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HYDE CASE TO GO TO JURY LATE TODAY

PROSECUTING ATTORNEY VIRGIL CONKLING WILL FINISH CLOSING ARGUMENT FOR THE STATE THIS AFTERNOON.

Kansas City, May 13.—Prosecutor Virgil Conkling argued for the state in the Swope case today.

His speech was a defense of himself for employing special prosecutors and a scathing arraignment of Eyde.

Frank P. Walsh, who was chief counsel for the defense, closed his address shortly before 6 o'clock and at the night session Attorney Johnson H. Atwood spoke in behalf of the state.

Not a phase of the Swope mystery was left untouched by Mr. Walsh. Mr. Atwood's address dealt more specifically with the investigations made by the prosecution's scientists. He had made a special study of this feature of the case.

Mrs. Swope's Word Unsupported. "If you hang Clark Hyde," declared Mr. Walsh at one point in his argument, "it will be upon the word of one woman alone—Mrs. Logan O. Swope. It is she that swears the physician knew of the residuary clause in Col. Swope's will. It is the contention of the state that knowledge of this clause and the benefits it would bring to him and his wife, caused the defendant to kill Col. Swope."

Frequently during Mr. Walsh's speech different jurors wept. At one time four of them were crying. Neither Mrs. Hyde nor Mrs. Swope could conceal her emotion as the intricate details of the case were laid bare.

The state's chemists were excoriated by the attorney. Dr. Victor C. Vaughn was termed "the hired executioner of Dr. Hyde."

HOTEL CASE ARGUED.

Law Passed by Last Legislature, Knocked Out by Judge McHenry, Before Supreme Court.

Des Moines, May 13.—(Special.)—The celebrated decision of Judge McHenry of Des Moines, knocking out the hotel law passed by the last legislature, was argued before the supreme court today. Opinions filed by the court today are as follows:

W. C. DeLashmuth vs. C. B. & Q. Ry., Mills county; affirmed.

Rudolph Wuritzer Co. vs. L. J. Rhea, appellant, Cedar Rapids Superior court; affirmed.

J. W. Rummelhart, appellant, vs. Wm. Boone, Linn Co.; reversed.

Joseph Tretter vs. Great Western Ry., appellant, Marshall county; reversed.

GIVES TIPS IN ENGLISH STYLE.

Charles G. Gates Lines Up Blackstone Employes in a Row and Deals Out the Money.

Chicago, May 13.—More than \$100 was given to employes of the Blackstone hotel last night by Charles G. Gates just before leaving with his wife for New York, where they will join their parents, Mr. and Mrs. John W. Gates, in a tour of the world, beginning on May 21. Mr. Gates used the English method of tipping by lining employes in a row in the corridor of the floor where his apartments were, and, beginning with the butler, distributed the money according to the official position of the employe.

DE JANON CASE IS ENDED.

Grand Jury Refuses to Return Indictment Against Ferdinand Cohen.

Philadelphia, May 13.—The last echo of a sensational escapade was heard here yesterday afternoon when the grand jury ignored a bill of indictment charging Ferdinand Cohen, the hotel waiter with kidnaping, his running away with Robert B. de Janon, 18 years old. The couple, after being missing a week, were found in Chicago. It is understood the action of the grand jury yesterday was agreeable to counsel for Robert B. de Janon, the millionaire grandfather of Miss De Janon.

Stamp Tax Upheld.

Jefferson City, Mo., May 13.—The supreme court in banc today sustained the constitutionality of the law requiring a stamp tax of 25 cents on each deal in futures of grain and stocks. Nearly \$200,000 taxes were held up awaiting today's decision.

Flagman Asleep at the Switch.

Cedar Rapids, May 13.—(Special.)—While making a run to a fire late last night Chief Moorebacker and his driver were struck by a switch engine while crossing the track at Fourth street and both were slightly injured. The flagman failed to signal and was later found asleep at the switch.

