

# Muckraking the Governor

Samuel W. Pennypacker  
Battles Philadelphia's Press

by William C. Kashatus

"...the country press endeavors to ascertain and further the interests of the people around them. In the large cities, what is popularly called 'Yellow Journalism,' with its gross headlines, its vulgar and perverted art, its relish for salacious events and horrible crimes, and all the other symptoms of newspaper disease, is gaining foothold."

Governor Pennypacker  
Address to the General Assembly,  
January 3, 1905



Cartoonist Nelan suggests how the Governor may review the State troops without risking life and limb on a real horse.

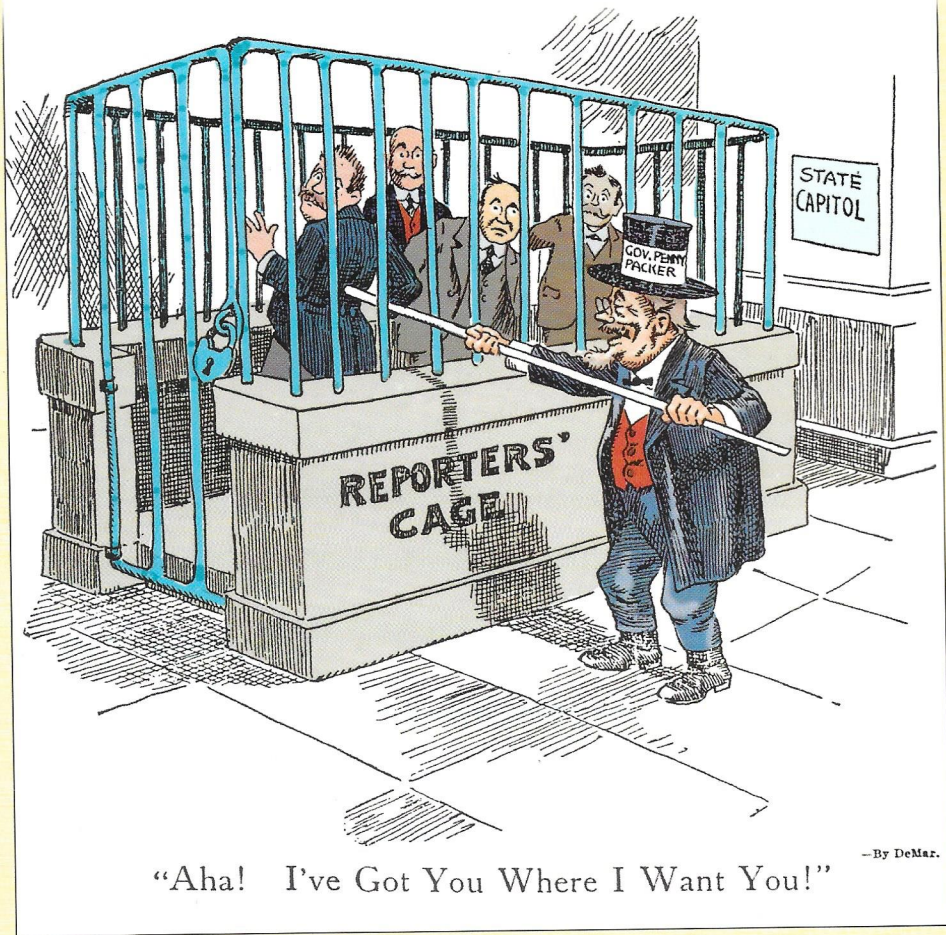
When Governor Samuel Whitaker Pennypacker (1843-1916) laid the cornerstone for the present-day State Capitol in Harrisburg, on Thursday, May 5, 1904, he was determined that this would be no ordinary building.

Inspired by the many grand and opulent public edifices that had been built in eastern cities and throughout Europe, he intended that the new capitol would exalt Pennsylvania's status as the keystone state of the nation.

On Thursday, October 4, 1906, fifty thousand spectators thronged the dedication of the magnificent building. Covering two full acres of ground, the capitol—whose circumference measured more than one-half mile—contained four hundred and seventy-five rooms, fifty-five more than the United States Capitol in Washington, D.C. Governor Pennypacker proclaimed it “the most elaborate and complicated constructive work ever undertaken by the State.”

President Theodore Roosevelt, the principal speaker for the ceremonies, was presented with a gold key to unlock the mammoth doors, prized for their exquisite bas-reliefs. Roosevelt exclaimed to the crowd of people behind him as he entered the building, “These are the finest bronze doors I have ever seen!” As he made his way up the steps of the palatial building, its entrance flanked by statuary created by George Gray Barnard, *Work and Fraternity* and *Burden of Life*, the president stepped upon the multi-hued tile floor manufactured by Henry Chapman Mercer's Moravian Pottery and Tile Works, of Doylestown, Bucks County. The tiled floor gave the appearance of an exotic rug with nearly four hundred vignettes of birds, animals, industry, science, occupations, and transportation. Murals throughout the building depicted people, places, and events in the Keystone State's history. Parquet flooring, oak wainscoting, and crystal chandeliers decorated many offices.

