

GUILTY OF AN ASSAULT

Dr. McKay, who Killed Harry Carnahan, Gets Off with Assault-- Other Court Matters.

The case of state vs. Dr. A. M. McKay occupied the attention of the court the last three days of last week, resulting in his conviction of simple assault by the jury. The case was commenced Thursday morning, the jury selected to try the case being Louis Elwell, Mahlon Moore, Raymond Fisher, E. Merryman, J. M. Still, F. L. Conroy, W. F. Howell, D. F. Avery, T. T. Stephens, J. W. Konklyn, O. G. Boor and H. C. Culver. The facts in the case are well known to our readers, being given in detail at the time that the tragedy occurred. Dr. A. M. McKay, a dentist from Osceola, Harry Carnahan, an express messenger from Des Moines to Van Wert, Dr. R. C. Campbell, a physician, of Van Wert, and Wm. McNeff, a fireman on the K. & W. left Van Wert one evening last July to go out on Long Creek on a fishing trip. The men had with them a case of beer, and all of them had target rifles. It seems that McKay had been drinking before he arrived at Van Wert and after reaching that town secured a 22 rifle. While in town he flourished it around pretty carelessly, pointing it at different people and was cautioned to be careful or he would shoot some one. On the way out he attempted to shoot between two of the men and the team, but the others prevented him. Arriving at the Woods farm the men got out and unloaded their lunch and case of beer. They drank some of the beer and then had a lunch. Carnahan was sitting on the ground eating a piece of chicken and had called to Dr. Campbell to come and shoot a frog. Campbell shot the frog and was standing a few feet from Carnahan aiming at a bird when Dr. McKay came up and placed his rifle between Campbell's legs, as he said to shoot him, and it was discharged, the bullet striking Carnahan a few feet away, entering the bowels and he died that night. At the preliminary examination McKay was held to the grand jury and indicted on the charge of manslaughter. A strong effort was made to have the case continued at this term, affidavits being presented from physicians of Osceola saying that McKay was suffering from rheumatism which affected his heart and that it would be dangerous for him to be moved to Leon and attend a trial, but these were contradicted by other Osceola people who said he was on the streets every day and practicing his profession at his office, so the motion was overruled. The case was prosecuted by county attorney W. B. Kelley, assisted by A. P. Olson and for McKay appeared C. W. Hoffman, V. R. McGinnis and Ed H. Sharpe. None of the witnesses of the shooting seemed to be able to give a very clear account of the accident, and an effort was made to show that others were shooting at the same time and it was a bullet from another rifle than McKay's which killed Carnahan. The case was given to the jury by Judge Towner on Saturday at 11 o'clock, the court's instructions being practically the same as those given in the case of L. P. Detrick, in which case the jury disagreed, except that an additional instruction was given which permitted the jury to return a verdict of assault if they found that the defendant had pointed a loaded gun at the man killed, but were not satisfied that the gun had been discharged, the instruction being as follows:

The charge of manslaughter in the case at bar includes the crime of assault. If the jury should acquit the defendant of the crime of manslaughter they should next examine and determine the guilt or innocence of the defendant upon the charge of assault. If they find the evidence warrants a conviction of assault they should so find and return. If they find the evidence does not warrant a conviction of either manslaughter or assault the jury should return a verdict of not guilty.

An assault is an apparent unlawful attempt, by violence, to do bodily hurt to another. If the jury find that the defendant did not kill the said Carnahan but if they find that the defendant intentionally pointed a gun at the said Carnahan he would be guilty of an assault and this would be true even though you should find that another and not the defendant caused the death of the said Carnahan.

At 7:30 o'clock that evening the jury returned a verdict of assault with a recommendation for leniency. Sentence has not yet been passed by Judge Towner. The statute provides that the maximum sentence which can be imposed is a sentence of thirty days in jail or a fine not to exceed one hundred dollars.

The appeal case of Town of Davis City vs. Evan Kizzire, who was convicted of being intoxicated at Davis City and fined, was also tried to a jury who returned a verdict finding him guilty as charged, so he will have the additional costs to pay as well as the original fine.

