

GEORGE R. MALBY DEAD IN HOTEL HERE

Congressman Victim of Ailments for Which He Had Often Been Treated by House Physician.

OF REPUBLICAN OLD GUARD

Served in Albany from 1890 to 1907, Was Speaker and Went to Washington, Where He Had Been Close to Cannon.

Congressman George R. Malby, for many years a member of the New York Legislature, and since 1907 a member of Congress, was found dead in his room at the Murray Hill Hotel last night. He registered at the hotel about 8:30 o'clock Thursday night from Ogdensburg, and the management does not know yet whether he was on his way to Washington or to his home.



GEORGE R. MALBY. Representative from the 26th N. Y. Congress District, who died suddenly at the Murray Hill Hotel last night.

and there was no response, some alarm was felt. About 5 o'clock the door was broken, and Mr. Malby was found sitting on a couch, leaning over, as if he was trying to pick up something from his open suitcase, which was on the floor. He had evidently died in that position.

Dr. Peter Gibbons, the hotel physician, was called in, and found that Congressman Malby had died from endocarditis and arterio sclerosis, for both of which ailments the doctor had treated him on former visits to New York.

None of Mr. Malby's family was in the city last night, but the members were informed and were expected to arrive early this morning from Ogdensburg. About an hour after Mr. Malby was found dead one of his intimate friends, Congressman William H. Wilder, of Massachusetts, arrived from Washington with his daughters and sons. He was greatly distressed to learn of his colleague's death.

George R. Malby was born of Scotch-English parents, at Canton, N. Y., on September 16, 1857, and was educated at Canton School and St. Lawrence University. In youth he was a farmer, but afterward became a lawyer and married and lived at Ogdensburg. He was justice of the peace at Ogdensburg for three years, and was elected to the Assembly in 1890 and re-elected in 1891. The next year he was elected to represent the county of St. Lawrence under the new apportionment, and in the Republican caucus was the nominee for Speaker, becoming the Republican leader on the floor. He was Speaker for the year 1893, showing special interest in bills to punish repeating in elections, reforming the ballot system and providing for non-partisan boards of election and in economical administrations.

He continued in the Legislature, and in 1895 was the Republican candidate for Senator from the 32d District, and won by a large majority. In all he served in the Assembly from 1890 to 1895 and in the Senate from 1895 to 1907. Then he was elected to Congress from the 26th district.

Mr. Malby was one of the old guard among the Republicans of the House, and was a leader among the upstate New York Republicans, a close friend of Vice-President Sherman, and was frequently in conference with President Taft and other Republican leaders in party exigencies. He was one of Speaker Cannon's stalwart lieutenants in the famous rafter fight of March, 1910, and made one of the memorable speeches exhorting the insurgents, who finally stripped the Speakership of much of its power.

He was a prominent member of the Ways and Means Committee of the House, and it was there that most of his Congressional activity centered. His speeches have been mostly confined to the tariff and to Panama Canal legislation.

He was a commanding figure physically, dignified, tall, erect, with gray hair and mustache, and always faultlessly dressed. He leaves a wife and two sons, who have remained at the Ogdensburg home during much of Mr. Malby's Congressional career.

Take a Glance Behind the Scenes at Coney Island

You see lots of things at the city of fun beside the water, but there are lots of things you don't see. Some of them will be described in

TO-MORROW'S SUNDAY TRIBUNE

READY TO SELL DAUGHTER

Mother Said to Have Considered an Offer of \$20,000.

[By Cable to The Tribune.] London, July 5.—It was stated in a Liverpool police court yesterday that Samuel David Lee, of Salt Lake City, had offered Emily Doughty \$20,000 for her daughter as his plural wife. Mrs. Doughty is being tried for entering into negotiations with Lee on the basis of the above offer, the technical charge against her being attempting to procure her daughter, then only seventeen years old, for unlawful purposes.

\$30,000 NECKLACE GONE

Miss Atala Thayer, of New York, Loses Pearls on Steamer.

