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WIDOWERS SUFFER FROM TIMIDITY IN LOVEMAKING

Mrs. Pittsford Says That Mr. Vaughan Must Have Been Timid or He Would Not Have Appealed for Help.

DANGER OF A RETRIAL OF CASE HAS PASSED.

Judge Henry C. Fox This Morning Sustained Motion Of Plaintiff's Attorneys to Change Complaint.

By the action of Judge H. C. Fox of the Wayne Circuit court in sustaining the motion of the counsel for the plaintiff in the Smith-Vaughan breach of promise case, the necessity for a retrial was obviated. The judge permitted the complaint to be amended. Upon the motion of the defendant's counsel, a separation of the complaint into paragraphs was required and thereupon the defendant filed demurrers to the separate paragraphs and took exceptions to the rulings.

The hearing of the case was brought to a temporary close yesterday afternoon, an hour earlier than the regular closing time. The attorneys for the plaintiff asked permission to amend their complaint and the attorneys for the defendant opposed. The court stated he would like to consult the authorities in regard to the powers of the plaintiff, to amend a complaint and court was adjourned. The plaintiff's counsel stated at the time that all of their evidence had been presented, so far as they knew at the time. They reserved the right to present further evidence on the resumption of court, Monday.

Complaint to Evidence.

The argument on the motion of Messrs. Robbins and Johnson for the plaintiff took place this morning. They claimed they wished to amend the complaint so as to conform to the evidence. They desired to stipulate specifically the date the alleged contract of marriage between plaintiff and defendant was made. In the original complaint it was stated the agreement was consummated in March or April or subsequent thereto. Evidence was introduced to show the date had been in June, 1904.

The defendant claimed the issues of the case were made up on the complaint as it was drawn originally. The allegations in the complaint named March or April as the months and the case had been contested partially on that understanding. Mr. Study, speaking for the defendant, urged that an entire new paragraph be added to the complaint rather than permit an amendment.

After an examination of the demurrers, Judg Fox sustained them. This throws out of the case any bearing that may have been had by the marriage contract of 1904, and will permit only subsequent contracts to figure. Under the statutes of Indiana, unless a contract be put in writing, it becomes void one year after the time it is consumated.

In reviewing the matter Judge Fox stated that he had examined into the history of the case and would have had serious doubts of the soundness of the complaint had it been demurred to originally. He said he could not see what harm could come from an amendment and it looks like a hardship to refuse the amendment and require that the case be retried from the start, inasmuch as so much evidence has been presented and the case progressed so far.

Mrs. Pittsford on Stand.

Mrs. Pittsford was put on the stand yesterday afternoon. The witness told of an incident when she passed Mr. Vaughan's home one evening and saw him through the window. She related this circumstance to Mr. Vaughan and he said he believed she was a friend of his. At that time he told the witness he loved Mrs. Smith dearly. She reviewed the incident of sending flowers to Miss Mildred Phelps at Fountain City and told of Mr. Vaughan giving Miss Phelps money on several occasions.

Gave His Reasons.

The witness said Mr. Vaughan explained to her why he had not taken her sister out in public, giving the objections of members of his family as an excuse. He asked her at the time if she could not trust him. She said she would.

The witness told of a number of other calls paid by Mr. Vaughan to Mrs. Smith. She said he never was a very late stayer. Once he remained until 11 o'clock. Mrs. Pittsford told of the visit of the fortune teller. She related the circumstances of the purchase of some scissors. She said Mr. Vaughan on that occasion kissed Mrs. Smith's hand. Mrs. Smith kissed Mr. Vaughan as reimbursement for the pair of scissors bought her. The witness thanked Mr. Vaughan and he kissed her. Mrs. Pittsford told again of the book incident and the writing of "My Darling John Vaughan" in the

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FAVORS INSPECTION

Ivan C. Weld Thinks Increase In Cost of Milk Is a Little Item.

A GENERAL DISCUSSION.

Ivan C. Weld, an attache of the dairy division of the bureau of animal industry at Washington, D. C., gave a stereopticon illustrated lecture last evening before the Wayne County Anti-Tuberculosis society. It was a most interesting talk and was a thorough exposition of the evils resulting from impure milk.

Mr. Weld advocated systematic inspection of all milk and showed by his stereopicon views the ideal dairy. He said that milk inspection would necessarily increase the price of milk, but he thought that in return for the safeguard of health offered by milk inspection all classes of milk consumers would be willing to meet this increase in price, which he thought would be slight. He also stated that from contact with the better class of dairymen all over the country he found that all of them were ready for a reform in milk inspection.