Despite its grandeur, the State Capitol



“Aha! I've Got You Where I Want You!”

*The Philadelphia Record took issue against legislation to punish libelous reporting.*

quickly became a weapon for Philadelphia's muckraking press in an ongoing political struggle against the Republican governor. State Treasurer William H. Berry, a Democrat, was suspicious of the final cost estimate. After an investigation, he charged Pennypacker and the Board of Public Grounds and Buildings with spending millions more in state funds than it should for furnishings and decorations.

The press seized on the notion of a “capitol graft scandal.” The *Philadelphia North American* charged that Pennypacker “looked the other way” as contractors, charging by volume, amassed bills of more than five million dollars for little more

than one million dollars worth of furnishings, including fees “for the air space under tables, chairs and desks.” Pennypacker immediately countered the criticism, pointing out that “other great public buildings cost more and took longer



*Attorney Samuel W. Pennypacker (facing page, inset), about 1867. The Philadelphia's North American lampooned the governor for inspecting the National Guard on foot instead of horseback. The governor at Pennypacker Mills, circa 1907 (right). The controversial capitol (above) drew the wrath of newspaper reporters..*

to build. He added that the expenditures were made without increasing taxes, without appreciably decreasing the balance in the State Treasury, and without incurring additional indebtedness. "All that indicates," replied the Philadelphia *Public Ledger*, dismissing the governor's defense, "is that the State revenues were large in proportion to the needs of the government." Under those circumstances, the newspaper argued, Pennypacker had an "obligation to reduce the burden of taxation, or to provide funding for necessary public works," instead of spending public funds on such extravagance.

This controversy was the final round in a stormy, five-year relationship between Pennypacker and Philadelphia's muckraking press, which considered his administration to be the "most shameful in Pennsylvania's constitutional history." The governor's detractors claimed that his nomination was "bought," his election was "crooked," and state government was "marked by blatant corruption." They also believed he attempted to "stifle the most fundamental liberties of the citizens." Pennypacker was a victim of Progressive Era politics: a scholar by nature who had good intentions, but one who lacked the resolve to fight the corrupt Republican machine that swept him into office.

The Progressive Era was characterized by a reformist impulse that sought to help the poor, the immigrants, and the working class, while also putting an end to corruption in government. Progressives used the press to voice their concerns, ushering in a new generation of investigative reporters, christened "muckrakers" by President Theodore Roosevelt (see "The Lady and the Titan" by Lisa Gensheimer in this issue). Competing intensely for readers, editors eagerly published articles that exposed corruption and evils in American society and government. Philadelphia's publishers were among the most notorious in the nation.

Samuel Whitaker Pennypacker was born in Phoenixville, Chester County, on April 9, 1843, the second of six children, to Isaac A. Pennypacker and Anna Marie Whitaker, members of influential southeastern Pennsylvania families. Isaac, a physician, served as the first burgess (equivalent to mayor) of Phoenixville. Anna Marie's father, Joseph Whitaker, owned a prosperous ironworks and served in the state legislature. Young Pennypacker enjoyed an education befitting the privileged son of an affluent physician, at the West Philadelphia Institute, a private school that emphasized the classics. Shortly afterwards, Isaac contracted typhoid

