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BALLINGER REPLY.

Says Charges of Favoritism Are Baseless.

WILL WELCOME INVESTIGATION.

House of Representatives Committee Will Inquire at Once Into Official Acts as Land Commissioner.

Washington, Jan. 18.—In reply to the specific charges of extravagance and favoritism in the land office and misuse of appropriations made by Representative Hitchcock of Nebraska before the house committee on expenditures in the interior department Secretary Ballinger said today:

"The charges are baseless, and I welcome the fullest investigation by congress.

"It is true that Judge Wright was demoted while I was commissioner of public lands, but not to make room for my nephew, Jack Ballinger. Judge Wright was demoted for inefficiency, to be frank about it. The reduction took place at the time the board of law review was being organized, and Judge Gray took the place on that board he otherwise would have held.

"Jack Ballinger was placed in the excepted class by President Roosevelt at the request of Secretary Garfield that he might act as my secretary. He remained in the service after I left in March. I had nothing to do with his appointment as an inspector. That appointment was made after I had left. He remained in the service three months after I resigned."

Secretary Ballinger also branded as "ridiculously false" the charge "of the erection of a certain large brick chimney for a land office at considerable expense" and showed that it relates to the construction of a new stack for the heating apparatus for the interior department buildings in Washington. He also said that the attack on Chief of Field Service Schwartz was "an unwarranted assault upon an efficient government officer."

As a result of the testimony given by Mr. Hitchcock the committee of the house will at once begin an investigation independent of that to be conducted by a joint committee of congress. Witnesses will be summoned from the interior department.

One of the charges against Secretary Ballinger made by Mr. Hitchcock related to the employment of the secretary's nephew, Jack Ballinger, while Mr. Ballinger was commissioner of the land office. Mr. Hitchcock charged that Mr. Ballinger demoted Judge Wright, one of the law clerks, from a \$2,000 position to a \$1,400 position in order to make room for his nephew.

He also charged that when Mr. Ballinger was ready to retire as land commissioner and after Jack Ballinger had announced that he would retire at the same time and go to Seattle to practice law the position of special inspector of offices was created in order that young Ballinger might return home at the expense of the government and continue to draw pay. He resigned his position, Mr. Hitchcock says, two weeks after he had reached Seattle.

Mr. Hitchcock also charged that salaries were being increased and new positions created in the interior department without authority of law and that many of the field agents are utterly unqualified to do the work for which they were appointed.

Chairman McGuire announced that the charges made by Mr. Hitchcock were specific enough to warrant his committee to make a searching investigation of the expenditures in the department and said that the investigation would be begun at once.

MRS. HARRIMAN BUYS A BANK

She Owns a Majority of the Stock of the Night and Day.

New York, Jan. 18.—Mrs. E. H. Harriman has acquired a stock majority of the Night and Day bank and will interest herself in the conduct of its affairs, becoming the first woman of this city personally to own a financial institution.

E. H. Harriman always held a substantial interest in the Night and Day bank, but it never amounted to control. The acquisition of sufficient additional shares to give an actual stock majority has been of recent date. The stock was bought privately from the estate of Charles T. Barney.

While Mrs. Harriman's interest in the bank will be active, it will not necessarily result in the taking away of all discretion from the management. Friends of Mrs. Harriman say that the stories recounting her laborious application to and personal superintendence of all details relating to the management of the Harriman estate are exaggerated.

CONFESSES GIRL'S MURDER.

Coachman Schermerhorn Admits Guilt When Mother Visits Him.

Poughkeepsie, N. Y., Jan. 18.—Frank Schermerhorn, the coachman, has confessed the murder of Miss Sarah Brymer, the nurse, in Barnes Compton's house at Millbrook. He made the confession in Vassar hospital in the presence of his mother and sister.

Schermerhorn has been in the hospital since last Thursday night, when he cut his throat while the officers were seeking him. When he saw his mother he blurted out: "Oh, I did it! I will tell!"

Mrs. Schermerhorn swooned, falling on the floor. Undersheriff Hornbeck picked her up, and then while nurses cared for her Hornbeck wrote down the prisoner's statement, which Schermerhorn signed.

