

JOB HOLDERS MAKE FARCE OF MAYOR'S EDICT

Sherman Law Being Openly Violated in Various Wards Throughout City

LEADERS DODGE ISSUE

It is not the Sherman law being violated... The Sherman law which prohibits city officeholders being members of political committees or taking part in politics...

The Republican City Committee, head of the organization, denies that it is the ward committee branches of the organization which are the violators...

The committee of Seventy, which has prosecuted violators of election laws in the past, is ready to take steps to have the law enforced...

Mayor Smith's sincerity, it says. The Republican city committee will not allow its ward committee lists to be scanned...

Although complaints are numerous that there are many city employees-ward committee men who are actors in the dual role of servants of the people and servants of a political organization...

It is a typical case in that of the Forty-sixth Ward here are the names of seven men who are alleged to be members of the Forty-sixth Ward Republican committee...

Name City Job Robert A. Pitts, Chief of Bureau of Elevator Inspectors...

Mayor Smith's warning to his directors of the city departments was as follows: Again I want to call your attention to the fact that employees under you must not hold membership in city and ward committees...

It is your duty and mine to see that the law, whether we like them or not, are upheld. You will please notify every man and woman who is not on the list...

Violation of these instructions will result in separation from the service of the city. It was this warning that gave rise to the complaint that the Forty-sixth Ward committee was "backed" with officeholders...

The complainant named Sibley, Semple, Choate, Welch, Boyle, MacFarland, Pitts and Young in addition, J. M. Ferguson, John Young and William Simon—ten in all.

William E. Finley, executive director of the Republican City Committee, was called by an EVENING LEDGER reporter at the committee headquarters, at Eleventh and Chestnut streets, to verify the complaint. He was told that the EVENING LEDGER wanted to see a complete list of ward committees.

"No," he shook his head. "Why do you want it?" "There is complaint that the Sherman act is being violated by ward committees holding city positions," he was told.

"You can't get the list," he said. "The lists that took us months to make up," replied Mr. Finley. "They are private property."

"But the charge is made that the law is being violated. It is not true," he said. "I'm not saying whether it's true or not," Mr. Finley rejoined. "I won't show you the list. Give me something definite."

"Will you show me the list for the Forty-sixth Ward?" "What are the names of the men? Give me the names and I'll tell you whether they are right or not."

Mr. Finley was shown the list of ten names. He read the names and then thought a moment. "Wait and I'll find out," he said. He took the list into an adjacent room and called to some one on the telephone. In a few minutes he called the reporter to his desk.

"These six," said Mr. Finley, including the names of Sibley, Semple, Choate, Welch, Boyle and MacFarland in a bracket that he made with his pencil, "are not members of the ward committee. They resigned when they received their positions."

"Pitts has not been a member of the committee for two years. Ferguson and Simon are in private work. Therefore, have a right to be members of the committee. Young is in the Recorder of Deeds' office, under the county, and not the city. He has a right to be a member of the committee."

The names and the answers he gave were repeated to Mr. Finley, who affirmed them.

Inquiry then was made at the office of Harry A. Mackey, chairman of the Workmen's Compensation Board. Mr. Mackey is the Vice leader of the Forty-sixth Ward and chairman of the executive committee. An EVENING LEDGER reporter, without saying that he was an EVENING LEDGER reporter, called up Mr. Mackey's office on the telephone.

"Is Bob Pitts still a member of the Forty-sixth Ward committee?" was the question he asked, giving a fictitious name. "Yes," was the answer.

"Well, then, this is the list, isn't it?" and the reporter read off the ten names. "Yes, that's the list," came the reply. "Later another EVENING LEDGER reporter called up Mr. Mackey's office and asked for the list of the Forty-sixth Ward's committee. He said he was a reporter."

"What do you want with it?" asked Mr. Mackey's secretary. "I want the list of the committee," said the reporter. "Are you getting lists from other wards, too, or just from the Forty-sixth?" asked the secretary.

"I don't know that," the reporter answered. "Well," said the secretary, "I can't give you the list. You might want to use it as a knock."

But he offered to clear up any trouble. The reporter showed him the list. Mr. Mackey said that not one of the ten was violating the Sherman law, as all city employees on the list had resigned their positions as ward committee men.

Mayor Smith's ringing warning brought forth another complaint, involving the Thirty-sixth Ward. It went direct to Mayor Smith, it was specific. It gave the names and addresses of men alleged to be in the illegal dual service. It named the manager of Director of Public Safety William as a ward committee man.

The complaint, sent also to Director Wilson and other members of the Mayor's cabinet, contains the names of ten men named as ward committee men and gives their municipal jobs. They are given as follows:

Name Address Job William McLean, 2323 Federal street, recovers... John D. Smith, 20th and Morris streets, Bureau of Health...