Boston, July 5.—The fact that a pearl necklace, valued at \$30,000, was lost last Tuesday night on the steamer Bunker Hill by Miss Atala Thayer, of New York, became known to-day, when the police were informed.

Miss Thayer thinks that when she boarded the steamer in New York the necklace was in a jewelry case with other gems. Just before she came ashore here on Wednesday she discovered that the pearls were missing.

Miss Thayer could not account for the disappearance of the necklace, but thought that possibly it might have been thrown away with some waste paper. She went to her summer home in New Hampshire without making a complete investigation.

To-day a man representing Miss Thayer visited the steamer and inquired whether any trace of the jewels had been found. He was told that no one on board the Bunker Hill knew anything about them.

Miss Atala Thayer lives at her country home, at Port Washington, Long Island. She is prominent socially, and is very fond of yachting, sailing her own yacht. She is a member of the New York Yacht Club, and is one of the first seven women to whom the club granted the privilege of flying its flag. Last Tuesday she left her home on Long Island, to visit relatives in New Hampshire, intending to stop at Boston on the way. When she left she had a quantity of jewelry in her possession, but a member of her family was unable to say yesterday what it consisted of.

GIRLS IN SUICIDE PACT

One Dying and Companion Ill from Taking Poison.

[By Telegram to The Tribune.] Lima, Ohio, July 5.—"Let's take poison," suggested Nina Wheeler, fourteen years old, to a playmate, Jessie Shockey, also fourteen, to-day. The two girls then planned self-destruction. An hour later they were found in a critical condition in the Wheeler home.

Nina Wheeler will die. She was despondent because she had to mind her baby sister, and the other sympathized with her. The condition of Jessie Shockey is serious. Both girls are members of well known families.

SOCIALISM IN THE FAMILY

Relative of Keir Hardie Was Hanged for His Radicalism.

[By Cable to The Tribune.] London, July 6.—J. Keir Hardie, the Socialist Member of Parliament, is, it appears, not free from one of the weaknesses of the classes to which he is opposed. He has been studying the genealogy of his own family and has discovered that ninety-two years ago his grand-uncle was hanged, drawn, quartered and dismembered and a part of his body exhibited on the wall of Stirling Castle, Scotland, for demanding that working men should have votes.

DAY'S VICTIMS OF LIGHTNING

Three Killed in the Open—Several Are Injured.

Sidney, Ohio, July 5.—While playing ball on a common near her home to-day, Mildred, the eight-year-old daughter of Frank Kaser, of East Sidney, was instantly killed by lightning, and six of her little companions were severely shocked and rendered unconscious.

Two of the children, who were sitting on a steel scraper, were badly burned about the feet. The six injured children were revived, after much work, and it is said they will recover.

Matthew, N. Y., July 5.—Two sons of Mrs. Thomas Perry, eight and ten years old, respectively, were struck by lightning while in a cherry tree to-day. One of them was instantly killed, and it is believed the other will die.

Utica, July 5.—Morton Hoffman, of Oxford, fifty-eight miles south of this city, was struck by lightning and instantly killed while working in a field late this afternoon.

Hoffman's hat was almost entirely burned up by the bolt, but a ridge from burns struck and his beard being singed, and a slight contusion on the side of his head, his body showed no marks of the electrical discharge.

MARSHALL HAD \$5,000,000

Former Dock Commissioner's Family the Beneficiaries.

The will of Charles Henry Marshall, former Dock Commissioner, who died in Paris on Tuesday, was read yesterday, and will be filed for probate next week. It is said to dispose of nearly \$5,000,000. It is said to consist largely of holdings in the London, Liverpool and Globe Insurance Company. The document was made only a few months ago, Lloyd C. Griscom and Eugene A. Philbin having witnessed it.

CUMMINS WON'T JOIN COLONEL'S NEW PARTY

Iowa Senator Declares It Is Not Needed and Finds No Excuse for Bolting.

ALWAYS DANGER OF BOSSES

Senator Bristow Asserts Fight Will Be Between Roosevelt and Wilson, and Latter Will Win.

