

## WILL HOLD APKINS UNTIL HIS RECORD DEFINITELY KNOWN

If His Nicholasville Victim Dies, Prisoner May Be Sent to Kentucky on Manslaughter Charge.

## INDIFFERENT AS TO HIS POSSIBLE FATE

Bigamist and Forger Maintains Silence as to His Career, Even Refusing to State What Age Is.

While the authorities are searching for further evidence as to the criminal acts of Paul Peter Apkins, bigamist and forger, who also may be accused of manslaughter, time passes lightly for the man who is confined in the county jail, but awaiting his trial in the Wayne circuit court.

He is slated under the name of "Apkins," though some doubt exists as to whether or not this is his true name. There is also doubt as to whether Des Moines, Ia., or Stegar, Ill., is his home. He is given the freedom of the jail, such as it is, but is not permitted to see anyone who is a stranger to the authorities. He has not asked the advice of an attorney.

Report was current in the court house circles today that he would be arraigned today, but this was denied by the authorities, who have as yet filed no charge in the circuit court, but are awaiting word from Kentucky as to the condition of Miss Elizabeth Young, of Nicholasville, Ky., whom he married and drugged and robbed. The young woman is a raving maniac and it is not believed will live two months.

**May Go to Kentucky.**  
Unless improvement is noted in the woman's condition the authorities probably will hold Apkins here for two or three months on one of the numerous felony charges which they will file. In case of her death it is expected that Indiana will surrender the man to Kentucky justice on a manslaughter charge.

That Apkins is indifferent to public opinion was manifested today. He refused to talk about himself, not even so much as to state his age. He says he does not know how old he is. He says this to the authorities and to others. Apkins declares that he will not know his age until he communicates with his father, whose name, he says, is Edward Apkins, of Chicago, address unknown to anyone here but the prisoner. He denies Des Moines or Stegar as his home. Chicago is where he makes his home, he says, and so he informed some of the unfortunate girls and women with whom he corresponded. The man says it is "nobody's business" who he is, where he is from, what he intends to do and whether the charges are true. When arraigned in police court, he pleaded guilty to a forgery charge.

His confinement and the serious charges against him, including the possible murder indictment of a Kentucky court, doesn't worry him in the least. In fact he apparently enjoys the jail as a place of abode. He plays cards with the other prisoners, talks with them on different subjects, but keeps singularly silent on anything relating to himself.

## KEPT WELL IN HAND

Cholera Situation Is Less Alarming Now.

(National News Association)

New York, July 22.—Government and state health officials today expressed confidence that they have the cholera situation in this port well in hand. As an added precaution, however, they have prohibited bathing at both Midland and South Beaches, Staten Island, about a mile from the quarantine stations and detention hospitals at Swinburne Island and Hoffman's Island. The board of health is investigating the case of Manuel Bermudez, a Spaniard, thirty-six years old, who was taken from a seaman's boarding house to Bellevue hospital. His case was at first diagnosed as typhoid, but later the hospital physicians became suspicious that it was Asiatic cholera.

Bermudez arrived here on a steamer from Liverpool and South America as a fireman. The vessel carried no passengers and had not stopped at any port infected with cholera.

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## ICE SHORTAGE IN CITY NOW ENDED

Anyone Securing Coupon Book Can Now Secure Ice from Company.

Consumers of ice, who have been receiving the commodity in large quantities and paying 15 cents and 17½ cents respectively, per hundred pounds, have received notice that upon the expiration of their present contracts with the company the price per hundred pounds will be raised 2½ cents. The cost of production and the arrangements made to end the ice famine here make the increase necessary. The present price paid by other consumers will be maintained. No ice will be sold in the future for cash.

The elimination of cash business is done by the company to protect itself from petty graft on the part of some drivers. The officials believe that the arrangement will be satisfactory to the consumers and a great deal more so to the company.