David O'Hara, 2628 Galloway street, Wharton street, Philadelphia, Pa.

William H. Smith, 11th Wharton street, Slinger Square superintendent. City Property Office, Bureau of City Property, 1777 South Twenty-fourth street, Bureau of Health.

The letter, which calls for instant action, not post-election investigation, says in part: "I could go on and give you a list of names and addresses of all city employees in the Thirty-sixth Ward who are taking an active part politically and openly canvassing and soliciting votes and ringing doorbells. I venture to say, and to be fair to those who may not be active, that the police department in the Seventeenth District has an elegant set of 'political campaign material' and the policemen will quietly tell you that they don't want to do it, but it is orders!"

"Trusting that you will show the public your sincerity by preventing these officeholders from participating in politics," "Yours respectfully,"

"Committee Representing Taxpayers of the Thirty-sixth Ward."

The charges that ward committeemen were drawing city salaries were taken to the offices of the Committee of Seventy, Edward D. Roach, secretary of the committee, was asked if the committee would investigate them.

"No, we haven't the facilities to investigate," said Mr. Roach. "But we will prosecute if the evidence in books in the form of depositions. In 1911, during the Blankenburg administration, we prosecuted 1700 cases of officeholders in politics, taking 770 depositions."

"If it were shown to you that the Sherman law is being violated by ward committeemen, would you prosecute?" Mr. Roach was asked.

"We would take it up with the Mayor," he replied. "As a matter of fact, we already are receiving affidavits that the law now is being violated in minor cases not so important as those of ward committeemen holding city positions. We will present these affidavits to the Mayor, giving him the opportunity to show his sincerity in taking part in politics would be dismissed, saying: 'No man on a public payroll should be permitted to act as a member of any political committee or convention, or engage in any form of political activity. With the casting of his vote his political duties and obligations should end. This limitation on the officeholding class should be absolute.'"

"This was the genesis of the Sherman act. It was introduced during the extraordinary session of the Legislature in 1906, and passed by a large majority."

"The call for an end to officeholders in politics was made by Mayor Weaver, who made many public utterances complaining of the burden of political 'bosses.' It was the 'reform' sentiment in 1905 when he warned his directors of the Sherman act, saying: 'No man on a public payroll should be permitted to act as a member of any political committee or convention, or engage in any form of political activity. With the casting of his vote his political duties and obligations should end. This limitation on the officeholding class should be absolute.'"

"By taking the case into court. However, it is a difficult thing to obtain a favorable decision in a matter of this kind. The courts are likely to leave it with the Mayor to decide whether or not the employee was violating the law."

"The whole question is up to the people. If we are furnished with depositions stating that the law is being violated we stand ready to take the cases up."

"Can the people really do anything?" Mr. Roach was asked. "Are conditions any better now than they were before the reform fight when the Sherman act was passed?"

"Yes, indeed," he said. "Although officeholders are returning to political activity, it cannot be said that they are anxious to do so. Proof that conditions are better now is shown by the majorities in the wards at election time."

"That the Sherman law has been effective, though subject to various interpretations by the courts, is shown by records in the Law Association Library, which show that in the first court case involving the law was found. The first record of invocation of the law came in 1912, six years after its passage, and since that time it has been invoked in the case of a carpenter suing for wages (Rush v. Philadelphia, 62 P. S. C. 80 (1912))."

Last year it was held that the Mayor has no authority to dismiss policemen for political activity without a trial having been held, as provided for in the Bullitt bill. A demurrer to a petition for mandamus to compel Director of Public Works Cooke to reinstate a discharged employee was denied (Duffy vs. Cooke, 21 D. R. 613, 1912; affirmed in 239 P. 427). It was held that his second section of the Sherman law, forbidding political activity of city employees, was not repugnant to the second section of the civil service act, forbidding discharge for a cause, "religious or political."

In 1913 (Chism v. Blankenburg, 22 D. R. 46 (1913)), upon a petition by a discharged employee, motion to quash proceedings was granted. It being held that the Sherman law was constitutional, but that the question is collateral to, and should not be determined in mandamus proceedings for the reinstatement of a civil service employee.

The Superior Court of Pennsylvania in 1915 reversed the judgment of the lower court in that the twentieth section of the civil service act repeats the second section of the Sherman act. This decision was made in the case of a carpenter suing for wages (Rush v. Philadelphia, 62 P. S. C. 80 (1912)).

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Stewart leaves cash to Masons and G. A. R. Relatives of Late Adjutant General Benefit Through Trust Fund and Money

PROVIDES F. & A. M. HOMES NORRISTOWN, Sept. 19. In his will, executed November 5, 1915, and probated here today, Adjutant General Thomas J. Stewart provides that his estate, estimated to be worth \$50,000 and upward, be given to relatives and Masonic and G. A. R. organizations.