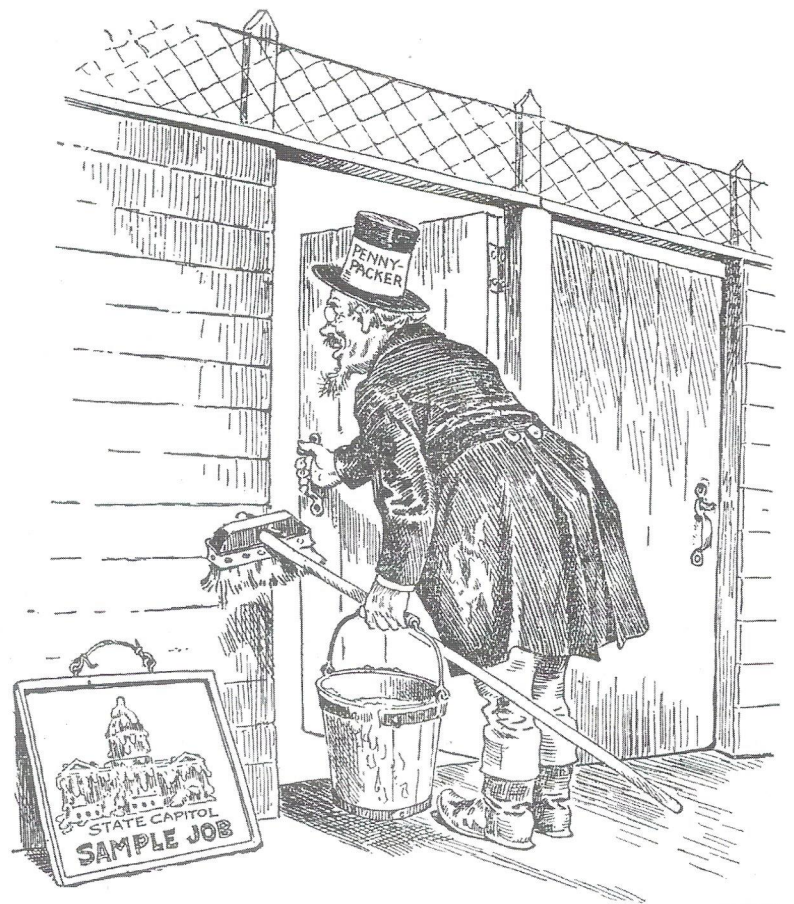
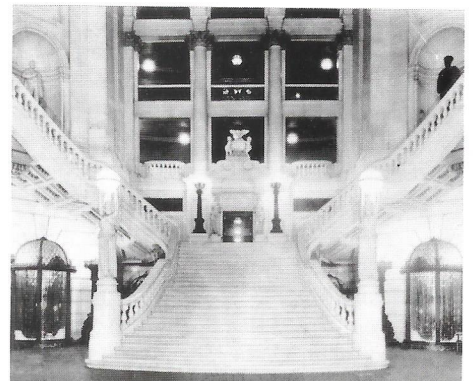
fever and died. Samuel returned to the Phoenixville area to live with his mother and her father. He completed his education at nearby Grovemont Seminary at the age of seventeen, under the direction of the Reverend Joel Bradley, a Baptist minister.

Pennypacker had hoped to enter Yale University, but abandoned the idea because Joseph Whitaker, who believed his grandson should prove himself in the work force, would not provide money needed for tuition. Instead, he took an examination for a teacher's certificate in autumn 1862 and that winter taught in a one-room schoolhouse at Mont Clare, Montgomery County, across the Schuylkill River from Phoenixville. It was a disorderly school with a diverse group of students ranging from six to eighteen years of age. Try as he would to "establish and enforce discipline," the five-foot, ten-inch, one hundred and twenty-seven-pound schoolmaster was frustrated by the experience.

In 1863, when General Robert E. Lee launched his invasion of Pennsylvania,

Pennypacker enlisted in the 26th Pennsylvania Emergency Regiment, Company F, of Pottstown. The 26th was among the first units to engage the Confederate Army near Gettysburg. With only two days of training before being dispatched, the unit was outnumbered by seasoned Georgia regulars and retreated, probably avoiding a catastrophe greater than the

*The grand staircase of the opulent rotunda still awes visitors to the State Capitol.*



"ANY WHITEWASHING, LADY?"

*Philadelphia's press was relentless in ridiculing lavish spending on the new State Capitol.*

one hundred and seventy-six men who were actually wounded or captured. The unit, mustered for only six weeks, was replaced by experienced Union soldiers before the Battle of Gettysburg.

Not long after he returned from duty, Pennypacker's name came up in the draft, but Joseph Whitaker, satisfied that his grandson had proven his mettle, paid three hundred dollars for a substitute to take his place. Whitaker then arranged an apprenticeship with Peter McCall, a Philadelphia lawyer and former professor at the University of Pennsylvania, where Pennypacker attended law lectures. He was awarded a bachelor's

degree in 1865, and established a practice in Philadelphia the following year. In October 1870, Pennypacker married his childhood sweetheart, Virginia Earl Broomall.

A distinguished Philadelphia lawyer, he was elected president of the Law Academy of Philadelphia in 1868. He was admitted to the bar of the United States Supreme Court in 1887 and made his foray into Philadelphia's brisk ward politics, becoming a member of the city's board of education in 1886. An elected member of the Historical Society of Pennsylvania for twenty-eight years, he became the organization's president in 1900. It was in this capacity that he researched and wrote many important works of local history, including *Annals of Phoenixville* (1872), *Settlement of Germantown* (1899), and *Pennsylvania in American History* (1910).

Pennypacker enjoyed the support of U.S. Senator and Republican Party leader, Matthew S. Quay (1833-1904), a distant relative, who would become instrumental in securing Pennypacker's nomination for governor. Quay helped him win election as Judge of the Common Pleas Court in 1889, where he became president judge in 1897. He was reelected when his first ten-year term was up in 1899.

