

Coroner's Verdict.

Coroner C. H. Schenk has filed his verdict and inquest proceedings in the death of Malissie Smitley, whose sad death occurred Monday. The verdict reads as follows:

"I, C. H. Schenk, coroner of Adams county, having examined the body of Malissie Smitley and heard the testimony of the witnesses which said testimony is herewith attached to hereby find that said deceased came to her death at the home of her parents in Jefferson township on the first day of February 1904 from the effects of some drastic purgative drug taken or administered for the purpose of producing abortion. The said deceased being a female of the age of nineteen years, seven months and fourteen days. She was five feet, seven inches in height, black hair, brown eyes, dark complexion. Signed, C. H. Schenk, Coroner.

To this regular form is attached the evidence of several witnesses: DR. R. S. WILSON.

First asked to prescribe for Malissie Smitley January 30, found her suffering from terrible drug effects, left medicine and directions for giving same with her nurse, Mr. Clark; was called back by telephone about 9:30 p. m. same day, reached there at 11:40, found her purging and prostrated, the nurse telling me that there had been something given her by Mr. Collins. I told patient and friends that she was poisoned and would die within thirty-six hours. She refused to allow me to make examination. Saw her next afternoon, condition worse, made examination, found her pregnant about three months. She admitted it, and said that she had taken something to procure abortion. I asked her who done it and she said "LUTE." I asked her who Lute was and she said "LUTE COLLINS." Saw her no more alive, refused to sign death certificate thus forcing them to call the coroner. The nurse told me when I was there that at one time Mr. Collins went into the room, raised the girl up in upright position and gave her something contrary to my orders. Mr. Collins said it was pop. Other statements were made to me but I don't want to divulge them unless compelled to do so."

W. A. CLARK.

Nursed Malissie, she was sick two days, first noticed her illness Friday evening. On Sunday she told me her condition and that Luther was responsible. Collins came to her room Saturday night and gave patient what he said was pop. She was very sick Sunday and died at two o'clock Monday morning.

MRS. VIRGINIA SMITLEY.

Mother of deceased girl, Malissie had been at home most of winter, I did not know that she was pregnant, took sick Friday, complained of camps, does not know of deceased taking any medicine before.

MRS. BERTHA FOREMAN.

Sister of deceased girl, she was sick three days. She told me of her condition and said Luther Collins was responsible. She did not tell me she had taken any medicine.

Following this evidence is a post mortem statement of Drs. R. S. Wilson and E. Franz, giving her exact condition and saying that death in their opinion was caused by a drug given her for abortion.

Sheriff Butler and Prosecutor Moran returned from Berne last evening. No one has yet filed an affidavit and until this is done no arrest can be made until an indictment is returned by the grand jury. It is believed that some one will

Startling Testimony That Implicates Lute Collins.

file the papers within a day or two.

CLAIMS INNOCENCE.

Luther Collins, the accused man, and who is the husband of the deceased girl's sister stoutly proclaims his innocence and says he can prove same. He telephoned the officers here from Chatanooga this morning saying he was not guilty and that whenever he was wanted he would come to Decatur and give himself up, without a requisition or any other unnecessary trouble.

A PECULIAR CASE.

The occurrence has some strange incidents attached to it and proves that some one has seemed determined to wreck the life of Malissie Smitley. This is the third time within three years that she had been pregnant and she charged her brother-in-law on her death bed and at other times, as the cause of her ruin. She leaves a child two years old and had previously suffered a miscarriage. Still Luther Collins proclaims his innocence and there are some who think that he may be the victim of some other man's perfidy.

Judge Erwin was busy Monday afternoon hearing exceptions to the final report of Amda A. Cottrell, administratrix of General B. Cottrell estate. The attorneys in the case were C. J. Lutz, F. M. Cottrell, J. C. Moran and Schafer Peterson. Court convened this morning but adjourned immediately to allow attorneys and court officials to attend the funeral services of Mrs. Ernst.

