

OLD CASES DISMISSED

Numerous Criminal Suits Were Struck from Docket —Other Business.

Saturday was last day of the September term of the Adams Circuit court and at 10:30 this morning Judge Erwin signed the docket, closing the nine weeks' session. A two weeks vacation follows, after which Judge Erwin will conduct one week of the November term and Judge J. T. Merryman will then assume the robes of office on November 25th.

A motion for a new trial was filed in the divorce case of Catherine Erhart vs. Henry Erhart, but was overruled, and exceptions granted.

Isadore Kalver et al vs. William L. Gunder, suit on warranty, motion filed by defendant to tax the costs to plaintiff.

Joseph W. Murphy vs. John Fox and Amiel Sprunger, damages. Judgment on the verdict in favor of defendants and against plaintiffs for costs.

In the case of the state vs. Charles LeMay, rape, from Wells county, the bond was fixed at \$1,000.

A second case against Gotthard Brown, for house breaking, was dismissed, the defendant having been sent to the penitentiary for house breaking. Other cases dismissed today were State vs. Isaac Robison, State vs. William Wagner, larceny, State vs. Samuel Sprunger, selling liquor without license; State vs. Samuel Smith, allowing minors to play pool; State vs. Paul Crites, assault and battery; State vs. Harve Martz, petit larceny; State vs. Horace McClymonde, assault with intent to rape; State vs. Oscar Shaw, selling liquor to minor; State vs. Charles Rumphrey and Gladys Stansberry, adultery; State vs. Valentine Shrimp, contempt of court; State vs. Mandy Ayers, assault and battery.

A marriage license has been issued to Will J. Pettis, aged thirty-eight, of Marion, and Daisy Brayton, twenty-three, of Geneva. The groom has been married once and was divorced recently.

When the Lord created the human race he gave them two sets of teeth, two eye sights, two kinds of voice, two tempers a set of boils and a miscellaneous lot of mumps, measles and in-growing toe nails, but nowhere has he provided us with the second crop of hair.

The Allen county commissioners decided Wednesday that their court has no jurisdiction in the Fast, or Little River ditch case and the case must now go to the circuit court. The end of the case is not in sight and the costs mount up to something like \$12,000 already.

William Farr, the 10-year-old son of William Farr, a carpenter of Bluffton, died at his home Thursday from injuries received a week ago from a Clover Leaf freight train. While crossing the track of the road he was knocked down by a freight car and one arm was cut off at the shoulder.

Some miscreants Thursday evening either for a joke or with malicious intent carried away umbrellas from the home of Mat Kirsch to the value of ten dollars. Mr. Kirsch would not mind the loss so much if it was his own, but the entire outfit belonged to visitors and he will be compelled to stand the loss. This is certainly carrying a joke too far.

Mr. and Mrs. Dallas Reed, "just married," arrived in the city last evening and were guests at the Reynolds Hotel for the night, they being enroute to eastern points on their wedding trip. Mrs. Reed was formerly Miss Bertha Fullenkamp, of Decatur, and is well known in this city, having made various acquaintances while spending her summer vacations at Rome City with the Bachelor Maids club. Mr. Reed is a popular business man of Huntington. The happy couple left this morning for Buffalo over the Lake Shore.—Kendallville Sun.

No longer are telephone, telegraph, electric light and traction companies of Indiana empowered to cause the ruthless destruction of shade trees in order to string their wires. The appellate court of Indiana holds that trees cannot be trimmed by companies doing overhead construction work without the consent of the owners.

Announcement is made that, beginning December 1, all railroads within the territory of the Western Passenger association will sell mileage books to "bearer" and interchangeable on all lines at 2 cents a mile. Up to this time the 2-cent sale on mileage books has been limited to use of the person named on them and to the road issuing them.

MUCH ENCOURAGED

Secretary of the Treasury Congratulated—Buying of Stocks.

