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SALOON CASE FILED IN SUPREME COURT

South Bend Prohibitionists to
Test Constitutionality of
The License Law.

AN APPEAL THREATENED.

THE BRIEF FILED IN THE CASE IS
BASED ON ERRORS ALLEGED
TO HAVE BEEN MADE IN A
FORMER HEARING.

Indianapolis, Sept. 25.—The constitutionality of the granting of liquor licenses is to be taken to the supreme court of the United States. A brief, sent from South Bend, Ind., was filed in the Indiana supreme court today, touching the constitutionality of the license law from the standpoint of the state constitution, and a dispatch from there says that in case the Indiana supreme court decides against the temperance people, the matter will be taken before the United States supreme court.

The case involves South Bend people. It is that of Thomas C. Barnes, et al., against Michael Wagener, the case was started in the commissioner's court there when Wagener, the appellant, applied for a license and T. C. Barnes, W. R. Boyd and J. C. Hodges, the appellants filed a remonstrance on the grounds of the unconstitutionality of the license law. The remonstrance was defeated and the case was tried in the May term of the St. Joseph Circuit court on an appeal with like result.

Relay on Errors.

Charles F. Holler, candidate for the vice-presidential nomination on the prohibition ticket, is attorney for the appellants. He has for his assistants Timothy E. Howard of South Bend, a former judge of the supreme court; A. B. Kirkpatrick of Kokomo, and Sumner Haynes of Portland. The appellants rely upon the following three alleged errors for reversal: (1) The court erred in sustaining the demurrer of appellee to the remonstrance filed by appellants against the granting of a license to appellee to sell intoxicating liquors, as prayed for in the application of the appellee; (2) the court erred in rendering judgment against the remonstrators for costs in this case; (3) the court erred in not granting the prayer of the remonstrance to dismiss appellee's application for a license.

There was a large crowd the other day in the Rue Montmartre, one of the busiest streets in Paris, when suddenly a man on a bicycle shot out of a side street, closely pursued by a man on foot who shouted "Stop thief." A little white haired gentleman with a goatee beard sprang in the way of the thief, knocked the machine from under the rider and seized the man, holding him till the constables arrived. It was M. Lepine, prefect of police.

That taste,
That flavor,
That cleanliness,
That rich, round, aromatic toothsome—
found only in

Arbuckles' Ariosa Coffee!

Cheaper than anything "just as good", and better than anything "just as cheap."
And the best of all for you!

ARBUCKLE BROS., New York City.



Grand Display
and showing of
Base Burners
Hot Blast Stoves
Ranges and Soft Coal Burners

For the Fall and Winter of '07-'08

The Cinderella

We call your special attention to our Great "Cinderella" Base Burner. She is the household queen of all other makes. Has either the three flue or two flue construction. If you wish to save money on fuel buy a "Cinderella."

Prices are from \$35 to \$60

N. A. Kirkman
Main Street

Cinderella

The Household Queen of all other Base Burners

LOCAL AND GENERAL SPORTS

FELT AT HOME AND EASILY TOOK GAME

Medicine Hat Bunch Brought A Sample of Its Noted Weather With Them.

POLAR BEAR CHAMPIONS.

YINGLING WAS IN THE BOX FOR THE LOCALS AND PITCHED A SPLENDID GAME—WEAVER WAS THE STAR.

(By Tort.)

Medicine Hat 5; Richmond 4.

Hearing that the Medicine Hat ball team was bled for Richmond Tuesday some mint julep zephyrs from that frost bitten Canadian burg, where the storm king loafs when not on duty and the mercury freezes, arrived in town at the same time the ball team did. The frost-tinged atmosphere made the visitors feel like they were again in that dear old Medicine Hat—and is it any wonder they took our sun-cured pets 5 to 4?

Medicine Hat team are the champs of the Polar Bear league and they have some ball team, reinforced by a few of the surplus citizens of Cincinnati, which has a population of 300,000 when the minor league seasons are on and a population of 350,000 when the minor leagues close business for the winter.

Mr. Yingling, the crack Dayton southpaw, who has been purchased by the Detroit Americans, was on the firing line for the locals and he pitched an excellent game, letting the Icebergs down with five hits and breeding seven of them. Hollis, another southpaw, worked for the visitors and he was touched up for eight hits, but was effective in pinches. Ownie Bush, the crack little shortstop, was really responsible for our defeat.

In the sixth, with the score 3 to 2 in favor of the Icebergs, Yingling booted a chance allowing Lefty Geyer, the Grand Rapids outfielder, a life. Valdoise then poled a hot one at Bush, which sifted through him. Had he fielded the ball the side would have been retired without a run as the next two up were easy outs. As it was, Medicine Hat with two down uncorked a nice hit, off Zurlag's bat, and both base runners crossed, making the score 5 to 2.

Hits by Weaver and Parker in the local sixth and an error by Bateman off Fisher's bat brought in two runs for the locals, making the score 5 to 4. Hollis tightened after this inning and allowed only two scattered hits the remainder of the game.

Made Brilliant Start.

