

DECATUR DAILY DEMOCRAT.

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Price Two Cents

H. ROGERS IS DEAD

Famous Standard Oil Magnate and Millionaire Expires Suddenly

THE BUSINESS WORLD

Was at Office Yesterday in Good Health—Stock Market Affected

New York, May 19.—(Special to the Daily Democrat)—The financial and business world here and the country over was shocked this morning when it was announced that Henry H. Rogers, the Standard Oil magnate and millionaire, had died very suddenly at his home in this city. The death was a distinct blow here for it was not known that he was ill. He was at his office yesterday and the news of his death could scarcely be believed by his associates, all of whom were completely overcome by the announcement. He had been in poor health for several years, but had completely recovered and a short time ago when he opened his new Virginia railway, it was stated that he was so much improved that he had been able to dispense with constant medical attention, which he had for the several years previous. Each year recently he has withdrawn more and more from connection with the Standard Oil company and devoted almost his entire attention to the Virginia railroad, which brought the great coal fields of the old dominion to tide water. The stock market opened weak here this morning owing to the announcement of his death, most of the leading stocks being off at least a point, though Standard Oil remained unchanged.

A GOOD PROGRAM

Will Be Rendered at the Woodmen Hall this Evening

WILL BE GOOD ONE

Another Dance Will Be Given by the Eagles Tonight

A program which will be of much interest to those who attend will be rendered at the Modern Woodmen hall tonight to which the Woodmen, their families and the Royal Neighbors and their families are invited including other invited guests. The program will consist of very inspiring music and readings. Among the features will be a vocal selection by Dr. Fred Patterson and a number of clever readings by Robert E. Mann, who is recognized as one of the best readers in this section. The business meeting of the Woodmen lodge will begin at seven o'clock tonight instead of seven-thirty and it is important that every member be present. The session will be short and the program will ensue at about eight o'clock.

The Eagles will give another of their popular dances at their hall tonight and it will be the last of the (Continued on page 2.)

BALL TEAM HAS PRACTICE

Captain Eberts is Whipping Club into Condition.

Captain Ducky Eberts had his base ball recruits out Monday afternoon for their first warming up and there were a few of the real live fans out to see the boys in action. They are well pleased with their first appearance of the team and say that in the bunch of players now here trying out Captain Eberts has the nucleus for a good strong team. There are several of the players who show up exceptionally strong and will stick beyond a doubt, and all of them made a showing that encourages giving all every chance to make good. Among the boys out yesterday was Bowman of Ossian, in whom both Bluffton and Ossian fans are particularly interested. The way he covers territory in the outfield is ample assurance that in fielding he will handle all that comes anywhere near his territory. And then he is some pumpkins with the stick as well. The bunch of players is out again today.—Bluffton News.

COURT HOUSE NEWS

Attorney Smith Goes to Bluffton to Confer on Faylor Case

A DIVORCE GRANTED

Mrs. Knavel Granted Decree and Alimony—New Suits Filed

Attorney D. E. Smith went to Bluffton today where he will meet parties and attorneys to discuss the postponement of the Studabaker-Faylor case. It was desired to continue the case two weeks, but this is impossible. Either the postponement cannot be over a week or else it must go over to the September term. The case is set for next Monday and the session closes June 12.

Rosie Passwater vs. Charles Passwater, divorce, appearance by D. B. Erwin for defendant, rule to answer.

Ellen V. Louthan vs. Howard T. Louthan, divorce and alimony, demurrer filed to plea in abatement.

Mathias Kirsch et al vs. D. E. Studabaker, suit on note \$650, rule to answer made absolute in five days.

Mary Knavel vs. Edward Knavel, divorce, appearance by DeVoss for defendant; answer filed; cause heard; decree for divorce granted with \$200 alimony and plaintiff given custody of the children, Merrill and Pearl, and four dollars per month for their support until they are each eight years old. Knavel was released from jail a few days ago.

Attorneys C. J. Lutz and Peterson & Moran, representing the plaintiff, Frank M. Schirmeyer, has filed suits against Chris G. Egly, of Berne, demand \$150, and against William Beachler, demand \$150. The suits are to collect for the payment for lots.

Thomas Faylor et al vs. D. D. Studabaker, amended first paragraph of complaint filed, ruled to answer.

The will of John E. Teeple was probated this morning as announced in yesterday's paper.

An inventory was filed by W. F. Pyle, administrator of the estate of J. A. Blair and a sale bill by F. S. Armantrout, admr., for the Hubert Topp estate.

William Hilgeman, executor of the will of George H. Hilgeman, filed inventory No. 2, also a petition to sell telephone stock. Sale ordered.