Washington, November 2.—Secretary Cortelyou, of the treasury, reported to the cabinet meeting that the financial outlook is improving all along the line. He expects to see conditions almost normal by the end of another week. The most encouraging sign, it was pointed out, is the inclination of the public to buy stocks of railroads as an investment. According to treasury advices money is coming out of hiding rapidly and is seeking permanent investment. Mr. Cortelyou's advices from every state are to the effect that the panicky feeling which existed the first of the week among depositors in banks has practically disappeared.

The cabinet heartily congratulated the secretary for the way he had handled the situation. As yet there has been no discussion in the cabinet as to whether the warfare against corporations and "rich malefactors" shall go on. To some of his callers during the last few days the president has said that there is to be no let up; that the "trust-busting campaign" will be pushed regardless of the temporary financial flurry, and that an effort will be made to put some of the "rich malefactors" in jail. It is known that some of the members of the cabinet are in favor of going slowly. Possibly a final decision as to just what the policy shall be will not be reached until the financial situation is still further improved.

USE NEW SCHEDULE

But a Few Exorbitant Rates Will Be Changed—Contest Continued Two Weeks.

The insurance war which has been waged in Bluffton for the past two weeks was brought to a close Thursday evening with the announcement which was made both by special and local agents, both union and non-union, to the effect that an agreement had been reached between the committees representing the Indiana State League of Underwriters, the organization of non-union companies, and the committee representing the Indiana Board of Underwriters, the organization of the union companies. The committees adjourned late Thursday afternoon after a two days' session at the Bliss Hotel in this city.

By the terms of the agreement reached by the committees the new Dean Schedule, which was submitted to the local agents some time ago, will go into effect immediately, with the concession to the non-union agents, who had been fighting against the adoption of the new schedule because of their alleged inequitable rating, that any alleged inequitable rates should be carried up to the Sellers agency for reconsideration and for re-rating if errors are found.—Bluffton News.

The decrease of 18,000 in the number of pensioners on the rolls at the end of the fiscal year 1907 as compared with the year previous, is the feature of the annual report of Pension Commissioner Warner. This is the greatest decrease in the history of the pension bureau. The number of pensioners on June 30, 1907, was 967,371 and the value of the pension roll \$140,850,880.

Ike Nelson, a young man who was out celebrating Halloween had a very narrow escape from death, as he was struck along the side of the head by a stray bullet that clipped off his hair and left a small furrow in the scalp. Young Nelson does not understand how the accident happened or who fired the shot, but he does know that he had a very narrow escape. The injury is slight and he is showing no ill effects of the same today.

Several of the large wholesale houses in Chicago and other cities have instructed their representatives and collectors that they must have currency in payment for their goods instead of checks. This is done for the reason that in many cities bankers will only honor checks to the amount of \$25 or \$50 per day on any one account. Should the check be more than that amount the bankers would issue a draft or check of deposit for the balance.

The work on the extension of the new water main to the automobile works is being pushed as rapidly as possible under the circumstances and will soon be completed and ready for use. The work is being carried out under the supervision of Water-Superintendent W. E. Fulk and City Engineer C. Vogt.

FLUES ARE WORN OUT

City Might be Reduced to Darkness Almost Any Time.

Water Works Superintendent C. W. Dorwin Saturday reported to the committee governing that branch of the city's municipal plant that two of the boilers now used in the operation of the plant, were in bad shape and liable to refuse to work at any moment, and that the city would be without light or water for some time. The trouble seems to be in the flues which refuse to act in conjunction with the balance of the machinery and several of these flues have become practically useless. The committee have wired to the factory for flues, which are expected to arrive in our city any time within the next two weeks. However, in the meantime there is no telling what may happen to the light and water supply. The finance committee to whom the purchase of a new boiler was referred some time ago, are pushing them as fast as possible and hope to see the first shipment of a portion of the boiler recently contracted for. The delay seems to be at the factory, and although the committee has been insisting upon immediate shipment, nothing definite has been learned. Under the existing circumstances it will be useless to think of operating the plant during the holidays, as this is the time that the plant experiences its heaviest load and the committee and employees at the plant are positive in their conviction that the present boilers cannot carry the load. With this situation staring the city in the face, they are redoubing their efforts to secure relief from some source and hope to be able to announce something more encouraging in the near future.

