

# JUSTICE WHITE IS NAMED AS THE SUPREME JUSTICE

## SHERIFF'S MOTHER PASSES TO BEYOND

Paralysis and Advanced Age Cause Her Death at Wilsonburg.

Mrs. Bridget Francis, of Wilsonburg, mother of Sheriff Michael J. Francis, died at 1 o'clock Monday morning as a result of paralysis. She had been in falling health two or three years but her last illness was of but a few weeks' duration. Advanced age together with her affliction hastened the end.

Mrs. Francis was born in Galway, Ireland about 77 years ago, being a member of the Maloney family. She came to this country in 1849 and was married to Thomas J. Francis, also a native of Ireland, in Clarksburg in 1850 in the old Dent house now known as the Lastetter building on West Pike street. Her husband, a prominent resident of Wilsonburg, died March 17, 1903, and his body is buried in the Holy Cross cemetery here.

Surviving of the immediate family are besides Sheriff Francis, one son, Thomas, and three daughters, namely, Mrs. Mary Owens, wife of Patrick J. Owens, of this city; and Misses Cordelia and Anna Francis, of Wilsonburg.

Mrs. Francis was a consistent member of the Catholic church and a woman highly esteemed by all who knew her, possessing to a marked degree the virtues of Christian womanhood. Beloved by family and friends, her death brings deep grief to all.

The funeral will be held in the church of the Immaculate Conception here at 10:30 o'clock Wednesday morning and burial will be at the Holy Cross cemetery. The funeral party will leave Wilsonburg at 9:30 o'clock that morning by street car.

## LINDSEY SPEAKS

Famous Denver Judge Talks to Parents and Children in the City.

Judge Ben Lindsey, of Denver, Colo., who lectured Friday night on "The Misfortunes of Mickey," gave another lecture in the First Methodist Episcopal church Sunday afternoon at 2 o'clock. The lecture was free and the church was again crowded. The subject of Mr. Lindsey's lecture was, "Some Boys and Girls I Have Known."

He told a number of stories of unfortunate youth with whom he had come in contact, and in each case pointed out the defects in training and environment that had led to subsequent downfall. In most of these cases, he showed, that faults in the home training were responsible.

## FUNERAL

Of Mrs. R. J. Gazley is Largely Attended at the Waldo Hotel.

A large number of sorrowing friends attended the funeral of Mrs. Raymond J. Gazley Monday afternoon. The burial service of the Episcopal church was read by the Rev. John E. Ewell, rector of Christ church, in the parlor of the hotel, while those in attendance took places there and around the balcony of the same floor. Many beautiful floral tributes surrounded the casket and several bouquets were placed upon the lid.

After the service was read the casket was taken down the stairway by eight of the colored employees of the Waldo and thence through the lobby to the hearse by the pall bearers. Every head was bowed and every eye was dimmed when the casket was to the door as the scene was impressive and touching. Messrs. Harry McClure, of Wheeling; Charles D. Johnson, of Richwood; John W. Davis, Frank R. Moore, Burton L. Despard and Virgil L. Highland acted as pall bearers. The body was placed in the grave at the Masonic cemetery.

## ACCEPTS POSITION.

Miss Ella Kincaid, of Fairmont, has accepted a position with the Watts-Lambert company.

## CHARTERS

Are Issued to Several Concerns, Among Which is a Local Company.

Charters have been issued to the following state corporations:

Thermal Coal Company, of Clarksburg, to conduct a coal business. Capital stock \$50,000, of which \$50 has been paid. Incorporators: D. J. Carter, Guy H. Earle and J. Blair Willison, of Clarksburg; Guy A. Hardesty, of Shinnston and Guy M. Gribble, of Buckhannon.

Levers and Okonoko Orchards Company, of Martinsburg, to conduct a general orchard business. Capital stock \$100,000, of which \$50 has been paid. Incorporators: J. C. McGowan, Paw Paw, W. Va.; E. A. Downs, J. M. Small, H. B. Shoemaker, and Dudley Farley, all of Martinsburg.

Columbia Tile Company, of Grafton, to make tile, pottery and like products. Capital stock, \$150,000, of which \$50 has been paid. Incorporators: Chas. R. Durbin, J. W. Yates, A. Hood Phillips, Lee Bennett and O. H. A. Kunst, of Grafton.

