

Marietta Daily Leader.

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MARIETTA, OHIO, FRIDAY, JULY 13, 1901.

TEN CENTS A WEEK

FOURTH

Race of the Series Was Won

BY THE COLUMBIA

By a Minute and a Half Over the Constitution.

INDEPENDENCE'S FINE WORK

After Losing Her Top Mast was a Feature of the Day.

By Associated Press.

Batmans Point, July 12.—The Columbia won today's race, the fourth of the series, beating the Constitution by a minute and a half at the finish, but by something more in corrected time. The feature of the day was the fine work of Independence, which, after losing her topmast at the very start, sailed a magnificent stern chase with all her upper sails gone and was only beaten by ten minutes at the finish. A fine breeze was blowing from the northeast which sent the yachts over the triangular course of 30 miles in a little over three hours. The new Herrschhoff yacht was never ahead, although getting within two minutes of Columbia at the second mark.

The result of the race was even more encouraging to the followers of the Boston yacht than yesterday's contest and the next race between the three boats whenever it occurs, will be looked forward to with great interest.

DERRICK AND DRILL.

Movements in the Oil Fields, Both Local and General.

Tiona.....	\$1.20
Pennsylvania.....	1.05
Corning.....	.88
Newcastle.....	.80
North Lima.....	.79
South Lima.....	.74
Indiana.....	.74
Somerset.....	.74

CORNING FIELD.

Special to the Leader.

Corning, O., July 12.—C. A. Carhan & Co.'s No. 1 on the C. A. Lamb farm is completed and shows for three barrels in the Berea grit.

CHESTERHILL FIELD.

Special to the Leader.

Chesterhill, O., July 12.—Ellis Bros. & Co.'s Ellhu Palmer has its rig up. The Southwestern Petroleum Co.'s No. 6 Isaac Male has its rig up. The Southwestern Petroleum Co.'s No. 5 E. E. Warne has its rig up. The Southwestern Petroleum Co.'s No. 8 G. O. Mercer has its rig up. Dunnington & Selby's No. 1 Smith heirs is drilling.

WOLF CREEK FIELD.

Special to the Leader.

Wolf Creek, O., July 12.—G. C. Best's No. 4 N. E. Russell made 90 barrels in the last 24 hours. Chas. S. Cameron's No. 4 R. A. Leasure made 85 barrels in the last 24 hours. Hochstetter & Foreman's No. 2 Otis Cady is drilling. Morrison & Co.'s No. 3 Robert Graham is drilling.

McFARLAN FIELD.

Special to the Leader.

McFarlan, W. Va., July 12.—The following locations are made in the Sheridan district, Calhoun county. Bruce & Lowther's No. 1 Jas. Richards. Baddett & Co.'s No. 1 Jas. Wilson. Bennett & Co.'s No. 1 Lewis Bennett. Baddett & Co.'s No. 1 Jas. Wolverson. Cox & Co.'s No. 1 Marshall Betz has its rig up. The Lowther Oil Co.'s Wiley Taylor

has its rig up.

On South Fork Hughes river, Murphy district, Ritchie county, the Southern Oil Co.'s A. W. Lemmon is through the sand and after being shot will make a 25 barrel producer.

MARIETTA FIELD.

Special to the Leader.

Marietta, O., July 12.—W. C. Patterson & Co.'s No. 6 C. M. Uhl is completed and is dry. They have the rig completed for No. 7 same lease.

The Five Bros. Oil Co. has the rig up for No. 5 C. D. Uhl.

SALEM FIELD.

R. T. Lowndes No. 1, Lowndes farm, one mile southwest of town is dry in the 5th sand. Will shoot it in the Gordon.

H. J. Conolly's No. 1, Reifsnyder will reach the Gordon sand Monday next.

R. C. Richardson's No. 1, Coffman, is down 400 feet.

Sweeney and Porterfield have collapsed eight-inch at Carpenter No. 2.

The South Penn Oil Co.'s No. 1 Law is dry in 50 ft. Will go to the Gordon.

Lowndes and Goff's venture one mile north of Wilsonburg will be due in the sand Saturday.

Mr. Trapp has commenced to drill in a well on the Spies farm on Bear Creek for the Spies Oil Co.

Two wells are starting on the Lenhart farm. The Cleveland and Marietta Oil Co. are commencing one and Trapp & Co. are drilling the other.

GREATER

Part of Shoe Factory Stock is Taken.

A meeting of local business men was held last evening at the office of Dr. O. A. Lambert for the purpose of subscribing stock for a shoe factory. The project has met with most substantial support from our citizens, most of the stock, which amounts to \$10,000, having been taken.