OF STOVE PIPE FAME

Man Who Beat His Wife and Paid the Fine Has Mysteriously Disappeared.

Nelson Hayes, who some three weeks ago was fined by Mayor Coffee for committing an assault and battery on his wife, has mysteriously disappeared and for the past fifteen days his wife and children have heard nothing from him neither have they seen him. From what his wife told the police Friday, Hayes immediately after he had paid his fine repaired to his home went to the hog pen and drove a big pig the family were fattening for winter use to the packing house, sold the same, pocketed the money and since that time they have seen nothing of him, and are now asking the local authorities to assist them in locating him and cause his arrest for desertion. The trouble between Hayes and his wife resulted over a stove pipe, which he was putting up and during the operation the pipe fell on the stove upset the coffee pot and otherwise played havoc with the vitals on the stove. For this accident Mrs. Hayes took her husband to task with the result that he deliberately assaulted her, which so infuriated Mrs. Hayes that she caused his arrest. As things now stand Mrs. Hayes is without any one to provide for her and her children, and she has during the past few weeks been compelled to work exceedingly hard for a living. Where Hayes has gone and what has become of him no one seems able at this time to state. However, the police are making a still hunt and may yet land the deserter.

The Rev. C. E. Luce, pastor of the east Main street Christian church at Portland has resigned his pastorate, because of too much pastoral work. He informed his congregation he believes his best work can be done from the pulpit. Owing to the way in which his congregation is constituted, he asserts he has had more work to do outside than in the pulpit.

One of the busiest places to be found about town these days is Poyner factory in Reome block, where the Poyner grain and seed separator is being manufactured by a small force of men. There are now thirty or forty machines finished and ready for delivery to purchasers. Mr. Poyner states that he would like to establish a factory here which would furnish work for a considerable number of men.—Warren Tribune.

Anti-saloon forces at Warren failed to secure enough names to a remonstrance to defeat saloons. Out of 795 names 331 were secured, but the temperance people will keep on working in hopes of securing sufficient names to defeat the next applicant. The failure to file a remonstrance Friday will mean a saloon for another year at least, as H. Gill will apply Monday, probably with success.

THROWN A DISTANCE

Piece of Rock Cut His Throat and With Other Injuries Caused Death.

Linn Grove, Nov. 1.—(Special).—Oliver Kizer, twenty-four years old and one of the most popular young men of this community, lost his life at the Augsburg stone quarry, one-half mile east of here, at five o'clock last evening. He had just finished putting in six pounds of Hercules powder, the last half pound containing the fulminating cap, the explosive being used to blast the rock loose. Young Kizer was tamping or packing the deadly explosive, when it suddenly let go, with a terrific premature explosion, hurling Oliver fifteen feet in the air. He alighted six feet below the break, and when his fellow workmen rushed to his side they found him in a dying condition. A piece of rock had been imbedded in his neck, and which had cut his throat. His left hand was mangled and his forehead lacerated. He lived just an hour. He was the son of Mr. and Mrs. Emanuel Kizer, who live near Fort Wayne. Besides his parents he leaves a young wife, a brother and sister. The funeral services will be held Sunday morning at ten o'clock from the Evangelical church, Linn Grove. Interment at Greenwood cemetery.

ASKS FOR OPINION

From Attorney-General — May Stop the Entertainments at Fort Wayne.

Indianapolis, Nov. 1.—That Governor Hanly contemplates executive action to stop boxing matches that have occurred with frequency throughout the state of late is made evident in a request he sent to Attorney General James Bingham for an opinion on the legal status of a "prize fight," and for a definition of the term. Attorney General Bingham submitted his opinion to the governor today. He holds that boxing matches are prize fights, and that they are contrary to the statute. Governor Hanly would not discuss the opinion today. He said that he had received it but had not read it, and that he could not state just what action he would take. However, in his letter to the attorney-general asking for the opinion, Governor Hanly said: "It is important that some action be taken by executive authority to put an end to the practice referred to if there is any statute covering the offense."