Mapleton Orchard Company, of Morgantown, with chief works to be located five miles from Moorefield, W. Va., where an orchard business will be conducted. Capital stock, \$50,000, of which \$50 has been paid. Incorporators: Ed. W. McNeil, E. T. Schultz and E. D. Tumlin, of Morgantown, and John T. Phillips and J. O. McNeely, of Fairmont.

## SENT TO JAIL

Are Woman and Her Attorney for Not Producing Papers Before Jury.

CHICAGO, Dec. 12.—Mrs. Aileen Christopher, the government's witness against the alleged brick trust, was ordered committed to jail, with attorney John A. Brown, today until they have produced certain papers and documents before the Federal grand jury. At the same time Judge Landis, of the federal district court declared the accusations of Mrs. Christopher and her counsel that charges F. DeWoody, head of the department of justice's secret service, tipped off secrets, were without cause or justification.

## TO OPEN NEW LINE

F. & N. Traction Co. is Completing New Line and Will Arrange Schedule.

FAIRMONT, Dec. 12.—Within a few days the trolley line of the Fairmont & Northern Traction company will have its regular schedule in operation, and the line will connect with the Fairmont & Clarksburg line at Bellview, a suburb of Fairmont. There is yet considerable ballasting to be done and the high tension wire is to be strung, but trail trips have been made over the line with good results. The sub-station at Riverside is completed and excellent time will be made on the run between here and Gray's Flats. After the line leaves Bellview it follows the Monongahela river to Rivesville, and thence up Paw-paw creek to Fairview. The line is not yet completed from Gray's Flats to Fairview and that will hardly be done before the early spring.

## A MARRIAGE LICENSE.

A marriage license was issued Monday to James S. Yeater and Ethel M. Carson.

Misses Emma and Blanch Maxwell will leave the city this evening on a visit to New Orleans, La., and other southern points.

Mrs. Reuben Anderson, of Fairmont, has returned home after a visit at the home of Mr. and Mrs. C. T. Martin, of First street.

Of the United States of America by President William H. Taft.

OTHER MEMBERS, TOO

Of the Highest Court as Well as Personnel of New Court Are Named.

WASHINGTON, D. C., Dec. 12.—President Taft today sent to the Senate these nominations: To be chief justice of the United States supreme court, Associate Justice Edward Douglass White, of Louisiana.

To be associate justices of the United States supreme court, Judge Willis VanDevanter, of Wyoming, and Judge Joseph Buckner Lamar, of Georgia.

To be judges of the new court of commerce, Martin A. Knapp, now chairman of the interstate commerce commission, for a term of five years; Robert W. Archbold, now United States district judge for the middle district of Pennsylvania, for a term of four years; William H. Hunt, now judge of the court of customs appeals and formerly United States district judge of the district of Montana, for a term of three years; John Emmett Garland, of South Dakota, for a term of two years; and John W. Mack, now judge in the appellate circuit court of the first Illinois district, for a term of one year.

To be members of the Interstate Commerce Commission, B. H. Meyer, of Wisconsin, and C. C. McChord, of Kentucky.

The appointments to the Interstate Commerce Commission were made to fill vacancies caused by the elevation of Knapp to the commerce court and the forthcoming retirement of former Senator Cockrell, of Missouri. The commission will elect its new chairman.

In the official nominations, sent to the Senate the members of the new commerce court are designated as additional circuit judges. Judge Knapp is named as judge for the second judicial circuit, Archbold for the third and Hunt for the ninth, Garland for the eighth, and Mack the seventh.

The judges will serve on the commerce court and after being relieved from that service they will be assigned to work on the circuit bench.

As a member of the supreme court it has fallen to Justice White's lot to participate in some of the most famous cases in the history of the tribunal. Although a Confederate soldier and a Democrat, Justice White is said to hold probably the most clearly marked ideas of federalism of any of the supreme court justices. He was with the government in all of the so-called insular cases, involving the Philippines and other island possessions. He rendered a minority opinion against the government's contentions in the Northern Securities case, and also was with the minority of the court in voting to sustain the constitutionality of the income tax law.