LONGING FOR HOME LED TO CAPTURE

Worley Osborn, Slayer of Kokomo Girl Captured at Logansport.

CONFESSES TO THE CRIME.

SAYS FAIRY McCLAIN CURSED HIM AND HE BECAME ANGERED AND FIRED THE FATAL SHOT—TAKEN BACK TO KOKOMO.

Logansport, Ind., April 18.—Worley Osborn, wanted at Kokomo for the murder of his sweetheart, Fairy McClain, near midnight of April 7, was arrested in the Panhandle yards here last night and made a complete confession of his crime. It was Osborn's desire to return to his home that caused his capture. He told of his journey to Canada and declared he was about to take a train for Greentown.

On his person were found the revolver with which he killed his sweetheart and a Canadian bill. Once in jail, Osborn made a confession relating with vividness his crime and tracing his course until he was captured.

Osborn's version of the affair was different from the story told by Mrs. Nay. He declared last night that he went to the Nay home to see Mrs. Nay and did not know that his sweetheart was there. His victim, he declared, cursed him and it was this that angered him and caused him to fire the fatal shot. He told of his escape, clearing up a mystery which has completely mystified the police. He told how he had walked from the house after the crime; concealed himself in a barn; how the next day he had gone to his home in Greentown, where he learned that he had killed his sweetheart. From Greentown he fled to Wabash, and from there to Detroit and thence across the border to Canada.

"Some damnable thing," he said, took hold of him and caused him to return to America from Canada. He crossed again to Michigan and it was in Detroit when he was siezed with an uncontrollable desire to return to his home and to the scene of his crime. He had planned to visit once more the familiar scenes and then escape to the Pacific coast. Sheriff Lindley arrived last night from Kokomo to get the prisoner.

ATTEMPT TO WRECK PENNSYLVANIA FLYER

Iron Bars Placed Across the Rails.

Warsaw, Ind., April 18.—An attempt was made this morning to wreck the west bound Pennsylvania eighteen hour flyer by placing heavy iron bars on the track. The obstruction was hit in a fog by a freight just before the arrival of the flyer. There is no clue to the perpetrators of the deed.

THE WEATHER PROPHET.

INDIANA—Showers and warmer Saturday night, and [illegible] north portion; Sunday [illegible] air; light to fresh [illegible]

ELOQUENT APPEAL REGISTERED FOR GOOD COOPERATION

Mrs. F. W. Stephens of Aftermath Club Sets Forth Reasons Why Richmond People Should Clean Yards.

NOVEL MOVE ON PART OF WEST RICHMONDITES.

Will Gather on Main Street Bridge and Later Decide the Probable Site of Riverside Park.

The action of the loc[illegible] endorsing "yard cleaning" [illegible] movement was inaugurated [illegible] lies of the Tuesday Afternoon club has attracted the attention of people all over the state and it is probable that similar movements will be started in other Indiana cities. Mrs. F. W. Stephens, chairman of the civic improvement committee of the Aftermath club, today made the following statement:

"The movement in Richmond [illegible] yard cleaning day, recently inaugurated by the ladies of the Aftermath [illegible] meeting with universal approval.

"The officials of the city warmly encourage the undertaking. The mayor will issue a proclamation that three hours on the afternoon of May 1st be devoted to that purpose. All the clubs and improvement associations are to unite their efforts to make the day a note-worthy one—perhaps establishing an annual custom to thus observe May day.

"Other cities all over the land are trying yard cleaning to their great advantage, indeed, city-making is the pressing question of the present day. A revival of municipal improvement is sweeping the country, the effect of which is of greater importance than might at first appear.

"Every successful effort to adorn a city lot has a valuable influence upon the community in which it is situated. Every successful attempt to [illegible] the beauty of the home grou[illegible] only adds to their attractiveness [illegible] contributes greatly to the happi[illegible] and material success of the residents.

"If every citizen of Richmond will enter [illegible] giving [illegible] and clean [illegible] ma[illegible] debris [illegible] the entire city life.

"It is a movement in which all [illegible] engage, working people and people of leisure; those who have large and pretentious lawns or small and insignificant ones, whether located in [illegible] or undesirable parts of the [illegible] can join in the effo[illegible] a deservedly popular on[illegible]

"[illegible] little persuasion will be needed to induce the children to lend their aid on May 1st. They are eager to plant the seeds purchased at school and parents should see that they are given favorable surroundings for their treasures.