Did you ever stop to think of the patience required by the editor of a country daily newspaper? Well you should try the business when every machine in the office begins to buck just at press time, and then when by a almost superhuman effort you get things started nicely and two or three belts break. 'Tis enough to make the most religious deacon forget his vows and its little wonder that on such occasions the air looks blue. When the papers are late remember that the editor hates it worse than you do.

"Almost all our customers are kicking like steers," said a local grocer last night "because of the flighty price of coffee." "It is true," he continued, "that the price of coffee is high, five cents higher than it was at this time last year, but it is no fault of ours. A small crop is the fault of it all. Some of the big growers of South America got so disgusted with the price of coffee when it was down that they stopped growing it and the consequence was a great shortage in the crop. There were only 850,000,000 sacks of coffee brought into this country this year compared with one hundred and thirty millions the year before and this decrease has caused the price of the beverage to soar.

The protracted services at the Methodist church are still on, it being announced at the meeting Sunday that they would continue until further notice. These meetings have been the means of much good in every way, a general revival of the christian spirit being very much in evidence ever since the meetings began, several weeks ago. These services together with the many other duties of Pastor White has been very telling upon his usual robust health, but he has stood the strain manfully and perhaps will regret the close of the meetings more than any one else. This reminds us that in two months more the conference year closes, and with it the first year of the pastorate of Rev. John C. White. In that brief year he has clearly endeared himself to his congregation and to every one else in fact and demonstrated his ability as a speaker and a minister of the gospel. He has recognized ability and compares favorably with the most able minister of this or any other conference. There will be a united appeal for his return and this is as it should be. You can almost hear the cry of alarm that will predominate at the end of the five years, when the laws of the church will change him to another field in spite of the appeals and protests of those who would have him remain. Change the laws.

Jacob Atz, the well known harness and buggy dealer who has been in business on North Second street for several years has sold a half interest to Charles Steele, the new firm being known as Atz & Steele. Both are thorough business men and will take an earnest effort to secure their share of the business of this community. They will increase their stock of buggies, carriages and harness and will also put in stock a complete line of farming implements. They will handle the highest grade of goods and will appreciate a share of anyone's patronage.

W. E. Hale, who has been employed as General Manager by A. Tubman on the grading of the Fort Wayne and Springfield interurban railway has resigned his position and left Monday evening for Adrian, Mich., where he will engage in same business. While here Mr. Hale has made a great many friends who regret to see him go, but as the position he will accept is something better they all join in wishing him success. While here he has proven thoroughly honest and reliable and those who had the business dealings with him very much regret his departure. Mont Fee, formerly day clerk at the Murray Hotel has accepted his position and will act in the same capacity.

Fred Scheiman the popular meat man, located on Madison street, was united in marriage Sunday evening at 5:30 o'clock to Miss Lizzie Koenemann at the home of the bride's parents five and one half miles north west of this city. The ceremony was performed by Rev. Clausen, and was attended by only the immediate relatives and a few specially invited guests. After the ceremony a fine wedding supper was served. The newly married couple were the recipients of a number of handsome and useful presents. They will be at home to their many friends in their new home on North Third street. The Democrat joins with their many friends in wishing a happy married life.

Should the supreme court affirm the decision of Judge Artman and Judge Downey in declaring the apportionment law of Indiana unconstitutional, and it is generally conceded that the decisions of the lower court will be sustained, the apportionment law of 1897 will be in force. When asked if he anticipated calling an extra session of the Legislature to pass a new apportionment law in case the law of 1903 is declared bad, Governor Durbin emphatically said he did not intend to call the extra session and furthermore that he has never thought of such a thing. The matter has been suggested to the Governor by the politicians who have been building their fences on the apportionment of 1903. Declaring the law unconstitutional will make useless some of the work that has been done in the counties particularly affected by the apportionment.—Indianapolis News.