Five German Marines Killed.

Berlin, May 13.—Last night's report from Wilhelmshaven that a fatal explosion had occurred while a mine-laying division was maneuvering off the coast, was officially affirmed today. Five bluejackets were killed and two others injured.

Fines Woman Who Wouldn't Talk to The Census Man

Des Moines, May 13.—(Special.)—Miss Mary Anderson, proprietor of the Bachelor hotel, who was indicted by the grand jury yesterday for two counts of refusing to answer questions at an evening session of the federal court and was fined \$10 by Judge McPherson. She was charged with refusing to give information to the census enumerator.

HEINZE IS HELD TO BE NOT GUILTY

MILLIONAIRE FREED BY JURY IN CASE BROUGHT BY THE GOVERNMENT.

New York, May 13.—F. Augustus Heinze's friends kept him busy today receiving congratulations on his victory in his two and half year battle with the government, won last night through his acquittal. He says the contest cost him between \$4,000,000 and \$5,000,000 in damage to his credit and legal expenses.

New York, May 13.—F. Augustus Heinze was acquitted last night of the charge of misapplying the funds of the Mercantile National bank, while he was president of the institution in 1907. He was cleared of the charge of over-certifying checks of his brother's firm, Otto Heinze & Co., by a jury in the United States circuit court.

Thus failed ingloriously the government's attempt to hold Heinze responsible for financing during the panic of three years ago alleged to be in violation of the national banking laws.

John B. Stanchfield defended the multimillionaire.

Heinze, who was jubilant after his acquittal, said he regretted only the delay in the trial, which, he said, had cost him over \$3,000,000.

Arthur P. Heinze, brother of the defendant, called Prosecutor Wise a liar in court yesterday afternoon and was promptly ejected from the court room. When the verdict was announced the court room went into an uproar.

The defendant's friends shrieked exultantly and gave loud hurrahs. Men and women pressed eagerly forward and surrounded Heinze and embraced him. Heinze laughed hysterically as he received kisses from his women relatives.

CANNON ON EDUCATION

Speaker Says College Course is 'Not Necessarily Fatal to Success.'

New Haven, Conn., May 13.—"To a bright young man who has anything in him, a college course is not necessarily fatal to success. That is my view of it," says Speaker Cannon in a discussion in the Yale News today of the value of a college education.

He continues: "The common school system—the high school course—gives the average individual at least fair equipment for practical success in business or in the various callings that men follow who live by the sweat of their faces. That is about all that the average man will utilize."

"There is always a question as to whether the average student will survive the spilling effects of a college course. But there are a great many students who accomplish something along the specialties, as there are a great many of them who accomplish something practical in business and politics, notwithstanding the burden of hearing a collegiate course."

"The human animal on the average is not worth his salt if he is incapable of making his own way."

"The greater rewards come in business, not in politics. A good business man is much better off than a poor politician. The business man has better chance for advancement and receives greater remuneration."

WARRANT FOR MILKMAN

Cedar Rapids Dealer Accused of Selling Milk That Fell Below Test.

Cedar Rapids, May 13.—(Special.)—A warrant was issued for the arrest of W. T. S. Baer on the charge of selling milk that did not come up to the test. The specific charge being that he committed an offense against the public health by selling skimmed milk and that he delivered to St. Luke's hospital, milk which contained less butter fat than the law prescribed. He is the same man with other milk men who started injunction proceedings to stop the milk testing ordinance.

Negotiate to Raise Maine.

Washington, May 13.—The state department has begun negotiations with the government of Cuba to secure permission for raising the wreck of the battleship Maine.

BROWN MAY BE PUT ON TRIAL NEXT MONDAY

DEMOCRATIC LEADER OF ILLINOIS LEGISLATURE WILL BE FACED BY THREE ASSEMBLY MEMBERS WHO CONFESSED.