"A weed patch, a dump for rubbish and ashes, and a tidy, well kept lot, alike proclaim the character of the one who owns or rents it. The commonest back yard can be transformed into a thing of beauty, the [illegible] desert made to blossom as [illegible] longer uninviting premises. [illegible] rear views, but evenly cut grass, flowers and vines to comfort, cheer and bless. Richmond may well be clothed in matchless beauty, but such a condition requires intelligent attentions. Her citizens are urged to cultivate a commendable civic pride. May 1st is a splendid opportunity to unite in a concerted action for better appearance and more wholesome sanitary surroundings. The appeal is for all to join the movement, combining a little cheerful toil with a rake and a broom, and thus add to and preserve the beauty nature has already so aboundingly bestowed upon our city. Larger, more pretentious plans for our future adornment may follow, in fact may develop into an annual beautifying May-day festival."

West Richmond residents will clean their yards the day before, however, and on moving day "donate their services to the city. On that day the male residents will be expected to gather at the Main street bridge. They are to go armed with rakes, hoes, axes, spades, sickles and tree trimmers. All will unite in working north from the bridge through the site of the proposed Riverside park and clean out all the weeds and underbrush and rubbish.

It is proposed to permit the general public to see just what are the possibilities of the part of the lands [illegible] a park. During the [illegible] proving the West Side [illegible] the park district was [illegible] ing ground. Empty [illegible] barrels, tin cans and al[illegible] of trash [illegible] thrown over [illegible] toward the ri[illegible] a very small quantity eve[illegible] however, and th[illegible] been added to [illegible] since.

There is an element [illegible] dry fall weather th[illegible] to remove. If th[illegible] weeds and rubbis[illegible] nited, many of [illegible]

FLEET ON ITS WAY

The Great Squadron Left San Diego Early This Morning.

PLANS HAVE BEEN UPSET.

San Diego, Cal., April 18.—The battle ship fleet sailed this morning from San Diego at six o'clock. The visit of the 16 ships to this port always will be looked upon as a memorable event in the city's history and plans [illegible] erection of a [illegible] in the city's [illegible] welcome to [illegible] Wednesday [illegible]

A ball to the [illegible] last night [illegible] presence it [illegible] decorations were [illegible]

"The plans and [illegible] for the [illegible] ports were upset at the last [illegible] afternoon by a telegram from [illegible] Metcalf. The [illegible] fleet anchor [illegible] station and remain [illegible] ening, when, at 6 o'clo[illegible] third and fourth divisi[illegible] to their allotted anchor[illegible] other ports.

GORDON BITTERLY ARRAIGNED BY CHAS. W. STIVERS

Defeated Congressional Candidate Denounces Local Man for His Actions in Recent District Convention.

CLAIMS THAT THE ELKS WERE MADE A PARTY.

Says Gordon Decided to Prostitute the Noble Order to Carry Forward His Political Plans for [illegible]

Charles W. [illegible] Lib[illegible] candidate for the [illegible] nomination, at the [illegible] convention held at Shelbyville [illegible] Charles J. [illegible] Gordon of [illegible] with "dirty political skullduggery" and with prostituting a noble secret order the "Elks," in an effort to nominate Tom Davidson. Stivers breaks forth into his attack upon Mr. Gordon in the current issue of the Liberty Herald. After thoroughly grilling the local editor Stivers defends Henry W. Deuker, who acted as floor chairman of the Wayne county delegation at the convention, and concludes his editorial with the statement that "when he (Gordon) denounces Henry W. Deuker as he does, it certainly deserves universal censure."

This effusion on the part of Mr. Stivers was called forth by an editorial which recently appeared in the Evening Item, in which Mr. Deuker was taken to task as being responsible for the nomination of Judge Barnard over Tom Davidson. The Stivers editorial in part, reads as follows:

"But for the sterling manhood of Henry W. Deuker and the Wayne delegates who stood with him for Campbell, Bennett Gordon would have succeeded in carrying out one of the most unfair and dishonest schemes ever attempted in Indiana politics and would thus have trodden on the neck of Rev. J. O. Campbell, to speak.

"Here are the cold facts as to Gordon's scheme. Having failed to carry Jessup through as the choice of Wayne county for presentation to the convention, he set up a great hue and cry against Judge Barnard as a "machine man." His purpose was to defeat Mr. Campbell, and assisted [illegible] a Cincinnati [illegible] of Richmond [illegible] for [illegible] Gordon [illegible] outside democratic po[illegible] decl[illegible] as [illegible] the seve[illegible] Richmond, members of [illegible] Elks. The wards were [illegible] Ira [illegible] pooned for voter [illegible] at the [illegible] meetings and so [illegible] Gordon [illegible] associate [illegible] delegates [illegible]

VICIOUS ASSAULT MADE ON YOUNG LADY LAST NIGHT

As She and Companion Were Returning From Church, a Man Stepped Out and Grabbed Her by Throat.

