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RESCUERS ARE UNABLE TO LOCATE BERGMANN'S BODY

Many Theories Advanced As To The Disappearance Of Fireman George Bergmann

No Trace Has Yet Been Found Of The Missing Man--Searching Parties Are At Work Clearing Up The Debris

Many theories are being advanced as to the possibility of Bergmann being a fire victim as was at first supposed. Many people are inclined to believe he is still alive, but the majority of persons still believe he will be found among the ruins of the building and are anxiously awaiting the time when the clearing away of debris will be completed. One person states that he saw Bergmann two blocks from the scene of the fire between 8 and 9 o'clock on Sunday morning. If this is true there is little probability of his being able to enter the burning building after that time without being noticed by spectators or firemen. However, the body of George Bergmann, the missing fireman, of Protection Engine Company No. 3 has not as yet been recovered. His wife and children are anxiously awaiting his return as are also his many friends in this place. But as far as Bergmann is concerned all remains a mystery. He had no domestic difficulties and nothing is known to exist to cause him to willfully disappear. As far as authentic reports go, concerning the movements of George Bergmann, up to the time of his disappearance, it can be truthfully stated that little is known. In the excitement of the fire, men may have been mistaken in the identity of Bergmann as all the men were covered with ice and looked alike. However, C. H. Rockwell says that he and George Bergmann worked together as a team on a stream on the first floor of the Relf apartment until the fire was extinguished on that floor. He also said that they took turns going out to get fresh air as the smoke was very dense where they were working. At about three o'clock the line of hose was withdrawn from the Relf apartment, when the fire broke through into the Spettigue part. Mr. Rockwell stated to a representative of The Citizen that he went into a nearby house for coffee and afterwards returned to the fire. Mr. Bergmann then went out. This was close around three o'clock. The belief that the missing man is under the ice and ruins of the building is growing stronger every day. It is known that when O. M. Spettigue, Jr., was overcome with smoke and was carried out, several men went to his assistance. It is now believed that he was one of this party and met his fate while attempting to assist young Spettigue. He might easily have been one of them and the fact not noticed for all the men were covered from head to foot in ice. W. W. Wood, county treasurer, who is a member of the fire company, says that he accompanied young Spettigue into the Spettigue apartment with a line of hose in order to get a good position to fight the flames. He went in about a dozen feet when, feeling himself overcome with the smoke and heat, he turned back. On going out he heard someone shout "Help!" three times, and in a few moments rescuers came from the burning building, carrying Mr. Spettigue. One of these men might have been Bergmann or he may have been overcome at that time, and when no assistance came to him, he perished and now lies under the heap of debris and ruins of the building. Until this is cleared away there is no chance to get any nearer to the solution of the mystery. A rescue committee was appointed by the town council and it is composed of Harry Richards, C. P. Searle, C. H. Rockwell, J. A. Bodie, Jr., W. W. Wood, E. H. Cortright, Frank MacMullen and N. B. Spencer.

fering and bereaved family have the sympathy of their many friends and neighbors, including The Citizen. Albert Eberhardt was called to his place of business Tuesday night to withdraw the fire from his office stove, for fear that the walls of the Red Stone Front building might fall and cause another conflagration. Mr. Eberhardt's tobacco store has been closed since Monday by order of the town council. He estimates his loss at about \$2,000. Mr. Eberhardt received a thousand dollars' worth of new stock prior to the fire, which is in the basement of his store. There was considerable water in the cellar, which has since frozen. The tobacco is embedded in the ice, at the same time, however, being in boxes. Mr. Eberhardt carries \$4,000 on his property. His stock inventories \$4,500.

Photographer J. A. Bodie has made application to U. G. Ridgeway for the latter's studio on lower Main street. If he is successful in securing it Mr. Bodie will be ready for business the first of next week. The Wayne county commissioners have made provision for their solicitor, Homer Greene, who has been given temporary quarters in County Superintendent J. J. Koehler's office, in the court house. Attorney Greene said to a Citizen representative yesterday that the paper was misinforming when it stated that he had saved the bulk of his law books. On the contrary, Mr. Greene says he has lost them. Some of the less important books were saved, but his valuable law library is ruined. He stated that papers and data belonging to the Glen Dyberry cemetery company were saved, as they were located in a small safe adjoining his main office. A revolving file rack was taken out and its contents, although badly damaged by smoke and water, Mr. Greene says he will be able to decipher.

