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NO. 101

MAID WAS WHIPPED

Butler Testifies Against Mrs. Brokaw in Suit.

SAW HER SMOKE CIGARETTES.

He Served Cocktails to Her in Teacups, Tumblers and Shakers. Broker's Brother-in-law a Witness.

Mineola, N. Y., Dec. 21.—That some one horsewhipped and kicked Miss Lee, who was Mrs. Brokaw's maid at High Point, N. C.; that Woods, the butler, served frequent cocktails and cigarettes at Mrs. Brokaw's door and that a bill Mrs. Brokaw had set down at \$5,000 when she tried to figure up the \$30,000 that Brokaw spent on her in one year was for only \$2,510 were some of the things brought out by the defense in court here in Mrs. Brokaw's suit for separation and alimony.

Woods, the butler, said that the day Mrs. Brokaw tried to leave Fairview for High Point her father asked him to lock the telephone booth so that she could not telephone for a carriage and that later when Mrs. Brokaw saw the nurse in the booth and the nurse would not let her in he heard her say to Miss Lee that she would make it hot for her some day. After that Mrs. Brokaw told the witness that she had discharged Miss Lee.

Woods said he told Mrs. Brokaw that he was sorry, as he had just given Miss Lee some witch hazel to rub her arm and leg where she had been horsewhipped and kicked. Woods was not sure that Miss Lee had rubbed the extract anywhere except on her hand because he didn't see her make the application.

When asked if he had told Mr. Brokaw who had struck and kicked Miss Lee, Woods said that he had not, because Mrs. Brokaw knew who did it.

"I carried a cocktail to Mrs. Brokaw in the sun parlor," Woods testified, "and she mentioned to me that she had discharged Miss Lee. Then I told her what I had given the nurse. I said that Miss Lee told me that she had been discharged by Mrs. Brokaw, and she wanted the liniment to apply to some bruises caused by kicks and lashes from a whip."

"Was the name of the person mentioned who applied the whip or did the kicking?"

"Mrs. Brokaw knew who did it," replied the butler firmly.

"Was anything said to indicate she had knowledge of the cuts on Miss Lee's limbs?"

"Mrs. Brokaw was very cross, and nobody asked her."

Woods declared that he had served cigarettes to Mrs. Brokaw.

"Ever see her smoke them?" he was asked.

"Yes, sir; one time I saw her extract one from a small box. It was in the log cabin. I saw her puffing."

He also declared that he brought her cocktails in teacups, tumblers and shakers.

H. Bramhall Gilbert, brother-in-law of Brokaw, recalled that Mrs. Brokaw had visited at his town house on a certain occasion while the Brokaws were staying at the Sussex and that Mrs. Brokaw had annoyed his wife so much with little things that he had told her not to do it any more.

"She disturbed my wife to such a marked degree that I asked Mrs. Brokaw to cease her unnecessary visits," said Mr. Gilbert.

RAILROAD MEN'S DEMANDS.

Boston and Maine and New Haven Called to Negotiate With Unions. Boston, Dec. 21.—The New Haven and the Boston and Maine have been called upon to prepare for negotiations with their employees' unions for a readjustment of wages and working rules.

The official announcement from Chicago has reached the local union officials that the proposition for higher wages and a ten hour day was carried almost unanimously in the referendum vote of the Brotherhood of Railway Trainmen and the Order of Railroad Conductors, the vote carrying with it an expression of willingness to support the demands with a strike.

The new standard scale which the unions will seek to force through on the New Haven and Boston and Maine systems will amount to about 10 per cent increase.

Bill to Prevent Gambling in Cotton.

Washington, Dec. 21.—Representative Lovering of Massachusetts has presented to President Taft a bill designed to prevent gambling in cotton and agricultural products. The bill was framed by Representative Scott of Kansas, chairman of the house committee on agriculture.

ESTRADA APPEALS TO U. S.

Insurgent Leader in Nicaragua Asks For Recognition.

Washington, Dec. 21.—President Juan J. Estrada of the provisional government in Nicaragua has appealed to Secretary of State Knox for formal recognition.

