

CASE OF DANIELS

(Continued from Page One.)

hissing in front of her house, she said.

James Conger said he saw a crowd on Court street, in front of the courthouse, a few minutes past 6 the night in question. The conduct of these men, the witness said, was objectionable. He was on his front porch at the time and had a good view of them.

Henry Demer said he lived at Court and Seventh streets. He knew Frank Daniels by sight and at one time employed him. On Aug. 30, Mr. Demer said, Daniels passed the Demer house at 6 or a few minutes after. He was one of a crowd of men that came down Court street, following Mr. Demer, his brother and Knapp, the non-union glasscutter. Knapp at that time, the witness explained, was boarding with the other Demer. He said the crowd followed the trio as far as the machine shop, but this was nothing unusual to him, Mr. Demer said. There were cries of "Scab" and "Skunk" and "Choke him," but the vile epithet that lies at the bottom of so many funerals in the West and South wasn't used, according to Mr. Demer's testimony. Such language was never heard before the strike. Mr. Demer said he was out that night to protect his man.

To Mr. Mumford Mr. Demer said he did not hear Daniels say anything in particular.

William Bergman said he lived in East Honedale, below the old covered bridge. He was at work in the Herbeck-Demer shops Aug. 30. He was acquainted with Daniels and he supplemented his testimony as to the existence of the acquaintance with the words:

"I'd ought to know him, for he insults me every time I pass him."

He said Daniels commenced to treat him badly when the strike started.

Bergman said he left the factory at 6.05. He walked down Court street and in front of the courthouse he saw Daniels. There was a crowd of 30 or more. They shouted all the way down Court street, but the witness said they were some distance ahead and their exact words he didn't get.

Mr. Mumford asked what Bergman heard Daniels say, and Bergman told the defendant's senior counsel he did not hear Daniels say anything. Daniels, he added, was not very far back in that crowd and he might have been three feet behind the leaders. He was walking. He was not on a bicycle.

At this point Mr. Hoff said he rested for dinner. The recess was until 2.

Mr. Hoff called Joseph Demer as his first afternoon witness. Mr. Demer said he lived in Texas and was a glass manufacturer. On Aug. 30, he told the lawyer, he was on his way between the factory and Court street on his way home. He said he knew Frank Daniels and saw him a little after 6 that night. Daniels was at the corner of Eleventh street and Court, with 25 or 30 fellows around him, and the crowd, according to Mr. Demer's story, was noisy. They were yelling and howling and the first man to shout "Scab" was Daniels. The witness was positive he heard Daniels use the word three times.

When Mr. Demer and Mr. Hoff described Daniels as "the leader of the mob" there was a wrangle between Hoff and Mumford, the latter objecting vigorously to the term.

"I said," said Mr. Demer, "that he (Daniels) led the crowd on to catch up with my brother and Knapp."

From the corner of Eleventh street and Court, the witness said, he went home. As far as he could hear they were howling and hollering, conduct that never occurred before the strike. Mr. Demer said he thought Daniels worked for Krantz, Smith & Co., and stopped work at either 5 or 6, according to the department of the shop he was in. He admitted he did not know for certain the quitting time of Daniels.

Mr. McCarty was not lengthy in his cross-examination of Mr. Demer. He asked him if the Herbeck-Demer company was a party to this prosecution and he wanted to know who subpoenaed this witness.

"Nobody," said Mr. Demer. "I came myself. I know I got here. That's enough."

"This," said Mr. Hoff, "is a foolish and unnecessary question." Mr. McCarty said it was a fair question, and he demanded an answer. Mr. Demer said Daniels was pointed out to him by Mr. Herbeck on the street one night when Demer and Herbeck were on their way home.

"Are you after Daniels in particular?" asked Mr. McCarty. Mr. Hoff objected and the question was ruled out.

Mr. Demer said Daniels was the only man in the crowd he recognized. Daniels was howling "Scab." About 20 people were around him. He was sure he saw Daniels and heard his voice. There were others talking, but Daniels, he declared, was howling. The witness said he did not watch Daniels to Dorflinger's. He declared with great positiveness that Daniels was walking and had no bicycle. He had seen Daniels with a bicycle at other times.