O. M. Spettigue secured temporary quarters in the Grambs' building two doors above his old stand as an office. He will also occupy the store in the Weferling building, recently vacated by W. L. Herrman. Operations were commenced Monday afternoon on clearing up the burned building. Large props have been placed in front of the structure as well as at the side and rear. Kreitner Bros. and a corps of carpenters have worked assiduously, endeavoring to make the building safe so the rescuers can enter and search for George J. Bergman, the missing fireman, who is supposed to have been buried in the debris.

On Wednesday a scaffolding was erected along the north wall of the Red Stone Front for the purpose of tearing down one story of the building, or so it will be on a level with Mr. Terwilliger's roof. Several men are employed at this work and it is expected that the wall will be taken down to a safe point by to-night. The bricks are carefully removed and deposited on the ground by means of an inclined plane.

The wall, in some manner, seems to be fastened to the H. K. B. store. The interior of Mr. Terwilliger's roof, which adjoins the north wall, is separated from the interior wall several feet.

Fire broke out anew in the office of Attorney C. A. McCarty, Wednesday, but was extinguished before it gained any headway.

Attorney C. A. McCarty is now nicely domiciled in the council chambers of the City Hall. Mr. McCarty is unable to get to his safe owing to a vast amount of debris in the Relf side of the building over which was his office. As soon as the charred flooring and sticks are removed in the Spettigue store, work will be commenced on the Relf side. As we are going to press work has commenced on the Relf apartment.

Attorney Homer Greene carried \$600 insurance on contents of his office equipment. He says \$2,500 will not cover his loss. Many valuable papers and records that can never be replaced, were destroyed.

While the debris is being taken out of the building, Main street between Eighth and Ninth streets, has been closed. Ropes extend from the front of the building down several feet to prevent pedestrians from coming in close contact with the dangerous building.

DEED 83 YEARS OLD FILED TUESDAY

Register and Recorder W. B. Leshner received a deed on Tuesday that is dated Feb. 18, 1829. It transfers an acre of land in Salem township for the use of the Methodist Episcopal church of that place. Consideration, \$1, and other lawful money. The property was conveyed by Gideon Curtis, Edmund Nicholson, Fletch F. Curtis and their wives, and Charles Goodrich to the trustees of the Methodist Episcopal church, of Salem, namely, Harris and Oliver Hamlin, William T. Noble, Timothy Hollister and Arson Goodrich. The deed was attested to by Henry Avery, justice of the peace, May 1, 1829. It was made of four pieces of paper pasted together, the entire length being about twenty inches and its width about sixteen inches. A piece of linen, three-quarters of an inch wide is pasted through the center of the deed, up and down, and help keep it together. The seals are made of red wax over which are pasted diamond-shaped pieces of paper. The writing is very plain and the deed is in good state of preservation. It is the oldest deed to have been recorded in Wayne county in many years. The Salem Methodist Episcopal church is one of the oldest in the county and it is claimed that the original church is still standing.

ANNUAL REPORT OF CRUELTY TO ANIMALS SOCIETY

HONESDALE BRANCH OF PENNSYLVANIA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS COMPLETES SUCCESSFUL YEAR.

The Honesdale Branch of the Women's Pennsylvania Society for the Prevention of Cruelty to Animals has just completed another successful year full of good works of mercy to the lower animals. Each succeeding year wins for this humane society a wider support. A great many prominent citizens have declared sympathy in the movement, and expressed a willingness to support the organization.

