



THE BAR'S TRIBUTE

The Late Judge P. P. Smith Highly Extolled.

THE RESOLUTIONS ADOPTED.

The Members of the Wayne and Lackawanna Bar pay a Rare Tribute to our Former Townsman.

A meeting of the Lackawanna Bar association was held on Wednesday afternoon last in the main court room in Scranton, to honor the memory of the late Hon. Peter P. Smith.

On motion of Judge Kelly, Judge Edwards was chosen chairman, and on motion of W. J. Hand, R. J. Murray was chosen secretary. A committee composed of D. J. Reedy, Judge Kelly and Cornelius Comegys was named by the chairman to draft resolutions.

While this committee was at its work, remarks were made by Col. F. J. Fitzsimmons, John M. Harris, Charles L. Hawley, Judge O'Neill, and F. M. Monaghan, and when the committee reported, Mr. Reedy added his testimonial.

In opening the meeting Judge Edwards said it was most appropriate that the bar should meet, as Judge Smith was an active and honorable member of the bar and a former member of the court, and the superior court. He said that in the exercise of his judicial work on the superior bench, Judge Smith was highly appreciated by the foremost lawyers of the state.

Colonel Fitzsimmons, who was one of the closest friends Judge Smith had, paid a most eloquent and touching tribute, saying in part:

"At the end of Judge Smith's first year on the Superior Court bench he received a letter from one of the foremost lawyers of the state, congratulating him upon his work, and likening him to the great jurists who shed enduring lustre upon the jurisprudence of Pennsylvania.

"Judge Smith loved those who were near and dear to him with even more than parental affection. Their happiness was his fondest dream. It was for them that he reached out after the unattainable. Of him it may be truly said: He was a sound lawyer and eminent jurist, a model father and a faithful husband."

Mr. Harris was the first speaker. He said he enjoyed confidential relations with Judge Smith when he first came from Honesdale to Scranton. They had offices together for two years and adjoining offices for the same term. Mr. Harris said the characteristic which impressed him most strongly in Judge Smith's work as a lawyer was his prodigious capacity for work and the high standard he always set before himself, and one of the saddest stories he ever listened to was the judge's account of his falling health one day, coming on the train from Philadelphia.

"I am satisfied," said Mr. Harris, "that the bar and community have lost a valued member, and that I have lost a very loyal and sincere friend."

Mr. Reedy said he had the honor of studying law with Judge Smith; so said Judge O'Neill and Mr. Monaghan. Judge O'Neill said:

"Whatever success I may have received I testify my debt and gratitude to Judge Smith for it, for his wise counsel and advice in my younger years."

Judge Edwards conveyed the regrets of Judge Willard, who sat on the Superior bench with Judge Smith. He said Judge Willard intended to be present to give his high regard expression, but was compelled to return home in the afternoon because of illness.

Charles L. Hawley spoke more of Judge Smith as a neighbor in Green Ridge. He said he was a true judge, a gentleman always, on the bench, an ideal husband and father, and an ideal neighbor.

The resolutions of the bar were as follows:

"Honorable Peter P. Smith was born in Honesdale, Wayne county, on June 2, 1851, and died in Scranton on the 9th day of March, 1909. He attended the public schools of Honesdale until graduation, and then entered on the study of law in the office of Wm. H. Dimmick. Upon his admission to the bar he quickly attained prominence and was selected by the Democratic party of his county as a candidate for district attorney, and was elected and re-elected to the office of district attorney, in which capacity he served with distinction and credit. In 1888 he was called to a larger field and moved to Scranton, where he quickly assumed a front rank among the lawyers of the bar. In 1892, upon the death of Judge Connolly, he was appointed to the common pleas bench of Lackawanna county by Governor Pattison, where he served for something over a year with credit and distinction. In 1895 upon the establishment of the superior court he was elected to that office, and his decisions stand pre-eminent among judicial decisions in Pennsylvania.

