

THE WEATHER.

Fair and warmer tonight; Saturday partly cloudy and warmer.

Volume VI, No. 242.

FRUSH IS HELD WITHOUT BAIL

PRELIMINARY HEARING OF BARBER ON CHARGE OF CRIMINAL ASSAULT OF GIRL HELD.

MAV SLUSSAR TELLS STORY

Three Other Witnesses For Prosecution Examined and Defendant Waives Examination.

At the conclusion of the examination of the prosecuting witnesses, George Frush, barber, through his attorneys, waived examination and was committed to jail without bond to await trial in circuit court, at his preliminary hearing before Magistrate Gordon Thursday evening on the charge of criminally assaulting Maggie May Slusser on the Bridgeport road near the tin plate mills last Monday evening.

Although no announcement was made of the time set for the hearing except to the attorneys and those interested in the case, there was a fair-sized mob of curious men surrounding the magistrate's court but policemen and constables stationed there prevented any from entering except those interested in the case.

When the hearing commenced Johnson and Hoffheimer, attorneys for the defense, made motion that another continuance be granted in order to give the defense proper time to prepare its side of the case. John Bassel, one of the counsel, had sent word just before the hearing that he could not attend because of illness and this and the fact that two courts have been in session the last two weeks were argued as causes for delay. The court overruled the motion and directed the hearing to proceed after prosecuting Attorney Morris protested because the defense had already asked for and been granted two continuances.

Attorneys for the defense entered a plea of not guilty.

Another motion for a continuance was made by Johnson because of the absence of Mrs. Grace Hopkins, a witness, but this was overruled.

The first witness to take the stand was Miss Slusser, the complainant in the case. She told a story of the alleged attempt of Frush to criminally assault her and of striking her and dragging her by the hair Monday evening on the Bridgeport road virtually as was published in the Telegram Tuesday. She said that she had met Frush only that day and that Mrs. Grace Hopkins introduced him to her and later told her that he was a gentleman. She said that she agreed to go driving with Frush when he asked her to and that evening they walked down Pike street from the Waldo hotel corner and Frush procured a rig at Sedwick's livery stable.

The prosecuting witness identified the prisoner as the person who attempted to assault her.

"Is that the man who you say committed this act?" she was asked.

"Yes, sir, that's the man sitting right there, George Frush," she replied with emphasis.

The Slusser girl testified that she was seventeen years old on the day the alleged assault was made. Until three weeks ago she resided with her parents at Mt. Claré. At that time she came to Clarksburg to go to work and since coming here she said she had stayed at the Walker House, Mrs. Hopkins' house, and the Deison House. She met Mrs. Hopkins on a street car going to the Barnum & Bailey circus about two months ago. Since her arrival in the city three weeks ago she had worked at the Five and Ten Cent store, at Smithy's restaurant and was learning to be a telephone operator, while at nights she attended the West Virginia business college, taking shorthand and typewriting. She would not state how long she had remained in the employment at the places named.

L. G. Demling, boiler tender at the tin plate mill, testified that he saw the prosecuting witness in the boiler room of the tin plate mill Monday evening about 9 o'clock. She came in and asked him to assist her or to get someone to assist her back to Clarksburg. She had her hat in her hand, her clothing was wet and muddy, her hair was hanging loose and she was crying and very nervous and excited. She told him that she had been out driving with a young man, a barber, and that he had done everything that a man could do to her. She said she had fallen into a mud puddle while

running away from the man towards the tin plate mill. Demling said he noticed the girl's lips to be swollen as though someone or something had struck her. She kept looking towards the door as though she feared some one would be coming after her. He took her behind the boilers to allow her to warm and arrange her clothing and after reporting the situation to other employees at the mill it was arranged to have Thomas Martin, night watchman to take her over to the street car and see that she got home.

Thomas Martin testified to having seen the girl in the boiler room in about the same condition as Demling had described and that he took her down the road to the Loop hotel and there placed her on a street car. She cried most of the way, he said, and when they came to the place where the two horses had been killed that evening she became alarmed, thinking that one of them was the horse she had been riding behind that evening. She was afraid that Frush was around someplace until reassured by Martin that she was in no danger from him then.