[From The Tribune Bureau.] Washington, July 5.—Senator Cummins, of Iowa, whose hopes as compromise candidate were blasted at the Chicago convention, will not join Theodore Roosevelt's new party. In effect, he said in a statement to-day that there is no necessity for it; that there is as much danger of bosses in a new party as in an old one, and if the voter reaches the conclusion after "careful investigation" that fraud vitiated the nomination of the Chicago convention, "he holds in his own hands the opportunity to rebuke and punish."

"I deeply regret the failure," Senator Cummins says of the Chicago convention, "and I agree that dishonest practices, without regard to consequences, ought to be rebuked and punished, but I cannot believe that the disappointment, however profound, or the dishonesty of individuals, however heinous, can constitute a foundation upon which to rear a new party."

By Senator Cummins's colleagues this is interpreted as meaning that Colonel Roosevelt has no excuse for bolting and no chance for re-election, and that the Senator from Iowa will be ready to offer himself as the standard bearer of the Republican party four years hence and is getting in on the ground floor now.

Senator Cummins will stick to the Republican organization, being of the belief that there is more hope for substantial progress toward good government in it than in any other political organization.

Senator Cummins's Statement.

Mr. Cummins had this to say in his statement:

I believe that we can solve the problem before us more quickly and more successfully through the Republican party than through any other political organization. It was but a short while ago that the Progressive movement in the Republican party took definite form, and yet at this time three-fourths of the Republican states are in the hands of Progressive Republican organizations, and the membership of the party is overwhelmingly with us.

We met defeat at Chicago simply because we had not concentrated our energies upon the abolition of a false and unjust basis of representation, but the basis can and will be destroyed, and the other system for the nomination of Presidential candidates will be substituted before another Presidential nomination is made.

The only thing that has happened since the Progressive Republican made their contention is our failure to control the caucus, and as many believe to unfair or dishonest practices by our opponents. I deeply regret the failure, and I agree that dishonest practices, without regard to consequences, ought to be rebuked and punished, but I cannot believe that the disappointment, however profound, or the dishonesty of individuals, however heinous, can constitute a foundation upon which to rear a new party.

For these reasons and others which may be easily defined, I believe that I shall not join the new party, but shall continue to use all the strength I have to influence and direct the course of the Republican party toward its true mission. I shall not hesitate to oppose measures brought forward which I believe to be wrong, nor to differ from the President when he proposes legislation which I believe to be unwise or unwise. A fraudulent conspiracy vitiates everything it touches, and therefore as to the Republican who, after named, I believe the conspiracy that the outcome of the Chicago convention was the result of a fraudulent and corrupt policy, whether reached without careful investigation or by the triumph of either party, I hold in my own hands the opportunity to rebuke and punish.

Bristow Throws a Bomb. Senator Bristow, of Kansas, also made a statement which was like a bomb thrown into the Roosevelt camp. In it he said:

Governor Wilson will be elected. I don't think Taft will carry a single state. Roosevelt may carry such states as Kansas, Minnesota, the Dakotas, Nebraska, and Wisconsin, but he will probably sweep the country. I have no doubt that there might be an agreement among Republicans whereby both Taft and Roosevelt would withdraw, and a third man, named Taft, would be elected. The time for such an agreement was while the Chicago convention was in progress, and the Taft people were afraid to agree on a third man, believing that if they showed any weakness they would not be expected to withdraw now.

The fight will be between Roosevelt and Wilson, and the latter will win. John G. Capers, of this city, South Carolina member of the Republican National Committee, who supported Colonel Roosevelt for the Presidential nomination at Chicago, also formally announced his intention to support President Taft's candidacy.

DIXON TO CALL CONVENTION

Roosevelt Forces Expect to Meet About August 10.