"His ability was recognized and distinguished by St. Charles College of Villa Nova, where he was given in 1899 the degree of A. M., and by St. Mary's College at Emmitsburg, where in 1900 he was given the degree of LL. D. "Few men have been gifted with the ability to grasp intricate and abstruse legal propositions with the same degree of accuracy and celerity as was Judge Smith. He had a remarkable faculty, and was able from memory to recite the particular case which ruled the legal proposition before him. His knowledge of the law was not confined to any particular branch, but he may well be said to have been a lawyer grounded in the fundamental principles of the law. Nor was his knowledge of subjects confined to the law. He was well-read in literature and the classics, and in his interpretation of the law this knowledge and learning he brought into continuous use. "His opinions while a member of the Superior Court are testimonials of his zeal and energy and his research of the authorities. "It is with genuine and sincere regret that we have learned of his death, and it is

"Resolved, That this minute be entered in the records of our court, and a copy sent to his family, to whom our sympathy is extended in their sad bereavement."

NICARAGUA TALKS PEACE.

But Washington Decides to Send More Warships There.

Washington, March 16.—Nicaragua, through her minister here, Senor Espinosa, has protested to Secretary Knox that the military and naval activity now in progress in that country is destined entirely for defensive purposes and that she does not contemplate making any attacks on her sister republics.

Notwithstanding the minister's assertion of Nicaragua's peaceful intentions toward her neighbors, the administration has decided to augment the naval force in Central American waters to a total of six vessels. In addition to the Yorktown, now en route for Annapolis, Honduras, the armored cruisers Maryland and Washington are to remain on the west coast, the former going to Acapulco, Salvador, and the latter to Corinto.

The most significant news that reached the state department was that 6,000 Nicaraguan troops are near the Honduran frontier, the chief scene of activity being in the neighborhood of Corimbo, where also are concentrated four gunboats and other auxiliary craft.

Another feature distasteful to the state department is the manner in which John H. Gregory, the secretary of legation at Managua, who has been ordered to Washington, is being treated. There are evidences of hostility to him, and some of his dispatches have not reached him.

The whole situation is inexplicable and irritating to the state department, which is not disposed to act hastily and is seeking the views of the various capitals in Central America through its representatives in those places.

MOTOR BOAT RACES TODAY.

Little Sea Fliers Begin Four Days' Contests on Lake Worth, Florida.

Palm Beach, Fla., March 16.—Although the absence of the Dixie II, America's fastest motor boat, detracts somewhat from the interest of the motor boat races which began on Lake Worth today, there is a large enough list of entries in the races to satisfy the motor boat enthusiasts assembled here from all parts of the United States. The Dixie has been shipped abroad to compete in the international races at Monaco.

The motor boat races are sailed on Lake Worth, a long, narrow inlet of the sea, separated from the ocean by a strip of sand. The boats compete around a course measuring four and a half nautical miles, a little over five land miles. They start and finish opposite one of the big hotels here. There are seven racing classes, the general events being restricted to boats capable of making more than twelve miles an hour. The races will last four days. The main feature of Friday, the closing day, will be a ninety mile endurance run at maximum speed for all boats entered in the other events.

TROUBLE FOR JACK JOHNSON.

If He Has a White Wife Galveston Negroes Won't Welcome Him.

Galveston, Tex., March 16.—If the colored heavyweight pugilistic champion, Jack Johnson, who is to arrive here on Thursday, cannot deny that he has a white wife a demonstration being arranged by Galveston negroes in his honor will be abandoned. It is planned to meet Johnson at the train with a band and a long line of carriages for parade over the city. Receptions and other functions are also scheduled, but leaders of the movement say that all hinges on the truth or falsity of reports as to the white wife.

Reception committeemen say that they consider the marrying of a white woman by Johnson would be violation of the laws and customs of the country of his birth.

DARING HOLD-UP AND ROBBERY!

Lewis Partridge Bound and Gagged at the Point of a Revolver.

MORE THAN \$500 TAKEN FROM HIS POCKETS BY FOOT-PADS!

The Boldest Outrage in the History of the Borough—A Honesdale Man Nearly Strangled and Otherwise Roughly Treated—His Clothing Slashed Through to the Skin in Search of Money—The Robbers Probably Professionals.

At half-past nine o'clock on Thursday night last the front door of the residence of Thomas Kellow, at 540 Grove street, on the summit of the hill a short distance beyond the entrance to Bellevue Park, was kicked open, and Lewis Partridge, of 212 Seventh street, bound and gagged, staggered into the entrance hall. A party of young people were engaged in a game of cards in the dining room adjoining the hall, and, not recognizing the intruder, owing to his nearly black face, protruding eyes and otherwise repellent look, concluded from his appearance, together with the violence of his entrance, that he was masked and bent on mischief, and that there were others with him from whom trouble might be expected. With this impression, Roy Stookey, a young man living at 12 Eighth street, who was one of the card party, seized a chair and was about to strike the man with it, when the latter managed to utter the single word, "cut!" It was then discovered that his arms were tied behind his back, and a block of wood wedged into his mouth and held there by strings passing about his head and tied to the cords with which his hands were fastened. The gag cords were cut and the wedge removed from Partridge's mouth, after which the man, though exhausted, faint and hysterical, crying and laughing by turns, and unable to talk coherently, managed to tell the story of the outrage of which he had been the victim.