The plant will be capitalized at \$25,000. Due credit must be given our local shoe men for the interest they have taken in the matter. It is confidently expected by the first of next week the papers of incorporation will be sent away, and from the present outlook Marietta will in the very near future, boast among her many industries a shoe factory. This ought to be gratifying news to all those who are interested in the steady growth and progress of our city and the new enterprise which is about to come among us surely deserves the hearty support and earnest co-operation of all our best and most worthy citizens.

News Writers Strike.

By Associated Press.

Columbus, O., July 12.—None of the regular editions of the Press-Post appeared today. The management and representatives of the union were in conference during the day, but nothing definite was achieved. The writing force claims that the lockout was an attempt to abolish unionism on the paper, while the management claims that the men struck to secure the reinstatement of a city editor and a railroad reporter, who were discharged earlier in the week for failing to get a report of the wreck of the Pennsylvania express train in the yards here.

ROUGH

Crowd is Clamoring for Three Negroes.

By Associated Press.

Kansas City, Mo., July 12.—A crowd of 2500 excited men and boys surrounded the jail here tonight, clamoring for vengeance against three negroes who criminally assaulted Miss Grace Davis Wednesday night after knocking her escort, Vernie Newton, insensible. Eight men, two of whom were identified, are held at the jail. It is thought that Marshal Maxwell and deputies will be able to protect the prisoners. The crowd has done nothing yet but shout and threaten the policemen trying to disperse them.

Miss Davis and Newton are both in a "critical condition." At midnight the mob had not ceased and the number seems to be increased and an aggressive movement is unlikely. The crowd is largely comprised of the rough element.

JUDGE RUSSELL

Came to His Death by His Own Hand at Cincinnati.

Friday afternoon Judge Sibley, of this city, received the following message from his son Frank, dated Gallipolis:

"JUDGE DAN RUSSELL COMMITTED SUICIDE BY SHOOTING AT CINCINNATI THIS AFTERNOON."

The news conveyed in the above message was of a most startling as well as a most crushing character, and seemed inconceivable. To a Leader Representative Judge Sibley said: "The news of Judge Russell's death by his own hand is almost beyond belief. I have known him intimately since boyhood, and he was of an optimistic mind. So far as I know he was in good health. He made an enviable record as a soldier, and as a judge was capable and absolutely honest and fearless. No man could be more sincere in his purpose to do his judicial duty than he. I served with him four years on the Circuit bench and his death to me is as a personal loss."

Judge D. A. Russell's age was about sixty-one. His home was at Pomeroy, Meigs county, where the years of his life were spent. When the Civil War broke out he was a clerk in the office of his uncle Cyrus Russell, who was then Treasurer of Meigs county. At the call to duty, "Dan," as he was familiarly called, resigned his clerkship and went forth to fight the battles of his country. He served in the Fourth West Virginia Infantry, earned promotion and was mustered out of the 187th Ohio as a major.

Major Russell was nominated after prolonged balloting, by the Republican convention that met at Chillicothe in the summer of 1888, for Circuit Judge, to which office he was elected in the ensuing November, and was re-elected six years later, serving twelve years, and retiring last February, his successor being Judge T. A. Jones, of Jackson. His first associates on the bench were Judges Cherrington and Clark, and in 1887 Judge Sibley succeeded the latter.

Judge Russell was the possessor of large coal and banking interests in Meigs county and was an extensive holder of gold and silver properties in

Colorado, which are now being developed.

He leaves a most estimable family—a wife, the daughter of James Ralston, one of Pomeroy's leading merchants back in the 50's; a daughter, and two sons, Albert and Ralston, both of whom are graduates from the Cincinnati law school.

THE DEED.

By Associated Press.

Cincinnati, O., July 12.—Judge D. A. Russell, of Pomeroy, Ohio, was found dead in his room at the Palace Hotel here this afternoon, he having suicided by shooting himself through the head with a revolver. The deed was committed some time between Thursday midnight and Friday noon.

A sealed letter, addressed to his wife at Pomeroy, was found in the room. For some time the Judge has been in ill health, and this in connection with some recent investment reverses is thought to have prompted the deed.

Judge Russell was one of the most prominent jurists in the state and served as Judge of the Fourth Judicial district for the past twelve years.

During the recent Republican state convention at Columbus he was a candidate for the Supreme bench, but withdrew before the convention had completed its work.