James Fittro, conductor on the Wilsonburg street car of the Fairmont and Clarksburg Traction Co., testified that he saw the girl get on the 9:40 car at the Loop Hotel Monday evening, that she was crying and very nervous and excited and that her clothing was wet and muddy.

After these witnesses were examined the counsel for the defense waived examination of the prisoner and the latter was committed to jail until the next term of circuit court without bond by the magistrate.

FEDERAL COURT HAS ADJOURNED

United States court adjourned the term Friday morning after the entry of a few closing orders. Judge Dayton goes to Martinsburg after spending Sunday at his home in Philippi to hold federal court. Clerk Jasper Y. Moore will attend there too. The term will begin Oct. 16.

Judge Nathan Goff will begin a special term here Oct. 23 for the trial of the Baltimore & Ohio Railroad Company, indicted under the interstate commerce law, for alleged discrimination in the distribution of cars to coal operators in this section. These will be the first cases of the kind ever to be tried in the United States.

BIG GAME AT FAIRMONT

The Pittsburg Nationals and Fairmont will play a game of baseball at Traction park near Fairmont Sunday afternoon at 3:30 o'clock. Attendants from this city can go down on the 10:20 o'clock Sunday morning train to Fairmont and ride to the park on street cars. The train in the evening will be held at Fairmont until 5 o'clock and will leave Traction park at 5:15. The battery for Fairmont will be Kruger, of Uniontown, pitcher, and McCarthy, of Morgantown, catcher. The infield of Fairmont will be made up of Fairmonters and players of the P. O. M. league. The game promises to be a very warmly contested one and the best this season in this section. Quite a number of Clarksburg fans will attend.

Alfafa Here

W. W. Wood, the industrial agent of the B. & O. R. R., was in the city yesterday. He contemplates placing a man in this field to introduce the growing of alfalfa. Such movement must be conceded to be an important one, since it is an obvious fact that the majority of our farmers must send away their summer earnings for feed to carry their stock through the winter.

Peace Warrant Withdrawn

The peace warrant against Riley Ables, of Northview, sworn out by his brother-in-law, Al Carter, after they had a fuss over the collection of a bill, was withdrawn before the time set for the hearing in Magistrate Riley's court Friday morning. Both men appeared in court grinning and declared that they had settled the difficulty between themselves.

Rev. Varner in Hospital

The Rev. Mr. Varner, of Hays, Pa., who has been visiting his brother, Dr. H. V. Varner, was today admitted to the Kessler hospital to receive treatment for typhoid fever with which he is afflicted.

SATURDAY BRINGS TIGERS' GOOD GAME

Tomorrow the Clarksburg Tigers will meet the Mannington gridiron warriors in the first important game of the season under the new rules, and football critics will eagerly watch the outcome of this important struggle. The Tigers present squad is made up of some mighty promising material. With the hard struggle close at hand the Tigers are now being kept busier than ever. It is a foregone conclusion that the Tigers will take to the new style of an open, passing game like peacocks to ripe huckleberries. It is safe to say that the people who witness this game will see the most entertaining game. The Mannington team is coming very strong and will be accompanied by a good band of rooters. It seems pretty safe to say that the Tigers will not have all the fun Saturday. If every man, woman and child can witness this game they will fully understand that football under the new rules is not brutal. The field has been enclosed by heavy ropes so as to keep the spectators off the field of play. A large grand stand with bleachers on both sides of the field has been fixed up to accommodate the large crowd which is expected to be present. The game will be called promptly at 3:30 o'clock. Admission will be 35 cents, which will include grand stand and bleacher privileges.

When the dust is on the pigskin and the knockers on the knock, A wailing o'er such brutal sport, And the work it gives the Doc; Just watch and wait till Saturday And let the scoffers scoff, For then you hear the Tigers yell As "Jock" is kicking off.

These are the first questions that arise from those whose work and thoughts have not placed them in contact with children, and with reform movements for them. Document No. 701, "Children's Courts in the U. S.," may be obtained free from the Government Printing office, Washington, D. C. From it and several other reports the following information is taken.