The case of State vs. C. J. Norman, indicted for stealing a coop of chickens from Jacob Butts in Burrell township last fall was commenced Monday, the jury hearing the case being: Henry Bright, S. C. Penniwell, Raymond Fisher, F. L. Conroy, O. M. Jordan, H. C. Culver, D. M. Chas. H. G. Boor, Mahlon Moore, W. F. Burchett, Morris Gardner and Miles Spargur. The case is being prosecuted by county attorney Kelley, assisted by A. P. Olson, and Norman is being defended by C. W. Hoffman and Marion Woodard. The testimony was concluded Tuesday afternoon, and was all circumstantial, so it is hard to predict what the jury will think of it. George Phillips, the Indian doctor who was indicted jointly with Norman, died at the home of his sister in Topeka, Kas., a few weeks ago. At the time THE REPORTER went to press Wednesday afternoon the case was still being argued, but would go to the jury that evening.

The grand jury adjourned Saturday after returning four indictments. One was a new indictment against Frank

DR. CROFFORD'S TRIAL

Witnesses Have Been Subpoenaed to Appear at Osceola Next Wednesday when Trial Commences.

Contrary to the expectations of many of the citizens of Decatur county, Dr. J. W. Crofford will again have to stand trial for the alleged murder of Miss Maud Stone who died at his sanitarium in Lamoni on Jan. 29, 1901, as sheriff Wallace has been busy the past week subpoenaing the many witnesses in the case, the case being set for trial at Osceola next Wednesday before Judge Evans, who has ordered a special venire of twenty-four extra jurors for the case. The Crofford case has been one of the celebrated cases of Decatur county and attracted a great deal of attention all over the state. Miss Maud Stone, a beautiful young lady left her home near Decatur City ostensibly to go to Mt. Ayr to visit friends, and a few days later her mother was startled by receiving word that she was in Dr. Crofford's sanitarium at the point of death, and she died before her relatives could reach her. A post mortem was held and it was shown that she died from the effects of a criminal operation and Dr. Crofford and the girl's lover, Ira Hammond, were indicted charged with her murder. Dr. Crofford was the first tried and at the November term of court in 1901 he was found guilty of murder in the second degree and Judge Towner sentenced him to the penitentiary at Ft. Madison for thirteen years. He went to prison pending the appeal of his case to the supreme court, as at that time a person convicted of murder in the second degree could not be granted bonds pending the appeal, but at the next session of the legislature M. L. Temple, of Osceola, who was one of Dr. Crofford's attorneys, secured the passage of a bill which permitted the giving of bonds in cases of second degree murder, and Crofford was released on a \$10,000 bond and returned to Lamoni where he resumed his medical practice. A few months later the supreme court granted him a new trial on account of irregularities in the trial before Judge Towner, and the case has been continued from term to term since that time after his attorneys secured a change of venue to Clarke county. Recently a petition to the board of supervisors asking that they instruct the county attorney not to prosecute the case further on account of the expense to the taxpayers, but the board decided they had no jurisdiction in the matter. Young Hammond who was indicted with Dr. Crofford, as an accessory, was acquitted by a jury at Mt. Ayr, to which county the case was taken on a change of venue.

At the trial which will be commenced at Osceola next Wednesday morning the case will be prosecuted by attorneys Geo. W. Baker and A. P. Olson of this city, who prosecuted Crofford at the first trial, Senator Jamison of Osceola, being retained as local assistance. Dr. Crofford will be defended by attorneys V. R. McGinnis of Leon and M. L. Temple, of Osceola, both of whom were his attorneys when he was tried before. C. W. Hoffman who also assisted in the defense will not appear in the case this time, having withdrawn as attorney. It is expected that the trial will occupy at least a week or ten days.

MORTUARY.

Mrs. Grace Brown West

was born in Decatur county, Iowa, June 27, 1887, and died at the home of her father-in-law, Charles West, after a short but painful illness of a few hours, March 20, 1905, at the age of 17 years, 8 months and 20 days.

