

## THEY ALL FAILED TO GET EGERMAYER

### GRAND JURY FINDS NOTHING TO REPORT IN EVIDENCE AGAINST HIM.

#### ATTORNEY GENERAL GAVE ALL A CHANCE TO TESTIFY

array of Saloon Keepers, Ex-Gamblers, Ex-Bootleggers and Ex-Convict and Saloon Lawyers Were Unable to Convince a Grand Jury That Egermayer Was Under Enough Suspicion to Warrant Trial.

"We, the grand jury, find nothing to report."

"With respect to the character of the investigation that the jury has made I desire to say that they began as you know, their investigation last week under the direction of the court, and they have been diligent, engaged in the work ever since and have called before them every witness that has been suggested by anybody and the testimony of all the witnesses brought was taken and the investigation has been full and thorough and complete. After such an investigation the jury find there is nothing upon which they could make a report to this court."

"I make this statement, your honor, because of the peculiar situation in the community here. The investigation has been very thorough and so ought to end this controversy so far as any criminal charges are concerned."—Attorney General Byers' verbal report in open court.

Such was the verdict of seven of the best citizens in Marshall county after nearly two weeks of testimony from an ex-convict, ex-gamblers, saloonkeepers, ex-bootleggers and saloon attorneys in an attempt to prove that there were enough suspicious circumstances surrounding County Attorney Egermayer's official conduct as to justify a trial of the facts. After all the evidence was in and the county attorney had been called to explain or refute every charge made against him the grand jury refused to find an indictment deciding in effect that there was nothing shown which justified a trial in court and he attorney general of the state conducting the investigation tells the district court that the investigation has been thorough and ought to settle the controversy. Marshall county will foot a bill of \$300 to \$500 expense.

#### Few Hear the Report.

There were less than half a dozen in the district court room when the grand jury dictum was reported to Judge J. M. Parker. A number who were especially interested in what the report might contain had hung about the court room, waiting for the jury to finish when Judge Parker was just ready to adjourn court and the jury appeared. After a brief consultation with Attorney General Byers in the ante room, the seven men marched into the court room and reported. County Attorney Egermayer was not present to hear his vindication.

#### Vast Bulk of Testimony.

The grand jury's finding was made after it had spent days taking a vast bulk of evidence from about thirty-five witnesses, and after it had spent several hours reviewing and weighing the evidence and reaching a conclusion. After the last witness had been dismissed Attorney General Byers with drew from the grand jury room. Once or twice, while the jury was deliberating, he was summoned to their room, but his stays were brief.

#### Was Jury of Farmers.

The seven men who have conducted this probe into the conduct of the county attorney are all farmers. All of them are of the substantial class, and several of them are very well known throughout the county. They were W. R. Moninger, of Marshall, who was chairman; C. J. Clauson, Vienna; E. L. Monahan, Timber Creek; August Melzer, Logan; W. A. Nichols, State Center; William Parsons, Marion and J. L. Wylie, Greencastle.

#### Makes No Recommendations.

The jury's report which was so brief, as to make no more than a single sentence, was not supplemented by any recommendation either as to what the grand jury can report to the court or as to what the evidence or any future action which another grand jury at the next or any subsequent term might take.

#### As a Matter of Law the Grand Jury Had No Other Option than to Find That It Had Nothing to Report.

In case it did find an indictment in the case of County Attorney Egermayer, the grand jury would have to return a bill of indictment against him. The grand jury can not report to the court the result of their inquiry into the conduct of county officers otherwise than by indictment and the members of a grand jury charging a county officer with misconduct otherwise than by indictment may render themselves liable to an action for libel.

#### Members Refuse to Talk.

Members of the grand jury declined to discuss the investigation or the finding after the report had been made to the court. Attorney General Byers likewise refused to talk. He said there was nothing additional that he could say for the newspaper further than the statement above, which he made in court.

#### The Charges.

The proceeding of the grand jury so far as they were transcribed are filed in the possession of the county clerk and can not be seen except by



JOSEPH H. EGERMAYER, Who Has Been Vindicated After Thorough Probe of Grand Jury.

order of court. No grand juror will file an affidavit in detail can not be obtained except as many of the thirty-five witnesses subpoenaed in the prosecution have talked freely on the streets as to what they testified, and a large share of the charges have been aired in public long before this hearing.