In his written opinion Attorney-General Bingham holds that boxing matches are palpable violations of these sections of the statute.

Governor Hanly's letter to the attorney-general was written on Tuesday, the day before Jack Morgan, the Indianapolis fighter, knocked out Russell Van Horn, champion of Ohio, at the auditorium in this city. Four ministers of Indianapolis attended the fight.

Boxing matches, some of which have developed into knockout fights, have been held at Fort Wayne, Hammond, Brazil, Greenfield and Bloomington. South Bend sports are preparing to hold one about the middle of the present month. Governor Hanly is vested with the power to call out the state troops if necessary to stop a fight or he may stop a fight by calling on the sheriff of the county.

BUYS SOME FANCY SWINE.

P. B. Dykeman Purchases Some Valuable Stock.

P. B. Dykeman, the well known dealer in O. I. C. registered hogs, attended the big annual sale of A. M. Foster, at Rushville, Illinois, this week, and Saturday received purchases, consisting of thirteen head of full blood, the very cream of Foster's Homestead herd, the best in the world. They attracted considerable attention on the street this morning, the bunch, including Rex, whose sires took grand championship prizes at the St. Louis World's Fair and the Royal Stock Show at Kansas City. The stock is perfect and will be added to the already champion winning herd at the Dykeman farm. The express on the hogs was about \$60.

AT U. B. CHURCH

Popular Young Lady From This City Died at Brother's Home in Missouri.

The remains of Miss Grace Harb, who died at Neosho, Mo., Wednesday evening arrived Saturday and were conveyed to the Christner home on Ninth street. Rev. Stangle furnishes us the following story of her life:

Miss Grace E. Harb was born in Corning, Arkansas, Sept. 28, 1880. While yet a child her parents moved to Wilshire, Ohio, where they resided a short time and came to Decatur, Ind. But soon they returned to Corning, Arkansas, where they lived for ten years and Grace grew to be a young lady. After a ten year's sojourn they again returned to Decatur, Ind.

When twelve years old Miss Grace became a devout Christian lady, and united her spiritual interests with the M. E. church of Corning, Ark. Some years ago she became a fervent worker and intelligent, whole-souled member of the Decatur U. B. church. To this church she remained faithful until her translation. She is missed, sadly missed, in every department of the church work. By her unbiased, noble, Christ-like usefulness she had woven her life into every good work of the church and into the fullest affections of all the members of the church. In her own home she shone as a jewel. Her character carried with it a sacred loveliness which had the power to calm fears, dispense with doubts, heal wounded hearts—make life worth a hundred fold more than it could have otherwise been.

While visiting her brother in Neosho, Mo., she was taken home on the evening of October 30. But 27 years, 1 month and four days remaining in earth. While her sweet spirit has been waited toward celestial skies, yet her noble influence remains with us. It cannot be destroyed. It can never abate. We may pluck the rose, but we cannot annihilate its sweetness—that abides. So with the precious life of Miss Grace. Her influence will ever linger with her loved ones and the church to urge them to noblest endeavor and sublimest usefulness. Already four noble young women in the church have said, "By the help of God we will endeavor to live as Grace lived, and do the work Grace would have done had she remained in earth longer."

Funeral services conducted at the U. B. church at 10:15 a. m. Sunday morning, November 3, by her pastor, Rev. L. A. Stangle. Interment in Decatur cemetery.

All those wishing to view the remains will call at the home of Mr. George Chronister on south Ninth street today (Saturday) or on Sunday between the hours of 7 a. m. and 8:30 a. m. Funeral will be conducted at the church at 10:30 at which time the casket will not be opened.

INSPECT PUBLIC WATER SUPPLY

State Commissioner Bernard Begins an Investigation.