Trouble brewing between the local company and the Anderson concern, with which the local company had a contract for three carloads a week, has been adjusted. The company will receive 60 tons a week from Anderson and with the capacity of the local plants, there will be no more ice shortage. Anyone who desires ice will be accommodated, providing he acquires a coupon book.

The company has issued the following statement:

We have finally secured an additional supply of manufactured ice—60 tons per week, at a high price—the first car of which arrived this morning. The sale of coupon books to all classes of consumers will at once be resumed at our office, 13 South Ninth street. There will be no advance in prices, except as follows: Those heretofore paying 15 cents per 100 pounds will be charged 17½ cents per 100, and those heretofore paying 17½ cents per 100 pounds will be charged 20 cents per 100. Of course all consumers of these two classes having coupon books will use them up at the old prices. No ice will be sold for cash.

RETTIG & JOHNSON.

## ANOTHER SWIMMER FAILS TO CROSS

(National News Association)

Dover, England, July 22.—Jabez Wolff, the well known swimmer, early today abandoned his attempt to cross the English channel after one of the best efforts that has been made since Captain Webb, the American athlete, who later lost his life in trying to swim the Niagara Rapids, made the swim for the only time in the history of the many trials. Wolff was within 3,000 yards of the English shore, having started from the French shore and battled with the water all night, when a strong tide setting against him forced him to give up. He would have drowned but for an accompanying motorboat.

## FERDY EARLE ADDS TO HIS COLLECTION

Holder of World's Affinity Record Has Secured an English Bride.

(National News Association)  
New York, July 22.—The liquid brown eyes of a beautiful English girl have caused the susceptible heart of Ferdinand Pinney Earle, the American artist who holds the world's undisputed affinity record, again to succumb to the little blind god and he's married once more.

The heroine of this latest romance in the career of the bewhiskered artist is named Dora and she is the daughter of an architect at Wokingham, Berkshire, England. That's about all that is known of her on this side of the pond, so far. Artist Earle, in appraising his fellow intimates here that he had been and gone and done it again, confined his information to somewhat sweeping generalizations. He speaks of his bride simply as "Dora, the dearest, sweetest, loveliest of them all."

He met her in Surrey, England, while taking a walk, he states, and identified her on the spot as affinity No. 3. Apparently she accepted the identification for shortly afterward they were married and Dora became the latest successor of Emilie Fischbacher Earle and Julia Kuttner Earle, respectively wives No. 1 and No. 2.

Earle and his bride are now in Germany on an around-the-world honeymoon trip. They do not expect to reach America for a year and a half.

## DENIES HIS MOTHER

When Testifying at the Police Court.

After his mother, now 85 years old, had kept the family home for twenty years, according to evidence introduced in a police court case this morning, Preston Carr married. With three weeks his mother, Mrs. Sarah Guffries, was ordered from the house by his wife. To defend her mother, Alice Reed, a mulatto, came to the Carr home on North G street. It is alleged Mrs. Carr ran her from the house with an upraised fork and coffee pot, while the Carr woman charged the other with assault and battery. The case was heard in police court and dismissed. Mr. Guffries told the court her mother's blood was part Indian. With the exception of Mrs. Reed, the other principals in the case were apparently white. Carr said on the stand he did not know whether or not Mrs. Guffries was his mother.

## GUARDIAN'S REPORT

The Dickinson Trust company, guardian for Fred Jenkins, minor heir of the late David Hoerner, has filed report showing it has consummated the trust and advanced \$4,195.57 to its ward, which is the amount of the inheritance.

## HOG CHOLERA NOW RAGING IN COUNTY

City Dairy Inspector Flook States the Epidemic Is a Most Serious One.

Hog cholera has broken out with deadly effect and is ravaging the pens of farmers living south and southwest of the city. Some farmers have lost 70 head of fine young shoats, others between 20 and 50 head, the losses ranging from \$50 to \$600. Dairy Inspector Flook, who has been working hard in the past year to prevent the spread of cholera by demanding that the farmers strictly observe the laws regarding live stock, said this morning that the epidemic is a most serious one.

