A. T. STEWART'S WILL.

THEY ARE MAKING ALL SORTS OF EFFORTS TO BREAK IT.

Scenes and Incidents in the Court Room During the Contest—Sketches of Some of the Eminent Lawyers Engaged and Some of the Witnesses Sworn.

FEW men in America who have left behind them great wealth have been able to take such steps before their death as would prevent legal proceedings to break their will. It seemed for some years after Mr. A. T. Stewart died that his case was an exception. He succeeded in so arranging his affairs as to prevent dispute between his two principal legatees—his wife and Judge Hilton; but now, after ten years' quiet possession, and after Mrs. Stewart's death, Judge Hilton finds himself called upon to enter a defense to the charge of "undue influence," so common in such cases, and the suit is now being tried before the surrogate of New York, with a view to breaking the will.

From the great wealth involved, the prominence of the parties and the legal talent arrayed on each side, the case bids fair to become—indeed it is—a cause celebre. The trial goes on in the surrogate's office of the New York City hall. There sits the surrogate with his back to a window which opens upon the City Hall park, and before him the interested parties and their attorneys. The suit is brought by a Miss Butler, a niece of Mr. Stewart's, whose father acts for her. She is represented by Mr. Joseph H. Choate, one of the most celebrated lawyers in the land, while Judge Hilton's interests are looked after by no less a personage than ex-Senator Roscoe Conkling. Day after day crowds throng the court room in the hope of enjoying a tilt between these two eminent lawyers; for when they enter upon their intellectual sparring, a richer treat is afforded to the spectators than in that exhibition of muscular strength and skill which recently took place between Sullivan and Mitchell in the sunny land of France.

Mr. Conkling, except when personally engaged, sits in court listening to the examination of witnesses by his assistant, Mr. Elihu Root, one of the most prominent younger members of the New York bar. Judge Hilton's sons are usually in court, and one of them, an important witness, was catechised during the proceedings by Mr. Root, as to the signing of Mrs. Stewart's will, to which he is a witness.

ROSCOE CONKLING.

Mr. Conkling has aged since he marshaled the Grant forces in the Chicago convention, of 1880, and when his face became familiar to so many who attended those eventful proceedings. His hair is now white as the driven snow, he wears the same mustache and goatee, and there is the same hyperion curl, though not so pronounced, as has for years appeared in the caricatures which have been familiar to all in the comic papers. Occasionally he puts in a word in a deep, sonorous tone, which for a moment causes one to fancy that some one has sounded a note on a trombone. He may retain his original intellectual vigor, but there is no denying that Mr. Conkling is beginning to look like an old man.

On the left of the surrogate sits Mr. Choate, clean shaven, with strong features and a fine head, occasionally raising an objection to some of Mr. Root's questions. His client, Mr. Butler, is an eminently respectable appearing old gentleman, who would look well in the United States senate. If his daughter succeeds in breaking the will and gathering some of the Stewart millions, doubtless that air of respectability will by no means be diminished.

JUDGE HILTON. DESPISED. YOUNG HILTON. BUTLER.

Then there is a son of Mr. Choate in attendance, clean shaven, like his father, and who looks for all the world like a young Evarts. Mr. A. J. Denning, who now occupies the late Stewart-Hilton retail store uptown, also puts in an appearance, doubtless waiting for an opening of the terms of purchase by which he came into possession of his present business. Mr. Hilton's son, who witnessed Mrs. Stewart's will, is a corpulent, bald headed middle aged man, who has recently returned from Paris, where he resides, and responded to Mr. Root's efforts to draw him out and tell all he knew of benefit to the Hilton side, in a slow and sure, but definite manner, very pleasing to his questioner.

All these side proceedings are but the formulation upon which is to burst forth that scintillation of the two remarkable men, Conkling and Choate, in the latter part of the trial. Then will come the summing up; then will Mr. Choate proceed to toss intellectual bombs to burst under Mr. Conkling's senatorial nose; and Mr. Conkling will toss back bon mots of withering sarcasm; and after the trial is over, both these gentlemen, having deposited their enormous fees in bank, will proceed to dine together as though they never had been opponents. At least such is the practice of lawyers when they are acquainted, and there is no reason why it should not be so in this case. As to the estate involved it will be so much the less by the court expenses and the fees, no matter which side wins.

This case calls the attention to one important point, in the matter of a great business, involving great wealth. It is difficult to transmit it. Mr. Stewart died leaving no one to take his place. He had no children, no relative upon whom the great responsibility of managing his enormous interests he left could devolve. To meet the case he selected one whom he had known for many years, a man of mature years, and arranged to place everything in his hands. From the moment of Mr. Stewart's death the business began to fade. The wholesale site at Chambers street was soon given up, and not long after the retail site was turned over to E.