The United States will not recognize the provisional government until it is in complete and undisputed control of the machinery of the government of Nicaragua and is competent to enter into international obligations. Senor Estrada's cable dispatch to Secretary Knox was as follows:

To Secretary of State, Washington: No change in the person of Zelaya as chief executive selected by him or by the congress he controls will be accepted by the majority of the Nicaraguan people allied to our cause in the struggle for justice. Peace in this country can only be assured by the complete exclusion of Zelaya and his followers. We will continue fighting until this is secured. In the name of liberty and justice on our side we ask you to recognize my government.

ESTRADA. Henry Caldera, the American vice consul at Managua, reported to the state department the arrival there of Jose Madriz, whom the Zelaya party has placed in the presidency. Zelaya, Mr. Caldera added, is making active military preparations and is placing in office supporters of Senor Irias, who, it is thought, will hold the real power through his office of commander in chief of the army.

MADRIZ TAKES THE OATH.

Unanimously Elected President by Nicaraguan Congress.

Managua, Dec. 21.—Dr. Jose Madriz, who has been judge of the Central American court of justice at Cartage for some years, was unanimously elected president of the Nicaraguan republic by the national assembly. He at once took the oath and assumed the powers of his office.

Dr. Madriz's election came at the close of rather a stormy session of congress, but the members were all heartily in favor of his election.

Action on the part of Secretary Knox is awaited here with great anxiety by the large American interests in Nicaragua.

General Juan Pablo Reyes, who led the unsuccessful revolt against Zelaya in 1896, has deserted Estrada. He secured a furlough ostensibly to visit his family, but in reality to join Madriz.

When Estrada learned of the treachery of Reyes he denounced him bitterly.

\$2,500,000 FIRE IN LONDON.

Five Bodies Found in Store Ruins. Twenty Employees Missing.

London, Dec. 21.—The loss in the destructive fire at Clapham Junction is placed at \$2,500,000. Five bodies have been recovered in the ruins of Arding & Hobbs' store, and twenty employees are missing. It is feared that they are dead under the debris.

It was in one of the show windows of Arding & Hobbs' store that the fire had its origin. A clerk while showing some goods to a customer knocked an umbrella against an electric lamp. The bulb was broken, and the glowing filament fell on one of the numerous celluloid articles on display. In an instant the entire contents of the window went up in flame.

It is probably true that no building was ever consumed in such a short space of time. The flames roared from shop to shop until nearly half an acre of buildings was on fire.

The proprietors, who were on the premises, as well as the heads of departments, acted with coolness and promptitude. Immediately the flames were discovered the customers were led across the buildings to a side street, where all made their exit in safety.

There were about 500 employees in the building when the alarm was given, but the greater number escaped without injury. Four were instantly killed by leaping from third story windows.

DR. DAY'S ADVICE.

He Tells Syracuse Students to Learn to "Drive With One Arm."

Syracuse, N. Y., Dec. 21.—Chancellor James R. Day in his farewell address to the students on the eve of the Christmas vacation delivered in chapel said:

"I hope that you are favored with good sleighing while you young people are at home. I hope also that all the young men know how to drive with one arm. If I were a girl I would not go driving with a young man unless he could drive with one arm."

The chancellor's address was received with enthusiasm.

MEDALS FOR AERO FLIGHT.

French Academy of Science Remembers Zeppelin and the Wrights.

Paris, Dec. 21.—The Academy of Science has decided to award gold medals for aerial flights to the following aviators: Bleriot, Henry Farman, Count de Lambert, Latham, Santos-Dumont, Count Delavaux, Gabriel Voisin, Orville and Wilbur Wright and Count Zeppelin.

BALLINGER ANGRY

Secretary of Interior Demands Congress Inquiry.

STIRRED BY ENEMIES' CHARGES

President Taft Considers Him a Much Wronged Man—Chief Forester Pinchot May Have to Go.

Washington, Dec. 21.—Moved to anger by the charges and insinuations made against him in connection with the water power site policy of his administration and the Cunningham coal cases in Alaska, Secretary of the Interior Richard A. Ballinger has determined to remain quiet no longer.

Mr. Ballinger now demands an investigation by congress into his official conduct. The way has been paved for such an inquiry, and either the senate or the house will appoint a committee to look into the allegations involving Mr. Ballinger.

The resolution for an inquiry will be presented in the senate by Mr. Nelson of Minnesota, who is chairman of the committee on public lands, or Mr. Jones of Washington, Mr. Ballinger's own state. The resolution will provide for an inquiry also into the workings and policies of the forestry bureau, a subordinate branch of the agricultural department, of which Gifford Pinchot is chief.

