

A movement has been inaugurated which, if a culmination of the present plans is realized, will result in the construction of a Mennonite church in Berne that will, in size and beauty and equipments, surpass by far any house of worship in Adams county. Realizing that the dimensions of their present church are grossly inadequate to accommodate comfortably the 750 people whose names are found on the roll, those high in the councils of the organization called a meeting of the congregation yesterday afternoon at which time a committee of nine members, consisting of Messrs. Daniel Stuckey, J. P. Habegger, Philip Sprunger, Emanuel Sprunger, Samuel Lehman, Levi Sprunger, A. Neuschwander and Eli Baumgartner was chosen, to be known and vested with the power of a building committee. These men will assemble at a stated meeting place and discuss the matter relative to the location, size, time of building, approximate cost and other important features. It is already understood, however, that the new church will be built on the three acre tract of land owned by the congregation in the vicinity of their present church; its construction including material, will cost between \$35,000 and \$50,000, and the seating capacity will be 2,000. Every convenience known to modern times will be installed, and when completed the structure will be a credit to the county. It is not improbable that the work of construction will begin during the summer months of this year, although it may be deferred a year later. The committee will not only discuss the plans of building, but it will be their duty, we are informed, to devise ways and means for obtaining the capital with which to pay for same. This will be done, either by subscription or assessment at the option of the majority.

GIVES ANOTHER OPINION.

The McCoy Case Still Hanging Fire at Governor's Office.

Indianapolis, February 11.—Attorney General Bingham, in a long opinion sent to Governor Marshall clings to the views he gave the governor several days ago regarding the Thomas J. McCoy case, a question that has been raised by the attorneys for McCoy asking that he be released from prison under the "good behavior act" of 1883, which the attorneys declare is not repealed by the indeterminate sentence law. The attorney general on Feb. 3 submitted an opinion to the governor, in which he agreed with the attorneys for McCoy. Had not Warden Reid bestirred himself when information regarding the contention of the attorneys reached him McCoy would have been out of prison by this time. His maximum sentence of three years expires June 19. Warden Reid found in an old case of Davis vs. the State an opinion from the supreme court which did not accord with the attorney general's views.

RETURNED FROM THE SOUTH

W. O. Myers Came Home Last Night From the South.

W. O. Myers, of Pleasant Mills, route one, came home last night from an extended stay in Alabama, most of the time being spent at Helena. He left here last December, first going to Arkansas. He reports the climate as being the best that ever happened, but the country is enough to make a hoosier ashamed of himself. The soil is poor, nothing but rocks and mountains being visible to the naked eye, and the fellow who thinks he has a hard time of it here, would feel rich indeed to see some of the people there, and the way they live. Mr. Myers had a pleasant time and enjoyed his visit to the southland immensely.

The Union Trust company, receiver of the Ossian Live Stock Insurance company, has been receiving a large amount of claims against the company. The claims are coming in from all over this part of the state since the advertisements were inserted in the papers in this vicinity recently, requesting that all of these claims be filed within a short time. The officers of the trust company hope to be able to pay out nearly in full.—Bluffton Banner.

When Rubbers Become Necessary

and your shoes pinch. Allen's Foot-Ease, a powder to be shaken into the shoes, is just the thing to use. Try it for Breaking in New Shoes. Sold everywhere, 25c. Sample Free. Address, Allen S. Olmsted, LeRoy, N. Y. Don't accept any substitute.

Sluggish livers and bowels are the cause of nearly every disease. Cleanse your system and regulate the bowels and liver to healthy, natural action by Hollister's Rocky Mountain Tea. The surest remedy known. 35 cents. Tea or Tablets.

SMITH, YAGER & FALK.

State vs. Noah Yoder, appearance of F. M. Cottrell for defendant, was withdrawn.

Clara Watkins vs. John W. Watkins suit for support, a motion and affidavit was filed for change of venue, the same being granted, and the case sent to the Allen superior court for trial. Ten days was granted to perfect change.

J. H. Yager et al vs. Dot Elcher Percy, suit on note, a separate demurrer to the second, third and fourth paragraphs of defendant's answer, was filed.

Transcripts and other papers in the Charles F. Chellinger vs. Samuel R. Alden et al, were filed in the Adams circuit court, the case being brought here on a change of venue from Allen county.

State ex rel, Alice M. Kessler vs. Willis Heistand, transcripts filed, and warrant ordered returned forthwith.

Jesse Otto Teeter and Ethel May Campbell, both living in the southern part of the county, have been granted license to wed. Another license was also issued to James R. Zimmerman and Viola Yager.