The case of Joseph D. Moser vs Sarah Hirschy, complaint to have the defendant declared of unsound mind, was heard by Judge Erwin Friday morning. Sarah is a young lady who has just become of age and who has \$600 which has heretofore been under the care of Mr. Moser, her guardian. Sarah who is religiously inclined said on the witness stand that she wished to gain possession of her money that she might give to the poor and needy when she wanted to. Judge Erwin took the question under advisement. In justice to Mr. Moser, it should be stated that his motive in this case are of the purest. He does not want to be the guardian but believes that for her own good and future welfare she should be protected by a guardian appointed by the court. The exact sum of her wealth is \$611 and if she provides for herself in the future she will not be able to contribute much to the poor heathen as she expressed it.

The case of John S. Bowers vs the City of Decatur and the officials of same has been set for trial before Judge Smith of Portland on next Monday and is expected to go to trial at that time. This is the suit brought to collect payment for the construction of Elm street sewer about \$18,000 being involved. The plaintiff is represented by D. D. Heller & Son, R. S. Peterson, J. T. Merryman and Colerick and France of Fort Wayne. The case is a very important one and the result will be awaited with interest.

Fred Koldey, trustee of Union township brought in a fine load of hogs Thursday, nine in number which weighed just 3,030 pounds for which he received the neat sum of \$144.92. David Gerber purchased the same for the purpose of shipping them to an eastern market. Mr. Koldey is very proud over his deal and does not think there are nine hogs in the county anywhere that could equal the ones he sold. Hogs are now selling at a fancy price and it certainly pays the farmer to take pride in raising the same.

The lenten season begins unusually early this year. February 17 will be Ash Wednesday, and Easter Sunday comes on April 3. The date of Good Friday this year is April 1. The remainder of the movable feasts rests with Easter, which is always the first Sunday after the 14th day of the calendar moon, which days falls on or next after the 21st of March according to the rules laid down of the construction of the calendar. The early date of Easter will no doubt in a measure detract from the popularity of the Easter bonnet, as the season will not be sufficiently advanced to warrant the wearing of summer headgear. Still the severe winter may result in an early spring and perfect an Easter day.

There was a very staff meeting of the Decatur section of the Fort Wayne District of the Metropolitan Life Insurance Company here last Thursday in their new office in the Post Office building. The meeting was a pure and simple business one and one to offer some assistance to the new agents of the company. J. F. Conway, General Manager of the Fort Wayne District presided and offered some very good advice to the agents which if taken advantage of means more business to the company. W. E. Hixson of Bluffton, C. Walsh of Geneva and W. R. Neal and J. S. Peterson of this city were the onlookers who were striving to grasp this information so as to be able to do the business. This company is a very prosperous one and are doing a great amount of business wherever they establish an agency, and the Fort Wayne District which includes Allen, Adams and Wells counties is considered one of the best districts in the state. This is speaking very highly for its agents and managers.

George Smitley, a brother of Malissie Smitley, appeared before Prosecuting Moran Monday morning and filed an affidavit against Luther Collins, charging him with having administered medicine and poison to said Malissie Smitley and in so doing caused her death. The affidavit covers four pages of legal paper and is in four counts, setting forth the following facts: "That George Smitley, upon oath swears that Luther Collins on the 25th day of January, 1904, at and in Adams county, Indiana, did then and there feloniously, unlawfully and willfully prescribe and administer to one Malissie Smitley, who was then and there in a delicate condition as the said Luther Collins then and there well knew, certain drugs, medicine, poisons and substance to this affidavit unknown with criminal intent such action not then and there being necessary to preserve the life of said Malissie Smitley, in consequence whereof the said woman died on February 1st." The other three counts are practically identical with this one. Collins has been in jail here since Saturday. He has employed Attorney C. J. Lutz to defend him. The affidavit with information will be filed in circuit court this afternoon and Judge Erwin will place Collins bond, it is thought at \$1,000, which the defendant says he can give without trouble and thus gain his liberty. The case will not be called for trial it is believed before the April term of court. While here today George Smitley called at the jail to see Collins but he refused to talk and turned his back upon his brother in law.

