before publication the TIMES was requested by a person feeling an interest in one of the young men to withhold his name, stating that the Palladium would not print it, and arguing that the case was a "very little thing," anyhow.

BATTLESHIP BUILDING CONTEST. A spirited contest is on between the battleships Connecticut and Louisiana to see which shall be first completed, the building of each beginning at identical times nearly, the former by the Government in the Brooklyn Navy Yard and the latter by contract at Newport News. The contest has been close, and to the surprise of the naval constructors the Connecticut has fallen behind the Louisiana.

THE WORLD'S GREATEST ARMY. Should the battle be fought in Manchuria in preparation for which Japan and Russia have been massing their forces, greater numbers would be engaged than in any previous battle in the world's history. The Japanese to-day have six armies in the field, composed of twenty-six divisions, and totaling a force of at least 600,000 men.

A GROWING SILK INDUSTRY. The silk manufacturing industry of this country is making exceptionally rapid progress. Not only has the quality of the merchandise coming from American looms greatly improved, but the production has doubled in volume during the last few years.

RUSSIA'S NEW PEACE COMMISSIONER. The general opinion is that the appointment by the Czar of Sergius Julius Witte in the place of Murej vief, as the head of the Russian Peace Commission that is to deal with Japan makes for lasting peace, since he has the real tact that feels the right way to a goal.

PLAINS, September, 1877, 180,000. Sedan, September, 1870, 244,000. Gravelotte, August, 1870, 300,000. Gettysburg, July, 1863, 435,000. Gettysburg, July, 1863, 220,000. Salferino, June, 1859, 294,000. Waterloo, June, 1815, 217,000. Leipzig, October, 1813, 472,000. Borodino, September, 1812, 251,000. It will be seen that in the greatest battles of the past, sometimes not one quarter, often not one half, the

number of men were lined up, which now confront each other Southwest of Kirin. The present difficulty of Japan is not in finding men, but in feeding the immense force which she has at the front. But on account of the water transportation, the problems which confront the Japanese in this respect are not as serious as those which confront the Russians. Indeed, if the Japanese should succeed in cutting the Siberian Railroad in the rear of General Liolevlitch, something not impossible, since their force apparently outnumber the force of the Russians nearly two to one, it would be necessary for the Russians to surrender, to fight or to starve.

Whatever you are, do not be a grafter. It is distinctly unpopular, these days. A Maine newspaper inadvertently got the headlines, "News About Lobsters," over the "local mention" or personals about the prominent citizens. An Adirondack hunter, the other day, seeing something "moving" and thinking it might be a deer, shot at it. It proved to be a boy—not a messenger boy, however.

Through a contribution received in the United States Treasury the present week, the conscience fund, which was established in 1811—graff is no child of to-day merely—was carried beyond the \$400,000 mark. The recent developments in the Equitable scandal remind the writer of a letter to the New York Evening Post of the saying of Panurge, that he "had one hundred and forty odd ways of getting money, of which the most honest was plain theft."

Well, why express surprise? The big packers, like all the big grafters, never bore into the public with anything so small as petty larceny augers. They bore with big augers. The Kansas Emporia Gazette says that Ellihu Root, for Secretary of State, "is the man for the place." He "is honest, and his wide culture and depth of mind has given him an exceptional amount of sense. He is one of the few men in American politics who may be depended upon all ways to know the right and to do it. He is efficient in his honesty, and wise in his courage."

The rumor that Lloyd C. Griscom, minister to Japan, is to replace Loomis as Assistant Secretary of State has been taken by the Baltimore American (Rep.) seriously. It says: "Mr. Griscom is rarely equipped for a diplomatic position in the home departments. With the close of the Japan-Russian war great questions will arise between this country and Japan, and Minister Griscom of all officials will be equipped to deal with them and advise as one who for three years has made a keen analysis of the peculiar spirit of the Orient."

Perhaps it would be well to turn another Joseph L. Bristow loose in the office of the statistician in the Department of Agriculture. This administration has proved its sincere purpose to uproot graft and grafters in the Government service. It has already done a great deal and it will have the cordial support of the public in continuing to probe, wherever necessary, for proofs of venality and corruption.