Justice White has been on the supreme court for 16 years, and is now the oldest justice in commission whose age is less than 70. Justice White graduated from Georgetown University. In addition to practicing law in Louisiana, he was a sugar planter. He served in the Louisiana legislature as a senator, served for a number of years on the state supreme court bench and subsequently was elected to the United States Senate. He was serving his first term in that body when President Cleveland appointed him to the supreme court.

Justice White's nomination was confirmed by the Senate today. The confirmation of the two newly appointed associate justices will follow later. There is no evidence in the Senate that any of the other nominations will meet with opposition.

## ILLUSTRATED

Will Be a Lecture on the Italian Lakes by the Rev. Mr. Hay.

Thursday evening of this week at 7:30 o'clock, in St. Mark's Lutheran church, Park avenue and East Main street, the Rev. E. G. Hay will give a stereopticon entertainment, presenting the views of the Italian lakes, Rome, Florence and Venice, with a brief descriptive lecture on the same.

There will also be illustrated songs and views of most of the beautiful homes on East Main street, from Monticello avenue to Oak street, and also pictures that will especially interest and amuse the young. The general admission will be 10 cents. The doors will open at 7 o'clock.

# BANKS SHOW BIG GROWTH IN A DECADE

Report of the Comptroller of the Currency for the Year is Made.

## BANKING AFFAIRS

Are Reviewed by Him Showing Flattering Financial Conditions.

WASHINGTON, D. C., Dec. 12.—Another year of prosperity and solid growth for American banks is recorded in the annual report of the comptroller of the currency, presented to Congress today. Not only the national banks which come directly under the control and supervision of the currency bureau are included in the comprehensive review of banking conditions, but state banks, savings banks, trust companies and other financial institutions—some 15,950 others are represented.

During the fiscal year of 1910 the combined resources of the 7,000 national banks of the United States grew to approximately \$1,000,000,000.

On September 1, last, their loans and discounts had reached the immense sum of \$5,000,000,000—an amount never before equalled in the history of the national banking system since its creation in 1864. At the same time they were counting nearly \$50,000,000 of overdrafts in their assets, a practice which there is no law to stop.

Combining all other banks in the United States and its island possessions with those of the national system and allowing an estimate for those not reported, it is evident from the comptroller's report that the banking power of the nation has grown in the last ten years from 15,977 of all sorts of banks, with a capital of \$1,750,000,000 and individual deposits of \$7,888,000,000, to more than 27,000 banks with combined capital close to \$2,000,000,000 and individual deposits of nearly \$16,000,000,000. The deposits have more than doubled in little more than a decade, and in the same time the combined loans and discounts have grown to more than \$12,000,000,000.

The volume of business is reflected in reports which have been assembled from 137 clearing house exchanges showing combined clearings of \$169,000,000,000 for the year ended on September 30, as against \$153,800,000,000 for 1909. With the exceptions of Kansas City, Mo.; Houston, Tex.; Greensburg, Pa.; Freemont, Neb.; Franklin, Pa.; Colorado Springs, Colo.; and Vicksburg, Miss., the years showed an increase in volume of business everywhere. The New York Clearing House Association represented 60 per cent of the clearings of all associations of the country and during the current year has reached \$162,000,000,000, some \$3,000,000,000 greater than in 1909. For these enormous transactions balances of only little more than \$4,000,000,000 were used.

Four actual national bank failures marked the year. Final settlement of the affairs of 18 insolvent banks was made in which depositors received nearly 86 per cent. These administrations were made at an average cost of about five per cent on the collections. From the date of the first failure in 1865, 514 national banks have been placed in the hands of receivers and 25 of them have been restored to solvency. More than \$2,300,000 in dividends was paid to depositors of insolvent banks during the year.

On the whole, it appears from the report, that national banking conservatively conducted is a profitable enterprise. The net earnings of the 7,000 national banks during this year were more than \$154,000,000, from which dividends of \$105,000,000 were paid at the rate of more than 10 per cent on their capital. The government, too, has profited from the existence of the national associations for since their beginning it has received more than \$200,000,000 of which more than 92 per cent has been for circulation tax on the bank notes they issue.

With the exception of banks which have become involved as a result of defalcations or other dishonesty, failures have been almost wholly due to incompetent or reckless management, the report says, and persistent violations of the national banking laws and the practices governing conservative banking.

A large percentage of the banks (Continued on page 3.)