The confession was given to District Attorney Mack, who gave out the substance as follows:

"Schermerhorn pleaded intoxication for his crime. He declared at the outset that he had no intention to kill or injure Miss Brymer. He told of taking the maids, Alice Dutcher and Mary Farrell, for a sleigh ride the evening before the murder. He drank considerable beer and whisky and says he was so drunk that he remembers indistinctly the subsequent events.

"With regard to the silverware taken from the Compton house Schermerhorn says he remembers putting it into the stove in his house and then placing the charred and bent pieces in the chimney flue.

"He says he has no recollection of blackening his face before entering the Compton house."

THEATER MAN ON TRIAL.

Pleads That He Killed Wife While Momentarily Insane.

Wilkesbarre, Pa., Jan. 18.—George L. Marlon of New York, a theatrical man, is on trial here before Judge Lynch charged with the murder of his wife in the office of the chief of police.

Marlon's wife ran away from Blairstown, N. J., where they were living, with James L. Brooks and came to this city, where Brooks deserted her. Marlon traced her to this city, and the two met in the office of Chief of Police Grant Long.

They greeted each other affectionately, and then Marlon asked the chief to leave them alone for a few minutes. The chief left the office, and Marlon killed his wife. He said he also intended to kill himself, but lost his courage.

The defense is that he was jealous and that when his wife refused to return with him he became momentarily insane.

Theatrical friends all over the country have subscribed to a fund for his defense.

MILLS LEFT \$50,000,000.

All Except \$400,000 Goes to Banker's Son and Daughter.

New York, Jan. 18.—The will of Darius Ogden Mills, which disposes of an estate of \$50,000,000, contains less than 500 words. It leaves \$400,000 to public institutions and gives the rest of the estate to the two children, Ogden Mills and Mrs. Whitelaw Reid.

The public bequests are as follows: Metropolitan Museum of Art, \$100,000; American Museum of Natural History, \$100,000; Home For Incurables in the city of New York, \$100,000; Botanical gardens in the Bronx, \$50,000; American Geographical society, \$25,000, and the American Red Cross, \$25,000.

The two children are to share equally in the estate, and they are named as executors. In case of the death of Mrs. Reid her husband is to act.

SETH BULLOCK RENOMINATED.

President Taft Keeps His Promise to Colonel Roosevelt.

Washington, Jan. 18.—Captain Seth Bullock of Deadwood, hero of the plains and intimate friend of Colonel Roosevelt, has been renominated for another four year term as United States marshal for the district of South Dakota. The fact that the South Dakota senators, Gamble and Crawford, were opposed to the appointment of Captain Bullock, had no weight with the president.

Some months ago Mr. Taft promised Colonel Roosevelt that if his old friend Seth wanted to hold his job as marshal he would be recommissioned.

GEN. SIGEL'S WIDOW DIES.

Grandmother of Slain Girl Was Never Told of Elsie's Fate.

New York, Jan. 18.—Mrs. Elsie Sigel, widow of General Franz Sigel, died at the home of her daughter in this city.

Just before the end came Mrs. Sigel called her children to her bedside and said, "Live well, remember, live well." Mrs. Sigel was never told of the death of Elsie Sigel, her granddaughter, who was murdered by Leon Ling, a Chinaman, but the family believe that she probably knew something about it, although Elsie's name was never mentioned.

LIBERALS AHEAD.

British Unionists Cannot Get a Majority.

LORD CHARLES BERESFORD WINS

Asquith and His Allies May Have a Working Plurality Without the Irish Nationalist Members.

London, Jan. 18.—The result of the parliamentary elections thus far make it clear that, despite the Unionist gains of twenty-nine seats, the Liberals, with their allies, will certainly have a majority of 100 or more.

The result tends also to show that the Liberals may secure a small working majority with the aid of their Labor and Socialist allies while disregarding the Nationalists.

The strength of the rival parties in the new parliament thus far is as follows: Liberals, 76; Laborites, 16; Nationalists, 13. This gives the government coalition a total of 105 as opposed to 92 for the Unionists. As one-third of the members are now chosen, a ministerial majority of fully 100 seems assured.

The popular vote again shows the unfortunate position of the Unionists. The latter polled a total of 608,000



LORD CHARLES BERESFORD.

votes against 517,000 for the Liberals, Laborites, Nationalists and Socialists combined, and yet the Unionists won only forty-eight seats while their opponents captured fifty-six.