Quay's power base was deeply rooted in Philadelphia's corrupt Republican machine. A master of intrigue, Quay played politics the way others played chess—not for personal gain, but for the sheer pleasure of winning. At the state level, he routinely tipped the scales in favor of Philadelphia's Republican politicians. In 1902, he persuaded Republican



*A family portrait (from left): Pennypacker, daughter Josephine, son Bevan, wife Virginia, and daughters Anna and Eliza.*

leaders to pass over John P. Elkin of Indiana County, who had been attorney general under the previous governor, William A. Stone, and give their gubernatorial nomination to Pennypacker. Quay even enlisted the support of President Theodore Roosevelt, who helped secure Pennypacker's nomination by making it clear to the party's power brokers that his defeat would be a "national calamity." Samuel W. Pennypacker won the election by an unprecedented one hundred and forty-two thousand votes.

If Pennypacker appeared to be the pawn of Philadelphia's Republican

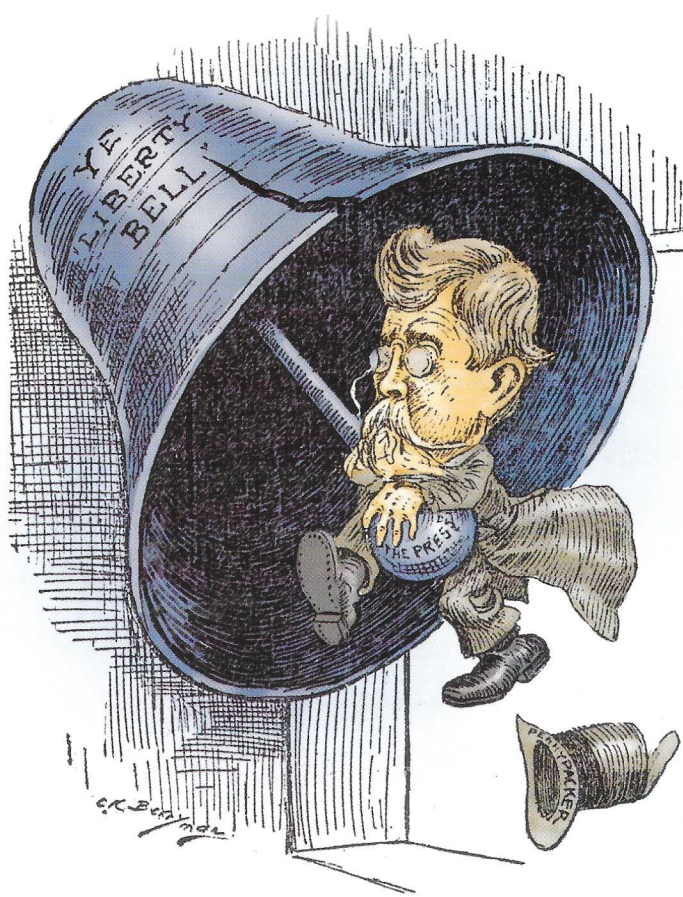
in what they publish." From the start, Pennypacker was true to his word. Using the veto, he reduced the passage of unnecessary legislation to half of that of his predecessor, while initiating more useful measures, such as the Uniform Primitives and Corrupt Practices Act, to reform corrupt political campaign practices. His passion for Pennsylvania's history served as a catalyst to foster many historic memorials, including a state park at Valley Forge, now Valley Forge National Historical Park (see "Valley Forge: Commemorating the Centennial of a National Symbol" by Lorette Treese, Spring 1993, and "A Modern Marriage Inspired by the American Revolution" by William C. Kashatus III, Spring 1994). Anticipating President Roosevelt's conservationist policies, Pennypacker made Pennsylvania's forestry system a priority. Together with Joseph Trimble Rothrock (1839-1922), Pennsylvania's first commissioner of forestry, the governor directed the purchase of nearly half a million acres of land for forest preservation, established tree nurseries to provide the necessary growth for both private and public lands, and opened a school for the state's foresters at Mont Alto, Franklin County.

Pennypacker emphasized the importance of civic improvements. He realized

## Progressives used the press to voice their concerns, ushering in a new generation of investigative reporters, christened "muckrakers" by President Theodore Roosevelt

machine, his tenure as governor certainly did not show it. Instead, his policies reflected the reformist spirit of the Progressive Era. In his inaugural address, on Tuesday, January 20, 1903, he outlined his intent to limit the amount of legislation passed in the state legislature; simplify the election ballot and allow straight ticket voting; preserve historically significant sites; restrict the "power of corporations to take private property upon the theory of public need"; create more equitable labor relations and suppress labor violence; tax non-Pennsylvania corporations which exploited the Commonwealth's coal and oil reserves; and hold the press "responsible for reasonable care

that the days of travel by horse and railroad were numbered, and that the future belonged to automobiles. He built three hundred miles of roadways and established a Department of Highways to oversee them. Townships and counties were given state assistance up to two-thirds of the cost for reconstructing roads, an allocation later increased to three-fourths. A portion of the expense was defrayed by a tax on each ton of coal that was both mined in and exported out of Pennsylvania. The plan was so successful that by 1911 the Department of Highways maintained more than eight thousand miles of paved road solely at the state's expense and was viewed as a national model



A QUASIMODO OF THE CLAPPER

The Philadelphia Record and the Washington Post (above) lampooned Pennypacker's attempt to silence the press. President Theodore Roosevelt (below), who coined the term "muckraker," helped to secure Pennypacker's nomination.