On re-direct examination, the witness said he had known Daniels a year and Daniels had worked under him. Witness is superintendent of the Herbeck-Demer factory. Asked if he knew Daniels well, he said he did and that he could recognize him any time and anywhere.

Mrs. Ham, recalled, said she knew Daniels and saw him in the crowd. The uncle and aunt of Daniels live on Ninth street, close by the house of the Hams, and Daniels calls at that house sometimes. The night of the trouble, she said, Daniels was on foot, though sometimes he rides a bicycle. He was walking very near to Mr. Demer.

Mr. Hoff said he rested and Mr. Mumford called Frank Daniels, the defendant, to the stand. He was sworn at 3 o'clock, and his testimony took about 25 or 30 minutes.

Daniels told Mr. Mumford he worked for Krantz, Smith & Co. and was in their shop all day Aug. 30. He quit at 5. From work he went to the house of his uncle and aunt on Ninth street, getting there at five or 10 minutes after 5 and remaining until a little after 6. He said he made a practice of going there two or three times a week. He saw the Demer party a little north of the place where Martin E. Galvin's barn was burned. He stated he got on his wheel at the corner of Court and Ninth, rode to the Katz underwear store and stopped to talk. He said from that point rode to his home on Erie street. He saw Smith and Kieglar. He denied that he passed Louis Dorflinger's house or Squire Ham's house with the crowd that made the noise. He was reminded that Mr. Demer's testimony placed him on Court street with the crowd that did the hissing.

"Demer," said Daniels, "is likely to say anything."

He said he didn't walk on Court street at all that night. He could see the Demer crowd as he rode his wheel home, but they were a block ahead. He was certain he hadn't called anybody a "Scab."

"I never used that word in my life," he said.

On cross-examination Daniels told Mr. Hoff he goes home Court street to the German Catholic church, thence to Main and Erie.

"Did you know about this riot before it came off?" asked Mr. Hoff.

"No," said Daniels. "I was at my uncle's when it started."

"Do you mean to call Charlie Dorflinger a liar, and Mrs. Kuehbach, and Mrs. Ham, and all the rest of them?"

"My word is as good as theirs," said Daniels.

"Do you belong to the union?"

"Yes," said Daniels, and then Mr. McCarty stopped him, saying the idea of union membership is not material in a case like this.

"Theodore Roosevelt," said Mr. Hoff, "is trying to bust the trusts. But the biggest trust of all is the labor trust, which may keep a poor man with a sick wife or mother or children from working for his bread."

"Since you make Roosevelt an issue here," retorted Mr. McCarty. "I may say he is a member of several labor unions. He belongs to the Hod Carriers, for one."

"Yes, and to the Rough Riders," said Mr. Hoff.

Mr. Hoff asked Daniels how far apart the men in the crowd were.

"I didn't take a tape and measure the distance between them," was the answer.

Ray Marks was called as the next witness. He said he knew Frank Daniels and met him at 6 the night of Aug. 30 on Court street, near the site of the Galvin barn that went up in flames. It was five or 10 minutes after 6. The Demer crowd was ahead. Ben Briedenstein, Clarence Smith and Henry Kieglar were with the witness and Daniels. He did not hear Daniels holler to anybody. Daniels walked his wheel to the underwear factory and then he got on and started for home. Daniels, according to Briedenstein, was about seven or eight rods behind the Demer crowd.

Mrs. Maria Daniels, who said she was the aunt of Frank Daniels, was the next witness. She said she was at home between 5 and 6 the night of Aug. 30 and her nephew dropped in to see her and his uncle then. He got there at 5.05 and stayed an even hour. He walked his wheel up Ninth street to Court when it came time to go. Mrs. Daniels said she neither saw nor heard any of the crowd on Court street that night.

Charles Daniels, the husband of the last witness, said Frank, his nephew, came to the Ninth street street house at 5.05 and remained an hour. The young man arrived on his wheel and left on his wheel.

Benjamin Briedenstein said he worked for the McKennas and lived at 141 Cliff street. He had known Daniels two years. On Aug. 30 at 6 o'clock he saw him, and at that time Daniels had his wheel. They walked down Court street together, Daniels having dismounted. Ray Marks and Clarence Smith were along. At Farnham's bridge the witness left the Daniels-Smith-Marks party to go to his home on Cliff street. A man in the Demer party, he said, called them "a pack of skunks."