A prominent member of the local society told a Citizen man that the object of the society is not only to bring prosecutions against those who are cruel to animals, but also to conduct a general campaign of education. Some have asked: "Why spend so much time and effort talking about kindness to animals when there is so much cruelty to men?" To these it is answered: "We will work at the roots. Every humane publication, every lecture, every step in doing or teaching kindness to man, women and children is a step to prevent crime—a step in promoting those qualities of heart which will elevate human souls. There is not a child that may not be taught in our public schools to feed the birds and pat the horses, and enjoy making happy all harmless creatures it meets on the street, and so be doing acts of kindness forty times a day, which will make it not only happier but better and more merciful in all the relations of life.

As regards prosecutions for cruelty to animals, the society is determined to go after every man who beats or lashes his horse, every man who willfully kicks a dog or who uses inhuman methods of putting a dog, horse or any other animal to death, every man who neglects to provide his horse with a good heavy blanket in cold weather; every man who tries to drive a horse or team to an overloaded wagon.

The Massachusetts Society for the Prevention of Cruelty to Animals organized March 31, 1868, by George T. Angell, has done wonders in educating people to be kind to animals. The Massachusetts society has for its president the Hon. Francis H. Rowley, of Boston; its vice-presidents are the Governor of Massachusetts, ex-Gov. John D. Long, the Most Rev. William H. O'Connell, Bishop Mallahan and other prominent men and women. On its board of directors are two Massachusetts judges, ex-Attorney General Albert E. Pillsbury and other leading philanthropists.

At the annual meeting of the Society of Prevention of Cruelty to Animals held at the home of its president, Miss Florence S. Wood, recently, the following officers were elected for the ensuing year: Miss Florence Wood, president; Mrs. Charles T. Bentley, Mrs. C. R. Brady, Mrs. Judson Yerkes, Mrs. F. W. Powell and Miss Clara E. Torrey, vice-presidents; Miss Emma Smith, treasurer; Mrs. E. T. Brown, secretary. President Wood reported as follows:

During 1911, our fourth year of work of the Honesdale branch of the Women's Pennsylvania Society for the Prevention of Cruelty to Animals has been progressive along all lines. We have lost but few members and have gained a number of new ones. We were again able to secure two state troopers to assist N. B. Spencer during fair week and they were as usual very satisfactory. Early in the year, we gave our annual card party which was a decided success, both financially and socially, netting the society \$43.05. Mr. Spencer, local agent, reported eight cases investigated, number of cases prosecuted, three; cases convicted, two; disabled animals taken from work, one; horses ordered blanketed, eleven; animals involved, twenty-four; horses killed, two; dogs killed, one; no account kept of warnings. Walter S. Hennig, honorary agent, reports number of horses killed, one; dogs killed, seven; horses ordered blanketed, fifty-seven; number of warnings against cruelty, nine horses; total number of animals involved, seventy-four.

The treasurer, Miss Emma Smith, reported a balance of \$60.74 in the treasury. Owing to the generous support of all members, the society was able to improve the condition of many animals.

VESSEL ON THE ROCKS--53 RUSSIANS DROWNED

(Special to The Citizen.) New York, Jan. 18.—Fifty-three Russians were drowned to-day off Peterhead, Scotland, by Steamer Weststone being thrown on the rock in a northern gale. The steamer, which was a commercial ship, was bound for Liverpool. Four sailors were rescued. The ship was in the storm 24 hours.

John McLaughlin, Gate Tender, Killed Instantly.

While at work as a gate tender at the Gouldsboro crossing of the Lackawanna Tuesday afternoon, John McLaughlin, aged 42, was instantly killed. He attempted to cross the tracks ahead of a limited train, slipped and fell and was crushed to death. He was unmarried, but leaves one sister, Mrs. Catherine Evans, of Tobyhanna.

Nearly all of the collection of butterflies, birds, shells, orchids, etc., which Max Denhardt brought from Florida were destroyed in the recent fire.

O. M. SPETTIGUE, Jr., RECOVERING FROM EFFECTS OF FIRE

ABLE TO COME DOWN FOR BREAKFAST THURSDAY MORNING.