CHOATE. ROOT.

J. Fenning & Co. All this shows clearly that to turn the management of so great commercial interests over to another with the expectation that they will be well handled is no easy matter. Not only must the gatherer of great wealth leave the consequent disputes, but if the property is in trade, there is little hope that the legatee will be able to conduct it profitably.

GOT AWAY WITH $250,000.

The Defalcation of James W. Tate, State Treasurer of Kentucky.

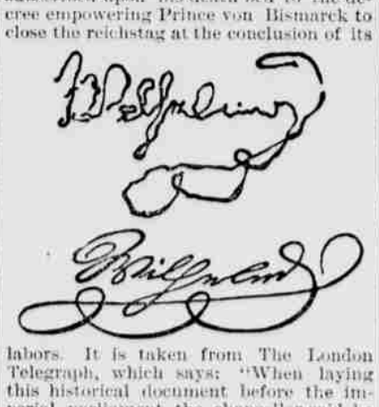
The announcement that James W. Tate, state treasurer of Kentucky, had fled to Canada after defaulting in an immense sum, struck the people of the central west like a stroke of lightning from a clear sky. Business was almost suspended in Frankfort, and in the neighboring state of Ohio the interest was equal to that in their own Breslin-Gibson defalcation of thirty odd years ago. The amazing fact in the case is that Mr. Tate had been treasurer continuously since 1867, and his reputation for honesty was so high that at the last election there was no candidate against him. Even now the people of Kentucky refuse to believe that he profited by the transaction; the general verdict is that he was prevailed on to lend the money to personal and political friends, that they failed him and he fled with very little money.

JAMES W. TATE.
[Photo. by Wybrant.]

Another curious fact is that in all the twenty years of his tenure of the treasury Mr. Tate has lived in an extremely modest and economical manner; he certainly has not squandered the money, and the accountants now think that most of it has been lost within the last year. No man stood higher in the public estimation, and consequently his fall has created the greatest excitement known in the history of Kentucky. He has a wife and one child, the latter Mrs. Martin. He is a native Kentuckian, but little past middle life, and down to this time never had a stain upon his character.

Wilhelm's Last Signature.

Subjoined we print a fac-simile of the signature which the Emperor William subscribed upon his death bed to the decree empowering Prince von Bismarck to close the reichstag at the conclusion of its



labors. It is taken from The London Telegraph, which says: "When laying this historical document before the imperial parliament the chancellor said he asked the kaiser to spare himself the labor of signing his name in full, and merely to write the initial letter "W.," but with "the power of work that only forsook him with his life," said the prince, he insisted on signing it in full. This signature was not only the last autograph of the sovereign, but was also his latest official act. Beneath it we print the emperor's name, "Wilhelm," as he wrote it, in fine, strongly marked German characters, when in health, even in his advanced years.

Preserving Wood From Decay.

A plan recently introduced into Belgium for preserving wood from decay produced by the atmosphere, water, etc., is to fill the pores with liquid gutta percha, which is said to perfectly preserve it from moisture and the action of the sun. The solid gutta percha is liquefied by mixing it with paraffine in proportions of about two-thirds of gutta percha to one-third of paraffine; the mixture is then subjected to the action of heat, and the gutta percha becomes sufficiently liquid to be easily introduced into the pores of the wood. The gutta percha liquefied by this process hardens in the pores of the wood as it becomes cold.—Frank Leslie's

THE CHINESE TREATY.

The Immigration of Chinese Laborers Prohibited for 20 Years.

The injunction of secrecy has not yet been formally removed from the Chinese treaty, which was sent to the Senate by the President nearly two weeks ago, but the contents of the treaty, with the accompanying documents, have been made public. The president's letter is as follows:

To the Senate:

I have the honor to transmit herewith, and recommend for your constitutional approval, a convention signed and concluded in this city on the 12th inst., under my direction, between the United States and China, for the exclusion hereafter of Chinese laborers from coming into this country. The treaty is accompanied by a letter from the secretary of the State, in recital of its provisions and explanatory of the reason for its negotiation, and with it are transmitted sundry documents giving the history of the events connected with the presence and treatment of the Chinese subjects in the United States.

In view of the public interest which has for a long time been manifest in relation to the question of Chinese immigration, it would seem advisable that the full text of this treaty should be made public, and I respectfully recommend that an order to that effect be made by your honorable body.

