

MRS. KREIS BRINGS SUIT FOR SLANDER

Fight For Gilman Children Develops \$10,000 Case For Slander

SENSATIONAL CHARGES MADE

Frank R. Ensminger, Uncle of the Children and Their Guardian, is Charged With Making Defamatory Statements About Their Mother and Foster Father.

The legal fight for the possession of Fay and Lucile Colebourne, two little girls, of Gilman, aged 8 and 9 years, which was waged for several months in the local district court, and which was carried to the supreme court, where it is now pending, has developed a \$10,000 slander case, in which Mrs. Maude Colebourne Kreis, the mother of the children, and her husband, H. G. Kreis, has brought against Frank R. Ensminger, mayor of Gilman, and uncle and guardian of the children.

The petition, which was filed Friday, contains some sensational charges that are alleged to have been statements made by Ensminger about Mr. and Mrs. Kreis, and their treatment of the children.

Make Sensational Allegations.

It is alleged by the mother of the children and her husband, who is their stepfather, that Ensminger has at different times made statements and let fall inferences in public that either directly charged or intimated that the mother and husband had cruelly mistreated the children, and they had designs both upon their lives and their property. Each child has property of a value of about \$12,000.

Said Husband Was "Adventurer."

The petition is divided into three counts, for which damages in the amount of \$3,000, \$5,000 and \$2,000 in the order named are asked. The third contains the most sensational charges, touching on what Ensminger is alleged to have said.

It is charged that Ensminger has claimed that the mother and foster father of the children were so careless of them that had not he, Ensminger, taken possession of the child Lucile, she would have died of neglect; that they punished and whipped the child unreasonably, and that they whipped her when she was too sick to rise from her bed. It is also alleged that Ensminger said that the mother and her husband were after the property of the children, and that sooner or later they would have made away with the children for the purpose of obtaining their property. Of Kreis, the petition alleges, Ensminger said that he "was an adventurer from the slums of New York, N. Y.," and that he had designs for getting possession of the children's property, and that he had designs to "slowly poison the children, one at a time, with the ultimate purpose of getting their property. For these statements, and for, it is alleged, taking possession of the children, Mr. and Mrs. Kreis claim to have been slandered and defamed and damaged.

Wants Guardianship Canceled.

In a second suit brought by the mother against Frank R. Ensminger, she seeks to have the guardianship Ensminger holds over the children canceled and declared of no force. It is alleged that in order to have the children's property, which was left to them by their father, taken care of, the mother applied for a guardianship for them on May 12, 1923. She desired, so the petition says, that this guardianship should only be for their estate, and that she did not learn until last fall that it was for their person as well as their property. This was in November, when, it is said, Ensminger, took possession of the children, while they and their parents were visiting at the Ensminger home.

Mother Now Has Child.

During last fall, and after Ensminger is alleged to have secured the children, Mrs. Kreis secured habeas corpus proceedings to have the child, Lucile, who is especially in controversy, into court to have it determined who should have the child. This writ was granted by Judge Parker and the court instructed the sheriff to turn the child over to her guardian, Mr. Ensminger. The case was appealed by Mrs. Kreis' attorney, and a restraining order was issued, directing Ensminger to turn the child Lucile over to her mother, pending a hearing on the matter. This is the present status of the case.

INGLEDUE ANNOUNCES.

Present Chief Executive Makes Candidacy Matter of Record.

Mayor O. L. Ingledue today makes formal announcement of his candidacy for re-election. In his announcement he has been accomplished in the way of improvements to factories and other things during his terms of office, and recites his ambitions in carrying to final completion unfinished works if elected to another term.

SUES FOR ARREST.

Frank Johnson Brings Suit Against W. T. Bennett for Persecution.

Alleging that he was falsely accused and arrested, and "has brought to publication in this paper a list of the charges," Mr. Johnson, of this city, has, thru his attorney, brought suit for \$1,000 actual and \$2,000 exemplary damages against W. T. Bennett, lawyer and real estate dealer of this city.

LAPLANT FOR COMMISSIONER.

Present Member of Park Board is Candidate for Re-Election.