O. M. Spettigue, Jr., who was overcome by smoke and rescued from possible death by firemen, from his father's building, during the fire of Sunday morning, is reported today as being much better and this morning Mr. Spettigue, Sr., states that his son was able to attend breakfast with the rest of the family. For a time his condition was thought serious and his relatives as well as his near friends were much alarmed. The young man must have received some injury, together with the excitement which left him in quite a serious condition. A few days' rest and quiet will restore him to his former good health and strength.

THE WAYNE COUNTY PENNA. SOCIETY

The sixth annual banquet of the Wayne County Pennsylvania Society of New York city will be held on Thursday evening, the 8th of February, 1912, at seven o'clock, at the Hotel Manhattan, corner of Madison avenue and 42nd street, New York City.

Among the guests of honor and speakers will be: Hon. Wm. D. B. Alney, Representative 14th District.

Rev. Dr. Stephen S. Wise, Rabbi, Free Synagogue, New York city.

Judge Robert Carey, Hudson County Court of Common Pleas, Jersey City, N. J.

Major Edgar Jadin, Chief, Engineers Corps, War Department, Washington, D. C.

Rev. Albert L. Whittaker, D. D., Grace church, Honesdale, Pa.

The price of the dinner tickets has been fixed at \$4.00 each.

All applications for tickets should be made promptly. The committee will after February 3 assign the seats to the members and their guests in the order of priority of application and as possible to location desired. Members are requested to write the full names of their dinner guests on the application blanks, in order to facilitate making out the table diagram and list of names and guests of the society. All communications should be addressed to the secretary of the society, Chas. S. Penwarden.

FIVE KILLED IN HEAD-ON COLLISION

Baltimore & Ohio Passenger Runs Through Open Switch

New Castle, Pa., Jan. 16.—The Baltimore and Ohio passenger train No. 156 leaving here at 6:30 yesterday morning ran through an open switch near Gardner avenue, and switching onto the tracks of the Pittsburg and Lake Erie railroad, crashed into Pittsburg and Lake Erie train No. 501, coming here from Pittsburg at 6:30 yesterday morning. The trains met head-on and both engines and baggage cars were wrecked.

Dead. J. R. Smith, New Castle, Pittsburg and Lake Erie fireman.

James Gannon, Glenwood, Pa., Baltimore & Ohio engineer.

W. E. Cunningham, New Castle, Pa., Baltimore & Ohio fireman.

Robert M. Clark, McKees Rocks, Pa., Pittsburg & Lake Erie engineer.

J. L. Craft, Clearfield, Pa., Baltimore & Ohio baggagemaster.

Injured. William Carnahan, Oil City, Pa., Baltimore and Ohio mail clerk.

James Ellis, Chicago Junction, Baltimore and Ohio conductor.

Joseph Clark, New Castle, conductor, Pittsburg and Lake Erie.

Frank Flynn, New Castle, baggagemaster, Pittsburg and Lake Erie.

Corbet, Clark, New Castle, Pittsburg, and Lake Erie brakeman.

Pinned Under Engine. A freight train on the Lehigh and Hudson Railroad, running thirty miles an hour, was derailed at Burnside, Orange county, at two o'clock last Friday morning, the locomotive turning over and a number of freight cars being smashed.

The wreck took place where the Ontario and Western railroad crosses the Lehigh and Hudson. A switch connecting the two roads had been opened and locked and the switch light extinguished, making it apparently a deliberate attempt at train wrecking.

Fireman Jacob Breen, of Warwick, was pinned fast under the tender of the locomotive when it was turned over and it was three hours before he was rescued and brought to Thrall hospital in Middletown. A brakeman was slightly injured.

Cherry Ridge Farmer Injured. Charles Bubster, of Cherry Ridge, met with an accident Wednesday, while operating a cutting box. In some manner his right hand got too close to the revolving knives and as a consequence the back of the fingers were badly cut. Mr. Bubster went to Dr. E. B. Gavittie, White Mills, who dressed the injured digits.

—More than 2000 patients are operated upon each year in St. George's hospital, in London.