From the account of his experience then given, and as drawn out by subsequent interviews, the facts appear to be substantially as follows: Mr. Partridge is sales agent and collector for the De Laval Cream Separator Company, and the duties of the agency require him to make frequent trips throughout the county, as most of the machines are sold on the installment plan, and payments on the notes given by purchasers are continually falling due. Owing to ill health, and the condition of the roads during most of the past winter, he had put off some of his journeys, so that an unusual amount had accumulated for collection. Before making his last week's trips he sent notices to his customers of his intended visit, and as a consequence he found them very generally prepared to meet their obligations. He started out on Monday and returned to Honesdale on Tuesday night. His collections for the trip were inadvertently left in his pocket over night, and were taken with him when he left town for his Wednesday's journey. The day was spent in prospecting for business and collecting, mainly in Paupack township, its close finding him at Avoy, in Lake, where he was the guest of George W. Edwards over night. Thursday was another successful day, and in the evening, well satisfied with his trip, he drove homeward. He had with him somewhere between \$500 and \$800, all in currency, which he disposed about him in various pockets, under the impression that the bulk of it would be overlooked if any one tried to relieve him of the treasure.

His last voluntary stop on the way was made at Adelia, about five miles from town, where he remained for a few moments. Then driving on he passed along what is known as the Sandercock road, feeling a little apprehensive as he journeyed through the patch of woods, and greatly relieved as he emerged in sight of the electric lights of the borough, and heard the whistle of the incoming Erie passenger train due in Honesdale at 7:50, but which on Thursday evening was a few minutes late.

Shortly after leaving the woods, and while specially attracted by the street lights in town, and particularly by the druggists' window displays, he met two men on foot, one passing on either side of his wagon, which was an ordinary one-seated buggy, from which the top had been removed. As the men passed one of them gave him an ordinary salutation, but thinking that this might be a plan to induce him to betray his identity by his voice, he did not answer. When the men got by, he turned around sufficiently to see them come together in the road and pass on towards the woods, whereupon he urged his horse into a little faster gait, and had proceeded a few rods, when the animal shied, apparently startled by something in the road. Partridge turned to ascertain the

cause, when he was seized by a man in the back part of the wagon, who bent his head back, and thrust a block of wood into his mouth, while the other robber held a revolver within a few inches of his face. He was then dragged out of the buggy, blindfolded, his overcoat stripped off, and a search of his pockets made. The bulk of the money was in the inside pocket of his vest. For some reason it appears that the thieves were not content to secure their booty by rifling their victim's pockets in the ordinary way; but, turning back his coat, slashed down both sides of his vest, the cuts passing through not only that garment, but his sweater, and two shirts, reaching his skin directly over his heart, but fortunately inflicting no wound on his body. Through one of these gashes the large package of bills was taken, and the balance from other pockets; a drawing purse being stolen from a pants pocket. Some silver lying under the purse was not disturbed, and the thieves very considerably left Mr. Partridge his watch.

Just what occurred for some time after the assault and robbery Mr. Partridge does not know. He thinks he must have fainted, as he has no recollection as to how long he remained in the road, or when or how he got back into the wagon. He thinks his assailants must have lifted him into the buggy, taken the blind from his eyes, and started the horse. He recalls his suffering from the gag, which by every movement of his arms was forced farther into his throat, and his realization of the necessity for relief at the earliest possible moment. But he does not know, he says, how the horse came to stop at Mr. Kellow's, or how he managed to get out of the wagon, and to the door. Considerably more than an hour had elapsed between the time of his assault as fixed by the train whistle and his arrival at the house as shown by the clock, and yet the distance can easily be walked inside of four minutes.