A Fort Wayne dispatch is as follows: "By an order of the pope sent out on last Saturday the choir in the Roman Catholic churches of the Fort Wayne diocese will have to be organized and the voices of women singers, which have mingled with the men in songs of praise and adoration will be done away with. The order from Rome is a mandatory one and demands that in the future women take no part in the choirs of Roman Catholic churches. In place of the women the order states that their places in the choir shall be filled with boys who are able to carry the soprano and alto parts. The order will be effective in all churches of this country."

Real Estate Transfers.

Zora Cook to John A. Cook lot 276 Decatur, \$400.
Fred Buess to W. H. Parr lot 15 Berne \$1350.
Fred Buess to Bertram Parr lot 16 Berne \$160.
Luella Sullivan to W. H. Parr lot 360 Berne \$855.
Stephen Kistler to Jesse W. Stoneburner pt sec 27 Kirkland tp \$5000.

Public Sale.

The undersigned will offer for sale at his residence, one mile northwest of Poe, Ind., on Monday, February 15 one team of horses, 1 coming 3-year-old colt, 2 milch cows, be fresh soon: 1 2-year-old steer, 1 1-year-old steer, 4 brood sows, 24 shoats, 18 head of ewes, 1 ram, 1 hay rake, 1 corn planter, 1 riding breaking plow, 1 grain binder, 1 riding corn plow, fanning mill, land roller, spring tooth harrow, bob sleds, farm wagon, 2 sets of heavy harness, 2 sets single harness, 2 top buggies, hay rack, set of dump boards, hay in mow, grain drill, corn sheller, disk harrow, iron kettle, lard press, mowing machine, grind stone, household furniture and other articles too numerous to mention. Terms of Sale—On all sums under \$5, cash in hand; \$5 and over a credit of nine months, without interest, will be given; purchaser giving note with approved security, waiving valuation and appraisal laws. A discount of 5 per cent for cash. Sale begins at 10 a. m. Roland Spangler, Fred Reppert, Auctioneer.

A great many women have the idea that sickness is the righteous inheritance of their sex. This is wrong. Dr. J. H. McLean's liver and kidney Balm will correct irregularities peculiar to their diseases. For sale by druggists.

NOTICE.

I am doing shoe repairing and am located in Kauffman & Smith's harness shop, next door to Schlegel's blacksmith shop. Bring in your shoes if they need any repairing. Peter Conter.

Farmers Take Notice.

Are your hogs and chickens healthy and in as thriving condition as you would like to have them, if not, feed them Egyptian Hog and Chicken Cholera Remedy. Put up in gallon and half gallon cans. For sale at the old reliable drug store, Smith, Yager & Falk. 484

Legal Advertising

APPOINTMENT OF ADMINISTRATRIX.

Notice is hereby given that the undersigned has been appointed Administratrix of the estate of Elizabeth D. Walters, late of Adams county, deceased. The estate is probably solvent.

EDITH V. WALTERS, Administratrix.
Jan. 29, 1904. 48-3

APPOINTMENT OF ADMINISTRATOR.

Notice is hereby given that the undersigned has been appointed administrator de bonis of the estate of Israel Stoneburner late of Adams county, deceased. The estate is probably solvent.

JESSE W. STONEBURNER, Administrator, De Bonis Non.
Feb. 1, 1904. 47-3 Clark J. Lutz, Atty.

NOTICE OF ADMINISTRATOR'S SALE OF REAL ESTATE.

Notice is hereby given that the undersigned, as administrator of the estate of Eliza J. McConnehey, deceased, agreeable to the order of the Adams circuit court, of Adams county, Indiana, on

Tuesday, March 15, 1904,

at the east door of the court house, in the city of Decatur, Indiana, will offer for sale at public sale, free of all liens, the fee simple of the following described real estate situated in the city of Decatur, in the county of Adams, in the state of Indiana, to-wit:

Tracts number 670, 674, 675, 676 and 677, all in Eliza J. McConnehey's subdivision of quarter section 26, in Cook's addition to the town, now city, of Decatur.