CELEBRATED ARIEL MILL CASE IN JURY'S HANDS

S. C. Bortree & Son Charge Poultryman G. W. Swarts With Larceny

Large Crowds In Court Room During Progress Of Three Days' Trial Of The Hotly Contested Case

The court room was well filled with spectators, Tuesday morning, when the case of the Commonwealth versus Geo. W. Swarts, was taken up for trial. Assisting the District Attorney, M. E. Simons, in the prosecution, were E. C. Mumford, Esq., and John T. Scragg, Esq., of Scranton. Attorneys Frank P. Kimble and Wm. H. Lee appeared for the defendant.

Of the large number of indictments pending against Mr. Swarts, the District Attorney chose to try that of larceny by servant. This indictment was found at the last term of Court. A plea of not guilty was entered by the defendant. The following jurors were then called into the box: Raymond Dennis, farmer, Lebanon; Chas. Roloson, farmer, Damascus; Chas. Varcoe, farmer, Clinton; Lester McIntyre, glasscutter, Texas; David Scudder, farmer, Oregon; Warren Brown, laborer, Dyberry; Wm. McIntyre, farmer, Berlin; Andrew Cowles, glasscutter, Texas; Martin Lilbott, farmer, Damascus; John Dorbad, carpenter, East Honesdale; John D. Bryant, carpenter, Honesdale; Lewis E. Hoeker, farmer, Damascus.

In his opening address to the jury, District Attorney M. E. Simons outlined the facts in the case which he expected to prove. For a number of years, it seems, G. William Swarts was employed by S. C. Bortree & Son in their mill at Lake Ariel. The alleged offense for which Mr. Swarts is being tried is said to have occurred May 19, 1911, when a Mr. M. Alpha, Arlington, came to the mill, and bought feed of Mr. Swarts for \$2.70. This amount, it is alleged, was not entered on the machine used by the company to keep a complete daily record of all the business transacted at the mill.

Witnesses who testified at the morning session were M. Alpha, Arlington, Howell Bortree and Floyd Bortree, Ariel. Court adjourned at noon and the case was again taken up at 1:30 p. m.

District Attorney's Opening Address.

"For a number of years Mr. Swarts was employed by S. C. Bortree & Son in their mill at Lake Ariel. We propose to show you how Mr. Swarts kept the accounts he had with Bortree and Son. They had a register that we will show you on which Mr. Swarts kept his accounts. He was given in the morning a bag with change in it and then at night after the day's work was over, he returned the bag with the amount of money to Floyd Bortree and accounted for it by a record kept by a little machine. This is a little machine on which there is an outside slip to go to the customer. Underneath there is a carbon copy, and he put that on a shaker. Then there is a wheel on which they roll up their records for one day. At night he would tear that off, put it in his bag and give it to Mr. Bortree. It was supposed to be a complete record of the day's business.

"We'll show you that on May 10, Mr. Alpha came to the mill and bought feed and paid to Mr. Swarts \$2.70. Also that the amount of money given to Swarts in the morning and the amount he returned at night and show you this amount, \$2.70, was not on the record at all.

"We'll show you that on the twelfth of May that the exact amount Mr. Swarts received in the morning and the exact amount which he returned at night, Mr. Swarts paid him during the day 40 cents. We will show you that this is not on the record, and that the amount paid over tallied with the record. The record don't show this 40 cents.

"On the 13th of May that Mr. Ammerman was at the mill. He also bought some goods which he paid for. That after he had bought these and paid for these he bought some more, a small package and he paid 50 cents for it. That there was no record of this fifty cents at all. That the amount Mr. Bortree received at night tallied with the record. But this amount was not on the record.

The first witness called by the prosecution was Mr. Adpha, Arlington, who testified that he saw Swarts at S. C. Bortree & Sons' mill, Ariel, on May 10, 1911. On that day he bought three bushels of oats and 100 pounds of feed. Mr. Alpha paid Swarts \$2.70 for the whole business. He paid him in cash, but didn't get a slip.