On hearing Mr. Partridge's story, detective and deputy sheriff Spencer was called by phone, but he was in Hawley at the time, and the message was then sent to Sheriff Braman. Thinking that the call was for a rig simply to bring Mr. Partridge to town, a carriage was sent up to Mr. Kellow's by one of the stable men. Finding that the officer was personally wanted, the man came back after the sheriff, and it was half-past ten when he reached the house. He drove out over the road, and found Mr. Partridge's coat at the point where the robbery took place. The next day the folding pocket book was found in the road near that spot, and about half-way between there and Mr. Kellow's the empty purse was picked up. As it would be at about this point that a person wishing to reach the East Honesdale Erie water tank would take a short cut down over the fields, it was surmised that the robbers had taken that course, and stations along the line were notified to be on the lookout for them.

When Mr. Braman returned to the house with the overcoat, he found the victim of the robbery still in a highly nervous and hysterical condition, and so fearful of further violence that he was anxious to stay all night. He was finally persuaded to come into the central town; but when he arrived here he went with his horse and wagon to Braman's stables, and remained there until morning, bemoaning his loss. When he finally went to his home later in the day, he was seriously prostrated, and found it necessary to take to his bed. Even now he complains of sleeplessness, and is evidently suffering from the nervous shock sustained.

The gag used by the bandits was a particularly villainous instrument of torture. The block was whittled from soft white pine, slightly tapering, three and three-quarters inches in length by two and a-quarter in width, and an inch and a-half thick, with roughly rounded corners. Through the larger end two large gimlet holes were bored, through which two stout hemp strings were tied. The smaller end of this wedge was thrust into Partridge's mouth so far as nearly to stop his breathing. The strings were then tied back of his head, notches in the sides of the block keeping them in place. His hands were tied behind his back with another stout cord and the two ropes joined by a square knot. Although no positive clue to the robbers has been obtained it is understood that the officers have two or three suspected persons under surveillance and arrests are likely to be made soon.

SAVING BABIES THEIR AIM.

New York Workers Against Infant Mortality Meet Today.

New York, March 16.—Philanthropists, sociologists and others interested in the saving of babies' lives met here today in a conference to plan the establishment of an academy for the instruction of mothers in the proper care of children. The conference was held under the auspices of the recently organized Infant Science academy, the founder and leading spirit of which is Mrs. Gibson Arnold of this city.

The leaders of the conference aim at securing the co-operation of the mother, the nurse, the family physician and the infant specialist in their endeavors to check the ravages of infant mortality. At the conference statistics were produced to show that in New York last year the deaths of babies less than one year old exceeded in number the deaths from tuberculosis. Mrs. Arnold and her coworkers declared that, while vigorous measures are being taken to save the lives of those attacked or threatened with consumption, very little in comparison is being done to help the infants.

NEW KEYSTONE SENATOR.

George T. Oliver of Pittsburg Elected Today to Succeed Knox.

Harrisburg, Pa., March 16.—In separate session today the two houses of the Pennsylvania legislature met and elected George T. Oliver, Republican, of Pittsburg, to serve in the United States senate the unexpired term of Philander C. Knox, who left the senate to become secretary of state.

Tomorrow the two houses will meet and declare the result of today's balloting. The Democratic vote today was cast for State Senator Webster Grim.

Mr. Oliver has planned to be sworn in on Thursday. He is a newspaper publisher and manufacturer of iron and steel. He was born in Ireland. Mr. Oliver began his career as a lawyer, but dropped his practice in 1881 to enter manufacturing. He has never held public office.

WEDDING A SOCIETY EVENT

Wedding Today Unites Two of New York's Best Known Families.

New York, March 16.—Two of New York's most prominent society families were united today by the marriage of Miss Susan Alexander McCook and Peter Augustus Jay. The bride, who is a daughter of Colonel John J. McCook, is related by marriage to the Morgans and other well known families. The bridegroom is a son of Augustus Jay and a member of one of New York's oldest and most historic families. On his mother's side he is a descendant of John Jacob Astor.

Mr. Jay has been in the diplomatic service several years and holds the important post of first secretary of the American embassy in Tokyo. The engagement of the young couple was announced only a week ago, and the marriage was hastened to permit the early return of Mr. Jay to the Japanese capital with his bride.

EPIDEMIC OF LA GRIPPE.

Indian Hunters and Trappers in Manitoba Fall Victims.

Winnipeg, Man., March 16.—Seventy-two Indians are dying of the grip at Fort Chippewyan, and more than 250 are afflicted with the disease at the thirteen posts in the Mackenzie river region of the Hudson Bay company.