#### Immunity.

The old charge that certain sellers of liquor in the illicit joints about the county had paid money to their attorney, to be turned over in part to the county attorney for immunity was revived in the matter and he had testified to these charges. Some said they had paid money to him with the understanding that they were to have immunity and some were not clear on this point. The county attorney's defense was always been that he had never received a cent of illegal money from the liquor men's attorney and he showed that the witnesses testifying had been indicted under his direction. The attorney maintains that what money he received was for his legal services in defending or looking after the troubles of these men and that he never let any of it get away from him. He was subpoenaed.

It was also charged that when the county attorney had secured indictments and injunctions against liquor joints he had neglected to assess the mulct tax against the properties but the county attorney's reply is that he did not know that it was his duty to do so until a recent court decision after which time he had acted accordingly. In the matter and he has the records in his cases to prove his point.

#### Gifford's Charges.

Mr. F. H. Gifford has said that he had paid the county attorney money for concessions and it has also been retailed about that Attorney Northrup and Boardman understood the arrangement had been made by Mr. Gifford but that they had advised him not to pay the money. They all appeared before the grand jury. A banker has told that Mr. Gifford once passed his desk in the bank with a roll of money, and that he had been told to hold-up money and this banker was subpoenaed. Mr. Egermayer's reply to this charge is that he did not receive one cent from Gifford or for his dismissal of indictments, that when he and Mr. Cosson, special counsel for the state, had agreed to the famous injunction decrees, they had also consented to dismiss the indictments and that he received only the fees allowed by law in the injunction cases and that he had voluntarily waived his rights to fees in the criminal case. Mr. Cosson has always supported Egermayer in this contention and he with Egermayer's partner, Burnham, were the only two witnesses used by Egermayer in opposition to the thirty-five against him.

#### Paying Burnham.

It was told about while the hearing was on that Peter Mayer, administrator for the Bierman estate, had paid \$150 to Judge Burnham, partner of the county attorney, to secure some concession regarding the Bierman saloon property. When first heard of Mr. Mayer said to a friend of the county attorney, that he had never received any concessions, that when Bierman died there was some doubt as to the legal right of the administrator to sell the saloon in bulk, the administrator himself not having a saloon keeper's license to sell liquor, and that Judge Burnham had been paid \$50 for his services in preparing papers and inquiring into the law which finally made it possible for the administrator to sell the Bierman saloon property in bulk to Mr. Dietrick who had a saloon license. Both Mayer and Dietrick appeared before the grand jury at the request of the accusers.

#### McGuire's Charges.

A so-called detective by the name of McGuire appeared before the grand jury at his own request. Because of his general reputation the attorney general did not recognize his first request but he insisted. McGuire was once employed by Egermayer to obtain certain evidence in the north part of the county which he was unable to do so he proceeded to round up evidence in other parts of the county, which the county attorney claimed that he already had. A dispute arose over paying for services when the detective had accepted employment on terms of evidence or no pay and a quarrel ensued. Mr. Egermayer has always contended that he secured indictments against two of the joints reported by McGuire without McGuire's assistance and that the McGuire evidence against the State Center joint once published in the Progressionist was submitted to a grand jury which refused to indict. Egermayer holds evidence of McGuire's penitentiary record and insists that the detective as an accuser is always under suspicion.

## REBELS REPULSED IN THREE-DAY FIGHT

### GOVERNMENT FORCES IN NICARAGUA APPARENTLY WIN AT ST. VICENTE.

#### REVOLUTIONISTS RETREAT TOWARD SANTO THOMAS

#### List of Casualties Not Reported—Details of Recent Fighting Near Matagalpa—Many Residences of City Damaged by Shells—Americans Lose Much Livestock.

Managua, Nicaragua, Feb. 19.—The telegraph operator with the government army notified General Toledo today that the fighting at St. Vicente ceased yesterday afternoon, when the insurgents retired in the direction of Santo Thomas. This is accepted here as meaning a government victory, with no word received from General Vasquez.