Phillip L. Macklin has filed a claim of \$96 against Phillip L. Macklin, administrator.

Before R. S. Peterson as special judge, a report of sale of real estate was heard in the Ray estate. The sale was confirmed, and deed ordered made, and approved.

Clara E. Mumma deeds to Ruth Fisher, inlot 664 Decatur, for \$1,000.

Warrants have been issued by the judge of the circuit court, on the order of Judge Sturgis, for the arrest of John Deam, merchant policeman, who is charged with assault and drawing deadly weapons with intent to kill Loi Plessinger, also a merchant policeman. Mr. Deam will arrange this afternoon to give bond for his appearance. He will probably not be tried during the present term of court. Frank Trout, who was arrested on an affidavit filed by John Riley, on a charge of assault with intent, has given bond for his appearance.—Bluffton Banner.

The case of Dr. J. H. Holcomb of Uniondale, accused of perjury on account of alleged false testimony given in the Cotton divorce trial on behalf of Mrs. Cotton, was quickly disposed of when called in Squire Rinehart's court at ten o'clock this morning. In fact the case was not called there for an arraignment of the accused doctor, but the prosecuting attorney dismissed the affidavit filed there and filed a new affidavit in circuit court. This places the case directly under the jurisdiction of Judge C. E. Sturgis without any preliminary being held.—Bluffton News.

Special Judge Peterson has rendered no decision in the Bremerkamp guardian case. The weather being so bad Mr. Peterson failed to venture out today, and it is likely that a final action may be taken tomorrow.

F. S. Armantrout has been appointed administrator of the Hubert Tapp estate, letters ordered issued and confirmed and bond approved.

Fruchte & Litterer has filed a new case entitled Kirsch, Selmeyer & Sons vs. Fannie and John J. Meyer, suit for foreclosure of mechanics lien, demand \$100. Summons ordered returnable March 2.

A marriage license was issued late Saturday afternoon to Earl Bowman and Jessie Beery. The groom is a son of W. A. Bowman, is a well known young man.

Real estate transfers include a deed given by Otis Riley et al to Jeremiah Draper, lots five and six, \$32.50.

HE WANTS A DIVORCE

Walter J. Lotz Files Divorce Action in Circuit Court.

Muncie, Ind., Feb. 15.—Walter J. Lotz, one of Muncie's prominent attorneys, and twice defeated candidate for attorney general of Indiana, filed suit for divorce Saturday in the circuit court against Beatie G. Lotz, alleging cruel and inhuman treatment. He avers that his wife abused and cursed him on frequent occasions and followed him to his place of business as well as upon the streets of the city. It is said a counter suit will be filed by Mrs. Lotz Monday and embodied in the complaint will be allegations of the most sensational nature.

PNEUMONIA FOLLOWS LAGRIFFE

Pneumonia often follows lagrippe but never follows the use of Foley's Honey and Tar, for lagrippe coughs and deep seated colds. Refuse any but the genuine in the yellow package. THE HOLTHOUSE DRUG CO.

Washington, Feb. 12.—The promotion of Newton W. Gilbert, of Port Wayne, from commissionership in the Philippines to the place of secretary of education in the islands carries with it an increase in salary from \$7,500 to \$15,000 per year. The nomination of Mr. Gilbert was sent to the senate by President Roosevelt late Wednesday afternoon. Mr. Gilbert, who resigned his place in congress as the representative of the Twelfth Indiana district to become judge of the court of first instance in the Philippines, went to the orient three years ago, and his rise in public life has been very rapid. In August last he was appointed by President Roosevelt as a member of the Philippine commission at an annual salary of \$7,500. The new appointment is merely an advance in rank on the commission that carries with it additional duties and doubles the former salary.

Fred Martin who arrived Thursday afternoon from Fairbanks, Alaska, for a visit with his father and other relatives, brought with him many articles which have attracted considerable attention; among the people of this city. He has presented his father with a gold nugget which weighs seven ounces and seven pwt. and worth approximately \$135. The nugget is in the form it was when mined, and is certainly a curiosity to see. Mr. Martin says he does not like the idea of using it as a paper weight as was suggested by Fred. Among other valuable things he brought were a number of beaver fur mittens, etc., which he has given to his relatives. Mr. Martin and his friend, Mr. Greenfield, will remain here for about two weeks, after which they will leave for the old country for a three months' visit with relatives of the former. They will return to this city for a few weeks' visit and then return to their home in Alaska. Fred likes it in Alaska very much, and he has prospered well there.