Judge Lindsay was born on a farm near Jackson, Tenn., 37 years ago the 31st of this December. His father moved to Denver in 1878 and there his oldest child, Benjamin Barr Lindsay spent his childhood and attended the public schools. When sixteen years old his father died, and the burden of responsibility for the support of the three other children and his mother fell principally upon his shoulders. In 1888 he entered a law office in the capacity of office boy, and this he added other "jobs" such as the delivery of papers in the mornings, and doing janitor work at nights, and the same time devoting his spare time to the study of the law.

He remained in this office eight years, succeeding to the position of clerk and general assistant. In 1896 he formed a partnership with Senator Parks under the firm name of Lindsay & Parks. This relation successfully continued until 1901 when he became County Judge. Since he became county judge he has been responsible for many innovations. At his suggestion a State County Judges' Association was formed which completely revised the probate laws of the State, and added rights to the widows and orphans which heretofore had not existed.

But—the most important public work that has engaged his services upon the county bench has been in behalf of more advanced and intelligent methods of dealing with children through a juvenile court. He is the author of the juvenile court laws, important amendments to the school laws, and the child-labor laws of Colorado. His work in this direction has attracted not only national, but world-wide attention. Some of the European nations have sent representatives over to study his methods with a view to introducing them abroad.

Judge Lindsay lives with his mother in Denver. He has been so busy caring for his own family, and helping to care for the children of hundreds of others, that he has "never had time to marry," and is still single.

Now what is this juvenile court for which Judge Lindsay stands sponsor, though he himself disclaims the title of "Father of the Juvenile Court," modestly claiming to be but one among many pioneers along this line?

First, about the only important new law that the Juvenile Courts (Continued on page four.)

Attorney Conway was in the city from Fairmont this afternoon.

James J. Horner, of Brushy Fork spent Friday in the city.

JUDGE LINDSAY TO SPEAK

ON THE JUVENILE COURT UNDER AUSPICES OF A CLUB IN THIS CITY.

HISTORY OF THE JUDGE.

And Graphic Description of the Court He Will Lecture About Aply.

Judge Ben B. Lindsay, the "Kid" Judge of Denver, Colo., will deliver a lecture on the Juvenile Court, Dec. 4 at the opera house under the auspices of "The Tuesday Club."

Who is Judge Lindsay? What are Juvenile Courts? These are the first questions that arise from those whose work and thoughts have not placed them in contact with children, and with reform movements for them. Document No. 701, "Children's Courts in the U. S.," may be obtained free from the Government Printing office, Washington, D. C. From it and several other reports the following information is taken.

Judge Lindsay was born on a farm near Jackson, Tenn., 37 years ago the 31st of this December. His father moved to Denver in 1878 and there his oldest child, Benjamin Barr Lindsay spent his childhood and attended the public schools. When sixteen years old his father died, and the burden of responsibility for the support of the three other children and his mother fell principally upon his shoulders. In 1888 he entered a law office in the capacity of office boy, and this he added other "jobs" such as the delivery of papers in the mornings, and doing janitor work at nights, and the same time devoting his spare time to the study of the law.

He remained in this office eight years, succeeding to the position of clerk and general assistant. In 1896 he formed a partnership with Senator Parks under the firm name of Lindsay & Parks. This relation successfully continued until 1901 when he became County Judge. Since he became county judge he has been responsible for many innovations. At his suggestion a State County Judges' Association was formed which completely revised the probate laws of the State, and added rights to the widows and orphans which heretofore had not existed.

But—the most important public work that has engaged his services upon the county bench has been in behalf of more advanced and intelligent methods of dealing with children through a juvenile court. He is the author of the juvenile court laws, important amendments to the school laws, and the child-labor laws of Colorado. His work in this direction has attracted not only national, but world-wide attention. Some of the European nations have sent representatives over to study his methods with a view to introducing them abroad.

Judge Lindsay lives with his mother in Denver. He has been so busy caring for his own family, and helping to care for the children of hundreds of others, that he has "never had time to marry," and is still single.

Now what is this juvenile court for which Judge Lindsay stands sponsor, though he himself disclaims the title of "Father of the Juvenile Court," modestly claiming to be but one among many pioneers along this line?

First, about the only important new law that the Juvenile Courts (Continued on page four.)

Attorney Conway was in the city from Fairmont this afternoon.

