

# SULZER ANSWERS M'CABE'S ATTACK

### No Denial of Secret Conferences With Murphy.

## CALLS M'CABE CATSPA.W.

Declares There's Very Little Truth in Accusations "Planned by Crafty Enemies of Direct Primaries in New York City."

Albany, N. Y., June 18.—Governor Sulzer's answer to the charges of Senate Clerk Patrick E. McCabe was delivered at the final meeting last night of his state wide campaign in favor of the direct primary bill. The governor did not discuss the assertion that since he assumed office he has held frequent secret conferences in New York city with Charles F. Murphy.

In his speech, Governor Sulzer, after pointing out that Tweed, with brazen audacity, defied the voters, asked, "Have little boss Tweeds so soon forgotten the tragic fate of big Boss Tweed?"

"Now a few words about little boss Tweed in Albany county, one Patrick E. McCabe," the governor continued. "You know something about him and his methods. He has circulated what he called a bitter attack on me. It was a screed so ridiculous that I suppose I should not dignify it by a denial. I hope every one here has read this McCabe attack."

After reviewing a letter from McCabe, in which he was fulsomely praised, Governor Sulzer went on:

#### McCabe Gets Wild.

"I was a great man apparently in McCabe's estimation so long as he believed I would recognize him as the boss of the Democratic party in Albany county, but just so soon as I gave some recognition to Mr. Dugan—a decent man and the Democratic state committeeman from Albany county—Mr. McCabe gets wild and has his good but erratic friend write a libelous manifesto about me, replete with statements without the slightest foundation of fact. The letter and the statement show the difference, however, between now and then.

"Poor McCabe! He is a catspaw, and I feel sorry for him.

"Perhaps I should say that there is very little truth in the purported statement of Mr. McCabe. Much of the matter is too absurd for me to dignify with a denial, especially in view of the fact that another man wrote it.

"Who wrote it? Who gave the writer the information? That is what the people want to know. McCabe has recently been in several conferences. If he knows let him tell all he knows. They say McCabe is a squealer.

"They tell me this whole thing was deliberately planned and executed by crafty enemies of direct primaries in New York city for the purpose of breaking the force of my special message on direct nominations sent to the extraordinary session of the legislature.

"I do not think it will deceive any friend of the cause of direct primaries or disconcert any citizen in the state. It certainly will not distract me or prevent me from going right ahead with my efforts to write upon the statute books a direct nominations law that will carry out in good faith the promises of the Democratic party. These attacks on me are well understood. They will not hurt me in the end. But whether they do or not, I shall go on regardless of political or personal consequences.

#### Calls the Attack Weak.

"There is an old saying, you know, that when a lawyer has a bad case he should abuse the other side. Mr. McCabe, it seems, is in this category. He is so weak as a political leader in Albany that just one honest direct primary election would relegate his bossship to the political scrap heap.

"Mr. McCabe knows this, and hence he is fighting against direct primaries to save his political skin. That is all there is to it. McCabe thinks that by abusing me he can defeat direct nominations, but his efforts will be abortive, and his antics are about as transparent and as ludicrous as those of the ostrich, which sticks its head in the sand and thinks its body cannot be seen. Mr. McCabe's political head is in the political sand, but we all see the rest of him—and the sight is not alluring."

#### KAPPER GRAFT JUDGE.

Sulzer Names Him to Preside in Rockland County.

Albany, June 18.—Governor Sulzer issued a proclamation convening an extraordinary term of the supreme court for July 14 in Rockland county to consider contemplated indictments for grafting in highway construction work in that county.

The governor designated Supreme Court Justice Isaac M. Kapper of Brooklyn to preside at the extraordinary term. Peter P. Smith, a political protégé of James Shevlin of Brooklyn, has been designated by Attorney General Carmody as a deputy attorney general to assist the Rockland county district attorney in these cases.

**Weather Forecast.**  
Fair today; not quite so warm in south portion; tomorrow fair; light to moderate north winds.

## JURY SAYS HALEY IS "NOT GUILTY"

### CIRCUMSTANTIAL EVIDENCE OF LARCENY FAILED TO CONVINCCE WAYNE JURY.

Case Finished Late Monday Afternoon—W. H. Lee, Esq., Appointed Counsel for Haley.