Washington, July 5.—The Roosevelt convention will be held in Chicago about August 10, according to a telegram received to-day from Senator Dixon, of New York, campaign manager, who is in New York. The telegram was sent to a member of the Roosevelt provisional committee and is as follows:

It is proposed to issue the call for the Progressive convention at Chicago about August 10. The call will be in substance that we believe in the genuine rule by the people over their own governmental agencies, who believe in social and industrial justice, and the abolition of privilege, especially in connection with the alliance between corrupt business and corrupt politics, whether on a big scale or a little scale; who believe that the people themselves and not the political bosses should have the power of the bosses over the machinery of government; who believe in the substitution of one set of bosses merely for another; who believe in the substitution of one set of bosses merely for another. Your name will be signed to this call unless you wire me disapproving.

WIFE'S LOSS OF GEMS LANDS HIM IN TOMBS

Macaluso, Who Sent Fischer-Hansen to Prison, Returns as Andre Rieta, Dancer.

IN EUROPE THREE YEARS

Tells Police Story of His Wanderings and Marriage to Mme. Dellis, "Robbed by Bulgarian Artist."

Tony Macaluso, the Italian indicted for bribery in the Carl Fischer-Hansen case three years ago, which resulted in the disbarment of the lawyer and a year's sojourn in the Blackwell's island penitentiary, turned up unexpectedly yesterday as Andre Rieta, who said his wife had been robbed of \$12,000 worth of jewels. He readily admitted his identity when a detective recognized him, and it seems that since he disappeared after his own indictment for bribery in 1909 he has had a picturesque career on the Continent.

Rieta, as he was known until yesterday afternoon, reported the loss of the jewels to the West 47th street station on Wednesday, and said he suspected "Marcel," a Bulgarian artist in hand straits, who had been working as a general utility man around the house, at No. 365 West 55th street, until he suddenly went away on Tuesday night and never came back. Next day, Rieta said, he found that his wife, Mme. Dellis, had lost all her jewels, and he included in the description a large pearl chain, a small one, a set of pearl earrings, and five rings set with rubies, diamonds and pearls. Rieta said the real value of the jewelry was nearer \$20,000 than the figure set, as he had bought the large pearl chain at a low price from a woman in distress, though it was worth \$10,000.

He said Marcel, who also took \$150 in cash, came from an employment agency under the name of Christo Joncoff, and after he went away with the jewels wrote a letter, saying he was sorry for the theft.

Captain Gloster put the case in the hands of Detective Kear, but when a report was made to Deputy Commissioner Dougherty the deputy suggested that as it seemed to be a large affair Gloster had better go around and make a personal investigation. And that was what led to Macaluso's revealing.

Detective Fitzsimmons, of the District Attorney's office, went with him, and while they were sitting talking to Rieta Fitzsimmons was wondering all the time who the man really was. It came to him like a flash.

"You're Tony Macaluso," he shot out at Rieta.

Macaluso fessed up, and said Rieta was a stage name. The detectives took him to Headquarters, and he had a session in a closed room with Commissioner Dougherty, for he is still under indictment.

He told the detective that he left this country and almost starved in Paris, until he wandered into a concert hall one night, and his story that he had had no food for four days led the manager to listen to him, with the result that he got a meal and a chance to show that he was a dancer. This led to a \$150 a week engagement, said Macaluso, who also proclaimed that he was the real, original, Simon-pure Apache dancer.

He put away his money and spent some of it in learning four foreign languages, and this flow of tongue fascinated a Mrs. Patterson, of London, so

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A NEW BOSS RECEIVES.



THE OLD BOSSES—We're with you, Governor!

LESE MAJESTE AGAIN

Herr Schatz Turned Kaiser's Bust to Wall and Said Things.

Saargemund, July 5.—A manufacturer named Schatz was sentenced here today to four months' imprisonment for lese majeste. At a meeting called last month at a cafe to organize a local branch in Alsace-Lorraine of the French Society, Herr Schatz turned a bust of Emperor William to the wall and made derogatory remarks about the Emperor. Lese majeste prosecutions have become unusual of late years.

BIG SNOW BLOCKS TRAFFIC

Trans-Andean Railway Cannot Be Reopened for a Month.