When cross-examined by Attorney Kimble he claimed he kept track of the date in his head. The witness didn't know, though, where he was on May 9 or May 11. He said both he and his wife knew of the May 10 purchase. The witness raised a roar of laughter when he said "What I don't know, my wife knows. What she don't know, I know." "Between you, you ought to know everything," said Mr. Kimble. "Well, I ought to," answered Mr. Alpha. Alpha said he paid for what he bought all in paper money. He helped load the bags in the wagon. He and Swarts were the only persons around the

mill. Swarts, he claimed, didn't give him a "ticket" that day. "Once in a while I missed getting a ticket," he admitted. The transaction occurred in the forenoon. When Lawyer Kimble wanted to know what the witness did that afternoon, Mr. Alpha replied: "Gosh, that's something you'll have to ask somebody else."

Howell Bortree, a son of S. C. Bortree, was the next witness. He swore that he saw Alpha at his father's mill on May 10. He didn't know what time of day it was. He was just beyond the mill, out at the barn, when Alpha came.

On cross-examination Howell, Jr., said he was 22 years old, and that he worked part of the time in the mill. He said he was watching Swarts on that day. He denied ever telling anybody to go there and get away if possible before taking a ticket. What he put in the bag, Howell said he charged to himself. He didn't remember having told Laurice Bell one evening that he had \$15, showing him the money, and saying when he wanted money he got it by going into the mill, and that he had taken the money out of the sales of the mill that day. He denied being in the habit of going to the bag whenever he wanted money. Swarts, he declared, had the bag himself. Swarts, he said, was sometimes a fireman, sometimes an engineer, sometimes a miller. No other person had access to the bag except Mr. Swarts. The bag was kept at his brother's house over night. He said no one asked Swarts for the bag, and denied that the bag kept by Mr. Swarts was often sent for and carried to the office to make change. Howell, Jr., swore he never heard of any difficulty between himself and his father about taking money from the bag used by Mr. Swarts in the sales department.

Floyd Bortree, the third witness, swore that he was a member of the firm of S. C. Bortree and Son. Swarts, he said, worked for them for the past seven years up to last June. His duties were a little of all kinds of work on the mill. Swarts attended to the boiler, did the grinding, acted as clerk, and general man about the mill. He sold goods and received pay for them. A record of payments was made on a machine, which was the only way they had of keeping a record. He explained to the jury the workings of the machine. Swarts' instructions were to put all his business through the machine, and give the customer a slip for every sale. He was given charge of the money bag in the evening. He had the bag in the day time and kept his records on the machine. He would tear it off at night and put it in the bag. Bortree usually counted the money in the morning and in the evening Bortree gave him the bag in the morning and he returned it to him in the evening. Sometimes when Bortree wasn't at home, he took it up to the house.

"This machine," said Bortree, "when you write on it has a bill form. Anything you write on the top slip makes two extra slips. We put down the day and the name of the person of every transaction. "W" stood for Will. Swarts was known as Will. He did it all in his own hand. If I sold anything, I entered it in my own handwriting, and charged it to "F." No money was put in the bag except when paid to him. Then he would make a record of the sale."

Bortree explained the workings of the machine to the jury. One record went to the customer. A duplicate went to the clerk. Bortree's record was in the machine. "When night came on this roll was taken out, wrapped up and put in the money bag. Swarts did not have to account for charges made to me and Howell. Swarts was accountable only for what he had charged to himself. "He would mark \$10 out if Floyd borrowed money of him, and vice versa. The witness produced the record of May 10, 1911, which was supposed to have a record of all of their business of the day on it. There was no record on it of cash received from Alpha.

When cross-examined by Attorney Kimble Bortree denied that the machine of ten failed to make a third impression. When Bortree obtained any money from Swarts during the day, Swarts would mark it on the record. The entire transactions of the mill would be on the roll at night. Swarts had charge of the bag during the day. Bortree denied taking the bag from Swarts. Swarts would take money out of the bag, give it to him and charge it on the record. \$20 was given him that morning. Bortree put it in the bag and gave it to him. Howell, Mrs. Bortree and Miss Gilpin counted the money that night.

Bortree said he was in the auto business. I merely handed Swarts the bag. I didn't tell him how much there was in it. My wife has access to the bag. The bag is kept in my desk in the house. I and my father

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