Sheriff Meyer is advertising a sale of an engine, husker and separator taken by the Port Huron company as the property of Peter F. Moser.

ZION LUTHERAN CHURCH.
Thursday being Ascension Day, there will be divine services held at the church in Decatur, at 7:15 p. m. All members are requested to notify one another. A cordial invitation is extended to the public in general.
J. H. lausing, pastor.

FIRST ROUND FOR TRUST

Temporary Restraining Order Against Bell Telephone Co. Dissolved

FILED LAST NIGHT

Believed this Action Will Cause Many Companies to Go to the Bell

Cleveland, Ohio, May 19.—(Special to Daily Democrat)—The Bell Telephone company, called by its opponents the telephone trust, has won an important preliminary victory in its fight with the independents now being waged in many parts of the country, but particularly in Ohio. Judge Taylor of the federal court today dissolved a temporary restraining order upon a petition filed last night by the United States Telephone Co. against the Central Union company and the American Telephone and Telegraph company to restrain the defendants from alleged action in inducing independent companies to violate their ninety-nine year contracts with the United States company for long distance service. The petition is based on the charge that the Bell company is operating a trust in restraint of trade. The belief is now that the numerous independents will flock to the Bell company, in fact this action was forecasted in the complaint filed before Judge Taylor and the independent sought to prevent this.

IS NOW STATE BANK

Directors of Hoagland Bank Held a Series of Meetings

PAID THEIR MONEY

Into the Treasury—Will be a Flourishing Institution

Hoagland, Ind., May 19.—(Special to Daily Democrat)—The new Hoagland banking institution will be ready to do business within two weeks, unless present plans fail, as the building is completed and with the exception of the installation of the vault, is ready for occupancy. The Hoagland bank was at first organized as an individual concern and was capitalized at \$15,000. The officers and directors were elected. It was last week decided by the stockholders that they charter as a state bank and this they did at a special meeting, the capitalization being raised to \$25,000. A meeting was held Monday night at which time the old officers were re-elected, as were the directors and the stockholders paid the \$25,000 into the treasury. Hence the bank is ready to do business. The building committee has rushed the work of constructing the building to completion and the National Safe company will install the vault in the very near future, and it is now thought that the institution will be doing business within two weeks. Hoagland people are very much elated over the fact that the bank has been organized and they will undoubtedly give it their unwavering support.

BLUFFTON GIRL WEDS.

Miss Corinne Dailey, Well Known Here, Will Wed.

Invitations were issued Monday by Mrs. Ellen Dailey for the wedding of her daughter, Miss Corinne, and Mr. Thomas Richard Keyes, which will take place at nine o'clock on the morning of Wednesday, May 26th, at the St. Joseph Catholic church of this city. It will be a private wedding, and invitations include the relatives and intimate friends. Following the wedding at the church there will be a reception at the home of Mrs. Dailey at 319 east Washington street. The plans of the bride and groom include a trip to Chicago, where they will visit relatives of the groom, before they go to Indianapolis to reside. They will be at home to friends in Indianapolis after July first.—Bluffton News.

WAS JUST REGULAR

Nothing Exciting Came Up Before the Council at Last Night's Session

WILL PUT IN TILE

To Drain North Second Second Street—Petitions and Reports Were Filed

There was nothing exciting or out of the ordinary to break the monotony of the council meeting last evening, just the usual reporting of committees, the allowing of bills and it was all over before eight o'clock. It was the regular semi-monthly session and every member was present when Mayor France rapped for order and asked or the reading of the minutes of the previous meeting, which were duly approved. City Engineer Vogt reported that an eight-inch water main down the center of south High street would cost about \$1,500, while a four-inch line on each side will cost about \$1,750. As the city is a little low on funds at present it was decided to hold the matter up for awhile. A report was filed that the old ashery west of Line street is unsafe for children who play about there and is a regular depot for tramps and it was asked that be condemned, the matter being referred to the fire chief. Engineer Vogt reported that it would require 181 feet of from 18 to 20-inch tile with a tunnel under the brick street, to properly drain north Second street, near the Dr. C. S. Clark residence and will cost about \$160. The latter was referred to the street commissioner, who was instructed to work under the instructions of the city engineer. Twenty-six names were signed to a petition that the sidewalks on Adams street be located next to the property, and this was referred to the street and sewer committee. Upon motion by VanCamp the mayor and clerk were offered to contract with the Fort Wayne Electric Works, whereby the citizens of Decatur may purchase electric meters and Tungsten lights at a reduction of from five to fifteen per cent. The contract does not bind the city to use this light, but was reported to be simply a matter of form in the system used by this company to secure business. The matter of watchmen for Eleventh and Thirteenth crossings of the C. & E. and Clover Leaf railroads was referred to the judiciary committee. Upon motion the street commissioner was ordered to build the crossing at Marshall and Fifth streets and at all others where the brick is at hand at once. The following bills were allowed:

Peter Kirsch	\$22.50
H. Harman	20.00
Chicago & Erie	250.83
D. F. Teeple	106.36
D. F. Teeple	7.45
Clover Leaf	168.11
George Kizer & Co.	203.86
Monarch Electric Co.	9.23
Ed Fitzpatrick	22.35
Sunday Creek Coal Co.	170.16
Fort Wayne Electric Works	18.06
General Electric Co.	72.00
C. U. Dorwin	76.50
Meyers & Lenhart	3.96
Charles Wertberger	3.75
W. J. Archbold	135.70
L. G. Ellingham	92.85
J. D. Bollinger	77.45

This concluded the business to come before the session and an adjournment was taken.

SENATORS JOIN HANDS

Democratic and Republican Senators Working for Income Tax

CONFERENCE HELD

Result Will Be Uncomfortably Close for Senator Aldrich

Washington, May 18.—A coalition of the Democratic minority in the senate and a number of Republican "insurgents" on income tax legislation was finally effected today. At a conference of leaders of both sides a substitute income tax bill to take the place of both the Cummins and the Bailey bill, has been agreed upon and will be presented with the guarantee of practically the solid Democratic strength and enough Republican votes to make the result uncomfortably close for Senator Aldrich. Aldrich concedes that the bill will capture twelve Republican votes. It is certain of thirty-one of the thirty-two Democratic votes. Senator Rayner is the only Democrat who has not signified his intention of voting for it and it is thought likely that he will finally join the other Democrats in support of it. A majority of the senate is forty-six and if the income tax Republicans can muster fifteen votes on their side the amendment will be adopted. It is not yet determined whose name the measure shall bear and both Democrats and Republicans insist that this is not material. The new measure will in the main be based on the Bailey bill. In substance it will provide: The raising of about \$33,000,000 annual revenue from the income tax. For the imposition of uniform tax of 2 per cent. on the excess above \$5,000 in all incomes. For the imposition of this tax on individuals and corporations alike; the burden to fall upon net income only, and only on excess above \$5,000 per annum.

A PROCLAMATION

Governor Marshal Asks for the Observance of Decoration Day

ON MONDAY, MAY 31ST

Let It be a Day of Tears for the Dead and Cheers for the Living

Indianapolis, May 19.—Monday, May 31, was normally set aside as Memorial day in Indiana by a proclamation issued by Governor Marshal yesterday. May 30, the usual date for the observance, falls on Sunday this year, and for this reason Monday will be observed. The proclamation, in part, follows: "The custom of once each year strewing the graves of the dead heroes, and speaking some word of gratitude and good cheer to the living, is one that must commend itself to every patriotic American. We have had enough of words; let us have this year, a genuine outpouring of the people's love in memory of the men who saved the Union. For such purpose, I, Thomas R. Marshall, governor of the state of Indiana, do hereby designate and set apart Monday, May 31, 1909, as Memorial day, and do proclaim the same a legal holiday throughout this state. Let this be, indeed, a holy day, when tears for the dead and cheers for the living will convince the boys in blue that those who died died gloriously, and those who live have not lived in vain."

The same day will likely be used over the entire state, and the services here will be on Monday, May 31st.

OUT OF ONE, INTO ANOTHER

Naughty Frank Cotton Just Can't Keep Out of Jail.

The charge of perjury which has been on the circuit court docket at Portland against Frank Cotton for the past two years, was finally stricken from the docket Monday, upon motion of Prosecuting Attorney Seccrest. Cotton was accused with having testified falsely at a trial in circuit court here, in a case tried two years ago in prosecuting a pool room case, and the case was venue to Jay county, where during the progress of the trial Cotton's attorney discovered that no record of the proceedings of the grand jury had been kept and on this technicality Cotton escaped further prosecution. He is in jail at the present time, however, having been arrested at Huntington, charged with issuing a worthless check there. His father has interested himself in Frank's behalf there and it is likely that he will eventually pull through that difficulty with light punishment.—Bluffton News.