The most notable Unionist gain was at Portsmouth, where Lord Charles Beresford and his colleague, Falle, routed the Laborite candidates. Beresford polled 16,777 votes, while the Liberals, who carried the district in 1906, polled then only 10,500. Falle polled 15,592.

All the members of the ministry so far voted for retained their seats, but the majorities in every case fell. John Burns dropped from a majority of 1,600 to 555 at Battersea. He polled 1,155 votes more than he did in 1906, but his opponent had 2,198 more supporters than he had four years ago.

Augustine Birrell's majority at North Bristol fell from 2,942 to 1,346, while his total poll was reduced.

North Camberwell gave MacNamara fewer votes and a majority of only 1,082 compared with 2,817 at the last election. Masterman's majority at Westham fell from 1,744 to 790. Hobhouse in East Bristol polled 1,131 fewer than in the last contest and suffered a reduction in his majority.

Arthur J. Balfour, the former Conservative premier, holds his London seat. His colleague, Sir Frederick Raebury, was also elected. The Liberals fought an uphill fight, polling but 4,023 against a gross Unionist vote of 35,209.

Walter H. Long, a former minister in a Conservative cabinet, won in the Strand division of London by a majority of 3,213 compared with 2,081 four years ago.

On the Liberal side Captain Donald Forbes, brother of the Earl of Granard, who married Miss Beatrice Mills of New York, failed to capture West Marylebone.

Major Archer Shee, whose wife was a Miss Pell of New York, won at East Finsbury.

The Liberals also won back the constituency of Haggerston, which was represented by the Hon. R. Guinness, Unionist, he being defeated by H. G. Chancellor.

Balle, both being elected by huge votes, 16,777 and 15,592 respectively.

Seven Irish Nationalists were returned without opposition—John E. Redmond, the Irish Nationalist leader, from Waterford City; Edmund Haviland Burke, from Tullamore division of King's county, and the candidates from Roscommon, Tipperary (south division), Wicklow east, Donegal north and Wexford north. From the mid-Armagh division, north Ireland, a Unionist was returned unopposed.

The Laborites were hard hit by their defeat at Woolwich. Crooks, who is one of their foremost champions, had hastened home from a trip to Australia to vote and had strong hopes that his party would carry the day. They were defeated, however, in a constituency which has been regarded as strongly Laborite. It comprises the many workers in the arsenal, yet they turned Crooks down and elected a Unionist, Major Adam, by 8,715 to 8,420 votes for Crooks.

Lord Hamilton carried the South Kensington district, which was held in the last parliament by Earl Percy, who died recently in an obscure hotel in Paris.

FEDERATION CHEERS PINCHOT

Ovation to Deposed Chief Forester, Who Talks on Conservation.

Washington, Jan. 18.—The chief feature of the proceedings of the National Civic federations conference on uniform laws was the ovation accorded to Gifford Pinchot, who was recently removed by President Taft as government forester for insubordination growing out of the so-called Ballinger-Pinchot controversy.

When introduced by Judge Parker, Mr. Pinchot was vigorously applauded, and these delegates sitting along the aisles arose and warily shook his hand. When he ascended the platform the delegates left their seats and crowded around him, slanking his hand and cheering him. It was some time before order was restored and before Mr. Pinchot was able to proceed.

Mr. Pinchot spoke on conservation. He stated that it was the "plain duty of all the friends of conservation to sink their differences. He said in part:

"The policies now grouped under the name of conservation are of various ages. Some, like forest preservation, have been advocated by Americans for more than a hundred years. Some, like the control of water power monopoly in the common interest, are younger than the present century. All of them today are in the valley of decision. We have come at last to the point of action. And we must either go forward or fall back. Here is a mighty field for uniform action and for co-operation between the states themselves and between them and the nation.

"The president urges that the measures he recommends shall be taken up and disposed of promptly without awaiting the investigation which has been determined upon. I echo his desire."

WRECK OFF ATLANTIC CITY.

Harold Binney's Yacht Mist Abandoned by Owner and Crew.

Atlantic City, N. J., Jan. 18.—Daring the monster breakers to reach the shore after their yacht had been caught by the southeast gale and driven within a few hundred yards of the surf, Harold Binney of New York, with Mr. and Mrs. W. L. Darnell and their two-year-old daughter, abandoned the Binney yacht Mist directly off this city and reached the end of the ocean pier.