As a more palatable alternative to the widely distrusted and often brutal Coal and Iron Police, Pennypacker established the Pennsylvania State Police. The Coal and Iron Police had been paid by railroad and mining corporations to quell labor conflict, and were also given authority by the Commonwealth to make arrests. In 1905, the governor replaced most of the despised Coal and Iron Police with the nation's first statewide constabulary, not counting the Texas Rangers, initially founded as a militia (see "Answering the Call of Honor" by Colonel Paul J. Evanko, Summer 2001).

Pennypacker held himself to a higher standard than most elected officials of the day. Returning all railroad passes and declining privileges offered by express companies, he insisted on paying his own way. Expenses of the executive mansion, funded by the Commonwealth, were slashed from fourteen thousand dollars a year to less than two thousand dollars. He also made sure that no papers were issued under the authority of the governor with-

out his personal knowledge.

Pennypacker's personal integrity and impressive record of reforms did not go unnoticed. Outside of Philadelphia, newspapers suggested that he would be the next Republican candidate for president, while Republicans throughout the Commonwealth lauded him for the "rugged honesty of his administration," and the "independence, fearlessness, wisdom and watchful care with which he has exercised the laws."

Unfortunately for Governor Pennypacker, he was not very effective in cultivating Philadelphia's reporters and writers. The antagonism was largely rooted in the passage of the Salus-Grady Bill. As heralded in the governor's inaugural address, Representative Samuel Salus and state Senator John Grady's mea-



sure, the Newspaper Libel Act of 1903 (repealed four years later), called for reasonable care in the publication of news. The act authorized monetary awards for damages when there had been negligence in these matters, especially when the libelous statements were conspicuously presented in headlines, distinctive print, or cartoons. It also required that the names of the owners and editors appear on the editorial page of each edition. Publishers regarded the law as an infringement of the First Amendment. Among Pennypacker's most vituperative critics were the *Philadelphia Record*, edited by Theodore Wright; the *North American*, edited by Edwin Van Valkenburg; and the *Public Ledger*, edited by Charles Smith. All three newspapers made Pennypacker a target for unfavorable editorials, as well as a character for lampooning in cartoons and caricatures.

Some of the attacks were personal, aimed at embarrassing Pennypacker and his family. Not long after his inauguration, for instance, the *North American* dispatched a woman to coax political opinions from Virginia Pennypacker. It was a time when women's participation in public affairs was widely considered "unladylike," and the first lady asked her uninvited guest to leave. A few days later, the *North American* ran a full-page story headlined "The First Lady of Pennsylvania Writes for the Sunday North American on Live Current Problems." A pencil sketch of Virginia Pennypacker, made without her knowledge, accompanied the article. "What could be more despicable?" asked the governor, whose negative opinion of the press was rein-

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forced by the incident. "The woman ought to have been trounced and the editor of the sheet ought to have been given severer punishment."

The *North American* taunted Pennypacker for reviewing the Pennsylvania National Guard (PNG) at its various encampments on foot, instead of on horseback. In editorials and cartoons, the newspaper criticized the governor because he was "afraid to ride a horse." In earlier days, Pennypacker, as a post commander of the Grand Army of the Republic, had ridden a horse through the streets of Philadelphia each Memorial Day. Since that time, however, he had put on weight and thought it unwise to try to control a horse while exercising his duty as the PNG's titular head. Intent on vindication, Pennypacker resolved to make the press regret embarrassing him. At President Roosevelt's second inaugural ceremonies in March 1905, the governor, astride a beautiful horse, took part in a military parade on the streets of the nation's capitol. Many of the two hundred and fifty thousand people lining the parade route complimented Pennypacker on his equestrian skills, including the president himself. The Philadelphia press no longer faulted the governor's riding abilities.

Not all of the muckraking was based on petty, personal attacks. On November 25, 1903, Pennypacker appointed Samuel G. Thompson as a temporary replacement on the state Supreme Court, following the death of member Justice J. Brewster McCollum. Although a Democrat, Thompson had previously filled in on the court. Four days after Pennypacker made the appointment, the *Philadelphia Record* published a strident editorial accusing Pennypacker of a "foul conspiracy" and "plotting to swap the governorship for a seat on the bench of the Supreme Court, as if the two highest offices in the gift of the people could be bartered or bought and sold with the indifferent regard for popular opinion."