He was born in Athens county, Ohio, in 1840 and attended the University at Athens and the Wesleyan Institute at Delaware, Ohio. During the Civil war he served in Company C, Fourth West Virginia Infantry, and was mustered out of service as a Major in the 187th Ohio Volunteer Infantry.

He studied law in Cincinnati, being admitted to the bar in 1866, and was subsequently a member of the committee which revised the constitution of Ohio. He was Vice President of the Pomeroy National Bank and interested in several other investments, one of which was a gold mine in Colorado, which failed to materialize the expected results and this latter is thought to have caused the act.

His body was taken to the morgue to await the arrival of his sons, who are both prominent attorneys at Pomeroy.

CITY WINS

In the Case Brought Against the Pittsburgh Bridge Company.

Judge Jones handed down his decision, Friday, in the case of the Pittsburgh Bridge Company versus the City of Marietta, and the decision is favorable to the latter.

It will be remembered that one provision of the contract for the construction of the bridge across the Muskingum river called for a forfeiture of twenty-five dollars per day for all time over that specified. When time for final settlement came City Council figured the overtime at forty days, and in consequence held back fourteen hundred dollars.

The company set up the claim of necessary delay, caused by the weather, the city, etc. This claim the city denied and the case went into court.

In rendering his decision, Judge Jones held that the portion of the agreement of the plaintiff of delay brought about by unnatural and unforeseen causes should be stricken out, stating that they had no bearing whatever upon contract work. Weather conditions, said he, are always uncertain, and this fact should have been taken into consideration when the contract was entered into. The court held that the city as a corporation can collect damages against its citizens, because of the fact that as such corporation it is their rightful protector. He also held that \$25 per day was not excessive damages, as the city was paying interest on the money used in building the bridge at the rate of fifteen dollars per day.

THE PRICE CASE.

In the case of Padgett et al versus D. P. Price, the court held that the de-

endant should be given opportunity to perform the work of quarrying stone at his works on the West Side, but that the utmost care must be taken. This is the case in which the plaintiffs set up the claim that their health and property were injured by Mr. Price in the process of blasting employed in his quarries and they sought to enjoin him.

CITY WINS AGAIN.

The court sustained a demurrer to the petition of James F. Foreman et al versus the City of Marietta. The plaintiff sued for \$370 for drawing plans and allowed percentage for superintending the erection of the city electric light plant. The claim was set up that they had been awarded the contract, but the court held that a contract had not been proven.

WAGNER FAILED.

John A. Wagner failed in his efforts to secure a divorce from his wife, Phoebe Wagner. The court sustained the demurrer to the petition on the successful claim that the action complained of did not extend over the statutory period of three years. He stated, however, that in cases of extreme cruelty divorce is allowable inside the full limit.

COURT EXPENSES.

Court expenses amounting to fifteen dollars were assessed against Charles J. Remley in the case brought by his wife, Mary Remley, for alimony. The alimony was denied.

NEW CASE.

Suit has been brought by the Bear Grocery Company against Mattie E.

Watkins for \$263.55, claimed due on account.

The case of Edward Shurian against the Jackson Oil Co. was dismissed at the plaintiff's costs.

In the case of the State of Ohio rel. Chas. Blume vs. City Council, the mandamus was complied with and judgment for costs was issued against the Council. Thirty-five dollars was allowed Belford & Richards and judgment for the same granted.

Mary C. Reed vs. Mate Yost, motion overruled as to the first, second and third branches and sustained as to the fourth.

Tnos. J. Mathers vs. Harry Schmidt et al., the motion was overruled, the plaintiff accepted and has leave to reply by Aug. 3.

Susannah Tuson vs. Hannah Morely, order of petition issued. Commissioners J. H. Morse, Chas. Langenberg and C. M. Grubb.

Henry C. Ferguson vs. A. J. Ferguson et al, a distribution of the money in the hands of the Sheriff was ordered, to-wit: To H. C. Ferguson, Edward Ferguson and Rotha Bates their shares, the shares of Julia Rapp to be held for further order.

Application for renewal of license at the Newport ferry. A renewal of the license was granted to S. S. Stowe as executor.

Barbary Boothby vs. David Boothby, dismissed at cost of plaintiff.

Richard E. Davis vs. Louis A. Phillips et al, Jno A. Gallahar was appointed referee.

Jacob Mueller vs. Flora B. Mueller, writ of partition issued and premises to be appraised free of the dower of Flora Mueller. D. B. Torpy, Frank Weber and Christian Haag were appointed commissioners.

NEW CASES FILED.