FOR DEFENDING GOVERNMENT

Penalties of a Million and a Quarter Against American Sugar Co.

New York, Feb. 12.—The government's star witness in its suit to impose penalties amounting to \$1,250,000 on the American Sugar Refining company for sugar alleged to have been entered without duty after the government's scale on Havemeyer & Elder's pier in Brooklyn had been tampered with, testified yesterday before Judge Holt in the federal court. He was Richard Parr, special treasury agent. Mr. Parr told of finding holes bored in the framework of seventeen scales on the Brooklyn pier, in which pieces of steel wire had been inserted to make the scales register lighter weight on imported sugar to be weighed for purposes of taxation.

A marriage license was issued to Casper Barton and Minnie M. Johnson, both living in Lagrange county and old enough to know better.

The petit jury is called for next Monday and they begin business with the state case against Johnlox. Quite a number of cases have been set down for trial, and unless something unforeseen occurs, the term will have all the earmarks of being busy.

John R. Wheeler vs. Andrew Heimbarger, a partition suit, was dismissed and costs paid.

Conrad D. Gallmeyer, trustee vs. Ed Gallmeyer et al, a quiet title and damage suit, is set for trial Tuesday, March 16.

J. L. Yancy as guardian of Louis H., Anna C. and George W. Shanaberger, filed an account current, which was approved.

Harold Wilcox will appear on the Lincoln memorial program at the Methodist Episcopal church at St. Louis, Mich., on Sunday night with the mayor of the city, the superintendent of the public schools and the pastor. Harold will discuss Lincoln and his relation to temperance.

Wm. G. Hoffer is to have opposition at Wapakoneta, as Morris brothers who were formerly editors of the Wapakoneta News, giving way to Mr. Hoffer, are to start another Democratic daily. But we venture the assertion that they will find they are up against the real article when they try to scoop the ever alert Hoffer. Hoffer is an original newspaper man and we feel sure he will be there with both feet and a smiling countenance on all occasions.—Willshire Herald.

MONEY TO LOAN.

Plenty of money to loan on farm property at 5 per cent. Privilege of partial payment at any interest paying time.

SCURGER & SMITH, Attorneys at Law and Abstractors

LIZZIE STORMS IS PARDONED.

Sent Up for Life from Winchester Sixteen Years Ago.

Mrs. Lizzie Storms has been released from the woman's prison at Indianapolis and arrived in this city Wednesday evening to spend the remainder of her life with her son, Charley Storms. Mrs. Storms was taken to prison fifteen years ago on Christmas day to serve a life sentence on conviction as an accessory in the murder of Kent Browne, a colored barber, in a woods one and a half miles south of Winchester. The murder was committed in August, 1893. Mrs. Storms, together with Samuel Price, were found guilty of the crime, and both were sentenced for life. Price was released six years ago by Governor Durbin. Mrs. Storms was paroled by Governor Marshall, after her son, Charley Storms, had signed an agreement to take care of her and see that she does not become a public charge.—Winchester Herald.

John R. Wheeler vs. Andrew Heimbarger, partition, cause dismissed and costs paid.

Conrad Gallmeyer trustee, vs. Edward Gallmeyer et al, set for trial Tuesday, March 16.

John H. Yager et al vs. Dot Elcher Percy, demurrer to second, and third paragraphs overruled.

The case of Joseph Bremerkamp vs. Mary Bremerkamp for removal of guardian, was heard before Special Judge Peterson. Evidence was heard and the findings in the case were reserved until Monday. The petitioner was represented by J. W. Teeple, and the guardian by Heller & Son.

The petit jury come on for duty Monday, and it is likely that the scenes about the court room will take on an air of real life. State cases will be tried first.

The real estate transfers include the transfer of eighty acres in Union township, Ira A. Schafer to Charles Schafer, the consideration being \$6,000.

Last evening at seven o'clock Forest Erenzo, the four and one-half year old child of Mr. and Mrs. Burton Ballor breathed its last after a long siege of scarlet fever, which proved excruciating in the extreme to the child of tender years. The child who was born June 21, 1904, became ill several weeks ago, and although no alarm was then caused, the case soon assumed a seriousness which foretold early death. The child grew worse each day, and it was known several days ago that the coming of the death angel could not be avoided. The house has been closely guarded that the malady could get no chance to spread and thus far there are no other cases reported. No funeral services were held over the remains, and burial took place that afternoon privately. It is hoped that no new cases of the disease will develop.