Pennypacker's rebuttal of the allegations was published in the *Philadelphia Public Ledger* a week later. "I may be wrong," he retorted, "but it seems to me there is no principle of ethics which could prevent me from going before the next Republican State Convention as a candidate for the Supreme Court or for asking the support of Mr. Quay or anyone else who may have influence, provided I do not use the power of the governor for that purpose." He insisted that as governor he had "refrained from any efforts to influence political movements," but if, in fact, the Republican State Convention "should



*Pennypacker's love of the outdoors led to unprecedented forest conservation measures.*

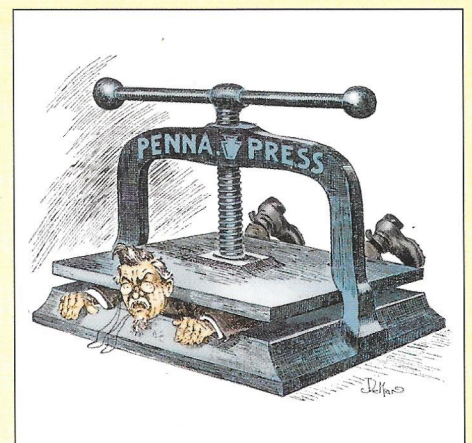
the Supreme Court and that should be followed by an election, I shall return to the bench."

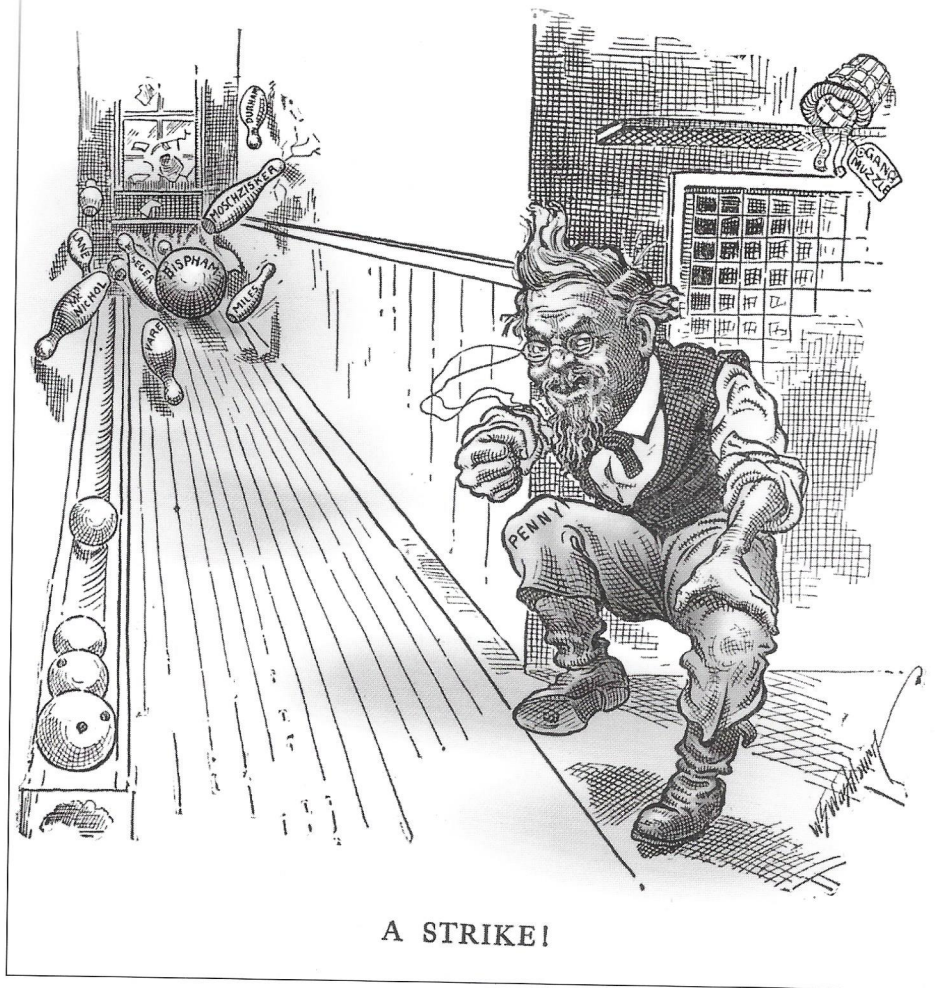
Two days later, the *Public Ledger* reproached the governor for using it as a "vehicle of the unblushing announcement of his candidacy for the Supreme Court." It accused him of "hypocrisy," since he had "no intention of serving out his term in the Governorship, as he pledged himself on the stump." The newspaper added that Pennypacker paved the way for his own nomination by selecting Thompson, "a Democrat from Philadelphia, whose probable nomination by his party next year would offset the objection of locality likely to arise against himself.... For this purpose, the Governor refuses to endorse his own nominee for the Republican candidacy next year, preferring himself before Thompson or any other, in defiance of constitutional implication and nonpartisan precedent."