[From The Tribune Bureau.] Washington, July 5.—To the newspaper men who mopped their brows and rattled at the Washington summer, Acting Secretary of State Wilson this afternoon gave out copies of a dispatch stating that traffic on the Trans-Andean Railway, between Valparaiso and Buenos Ayres, was blocked on account of "an unusually heavy snowfall."

The American Consul at Valparaiso, a much envied man from a weather point of view, sent the message. The dispatch said that it is improbable that the railway can be reopened before August or September. In the mean time, it was stated, mails and passengers from Peru and Chile must go to Buenos Ayres via the Strait of Magellan.

HARD BLOW FOR MARSHALL

Indiana Supreme Court Rules Against New Constitution.

Indianapolis, July 5.—The new Indiana constitution as drafted by Governor Thomas R. Marshall, Democratic candidate for Vice-President, and adopted at the last session of the Legislature, was declared unconstitutional late to-day by the Indiana Supreme Court. The court held that the right to change the constitution lies with the people and that the amendments should have been submitted to a constitutional convention instead of to the Legislature.

The manner in which the amendments were adopted brought out adverse sentiment at the time, and shortly afterward John H. Dye, acting as a taxpayer, entered suit in the county courts. The opinion of the lower court that the right to alter and reform the government was at all times a people's right and indivisible, was upheld by the Supreme bench.

Governor Marshall refused to criticize the action of the court, saying: "To be sure, I have my opinions, but it is not proper for me to discuss them."

WOULD FINE "BAD TRUSTS"

Bill Takes One-Half Their Earnings for Violating Law.

[From The Tribune Bureau.] Washington, July 5.—A bill to fine "bad trusts" one-half of their earnings during the periods in which they are guilty of a violation of the Sherman anti-trust law was introduced in the House to-day by Representative Hull, of Texas, a Democratic member of the Ways and Means Committee.

Mr. Hull has been formulating plans to curb the trusts for some time. After reading the platform of the Baltimore convention, he has determined that the best way to correct the trust evil is to strike at the profits of an illegal combination.

"Does any one suppose," he asks, "that the Steel, the Standard Oil, the Tobacco, the agricultural implement and like great combinations would have kept in operation in the face of a penalty of 50 per cent of their net earnings for some day? The penalty is feasible, efficient and elastic, so as to fall in just proportion upon the small and large violators."

WOMEN PUT BAR ON SUFFRAGE DISCUSSION

Federation Delegates See Steam Roller Tactics in Ruling of the Chair.

[By Telegram to The Tribune.] San Francisco, July 5.—Although they passed many progressive resolutions, among them was not that framed by the California delegation which, if adopted, would have put the eleventh biennial convention of the General Federation of Women's Clubs on record as endorsing suffrage for women.

The resolution committee put the steam roller on the suffrage proposition. Later the suffrage resolution was introduced on the floor by Mrs. Charles Farwell Edson, of Los Angeles. Mrs. Moore, the president, declared it out of order, because the resolutions committee had not submitted the particular resolution and because it was not germane to the work of the federation.

Continued on second page, sixth column.

TWENTY-ONE DEAD IN REAR-END CRASH

Double-Header Freight Train Smashes Into Passenger Train at Fair Grounds in Wilpen, Penn.

ONLY ONE ESCAPES INJURY

Locomotives Plough Through Car Crowded with Persons Returning from a Holiday, Crushing It as if Paper.

Latrobe, Penn., July 5.—Twenty-one persons were killed and thirty injured, several fatally, in a wreck this afternoon on the Ligonier Valley Railroad at Wilpen.

An overloaded passenger car, pushed by an engine, was struck by a double-header freight train of coal cars, crushing the car like paper and spreading death and injury to all on board the train, except one person, who was a railroad man.

The accident occurred on a branch road, running from this place to Ligonier, which is owned by the Mellon interests of Pittsburgh. It had been reported that the line was controlled by the Pennsylvania Railroad.

It will take an investigation to determine the cause of the wreck. There seems to be no person in a position to even suggest a cause to-night.