OBITUARY.

Henry Young was born in Pennsylvania Nov. 13, 1824. In 1837 at the age of 13 years he with his parents moved to Adams county, Ind. He having been a resident of this county for 72 years. He was united in marriage to Maria Brandyberry in 1850, who departed this life in 1895 after 45 years of constant companionship. To this union were born six children, three sons and three daughters. One son and three daughters have passed on before to be with the mother. The deceased has always lived a good, moral life and was an honest upright citizen, and will be greatly missed by all who knew him in this community, where he has been a familiar figure for so many years. He passed to the great beyond at the home of his son on Tuesday, Feb. 9, 1909 at the age of 84 years, 2 months and 26 days. He leaves to mourn their loss one brother, two sons, 11 grandchildren and numerous other friends and relatives.

W. W. Wyrick, of Angola, has been very successful the past year in growing onions. He planted thirteen acres and raised about eight thousand eight hundred bushels. About 500 bushels were caught by a freeze in the fall and had to be thrown away, leaving about 3,300 bushels of good onions, or an average of nearly 650 bushels to the acre. The cost per acre in raising and harvesting this crop was about \$90, or a total of \$1,170. He sold 3,300 bushels in the fall for 38 cents, or \$1,254, and has on hand now 5,000 bushels which at the present price of 75 cents, would bring \$3,750, or a net profit from the thirteen acres of about \$3,900.

If YOU want a good shine call at Reiter & France smoke house. I will deliver all packages for 5 and 10 cents owing to the distance. Jas. Coverdale.

Today the costs in the famous Studebaker-Faylor case, which has been switched around from one court to another and back and forth from the higher courts, were paid, amounting to between \$2,000 and \$2,100. With the payment of the costs the Faylor heirs will be ready to go in trial again. These costs, which constituted the cost of appealing and the costs in the lower courts, had to be paid before another trial could be had. In order to raise money for this the Faylor heirs mortgaged their other farm north of the city and they will plunge into the litigation stronger than ever. As the case is in the Adams circuit court the people here will not have a chance to hear the case this time except by long range. R. W. Stine, one of the attorneys for the Faylor heirs, who paid the money over to the sheriff today, stated that the attorneys would try and have the case set for this term of the Adams circuit court if possible. When the case comes up in Decatur, Bluffton will be nearly depopulated of its legal talent.—Bluffton Banner.

BOUND TO RELEASE MCCOY.

Lafayette, Ind., February 13.—John F. McHugh and Charles A. Burnett, of the firm of Hayward & Burnett, went to Michigan City this afternoon to institute habeas corpus proceedings against James H. Reid, warden of the state prison, to compel him to release Thomas J. McCoy, the bank wrecker, from prison. This step was agreed on at a consultation of attorneys this morning.

Six weeks of intense suffering from blood poisoning and gangrene in their worst forms has culminated in the untimely demise of Mrs. Roy Heller, late of Kirkland township, whose spirit took its flight Saturday at four o'clock. Subsequent to the birth of a baby boy the woman became seriously ill as a consequence of the development of the above stated ailments and with the passing of each day her condition grew weaker, the pangs of suffering becoming more excruciating as days went by. Displaying always wonderful vitality, she fought nobly against the coming of the death angel, entertaining hopes until the last hours of recovering, but without avail. She was taken suddenly worse last night and ere the attendants were aware the most estimable woman had been ushered before her maker. The deceased, but twenty years of age, was beloved by all who knew her. Her kind disposition and sterling worth had made her popular among a host of friends and the members of the immediate family are not alone in their hour of sorrow, but are joined by innumerable friends who will deplore the death of Mrs. Heller. The funeral services were held from the Zion church Monday morning at ten o'clock. Interment was made at the church cemetery. The deceased is survived by two brothers, William and Louis Scherry and one sister, Susan Corson of Lancaster, Ohio.

For the first time in the history of Decatur, a patron of the municipal electric light works has been found guilty of manipulating his electric light meter in a manner that the city was defrauded out of payment for such service, C. B. Schmuck, proprietor of the Crystal theater, being the one against whom an affidavit was filed Saturday with such charges contained therein. Electrician Mylott in his last two readings of the meter noted a decided decrease in the amount of electricity used. The meter registered such a small amount for December that he was prompted to make an examination of the mechanism, thinking that a defect may have been caused in some manner and the meter was not registering properly. Mr. Mylott took the meter to the city offices to make an examination and to his great astonishment he found a piece of wood placed in such a position in the mechanism as to prevent it from registering. He at once filed an affidavit against Schmuck charging as the city ordinance provides, the offender with robbing, cheating and defrauding the city of Decatur by meddling with his meter. The warrant was placed in the hands of Marshal Butler, who arrested Schmuck Saturday afternoon at four o'clock. The offender was arraigned before Mayor France, where he pled guilty to the charge. He was accordingly fined \$5 and costs, amounting in all to \$15, and he paid into the city treasury the amount of \$16.75, the amount he was alleged to have defrauded the city out of. The fine was also paid and he was released from custody.