John Spoor of 227 River street was the next man to sit in the witness chair. He was on his way to supper the night of Aug. 30, he said, when the Herbeck-Demer mob came out of the shop. He was right behind them. In the crowd that followed, he said, he did not see Frank Daniels.

On cross-examination he told Mr. Hoff that no union man or any other man had asked him to join the party following the Herbeck-Demer men. He had never been near the Herbeck-Demer shop at 6 o'clock at night before. He denied that he was a picket there when the strike was on.

Clarence Smith, another River street young man, employed by Krantz, Smith & Co., said he quit work that night at 6 and was on the corner of Eleventh street and Court when the Herbeck-Demer men came out. He saw Daniels on a wheel and when some of the boys asked him to jump off and walk with them Daniels did so. Daniels did not holler or call anybody names, Smith said, nor did he make a disturbance.

Mr. McCarty said Mr. Hoff seemed to think Frank Daniels and his friends were charged with murder. Mr. Hoff retorted that there might possibly have been a murder if Nick Spencer and Policeman Canavan hadn't butted in on Sixth street and quieted things down.

Henry Kieglar was the last witness. He said he was near the Herbeck-Demer shop that night when the men came out. He walked down Church street and he did not see Daniels anywhere on that street, but he met him near the

corner where the Galvin barn used to be. Daniels, he declared, did not holler or holler. Daniels did not call anybody a "Scab." Witness did not count the crowd and was not waiting to take a hand in a "preconceived and preconcerted mob" as Mr. Hoff styled it.

When the evidence was all in the clock said 4.50 and Justice Smith told the lawyers to argue at 9 next morning.

Arguments? They Come Sept. 20. The lawyers showed up Saturday morning at the appointed time, Mr. Mumford expecting, he said, to talk about half an hour and Mr. Hoff the same length of time, but Justice Smith told them to put the talking off until Sept. 20, which will be one week from today. About 50 men were in the courtroom to hear the case against Daniels argued.

THE SITUATION IN MERIDEN. About 150 or 160 Men Out In "Silver City" at Present.

MERIDEN, Ct., Sept. 13.—The glass workers of the Wilcox Silver Plate company, which is Factory N of the International Silver company, joined the strikers of Factory T (Meriden Cut Glass company) and of J. J. Niland & Co. One hundred and fifty or sixty men are out.

"The movement is spreading faster than we anticipated," was the significant statement made this morning by George W. Chance, president of the local union.

Committees, in accordance with action taken at a general meeting of the glass workers, informed the J. D. Bergen company and the C. F. Monroe company that the men would not do any work for the factories by the strike.

Mr. Chance intimated the situation was tense in the shops now running. It has been spreading faster by the union not to make demands at these two factories, for the present, at any rate, but the men will insist that no assistance be given the other shops in the way of doing work for them. Disregard of this demand undoubtedly will mean walkouts.

After giving the Factory N management 24 hours additional time in which to answer their demands of 54 hours' work with pay for a full week of 59 hours, strictly union shops and a voice in naming the prices on piece work, the men were informed the company could not grant their demands and they went out.

They assembled with their fellow craftsmen at Knights of Columbus hall and made a report.

Manager Harmon estimated twenty-five or thirty men had left Factory N, which closed the glass department. This company replied to the men much as did the Niland company officials—that fall orders had been taken under the present cost of manufacture.

The glass cutters at Factory N have been working 48 hours a week. While the situation at first glance seems odd, it is explained that in the matter of hours action is taken for the future and that recognition of the union in the glass department and the prices of work are timely.

The union reiterated the assertion made to the Journal that the Niland factory is closed; that perhaps an official or two or a foreman might be working, but that the Niland company management insisted that the shop was running with a few employees. The union also maintained that Factory T was closed.

The union has seen no strike breakers and knows of no attempts by the factories thus far to resume operations.

SCRANTON'S BIG 10 DAYS. Exposition of Oct. 5-15 To Be Something Complete and Instructive.

SCRANTON, Sept. 13.—The 10 days of the second industrial exposition of the Scranton Board of Trade will be to Scranton what fair week and Old Home week are to other cities. Yet the feature to attract many strangers will be new. Exhibitions that will be of value to a man in almost any kind of business will be there, as well as the exhibitions of firms that supply the necessities and luxuries of life.