TERMS—One third of the purchase money cash on day of sale, one-third in three months of sale. Deferred payments from day and shall be secured by first and mortgage security on the real estate sold.

Such sale or sales and the security on the deferred payments to be made and taken subject to the confirmation and approval of said court.

WILLARD B. SUTTLES, Administrator.
February 11, 1904.
Merryman & Sutton, Attorneys, 48-4

APPLICATION FOR LIQUOR LICENSE.

To the citizens of the Second ward in the city of Decatur, Indiana, and to the citizens of the said city of Decatur, Adams county, Indiana.

Notice is hereby given that I, Cornelius Rasmussen, a male inhabitant of the said city, county and state, over the age of twenty-one years, a person not in the habit of becoming intoxicated, will make application to the board of commissioners of Adams county, Indiana, at their next regular session in March, 1904, for a license to sell spirituous, vinous and malt liquors in less quantities than a quart at a time, to be drunk where sold, in a room situated on the following premises, to-wit:

Sixteen and one-half feet off of the south part of lot No. 69 in the city of Decatur, Indiana, situated on the ground fronting said building and fronts on Second street in the said city, and is 78 feet in length and 15 1/2 feet in width and has both front and rear openings. 48-3 CORNELIUS RASMUSSEN, Applicant.
Feb. 8, 1904.

APPLICATION FOR LIQUOR LICENSE.

To the citizens of the Second Ward, city of Decatur, Adams county, Indiana.

Notice is hereby given that I, John Meyer, a male inhabitant of said city, over the age of twenty-one years, and a person not in the habit of becoming intoxicated, will make application to the board of county commissioners at their next regular session in March, 1904, for a license to sell spirituous, vinous and malt liquors in less quantities than a quart at a time, to be drunk where sold, in a room situated on the following premises, to-wit:

Commencing at the southeast corner of a lot number 69 in the city of Decatur, Adams county in the state of Indiana, running thence west along the alley one hundred and thirty-two (132) feet to the alley at the west end of said lot; thence north two hundred feet, thence east parallel with the south line of said lot number sixty (60), eighty-nine (89) feet, thence south five (5) feet parallel with Second street in said city, thence east parallel with the south line of said lot forty-three (43) feet to Second street to the place of beginning. JOHN MEYER, Applicant.

APPLICATION FOR LIQUOR LICENSE.

Notice is hereby given by the undersigned, a male inhabitant of the state of Indiana, over the age of twenty-one years, and a person not in the habit of becoming intoxicated, to the citizens of the First ward in the city of Decatur, Adams county, Indiana, and to the citizens of said city that he will make application to the board of commissioners of Adams county, Indiana, at their next regular session in March, 1904, for a license to sell spirituous, vinous and malt liquors in less quantities than a quart at a time, to be drunk where sold, in a room situated on the following described premises in the city of Decatur, Indiana, to-wit: Commencing at the corner of the street on the east line of lot No. 33 in the southern addition to the town, now city of Decatur, running to the north line of said lot, 132 feet, thence south parallel with Winchester street 40 feet, thence east parallel with the first line 132 feet to Winchester street, thence north 132 feet to the street and the place of beginning. The room to be 24 feet wide and 30 feet long situated in the northeast corner of the above described lot and fronting on Winchester street. The ground on which the room is situated is the same as is designated on the recorded plat of said town, now city of Decatur, Indiana. JOHN SCHAFER, Applicant.

APPLICATION FOR LIQUOR LICENSE.