President Taft is in thorough sympathy with Secretary Ballinger's desire for a probing into the coal land cases and the water power site controversy. He believes that the attacks made on Mr. Ballinger are the most outrageous ever directed against a public man and has expressed indignation on account of them.

In the president's opinion Mr. Ballinger's official conduct has been absolutely clean, and any investigation into what he has done as secretary of the interior or into his conduct as commissioner of the general land office or as a practicing attorney in the interim between leaving one federal office and taking up the duties of another will demonstrate that he has been deeply wronged by the newspapers, magazines, periodicals and individuals who have sought to bring his good name into disrepute.

Mr. Ballinger says he will welcome an investigation, and he hopes congress will take up the matter without delay. The attack made last week on Mr. Ballinger and Commissioner Bennett of the general land office by Representative Hitchcock, a Nebraska Democrat, is regarded as having had much to do with the decision of the secretary of the interior to invite congress to look into his stewardship.

It is reported on good authority that the administration has come to the conclusion that it would be well for Forester Pinchot to leave the government service. The attacks on Ballinger are attributed to employees in Pinchot's forestry bureau.

PRINCESSES WILL SUE.

Contest For \$56,000,000 Estate Left by King Leopold.

Brussels, Dec. 21.—Princesses Louise and Stephanie have definitely decided to take legal proceedings to recover the fortune of the late King Leopold, the value of which is stated to be \$50,000,000 in real estate and shares in industrial companies and \$6,000,000 in objects of art and jewels.

Lawyers for the Princesses Louise and Stephanie will shortly commence legal proceedings with this object in view. The action will be brought against the Societe Immobiliere Anonyme, which was founded by the late king, and also against the royal endowment in respect to the Congo and against the Countess Vaughan.

The Countess Vaughan has left here for the Chateau de Ballincourt in France. A dispatch from Rome says a long communication has been received at the Vatican from the Belgian authorities in regard to the status of the Countess Vaughan and her children. The Belgian minister, it was said, had discussed the matter with Cardinal Merry del Val, the papal secretary of state.

PREACHER BURNS LIQUORS.

Revivalist Stirs Merchants to Give Their Stocks to the Flames.

Carson, Nev., Dec. 21.—Dr. F. E. Koakum, founder of the Pisgah movement in Los Angeles, who professed to heal cripples and all diseases in the name of Christ, is here.

He has started the greatest revival in the history of Nevada. He has burned hundreds of gallons of liquors and many pounds of tobacco given to him by mercantile establishments that have seen the error of their ways.

ADOPTED BY SIX NATIONS.

Mrs. Troy Receives Highest Honor Conferred by Indians.

Auburn, N. Y., Dec. 21.—The highest honor ever conferred upon a white person by the red man was granted to Mrs. Helen F. Troy of this city at the Onondaga Indian reservation, the capital of the Six Nations, when she was formally adopted into the clan of the Snipe.

In the presence of the Onondaga braves and representatives of the Mohawks, Oneidas, Cayugas and Senecas the wondrous ceremonies of adoption and christening were carried out, with Chief Logan, the patriarch of the Onondagas, in charge. Mrs. Troy was christened by Polly Laforte, the head woman of the Onondagas. She was given the name of Gar-Wen-Ne-Sho, meaning the spirit dipping into the silent waters.

Mrs. Troy, seated with the chiefs, was the center of the dance of pleasure, while all the braves chanted a mystic phrase. The ceremony ended with a feast of the Indian dish, composed of corn, beans and beef juice.

Mrs. Troy received her name because of lifelong research into Iroquois legends and mythology. She is the author of an Indian dictionary in the six Iroquois dialects.

IRELAND TO SATOLLI.

American Archbishop Cables a Prayer to Dying Cardinal.

Rome, Dec. 21.—The slight improvement in the condition of Cardinal Satolli has been followed by a relapse. The physicians now believe that his death is only a matter of a few hours.

The following cable dispatch has been received from Archbishop Ireland of St. Paul:

"With a whole heart full of admiration for you I pray God to continue to



CARDINAL SATOLLI.

watch and care for you during your illness.

Cable dispatches have also been received from practically the entire American episcopate expressing the hope that the cardinal may recover.