# FIVE ARE JAILED AS HIGHWAYMEN

Negroes Are Accused of Holding Up and Robbing Tin Plate Worker.

John Young, Oley Grant, Ray Smithers, Samuel Lewis and Andrew Smith, all negroes, are in jail awaiting hearings before Justice W. P. Camp on the charge of holding up and robbing Thomas Wilson, a tin plate worker of 413 Fourth street, Glen Elk, Saturday night in the rear of Peter McNeal's saloon on South Third street.

In police court Monday morning, Wilson said Young and Grant were the ones who held him up and robbed him. Under a pretense of buying a bottle of whiskey for him, Wilson said, they asked him to go in the rear of the saloon and when he got there one fellow put his arms around him from behind and clasped his hands across Wilson's mouth while the other went through his pockets. Three \$10 bills, one \$2 bill and three \$1 bills were taken.

Young and Grant were arrested Sunday morning by Police Chief Harry L. Brooks and Policeman George Isenhart. Later in the day information was given at police headquarters that Smithers, Lewis and Smith were the ones who committed the robbery and the police chief, Lieutenant N. M. White and Policemen Simms and Joyce arrested them that night in the club room over McNeal's saloon and took them to jail. After the case was investigated at the regular session of police court Monday morning, Mayor Frank R. Moore turned it over to Justice Camp's court and warrants were sworn out against the men there.

Wilson says that he is positive that the two men who were first arrested are the ones who held him up and robbed him. What connection the other three men have with the alleged crime will be brought out at the hearing before the justice, which has been set for Wednesday afternoon. To white men and a negro will be summoned to testify as witnesses.

## MEAT CLEAVER USED

Foreigners at Annabelle Fight Over Woman—Six Are Arrested.

FAIRMONT, Dec. 12.—County officers last night arrested six Slavs, one a woman, at Annabelle, a mining town fourteen miles from this city. The crowd is charged with assaulting Ivan Smolik and seriously injuring him. Smolik was struck on the head with a meat cleaver and his skull crushed. The six were held for a hearing today. The trouble started over the woman.

## SIX FACE MAYOR

On Charges of Drunkenness and One of Them is Sent to Jail.

In addition to the investigation of a highway robbery case, mention of which is made elsewhere in this issue, Mayor Frank R. Moore fined two men this morning in police court for drunkenness. Both paid up and were released.

At the session of the court held Sunday morning a fellow named Bowle was sent to jail for five days in default of paying a fine for drunkenness. Three others were also fined for drunkenness and were released on payment and the giving of an order.

## ARRESTED

Is a Hunter and Trapper in Connection with Murder in Kansas.

KANSAS CITY, Dec. 12.—John Feigler, a hunter and trapper, whose home is a half mile west of the Bernhard farm in Johnson county, Kansas, where Mrs. Emily Bernhard, George Bernhard, Thomas H. Morgan and James Graves were murdered, was arrested in connection with the crime this morning.

# MINERS SEEK

To Organize and to Work Among the Miners in This State.

COLUMBUS, O., Dec. 12.—With a purpose to fight to the last ditch for the right to organize unions among the miners of West Virginia, the United Mine Workers of America will ask for a hearing in the circuit court of appeals of that state, December 19, in the case of Tom L. Lewis, individually, and as president of the Mine Workers, against the Hitchman Coal and Coke Company, the case in which, October 24, 1907, Judge Dayton issued an order temporarily restraining the organization from working among the miners. An injunction later was issued.

If an unfavorable decision is received, the organization will appeal to the supreme court of the United States.

This plan was determined upon at a meeting of President D. H. Sullivan, Vice President John Moore and Attorney C. E. Hogg, formerly of the law department of the West Virginia University, the union's attorney.

## ROBBERY

Of Watch and Money is Charged Against Grafton Man.

Accused of robbing J. P. Forham, of Hastings, of a watch and \$20 in money, James Breadlove, a Grafton man, is in jail awaiting a hearing in Justice W. P. Camp's court. The prisoner was arrested Saturday night by Policeman John McNeer, of the Baltimore and Ohio railroad police force, as he was climbing aboard an east-bound train at the local station and shortly after complaint of the alleged robbery had been made by Forham.