Charles T. LaPlant, "the father of Riverview park," announces today as a candidate for re-election to the park board. Mr. LaPlant is just finishing his first term, having been one of the three original commissioners.

Mr. LaPlant is generally considered as the mainstay of the public park, and is the one member of the board who has really had the active charge of the management. The work has fallen to LaPlant because he has had the time, as well as the inclination. He has taken the same interest in the park as he would had it been a personal enterprise with him, and as a result the public has benefited. No building or improvement of any kind has been made at the park without LaPlant there to give the work his personal supervision.

The park has now been paid for, as well as every improvement made, and every animal in the zoo. The next few years will be devoted to beautifying the grounds, and this is the ambition of LaPlant. He wants to have a hand in it and put in his time with it. As a park commissioner in Marshalltown serves for honor alone. The salary of the office is \$50 per year. If Mr. LaPlant reckoned his time he would be money on, but he is after the honor. He is an old resident of the county, having lived here forty-eight years. The past thirty years he has been in Marshalltown. LaPlant is a heavy property owner and taxpayer, and for property improvement in Marshalltown in his thirty years' residence he has spent \$60,000. His friends believe he is cut out for a park commissioner.

CUMMINGS A CANDIDATE.

Well-Known Attorney Consents to Run for Councilman-at-Large.

Friends of E. F. Cummings have finally prevailed upon him to consent to the use of his name as a candidate for councilman-at-large before the coming municipal election, and Mr. Cummings is reluctantly announced today.

People who know Mr. Cummings well feel that in getting him to consent to be a candidate they have accomplished an undertaking that was at first considered hopeless. Aside from his law practice Mr. Cummings has other extensive business interests that make a demand on his time. Mr. Cummings made a fine representative of the people when he served this county in the legislature, and it is a safe prediction that he will be the same able public servant should he be honored with a seat in the council.

Mr. Cummings is one of the most public spirited men in the city, and one of the very heaviest property owners. He did more building in Marshalltown last season than any other person. He is president of the new Iowa State Savings Bank, and of the new Farmers and Merchants' Telephone Company, and is interested in many other business institutions in the city. His friends will be glad to learn that he has definitely decided to devote some of his time to the city if the people want him.

GREGORY FOR COUNCIL.

Present Member From the Second is Candidate for Re-Election.

Announcement is made today of the candidacy of George Gregory as a member at-large in the city council from the second ward. Mr. Gregory is now closing up his first term on the council. He has made a good member of the governing body of the city, and is generally considered as a man "who knows where his stands." Mr. Gregory has been active and aggressive in city affairs, and because he is a man "closely identified with the city's business interests he is always ready to do everything in his power, and devote his time, to matters that will advance Marshalltown.

CUMMINGS FILES PAPERS.

Candidate for Councilman-at-Large Officially Announces Candidacy.

E. F. Cummings, who is a candidate for councilman-at-large, filed his nomination papers with City Clerk L. Darcy Friday afternoon.

GOT MARRIED: "FIRED" HELP.

E. E. Mettlin Brings Suit to Collect of Maid and Employer.

Because, so the petition alleges, Miss Gertrude Masterson, who lives on a farm south of the city, verbally hired him for a year to work on the farm, then got married and became Mrs. C. W. Wilson, and discharged him, Elmer E. Mettlin has brought suit to collect on the oral contract a claim amounting to \$258.95. Mettlin, according to the petition, was to get \$30 a month for a year, and his family was to have a house to live in and food free of charge. After he had worked a short time, and following his employer's marriage, he says he was discharged. The amount he asks judgment for is, he says, the difference between what he spent for food and rent and the wages he would have received had he been able to have fulfilled his contract, and what he did earn doing other things during the year.

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Indoor Baseball

Standing of the Clubs. Marshalltown Buggy Co. 9 7 2 .478 Lennox Machine 10 7 3 .556 Senior "gym" class 9 5 4 .556 Business College 8 5 3 .625 Brittain & Co. 9 4 5 .444 Western Grocer Co. 9 3 6 .333 Business Men 9 2 7 .282 Iowa Central 11 4 7 .364

The two leading teams won the games of the Y. M. C. A. indoor league Friday night. The Lennox Machine Company beat the Central Iowa Business College by the score of 5 to 4, and the Marshalltown Buggy Company won from the Western Grocer Company by the score of 6 to 3. The following is the score of the first of the two games.