Five men of the crew left aboard the yacht were taken off the vessel by government life savers in the new power lifeboat, and the abandoned yacht ran aground on the beach.

Mr. Binney said he was bound for Newport News and had encountered stormy weather since he put out from Sandy Hook.

The Mist was built by N. G. Herreshoff at Bristol, R. I., in 1904 and was originally owned by E. De V. Morrell of Philadelphia.

PASTOR KILLS HIMSELF.

He Wore Himself Out Preaching Against the Rich.

Pittsburg, Jan. 18.—The Rev. Paul Axtell, pastor of the First Presbyterian church of Sewickley, committed suicide by shooting himself in the heart with a revolver in a barn at the home of his father, the Rev. J. S. Axtell, pastor of the Lebanon Presbyterian church.

Mr. Axtell, who was a graduate of Princeton of the class of 1906, was considered one of the most brilliant young ministers who ever preached in the vicinity of Pittsburg. His sermons attracted crowds to the Sewickley church, and he handled the rich without gloves.

When he broke down about six weeks ago after preaching a remarkable sermon against men of great wealth his relatives arranged to send him away on a long trip. He was to go to the Pacific coast for the winter,

FIGHT MEAT TRUST

New York Legislature Seeks to Dissolve Combine.

FEDERAL CO-OPERATION ASKED

Cardinal Gibbons Declares That Food Prices Have Risen Beyond Reason, and Conditions Cannot Continue.

Albany, N. Y., Jan. 18.—Two resolutions which aim to bring about a reduction in the cost of food supplies have been introduced in the assembly. One by Assemblyman Murray of New York requests the attorney general of the United States and the attorney general of New York to institute proceedings dissolving the meat trust and putting an end to that monopoly. The other, offered by Democratic Leader Frisbie, provides for a legislative committee to investigate the reasons for the increased cost of living and to recommend remedial legislation.

The Murray bill, which seeks to bring about the criminal prosecution of the men responsible for the monopoly in meat, follows:

Whereas, The retail prices of meats are higher than at any time in the history of the United States, which prices do not result from economic laws and are out of all proportion to the ability of the great mass of wage earners in the city of New York to pay said excessive prices for this necessity of life; and

Whereas, The recent statement of Swift & Co. for the year 1909 shows a net profit of 14 per cent on \$20,000,000 of stocks and its assets were increased nearly \$12,000,000 after paying interest on bonds; and

Whereas, It appears in the public press that Swift & Co. and the National Packing company by agreement are about to control all the supply, packing, provision and beef companies engaged in the sale of meats to the retail trade in the city of New York and that the National Packing company is about to acquire every retail butcher store in the city of New York devised by such trusts; and

Whereas, Said monopoly is in restraint of trade and in violation of the antitrust laws of the United States and the state of New York and against the general welfare of the people of the city of New York; therefore, be it

Resolved, That the legislature of the state of New York requests the attorney general of the United States and the attorney general of the state of New York to inquire into the existence of such monopoly or contemplated monopoly and to bring such actions or proceedings as may be necessary to dissolve, restrain and prevent said monopoly and to prosecute criminally all those concerned in such conspiracy as in such cases made and provided by federal and state statutes.

Leaders of both parties in the legislature are in favor of the passage of the resolutions.

Cardinal Gibbons Welcomes Movement

Baltimore, Jan. 18.—Cardinal Gibbons in an interview here said he would heartily welcome any movement which would tend to reduce the cost of living and predicted that corrective steps would have to be taken in regard to the soaring prices of commodities. He declared that his own experience has demonstrated to him that prices of food products have advanced to figures that are "beyond all reason."

"For a long time I have noticed that prices of supplies of all kinds seemed gradually to be getting higher and higher," the cardinal said, "but I do not know just what causes the advance in prices. Of one thing I am certain, prices of necessities have gone beyond wages—that is, wages have not increased in proportion to the increased cost of living.

"Something must be wrong with the economic conditions in the country when wages and salaries remain unchanged while food continues to increase in price."

"Do you believe the trusts are responsible for the increase?" was asked. "As to that I am not prepared to say," replied the cardinal. "Something evidently is wrong when many of the commonest necessities in foods are priced at such enormous figures."