F. G. Nye plaintiff in error, vs. Village of Lowell, defendant in error. F. G. Nye having been fined as he alleges unjustly by the mayor of the village of Lowell. F. A. Boyle has appealed to Common Pleas Court.

THE WEST

Having the Worst Rain Famine Since 1860.

By Associated Press.

Kansas City, Mo., July 12.—No rain fell today in any part of the drought stricken district consisting of all of Kansas, western Missouri, Oklahoma and Indian Territory. Over much of this region this was the worst day of the long hot spell, the temperature being 100 with no breeze. Corn, oats, hay and potatoes are so badly injured that even with rain the yield would be short, and as the weather bureau gives no hope of rain the outlook is discouraging. At some places in Kansas there has been no rainfall whatever for nearly three months. The present drought is the worst since 1860, when New England sent food to the settler of Kansas. However, the past few years have been very prosperous ones, and even now the Kansas farmers are harvesting one of the largest crops of wheat in the history of the state. A great many counties send word that with rain corn will be a half crop and without rain soon no yield. A few say there is yet hope for a fair harvest.

Hay sold this morning at \$20 a ton, a cent a pound, the highest price ever reached in this market. Receipts are very small.

THE DROUGHT

Is Making a Famine in Vegetables.

By Associated Press.

Chicago, July 12.—The long continued dry hot weather has already made a dearth and is rapidly making a prospective famine in farm products. Potatoes are 150 per cent higher than a year ago, when new Early Ohio sold from 27 to 29 cents a bushel. They are now 95 cents to a dollar. Green corn is 100 per cent higher. Dealers could then buy it for 25 to 30 cents a bushel. They are now required to pay 50 and 60 cents. New cabbage at this time last year could be bought at \$1.00 per hundred. The price is now \$1.75.

Zanesville Gets It.

Buffalo, N. Y., July 12.—The Retail Clerks' International Protective Association today decided to hold its next convention at Zanesville, O.

FACE

Of Glenn Now Shows Uneasiness.

WHEN THE CASE

Was Called She Had a Confident Look;

THIS HAS DISAPPEARED.

Strong Evidence is Being Presented Against the Defendant.

Parkersburg, W. Va., July 12.—There is no doubt now in the minds of those who have closely followed the Ellis Glenn trial from the beginning that the defendant at bar, claiming to be Ellis Glenn, a sister of Bert Glenn, is the real person wanted and that she is identical with the Bert Glenn of Williamstown. The two positive identifications of the past two days are too strong to be overlooked. While as a matter of course, there will be doubt attached to the identification by Mr. Richardson, owing to the fact that he is the interested party concerned in the prosecution; still it will have a weight with the jury almost as strong as that of a party uninterested in the case. Squire Beeson's positive identification of the defendant as Bert Glenn was the strongest link that had been introduced in the chain of evidence so firmly forged about the prisoner since yesterday morning from the time Mr. Beeson went on the stand. Up until that time there remained that air of mystery about the case that had surrounded it from the first, but immediately afterward, even the defendant seemed to realize that her case was reaching that stage where she might feel slightly dubious of the outcome, in spite of the excellent defense she has had from the first and will have until the last word has been spoken and the case turned over to the jury.

Ellis Glenn is worried. Of that there is no doubt. Day by day she has sat through the case with a bright confident look on her face and constantly waving a palm leaf fan to and fro. After the first positive identification had been made of her she gradually lost her bright look and now sits looking drearily to the floor or into the distance, while her fan remains idle, as though she was endeavoring to pierce the future and discover what is to be her fate at the hands of the twelve men who sit listening to the evidence that is being built practically upon a foundation of stone. Her face has turned to a darker hue than it was when she entered the court room on the first day of the trial. Her lips are as firmly set as ever, but the droop at the corner of the mouth and which was user as a part of evidence by the defense at the first trial, has disappeared only on occasions.

There is a scrap imminent between William Richardson and Attorney Caldwell, if Mr. Richardson lives up to what he said in court this morning when on the stand. Mr. Caldwell asked him if he was telling the "truth or a lie," when he remarked in court yesterday that he committed the forgery in the deed and mortgage book of the county. Mr. Richardson said he would take that language as an insult at the proper time and place.

Welcome Rain.

By Associated Press.

San Angelo, Tex., July 12.—Colorado, Midland and Big Springs, all in the extreme western part of the state, report a rainfall varying from one to three inches. These points are in a section devoted exclusively to stock raising. The agricultural part of north and northwestern Texas is still unrelieved from the drought. In some places rain has not fallen in two months.