The passenger train, consisting of the single car, carried many persons who had enjoyed a holiday over the Fourth of July at Ligonier, a summer resort. Without a moment's warning the heavy freight ploughed into it, splitting the car into bits. The victims, many being crushed and killed instantly, were thrown in all directions. Several were sent flying ahead only to fall before the crushing engines.

List of the Dead.

Many of the dead were residents of Ligonier or Wilpen. The list follows: ANKNEY, John M., Ligonier, from man. BEATTY, Frank E., Ligonier, engineer. BYERS, George, Ligonier, from man. CAMPBELL, William, Wilpen. DILLON, Mrs. Harry, and baby, Wilpen. ESSE, Mrs. M., Wilpen. HUBLEY, George W., Wilpen, civil engineer. HUBBOK, Michael, Wilpen. MCCONAUGHEY, Frank, Ligonier, engineer. MURK, Thomas, Latrobe. NIEPONT, Matthes, Pittsburgh. OVERTON, Mrs. John, Wilpen. OVERTON, Frank, ten-year-old son of Mrs. John Overton. RHODDY, Elizabeth, thirteen years old, McKeen.

RHODDY, Louise, eight years old, sister of Elizabeth Rhoddy. RHODDY, Mary, Ligonier. TOSH, George, Wilpen. BOY, unidentified, twelve years old. TWO FOREIGNERS unidentified.

Some of the Injured.

A majority of the thirty injured persons were residents along the Wilpen branch. They were brought to a hospital here or sent to hospitals in Pittsburgh when it was found they were in a critical condition.

Among the injured were: HAMILI, Dr. C. A., Ligonier, may die. JOHNSON, Dr. J. E., Ligonier, will probably die. MATTHEWS, Miss Esther M., nurse in home of George S. Matthews, president of Ligonier Valley Railroad. SERENA, Walter, bank clerk; condition critical.

Injuries of the others were all severe, consisting of broken legs, arms and contusions. Many of the passengers were women and children. Miss Esther Matthews, a nurse employed by an official of the road, was taking a party of six children to a woods near Wilpen for a picnic. Two of the little ones were crushed to death and the others were badly hurt. Miss Matthews's condition is critical.

Mr. and Mrs. Henry Rhoddy lost their three young daughters, Louise, Elizabeth and Mary. Mr. Rhoddy, who is a well known business man, and his wife are frantic to-night and under the care of physicians.

George W. Hubley, who was killed, was a son of Grant Hubley, secretary of the Oil Well Supply Company, of Pittsburgh. He was eighteen years old. He was graduated recently as a civil engineer and was on his way to join an engineering corps of the Pennsylvania State Highway Department to take up his first work.

Car Ripped to Pieces.

The car was ripped to pieces. All the occupants were hurled to the roadbed. Some fell in the path of the engines, while others were partly buried in the wreckage and crushed stone beside the rails.

The first locomotive of the freight train stopped soon after turning through the passenger train, turned half way around and fell over on its side. Frank McConaughy, the engineer, was scalded to death, while his fireman, George Byers, jumped, only to fall on the track and meet death under the wheels.

Smith P. Beatty, engineer of the second engine, jumped and sustained a broken leg. His fireman, John M. Ankney, fell beneath a car. His legs were severed and he died en route to a hospital. Dunlap, the engineer of the passenger train, and his fireman remained at their posts, and escaped with slight injuries. Farmers near the scene of the accident and workmen employed at the wreck within in the vicinity were at the wreck within a few minutes. Messengers were started at once to Ligonier, while the others, assisted by Dunlap and his fireman, were busy getting the dead and injured clear of the wreckage. An hour and a half after the accident physicians, nurses and railroad officials had reached the scene. From that time on the work of rescue and tending to the suffering was effective. The first rescue train reached here from the accident at 8 o'clock to-night. Practically the entire town met it. Every conveyance was ready to haul the injured to the hospital. When the rescue train reached here, T. C. Ankney, the oldest rural mail carrier in Westmoreland County, father of