Pennypacker kept the possibility of his Supreme Court candidacy alive by waiting four months, until April 5, 1904, to announce that he would not accept a nomi-

nation. John P. Elkin agreed to run the next day. The governor's lengthy silence had squelched the momentum of possible contenders. More importantly, Elkin, who easily won election, identified strongly with western Pennsylvania, the expansion of

*One goal of the Progressive Era press was to expose corruption, but Pennypacker may have been an undeserving target.*





A STRIKE!

The Philadelphia Evening Telegraph acknowledged a Pennypacker press sparring victory in a 1903 caricature.

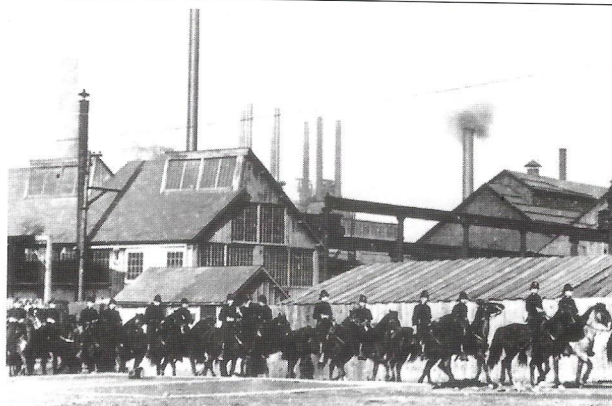
public education, and the younger generation of Republican voters, was now unlikely to run for governor in 1908. Years later, Pennypacker would insist that the governorship was the “climax of my career, and not a stepping stone to something better.” Nevertheless, Pennypacker remained a handy target for the press.

On January 3, 1905, a new session of the state legislature convened, and Pennypacker, in his opening address, attempted to reinforce the earlier Salus-Grady bill by proposing an act that would make the “habitual publication of falsehood, defamation and scandal a public nuisance subject to penalties.” The following day, the *Philadelphia Record* denounced “Pennypacker’s plan to curtail liberty” by “forcing the legislature to adopt a law forbidding the press to criticize any public official.” The proposal never became law, but it did haunt Pennypacker time and

again during the following two years.

The Coal Strike of 1906 provided the muckraking press with an opportunity—and fodder—for revenge. Despite Pennypacker’s insistence that “every miner is entitled to...the highest compensation he can lawfully secure” and his defense of the

The Pennsylvania State Police was formed under Governor Samuel W. Pennypacker’s administration.



miners’ right to strike, he denounced the rioting that took place in Mount Carmel, Northumberland County, and small towns in the anthracite region of northeastern Pennsylvania, stating unequivocally that “violence has no place among us and will not be tolerated.” He dispatched the Pennsylvania State Police to restore order.

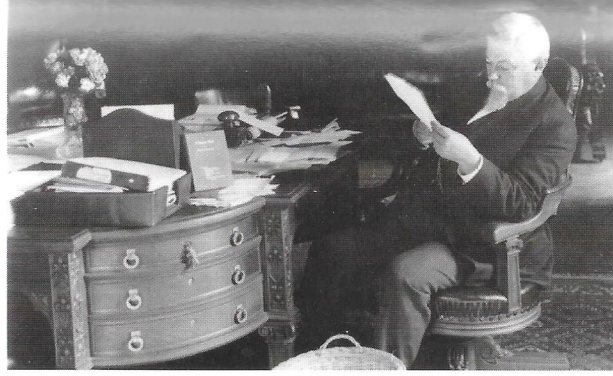
The *Philadelphia Record* condemned the governor’s “heinous” act of “unleashing the state police on striking coal miners,” despite an offer by President Roosevelt to mediate the dispute. The president had offered to intervene, as he had done during the bitter Anthracite Coal Strike of 1902, but he withdrew his offer when he came to believe that leaders of the United Mine Workers were “trying to dragoon him into a wrangle with which he had no official connection whatever” (see “The UMWA Wins America’s Approval: John Mitchell and the Anthracite Strike of 1902” by William C. Kashatus, Summer 2000). Roosevelt, instead, deferred to Pennypacker in what he believed to be a state matter, and lauded the governor for his “unyielding insistence that law and order must be maintained.”

The final and most infamous battle in Pennypacker’s ongoing war with the Philadelphia press was the capitol scandal. In 1901, the state legislature appropriated four million dollars for the construction of a new state capitol building to replace the structure destroyed by fire in February 1897 (see “A Capital Idea! A Brief and Bumpy History of Pennsylvania’s Capitols” by Suzanne McInerney, Winter 1994). A commission headed by Governor Stone was appointed in 1901 to build the new capitol by January 1, 1907. The commission also approved the plans of Philadelphia architect Joseph M. Huston (1861-1916), whose estimates came within the projected budget (see “Curator’s Choice,” Summer 2001).