The deceased was united in marriage to John West, of Long Creek township, Decatur county, Iowa, March 2, 1905. This union was soon broken by the visit of the angel of death showing us how short and evanescent all earthly things. The departed leaves her young husband, father, mother, two brothers and one sister with a large circle of relatives and ardent friends to mourn her sudden departure to the land of kindred spirits.

The funeral was held at the Pleasant Valley Baptist church was largely attended which was truly an evidence of the esteem in which the departed was held, services being conducted by the Rev. F. Edwards, of Osceola. The remains were laid to rest in the Young cemetery to await the call of the resurrection trumpet. The husband, fond parents and many relatives have the sympathy of a large circle of ardent, devoted friends in their sore bereavement. May the God of all grace and pity comfort them in the hours of their deep affliction. F. E.

CRUSHED BY THE CARS

Charles N. Harrell, a Former Leon Boy, Is Killed at Osceola While Working as Brakeman.

Charles N. Harrell, a young man well known in this city where he resided for a number of years, met with a fatal accident at Osceola last Saturday afternoon about 1 o'clock, falling from his train and both his legs being crushed by the wheels, the injury resulting in his death three hours later.

At the time of the accident Mr. Harrell was engaged in his duties as brakeman on train No. 66, the freight running from Des Moines to Osceola, and was standing on the top of a box car while the train was switching in the yards. Some cars were thrown back and struck the car on which he was standing, the jolt throwing him off and he fell between the cars, the car passing over him crushing both legs. The train only moved about twenty feet after he fell and but one set of trucks passed over his legs. He was at once taken to the Osceola hospital, where the physicians made a hasty examination and saw that his injuries were fatal. He was conscious when told that he must die, asked that his parents who reside at Creston be sent for. They were notified but he died just before they reached his side. His remains were sent to Creston the same evening and were brought to Leon on Monday.

The deceased passed the greater portion of his life in Leon. He was born at Allendale, Mo., Sept. 18, 1882, living for a few years with his parents at Bethany, and came to Leon when he was about ten years old, his father, H. D. Harrell, was for many years foreman of the south section in this city. After attending the Leon schools Charles worked for some time at Hamilton & Caster's grocery and later learned telegraphy at the Leon station where he was employed for several years and then was assigned to other stations as operator. Last fall he decided to enter the train service and was given a run as brakeman. He was an exemplary young man, and very popular with his fellow employees. He united with the Christian church in this city about five years ago.

The funeral services were held from the Christian church in this city Monday afternoon, conducted by the pastor, Elder H. H. Hubbell, interment being in the Leon cemetery. The bereaved parents, brothers and sisters have the sympathy of many friends in this their former home.

OUR HONOR ROLL.

Only a few persons have as yet responded to our request to report the names of all persons who have taken THE REPORTER for twenty-five years or more, but doubtless many more will follow. We desire to secure the name of every subscriber who has taken the paper for twenty-five years or more, so send in your name. The following names have been reported:

S. L. Cox, Leon, 50 years.
I. N. Clark, Leon, 50 years.
W. E. Gammon, Eden, 50 years.
Jesse Lloyd, Decatur City, Iowa, 50 years.
Jonathan Hamilton, Leon, 50 years.
M. L. Hubbard, Leon, 49 years.
G. T. Chandler, Armour, S. D., 49 years.
W. A. Ramsey, Grand River, 49 years.
John Allbaugh, Leon, 49 years.
G. W. Jenres, Leon, Iowa, 48 years.
Joseph Brown, Grand River, 48 years.
Samuel Farquhar, Leon, Iowa, 47 years.
Mrs. M. A. Sales, St. Joe, Mo., 47 years.
Nat Cornett, Decatur, Iowa, 47 years.
Capt. Thomas Ward, Decatur, Iowa, 46 years.
S. H. Briley, Garden Grove, 45 years.
J. W. McLaughlin, Decatur, Iowa, 45 years.
Wm. Robinson, Eden township, 45 years.
Geo. J. Spaeth, Garden Grove, 42 years.
S. W. Hurst, Leon, Iowa, 41 years.
E. J. Sankey, Leon, 40 years.
J. C. F. Givens, Leon, Iowa, 40 years.
John Woodmansee, Leon, Iowa, 40 years.
Capt. Thos. H. Brown, Chicago, 40 years.
J. J. Sears, Decatur, Iowa, 39 years.
John Cochran, Leon, 38 years.
John Burnison, Fredonia, Kas., 38 years.
Mrs. M. J. Baird, Decatur City, 38 years.
Wm. Pence, Big Piney, Wyoming, 38 years.
I. P. Goin, Mohler, Idaho, 38 years.
George Smith, Van Wert, Iowa, 38 years.
Wm. Bruner, Decatur, Iowa, 36 years.
W. H. Jenkins, Leon, Iowa, 35 years.
C. W. Moore, Hitchcock, Okla., 35 years.
Patrick Griffin, Grand River, Iowa, 35 years.
Mrs. L. L. Corbett, Emporia, Kas., 35 years.
W. H. Fulton, Leon, 35 years.
Andrew Wilson, Dekalb, 35 years.
S. D. Wallace, Creston, Iowa, 35 years.
George B. Wadsworth, Leon, 34 years.
C. W. Hoffman, Leon, 33 years.
A. A. Jenks, Leon, Iowa, 33 years.
W. P. Akes, Leon, Iowa, 32 years.
Wm. Ogden, Leon, Iowa, 32 years.
A. P. Counts, Woodland, 32 years.
Michael Cross, Grand River, 35 years.
Benj. Bellany, San Francisco, Calif., 31 years.
M. Mayer, Leon, 31 years.
W. W. Wood, Leon, 30 years.
Mrs. Phillip Miller, Decatur City, 30 years.
George Conwell, Grand River, 30 years.
Wm. Asbach, Davis City, 30 years.
W. H. Young, Leon, 29 years.
Mrs. S. W. Wallace, Springfield, Mo., 29 years.
Cass Sales, Leon, 28 years.
W. P. Wells, Mitchell, S. D., 28 years.
W. H. Wise, Van Wert, 27 years.
Henry Wion, Lamoni, 27 years.
W. B. Redman, Dekalb, 25 years.
S. Beach, Saline, Mo., 25 years.
F. J. Parsons, Clinton, Mo., 25 years.

LECTURE COURSE CLEARED MONEY.

The last number on the course which was given the past season for the benefit of the Leon Public Library was the lecture at the opera house last Thursday evening when Rev. L. B. Wickensham delivered his lecture "Day Dreams" to a large and appreciative audience, and it was pronounced by all one of the finest lectures ever heard in this city. With this lecture the course ends and the library committee met Monday evening and were greatly pleased to find that after paying all expenses of the course they had the neat sum of \$90.00 left which will be used for purchasing reference books for the library. The course throughout gave the very best satisfaction to those who subscribed for the season tickets, and the question of another course is being agitated with splendid prospects of it being secured. At the meeting held Monday 73 season tickets for a second course were pledged in a few minutes which shows the interest being taken in securing first class attractions. The credit of the success of the course in a great degree is due to the efforts of the club ladies of Leon who took hold of the matter and worked the sale of the tickets. The library board in appreciation of their work has asked them to select the books which will be purchased with the proceeds of the course.

CITY ELECTION WAS QUIET.

But little interest was taken in the city election held last Monday, the only offices to be filled being that of two councilmen. On the official ballot Dr. O. W. Foxworthy and J. R. Conroy appeared on one ticket and F. F. Bedier alone on the other. During the day a few friends of C. M. Akes tried to elect him by having voters write in his name, and he received a flattering vote. Had his name been printed on the ticket he would doubtless have been elected. Only 227 votes were cast less than half the vote of the town, and resulted in the election of F. F. Bedier and Dr. O. W. Foxworthy. The vote was as follows:

F. F. Bedier	124
Dr. O. W. Foxworthy	104
J. R. Conroy	102
C. M. Akes	77
W. S. Chandler	3
I. N. Beard	2

BARBERS WILL CLOSE.

On and after April 8, 1905, the undersigned barbers agree to close our shops at 8 o'clock each evening except Saturday. On Saturday nights our shops to close at 12 o'clock and remain closed until Monday morning.