Although extremely weak, the cardinal retains consciousness and, realizing that he is nearing the end, says that he is prepared for death.

COUNTESS SEEKS DIVORCE.

Widow of Millionaire Stetson Returns Alone From Europe.

Philadelphia, Dec. 21.—Much curiosity was aroused in society circles here when it was learned that Countess Eulalia, who was Mrs. John B. Stetson, widow of the millionaire hat manufacturer, had returned from Portugal without her husband, Alexio de Querlos Riederio de Sotto, Count de Santa Eulalia.

She has retired to Idro, her country estate in Elkins Park, and will sue for divorce.

The count and countess went abroad in October, shortly after Mrs. Josephine P. Ernest of Chicago announced that the count owed her \$10,000 for having introduced him into society, presented him to Mrs. Stetson and taught him to make love to the wealthy widow.

Count Eulalia is an artist and recently had a studio in New York. Recently he has been engaged in a memorial of Augustus St. Gaudens.

The countess is worth several million dollars. The wedding was celebrated in July, 1908, after a special dispensation, the bride being a Protestant, had been granted by Archbishop

Balfour Kept Out of Campaign.

London, Dec. 21.—Arthur J. Balfour, the Unionist leader, is confined to his home with an attack of pulmonary catarrh. He has been unable to attend any of the political meetings.

Diamond From a Rogger's Gizzard. Caldwell, N. J., Dec. 21.—John Carl, a farmer, near Montville, killed a nine pound rooster for the family dinner.

In the gizzard of the bird he found a diamond, which a jeweler told him was worth \$75.

Yale Professor Dies in Sanitarium.

Litchfield, Conn., Dec. 21.—Professor Emeritus George Park Fisher of Yale university died suddenly in a sanitarium here.

KILLED ON RAILS.

Interstate Commission Reports 10,313 Slain.

105,234 WERE INJURED IN YEAR

Board Asks Congress to Amend Law So That It May More Effectively Enforce Reasonable Rates.

Washington, Dec. 21.—The report of the interstate commerce commission, presented today to the senate and house of representatives, shows that the total number of casualties to persons on the railways for the year ended June 30, 1908, was 114,418, of which 10,188 represented the number of persons killed and 104,230 the number injured.

These figures do not include accidents reported by switching and terminal companies, as follows: Employees, 45 killed, 880 injured; passengers, 2 killed, 36 injured; other persons, 83 killed, 88 injured; total, 125 killed, 1,004 injured.

Casualties occurred among three general classes of railway employees in the service of carriers other than those classed as switching and terminal, as follows: Trainmen, 1,842 killed and 35,821 injured; switch tenders, crossing tenders and watchmen, 137 killed, 1,068 injured; other employees, 1,426 killed, 45,598 injured. The casualties to employees coupling and uncoupling cars were: Employees killed, 222; injured, 3,378.

The total number of casualties to persons other than employees from being struck by trains, locomotives or cars was 5,018 killed and 4,572 injured.

Urging the need of amendments to the law, the commission says:

"The experience of the past year confirms our conviction that certain amendments are necessary to enable the commission to more fully accomplish the purposes of the act.

"There is, in our opinion, urgent need of a physical valuation of the interstate railways of this country. Even assuming that the valuation of our railways would be of no assistance to this commission in establishing reasonable rates, it is still necessary if those rates are to be successfully defended when attacked by the carriers that some means be furnished by which within reasonable limits a value can be established which shall be binding upon the courts and the commission.

"It seems plain to us also that some method should be provided by which railroads can be prevented from advancing their rates or changing their regulations and practices to the disadvantage of the shipper pending an investigation into the reasonableness of the proposed change. Confusion and discrimination result from present conditions.

"Nothing can be more fallacious than to assume that damages are in most instances an unreasonable rate, nor, if it should be finally held that courts have authority to prohibit advances, are the injured parties in most cases able to conduct an expensive litigation and file the enormous bonds which are necessary to the obtaining of an injunction.

"There is no absolute standard of a reasonable freight rate, and there is therefore no absolute right upon the part of a railroad to charge a particular rate. Where a given rate has been in effect, often for years, a strong presumption of its reasonableness arises, and there is no hardship in giving this commission authority in its sound discretion to require a continuance of that rate until opportunity has been afforded to investigate the proposed advance.