Indianapolis, Nov. 1.—H. E. Barnard, state food and drug commissioner, says his department will begin at once the work of developing the general inspection of the public water supply of the states. He proposes to make chemical and bacteriological analysis of water supplies as often as possible and also to develop the system of water purification. Another branch of work will be a thorough study of the disposal of the sewage of the state. The new line of work is to be developed with the aid of J. H. Brewster, formerly of Pittsburg. Mr. Brewster was until recently with the American Water-works and Guaranty company of Pittsburg and is a graduate of Rensselaer Polytechnic school of New York.

"This study of the water supply," said Mr. Barnard, "will be carried along as rapidly as possible. Not the least important feature of this work will be the study of the disposal of sewage. A number of eastern states have strict laws in regard to the pollution of the streams, and this state must begin to look in that direction."

Mrs. Charles Elzie arrived last night from Decatur to assist in caring for Mrs. Harvey Elzie, north of the city. She is very sick with typhoid fever, and her condition is critical. Her little daughter, who had the disease, is better. Mrs. Frank Chalfant is nursing her.—Bluffton Banner.

WAITING FOR CANNON

Congress Meets in Four Weeks—The Bryan Banquet.

Washington, November 2.—As election day approaches, interest in the fusion between the Republicans of New York City and William R. Hearst's Independence League increases. Friends of Governor Hughes just now are resenting with some heat the intimations given out here at the capital that the governor by his silence gave consent to the arrangement. New York politicians are disposed to believe that the quarrel that has grown out of the fusion agreement will tend to make still wider the breach between Governor Hughes and President Roosevelt. The Hughes people are incensed because the president since his return from his hunting trip has been letting it be known that he did not know fusion was contemplated until he read of its consummation, and at the same time, it is alleged, is pointing out to his callers that Governor Hughes was consulted and declined to offer any advice, and thereby tacitly gave consent.

Washington, November 2.—When Joseph G. Cannon comes to town the program for the coming session of congress will begin to take shape. Four weeks from next Monday Mr. Cannon will be re-elected speaker, and re-clothed with power to say what the lower branch of congress will do and what it will not do. Many of the influential members of the house are already here, but they are withholding their views as to a legislative program until they hear from the man who presides over them. Much interest attaches to the coming of the prospective speaker for the reason that ever since Mr. Roosevelt and Mr. Cannon in the speaker's chair the two have, with but little difficulty, agreed on a legislative program so far as the house is concerned.

Washington, November 2.—Efforts are being put forth to obtain the presence of Democrats representing the various factions in the party at the banquet to be given William J. Bryan here on the 26th of this month. There are to be four speakers at the dinner in addition to Mr. Bryan, one of whom is to be toastmaster. A committee on speakers is now engaged in obtaining oratorical material. Twelve names have been given it from which to make a selection. An effort is being made to have as the New York speaker a man who has not been engaged in politics. There is no lack as to the identity of this person. There will be four hundred and seventy plates at the dinner, the cost of which will be \$3 a plate.

TWENTY-FOUR DAYS

Some time ago Dr. J. O. Neptune let a contract for the construction of a nine-room house to D. I. Weikel, the contractor, and according to the terms thereof, Mr. Weikel was to have the house completed and ready for occupancy within thirty days, and Saturday just twenty-four days from the time he received the contract, he made a settlement with Mr. Neptune, and turned over to him the keys to the house and by next week a family will be snugly quartered therein for the winter. That this is the speediest constructed house ever built in Decatur goes without argument, and Mr. Weikel is to be congratulated upon his success. The house is complete from foundation to garret, it being plastered, painted, wired for electricity, plumbed and ready for occupancy. The house is a nine-room affair, and is neatly arranged upon the inside, everything being convenient for the tenant. When Mr. Weikel received the contract his friends thought it was impossible to do the work within that short period and made several laughing remarks that he would get stuck on the deal. However, Mr. Weikel was undaunted and by hard and consistent work, managed to do the work in six days less than the contract called for and today has the distinction of building the quickest house ever erected in the county. The house has been accepted by Mr. Neptune, the owner, which is in itself sufficient evidence that it was built in accordance to the contract.

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