Fourteen killed and seventy wounded are the estimated casualties during the recent fighting at Matagalpa, according to United States Consul Olivares, who has just returned from that place. Non-combatants were not harmed, although nearly every house was struck by maxim shots. The owners are preparing claims of several hundred dollars each. The loss to Americans is chiefly in the matter of cattle and horses killed or requisitioned.

The government's peace commissioners, Gen. Aurelio Estrada, Rulfo Espinosa, and Frederico Sacasa, today sent a message to Rear Admiral Kimball, commander of the American naval forces in Nicaraguan waters. The text was not made known here, but is supposed to embody a request for transportation of the commissioners from Greytown to Bluefields on a United States warship.

#### Vasquez Heard From.

San Juan, Delmar, Feb. 19.—Word was received here from General Vasquez yesterday saying he was holding Mena in check with 1,000 men. Mena, he said, was still fighting at St. Vicente, having 700 men and two Hotchkiss and two Maxim guns, manned by Americans. The tactics of the insurgent general seemed to be to avoid a decisive battle in the vicinity of Acopapa and to make his way westward. Vasquez says he has stopped the progress of the Novaya Zhizn, and is working down toward Tiptapa.

#### Mena Claims Victory.

Bluefields, Feb. 19.—General Mena, telegraphing the provincial headquarters, reports the battle of St. Vicente was resumed with added fury yesterday, the fight lasting for ten hours. Mena states the government forces after suffering severely, retreated last night, apparently routed.

#### SUPPORTS KNOX PLAN.

#### Russian Paper at Harbin Declares It Is Russia's Salvation.

Victoria, B. C., Feb. 19.—The Novaya Zhizn, a Russian paper of Harbin, strongly supports the Knox proposal regarding Manchuria, stating that it offers salvation to Russia, which is threatened with a Pan-Mongolian peril. "Japan is enlarging her army and navy, and building roads in Korea, intending to become master of the situation," says the Novaya Zhizn. "The Knox's proposal, if carried out, would save Russia's eastern frontier. For Russia to oppose the proposal would mean Japanese bayonets again being brought against Russia."

#### HARMON WILL LEAD

#### Picked by Southern Democrats as Next Candidate for President—Hughes Declared to Be Strong Factor in Republican Contest.

New York, Feb. 19.—"Governor Judson Harmon will be the next democratic nominee for president and Governor Marshall of Indiana, probably will occupy second place on the ticket." This is the forecast of Col. John W. Tomlinson, of Birmingham, Ala., now in New York. Tomlinson is a member of the democratic national committee.

#### TEDDY TO VISIT BERLIN.

Expected to Arrive Late in April—No Program Formed Yet.

Berlin, Feb. 19.—Former President Roosevelt, replying to an official inquiry, telegraphed the foreign office from Gondonkoro today that he expected to be in Berlin between May 1 and 11, coming here from Paris, which city he will visit during the last few days of April. Roosevelt has an engagement in London for May 15, and so will be obliged to leave Berlin a day or two before that. Nothing has been decided as yet regarding the manner in which the distinguished American will be entertained here.

## TILLMAN INVALID IF HE SURVIVES

### VOICE OF FIERY SOUTHERNER WILL NEVER BE HEARD AGAIN IN CONGRESS.

#### ALL MEMBERS OF FAMILY SUMMONED TO BEDSIDE

#### NOT ENOUGH CASH

#### Dr. Kinley, of University of Illinois, Sees Danger in Times of Stringency, in Present Day Methods of Paying by Checks and Other Instruments.

Washington, Feb. 19.—"We are justified in concluding that 60 or 60 per cent of the retail trade of the country is settled by means of checks and other credit instruments. Over 90 per cent of the wholesale trade is done with credit instruments."

Such are the conclusions of Dr. Kinley, of the University of Illinois, expressed in a monograph which the national monetary commission will issue soon under the title, "The Use of Credit Instruments in Payments in the United States."

