

**A Pleasing Prospect for the Lawyers.**

No lawyer in the United States was ever credited with more shrewdness and foresight than Samuel J. Tilden. By craftiness in railroad and mining suits he amassed a fortune of more than \$5,000,000. He has been called a railroad robber and wrecker, but no man has ever dared to assert that his fortune was not legally acquired. He always milked a teat at the request of a client, and he usually took the cow herself in payment of his services. With all his zealousness as a lawyer, however, he has been wrecked on the rock on which many a staunch legal craft has gone to pieces. He drew up a will, in 6,925 words, so carefully that he fancied it was without a flaw. Yet its most important provision is held by the best of lawyers to be drawn in defiance of law. It will not hold water. It now looks as though the bulk of the great fortune may be distributed among the legal fraternity in the way of fees. As matters stand Mr. Tilden's accumulations may be eaten up in litigation. Lawyers, like black bass, frequently fatten on their kind.

Under repeated rulings of the New York court of appeals testators must make their donations definite. They cannot delegate this duty to their executors, thus virtually making them testators. The donation must be definitely made in explicit terms for a specified object, or the will will not hold water. No man ought to have known this better than Mr. Tilden, but the truth is that he was not accustomed to drawing up wills. There is no question as to the error in the light of repeated antecedents. In the excess of his caution before going to his fateful sleep he left his night latch up, and any sharp lawyer is at liberty to enter and rifle his room at his leisure.

The fatal mistake in the will is in the 35th clause. Mr. Tilden there requested his executors to use his money to establish "a free library and to promote such scientific educational objects as they may particularly specify." He should have specified the objects and the sums of money to be devoted to them himself.

Again Mr. Tilden donated money to an institution, provided "it shall be incorporated in a form and manner satisfactory to my executors." It looks as though any smart lawyer might get good footing for a contest on this clause, and make things right lively for the executors.

Further on Mr. Tilden delegates to his executors the authority to "organize the said corporation, designate the first trustees thereof, and to convey to or apply to the use of the same the rest, residue, and remainder of all my real and personal estate not specifically disposed of by this instrument, or as much thereof as they may deem expedient." Under the ruling of the court of appeals this delegated power will not stand for an instant. So say eminent lawyers.

Last of all, Mr. Tilden says: "If for any cause or reason my said executors shall deem it inexpedient to convey said rest, residue and remainder or any part thereof, or to apply the same or any part thereof to the said institution, I authorize my executors to apply the rest, residue and remainder of my property, real and personal to such charitable, educational and scientific purposes as in the judgment of my said executors will render the rest, residue and remainder of my property most widely and substantially beneficial to the interests of mankind." The trouble is that he must himself decide what is "most widely substantially beneficial," and specify the sums set aside for it. He cannot authorize his executors to choose for him.

Thus the \$4,000,000 left for charitable purposes may become a prey to the lawyers, who can filter what they please to the natural heirs. Mr. Tilden evidently made his will unmindful of the words of Thomas A. Kempis: "Man proposes but God disposes." Ziska in Minneapolis Tribune.

**ITEMS OF INTEREST.**

The Weymouth Iron company (nail manufacturers) of Boston is embarrassed.

Constul Greenbaum of Samoa, who

reached Washington Thursday, will resign.

An alligator skin tannery has been started in Florida.

M. Pettingill & Co., wholesale boots and shoes at Peoria, Ill., failed, with liabilities of over \$50,000.

According to Prof. Woodward, the falls of Niagara are receding at the rate of about a mile in 2,200 years.

Fire at Cincinnati damaged the queensware establishment of A. L. Hooe to the extent of \$30,000.

Mrs. Harriet Beecher Stowe, now seventy-three years old, will never again do any writing for publication.

Sir Michael Hicks-Beach, chief secretary for Ireland, is accompanied by a special detective wherever he goes.

The city council of De Kalb, Ill., has passed an ordinance against swearing on the public streets the penalty being a fine of not less than \$3 nor more than \$20.

A terrific wind and hail storm passed over Central Illinois. Considerable damage was done to property in the neighborhood of Centralia and Central City.

A six inch gun made at the Washington navy yard costs the government \$2,000, an eight-inch gun less than \$5,000, and a ten-inch gun less than \$10,000.

The report is confirmed that Krupp has secured a contract to supply 1,500 tons of steel rails for railroads to be used in the development of mining industries in Tien Tsui, China.

John C. Eno, the absconding president of the Second National Bank of New York city is arranging for his return. His private debts are to be paid and a mock prosecution to be gone through with.

A large party of tourists had a narrow escape on the Matterhorn recently. An avalanche occurred, and they were imprisoned in a bank of snow. Guides rescued them. Some were frost-bitten.

**NOTICE OF FINAL ENTRIES.**

LAND OFFICE AT HELENA, MONT., Aug. 23d, 1886.  
NOTICE is hereby given that the following names settlers have filed their notice of intention to make final proof in support of their respective claims and that said proof will be made before Charles L. Spencer, Deputy Clerk, Fourth Judicial District Court in and for Chouteau county, Montana Territory, at Fort Benton, October 2d, 1886, viz:  
Joseph Keough, who made Pre-emption D.S. No. 7540, for Lot 3, SW 1/4, NW 1/4, SW 1/4, Sec. 4, Tp. 20, N. R. 4 E. Witnesses—Richard Mansfield, Ephraim Aylwin, Delos Chown and Geo. D. Budington, all of Great Falls, Montana.  
Richard Mansfield, who made Pre-emption D.S. No. 7541, Lots 1 & 2, SW 1/4, NE 1/4, Sec. 4, Tp. 20, N. R. 4 E. Witnesses—Joseph Keough, Ephraim Aylwin, Geo. D. Budington and Delos Chown, all of Great Falls, Montana.  
Ephraim Aylwin, who made Pre-emption D.S. No. 7542, for W 1/2 SW 1/4, SW 1/4, NW 1/4, & Lot 4, Sec. 4, Tp. 20, N. R. 4 E. Witnesses—Richard Mansfield, Joseph Keough, Geo. D. Budington and Delos Chown, all of Great Falls, Montana.  
H. P. BOLFE, S. W. LANGHORN, Atty. for Claimants. Register.

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**Architect.**  
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