B. F. HAMILTON, J. R. BUCHANAN,
C. E. HENDERSON, E. E. SMITH,
L. DICKEY, MART PICKERING,
F. H. ATEN, W. L. HENDERSON,
CHARLES PUGH.

All kinds of lumber for sale at the mill one and one-half miles west of Woodland. Come to the mill or call S. T. Massey or Ira Brown on the phone. 161f

AN ENTERTAINMENT.

The Ladies Guild of the M. E. church will give a musical and literary entertainment at the church next Monday evening, April 3rd.

PROGRAM.

PART I.

Piano solo—Mrs. Frank Jenks.
Reading—"A Critical Situation"—Mrs. Pilcher.
Solo—"There is a Land Mihe Eye Hath Seen"—Marie Moore.
Reading—"Yale-Harvard Boat Race"—Rev. J. S. Coffin.
Violin Solo—Enid Alexander.
Reading—"All at's Out's in Free"—Rev. J. S. Coffin.

PART II.

Duet—Mrs. Dorn and Miss Day.
Reading—Selected—Mrs. Pilcher.
Piano Solo—Mrs. Jenks.
Reading—Selected—Rev. Coffin.
Vocal Solo—Nina Cowden.
Reading—Selected—Mrs. Pilcher.
Admission—Adults 25 cents; children under 12.10 cents.

A STATEMENT.

Decatur City, Ia, March 21, 1905.

TO WHOM IT MAY CONCERN:—We the undersigned, stockholders of the Citizens Bank of Decatur City, Iowa, have gone all over the notes, accounts, and cash and found all the accounts and cash to be correct, and we believe all the notes to be good.

W. H. COLTER,
JAMES CRISWELL,
C. M. CORRINGTON.

HORSE SALE WAS A HUMDINGER.

The big horse sale held in this city last Friday by the Leon Horse Co., was a regular humdinger. There was a large number of good horses entered for sale, and the buyers were there to buy them, so that the auctioneer, Col. D. A. McMains did not have to dwell but knock them down lively. The top of the sale was a five year old horse owned by W. N. Shy, which brought an even \$200 and was bought by Carl Mosher, the well known horse buyer from Cambria, who also purchased a number of other good animals. Other out of town buyers who were present were George Moran, of King City, Mo.; A. Joseph, of Chicago; B. D. Barger and Ben Rushing, of Leroy; I. N. Curtis, of Chariton; E. B. Rowe, of New Haven, Conn.

The next and last sale to be held this spring will be held on Friday, April 28, so get your horses ready for this sale as it will be the last chance you will have to sell them at sale until next fall.

All you can eat for 25 cents at the opening Friday evening.

RESOLUTIONS.

WHEREAS, Our Heavenly Father has called to her eternal home one of our cherished sisters, Mrs. Dale Bowman, therefore be it

RESOLVED, that Chapter W. of P. E. O. while sincerely mourning her sad death and our loss, trust and believe that the memory of her noble life and character will be a help and an inspiration to our sisterhood.

RESOLVED, that our heartfelt sympathy be extended to the bereaved husband and family.

RESOLVED, that a copy of these resolutions be sent to the family, a copy placed upon the records of our Chapter and a copy sent to each of the city papers.

M. B. HARVEY,
M. M. LAYTON,
DELIA WALLACE, } Committee

Have you looked at the Woodland Horse Co.'s fine roadster?

RESOLUTIONS.

We, the memorial committee of Leon Chapter O. E. S. submit the following resolutions:

WHEREAS—Sister Dale Bowman has been called to the home above, thereby leaving one of its most worthy and beloved members. Be it

RESOLVED—That we extend our sincere sympathy to the husband and friends of this sister whose lives have been touched by her loss. And we believe the ties broken will bind us more closely to the life beyond.

There is no death, the stars go down,
To rise upon some foreign shore,
And bright in Heaven's jeweled crown,
They shine forevermore.

MRS. BARBARA ALEXANDER,
MRS. RUBY ELLIWOOD,
CHARLOTTE VOOT.