Lennox Co. 2 0 1 0 1 1 1 1 1 1 C. I. B. C. 1 0 0 0 0 0 0 0 0 0 The teams lined up as follows: Lennox Machine Company—B. Pajdaska, pitcher; Trotter, catcher; Leo, first base; Swab, second base; Kirchberger, third base; Rupp, left short; Wittel, right short; Soukup, left field; West, second base; Lillibridge, third base; Clemons, left short; Stewart, right short; Wright, right field.

The annual election of the independent school district of Marshalltown will be held Monday. The polls will be open from 9 a. m. until 7 p. m., and there will be not one polling place, 130 West Main street, the office of John D. Vail.

There are two directors to be elected, and two candidates in the field. The candidates are J. L. Carney, who has been announced to succeed himself, and C. C. St. Clair, who will succeed to the place of E. T. Austin on the board. Both of the candidates are good men.

The annual tax proposition, of a levy of \$9,000 for school house purposes, will come before the voters. This tax is to be used in maintaining the schools and keeping up repairs.

AMUSEMENTS.

"The Lion and the Mouse" Pleases Third Large Audience.

"The Lion and the Mouse" that masterpiece of dramatic art, by Charles Klein, which has appeared here twice before, came for the third time Friday evening. It was greeted by a large audience, perhaps not so large as either of the others, but still of good size. "The Lion and the Mouse" is so well known to most theatergoers that its production need not require telling. The production of last night was excellent in most respects, but in others it is scarcely up to the high standard established by the other two Harris productions which have been here.

HITS ON NEW PLAN

N. A. Evans, of Evans Abstract Company, Presents a Plan for Investing Money.

Instead of paying 4 per cent as in savings banks his firm invests the funds of any depositor in first mortgage bonds drawing 5 and 6 per cent. He states that many who have placed deposits with him are so well pleased they insist it beats guaranteed bank deposits. Since he claims money thus invested with land security as a guarantee is the highest type of security for investors large or small Evans believes he has hit upon the popular chord.

ABOUT YOUR PLUMBING.

Let McCarty Plumbing Company Figure With You.

If you are intending to build or have repairs made to your home or building of any kind, let the McCarty Plumbing Company figure with you on quality plumbing. A great many homes in Marshalltown are equipped with McCarty quality plumbing during the past year and this company will be pleased to refer you to any of the parties for whom they have done work. They employ experts and give you a first-class, up-to-date job at the lowest possible figure consistent with such service.

MOVES BACK HERE.

O. A. Murphy, Iowa Central Engineer Comes Back Here.

O. A. Murphy, an Iowa Central engineer, who formerly lived in this city, but who was transferred to Oskaloosa eighteen months ago, where he has been living ever since, returned to this city Friday morning. Mr. Murphy will bring his family back here to live, having been assigned to the passenger runs on trains Nos. 1, 2, 5 and 6, between this city and Albia. Mr. Murphy has been running on the eastern division out of Oskaloosa.

GETS "29" CRIBBAGE HAND.

Murray Hammer Scores Cards That Fall Once in a Life-Time.

While playing cribbage at the central fire station it fell to the lot of Murray Hammer to get the famous "29" hand, the highest possible number of points obtainable in the game. The cards fall to cribbage players once in a life time, and to most of them not that often. The central fire station boys have been playing the game for three years, and this is the first instance that the hand has fallen.

MUST FILE CAMPAIGN EXPENSES.

Candidates for City Offices Are Amenable to State Law.

Altho it may not be generally known it is nevertheless a fact that the new state law governing the filing of campaign expenses by candidates at state, county and primary elections, likewise applies to municipal elections, and the candidates before the approaching city election are amenable to the law, and must report the expenses to the county auditor.

Union Boys Discharged.