WASHINGTON ONCE GAVE UP

to three doctors; was kept in bed for five weeks. Blood poison from a spider's bite caused large, deep sores to cover his leg. The doctors failed, then "Bucklen's Arnica Salve" completely cured me," writes John Washington, of Bosqueville, Tex. For eczema, boils, burns and piles its supreme. 25c at all druggists.

That no license shall be granted any person outside the police jurisdiction of any city or incorporated town,

County commissioners may call an election within such limits to determine whether the saloon shall or shall not be admitted, when a petition is presented bearing the names of at least 30 per cent of the voters of a town or of a ward in an incorporated city.

Such election shall stand for two years.

The election board for such elections shall consist of the county auditor and two resident freeholders, one of which shall be known to favor the sale of intoxicating liquors and the other prohibition.

In each precinct there shall be one judge and one clerk favoring prohibition and one against it.

Elections shall be called not sooner than thirty days, and not later than forty days, and the laws governing shall be the same as the general election laws, the expense to be borne by the city or incorporated town in which the election is held.

The Nicholson and Moore remonstrance laws shall not be affected.

The act of September, 1908, is repealed, with the provision that counties which have been voted dry under the county unit law shall remain dry for two years.

The number of saloons is limited one to every 500 inhabitants.

Upon first offense in violation of the liquor laws, the license shall be suspended ten to thirty days, and upon second offense suspended.

The license in cities of the first class shall be at least \$350 and not more than \$750.

Second class, \$250 to \$500.

Third and fourth class, \$250 to \$400.

Fifth class, \$200 to \$350.

Incorporated towns, \$100 to \$300.

An emergency clause provides that the act shall become in full force and effect after passage.

Word reaching the city during the past, few days is to the effect that Benjamin Teeple, who, until last Monday resided on a farm near Van Wert and who is the husband of a sister of Ed Green of this city, and daughter of John Green, has left for Michigan, abandoning his wife and leaving her in destitute circumstances. Teeple let his home last Monday, telling his wife that he was going to Michigan on a business trip. He took with him what money was on hand and after being away a few days he wrote a letter to his wife informing her that he would never return. It has developed since his departure, we are informed, that Teeple eloped with a Van Wert girl. All that he left his wife was a cow and household goods. John Green has gone to the home, where he will dispose of the goods at public sale and Mrs. Teeple will probably come to Decatur to make her home. It is hinted that wife desertion charges will be instituted against Teeple, and if this is done and he is apprehended, he will no doubt suffer for his misconduct. How a man can leave his family so abruptly, leaving them in such circumstances, is more than mind can fathom and if captured the severest penalty provided for in the statutes would fall far short in administering the punishment he deserves.

CLOSED SUCCESSFUL MEETING

Twenty-Five Conversions to the Poe M. E. Church.

Rev. J. S. Newcomb, pastor of the Hoagland charge, has just closed the most successful evangelistic services held in the Poe Methodist Episcopal church for many years, having had twenty-five conversions and several renewals. Every service was well attended both in numbers and in spiritual power, which was gratifying to both pastor and people. Next Sunday the Rev. will preach at Alpha in the morning and read a letter from Samuel and Maggie Peoples, former members of the Alpha church, now located at Wheatland, N. Dak. In the afternoon he will preach at Mt. Pleasant, his subject being "The Heavenly Pedestrian."

WAS FOUND DEAD IN BED.

David V. Baker Dies from Heart Failure.

David V. Baker was found dead in bed at his home on east Walnut street at 1:30 o'clock Thursday afternoon, having passed away sometime since Wednesday evening, presumably from heart trouble. The discovery was made by Nate James and Elmer Baker, grandsons of the aged man, who were sent to the home of Mrs. E. E. James, a daughter, to learn why her father had not been at her home for dinner as he had intended. The boys entered the house and found the grandfather in bed. Attempting to arouse him they were horrified to find his body cold and lifeless.—Portland Sun.