Last winter hog raisers all over the county suffered greatly from attacks of cholera on their herds, but during the winter it nearly died out. It usually makes an appearance in the fall about the time farmers begin feeding new corn to hogs, but its premature appearance this year is the cause of much alarm.

Mr. Flook is also engaged in examination of dairies of the city and of testing milk. The results are highly satisfactory. Recently a set of 18 milk specimens were sent to the state laboratory at Indianapolis and the result was all were marked "O. K."

Flook announced this morning that the dairy licenses of many milkmen will expire soon and that the city will be very strict on enforcement of the ordinance requiring licenses.

## ELIZA SINEX DIES AT SAN DIEGO, CALIF.

Mrs. Eliza Burgess Sinex, who four years ago moved to San Diego, California, where she since has resided with her daughter Mrs. Anna Fands, died on July 16, according to word received by surviving relatives here. Burial was in the cemetery at San Diego. Mrs. Sinex was 87 years old. Her death was due to the infirmities of old age. She is survived by the daughter, Mrs. Fands, and Mrs. Anna Druly of Boston, who is also a daughter. A brother Andrew Burgess lives here. She was born on what is popularly known as the Burgess farm, south of the city, February 25, 1824.

## TRUSTEE KIENZLE TO RESIGN OFFICE

(Palladium Special)

Greensfork, Ind., July 22.—Dr. Fred Kienzle, trustee of Clay township, has announced he will resign his office as he plans locating elsewhere. His resignation will be submitted to the board of county commissioners within a week or two and will be effective on September 1. Since it has become known he would resign there have been several applicants for the position, the term of which does not expire for two years and the candidacy of these will be announced soon. The county commissioners will appoint a successor.

## BLACK PRESIDENT OF HAYTI MAKING HIS FINAL STAND

Rebel Army in the Negro Republic Is Marching on the Capital and the City Is Certain to Fall.

## LEGATIONS GIVING FOREIGNERS REFUGE

U. S. Gunboat "Petrel" Is in Harbor, Her Guns Covering the City Ready to Protect Noncombatants.

(National News Association)

Port au Prince, July 22.—With the rebel troops moving on the capital today, President Simon, with the remnants of his army which he brought back from the Cape Haytien route is entrenching himself for his last stand. The fate of the republic will be determined in the forthcoming battle and it is generally believed here that the aged executive's cause is hopeless as his troops are so demoralized as virtually to be beaten before the first gun is fired.

Representatives of all the foreign countries here have made urgent calls on their home offices for warships.

**Rioting Is Expected.**  
In expectation that rioting by the blacks will be repeated, the foreign diplomats are preparing to give refuge to their country women and men, when the engagement begins. All of the foreigners are flying the colors of their respective countries over their residences to warn off looters. The American gunboat Petrel is here and is expected to take a firm stand against any attempt by the rebels to bombard the capital.

Reports from both north and south today report news of rebel succession. The north country is entirely in control of the revolutionists and they are rapidly subjugating the few parts to the south that still hold out. In the event of the fall of Port-au-prince there will be no place in the black republic that will dare to offer Simon refuge and there will be nothing left to him but flight.

Reports from Cape Haytien today state that the rebels are still continuing their orgies and that the yacht America remains on guard with her owner, Evan R. Dick, the New York broker, threatening the mobs with her guns if any attempt is made to molest the hundreds of women being sheltered in the foreign consulates.

## FIGHT ON GOMPERS

Being Made by the Cigarmakers' Union.

(National News Association)

Chicago, July 22.—Efforts are being made by the cigar-makers' international union to drive Samuel Gompers, president of the American Federation of Labor, out of the National Civic Federation. Gompers is first vice-president of the Cigarmakers' Union.