Kinley made an investigation of this subject thru the instrumentality of the monetary commission and comptroller of the currency. He makes a detailed analysis of the deposits in banks March 16, last, and checks drawn against these deposits, the conclusion above quoted being drawn from this analysis. Kinley considers the transaction of such a large volume of business by checks an element of danger in times of stringency and crises, the tendency being to keep the amount of money at the disposal of the public to a minimum. He suggests the use of some means of supplying additional currency when credit as means of payment diminishes, and that this currency ought to be as safe and as uniform as ordinary currency.

#### PROGRESS AT CHERRY.

#### Four More Bodies Recovered—Shooting Affair Probably Murder.

Cherry, Ill., Feb. 19.—Four more bodies were taken out of the mine today. They were the bodies of the men who were recovered since the disaster last November. It is estimated that 173 bodies are still in the mine.

#### CAN'T FAZE GLAVIS

Despite Avalanche of Questions He Repeatedly Reiterates Charges Against Ballinger—Insists Letter is Unfit to Hold Office—Declares Also That Dennet is Unloyal.

Washington, Feb. 19.—Attorney Verrees, for Ballinger, sprung a surprise this morning at the Ballinger-Pinchot hearing, by announcing that he did not care to cross examine Glavis any further.

#### FOR UNIFORM LEGISLATION.

#### National Civic Federation Prepares Plans for Starting Work.

New York, Feb. 19.—Officers of the National Civic Federation, of which Seth Low, former head of Columbia University, is president, have prepared plans for starting in every state of the union branch organizations to promote uniform legislation. This work is to be conducted simultaneously from five centers—New York, Chicago, Denver, San Francisco, and Atlanta. Each state branch is to be made up of representatives of agriculture, labor, banking, manufacture, the bar, colleges, insurance and transportation.

#### NO CLEMENCY FOR RICHARDS.

#### Parole Board Fails to Recommend Shortening of Sentence.

#### KULP SHORT IN ACCOUNTS.

#### Davenport Militiaman Fails to Make Settlement With the State.

#### T. N. CANFIELD DEAD.

#### Pioneer Coal Operator in Boone District Passes Away.

#### Hotel Office Robbed.

#### Two Trust Companies Merged.

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Washington, Feb. 19.—The condition of Senator Tillman of South Carolina, who lies ill with paralysis, continues extremely grave. He passed a fairly quiet night and the only unfavorable symptom which developed was the loss of consciousness shortly before midnight. No change in his condition in this respect occurred with the break of day. He was unable to recognize any one this morning and this increased the sorrowful burden of the loved ones surrounding him.

Dr. Pickford said today the senator had a chance of recovery, but that was about all. It is not believed there is any immediate danger of a fatal turn in his illness. But even should he recover, his inability to articulate will be the saddest feature of his illness. In all probability, it is said, he will not completely regain the power of speech and will never again be able to voice his honest conviction by the vitriolic invective for which he has become noted thruout the land.

Henry C. and Sallie May Tillman, son and daughter of the senator, reaching their father's bedside early today. They were summoned by telegraph yesterday afternoon from Greenwood, S. C. The senator's wife and her eldest son, Benjamin R. Tillman, Jr., have been with him since the inception of his illness. The apartment he is occupying in the city is being besieged by inquiries, delivered in person, by telegraph and by telephone, from his countless friends thruout the country.

No sooner had word of the senator's serious condition gone forth than the messages of sympathy began to pour in. Always a worthy opponent, he possessed the happy faculty of maintaining the respect and love of those who differed with him in political faith, and republicans and democrats alike are among the anxious inquirers.

#### SMITH'S CONDITION SOME BETTER.

Senator William Alden Smith, of Michigan, passed rather an uncomfortable night, but was reported this morning as resting easy, after an operation for appendicitis, with his condition somewhat better.

#### THE VINTON MURDER CASE.

#### Trial of Guthrie and Eddy Comes On at Vinton Next Week.

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## T-R BULLETIN

### Noticeable News of Today

#### The Weather

Sun rises Feb. 20 at 6:55 a.m. at 5:35. Iowa—Snow tonight and Sunday; warmer tonight. Illinois—Increasing clouds tonight or Sunday; rain or snow Sunday; rising tonight and Sunday; warmer tonight and Sunday; warmer tonight and Sunday.