Chicago, May 13.—State's Attorney Wayman announced that Lee O'Neill Brown, the Democratic leader of the house, charged with bribery of legislators, will be placed on trial next Monday, if the defense is prepared.

Brown is alleged to have distributed the money alleged to have been paid for votes for Lorimer. Representatives White, Beckmeyer and Link, who are declared by the state's attorney to have confessed to receiving bribes, will be witnesses at the trial.

Yesterday's grand jury investigation of the so-called Lorimer legislative bribery scandal elicited no new confession, but evoked a brief dissent by Representative Thomas Gorman of Peoria, on the scant rewards of legislative work.

Gorman, who is a Democrat, talked freely to reporters. "I told the jury," he said, "that the public is away off when it thinks a legislator finds a big roll of money waiting for him every time he rolls up the top of his desk. There is not as much in it as people seem to think. Why, for a fact, I have trouble in meeting my expenses at Springfield."

Gorman was asked to confirm a report that Robert E. Wilson, Democratic representative from Chicago, who is alleged to have distributed the legislative "jackpot" at St. Louis, called on Gorman at Peoria within the last few days.

"Wilson called on me all right," Gorman said. "I am not ashamed to admit it. Peoria is something like Chicago in being a general stopping place for legislators usually get off the train there for a time. That's how Wilson came to call on me."

Chicago Grand Jury Adjourns.

Chicago, May 13.—The special grand jury which for two weeks has been investigating the alleged bribery in the election of Senator Lorimer today adjourned until Tuesday. The inquirers heard no witnesses today.

CONSIDER AGREEMENT.

Miners as Body are Said to Oppose Joint Scale Committee's Findings.

Des Moines, May 13.—(Special.)—Miners in state convention are considering the agreement made by the joint scale committee and will hardly finish considering in time to meet the operators at 4 o'clock, as proposed. As a general rule, it is said, the miners do not like the agreement, but may accept it.

OTTUMWANS ARE NOMINATED

MISS TROTTER AND MISS AKERS MAY BE ELECTED OFFICERS OF NURSE'S ASSOCIATION

Miss Elizabeth Trotter, superintendent of the Ottumwa hospital and Miss Estella Akers, of the same institution have been nominated for the offices of recording secretary and corresponding secretary of the State Association of Registered Nurses which is holding its convention in Des Moines. Miss Trotter is one of the three nominees for the first office, while Miss Akers has two competitors for the office of corresponding secretary. It is very likely that the Ottumwa women will be elected. The Registered Nurses today named a committee which will draw up a set of rules of ethics, to govern their work and their relation with the physician. In the past they declare they had little to say in regard to the treatment of patients.

Davenport and Waterloo are contestants for the next annual meeting. The registered nurses of Iowa have offered their professional services to their country. In time of national calamity the department of war, through its Red Cross organization, could summon to duty hundreds of Iowa's registered nurses. The registered nurses are those who have been graduated from training schools connected with hospitals and registered under the requirement of law with the state board of health. The names of the nurses have been sent to the office of the secretary of war to be registered. In event of any national emergency the nurses will be called to duty in the order in which their names are filed.

At the session today the movement to register the graduated nurses of the state with the Red Cross organization will be discussed at length and before the session closes it is the intention to have every nurse attending the meeting enlisted in the Red Cross cause.

KING GEORGE FINDS HE HAS A HARD JOB

NEW MONARCH IS AT HIS DESK AT 7 O'CLOCK IN THE MORNING DIGGING THROUGH A MASS OF CORRESPONDENCE.

London, England, May 13.—From a life of ease and retirement King George suddenly finds himself one of the hardest worked officials in the kingdom. He is at his desk every morning at 7 o'clock answering his immense correspondence at arranging the details of his father's funeral.

Last night he met, at the station, the king of Denmark, Colonel Roosevelt, the special American representative to the funeral, will arrive Monday. The procession to Westminster hall Tuesday, where the body will lie in state, will be almost as elaborate as the funeral cortege itself. The king at the foreign sovereigns will ride on horseback.