GROVER CLEVELAND.

Executive Mansion, Washington, March 16, 1888.

The following is the

FULL TEXT OF THE TREATY

Whereas on the 17th day of November, A. D. 1880, a treaty was concluded between the United States and China for the purpose of regulating, limiting or suspending the coming of Chinese laborers to, and their residence in the United States; and

Whereas the government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers have given rise in certain parts of the United States, desires to prohibit the emigration of such laborers from China to the United States; and

Whereas the government of the United States and the government of China desire to co-operate in prohibiting such emigration and to strengthen in other ways the bonds of friendship between the two countries.

Now, therefore, the president of the United States has appointed Thomas F. Bayard, secretary of State of the United States, as his plenipotentiary, and his imperial majesty the emperor of China has appointed Chang Yen Hoon, minister of the third rank of the imperial court, civil president of the board of imperial cavalry and envoy extraordinary and minister plenipotentiary, as his plenipotentiary. And the said plenipotentiaries having exhibited their respective full powers, found to be in due and good form, have agreed upon the following articles:

Article 1. The high contracting parties agree that for a period of 20 years, beginning with the date of the exchange of the ratification of this convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States of America is prohibited.

Art. 2. The preceding article shall not apply to the return to the United States of America of a Chinese laborer who had a lawful wife, child or parent in the United States of America, or property therein of the value of $1000, or debts of like amount, due him and pending settlement. Nevertheless every Chinese laborer shall, before leaving the United States of America, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family or debts as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this treaty as the laws of the United States of America may now or hereafter prescribe, not inconsistent with the provisions of this treaty; and should the written description aforesaid be proved to be false, the right of return thereunder, or of continued residence or return shall in each case be forfeited, and such right of return to the United States of America shall be exercised within one year of the date of leaving the United States of America, but such right to return to the United States of America may be extended for an additional period, not to exceed one year, in cases where, by reason of sickness or other cause of disability, such Chinese laborer shall be rendered unable sooner to return, which facts shall be fully reported to the Chinese consul at the port of departure, and by him certified to the satisfaction of the collector of the port at which such Chinese subject shall land in the United States of America.

Article 3. The provisions of this convention shall not affect the rights at present enjoyed of Chinese subjects—officials, teachers, students, merchants or travellers for curiosity or pleasure, but not laborers, of coming to the United States of America and residing therein. To entitle such Chinese subjects as are above described admission into the United States of America, they may produce certificates from their government, or the government where they have resided, issued by the diplomatic or consular representatives of the United States of America in the country or port whence they depart. It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States of America in the course of their journey to or from other countries, subject to such regulations by the government of the United States of America as may be necessary to prevent such privilege of transit from being abused.

Article 4. In pursuance of article 3 of the immigration treaty between the United States and China, signed in Pekin on the 17th day of November, 1880, it is hereby understood and agreed that Chinese laborers, or Chinese of any other class, permanently or temporarily in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to its people, except the right to become naturalized citizens, and the government of the United States reaffirms said article 3, and agrees to exert all its powers to secure protection to the persons and property of all Chinese subjects in the United States.

Article 5. Whereas Chinese subjects, being in remote and unsettled regions of the United States, have been the victims of injury in their persons and property at the hands of wicked and lawless men, which the Chinese government regrets, and for which it has claimed indemnity, the legal obligation of which the government of the United States denies; and

Whereas the government of the United States humanely considering these injuries, and bearing in mind the firm, ancient friendship between the United States and China, which the high contracting parties wish to cement, is desirous of alleviating the exceptional and deplorable suffering and losses to which the aforesaid Chinese subjects have been subjected,

Therefore the United States, without reference to the questions of liability therefor (which as a legal obligation it denies), agrees to pay on or before the 1st day of March, 1889, the sum of $276,619.75 to the Chinese minister at the capital, who shall accept the same on behalf of his government as full indemnity of all losses sustained by Chinese subjects as aforesaid, and shall distribute the said money among the said sufferers and their relatives.

Article 6. This convention shall remain in force for a period of 20 years, beginning with the date of the exchange of ratification, and if, six months before the expiration of the said period of 20 years, neither government shall formally have given notice of its termination to the other, it shall remain in full force for another like period of 20 years.

DARTMOUTH'S BALL TEAM.

Their Vacation Tour—Where the Men Will Play.