#### Telegraphic News:

Egermayer Is Exonerated. Grand Jury Refuses to Indict. Cairo Prisoners Hurried Away. Soldiers Patrol Streets. Revolutionists Repulsed in Nicaragua. Tillman's Last Speech is Made. Swope Probe Goes Deep. Harmon Picked For Democratic Leader. Glavis Sticks to Charges. Chapter of Iowa Casualties.

#### Pages Two and Three.

Iowa News: Outing Progressives From State House. Slander Suit at Clutter. State Colleges Mismanaged. Story of an Aged Egg.

#### Page Four.

Editorial: Church Fights. Why Not Making Good Roads? Riding Herd on Drunks. Topics of the Times. Iowa Opinions and Notes. Sunday Reading.

#### Page Five.

Iowa News: Iowa Laws Well Enforced. Law School in New Home.

#### Page Seven.

Story: The Man in Lower Ten. City News: Will Observe Washington's Birthday. State G. A. R. Committee at Home. Fraternal Societies' Memorial. Miss Cross to Wed Peoria Physician. Land at Auction Sells at \$150. Contempt Cases March 10. Local Comment. General News of the City.

#### Page Ten.

Markets and General: Easter Tone in Grains. Cattle Market Heavy. Set-Back For Hogs. Cattle Gain During Week. Corporation Tax Bill in Bad Way.

#### THREE IOWA TRAGEDIES

#### Miner at Scandia Accidentally Kills Himself—Child Fatally Burned at Blanchard—Iowa City Youth Shoots Himself While Lying in Bed.

#### Special to Times-Republican.

Boone, Feb. 19.—William Sweet, a colored miner at Scandia, while stooping over to shovel up a ball of coal, accidentally shot himself, causing instant death. He carried a 44 caliber revolver in his inside vest pocket, and as he stooped this fell to the ground and a discharge followed, the bullet severing an artery.

#### Child Fatally Burned.

Special to Times-Republican. Council Bluffs, Feb. 19.—Left alone in the house for a few moments, Wilbur Gladman, 2 year old son of Mr. Charles Gladman, of Blanchard, last evening in some unknown manner set fire to his clothing. The child ran screaming from the house. Neighbors extinguished the flames, but not before the child's clothing had entirely burned from his body. The child can not live.

#### Youth Shoots Himself.

Special to Times-Republican. Iowa City, Feb. 19.—Charles Novatine shot himself thru the head with a revolver last night while lying in bed. He died five minutes later. Ill health was the cause. He was 21 years old and unmarried.

#### WILL GO AFTER ARMOUR

#### Assistant Prosecutor McCarthy Declares the Big National Packing Company Head and Directors Will Be Haled to New Jersey for Trial if Indicted.

New York, Feb. 19.—"If the National Packing Company and its directors are indicted, capases will be issued for the indicted men and they will be brought to New Jersey for trial," declared Assistant Prosecutor McCarthy today. "I have heard it said," added McCarthy, "that J. Ogden Armour, one of the directors, says if we want him we'll have to come after him. Well, whether he says that or not, if he is indicted we will go after him all right. He may be sure of that." The indictments will probably be reported to the court next Wednesday.

#### MAY MERGE ASSOCIATIONS.

#### Mitchell and Webster Societies of Congregationalists to Meet Jointly.

Mason City, Feb. 19.—On April 19 and 20 a joint convention of the Mitchell and Webster Associations of the Congregational churches of northern Iowa is to be held in Mason City. It is expected that at least 300 laymen and ministers will be present. If the present plans carry the two associations will be merged. This will make it the largest association of its kind in the state.

#### Veteran School Teacher Dead.

Burlington, Feb. 19.—R. S. Davis, for thirty years principal of the North Hill school here, died this morning after a prolonged illness.