SUSPECT TRIES TO ROB GALLOWS

(By Associated Press.)
WINCHENDEN, Mass., Oct. 12.—Harry Wood, who is suspected of having shot and killed his sister-in-law, Mrs. Ira E. Wood, was today found in bed at his home with his throat cut. The wound is not dangerous. Wood was arrested charge dwith the murder. The motive of the crime is not known. It is said Wood is somewhat mentally defective.

DR. BLAIR DIES AT BUCKHANNON

Dr. Blair died suddenly at his home in Buckhannon yesterday of heart failure at the age of 75 years. For many years he was a prominent physician and was well known here and in the surrounding towns and cities.

The Rev. J. D. Simmons, of this city, will conduct the funeral services, which will take place from the late home in Buckhannon Saturday afternoon at 2 o'clock. Burial will be in a cemetery there.

POISONED MILK SICKENS CHILDREN

(By Associated Press.)
FINDLAY, O., Oct. 12.—Fourteen children in the Orphans' Home in this city, were poisoned last night supposedly by drinking milk. All recovered except two who are in a serious condition. An investigation is being made into the matter.

FIRE WIPES OUT BUSINESS

(By Associated Press.)
VINCENNES, Ind., Oct. 12.—Fire of unknown origin wiped out the business section of Monroe City today. Conrad's brick building occupied by W. H. Harrison's dry goods store, Noe's butcher shop and other buildings were destroyed at a loss of \$50,000. The insurance is \$5,000.

OCTOPUS TRIAL BEGINS AT LAST

(By Associated Press.)
FINDLAY, O., Oct. 12.—When the trial of the Standard Oil Company of Ohio charged with conspiracy against trade began this morning Recorder Bloom, of Hancock county, identified a deed record and Prosecutor David read to the jury records of certain deeds transferring land to the Standard Oil Company of Ohio.

Shot at Hubby

At a quiet hour Thursday night a telephone message came to police court from one representing himself to be W. Broadwater, the grain broker, who resides in Glen Elk, asking for help. The station was informed that Broadwater's wife was in that neighborhood shooting at him through a window of his residence. However, no arrest was made as the officers found no one when they arrived on the scene. The Broadwaters have had domestic troubles and have been separated several months.

Great Meeting

The Salvation Army will have a great meeting Monday. It will be conducted by Major William Andrews, of Pittsburg, Adjutant Black, of Washington, and Ensign McClelland, of Uniontown, at the local hall, 222 West Pike street. Everybody will be welcome.

Shooting Clay Pigeons

Charles Hickman and Barlow Cole went out to a point beyond Union park this afternoon with a clay pigeon trap, rifles and a lot of supplies for the purpose of practicing their skill at marksmanship. They expect to break some records as well as clay pigeons.

Chicago Grain Market (By Associated Press.)
CHICAGO, Ill., Oct. 12.—Wheat 74 1-4, corn 42, oats 31 1-2.

JACKSON CASE TO BE DECIDED

COCA-COLA PLANT IS PURCHASED

Messrs. Jamieson & Barnett have purchased the coca-cola bottling works of Messrs. Slayton & Bryan and will move the plant into the Jamieson building on North Fourth street, which is to be vacated by the laundry that has been conducted there very successfully several years. The deal was made Wednesday of the present week but not made public until Friday afternoon. The purchasers will move into their own building about Jan. 1, when the laundry will be moved to the Jamieson building on West Pike street, now in course of construction. They will then enlarge and more modern equip the coca-cola plant upon its removal to the Jamieson building, so as to make the strongest and largest bottlers of soft drinks in the State. They will employ experienced help and push the business for all there is in it.

Messrs. Jamieson and Barnett are business men of fine ability and will succeed in this undertaking.

EDITOR RUN OUT OF THE STREET

Fritz Merrick, editor of the Socialist Rebel of Parkersburg was told to get out of the street at the corner of Third and Main streets opposite the court house late yesterday afternoon by the police for drawing a crowd that the police said was blockading the thoroughfares. He had started in on a stump speech on socialism when he was asked to move on.

WIFE SLAYER IS HANGED

(By Associated Press.)
CHICAGO, Ill., Oct. 12.—Daniel Francis, colored, was hanged in the county jail here today for the murder of his wife, Martha, and her business partner Mrs. Mary Scroggs. He had trouble with his wife because of his refusal to work.