At DuJin yesterday, where a meeting of the corporations was held, several members of the Sinn Fein society voted against the lord mayor's resolution to send a message of sympathy to the royal family.

Carpenters Erecting Stands.

Hundreds of carpenters are erecting stands along the funeral route. The owners of frontage are preparing to make the most of their good fortune. Twenty-five to fifty dollars will be obtainable easily for a single seat, while a small upper room is considered a bargain at \$500. On the more fashionable thoroughfares from \$2,000 to \$3,000 is asked for single rooms.

FIVE BURN TO DEATH

Minnesota Man, His Three Children and Their Grandmother Lose Lives.

Faribault, Minn., May 13.—Bert Sperry, his three children and their grandmother were burned to death in a fire which destroyed their home in this city today. Mrs. Sperry and two children were saved. An overheated stove started the fire in the building while the family were asleep.

DIRECT VOTE ISSUE BEATEN.

Massachusetts Senate Kills Move to Change Manner of Choosing U. S. Senators.

Boston, Mass., May 13.—Without a word of debate, the senate yesterday killed the house resolution placing Massachusetts on record in favor of the election of United States senators by direct vote. The vote on the resolution was 11 to 20, three Republicans voting with the eight Democrats in the affirmative.

GEO. ROTHENSTEIN IS ACQUITTED

SANER'S TESTIMONY IN MILTON FUR CASE CORROBORATED BLOOMFIELD MAN'S

Keosauqua, May 13.—(Special.)—The jury in the criminal case of the State of Iowa vs. George Rothenstein returned a verdict of acquittal after a few minutes of deliberation late last evening. Ralph Saner of Bloomfield was on the stand and corroborated Rothenstein's story. The state had expected Saner's testimony to agree with that of Lon Harvey and in consideration of such testimony Saner had secured the dismissal of the indictment against himself.

Short History of Case.

Last winter Roy Saner and Lon Harvey took \$300 worth of furs from the Cooley store at Milton and stored them in Rothenstein's attic at Bloomfield. Rothenstein knowing nothing about it.

J. W. Harwood and J. C. Calhoun represented the state and G. F. Goodson of Bloomfield and W. N. Walker of Keosauqua the defendants. Judge F. Eichelberger presided.

THEATER CLOSED UP

Chief Steward Shut's Doors of Standard Chicago House on Account of Dance.

Chicago, May 13.—Chief of Police Stewart today ordered that the theater, a standard playhouse devoted to musical comedy, be closed until a dance which he considers objectionable is eliminated. The manager of the playhouse heretofore disregarded the chief's order to eliminate the objectionable feature, hence today's drastic action.

Eddyville Couple Wed in Oskaloosa.

Eddyville, May 13.—(Special.)—Frank Herd and Miss Ethel Barber, two popular young people of Eddyville, were married in Oskaloosa Thursday.

Government to Probe River Accident; Loss of Life Was Needless

St. Louis, May 13.—Federal investigation of the sinking of the packet, City of Sallito, in the Mississippi near Glen Park, Mo., which cost twelve lives, will begin as soon as possible. Seven passengers and five of the crew were drowned by the tilting of the gang plank when it hit a tree. That the loss of life was due to the mistake of ordering the passengers to hurry from the sinking boat, when she was near shore, was being ordered to stay aboard a minute longer no one would have been lost. But he said he feared that any minute the boat might roll over in the river.

OFFICIALS HERE FOR HALF HOUR EIGHT DROWNED IN PENNSYLVANIA

SIX SCHOOL GIRLS AND TWO BOYS VICTIMS OF TRAGEDY IN WATER.