## CAIRO JAIL BIRDS HURRIED TO PRISON

### TWELVE MEN UNDER HEAVY GUARD TAKEN TO STATE PENITENTIARY AT CHESTER.

#### ATTACK ON NEGROES FEARED; SOLDIERS PATROL STREETS

#### Factories Closed at Noon and City is Full of Idle Men—Trouble Expected When Holiday Funeral is Held Sunday—Feeling Against Sheriff Sides.

Cairo, Ill., Feb. 19.—Surrounded by 100 infantrymen, twelve convicted prisoners, sentenced yesterday to varying terms in Chester prison, were hurried to the depot and out of town early this morning to prison. Among the prisoners was John Pratt, the negro purse snatcher, whose arrest resulted in the attempt to force the jail and lynch him, with the result that one of the mob was killed and four other persons injured.

Last night passed quietly and without disturbance. The officials, military and civil, are apprehensive of what today and tomorrow may bring forth, however, as thousands of laboring men will be free to roam the streets after noon today until Monday morning, as shops and factories close Saturday afternoon. The removal of the prisoners from the jail will prevent further attacks in that quarter, it is believed, but it is feared the animosity of the disturbing element toward the negroes who assisted the sheriff in defending the jail as deputy sheriffs, may bring about an attack upon negro property.

#### Soldiers Patrol Streets.

The militia were distributed about the city at noon and the streets are patrolled by squads of soldiers under orders to prevent any disturbances and break up immediately crowds that may collect.

The animosity toward the sheriff for ordering the body of Alex H. today, the man slain during the attack on the jail, to lie for three hours in front of the building, has died down to a large extent since the coroner's autopsy last night disclosed that the Haidt's death probably was instantaneous. Haidt's funeral will be held tomorrow afternoon and may be made the occasion of a demonstration. A detachment of militia will attend the services in anticipation of trouble.

#### A WISCONSIN WRECK.

#### Fourteen Injured by Derailment of Northwestern Passenger Train.

Greenbay, Wis., Feb. 19.—Fourteen passengers were injured in a Northwestern wreck near Little Sauncoo today. Among them are W. J. Dalton, of Escanaba, back and hip injured; P. C. Deltrich, of Greenbay, arm and shoulder injured; John Eppinger, of Oshkosh, slightly bruised.

None of the coaches left the track and the train proceeded after a short delay. The cause of the derailment has not been ascertained.

#### PROBE DEEP

#### Dr. S. Haines and Hektoen Being Examined Critically in Swope Investigation—Haines Summoned From Chicago.

Kansas City, Feb. 19.—Dr. Walter S. Haines, the scientist, arrived here this morning from Chicago, and went before the grand jury to tell his story of the examination of the viscera of Col. Thomas H. and Christina Swope and the contents of the stomach of Miss Margaret Swope. Yesterday Dr. Hektoen, who had worked with Haines on the case, gave his testimony.

Haines had been called here by telegraph after Hektoen had related a portion of his story, and when the jury met today it was said Hektoen would be questioned later in greater detail. Prosecutor Conkling stated that every step in these scientists' hunt for poison will be gone into.

At Independence, Mo., this morning before Judge Walter Powell, arguments were renewed on the injunction to restrain attorneys of Dr. Hyde from taking further depositions in that physician's slander suit.

#### READY FOR BANKERS' MEET.

#### Elaborate Program Prepared for Meeting at Vinton Next Tuesday.

Vinton, Feb. 19.—Group seven of the State Bankers' Association will hold their spring meeting here next Tuesday, and an attendance of fully 200 members is expected and being provided for. An elaborate program has been prepared. The principal address will be given by Judge Robbins, of Cedar Rapids, on the subject of "Banks and Law." The local banks have made every effort to make the day a pleasant one for the visitors.

#### Hangs Self in Barn.

Cedar Rapids, Feb. 19.—News has been received in the city of the suicide of Mr. George Adair, of Carbon, Iowa. Mrs. Adair had gone to the barn for fuel, and discovered her husband hanging from a rafter, his feet hardly two inches from the floor. She ran to the neighbors, screaming for help and he was soon cut down and the doctor called. The doctor discovered that the man had been dead for over an hour before he was discovered. No cause can be found for the suicide of Mr. Adair.