A resolution adopted by the San Francisco cigarmakers provides for an amendment to the international constitution forbidding a member of the National civic federation remaining a member of the Cigarmakers' Union. Other unions are being asked to endorse this resolution. After the necessary number have acted favorably the resolution will be submitted to the 50,000 members for acceptance or rejection.

## CARDINAL GIBBONS NOW 77 YEARS OLD

(National News Association)

Baltimore, Md., July 22.—Letters and telegrams of congratulation have been pouring into the mansion of Cardinal Gibbons who, enjoying the rugged health and vigor of a man fully ten years younger than he, will celebrate the seventy-seventh anniversary of his birth tomorrow. There will be no official observance of the anniversary and Cardinal Gibbons will spend the day quietly at his residence, receiving only some of his most intimate personal friends.

## WELLMAN COMPANY TO BE DISSOLVED

(National News Association)

Augusta, Me., July 22.—A hearing was had today in the State Supreme Court on the petition to dissolve by decree of the court the "Wellman Chicago Record-Herald Polar Expedition," a corporation formed in this city two or three years ago to finance the polar expedition of Walter Wellman. He had hoped to reach the North Pole by means of a balloon, starting from Spitzbergen, but failed. There are no liabilities or assets.

## CANADIAN BILL IS PASSED BY SENATE; AMENDMENTS SLAIN

Original Measure Goes to the President for His Signature After Passage by Vote of 53 to 27.

## A FEW AMENDMENTS PROPOSED TO BILL

But Every One Was Killed by Decisive Votes—Action of Senate Is Great Victory for President Taft.

(National News Association)

Washington, July 22.—The Canadian reciprocity bill passed the senate at two o'clock this afternoon by a vote of fifty-three to twenty-seven. All amendments were defeated in rapid order by decisive votes, ranging from two-thirds majority against to sixty-seven to eleven, the latter being LaFollette's amendment to put wood pulp and newspaper print paper on the free list. Crawford's amendment placing all Canadian manufactured goods on the free list was slaughtered without a roll call.

**Some of Amendments**

Other amendments defeated were as follows:

By McCumber—Reducing duties on certain manufactured goods and placing others on the free list—64 to 16.

By Nelson—Reducing duty on Canadian imports half the present rate—58 to 23.

By Simmons—Meat schedule—64 to 16.

By Cummins—Reducing steel and iron products—64 to 17.

By Cummins—Affecting oil cloths and linoleums. Defeated without a division.

By LaFollette—Wood schedule—64 to 16.

By McCumber—To prevent free admission of barley and cereals in bonded warehouses—54 to 21.

By Bristow—amendment to reduce duty on type metal and new type—61 to 16.

By Bristow—Fixing 25 per cent ad valorem on lumber—defeated without roll call.

The following is the history of the reciprocity negotiations with Canada and consideration of the bill by congress:

March 10, 1910—President Taft met Canadian Minister of Finance Fielding at Albany, N. Y.

November 5, 1910, and January 7, 1911—Representatives of the United States and Canada met and discussed the agreement.

Jan. 8 to 21—Conferences held at the state department between commissioners of both countries.

January 26—Agreement transmitted to congress.

Feb. 14—Passed House, 221 to 93; 87 Republicans and 6 Democrats voting against.

Feb. 24—Reported to senate, which took no action on it.

April 4—Special session convened.

April 21—Passed House, 267 to 89, 78 Republicans and 11 Democrats voting nay.

June 14—Senate began debating measure.

July 22—Senate voted on the bill.

## A THREAT BY KING

May Bring House of Lords to Time.

(National News Association)

London, July 22.—The British constitutional crisis caused by the situation in the House of Lords and the commons over the veto bill was put squarely up to King George today by Premier Asquith. His Majesty gave a long audience to Mr. Asquith in Buckingham palace during which the possible creation by the King of additional peers was threshed out. It was said on apparently good authority that the king had reiterated to the premier his previous assurances that he would create the additional peers if this became necessary to carry out the expressed popular will. His Majesty, it is said, is reluctant to take this course but has determined that it is his duty to do so if the upper house remains obstinate. However, there is believed to be little danger of this now. Signs of surrender of the peers are accumulating and the Tory papers today declare for abandonment of the House of Lords' program.

