

Who'll Be Supreme Judge?
READ
The T-R's daily reports from 90
Counties in Iowa.
10 CENTS A WEEK BY MAIL

Evening Times-Republican.

LAST EDITION, 5 O'CLOCK

MARSHALLTOWN, IOWA, WEDNESDAY, MAY 15, 1901

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VOL. XXVII.

THE TRIP ABANDONED

Mrs. McKinley's Illness Will Prevent Visit to the Various States.

Will Return Direct to Washington as Soon as Wife Can Travel.

Secretary Long's Son and Daughter Ill—Mrs. Gage's Condition Critical.

San Francisco, May 15.—At 10 this morning Secretary Cortelyou informed the Associated Press that Mrs. McKinley's serious illness will compel the president to abandon his proposed visit to other states, to which he had looked forward with so much pleasure.

As soon as Mrs. McKinley's health will permit he will return to Washington by the most direct route.

Cortelyou also issued the following bulletin:

"There has been but little change in Mrs. McKinley's condition since last night. She has gained in several respects and lost in others."

The president will remain quietly at Mr. Scott's residence today and take part in any of the exercises programed for him.

HER CONDITION SERIOUS.

Some Fears That the President's Wife May Not Recover.

San Francisco, May 15.—It is learned Mrs. McKinley's condition is considered serious by the physicians attending her. Doctors Rixey and Hirschfelder were in consultation this morning and another physician will be called in this afternoon. It is probable if she recovers Mrs. McKinley will be unable to leave San Francisco by next Monday, when the stay of the presidential party will have terminated.

The members of the cabinet and others of the presidential party, excepting the president, went to Berkeley today to attend the commencement exercises of California. The exercises of the day were observed with the secretary acting in the president's stead. The party was entertained at luncheon by President Wheeler.

MRS. GAGE VERY ILL.

Another Cabinet Officer's Wife Succumbs to the Demands.

Washington, May 15.—Mrs. Lyman J. Gage, wife of the secretary of the treasury, is alarmingly ill and grave fears are entertained as to her recovery. Yesterday the secretary was unable to attend to his official duties owing to his anxiety over his wife's condition.

Mrs. Gage is suffering from pneumonia, accompanied by low fever and other symptoms both painful and dangerous. She has been ill since the second week of April, but has not been confined to her bed during this period. A few weeks ago she was pronounced decidedly better, but the continuing damp weather had a depressing effect on her and since Sunday much alarm has been felt regarding her condition.

Mrs. Gage, according to her physicians, is paying the penalty of too great devotion to her social and official duties. Mrs. Gage's wife, of the secretary of state, was in mourning for her mother, and in her absence and on the fact that there was no vice president's wife Mrs. Gage had to bear the brunt of all the official entertainments.

Her health began to decline in the early winter, but she bravely remained at her post. She told her friends that only will power enabled her to keep up during the trying ordeal of the inaugural festivities. Then she had the trouble and fatigue of moving from one home to another, and shortly after this was accomplished she took the continuing damp weather had a depressing effect on her and since Sunday much alarm has been felt regarding her condition.

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O'BRIEN COUNTY IN LINE

Its Convention Held at Primghar Today and Brown Selects the Delegates.

Brown and Cummins' Interests Identical and Delegation Will Support Both.

Cato Sells' View of Iowa Politics --Not a Candidate for Governor.

Special to Times-Republican.

Primghar, May 15.—At the republican county convention held here today the following resolution was introduced and passed:

"We the delegates representing the republican party of O'Brien county, Iowa, at this convention desire to express in a tangible manner our appreciation of the sterling worth and integrity of Mr. Ed C. Brown, of Sheldon, a man whose ability to act in a creditable manner no one questions and one who will add strength to the republican ticket and be an honor to the party if chosen in consequence of which we most cordially support his candidacy for the nomination of railroad commissioner at the state convention to be held at Cedar Rapids and here by authorize him to select the delegates from O'Brien county to the state convention."