In the case of the commonwealth vs. Thomas Haley alias Thomas Cortright, in which B. F. Ossendorf, of Waymart, was the prosecutor, and which was tried in the local court on Monday of this week, the jury returned a verdict of "not guilty" in court Tuesday morning. The Court told the jury that the fact that there was some evidence that Ossendorf was under the influence of liquor should not have influenced them in finding a verdict. Haley was brought before the court. He is 34 years old. Judge Searle instructed the sheriff to give Haley the \$4.10 he had taken from him when he was placed in jail, and instructed that Haley should buy a ticket with it and leave town.

H. B. Ossendorf, prosecutor in the case, was the first witness called by the Commonwealth. He stated that he had not known Haley until the day he came to Honesdale and stopped at the Arrow Cafe. That was on Wednesday afternoon, May 21. Haley was around there then. I stayed there all night because it rained and part of Thursday. I started for my home near Waymart Thursday afternoon about four o'clock and Haley asked to go as far as Seelyville with me. I did not want him to go but he insisted. When we got to Seelyville he wanted to go along to Waymart. He went and I left him on the other side of Waymart. He did not go all the way home with me. I had my money in the outside pocket of my coat in an envelope. I had taken \$5 out to pay the bartender at the Arrow Cafe and Haley was standing near me. I had the money when we were at Seelyville. It was gone when I got home. I figured that I had lost about \$35.

Attorney W. H. Lee was appointed by the Court to defend Haley who had no counsel. On cross-examination it was attempted to show that Ossendorf was under the influence of liquor. He said that he was not under the influence of liquor Wednesday night. Haley came to his room early Thursday morning and asked Ossendorf where his clothes were. They had a few drinks at the Arrow Cafe before leaving and stopped at Seelyville where they had two more. Mr. Ossendorf asserted that he had taken beer while Haley took whiskey. He said that he had about \$47 in the envelope and that he allowed that he had spent \$12 at the Arrow Cafe.

Peter Kahl, bartender at the Arrow Cafe, sworn: Haley worked around the place and did not get any pay for his services, only once in a while he was given a quarter. He had no money. Haley was standing along side of Ossendorf when they came up to the bar for drinks that Thursday afternoon. He had an opportunity of seeing the money that Ossendorf carried in the envelope. Haley went with him but did not come back. He stated that the two had had several drinks before they started.

Joseph Gumper, bartender at the Seelyville hotel, was next sworn: He stated that Ossendorf and Haley had stopped at the hotel Thursday afternoon, May 22, for about ten minutes. They had two drinks and then started for Waymart. I saw Haley again Friday afternoon. He came into the hotel and he had money. He spent three or four dollars there and told me he had \$5 to keep for him. When he left he left ninety cents on the bar. On cross-examination he stated that the \$5.90 was in the till of the hotel in a separate pile awaiting the action of the Court. Ossendorf had paid for the drinks and took out of the envelope \$5 and I gave him the change for it. When Haley came back Friday he got to be a nuisance and I put him out. He was intoxicated when he came there.

Mrs. Augusta Myers, proprietor of the Seelyville hotel, was sworn: I saw Haley Thursday and again on Friday. He came in after Mr. Gumper had left and lay down in a chair for a nap. When he awoke he asked for a drink. I gave him one and he paid me with a \$5 bill. I gave him the change and I saw that he had four other bills of the same denomination with him then, when he left. He was sober at that time.

N. B. Spencer, county detective, sworn: He served the warrant on Haley in the bar-room of the Wayne Hotel. I searched him and found on him \$4.10. I arrested him and locked him up. Haley told me then that he never took Ossendorf's money but that he had given him \$2. The next morning in the jail he told me that Ossendorf had given him \$6. Or cross-examination he stated that Haley had a few drinks in him but was not so drunk but that he knew what he was talking about.

The Commonwealth rested. Thomas Haley was the only witness in his own behalf called by the defense. He stated that Ossendorf had come into the Arrow Cafe Wednesday afternoon and he put him to bed. The next morning he said he went to Ossendorf's room and asked him where his clothes were. He said that Ossendorf had slept with his clothes on. We went down to the bar-room and he bought me a drink and gave me twenty-five cents. I was on the right hand side of the man when we got the drinks. His horse was at Rickert's livery and I went around there to get it. He went with me to Seelyville and we stopped to get two drinks. I drove part of the way. Then he wanted me to go to Waymart. I had to take him home and I did not know just where he lived. We went through Waymart and when we were passed that place I saw some boys and asked them to take Ossendorf home. I got out and walked back to Waymart and stayed at Mitchell's that night. I didn't take any of his money.