Burlington officials headed by Second Vice President H. E. Byram, dined butler-like through Ottumwa today hitting only the high places and demonstrating a trait of the Burlington, namely that time is valuable and cannot be wasted. "Off again, on again," and the special became history as far as Ottumwa is concerned. Among the things done here was first to stop for orders at the union depot where a whole minute was spent in looking over the beautiful vista across the mill race and a hasty scan of the sign that makes Ottumwa famous. A word from General Superintendent B. Allen, and off the freight house did the caravan move. While the train waited at the east end of the freight house, the distinguished visitors left the rear platform and were escorted by Superintendent W. F. Thierhoff about the freight house. It is thought a sad farewell was taken of the present building as it is believed that by the time the next inspection visit of the officials takes place a new freight house located a block east of the present one will greet them.

Visit Roundhouse.

Some five minutes was spent looking over the freight house over when boarding the train, the officials at the word of Superintendent Thierhoff were whisked eastward to the roundhouse and yard, stopping at the inspection platform, lasting some twenty minutes. At 12:35, thirty minutes after arrival in the city, the special pulled out for the east with Galesburg as the terminus for the Ottumwa division officials.

Vice President Aboard.

The train was in charge of Conductor V. S. Winslow with Brakeman Sanburg cared for the safety of the train. The Engine Foreman Henry Mored directed the movements in the cab with Engineer Lidstrand and Fireman Moberg in the harness on No. 610. They left Creston at 8:48 on the special at Osceola, Chariton and Albia. The equipment consisted of special cars No. 97 and 99 and contained as guests the following:

H. E. Byram, second vice president, W. L. Barnes, general superintendent of transportation, A. W. Newton, engineer of maintenance of way, L. B. Allen, general superintendent of Iowa lines, W. F. Thierhoff, superintendent of the Ottumwa division, Master Carpenter Daniel Lawler and Roadmaster P. H. Burke from Creston as far as Ottumwa and Roadmaster J. T. Corcoran from Ottumwa to Galesburg.

To Special.

In speaking of the trip, Superintendent Allen stated that it was a regular inspection of the officials and nothing particular attached to this visit of the vice president at this time. Among the work being done and the plans for improvement by the company during this year, the officials had little to say locally. They stated however that something is being done by the road as will be seen in the sum allotted in the budget for the present year.

FROM PULPIT TO PRESS.

Former Newspaper Man, Who Has Been in Ministry for Ten Years, is Back in Harness.

Davenport, May 13.—(Special.)—William P. Lozett, ten years ago a reporter and telegraph editor on the Des Moines News, now pastor of the First Baptist church of Boise, Idaho, has returned to newspaper work as special correspondent at Detroit for the Grand Rapids Press. He is the son of Rev. E. I. Lozett, formerly of Davenport, but now connected with a Des Moines college.

MACLEAN IN DENIAL

President of State University Answers Rumors of Medical College Removal.

Iowa City, May 13.—(Special.)—Denying the likelihood that the State University of Iowa college of medicine was to be abandoned, President George E. MacLean has issued a formal reply to the rumors afloat in many quarters of the state. In referring to the report, he says: "The college of medicine at the State University of Iowa is an A1 college according to the rating of every medical association and the state approves such rating. The college is as permanent as the State University of Iowa. It is in the van of institutions, adjusting itself to the highest standard and is prepared to continue in its leadership."

Des Moines Boosters at Centerville.

Drakeville, May 13.—(Special.)—The trade excursion special of the Des Moines Commercial club left Centerville this morning after a gay round of festivities. The boosters were entertained last night by the Elks' club. The citizens waited upon the visitors with autos until after midnight. The boosters will go to Fairfield, Washington and Sigourney and then start for home.

Smith Leaves for Iowa.

Washington, D. C., May 13.—Judge Walter L. Smith left Washington for Iowa today and will remain there until after the primaries June 7. He expects to speak in every town of importance in the Ninth district.

Bank Cashier is Freed.

Des Moines, May 13.—(Special.)—In the federal court today, George Corburn, cashier at the bank of Carroll, which recently failed when the president committed suicide, was discharged and the charges of making false entries dismissed.