Mr. Brown named the following delegates: F. T. Piper, O. H. Monthzimer, D. H. Smith, J. V. White, M. Wilbur, R. W. Edy, Joe Morton, T. Donohue, F. Bethel, O. A. Sutton, Milt. H. Allen, J. T. Conn, W. W. Arthelbert.

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ASK FOR ADMISSION

A Bright Class of Law Students Is Asking for Admission to the Bar.

Judge Robinson Recalls Earlier Days--Palo Alto Tax Ferret Cases.

Important Ruling Made by Supreme Court in Alston Inheritance Case.

Special to Times-Republican.

Des Moines, May 15.—The class of young men before the supreme court undergoing examination today for admission to the bar is one of the brightest classes of young men ever before the court. The class is so large that it was necessary to divide it into three parts and to have three sets of examiners at work. The examination will be concluded this evening and the young men will learn their fate. Unless they get through this time they will have to put in another year of study and with some of them it means they must give up their ambitions. But it is believed a very large percentage will get thru. The frantic efforts of some of the applicants to get into the practice of law is amusing. There has been a pretty party going on for several days with reference to two brothers who are seeking admission. Both were examined last year and neither passed, the older getting a marking of 72. Both sought to be examined this time. The older gave sufficient evidence that he was entitled to examination and is being examined. The younger of the two was refused permission to be examined. Both of them filed papers which were curiosities. The title pages bristled with patriotic mottoes which were arranged in such a place that they could be admitted together with monstrous flag-ribbons. They have studied law with their father who was once a practicing attorney but they have been connected with some questionable transactions. The attorney general's office and the clerk of the supreme court had a hard time keeping both these men from breaking into the law, and finally got one of them put off, but the experience with these men illustrates how important it is that great care should be exercised by those in authority, for at least one of the admitted ones is generally untried to be entrusted to him the important affairs of a lawyer.

Judge Robinson, formerly of the supreme court, recalls how they used to get into the practice of law in Iowa. The court gave all discretion to the court. It was not uncommon for the court to refer an application to committee of friends of the man who wanted admission, and there was no examination. And a great many of the older practitioners at the bar in Iowa were admitted under the free and easy methods in vogue in early days, and they made good lawyers. Now it is different and the young man who seeks admission to the bar in Iowa must show himself to be competent and fit to practice law. Yet with these restrictions there will be at least 200 new lawyers admitted in Iowa this year.

Tax ferret cases from Palo Alto county involving a large amount are to come before the court at once if the attorneys can get the cases advanced. These cases in which the district court, Judge Bailey presiding, decided that the tax ferret law was unconstitutional and charged up the costs in certain cases in Palo Alto county to the county treasurer. The amounts involved are as follows: E. R. Murdock, \$12,134; George H. Gammon, \$2,753; E. L. McCormick, \$2,659.83; Charles J. McCormick, \$3,244.12; T. H. Tobin, \$10,126.85.

The executive committee of the state board of agriculture is in session considering the various proposals made for special agriculture next year. The number of offers which come to the state fair is the most numerous. The managers say they will have a good line of vaudeville shows, etc., as ever in the state.

In the case of William D. Alston vs. William E. Alston from Jefferson county, decided by the supreme court yesterday, the entire force of inheritance laws in Iowa were gone over. The case was one in which a natural son sought a share of the estate of his father and brought suit to partition the estate. The parties were conspicuous for many years in Jefferson county. The plaintiff claimed to be the natural son of William Alston, who died in 1896, and claimed that during his lifetime the late William Alston had recognized him as such. He had been adopted into the family and took the name of De France. There was a great deal of contradictory evidence in the case. The fact is brought out in the decision that the Iowa law took a violent turn in the matter of inheritances in 1851, when a code was adopted. Prior to that time a natural son could not inherit under and circumstances. And in this case the plaintiff was born before that code was adopted. In fact the court holds that the date of the death of the father is the time when rights under the law began. The case was reversed on the ground that the trial court rejected much of the hearsay evidence which is the only kind of evidence upon which a judgment may properly be formed in cases of this kind. In fact the supreme court throws open the door for all kinds of evidence in cases of this kind. The case involves a large amount of property in southeastern Iowa and the ablest lawyers were in the case, giving it oral argument at the last term of court.