He directs that his body be interred in either Montgomery Cemetery or the Community Mausoleum at Riverside Cemetery. He gives \$5000 to his sister, Margaret Emma Stewart; \$5000 to his sister, Mrs. Mary J. Yadin; \$2500 to his brother, William H. Stewart; \$5000 to his stepdaughter, Mrs. Sharpless Bailey, of Philadelphia. To General Zook Post, No. 11, G. A. R., Norristown, is given \$500 to be used for extending relief to members. To Montgomery Cemetery Company \$500 is given, the interest of which is to be used for caring for the lot of his father and mother.

After these provisions are made the residue of his estate is to be converted into cash and the proceeds are to be held in trust by the executor, William H. Stewart, his brother, and Penn. Trust Company; then to his sister Margaret is to be paid the interest of \$20,000; to his sister Mary the interest of \$10,000; to his brother William the interest of \$10,000. In the event James the interest of \$10,000. In the event of the death of either the others shall share the portion of the one dying.

MASONIC HOMES TO BENEFIT When the last shall die the principal and the accrued interest is to be paid "to the right worshipful Grand Lodge of Free and Accepted Masons of Pennsylvania and Masonic Jurisdiction thereunto belonging and to the committee on Masonic homes under its control for the purpose of erecting at the Masonic home at Ellipsburgh, Pennsylvania, two or more cottages as the committee on Masonic homes may determine."

Should there be any residue of his estate after the bequests and trusts before mentioned are provided, it shall be divided equally among his two sisters and his brother William, and paid to them in cash.

EXEMPTS RELICS FROM SALE His sister Margaret is to receive the piano, which was given to him by the Grand Army of the Republic. Miss Stewart, who is a resident of Norristown, was a music teacher.

He exempts from sale by his executors such badges, awards, books, uniforms, silver service, clocks, jewelry, cut glass, china, pictures, photographs, canes and Civil War relics as may be selected by his sisters, and, with the exception of the piano and such disposition of them among his friends and relatives as they believe to be in keeping with his wishes.

According to his will were Benjamin W. Deming and Frank D. Beary, who were equally named as executors with his brother William, and paid to them in cash.

EXPLOSION KILLS TWO AT SWEDLAND PLANT Coroner Now Probing Accident Caused by Tamping Dynamite Preparatory to Blasting

NORRISTOWN, Pa., Sept. 19.—Two men were killed and two others were injured in a premature explosion at the Swedeland plant of the Alan Wood Iron and Steel Company last night.

The dead are John Carr, West Conshohocken, and Andy Rosko, Swedeland. Injured, John Dudoch and John Towt, Swedeland.

According to Superintendent George M. Black, the explosion occurred while Carr was tamping dynamite into a hole preparatory to a blast. The explosion instantly killed the foreman and Rosko, who was assisting him. The two workmen who were injured were some distance away from the spot where the explosion took place and their injuries are not serious, although both are patients at Charity Hospital.

Coroner R. G. McDiarmid is making a thorough probe.

Twenty Years a Policeman Captain of Detectives James Tate is receiving gifts and congratulations on his completion of twenty years service in the police department. One of the gifts was a silver table service.

IN PRISON AS ALIEN ENEMY Infantryman of German Birth Dishonorably Discharged and Jailed

FORT OGLETHORPE, Ga., Sept. 19.—Charged with "treacherous correspondence," Sergeant Alfred Mohnhaupt, of the Sixth United States Infantry, has been dishonorably discharged and imprisoned in the German internment camp here as an alien enemy.

Mohnhaupt is of German birth. It is said that he tried to intimidate a Swedish member of his company to send military information to Germany by first mailing it to Sweden.

PHOTOPLAY HUMORIST WRITES ABOUT MUSIC

"Tom Sawyer," With Jack Pickford and Louise Huff, Is Under Way

By the Photoplay Editor The dispensation of appropriate music in the photoplay houses is an art demanding keen sensibilities and quick wits. Every sort of composition, from Beethoven to Irving Berlin, is conscripted to heighten the emotional value of a film. Many of the selections submitted sound well enough until their source is scrutinized. Geraldine Farrar as Joan of Arc, for instance, enters Rheims to the strains of the "Grand March" from "Aida." The triumphal quality of this familiar Verdi melody is fitting enough until one tries to reconcile medieval France with ancient Egypt. Occasionally, however, the cinema music man outdoes such anachronisms, and Dick Willis, the well-known movingpicture authority, asserts his knowledge of a movie pianist who has a positive genius for expressing the right tunes at the precise psychological moment.

"I live in Suburbia," he declares. "We have a movie theatre there. The piano went at our theatre little short of genius; he always plays the right tune at the right time; his incidental music is so appropriate."