ROOSEVELT HAS A BUSY DAY IN BERLIN

FORMER PRESIDENT LUNCHEON WITH AMBASSADOR HILL AND HOLDS TWO RECEPTIONS TO NOTABLE GERMANS.

Berlin, May 13.—Roosevelt today authorized the unqualified denial of the recently published report that he had written letters expressing his attitude toward the Taft administration and favoring a certain candidate for governor of New York.

Berlin, May 13.—Roosevelt and Burgomaster Kirschner motored this morning to Bich, a suburb, where 1,500 workmen were maintained at the expense of the city of Berlin. The subject of public dependents is being pursued by Roosevelt, who, while in Denmark, investigated a similar institution. Returning to this city Roosevelt was the guest at luncheon of Ambassador Hill at the American embassy.

A reception followed the luncheon, Roosevelt receiving a delegation from the interparliamentary union and he replied to an address by the delegates. Roosevelt was today made an honorary member of the Shakespeare society. This afternoon Roosevelt held a reception at the home of Lieutenant Commander Belknap, the American naval attaché at Berlin, where he met many high officers of the German navy and army.

Will Meet King George.

London, May 13.—Mr. Roosevelt will be presented to King George soon after his arrival in London early next Monday morning. Arrangements to this end have been made at the wish of his majesty.

In the course of the negotiations regarding Mr. Roosevelt, the king personally extended through the ambassador his thanks to President Taft and the government and people of the United States for their many tokens of cordiality and sympathy.

Mr. Roosevelt upon his arrival here will proceed to Dorchester house, where he will remain until after the funeral of King Edward. It is expected he will spend the week end at West park.

EARTHQUAKE SOMEWHERE.

Seismographs Register Shocks Said to be More Severe Than in Costa Rica.

Washington, D. C., May 13.—An earthquake shock was recorded today by the seismograph of Georgetown university. The movement began at 3:26 and lasted 48 minutes. The instrument indicated the quake was west of Washington.

Recorded in Cleveland.

Cleveland, O., May 13.—The seismograph of St. Ignace college today recorded a heavy earthquake shock shortly after 2 o'clock this morning. The tremors lasted one hour and seventeen minutes. The record indicated a more serious shock than that at Costa Rica last week.

HOG ATTACKS CHILD.

Girl Living Near Rome Has Terrifying Experience—Is Rescued.

Fairfield, May 13.—An accident that might have been fatal but for timely interference occurred three miles southwest of Rome. Two children of Arch Doid had climbed over a fence into a hog lot. One of the hogs became infuriated at the intrusion and attacked the girls. One of them about eight years old was knocked down by the enraged brute, who trampled on her breast and arms, making efforts to bite her, but her clothing was heavy and it only succeeded in bruising and scarring the flesh.

Mr. Doid was near by and saw the danger and the father was able to get the little girl out of the pen to a place of safety.

CARRIED ON ENGINE PILOT.

Collins Man Struck by Train, But May Live After Unusual Experience.

Cedar Rapids, May 13.—(Special.)—At Collins, Iowa, a Milwaukee engine struck a buggy in which J. W. Hamann was riding. The horse was killed and the buggy demolished, but Hamann landed on the pilot, where he was carried twenty-seven miles before being discovered. The ticket agent at Madrid saw him and had him removed. He was brought to St. Luke's hospital. His condition is serious.

Traces of Oil Near Fairfield.

Fairfield, May 13.—(Special.)—Traces of oil have been found in the deep well that is being drilled east of Fairfield by the Jefferson County Gas, Oil and Mineral company. The well is at a depth of 1,740 feet, and was at this level when the small quantity of oil was taken from it. Further drilling will reveal oil in larger quantities.

Ballinger Inquiry Closes.

Washington, May 13.—The cross examination of Secretary Ballinger was concluded today.