Forham said that Breadlove took him into a room of a boarding house on Fourth street, Glen Elk, and robbed him of the watch and money. The case was registered in police court but Mayor Frank R. Moore turned it over to the justice's court Sunday morning.

## STATE COMMITTEE

Of Sunday School Workers Are to Meet in Wheeling This Week.

December 19 the annual meeting of the executive committee of the State Sunday School Association will be held at the Stratford hotel in Wheeling and many matters of importance are to be considered. It is hardly probable that any radical changes will be made but there has been considerable agitation on some points on which action will doubtless be taken.

The annual reports of the president, secretary and treasurer will be received and will show a flattering growth in all departments. Especially is this true of adult Bible classes, of which there are now a total of 449 in the state as against 299 one year ago. It is probable that Huntington will make an attempt to have the headquarters' offices removed to that city, but this will be vigorously opposed by this end of the state and is not expected to be successful.

## REED SENDS BOOKS.

Through the courtesy of Stuart F. Reed, secretary of state, the Clarksburg Library has received a number of books pertaining to the history of West Virginia from the capitol at Charleston.

## CHICAGO GRAIN MARKET.

CHICAGO, Dec. 12.—Wheat, 91; corn, 45 1-2; oats 31 1-4.

James S. Griffin was here from Lumberport Saturday.

In the Annual Report of the Attorney General to the Congress.

## ACTIONS ARE PENDING

Against a List of the Leading Combines and Several Are Fined.

WASHINGTON, D. C., Dec. 12.—The annual report of Attorney General Wickersham presented to Congress today, is one long story of frauds against the government.

Trusts, so-called and real, their alleged conspiracies to defeat the law; land frauds, custom frauds, frauds on the internal revenue, rebates, bucket shops and fraudulent uses of the mails have made 1910 the most atrocious year in the history of the department of justice. Mr. Wickersham states that only the earnest and enthusiastic work of the men of his force has made the work successful.

"The salaries paid are small," he says, "and the funds available for special counsel do not permit the payment of fees which bear any comparison with those offered by private interests. But notwithstanding these obstacles, the department is fortunate in having been able to secure the services of earnest and competent lawyers, to whose ability and industry are due the very large measure of success that has attended the management of the legal business of the government during the year.

Prosecutions for violations of the anti-trust law were foremost in the work of the year. Actions, says the attorney general, are now under way or pending against the following so-called trusts:

- Tobacco trust.
- Standard Oil Company.
- Sugar trust.
- Harriman lines.
- Coal trust.
- Terminal Railway Association of St. Louis.

Towing trust on the Great lakes. James A. Patton and others for alleged corner in cotton.

- Beef trust.
- Wholesale grocers trust.
- Butter and egg trust.
- Brick trust.
- Bath tub trust.

The following convictions were secured and fines imposed during the year:

- Paper trust fined \$57,000.
- Night riders fined \$3,500.
- Window glass trust fined \$10,000.

After the attorney general's report came from the press, however, the American Naval Stores Company, known as the Turpentine trust, and six co-defendants were convicted of violations of the anti-trust law. Two of the individual defendants were sentenced to three months each in jail and fines aggregating \$17,500 were imposed.

Prosecutions of the Sugar trust for frauds upon the government in the weighing of raw sugar recovered for the government \$1,135,363.85. Convictions and sentence of individuals, still fresh in the public mind, were secured.

Most extensive of all frauds against the government yet discovered, are those in the undervaluations of imports into the United States. The extent of the treasury losses can only be conjectured. Every step of the investigation shows fresh frauds.

There are now suits under way to recover \$700,000 of which the customs revenue is said to have been defrauded in imports of cheese and figs from the Mediterranean ports. Indictments are pending and some convictions have been secured. A highly organized system to defraud the government has been disclosed.

More than thirty individual indictments are pending against persons charged with smuggling with "sleeper trunks." Offers of compromised and prayers for immunity are in the hands of the attorney general from several firms of importers who have confessed to frauds in undervaluations.

"The conditions disclosed seem to indicate a very general practice of undervaluations," says the attorney general, "and a very lax administration of the customs laws in the past, which has subjected the government to a very material loss of revenue. A general investigation into the subject of frauds by undervaluation has only commenced, and this branch of the subject will now be pressed vigorously."

(Continued on Page Six)