Former Lord Chancellor Halsbury is practically the only one recalcitrant today and it is believed he will have few followers in his announced intention to fight against the government's bill to the last.

## THE WEATHER

STATE AND LOCAL—Fair tonight and Sunday; not much change in temperature.

## SUIT NOW BROUGHT TO BREAK SECTION OF BURBANK WILL

Heirs of Late Gov. Burbank Object to Feature Providing for Memorial Building in Centerville, Ind.

## SAY BEQUEST MADE IS IMPOSSIBLE ONE

Provides Sale of Residence for \$25,000 to Build Memorial—Property Not Regarded So Valuable.

Attacking the will of the late Governor John A. Burbank on the ground it is impossible and impracticable, because of alleged uncertainties and vagaries of item 8, providing a memorial at Centerville in memory to his mother, the late Mary E. Burbank, the surviving heirs of the decedent, including Mrs. Nora B. Kibbey of Phoenix, Arizona, a daughter, and Alvin Ford Miller of Chicago, a grandson, today filed suit in the Wayne circuit court against John A. Spekenhiser, executor of the will, petitioning that the provision of a memorial to Mrs. Burbank be set aside and the money which was to have been used for this purpose distributed among the heirs.

Though the proceedings will be friendly, yet in determining the legality of such a course, authorities will be closely followed and every material detail brought out in the trial. It is improbable that the trial will be held until next fall.

**Arguments Were Made.**

Arguments were made by Attorney T. J. Study, representing the petitioners, and John F. Robbins, representing the executor. Judge Joseph Kibbey, former territorial governor of Arizona, and former Judge of the Wayne circuit court, will be associated with the heirs. His wife is an heir. Both are visiting relatives here.

On March 10, 1905, the decedent, who was one of Richmond's most prominent citizens and at one time territorial governor of the Dakotas, made his will. All the provisions of the will with the exception of item 8, in which provision is made for a memorial were satisfactory and have since his death, on December 17, 1905, been carried out. The will was probated in January, 1906. Mr. Spekenhiser qualified as executor, filing \$10,000 bond.

Shortly before his death, Governor Burbank had erected a palatial residence property at 1120 East Main street. He provides that upon the death of his wife, the late Mrs. Sarah P. Burbank, this property should be sold when it reached the value of \$25,000. Mrs. Burbank died a few months ago and since then the executor has made an effort to sell the property, but has only received an offer of \$14,000. It was the intention of the testator that the money received from the sale of the property should be used in the purchase of a business site in Centerville, near Main and Cross streets, which should be remodeled, and the upper stories used for social, recreative, literary and moral purposes by the residents of the town and township and their guests. The institution was to be known as "The Mary E. Burbank Memorial."

**Is Not Worth \$25,000.**

But the heirs set forth that the property now is not anywhere near the value of \$25,000, and it can not be sold for less if the item of the will is held valid, and instead of growing in value will depreciate. Their arguments, as set forth in the complaint, is the property is not desirable for residence or business purposes because it is within too close proximity to the business district now for residential purposes and so far away that it is undesirable for any business purpose. Furthermore it is held that there is no means provided for the payment of taxes, and making of repairs. The building though of expensive construction and equipment, does not add value to the ninety foot front lot, it held.

Furthermore, it is alleged that the trust conveyed to the executor for the fulfillment of the plan for a memorial to Mary E. Burbank "can not be carried out because of the uncertainties and vagaries of the object of the attempted trust and of the benefits which the testator designed and intended the public of said township and town should receive and enjoy as beneficiaries under and through the execution of said trust."

It is further alleged that the intentions of the decedent in providing a

(Continued on Page Six)

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