Lon Newby and Ernest Mitchell, the two Union boys who were arrested in this city Thursday, and who were held on suspicion of having stolen a watch belonging to C. H. Reese, of Marshalltown, were discharged in Justice Peck's court Friday afternoon. The watch, which proved to be Reese's, was returned to him, but he did not desire to prosecute the boys on the charge of larceny, which had been filed by Joseph Edgar, the officer who arrested them.

SCHOOL ELECTION COMES ON MONDAY

Polls Will Be Open From 9 o'clock in the Morning Until 7 P. M.

ALL VOTE AT 130 WEST MAIN

John D. Vail's Office Will Be Polling Place for All Wards of the City—Two Candidates, J. L. Carney and C. C. St. Clair, to Be Elected—Usual Tax Levy.

The annual election of the independent school district of Marshalltown will be held Monday. The polls will be open from 9 a. m. until 7 p. m., and there will be not one polling place, 130 West Main street, the office of John D. Vail.

There are two directors to be elected, and two candidates in the field. The candidates are J. L. Carney, who has been announced to succeed himself, and C. C. St. Clair, who will succeed to the place of E. T. Austin on the board. Both of the candidates are good men.

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THE BLACKHAWKS

A Car Load Will Arrive for the Oppia Fruit Company Monday—The Sun-kist, Juicy, Tree-Ripened, Sweet Kind Right From Arlington Heights.

Oranges are getting better every day and there's none so good as the Blackhaws. Most people know that by this time, if you don't now a good time to find out what really good oranges are. They are packed by the California Fruit Growers' Exchange under "Sun-kist" label, and they come from the famous Arlington Heights orchards, where the most perfect fruit grows. Insist on getting Blackhaws at your grocers. OPPIA FRUIT COMPANY.

FOR INFORMATION OF PUBLIC

The Fidelity Savings Bank Opens a Commercial Department.

The Fidelity Savings bank, which up to this year has confined itself to a savings business, has now opened a commercial department, and is prepared to take care of checking accounts and to offer its patrons all the facilities of general banking. Will receive accounts of individuals, banks, corporations and firms on favorable terms and shall be pleased to meet with those who contemplate making changes or opening new accounts.

LAWYERS SUE COUNTY.

Objection Made to Supervisors Cutting Down Attorney's Bill.

Because the board of supervisors cut down the bill of T. E. Bradford in both the cases of Ed Henry and Bert Peil, after Bradford had been appointed by the court to defend the first of Bradford & Johnson's business suits, it is collected the amount of the bills, which totaled \$209.32. The Henry bill was cut from \$75 to \$120, and the Peil bill was reduced from \$140.32 to \$200. Bradford refused to accept payment in either case at the supervisors' figures.

KILLS DOG FEARED MAD.

Dog Crazed With Supposed Rabies Causes Excitement But Bites No One.

A dog belonging to W. B. Hankins, a blacksmith, at the corner of Center and Church streets, the dog named "Nick," which was feared mad, became crazed with what the police believe was rabies in its early stages, was shot and killed by Chief of Police W. E. Nicholson Friday afternoon.

SUES ON BUGGY STOCK.

The Marshalltown Buggy Company has filed suit against R. A. Elzy to secure a judgment for \$500, which it al-

Local Comment

If the old tradition concerning the month of March holds true one may expect some real weather about election time.

The robins and the martins are here. What more is needed to call attention that spring has come?

April 1 is the date for the regular semi-annual change of renters. But where are the houses?

From the reports from all rural districts concerning the present condition of the country roads one is compelled to reflect on the efforts that have been apparently wasted by the press of this city urging methods of permanent improvement to public highways. The Times-Republican has printed column after column of suggestions and ideas for the better roads. People have read them at length and commented, "That's right; it ought to be done." Yet every spring roads around, and with the season comes bad roads, and plenty of them. When horses fall dead by the roadside, from exhaustion, thoroughfares must be in pretty bad shape. The conditions are such that the business men of this city are compelled to reflect on the efforts that have been apparently wasted by the press of this city urging methods of permanent improvement to public highways. The Times-Republican has printed column after column of suggestions and ideas for the better roads. 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