Ayer's Cherry Pectoral. Best for light colds. Best for heavy colds. Best for croupy coughs. Best for desperate coughs. Best for grandparents. Best for grand children. Ask your doctor.

efficiency, so that it has become a commonplace but well advised remark that he has done more for the material advancement of Russia than any other man of his time. Russia might do well to import more statesmen, since her autocratic, bureaucratic ways are not of the sort that breed statesmanship.

HUSTLING FOR NAVAL RECRUITS. Excellent results are attending the efforts of the naval recruiting parties in the field. There are now five of these parties traveling through the country. Each party spends a week in city or town. The average is about thirty recruits a week, but recently one party succeeded in obtaining ninety-one recruits in eleven days, and the officers in charge of the party were commended in an official letter from Rear Admiral Converse, the chief of the Bureau of Navigation.

The London Teller gives this sample of Scotch wit: On board one of the Fourth pleasure steamers, which have to be built with exceedingly light draught to get over the frequent shallows of the river, a Yankee tourist remarked to the captain, a shrewd old Scotoman, "I guess, skipper, that you think nothing of steaming across a meadow when there's been a heavy fall of dew." "That's so," replied the captain, "though occasionally we have to send a man ahead w' a watering can."

There is an interesting anecdote given in the Boston Herald of a Mr. Capen, an old resident of one of the seaport towns of Massachusetts. He is now employed as driver of the coach which conveys travelers from the trains to the hotel. One Saturday evening in the latter part of September three men arrived on the afternoon train from Boston. Mr. Capen was sitting on the driver's seat of the coach waiting to take them to their destination. They looked about the station, and evidently were not favorably impressed by the surroundings, for one man was heard to say: "What a desolate country! We certainly have come to the jumping off place this time. I don't believe we can even get a Sunday paper in this place, can we, driver?"

WASHINGTON, July 15.—Forecast till eight P. M. Sunday: For Eastern New York—Fair and cooler to-night, Sunday fair and cooler on the coast; fresh Northwesterly winds, diminishing. For Western New York—Fair and warmer to-night and Sunday.

Local Weather Report. For 24 hours ending at 8 a. m. July 15, 1905. Time: Bar. 30.00. Dir. W. Vel. 5. State of Sky: C. Clouds: 10. Precipitation: 0.00. Maximum temperature: 75. Minimum temperature: 55. Maximum velocity of wind: 3. Direction of wind: W. Stationary barometer during the day, followed by a rapid rise of the barometer, and a change in temperature during the day, but a rapid fall during the night. Light to brisk westerly winds, veering to North during the night.

Work for Bristow? New York Tribune. Perhaps it would be well to turn another Joseph L. Bristow loose in the office of the statistician in the Department of Agriculture. This administration has proved its sincere purpose to uproot graft and grafters in the Government service. It has already done a great deal and it will have the cordial support of the public in continuing to probe, wherever necessary, for proofs of venality and corruption.

RIGHT AND LEFT. The report that Miss Ethel Barrymore is to wed is one of the interesting announcements this week. The prospective bridegroom is Harry Graham, late of the Scots Guards and former Private Secretary to Lord Rossberry. It is said that the wedding will take place soon and that Miss Barrymore has no intention of leaving the stage.

Lulu's mother heard a great splashing in the bathroom, says Judge, and upon investigation found her little daughter standing by the partially filled tub in a very embarrassed condition. "Why, you see, mamma," she explained, "I've been trying to walk on the water, and it's no fool's job, let me tell you."

A writer in the Pall Mall Magazine tells how wonderfully elephants act as timber pliers. Their intelligence, at times, seems almost human. "Presently," he writes, "with one accord, all the elephants dropped work and moved in the direction of the sheds. 'That means it's 11 o'clock,' said the foreman. 'Dinner hour! Not for King Edward himself could we get them to do a stroke of work from now till 3. It's their off time. At 3 they begin again, and work till dusk, and they start about six in the morning, but they don't understand overtime!'"

In questioning the dictum of Job Burroughs, that cats and other animals do not think, the Springfield Republican asks how about the Laconia cat that found it difficult to catch the abundant English sparrows in his New Hampshire village, and evaded the scheme of planting himself with his back to the street where the sparrows congregated, and watching them in the reflections of a plate-glass window? He has played this game for a long time, not being deceived by the window, but when a sparrow gets within jumping distance, then the cat leaps and gets his victim. Is not this reasoning?