FRENCH LAISTER, OF NASHVILLE, ARRESTED.

Was Corralled by an Officer When He Could Not Give a Good Explanation of His Actions.

French Laister of Nash[illegible] is under [illegible] charge with assaulting and [illegible] two young women [illegible] coming home from church [illegible] the [illegible] with the intention of committing a felony, which, from the proof [illegible] has succeeded [illegible] not been for [illegible] known young woman [illegible] and succeeded the [illegible] The assault [illegible] about 8:30 o'clock on North Eleventh street [illegible] Dennis. Along this street [illegible] was perpetrated on North [illegible] street by the [illegible] rest [illegible] regarded [illegible]

Tried to Choke Girl.

At police headquarters [illegible] the two young women who figured in the case gave Prosecutor Jessup all the particulars. They stated that last evening they went to St. Mary's church, about 8:30 o'clock they stated, while they were walking along North Eleventh street a man stepped out from behind a tree which is in front of George Cates, immediately this man grabbed one of the young women by the throat and muttered something which she could not understand into her ear. While he was in the act of choking her [illegible] by the other young [illegible] her [illegible] hit [illegible] act of assa[illegible] and [illegible] his victim's throat [illegible] Reeds, running to North [illegible] east. The two [illegible] to the corner of North [illegible] streets where [illegible] gave [illegible] base.

After this meeting expired the two young women went in search of a po[illegible] they found Of[illegible] Mi[illegible] street [illegible] was con[illegible] the N[illegible] house, where [illegible] police headq[illegible] of the assault [illegible] he met Laister [illegible] This man talli[illegible] with the description of the assailant given by the two young women. As Laister was unable to give a good account of himself [illegible] him into custody.

Laister states that his home is in Nashville, Tenn., and that he arrived here early yesterday evening, coming here from Hamilton. The young man, who is only about twenty years of age, emphatically denied that he was the assailant of the two young women. He will be given a hearing in the city court next week.

CAN NOW SIGH WITH RELIEF

Mrs. Vanderbilt Given Absolute Divorce.

New York, April 18.—It was learned today that Mrs. Alfred G. Vanderbilt has won her suit for absolute divorce. It is reported that the referee, recommends an interlocutory decree for fifty million alimony, to be filed in the supreme court Monday. Mrs. Vanderbilt is left free to marry again within three months.

FASTER DRESS CAUGHT FIRE, [illegible] WOMAN

She Died [illegible]

New York [illegible] ing for an [illegible] dress of Mary Ena[illegible] and she died today [illegible] at the Williamsbu[illegible]

NO REMONSTRANCE

No Objection to the Construction of South L Street.

COMMISSIONERS ACTED.

Without any remonstrance of any kind having been presented, the board of county commissioners heard the plea of the petitioners for the proposed improvement of South L street this morning. In view of the circumstances, the commissioners granted the petition and the improvement will be [illegible] with the law [illegible] to [illegible] engineer and two viewers. The construction of the road will mean an addition of one cent to the tax on each $100 of taxable property in Wayne township.

The petitioners for the road consisted mainly of members of the South Side Improvement association. Those who appeared before the commissioners represented themselves as individual property owners and [illegible] The [illegible] is in [illegible] [illegible]

WHITE, THE FORGER, IS STILL AT LARGE

The Man Passed Fraudulent Checks But Cannot Now Be Found.

CHAUNCEY THE VICTIM.

PROPRIETOR OF LOCAL CLEANING AND DYEING HOUSE LOSES SEVERAL DOLLARS BY SOLICITOR'S CRIMINAL ACTIONS.

[illegible] W. White, a solicitor, is wanted [illegible] charge of having cashed [illegible] on Edward [illegible] of the Richmond [illegible] agency. The whereabouts of White are now unknown. He came here [illegible] two months ago and was given employment by Chauncey. In a short time White was arrested for intoxication and was sentenced to eleven days in the county [illegible] Sheriff Chauncey refused to pay his fine.

