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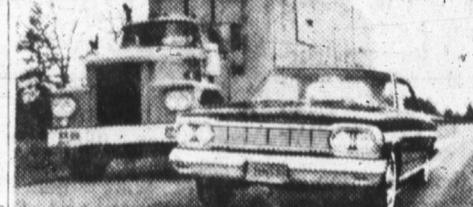
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## Special Prosecutor May Be Appointed

INDIANAPOLIS (UPI) — The Indiana Supreme Court, by a 4-1 ruling, has held that a trial court judge may name a special prosecutor in situations in which the elected prosecutor has demonstrated bias and hostility toward the plaintiff—who is his client.

Mrs. Fairbanks was a member of the Indiana State Board of Charities, a forerunner of the State Welfare Department, and was active in several other groups. She was a president-general of the Daughters of the American Revolution in 1901-5, and was the daughter of an Indiana judge.

One of the last meetings she attended before becoming ill of pneumonia a few days before her death in 1913 was that of the American Prison Association.

## GI Dividends To Be Mailed Early

In response to President Johnson's directive for the earliest possible payment of the \$234,000 GI insurance dividend for 1964, the veterans administration has announced that the first checks will reach veterans by January 2.

The entire payment to 4,725,000 veterans participating in the dividend will be completed in record time—January 25.

In Indiana, 111,905 veterans will receive \$5,574,300. A. J. Bochicchio, VA's regional office manager in Indianapolis, announced. Bochicchio explained that the speedup in payments is VA's answer to the president's request as a stimulant to the economy.

In the first speed payment of a dividend, ordered by President Kennedy in 1961, payments were completed by March 17. The speeded up payments of the 1964 dividend was completed last January 31. The VA plan to issue the 1964 dividend checks by next January 25 will cut a week from the previous record processing time of 31 days in 1963.

The dividend payments in 1962, and in the years prior to 1961, were made throughout the entire year on the anniversary date of the individual insurance policies. Of the total distribution of \$234,000,000, \$15,000,000 will go to about 225,000 World War I veterans holding U. S. government life insurance policies. The remaining \$219,000,000 will go to 4,500,000 World War II veterans who hold national service life insurance policies.

Korean conflict veterans hold non-participating policies that do not provide regular annual dividend payments.

The regular dividends are primarily a return to the policyholders of part of their premium payments since the death among GI policyholders continues to be lower than the rate upon which the payments were established by law.

Bochicchio reminded policyholders that the preparing and mailing of dividend payments are automatic and require no correspondence from veterans or their families. In fact, such correspondence might delay the dividend distribution process, he said.

The dissenting opinion, written by Judge Amos Jackson, charged that "the majority opinion represents a radical departure from the usual procedure in original actions... it substitutes our judgment, guess or whim in place of the judicial determination of the trial court. The majority opinion is erroneous, is bad law and will, and should haunt this court."

Jackson cited a 1954 opinion by the Indiana Supreme Court concerning Lake County's then prosecutor, Metro Holovachka, which said "the determination as to whether a judge shall spank his prosecuting attorney must be left to the discretion of the judge."

Landis said he did not want to stretch the application of the ruling too far, but said he felt it would give any trial judge precedence for naming a special prosecutor in cases in which the regular prosecutor has "made an admission of bias and hostility" against the complaining party.

## Donald Neuen Named Assistant In Music

MUNCIE, Ind. — Donald L. Neuen, formerly of Berne, has been named a graduate assistant in music at Ball State Teachers College for the 1963-64 academic year. Ball State has 78 assistantships in 22 departments. This year president John R. Emena notes that these graduate assistants hold bachelor's degrees from 32 different colleges and universities, 22 of them from out of the state. The graduate assistants are working toward master of arts degrees and master of arts in education degrees.

Neuen is a 1957 graduate of Ball State and former director of the Shortridge choir in Indianapolis. His parents are Mr. and Mrs. L. A. Neuen, 405 Columbia, Berne.



PARTING COMPANY—A man's horse may be his best friend in the wide open spaces, but in rodeos they often part company. Jim Tescher of North Dakota takes the air route as he says goodbye to Sahara in the saddle bronc riding of the National Final's Rodeo at the Los Angeles Sports Arena.

## COURT NEWS

### Re-set for Trial

The separate cases of Wohlert Corp. vs Albert Riehle, formerly doing business as Riehle Tractor and Auto Parts, and the Tractor Implement Supply Co., Inc., vs the same defendant, were continued by agreement of the parties, and re-set for trial Feb. 17, both at 9 a. m. Both cases concern complaints on account.

The case of the Durkee-Atwood Co., Inc., vs Albert Riehle, doing business as Riehle Tractor and Auto Parts, was continued by agreement of the parties and re-set for trial February 17, at 9 a. m. The Magistic Co., Inc., vs Riehle, formerly doing business as the Power Pac Muffler Co., was also continued and set for trial January 17 at 9 a. m. Both cases also are complaints on account.