Home Crowded

Susie McCoy, the little girl who has been in the Wood county jail for the past two weeks, waiting to be taken to the Girls' Industrial School at Salem, was yesterday released. The school at Salem is entirely filled. The superintendent has written Justice Rutenoutter of Parkersburg that no more can be admitted for some time on account of the crowded condition. The girl is now at large.

Old Feud Causes Trouble

(By Associated Press.)
TULSA, I. T., Oct. 12.—Charles E. King, real estate dealer, who is alleged to have threatened yesterday to kill Representative Thomas J. Scroggs, of Xenia, O., at the latter's winter home here, was bound over to the grand jury today. A political feud between the two men in Ohio several years ago led to the trouble.

Bartenders to Meet

The bartenders' union will hold a meeting in the Traders annex at 3 o'clock Sunday afternoon. It is urged that the attendance be complete.

Services Tonight

This evening at 8 o'clock in the Smith hall, Main street, the Lutheran congregation will hold services preparatory to the Holy Communion which will be observed Sunday morning. The preparatory service aims to assist Christians in worthily participating in the Supper of Our Lord. It is urged therefore that every Lutheran in the city be present.

To Stop Fight

(By Associated Press.)
TERRE HAUTE, Ind., Oct. 12.—Despite the fact that preparations are being made for the Hart-Shrick bout tonight, it is apparent City Attorney Rawley will attempt to stop the contest.

IN CIRCUIT COURT AT MORNING HOUR TOMORROW BY JUDGE LYNCH.

OPINION WILL BE GIVEN

As To Right and Title to Roadbed of Short Line Railroad Company.

Judge Charles W. Lynch will hand down his decision at the morning hour of circuit court tomorrow morning in the injunction suit of Col. T. Moore Jackson against the Fairmont & Clarksburg Traction Company and others, relative to a right of way in the rear of Col. Jackson's resident property in the city, in which Col. Jackson claims ownership of that part of the roadbed of the West Virginia Short Line Railroad Company, alleging it was to revert to him in the event said company did not use it.

The defendant claims to have acquired the right from the West Virginia Short Line Railroad Company and assigns to use the same under a lease made between the parties. The decision is awaited with interest and the court room will be well filled to hear the opinion. Judge Lynch has had the case several weeks.

Robert E. L. Barnett was granted a divorce from Fannie Barnett. A decree was entered in the cause of S. E. Swartz et al. vs. Lucy Watson et al., confirming resale of lands.

BETTING FAVORS THE NATIONALS

(By Associated Press.)
CHICAGO, Ill., Oct. 12.—The fourth game of the championship series was played on the American grounds today. The largest crowd yet which has witnessed the contest was in attendance. It was announced before the game that the probable pitchers would be Altrick for the Americans and Brown for the Nationals. The betting favored the Nationals slightly.

ARABS WHIP THE TURKS

(By Associated Press.)
CONSTANTINOPLE, Oct. 12.—The rebellion against the Turkish rule in the province of Yemen, Arabia, shows no signs of subsiding. A fight occurred in the district of Azir between government troops and a tribe of Benichar, in which the Turks were routed with a loss of 100 men killed and 60 wounded. The casualties of the Arabs are estimated at 200.

HIGHWAYMEN SHOOT OFFICER

(By Associated Press.)
TOLEDO, O., Oct. 12.—A desperate encounter between policemen and three hold-up men in Main street this morning resulted in Policeman Joseph Schlagbock being fatally shot by two highwaymen.

Senator Beveridge Recovers

(By Associated Press.)
BOSTON, Mass., Oct. 12.—Senator Beveridge, who has been ill for several days here, has recovered and left for New York.

Interested in The Frolic

(By Associated Press.)
HALIFAX, N. S., Oct. 12.—James B. Lehmann, arrested here, admitted that he was interested in the schooner yacht Frolic which carried forty-two Chinamen to Providence this week.

League Will Meet

A business meeting of the Epworth League of Goff Methodist church will be held in the church this evening at 8 o'clock. A cabinet session will precede it.

New York, Oct. 12.—Mr. Jefferson Davis' condition is somewhat improved today.