A twelve-year-old boy who has been supporting his mother by singing in the beer gardens of Cleveland has been befriended by John D. Rockefeller. Last Sunday the boy, who has an unusually fine voice, sang in the Euclid Avenue Baptist Sunday School, of which Rockefeller is Superintendent. The boy's singing made such an impression upon the old king that he sought an interview with the boy's mother, and gained her grateful consent to his proposition that the lad be taken from the beer gardens and educated. Rockefeller to pay all expenses of his education and to support the mother in the meantime. Evidently the mother and son have no qualms of conscience about "talented money."

It seems that the electric fan, a boon to suffering and wretched humanity in many instances, is not an unmitigated blessing. The latest ailment is "electric fan cold," quite common among clerks in shops and stores where the fan is used. It is often accompanied by a sore throat because the draught made by the fan carries so much dust with it. "The fan is," says an authority, "that the air stirred by the fan is not fresh air, unless the fan is backed up against an open window. When operating in an inside room or in similar places where it is most appreciated, the fan sets the same air over and over, and this air gathers up and keeps in motion all the available dust."

An old story revived and just as good as ever, is the following from Harper's Weekly: A Scotch minister instructed his clerk who sat among the congregation during service, to give a low whistle if anything in his sermon appeared to be exaggerated. On hearing the minister say, "In those days there were snakes fifty feet long," the clerk gave a subdued whistle. "I should have said thirty feet," added the minister. Another whistle from the clerk. "On consulting Thompson's Concordance," said the minister, in confusion, "I see the length is twenty feet."

Still another whistle; whereon the preacher leaned over and said in a stage whisper, "Ya can whistle as much as ye like, MacPherson, but I'll no take another foot off for anybody!"

"Scotty," the Denver miner who has made a whirlwind entrance into public notice by his record-breaking trip from Los Angeles to Chicago in his special train, for which he paid \$5,000, was formerly a poor mining prospector. He discovered a bona fide gold mine in Death Valley, in the Mojave Desert, however, and at once proceeded to spend his money as fast as possible. His record-breaking railroad trip cost him about \$10,000. The harder on the train was stocked like that of a prince. He took along his wife, two bon companions, several prose representatives, and last, but not least, a mangy yellow dog, picked out of the streets, for which "Scotty" bought a \$1,000 diamond collar. "Scotty" said he was going to give the dog "the time of his life." "I am going to feed him till he's almost bums," said his latest Monte Cristo, "for I was a yellow dog once myself."

THE CALEB POWERS CASE. Why it Was Transferred from the Kentucky State Courts to the Federal or U. S. Courts. New York Tribune.

The assumption of jurisdiction in the Caleb Powers case by the United States District Court for the Eastern District of Kentucky will have the effect of carrying to the federal court of highest resort some interesting legal and constitutional questions. It will also further complicate a case which the Kentucky State courts have vainly tried and retried and which even without this latest intervention would have attained celebrity in legal annals. Powers, the defendant, is indicted for complicity in the assassination of William Goebel, who at the time he was shot in the Capitol Square at Frankfort was a contestant before the Legislature for the office of Governor. The murder was apparently a political one. Its object being to prevent the seating of Mr. Goebel, who though finally defeated at the polls had secured a Democratic Legislature into certifying to his election. The fiercest passions were unloosed by the Frankfort tragedy and the politicians who inherited Goebel's power have found it to their interest to keep alive the hatreds and prejudices then excited. The spirit of vengeance which they nourished clamored for a victim, and for the last four years the machinery of justice in Kentucky has been working overtime to fasten on certain suspects responsibility for the Goebel murder.

The mystery of the shooting however remains unsolved. One man, Youstey was put behind the bars—chiefly on admission of his own guilt. But his sanity and competency as a witness have been seriously questioned. Powers, another defendant has been repeatedly tried and repeatedly convicted in the famous Judge Cantrell's court at Georgetown. But in each instance the Kentucky Court of Appeals has set aside the verdict. Special complaint has been made by Powers and his attorneys of the methods followed in his arrest, the selection of the jury, the selection of the trial judge. Political prejudice has been charged, and the court has been accused of manipulating the jury lists so that only Goebel Democrats were admitted to service. In the last appeal to the higher State court special stress was laid on this count. But though the Court of Appeals set aside the verdict on other grounds, it announced that it could not interfere with the lower court's manipulation of the panel or with its decisions on the right of challenge.