"For instance, when the 'Railroad Raider' is shown he plays 'Holmes Sweet Holmes' and he can always be relied upon to vamp when Theda Bara makes her sinuous appearance on the screen. When Doug Fairbanks was placed in a cell in 'In Again—Out Again' the pianist sympathetically fell behind a few bars and when Charles Chaplin goes into a saloon he allows a few bars' rest."

"He plays Irish reels for Jack Kerrigan, five of 'em, and every time a twelve-reeler reaches our burg he gives us 'We won't Go Home Till Morning'; sometimes he will oblige with a lullaby around the seventh reel. Oh, My Darling."

"On 'Patric' nights he accompanies with 'Hearst to the U. S. Sam,' and for a certain Ince vampira he plays 'In the Gloom, Oh, My Darling.'"

"For the 'Poor Little Rich Girl' he gave selections from 'Pinafore,' and when Annette Kellermann did some of her famous dives in 'Daughter of the Gods' he tooled 'Just As I Am.' His grand up-tempo selections to go with the Geraldine Farrar films are great and his playing of 'Alicia'

Where Art Thou? Just as Miss Joyce makes her appearance, is always appreciated. "Good-by" at the close of some of the photoplays featuring famous speaking stage stars, while the pathetic strains of the funeral march fit in nicely with most of the comedies shown in our theatre.

"When a heroine descends to the depths he plays ragtime, when the dirty villain enters a scene he keeps to shargus and when the poor boy is duped he uses flat."

"The pianist at our theatre is a smart man."

The exterior scenes in "Tom Sawyer," Jack Pickford and Louise Huff's next Paramount production, will be taken in the very locality where Tom lived nearly seventy years ago. The Pickford-Huff Company have taken themselves to Hannibal, Mo., where Mark Twain lived as a boy, and they will spend the next few weeks in taking the scenes for the story of "Tom Sawyer."

MAIL TRUCK HITS MAN; DRIVER FAILS TO STOP Arrested, He Is Severely Injured, Lies Dying in Hospital

The driver of a United States mail truck, who failed to stop his machine after seriously injuring a pedestrian at Thirteenth and Market streets, early today, was scored by Magistrate Tracy in the Eleventh and Winter streets police station and held in \$1000 bail.

"Even though United States mail has to be delivered on time," said the magistrate, "it does not give one the privilege of running down citizens, and then failing to assume any responsibility."

As a result of the accident, William Merrick, thirty years old, address unknown, is believed to be dying in the Habesman Hospital. Christopher Dabney, 31 North Forty-second street, the truck driver, was arrested at Fifteenth and Market streets by Policeman Lavergne a half hour after the accident.

Luncheon to Ambassadors Morris Many of the most prominent men in the country will attend a farewell luncheon which will be given today in honor of Roland S. Morris, the newly appointed ambassador to Japan, at the Hotel Astor, New York.

DISTRICT DRAFT BOARD COMPLAINS OF LOCALS

Men Whose Appeals Are Pending Ordered to Report for Military Service

In a letter sent today by District Board No. 2 to the Adjutant General at Harrisburg complaint was lodged against those local boards which have repeatedly ordered to report for military service men who still have appeals and industrial claims pending in the Federal Building, have been notified by the higher board. For the last few days Chief Clerk Bronte Greenwood, who has charge of the preliminary appeals in the Federal Building, have been overwhelmed by men who have been notified to appear for service in spite of the fact that their final appeals have as yet not been acted upon.

The letter to the Adjutant General reads: Adjutant General, Harrisburg, Pa. We are informed that many local boards in Philadelphia have sent out pink cards requiring the appearance of men for military service. Among these are men who have industrial claims or appeals pending action by this board. These notices have been sent out prior to certification to such local boards by us. Under the rules and regulations, we are clearly of the opinion that this procedure is improper and that such men are not liable for military service until their appeals or industrial claims have been considered and finally disposed of by this board.

We believe that our position is the only proper one, under the circumstances, and would ask you to instruct the local boards by telegraph accordingly.

DISTRICT BOARD NO. 2 FRANK C. HAMMOND, Secretary.

Licensed at Elkton to Wed ELKTON, Md., Sept. 19.—Marriage licenses were issued here today to Edward H. Boyer and Lily M. Riegel, William Esley and Elizabeth M. Vile, Anthony Wilson and Marie E. Wiltmore, Philip Madden and Jessie Franklin, and Clarence L. Schaefer and Marie G. Ryan, all of Philadelphia; Fred Garrison, Millville; Emma H. Hollingshead, Leesburg, N. J.; Delbert Kilson and Violetta Thomas, Goff, Md.; Ira I. Croushamel and Laura R. King, Lansdale, Pa.; John R. Hassler and Laura S. Ream, Reading, and William H. Rayne, Chester, and Carrie E. Chambers, Richardson Park, Del.

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