Hunters on the trail are stricken with the disease, and trappers in the bush are suddenly seized with fatal effects.

CLAIMANT TO MILLIONS DIES.

Salvation Army Drummer Succumbs to Pneumonia.

Kansas City, Mo., March 16.—Amos Brundage, claimant to an estate in Jersey City, N. J., valued at several millions, died at his home here of pneumonia, aged sixty.

For eighteen years he was a member of the local Salvation Army. He contracted pneumonia while beating a drum in an army parade.

The future fable man can have some fun with Knox as the first American who wouldn't go to work until his salary was cut.

The hurrahing in Japan over Taft's inauguration suggests that, after all, the Japs have been half scared to death several times of late.

Uncle Sam is the biggest bulder in the world, and he doesn't intend to be second best in style or quality if he knows it.

It's different when the constitution stands in the way of changing the date of inauguration.

The clan Hibernian stands pat for a March holiday and "never mind the weather."

QUIET IN HOUSE.

Speaker Cannon Accepts His Defeat Very Gracefully.

SAYS NEW RULES ARE HELPFUL

Drawing For Seats Take Up First Part of Today's Session—An Analysis of Fitzgerald Amendment.

Washington, March 16.—The lightning-like switch of votes that paralyzed the Republican regulars and took away a greater part of Speaker Joseph G. Cannon's powers has caused the politicians to sit up and take notice.

When the house assembled today there was much suppressed excitement on the floor, and a big crowd of visitors again occupied the galleries. If anybody was looking for trouble it did not materialize in the early part of the session. About the only thing of importance taken up during that period was the drawing for seats, which occupied considerable time.

While the paralyzing effects of the downfall of the speaker's ironbound methods have not entirely worn away yet, the regulars and Speaker Cannon are putting a good face on, the latter even saying that the charges will greatly aid him and afford considerable relief. In fact, the amendment to the rules offered by Mr. Fitzgerald and finally adopted is considered by Mr. Cannon to be an improvement on the present rules in many ways.

The election of house officers preceded the action on the rules. With plenty of votes to spare, Joseph G. Cannon of Illinois was re-elected speaker, receiving 204 votes as against 186 for Champ Clark of Missouri, the rest scattered. Then came the stunning surprise for the regulars with the previous question as to the use of the old rules, being defeated by a vote of 198 to 189.

The house then adopted the amendment offered by Mr. Fitzgerald (Dem) of New York, whereby the rules were amended in several important particulars. The resolution was a substitute for one offered by Mr. Clark of Missouri.

The amendment was carried by a vote of 211 to 172.

As analyzed by parliamentarians, the amendment makes three important changes. First, it establishes a "calendar for unanimous consents," the effect of which is to enable a member to have a proposition brought before the house without having to go to the speaker for recognition. This change, they say, will be a relief to the speaker. Second, when consideration of a bill is concluded and the previous question is ordered the rules heretofore have provided for a motion to commit with or without instructions. It has been the practice to recognize a member of the majority party to make this motion and thus prevent the minority from offering such instructions as it may desire.

The new rule gives the minority the preference in making such a motion and thus enables them to get a record vote on propositions which would otherwise be settled in committee of the whole house, where no record vote is possible.

Third, it protects the calendar Wednesday by requiring a two-thirds instead of a majority vote to set it aside. Fourth, it is also claimed that the amendment will have the effect of preventing favoritism by the action of the committee on rules in special cases.

A prominent feature of the Clark resolution was an amendment providing for a committee of fifteen members to revise, amend and codify the rules, and much of the opposition to it was because of this fact. As adopted, the Fitzgerald amendment makes no change in the present method of the selection of the committee on rules, which is made by the speaker, nor is there any change in the method of selecting committees.

MARIE DRESSLER IS POOR.

Actress Says She Has Sold Jewels to Pay Company's Salaries.

London, March 16.—The liabilities of Marie Dressler, the American actress, who recently reopened the Aldwych theater, but was compelled to abandon the enterprise, amount to \$10,000 and the assets to \$3,000, according to estimates presented at a meeting of the creditors. These liabilities, however, do not include the unpaid salaries of her company.

Miss Dressler said that she had sold all her jewels to meet the salaries which were paid at the end of the first week and offered to make over one-quarter of her future earnings to the amount of \$7,500. The meeting adjourned pending an attempt to secure a better offer.