When Pennypacker assumed the governorship in 1903, even though he stated that, “The Governor ought to be a member of no board performing duties devised by the wisdom of legislators,” by law he automatically sat on the Board of Public Grounds and Buildings, created in 1895 with authority to supervise both new building construction and the purchase of furnishings and supplies for state buildings. However, the board was specifically forbidden to administer construction of the new capitol. The board set item purchase standards for use in a required, advertised competi-

lating a “per foot and per pound” pricing standard. The board also enjoyed carte blanche to contract up to the total amount of all unappropriated funds in the treasury. The arrangement seemed acceptable because the board was made up of the governor, state treasurer, and auditor general.

Although the governor and the treasurer sat on both, the board and the commission were considered independent of each other. Pennypacker and members of the board claimed to be unaware that they were approving work previously contracted for by the commission appointed by the administration of Governor Stone. The appropriation of four million dollars was for the building alone, not its furnishings. Upon the building’s completion in 1906—on time and within budget—the Board of Buildings and Grounds spent an additional three million dollars on the structure



*The governor at work in his capitol office.*

nishings, art, and decorations. Some estimates placed the actual value of those items at about eight hundred thousand dollars on an open market.

State Treasurer William Berry grew suspicious when he discovered that fifteen men performed the impossible task of laying ninety thousand dollars worth

the savvy and confidence of a seasoned politician. He was more comfortable interpreting history than making it. He was a prolific writer who churned out more than fifty books and major scholarly essays on many aspects of the Keystone State’s history and heritage. In his memoirs, *The Autobiography of a Pennsylvanian*, published two years after his death on September 2, 1916, he came to terms with his legacy.

“Nearly the whole of what I had planned to do as governor has been accomplished,” he wrote. “It is a regrettable fact, however, that

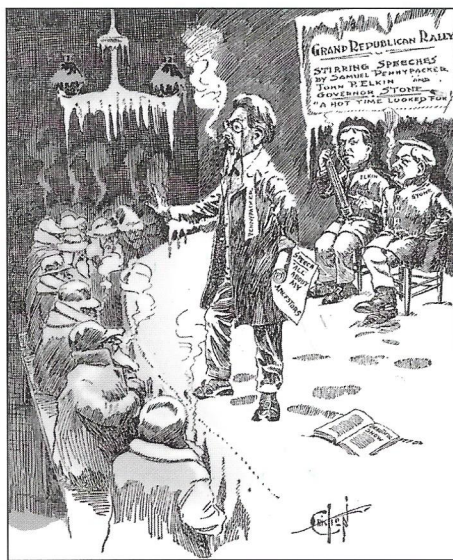
the chief obstacle in the accomplishment of effective public work is the modern newspaper, which represents a great money-making power entirely irresponsible and without any control or supervision. They could have aided me in trying to work out correct results, but I was compelled to do without their assistance and generally to overcome their opposition.” ❖

## “Nearly the whole of what I had planned to do as governor has been accomplished,”

because after-the-fact legislation required that five newly created state agencies be housed in the new building that was originally planned only for the existing state government.

Through the collusion of officials, influential contractors, and the architect, misusing the “per foot and per pound” regulations, about five and a half million dollars of charges were rung up for fur-

*Pennypacker’s icy reception at the state’s Republican gubernatorial convention in autumn 1902.*



of parquet flooring in two weeks. Scrutinizing the estimates for decorations in his own office, Berry found that the ceiling, estimated at five hundred and fifty dollars, actually cost ten times that, fifty-five hundred dollars; oak wainscoting, estimated at eighteen hundred dollars, had cost fifteen thousand dollars. Berry also discovered that contractor John Sanderson supplied chandeliers worth about one hundred and ninety-four dollars each, but billed the Commonwealth four dollars and eighty-five cents-per-pound, making the actual cost twenty-five hundred dollars per chandelier. After completing his audit, Berry estimated that the fully furnished capitol cost nearly thirteen million dollars.

Pennypacker tried to justify the expense by publishing a detailed statement listing every expenditure. He then invited his critics to Harrisburg to examine both the building and the books. They promptly declined, preferring to publicly lambaste him. “It must be lamented,” opined the *Public Ledger*, “that an administration in so many respects admirable should be clouded by the scandal of the Capitol, for which the Governor shows no real appreciation. This scandal is not a mere question of cost, but one of concealment of the cost, the perversion of the law, and the surreptitious exaggeration of official authority.”

Samuel Whitaker Pennypacker lacked

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### FOR FURTHER READING

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