Thursday a Mr. Campbell, agent for the company of Eaton [illegible] came here and reported to Chauncey that White had attempted to pass a check for $10 on him. Campbell became suspicious and refused to give White any more than $1, which amount the man accepted. An investigation revealed the fact that White had taken six checks from the back of Chauncey's check book and that, so far as is known, he has forged and passed four of them. John Zwissler, a local baker, cashed one for $8 and Joseph Wade of Cambridge City accepted one for $2. A local bank honored both of these checks but when a third one, calling for $5 turned up from Dayton, O., payment was refused by the bank.

STRIKE BREAKERS FIRE ON CONSTABLES

Situation at Chester, Pa., Is Critical.

Chester, Pa., April 18.—Strike sympathizers fired on a detachment of state constables at Upland this morning, wounding Sergeant Riggs. Two cars were run out of the Wilmington division guarded by thirty state constables. Trouble is imminent. Early this morning strike sympathizers burned a bridge over Johnson's creek and cut down the street trolley wire.

BOMB THROWER DYING.

Seilig Silverstein Suffers Relapse Today.

New York, April 18.—Seilig Silverstein the bomb thrower in the Union Square riots, suffered a relapse today and is dying.

BURNED TO DEATH.

Murderer Ends His Miserable Career

St. Joseph, Mo., April 18.—James Lally, who was to have been tried Monday for the murder of Herbert Jordon, a prominent newspaper man, set fire to his bed in the jail this morning and burned to death.

The Telephone is a willing servant to bring your Classified Ads to the Palladium office with the [illegible] bounce to you. Either Phone 1121 Automatic, [illegible]

EMMA GOLDMAN IS CHAMPIONED BY WILLIAM D. FOULKE

In Address in Chicago, He Bitterly Arraigns Chicago Police Department and Speaks For the Woman.

FREEDOM OF SPEECH SHOULD BE GRANTED

Foulke Maintains That So Long as It Does Not Incite To Assassination or Murder, It Is All Right.

Chicago, April 18.—"Probably the most hated member of the community of our great American Republic is Emma Goldman. Possibly the matter most foul and hateful upon which human beings can speak to us is the question of anarchy. But is not Chicago free enough to protect the most hated creature in the world in the free utterance of her opinion?"

This was the conclusion of an address before the City Club by William Dudley Foulke of Richmond, Ind., publicist, author and former member of the National Civil Service Commission. Mr. Foulke in stinging language attacked the Chicago police department for dragging Emma Goldman from the platform shortly after the Denver assassination and the attempt on the life of Chief of Police Shippy.

Free Speech Demanded.

Mr. Foulke demanded the right of free speech for any and all persons on any and all subjects, so long as they did not incite to assassination, murder or violence. He advocated a law which would make the man or woman who incited to murder, either by written argument, or spoken appeal, guilty of murder along with the murderer himself. But he strenuously insisted that all of the intermediate arguments between anarchy, at one extreme, and socialism at the other, should be freely and fully heard before final judgment is made by the American people.

Mr. Foulke's subject was "The Right of Free Speech," and his address was listened to with rapt attention by city club members.

"Because anarchists, some of them do violate the law and are guilty of very great crimes, this hardly justifies the supporters of law and order and those who are in favor of peace and of sweetness and light in a community to propose to maintain these by the violation of law," said Mr. Foulke. "And that is what it seems to me the Chicago police did.

"I believe that a highly developed social existence without government is, in the present condition of human nature, the wildest and craziest human impossibility which it has ever entered into the heart of man to conceive.

Has Right to Speak.

"My proposition is that no matter how wild the theory, any man has a right to advocate it by argument which comes short of instigating men to crime. The Federal Constitution declares that Congress shall make no laws abridging freedom of speech or of the press. I think the laws might profitably be amended, made more strict in some particulars. I believe it ought to be a crime for one man to persuade another to murder, whether the murder actually is attempted in pursuance of that persuasion or not."

WATCHING THE CITY

West Side Is Determined to Get Hose House and Keep Tab on Treasury.

FINANCES BLOCK THE MOVE

"We propose to see that the city, when its financial conditions are such that it can afford it, build a hose house on the West Side, rather than indulge in other expenditures," asserted an officer of the West Richmond Improvement association. The organization met in its regular session last evening and discussed the matter of better fire protection for that part of the city located west of the river. The association has been informed by city officials that the needs of the section for fire protection are urgent and that the hose house will be built as soon as the city's finances are such as to warrant. The society will act in good faith upon this declaration and now intends to keep close watch on the expense account of the city and will request that other less important expenditures be omitted until a hose house is built. The association will endeavor in any way [illegible] city officials and will [illegible] selection of site [illegible]