Information comes from southwestern Iowa that Judge Tedford, who was removed last winter was about to resign on account of ill health, is still a

SHOT AT YOUNG CHOATE.

Nephew of the United States Ambassador in Trouble.

CARTER'S CO-CONSPIRATORS.

MRS. NATION APPEALS.

Denver, May 15.—Mrs. Martha Ewart, widow, proprietress of a fashionable rooming house, fired two shots at Joseph K. Choate, a nephew of United States Ambassador Choate, in a law office during a conference last night. Neither bullets took effect. About a year ago Mrs. Ewart sued Choate for breach of promise, and secured judgment. She was ordered to pay \$10,000 because she had not settled the judgment. Mrs. Ewart was arrested. On Feb. 14 Choate was married in Brooklyn to Alice Muller.

Judge Brown says They Will Be Tried in Court.

New York, May 15.—Judge Brown in the United States district court issued an order today for the removal of Captain Benjamin John E. William T. Savannah, Georgia, where they were indicted for conspiracy in connection with O. M. Carter, formerly captain of the United States engineer corps in the matter of improvements of southern harbors.

Mrs. Nation Appeals.

Declares She Will Demand Women Jurors and Argue Her Own Case.

Topeka, Kas., May 15.—Mrs. Nation will appeal from the verdict rendered against her, and declares she will argue her own cases hereafter and demand woman jurors.

Shipwrecked Sailors Saved.

Harbor Beach, Mich., May 14.—The members of the crew of the steamer Narragansett, who abandoned their ship in Lake Huron, reached there in safety today. The Narragansett was bound from Detroit to Port Huron for repairs and was without cargo. In the brisk winds Sunday the vessel became water logged and all on board were forced to take to the life boats when about twelve miles off Point Aux Barques. It was then 3 o'clock Monday morning and the men were at the mercy of the seas for over twenty-four hours. The schooner sank after being picked up by the Canadian steamer Advance and towed part way to Goderich. It was an old boat, having been built in 1861. Its last owner was John Leisch, of Milwaukee.

Cigar Makers Strike.

Tampa, Fla., May 15.—Six thousand cigar makers are on a strike here today, owing to an unusual case. The strike, which connects Tampa with the western suburbs has been broken for two days. The men had to be ferried across the river and this is slow and unsatisfactory. This morning the men struck. The cigar manufacturers will lose thousands of dollars on tobacco which had already been prepared for today's work.

The Presbyterian Assembly.

Philadelphia, May 15.—In accordance with the recommendations of the Presbyterian general assembly, the conference on foreign missions was held today under the direction of the board of foreign missions, with the chairman of the synodical and presbyterial committees and representatives of the women's mission board. The session was devoted to reading of reports and discussion of topics of interest to mission workers.

Trammen Elect Officers.

Milwaukee, May 15.—The Brotherhood of Railroad Workers today elected the following officers: Grand master, D. L. Morrissey, Bloomington, Ill.; first vice grand master, W. G. Lee, Lawrence, Kas.; second vice grand master, Val Fitzpatrick, Columbus, O. Other officers will be elected this afternoon.

Bank Robbery.

Munfordville, Ky., May 15.—Early this morning robbers entered the Hart County Deposit and Trust Company's building and stole \$3,000 in bonds and many other valuable papers. The vault was wrecked with nitro glycerine.

Musicians Elect Officers.

Denver, May 15.—At the convention of the American Federation of Musicians the following officers were elected: President, Joseph M. Webber, Cincinnati; secretary, Owen Miller, St. Louis; treasurer, Otto Ostendorf, St. Louis.

Avalanche Crushes Italian Town.

Rome, May 15.—Most of the houses of the village of Acreenza, near Polenza, were swept away by the fall of an immense rock. Troops have been dispatched to the scene. Thus far fifteen bodies have been recovered.

T-R BULLETIN.

NOTICEABLE NEWS OF TODAY

The V. I. hor. Iowa—Fair in the west tonight. Illinois—Fair to the west tonight. Thursday and Thursday.