The undersigned, Henry Koenemann, a male inhabitant of the city of Decatur, Adams county, Indiana, and over the age of twenty-one years, and a person not in the habit of becoming intoxicated, hereby gives notice to the citizens and voters of the Second ward, in the city of Decatur, Indiana, and to the citizens and voters of Washington township, Adams county, Indiana, that he will apply to the board of commissioners of Adams county, state of Indiana, at their March term, 1904, for a license to sell intoxicating, spirituous, vinous, malt and all other intoxicating liquors in less quantities than a quart at a time, with the privilege of allowing them to be drunk where sold, in a room to be sold and drunk in a room on the following real estate, to-wit:

Commencing at the southeast corner of the northwest corner of lot No. 56, running thence east parallel with the north line of said lot 12 feet, thence south 21 1/2 feet to the place of beginning, which is on the east side of Second street in the city of Decatur, Indiana, in said county aforesaid, on the first floor of said building in which said room is situated. Said building being a brick building two stories high, fronting to the west, and fronting on Second street in the city of Decatur, in the Second ward in the city of Decatur, in the state of Indiana. 48-3 HENRY KOENEMANN, Applicant.

RECEIVER'S SALE.

The undersigned will offer for sale on

Friday, February 12, 1904,

on what is known as the Julius Haugk farm, four miles east of Decatur, Indiana, to-wit:

Two brood mares, 13-year-old mare, 2 work horses, 1 spring colt, 1 pulch cow, 13-year-old steer, 12-year-old steer, 33-year-old steers, 6 brood sows, will farrow in April; 1 boar, 6 shoats, 15 tons of hay, in mow, 60 bushels of corn in crib, lot of oats in bin, several perch of building stone, 1 binder, 1 mower, 1 new check row corn planter, 1 new disc harrow, 1 spike tooth harrow, 13-horse power, 1 riding corn cultivator, 2 breaking plows, 1 single shovel plow, 2 double set work harness, 12-horse carriage, 1 double set carriage harness and other articles too numerous to mention.

TERMS OF SALE: Sums of \$5.00 or less, cash; sums over \$5.00 a credit of nine months will be given. Purchaser to give note bearing six per cent interest from maturity, and be secured to the satisfaction of the undersigned.

No articles removed until settlement therefor is made.

GEORGE W. BAUSCHMAN, Receiver.
Fred Reppert, Auctioneer.

48-4 Erwin & Erwin, Attorneys.

NOTICE OF HEARING OF DITCH PETITION.

In the matter of the petition of Miles W. Hemmerick

Notice is hereby given that a petition has been filed with the board of commissioners of Adams county, Indiana, and viewers have been appointed who have viewed and reported said view, which is on file in my office. The hearing of said petition upon its merits will be

Monday, March 7, 1904.

the same being the first day of the March term, 1904, of the board of commissioners of Adams county, Indiana.

The prayer of said petition is that a ditch be constructed on the following route, to-wit:

Commencing at a point ten (10) rods west and ten (10) rods south of the northeast corner of the northwest quarter of section fifteen (15), township twenty-six north, range fifteen (15) east, in Adams county, Indiana. Running thence north 40 degrees west 15 rods; thence north 30 degrees east, 31 rods; thence north 37 degrees east, 30 rods; thence north 46 degrees west, 12 rods; thence north 43 degrees west, 12 rods; thence south 80 degrees west, 6 rods; thence south 65 degrees west, 6 rods; thence north 5 degrees west, 5 rods; thence north 5 degrees west, 10 rods, and terminating in Blue Creek at a point 10 rods east and 19 rods north of the southeast corner of the east half of the northeast quarter of section 9, township and range heretofore mentioned.

Passing through and affecting the lands of Christopher Byer, Winford M. Schum, Christ, Bauschman, Garwood, Eliza, Beth Parks, Joseph Sims, W. and S. Sims, Nancy Passwater, Charles Morrison, Miles W. Hemmerick, and Blue Creek township as shown by the viewers report.

48-3 ABE BOCH, Auditor Adams county.

DR. CANADA

Ophthalmic Specialist.

Practice limited to the correction of defects of the eye. Glasses fitted to relieve strain, with numerous functional symptoms; to improve vision and for loss of accommodation due to age.

REFERENCES THE BEST.

At Dr. Coverdale's office, at Decatur, Ind., First Tuesday each month