ORDER THE SUITS

Band Boys Will Appear on Decoration Day in New Regalia, Buff and Black

MADE FIFTY DOLLARS

Out of the Home Talent Production—Will Pay the Rest Themselves

The Juvenile band boys held a meeting last evening to count up the profits realized from the recent production of "In the Village by the Sea." The treasury showed a balance of nearly fifty dollars as a result of the home talent, and they proceeded to order their uniforms. The amount on hands will not be sufficient to pay for them, but reduce the cost to each member enough that they can afford to buy them. The suits were ordered from Demolin Bros. & Company of Greenville, Illinois, are of buff, trimmed in black and the lads will appear on Decoration Day trigged up in handsome style. Those who compose this organization are Herbert Lachot, Frank and Fred Engle, Homer Raudebusch, Henry Graber, Carl France, Martin Ault, France Conter, Vane Weaver, Bruce Patterson, G. Gaze and Dick Peterson. The band is a good one for boys of their ages and with practice will in time become a splendid musical organization. They deserve the patronage of the community.

SISTER BORGIA IS CALLED

Sister Superior at Sacred Heart Academy Dead.

Sister Mary Borgia, superior of the Sacred Heart academy, died Tuesday afternoon at 4 o'clock at St. Joseph's hospital from pneumonia. She was removed to the hospital Thursday of last week after her condition had assumed a very serious aspect, and from the first it was feared she would not recover. Sunday her condition became very alarming, but Monday there was a slight change for the better noted, although not great enough to warrant holding out any great hope of ultimate recovery. Yesterday she sank rapidly and passed away in holy resignation. Sister Borgia's name in this world was Scheiber, and she was a member of a well known family living in the vicinity of Huntington. She was a member of the Order of the Holy Cross for a number of years and for the past five years had been superior at the Sacred Heart academy. She was a woman of unusual intellectual attainments. At the time of her death Sister Borgia was in her fifty-fourth year. Surviving relatives are our brothers, Aloysius, John and Peter, of Huntington, and Herman, of Tiffin, O., and two sisters, Sister Hermingild, who is also a member of the Order of the Holy Cross, and Miss Lizzie Scheiber, of Huntington. The remains were removed from the hospital last night by Getz & Cahill to Sacred Heart academy. Funeral arrangements have not been fully completed, but services will be held at St. Mary's-of-the-Woods, at Notre Dame. Burial will be in the convent cemetery. The services will be held either Thursday or Friday.—Fort Wayne Journal-Gazette.

WILL CLOSE SATURDAY

Seven Saloons Will Cease Business at That Time Instead of Monday

SOME FINE POINTS

Men Who Secured Licenses Before November Will Continue to Operate

This is the last week in business for a number of saloons in this city and county. There seems to be a conflict in the law as to when they must close, that is to say, that the saloons can continue to operate next Monday so far as any prosecutions are concerned as the ninetieth day is Monday, but their licenses must be surrendered by Saturday evening. This is the opinion of the attorneys on both sides and rather than take any chances on losing the money they have coming, they will close on Saturday evening, at least this is the opinion of two or three of the prominent saloon men. Those who will go out of business are Carley Radamacher, Lafe Ellis, C. D. Murray, Chris Boknecht, John Schafer of this city, John Hey of Bingen and Jeff Klopfenstine of Preble. Another question of more or less discussion is whether or not those who secured their licenses after the law was passed and before it was published will have to close at this time. One judge has held they must and another that they don't have to. From an interview with several of them this morning it is learned that they expect to continue in business until their licenses expire. This means that Joe Knapke and Joe Tonneller will operate until November and Chill Omor, Zeaser Brothers and Keller & Badders until October. Prosecutor Heller stated this morning that he had gone over the law carefully and at this time is of the opinion that they can continue in business during the term of their licenses as there is nothing he can find in the law which made it effective before it was published.

Some very beautiful flower beds are seen in the city. When the lawns are well kept and the flowers are blooming it looks as if the owner of the property found something to do worth while.

WAS UNCONSCIOUS

Thomas Mallonee Had Narrow Escape from Death

THIS MORNING

Barrel of Sugar Weighing 354 Pounds Fell Upon Him

Suffering from a badly mashed foot and the victim of a sudden siege of heart trouble, Thomas Mallonee, of north Sixth street, fell upon the floor of the Everett & Hite grocery store this morning where he lay unconscious for more than five minutes, death having been narrowly averted in an accident occurring a few minutes previously. Mr. Mallonee began work at the poultry grocery store this morning in the place of Daniel Shackley, who left for Crawfordsville and together with Mr. Eeverett, he was moving a barrel of sugar from an elevation of several feet. The aged man lost his hold on the barrel and it fell with a crash, missing his body but a few inches and falling upon his left foot, crushed it into a pulp. The injured man, who for several years has been subject to heart trouble, was rendered unconscious. (Continued on page 2.)