"If this body is to be relied upon to correct unreasonable railway rates, regulations and practices, instances must frequently arise in which no formal complaint will be filed, but where investigations ought to be had and orders made. Our experience shows that it will often be necessary to broaden the scope of complaints which are filed and prosecuted if justice is to be done between different communities. We believe that wherever it appears, either from a formal complaint filed or from informal complaint received or from the general knowledge of the commission, that a given situation ought to be investigated, the commission should have authority upon its own motion or by modifying a complaint already filed to prosecute an adequate inquiry upon notice to the carrier and to make a relieving order if one be required.

"The need of exercising control over railway capitalization is again urged upon the attention of the congress.

"The commission also recommends that it have broader authority to prescribe and enforce general regulations relating to the movement of traffic.

When a standard of reasonable practice has been established by the voluntary action of the carriers or can be fairly ascertained by suitable investigation conformity to that standard should be made obligatory, and this can best be done, in our judgment, by empowering the commission to make suitable regulations. This gives to the approved practice the sanction and support of public authority and operates to secure its uniform observance."

NOT COUNT'S SON

Court Decides Baby Was Foisted on Nobleman.

FROM A PALACE TO A HUT.

Woman Confesses on Her Deathbed That She Bought the Child In Order to Practice Deception.

Berlin, Dec. 21.—The end has been reached of a famous case of child substitution which has occupied the attention of the German courts for years.

It was decided by the highest tribunal at Posen that the boy Joseph Kwilecki, who has been the cause of all the litigation, is not a scion of a noted Polish house, but is the child of a simple Galician peasant.

The court decrees that he must leave the palace or castle, where he has been treated as the heir to high honors and rich estates, for the hut of a crossing watchman on a Galician railway. That is where his foster mother is employed.

The case has been full of surprises from its inception. At first the courts decided that the lad was the son of the Countess Kwilecki of Poland.

After some years the woman crossing-keeper came forward at the behest of the Kwilecki heirs and confessed that her mother had bought the child from a midwife in Cracow. There was a pretended acquiescence of the countess at Berlin. After the countess' death the boy was regarded as the genuine heir.

The crossing sweeper told the court that her mother on her deathbed exacted from her a promise that she would reveal the truth to the Kwilecki heirs. The court held that the story as told by the woman was proved, and the decision followed.

Joseph Adolf Stanislaus, Graf von Kwilez-Kwilecki, was born in Berlin on Jan. 27, 1897, the fourth child and only son of Anton Joseph von Belina-Wieselski, Graf von Kwilez-Kwilecki, and his wife Isabella, Gräfin von Bainska.

The mother was born on March 3, 1846, and was therefore fifty-one years old at the time of the birth of the boy. She was married in July, 1864, and her three daughters were born, Luise on Sept. 10, 1865; Isabella, June 13, 1873, and Marie, Oct. 12, 1879.

The house belongs to the Roman Catholic Polish nobility, but the title was only assigned to the present branch in 1853, and the disputed child's putative father succeeded to it on the death of Count Joseph Kwilecki on Nov. 3, 1860. The entailed estate of Wroblewo, together with Wierzochin, Klodzisko, Gluchowo, Pakawis and Dabrowa in Posen, go with the title.

New Police Chief For Canal Zone.

Washington, Dec. 21.—Colonel J. P. Fyffe of Kentucky has been appointed by Secretary of War Dickinson to command the police department of the Panama canal zone. He was colonel of a Tennessee regiment during the Spanish war and is one of the most widely known national guardsmen in the south.

LEAVES JEWEL TO QUEEN.

Will of Consuelo, Duchess of Manchester, Expresses Affection.

London, Dec. 21.—The will of Consuelo, dowager duchess of Manchester, who before her marriage was Miss Consuelo Yznaga, has been probated here. The estate is valued at \$1,050,000.

After making provision for her grandson, Viscount Mandeville, and the other children of her son, the Duke of Manchester, and his wife, formerly Helena Zimmerman of Cincinnati, the will directs that the residue of the estate shall be held in trust for the duke for life.

The will bequeaths to Queen Alexandra a ruby and diamond bracelet which, the testator says, "I would like her graciously to accept as a token of my respectful affection."

From the American estate a sum of \$250,000 is put in trust for the younger children of the Duke of Manchester.