When it comes to finding a building for an undertaking of this kind, it is hard to find one so suitable as the Thirteenth regiment armory, where the exposition will be held from Oct. 5 to 15. There is none to compare favorably with it in the entire state. It is well lighted and ventilated, there is ample floor space, all the comforts and conveniences of a modern home are at hand, and the entrances and exits are in sufficient numbers to avoid crowding by the many that will be coming and going constantly.

Oct. 5 will be one of the big days. In the evening Gov. Edwin S. Stuart, his military staff and other distinguished men will be present to take part in the opening street demonstration and the exercises to be held in the armory.

Railroad fares will be reduced on all roads entering Scranton on Oct. 5, 8, 12 and 15.

England Has Rival to Weston. England has a famous pedestrian who is somewhat of a rival to Edward Weston. He is the octogenarian walker Mark All. His latest effort is to walk 5,000 miles in ninety days. All originally started out in 1900 to walk 100,000 miles in ten years. He finished his task on July 31, 1906. In the September following he was once more on the move, for he intended to keep walking for ten years, and he set himself to cover 10,000 miles in 200 days. He actually did the distance in 190 days, completing the last mile on April 4, 1910.

NEW YORK ALL FOR TAFT?

Congressman Bennet, Old Port Jervis Boy, Feels Sure About It.

A Beverly, Mass., special says: That New York is not an "insurgent" state, that it does not desire a revision of the tariff and that a majority of the up-state voters desire to see harmony in order that the state shall go for Republican candidates to give the Taft administration an endorsement are the views of Representative William S. Bennet, who was here to see President Taft.

"I have been in every portion of my Congressional district, in New York city and in Tioga, Delaware, Cortland, Broome, Allegheeny, Chemung, Tompkins, Cattaraugus and Chautauqua counties. Wherever I have gone I have talked the tariff and I find that the men employed by manufacturing industries are strongly in favor of the Payne law. I talked tariff to a crowded audience in Percy Nagle's district in New York the other night and my hearers were men from the east side, artisans, mechanics and laboring men. They listened to me an hour and told me that they would have liked two hours more of that sort of talk. I told them, among other things, that I was responsible for two increases in the tariff, that I was proud of it and asked their votes on that ground.

"They are not 'insurgents' in New York. The farmers are prosperous and do not want a change. When the Democrats or some Republicans who believe that the tariff should be ripped up begin to talk in rural New York they will find they have far from a sympathetic audience. I stood near Dryden in Tompkins county and looked down the valley for many miles. There was but one farm that had a mortgage on it and that was a purchase money mortgage, the farm only a short time before having changed hands.

"In my opinion the Republicans will win New York and the next house of Representatives if the men who are republicans and believe in Republican principles only stand up and vote.

"I will tell you why I believe that New York is going to stand by the revision of the tariff of 1909 and make it appear that they are satisfied that it was a good revision. There are in the state 37,000 manufacturing establishments. These employ 1,000,000 men. The wages paid amount to \$6,000,000 a year. The amount of product put forth is \$2,500,000,000 and this on a capitalization of \$1,800,000,000. Do the men of the Western country who profess to want the tariff reduced ever stop to consider the state in manufacturing establishments their own states have in maintaining tariff. I wonder?

"In my travels I have found that President Taft is steadily gaining ground. He is stronger when Congress adjourned than he was before Congress met. He is far stronger now than he was when Congress adjourned. His letter has done much to win thoughtful people. His general attitude has made him hosts of friends and as time passes it will be found that he has the confidence of the entire people."

NEW YORK'S AUTO LAW. Retaliation on Part of Pennsylvania May Bring Relief.

On August 16 Attorney General O'Malley of New York instructed the authorities of that state that Pennsylvania auto licenses did not allow any tourist from that state to enter New York. When the law went into effect on July 1 it was supposed that Pennsylvania autos could tour in New York for 10 days, that being the non-resident limit in this state, and the New York law allowing exemption to all states exempting their autos.

The New York law, however, has no time limit to their non-resident exemption, and the attorney general holds that as our exemption has a limit, Pennsylvania does not extend a "like privilege," and consequently all Pennsylvania autos must take out licenses and all chauffeurs must be examined.