Council for Powers thereupon entered an appeal to the United States courts asserting that Kentucky was denying to their client the equal protection of the laws guaranteed to every citizen of the United States under the Fourteenth Amendment to the Federal Constitution. The Federal District Judge after a study of the record, accepted this view and took jurisdiction in the case. The prisoner was handed over to the Federal authorities, and is now in the custody of a United States marshal, awaiting the result of an appeal which Kentucky will take to the Federal Circuit Court for the Sixth Circuit. In time the case will reach the Supreme Court at Washington. The point raised involves an interpretation of the Fourteenth Amendment which will prove of vital interest. The use by any State of its courts and juries to enforce political prescriptions or weak political reprisals should be challenged and rebuked. If Kentucky denying Powers his rights under the Constitution, the United States must protect him. The transfer of his case to the Federal courts is to be welcomed, since it makes it certain that this much tried defendant will suffer no wrong through undue local prejudice or outright political persecution.

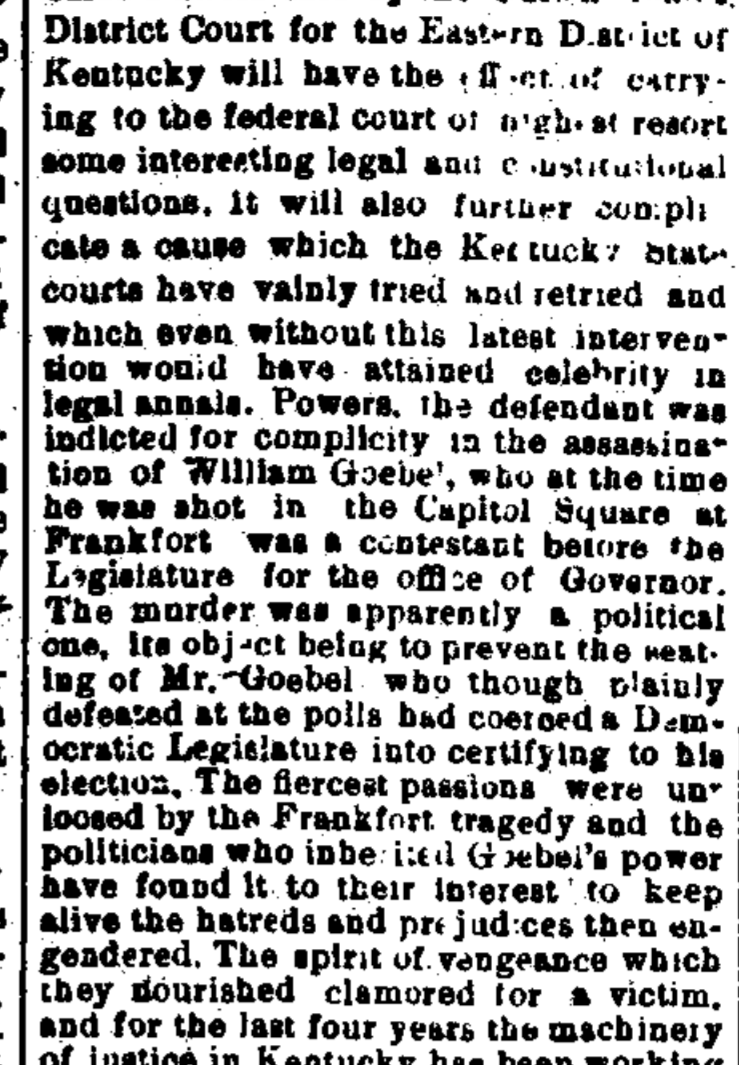
A Grand Old Man. Belmont, (Pa.) Times. Port Matilda can boast of perhaps the most remarkable man in the country in the person of William Lewis, who next January will be ninety-one years old. Notwithstanding his age, he shoulders his axe and, with dinner bucket in hand, walks two miles to the mountain, cuts and peels one cord of paper wood every day, for which he receives \$2 a cord, and walks two miles back to his home in the evening. This he has done all summer and is doing now, but as the weather is, and he doesn't consider it anything remarkable either.