HANOVER, N. H., April 3—The spring vacation at Dartmouth begins Wednesday. The ball team starts on their trip tomorrow. The schedule is: Lowells, 5th; Harvards, 7th; Bostons, 9th; Harvards, 10th; Manchesters 12th. Chandler will cover first, Kesy or McCarthy second, Williams third, Kesy or McCarthy short, Dascomb centre, Woodcock right, Gault left. The batteries will be Artz, Jones and Rauney, catchers, and Stark, Bahr and Woodcock, pitchers.

The Weekly Free Press from this date is reduced one half—it is now only ONE DOLLAR a year.

THE BONTA TELEPHONE.

Interesting Exhibition of the Invention—A Stock Company Organized.

A company of New York capitalists has been organized to introduce the invention of J. W. Bonta of Philadelphia, who, in April last secured patents for a telephone in which an intermittent or pulsatory current is employed in the transmission of speech. Mr. Bell's distinctive claim is that he employs a continuous current, having found it impossible to operate a telephone by a make-and-break system. The Supreme Court decided in his favor upon that distinctive claim. The logical result of such a decision, according to Mr Bonta, is that his telephone is the only possible rival to Bell's.

A recent exhibition of his invention is thus described: He set up a telephone and invited his callers to talk over it in gentle tones. He said there were five miles of wire between it and the other end. The conversation was usually begun by himself to set the tone. He didn't even take the trouble to stand near the instrument, but usually stood three or four feet away and talked as quietly as if the person addressed were standing beside him. When the visitors found that they could do it as easily as the operator of course they were charmed. Instead of the customary "What's that? What? Speak louder! Spell it?" these conversing could talk in whispers if they chose. A watch put at one end of the line could be heard ticking distinctly by the ear put at the other end.

"We expect to make a fight," said Mr. Bonta. "We think we can talk cheaper than the Bell people and more clearly. You see under some circumstances, for instance when we are building a line, we can hold their rates, then will be a great saving of distance. As we have $250,000 can be subscribed as a guarantee fund, the business may begin at any time. We shall expand it as soon as we put our goods on the market."

VOLAPUK.

How the Universal Language Looks in Print.

TOPEKA, KAN., March 8th, 1888

I take pleasure in sending you a translation into the universal language, "Volapuk" of some lines which I found in a local paper, and which were credited to the FREE PRESS. They are so sensible that I could not resist the temptation to reproduce them as enclosed.

I wish every man in the world—the constituency of Volapuk, could read, and would read them.

JOHN J. DAVIES

THE EXTRACT.

DIRECTION TO HUSBANDS OUT IN COMPANY.

Never find fault with your wife before others.

Per contra, remember the counsel of the good book: "Her husband shall praise her in the gates." That is, before folks.

Bear all her burdens for her; even then she'll bear more than you do, in spite of you.

If you want her to submit to your judgment, never ask her to submit to your selfishness.

A woman's life is made up of little things. Make her life happy by little courtesies.

Love is a wife's only wages. Don't be stingy in your pay.—*Burlington Free Press.*

LOVEPOLAM PÜKEDAVODAS GASEBIK.

BUDS MATELES IN SOG.

Du nevelo tuvolsod doll me jimatel olsik bifu votikels.

Neot memolsod kansail buka gudik: "Matel ofa olobot ell in yans." Etos binos bifu men.

Potolsod boladis ofa valik demu of; sagotano opolofod modikum ka dunolsod in netikal demu ols.

If desidolsod oft yilon codame olsik, nevelo begofod ofa al yilon negivike olsik.

Lif voma binof amekof valik dinas smalik, mekolsod lill ofik beatik fa plims smalik,

Lof binom te mesen jimatela. No dunolsod binolsod monaland in pel olsik.—1888, *Borlington Post-Libik Kitul.*

ADDING TO THE FREE LIST.

American Products to be Admitted Without Duty to Canada.

OTTAWA, April 3.—In a few days a proclamation will be issued placing on the free list certain natural products specified in clause nine of the Canadian tariff act, the equivalents of which have been placed on the American free list by Congress. The attention of the Canadian government has been officially called to the matter by the Washington executive through Sir Lionel West in a communication which reached here last Saturday. It referred to the action of Congress in regard to placing natural products on the free list with the express hope Canada would reciprocate.

THE TELEPHONE MONOPOLY

Wins two More Important Suits in the United States Court.

BALTIMORE, April 3.—In the United States Circuit Court to-day in the case of the Bell Telephone company against the license of the Emmner Improved Telephone company Judge Bond ordered a decree for the Bell company. The case of the same company against W. C. Furnbull and others was also called and a decree for the Bell company was ordered. The last named is the case in which Count Mitkiewicz figured.