### Estate Cases

Inventory No. 1 was filed in the Mary Jane Saylor estate, showing a total appraised value of \$41,887.90. A petition to sell the real estate at public auction was filed and the personal representative was authorized and ordered to sell the real estate.

A petition for issuance of letters of administration was filed in the Elizabeth Riffle estate, and the bond was filed in the penal sum of \$8,200. The letters were ordered issued to Lester L. Farlow, and were reported and confirmed.

Schedules to determine inheritance tax were filed with reference to the county assessor in two estates, the Ellen Sprunger estate and the Lawrence Carver estate.

Proof of mailing of notice was filed without reference to the county assessor in the Lilly Haebiger estate, and a schedule was submitted finding the net value of the estate to be \$637.47.

A petition to appoint assignee of interest in personality in the William C. Wierling estate was filed, and was submitted, examined and approved.

In the Edwin D. Vitz estate, a supplemental report of distribution and petition for discharge were filed, and the executor and sureties on the bond were ordered released and discharged. The estate was closed.

McCormack called this legislation the "greatest" in these two fields that the current Congress has passed.

## Beery Represented By Lewis L. Smith

A democrat in Monday's Daily Democrat erroneously stated that David Lee Beery, arraigned Monday morning on charges of rape and assault and battery with intent to commit a felony, was represented by John L. DeVoss, local attorney. Beery is represented by Lewis L. Smith in the case before the Adams circuit court.

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## Willshire Choir To Sing Here Wednesday

The choir of the Church of God at Willshire, O., will present a Christmas cantata, "A Child Is Born," at the Decatur Church of God Wednesday at 7:30 p. m.

The choir will be accompanied by Mary Ellen Raudenbush, with Helen Baumgartner as director. Also featured will be special numbers in solo, duet and trio. The public is invited to attend.

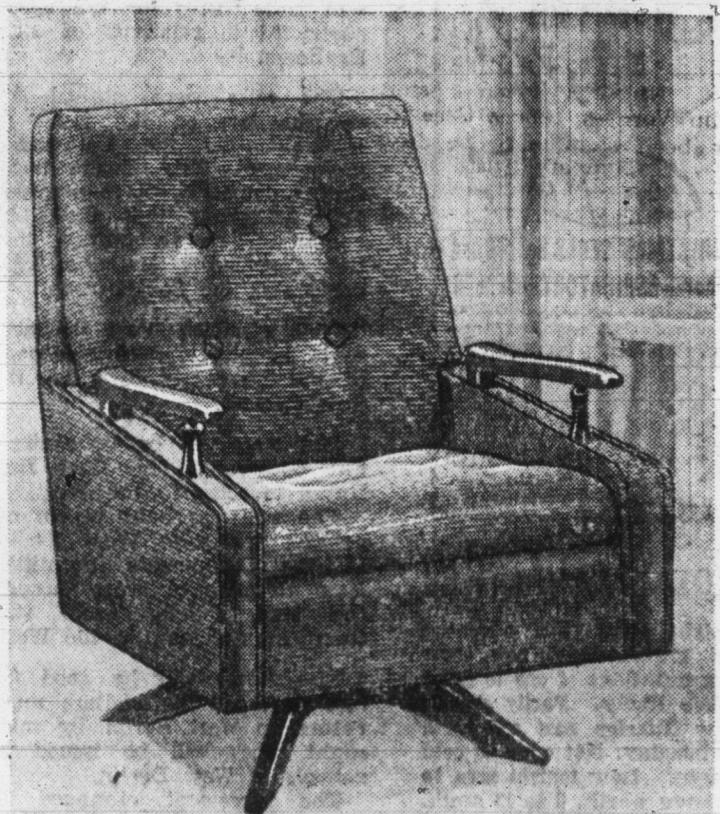


**TOM WEIS**  
MEN'S WEAR

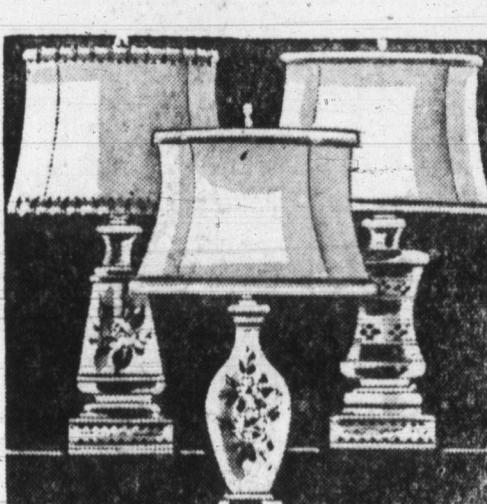
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