Not "Dummy" Directors. Syracuse Post-Standard. Nicholas Murray Butler, Nevada N. Stranahan, Charles E. Littlefield and D. Cady Herriek will add an assortment of good qualities to the Equitable Board of Directors. They are not dummies. At the moment Gov. Higgins is in a very small minority in the matter of opposition to immediate insurance legislation, temporary in character if necessary, for the protection of policy holders, and in that small minority are to be found every one of the past and prospective looters of the Equitable Assurance Company, if there be any prospective looters with the tenacity to hold to their predatory programme in the presence of the incomparable Cleveland, the judicial O'Brien and the disinterested Westinghouse.

The Age Limit. Troy Times. Another knockout for Oslerism. A Western railroad company three years ago adopted the rule not to engage new employees over thirty-five years old, has rescinded the regulation. The company now takes on at least 50 per cent of its men without regard to age, and considers only experience and adaptability to the service required. The Boston & Maine management some time ago announced that it would hire help without considering age, and the Chicago, Milwaukee & St. Paul and the Chicago Burlington & Quincy Railroad companies have definitely abandoned all arbitrary restrictions based on age. Undoubtedly this is the day of the young man, but mature judgment and capability are still marketable commodities.

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Republican Nominations. For Sheriff: HENRY HILTON. For District Attorney: WILLIAM B. BAKER. For Superintendent of Poor: ARCHIBALD S. GUTHRIE. For Special County Judge: FREELON J. DAVIS. For Member of Assembly 1st District: THOMAS D. LEWIS. For Member of Assembly 21st District: FREDERICK G. WHITNEY. For School Commissioner 1st District: WARREN D. GARDNER. For School Commissioner 2d District: WILLARD C. RICHARDS. For School Commissioner 3rd District: HERMAN W. KANDY.

INSURANCE INVESTIGATION. Demand for Legislative Action Grows. Gov. Higgins Still Opposed to It—May Split with State Machine. Battle against Grangers Probable. ALBANY, July 13.—A special to the New York World says: The public demand for an investigation of the insurance companies continues to grow stronger. The Governor and his kitchen cabinet, composed of Collector of Customs N. N. Stranahan, Superintendent of Insurance Hendricks, Superintendent of Banks Kilburn, and Commissioner of Public Works Franchot, are still opposing the demand for such an inquiry.

All the practical and experienced politicians in the Republican party of all factions are urging the Governor to send in a special message recommending the creation of a small joint committee to investigate not only the Equitable but all insurance companies, and to make a report to the next Legislature embodying the suggestions for more satisfactory laws. The office-holding class composing the board of strategy and advice to regulate the administration of the Governor is, however, not alone in its opposition to a legislative investigation. The insurance lobby is against one. So is every Senator and Assemblyman who voted to defeat cheap gas in New York City and also the principal supporters of the Niagara Power Grab bill. These men do not favor a legislative investigation, but for very different reasons from those advanced by Gov. Higgins.

Ex-Governor Odell, boss of the Republican State machine, a majority of the members of the Republican State Committee, such prominent leaders in the Senate as Brackett, Malby, Stevens and Page, and an overwhelming majority of Republican members of the Assembly, believe that nothing short of a thorough and complete legislative investigation is adequate in the present crisis. An open break between Governors Higgins and Odell is not improbable.

Mayor Expected to Act. Attorney-General Mayer fully realizes the necessity for immediate action. It is not improbable that he will institute proceedings against several of the most prominent officials and directors of the Equitable within the next week. In the meantime the members of the Legislature in attendance at the Hooker trial are urging the Governor to grant the demand of the people for a thorough and open investigation of the affairs of the Equitable and other companies. Nearly every Senator and Assemblyman of importance has expressed the opinion that there is no other way out of the troublesome situation. Notice is hereby given to all parties owing accounts to the estate of the late Ed. Deiste, that such accounts may be paid at Deiste's Paint Store, West Bridge Street, during the present month. Thereafter they will be placed in the hands of an attorney for collection. Rev. J. W. Chasvina, Executor of Est. of Ed. Deiste. 10d1w