On cross-examination he said he did not remember asking Ossendorf to take him to Seelyville. He gave me \$6 when we were almost into

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6 Qt. .... 2.85		6 Qt. .... 3.50
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Waymart to buy him a drink. Coming back Friday I don't know why I got off at Seelyville. I wanted to see my friend Hauser but did not go there. I spent some money there but not as much as Gumper said. Don't remember letting Gumper have a cent. He put me out. I went back in after he was gone and had another drink. Gave Mrs. Myers a \$5 bill, the only one I had. I did not see Hauser until later. I did not go into his house because his wife would not let me in. I did not see any checks. I went to the Hotel Wayne from Seelyville and only spent 20 cents there.

He could not account for the other fifty-five cents of the original six dollars he alleged Ossendorf had given him.

The arguments of the attorneys to the jury were brief and the Court made a brief address to the jury in which he gave them an outline of the case and the law that governed it. The case went to the jury about 4:30.

### NO EVIDENCE OF ASSAULT

The case of the Commonwealth against E. R. Hoffman charged with assault and battery by William Reinike was disposed of Tuesday afternoon. The jury in case was composed of the following men: J. Buckingham, Damascus; E. W. Bush, Manchester; E. L. Crocker, Damascus; W. H. Gaston, Damascus; Geo. Goodman, Texas; L. E. Haynes, Starruca; J. M. Lyons, Honesdale; Myron Labarr, Mt. Pleasant; Daniel Megee, Buckingham; W. P. Mathews, Clinton; Frank Moulter, Texas; Wm. J. Philo, Sterling.

The Court instructed the jury to bring a verdict of "not guilty" for he said that the Commonwealth had failed to show any evidence of an assault in the case. The costs were divided between the defendant and prosecutor. The latter to pay two-thirds and the former to pay one-third.

The difficulty grew out of the fact that on April 20, 1913, the defendant had piled some lumber on each side of a lane on his own land and had left the wagon standing on the road between the two piles. On that day Mr. Reinike and his son came along and Hoffman went out toward them to see the son on a matter that had previously arisen between them. He had an axe and according to his testimony Mr. Reinike came toward him with a cane uplifted and he placed the axe on the hub of the wagon wheel to keep Reinike away. The latter alleged that Hoffman attempted to strike him with the axe. Several witnesses were called. It seems that the lane was private property but had been used by the neighbors several times. Hoffman claimed that he had no intention of barring the neighbors from using the lane if they remained on the road and did not cut up his fields.

### MILANVILLE.

Milanville, June 19.—Mrs. M. L. Skinner is in Buffalo caring for her daughter, Mrs. R. R. Beegle, who is ill.

Those who had the privilege of attending the High school commencement had an enjoyable time.

Mrs. Kimble and daughter, Miss Nellie Kimble, of Honesdale, were recent guests of Mrs. Connor.

Mr. and Mrs. Wallace Barnes, of Honesdale, were in town the first of the week.

Samuel Wint, of Scranton, was tuning pianos here last week. Mr. Wint has been coming here for some years, and gives good satisfaction.

S. F. Eaton has purchased a piano from Binghamton.

Mrs. George Tyler will entertain the Milanville Aid society this Thursday.

Mrs. Charles Tegeler has the sympathy of the entire community during her recent bereavement.

C. Fulkerson, of Carbondale, was in town Monday.

ministratrix of the estate of Fred E. Lawyer, late of Honesdale, dec'd. Appraisements of \$300 were made to the widows of the following: Chris Lowe, Honesdale; Personal. F. W. Bunnell, Texas; Personal. John Griswold, Clinton; Personal. Loren Enslin, Lake; Personal. George Billard, Cherry Ridge; Personal.

Charles McVey, Preston; Real. Appraisement of real estate to Mary Farrell, widow of Mathew Farrell, late of Honesdale, under act of Assembly of April 1, 1909. Appraisement of real estate to the widow of David McLaughlin. There were only three cases to be prosecuted by District Attorney M. E. Simons.

The case of the Commonwealth against A. F. Severson was dropped. The Commonwealth offered no evidence and after a jury was put in the box the court instructed them to render a verdict of "not guilty."



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(Condensed Report)

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