Since this decision the attention of the highway department at Harrisburg has been called to the second section of the Pennsylvania act which provides that this provision (10 days) shall not apply to residents of states which do not extend similar privileges to residents of this commonwealth."

Retaliation on the part of Pennsylvania will no doubt secure an amendment of the New York law, or a more reasonable interpretation of the statute.

ABOUT THE FESTIVE OYSTER. The New York Times editorially discusses the oyster, a topic of some interest. It declares that the inhabitants of that city will eat at least 100,000,000 of the bivalves between now and the 30th of next April. As to the quality it notes that the thin ones, those with a saline taste, are good to eat, while those that have been "floated" into whiteness and fatness may be good or bad. If good they will be sold by dealers who display a license issued by the health department, certifying that they have not been floated in streams that bear sewage.

The oysters of New York harbor have been condemned by the health authorities. The season has been dry, the streams are low and laden with filth and the chairman of the health board predicts that oysters fattened in them will be infected. The officials who inspected interstate shipments are seizing all packages of floated oysters not tagged with certificates of their purity. The people of that city locally will insist on that licensing of dealers, while the country at large will insist that the pure food authorities inspect what goes into interstate commerce. The people want the oyster to come with a clean bill of health and to show just how and where it acquired its whiteness and fatness.

—The Citizen has all the borough and county news, fresh twice a week. Read it regularly.

—County fair Oct. 3, 4, 5, and 6.

Robbed of Her Happiness.

"You are not looking well, Mrs. W.D.ington."

"No; I haven't slept well lately." "What's the trouble? Has the weather affected you?" "Oh, no, it isn't that." "I'll tell you what it is. You ought to give up the practice of drinking coffee at night. I know a lot of people who toss awake all night after they have been out to a late-dinner and finished with coffee. I had to quit it myself."

"I'm sure that isn't the cause of my trouble."

"Have you seen a doctor?" "No. A doctor couldn't help me any."

"But how can you tell until you go to one and let him examine you?" "Well, if you must know, I'm worrying about my husband. He hasn't kicked at the size of the bills lately, and he's been so kind and even tempered right along for a month or two that I feel almost sure he must be leading a double life. Ah, if he would only get to grumbling and making it disagreeable around the house again!" —Chicago Record-Herald.

The Waiter With Two Cars. A Cleveland party recently sojourning in a Toronto hotel decided to take an automobile ride about the city. They approached the extremely self-conscious clerk and asked him where they could secure a car.

"Our head waitah has two, don't y' know," he replied.

It took some little time to recover from this shock, but presently one of the party ventured to ask the price.

"Three an hour," was the answer. That was voted satisfactory, and at luncheon one of the Clevelanders turned to the nearest waiter.

"Who is the chap that owns two automobiles?" he asked.

"I am the chap," the waiter replied, and he threw such a freezing emphasis into the word "chap" that it was fairly frosty.

They finished their luncheon before they had enough courage to ask the price.

"Four dollars an hour," the waiter replied with haughty indifference. Then they went uptown and hired a very good car for \$3 an hour.—Cleveland Plain Dealer.

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Why are you more tired in the morning than when you retired? Why are you unequal to further exertion after your dinner? You are quite played out. The truth is you habitually overload your stomach. Your liver is congested and your bowels clogged with foul refuse. "What shall I do?" you say. Why, take Smith's Pineapple and Butternut Pills for just one week. Take one or two each night when you retire. They will make you feel better all day long and in a week's time you're tired, despondent, blue condition will have vanished. As an after-dinner pill nothing can take the place of Smith's Pineapple and Butternut Pills, for they possess not only the antiseptic and resolvent properties of pineapple, but also the laxative and tonic properties of butternut. They improve digestion, assimilation and nutrition, and stimulate a torpid liver or a sluggish condition of the bowels. Physicians use and recommend. They form no habit. You should always keep them on hand. These little Vegetable Pills will ward of many ills.

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Roll of HONOR

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The FINANCIER of New York City has published a ROLL OF HONOR of the 11,470 State Banks and Trust Companies of United States. In this list the WAYNE COUNTY SAVINGS BANK

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Honesdale, Pa., May 29, 1908.

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