The cardinal was asked if he endorsed the movement started in Washington by the Antifood Trust league to boycott throughout the United States any article of food which is too high in price.

"I haven't gone far enough into the subject to express an opinion on the new organization," he replied, "but something of the kind, it seems to me, would have the result which the consumers seek to accomplish.

"Most of the prices for food products are clearly out of all reason, and one thing is certain, the people cannot go on paying such prices when they are not earning any larger incomes.

"I heartily indorse any movement which will tend to reduce the cost of living for most of the people of this country.

"There is no doubt that some kind of corrective steps will have to be taken in regard to the present high prices."

Pledged to Abstain From Meat.

Cleveland, O., Jan. 18.—Already more than 7,000 workmen in Cleveland's industrial plants, representing more than 30,000 consumers, have signed the pledge to boycott meat for thirty days. The movement has spread to the districts in which office men, clerks and employers drawing higher wages than the shop men live.

In Steubenville, where 300 families have been on strike since Saturday morning, two meat markets have closed. That the boycott will take in other foodstuffs with meat is freely predicted here.

WESTERN UNION WINS.

U. S. Supreme Court Declares Kansas Tax Law Unconstitutional.

Washington, Jan. 18.—The Bush tax law of Kansas, under which that state exacted a charter fee based on the capital stock of a foreign corporation as a prerequisite to receive permission to do business in the state, has been held by the supreme court to be void as far as the Western Union Telegraph company was concerned.

The bench was divided in this opinion, however, the majority, consisting of Justices Harlan, Brewer, Day and Moody, holding that the tax violated the constitution in that it placed a burden on interstate commerce by taxing property outside its borders.

In this result Justice White also concurred on the ground that the law was confiscatory, while Chief Justice Fuller and Justices Holmes and McKenna dissented, because they held the law came within the power of the state to name the conditions under which a foreign corporation might do business within the state.

The Bush law required the telegraph company to pay \$20,000 fees based on its capital stock of \$100,000,000.

CZARINA CRITICALLY ILL.

Empress of Russia Has Prolonged Lapse of Consciousness.

St. Petersburg, Jan. 18.—The czarina of Russia has had a serious relapse since returning to St. Petersburg and is dangerously ill.

She suffered an acute attack of hysteria, followed by a prolonged lapse of consciousness. Three specialists have been summoned, including Dr. Bekhtereff, a leading authority on mental diseases.

Her majesty, it is stated, rallied early today, but one of the specialists remains in attendance at the imperial palace. The Russian newspapers are forbidden to publish anything concerning the royal family, and as no bulletins have been issued the nation remains in ignorance of the illness of the empress.

NEW COMET DISCOVERED.

South African Astronomer Reports His Find to Harvard.

Cambridge, Mass., Jan. 18.—The Harvard college observatory has received a cable dispatch from the Kiel observatory announcing that a new comet, visible to the naked eye, has been discovered by a South African observer. The dispatch says: "Comet A was observed by Innes at Johannesburg in right ascension 19 hours 56 minutes 28 seconds and declination minus 25 degrees 9 minutes 24 seconds.

"The comet has an hourly motion in right ascension of plus 41 seconds of time and declination of plus 6 minutes 4 seconds of arc."

CALLS THEM JACKASSES.

Georgia Legislator Expresses His Contempt For Colleagues.

Atlanta, Ga., Jan. 18.—Dr. George Brown, a member of the Georgia legislature, in a public address here likened his colleagues to a lot of jackasses.

Dr. Brown was addressing a tuberculosis convention on the possibility of getting state aid for prevention of tuberculosis. He said: "I have the misfortune to be a member of the Georgia legislature, and I have the profoundest contempt for that body.

"If you had a drove of Kentucky jackasses in the capitol, I'd offer a prize for the one that, being prodded, could kick the longest you would have a fair idea of the mental attitude of the legislature of Georgia. They will do nothing."

AMBASSADOR NABUCO DEAD.

He Expires Suddenly at the Brazilian Embassy of Apoplexy.

Washington, Jan. 18.—Senor Joaquin Nabuco, Brazilian ambassador to the United States and one of the most prominent Latin-American diplomats, died suddenly at the embassy in this city of apoplexy.

President Taft was one of the first to call at the embassy to express condolence. Accompanied by Captain A. W. Butt, his military aid, the president rode to the embassy in one of the White House automobiles.