PAID ONE. TELEGRAPHIC WS: Mrs. McKinley's condition serious. President Abandons His Trip. Troops on Guard at Albany. Nine men killed in Mine. O'Brien for Brown and Cummins. Big Grist of New Lawyers.

PAGE TWO. GENERAL NEWS: Ovation for McKinley at Frisco. Postmaster Smith Will Not Resign. Increase of Immigrant Tax.

PAGE THREE. IOWA NEWS: Vitipl Murder Case Dismissed. Decision in Morrison Case. The Banker's State Convention. News of the State.

EDITORIALS: Allen Labor Decision. A Bit of Political Philosophy. Trusts in England. Topics and Iowa Opinions. Iowa Items and News. Little Speculators Hurt.

PAGES SIX AND SEVEN. CITY NEWS: A. O. U. W. Election. Council Bluffs Gets Next Convention. Decoration Day Program. Woodmen Settle With Morse's Bondsman. Local News Notes.

PAGE EIGHT. IOWA AND COMMERCIAL: Condition of the Markets. Wednesday's Market Quotations. Close of Music Festival.

sick man and that in consequence of his ill health the May term of the district court of Wayne county has been postponed until June 3 and Judge Roberts, of Ottumwa, has been assigned to hold the court. Judge Holmes, of this city, pursuant to an order of the supreme court, is in Dubuque trying the Dubuque Telegraph case.

James C. Davis, of Keokuk, the lawyer who presided at the Iowa republican state convention at Cedar Rapids in August, got the first whack at the supreme court for the term on oral argument, appearing in the case of Mary Finery vs. the Supreme Council of Catholic Knights of America, a motion for rehearing. Mr. Davis is a typical lawyer and made a pleasing address to the court, his convincing remains to be seen.

ARRESTED FOR INCENDIARISM.

Iowa Merchant Charged With a Serious Crime.

Special to Times-Republican.

Council Bluffs, May 15.—Henry Peterson, a prominent business man of Western Iowa, was before Justice Porter on a charge of arson. His arrest followed an information filed by Samuel T. Axtell. He was released on bonds in the sum of \$200.

Peterson and his two brothers conducted a general merchandise business and lumber yard in Weston. Recently they sold a one-third interest in the business to August Klopping, who has a suit pending in the district court against the Petersons to recover the money he paid into the firm. He alleged that the condition of the business was misrepresented to him. January 6, 1900, after the fire, Peterson and his store was burned, it being suspected at the time that the fire was of incendiary origin.

It is alleged by Axtell, who filed the information, that Peterson was seen leaving the store shortly before the flames were raised. The fire was of incendiary origin, which interested parties have been collecting led to Peterson's arrest.

SUPREME COURT DECISIONS.

Decisions Handed Down by Iowa's Highest Tribunal Today.

Special to Times-Republican.

Des Moines, May 15.—The following decisions were handed down by the supreme court today:

Dermidy vs. Interstate Grain Company, appellant, Chickasaw, Affirmed.

Farmers' Saving Bank, appellant, vs. Hausman, Linn, Affirmed.

McKibbin vs. Madison Insurance Company, appellant, Madison, Affirmed.

Shepard vs. Barnard, appellant, Clark, Affirmed.

Madison, appellant, vs. Garfield Coal Company, Mahaska, Affirmed.

Dewan, appellant, vs. Wright & Landers, Chickasaw, Affirmed.

Craver vs. Norton, appellant, Story, Affirmed.

BANKRUPT ERICKSON SKIPPED.

German Hardware Dealer of Slater Leaves for Parts Unknown.

Special to Times-Republican.

Slater, May 15.—J. M. Erickson, a German hardware dealer who went into bankruptcy last week with liabilities of \$7,500 and assets of about \$2,000, has skipped for parts unknown, leaving his family behind. Erickson left a number of German farmers in the lurch who had become security for him, and his clerk, Cornelius Mahoney, is out \$150 in wages unpaid. Erickson is traveling with a team and was last seen at Tama.

DR. DOANE SUICIDES.

Citizen of