The Quakers, at the kickoff, started brilliantly. With two down Stokes Weaver, who hit like a pile driver and fielded spectacularly throughout the game, singled. Parker then came to bat and fell on the first pitched ball for three bases, Weaver counting. Burns breezed. The visitors in their half of the first made a gallant bid for a score but B. Lally, whose umpiring was fantastic and weird, could not see it. Through the charity of Yingling, Bateman, who used to play here with Billy Earle about the civil war period, and Valdoise got on the bags. Bateman slid for third and Meredith, who worked for Jessup, got him a mile off that bag, but Lally called him safe. This should have been the third out. Bateman and Valdoise then started a double steal. While Bush was trying to run down Valdoise between first and second, Bateman started for home. He crossed the plate and was enroute to the bench when Meredith got a hold of the ball. Meredith then, as a matter of habit, tagged Bateman. To the astonishment of everyone Lally called him out. Cap. Benny of the visitors, assisted by a select chorus of his hired men, howled like a dyspeptic sea lion, but all to no avail.

In the second, a hit by Johnson, Fisher's sacrifice and Yingling's single, counted for a run. The one sensation of the game was a catch made by Weaver in the ninth. Benny noled a high one into deep center, after Lally had robbed him of a base hit in right which made the chaff fly on the foul line and which Lally called a foul ball. Weaver started to run with his back to the populace. After nearly losing himself in the alfalfa Stokes jumped high and speared the ball. Score:

RICHMOND.	AB.	R.	H.	O.	A.	E.
Bush, ss.	4	0	0	2	1	1
Plummer, rf.	5	0	0	0	0	0
Weaver, cf.	4	2	3	2	0	0
Parker, 2b.	4	1	2	2	4	0
Burns, lf.	4	0	1	2	0	1
Johnson, 3b.	3	1	1	0	2	0
Fisher, 1b.	3	0	0	13	1	0
Meredith, c.	2	0	0	6	2	0
Yingling, p.	4	0	1	0	3	1
Totals	33	4	8	27	13	3

MED. HAT. AB. R. H. A. O. E.

Barton, ss.	4	0	1	2	2	0
Bateman, 2b.	3	0	0	1	2	1
Geyer, lf.	3	2	0	4	0	0
Valdoise, 3b.	3	1	0	2	2	0
Decker, cf.	4	1	1	3	1	0
Nippert, rf.	4	1	1	1	0	0
Zurlag, 1b.	4	0	2	9	1	0
Benny, c.	4	0	0	5	2	0
Hollis, p.	4	0	0	0	2	0
Totals	33	5	5	27	12	1

Richmond . . . 1 1 0 0 2 0 0 4
Medicine Hat . . . 0 0 3 0 2 0 0 5

Left on bases—Richmond 7, Medicine Hat 4. Earned runs—Richmond 2, Medicine Hat 1. Bases on errors—Medicine Hat 3, Richmond 1. Three base

MYTHICAL CREATURES.

The General Belief in Fabulous Monsters in Olden Days.

Now that the cold light of science has thrown its ray upon the most remote parts of our globe there is no longer room for legendary creatures—save the sea serpent—and we are told that the mermaid is nothing more than a dugong, a unicorn either a rhinoceros or a Tibetan antelope, while the cockatrice, the phoenix and the roc appear to be pure imaginings.

But in the Elizabethan age—an age when the dodo had but recently been discovered—these and many other mythical creatures were, if not living, at all events actual realities to the ordinary public, and as such were referred to in the works of the great dramatist and other contemporary writers. We meet, for instance, in the "Winter's Tale" the line, "Make me not sighted like the basilisk," and in "The Tempest," "Now I will believe that there are unicorns." But not only was more or less of credulity given to the existence of these and such like fabulous monsters, but a web of mystic lore encircled the most common and best known of beasts, birds and fishes. Who, for instance, is forgetful of the popular superstitions connected with the salamander, the newt and the blindworm, and who fails to remember White's account of the "shrews" at Seiborne? And if such superstitions still survive among uneducated peasants of the present day we may be assured that two centuries ago they were fully believed by the higher classes.—Academy.

WORKS OF A WATCH.

All the Parts Are but the Expression of One Idea.

To one who has never studied the mechanism of a watch its mainspring or the balance wheel is a mere piece of metal. He may have looked at the face of the watch, and while he admires the motions of its hands and the time it keeps he may have wondered in idle amazement as to the character of the machinery which is concealed within. Take it to pieces and show him each part separately, and he will recognize neither design nor adaptation nor relation between them, but put them together, set them to work, point out the offices of each spring, wheel and cog explain their movements and the show him the result. Now he perceives that it is all one design; that, notwithstanding the number of parts, their diverse forms and various offices and the agents concerned, the whole piece is one idea. He now rightly concludes that when the mainspring was fashioned and tempered its relation to all the other parts must have been considered that the cogs on this wheel are cut and regulated—adapted—to the ratchets of that, etc., and his final conclusion will be that such a piece of mechanism could not have been produced by chance, for the adaptation of the part is such as to show it to be according to design and obedient to the will of an intelligence.

Fifty Miles to Market.

It is not an uncommon thing in France to see a farmer forty or fifty miles from home in wet weather with a load. If he sees a prospect of three days' rain, he puts his tarpaulin over his load, a cover over his horse and a waterproof coat on and start off to market. He may go fifty miles before he finds a market that suits him or he may know in advance just where he is going. You do not often see any body driving fifty miles through a rain storm in the United States to find a market for a load of hay, but it is not uncommon to see farmers' wagons for ty or fifty miles from home in France. They choose the wet weather for that purpose. Their roads are just as good then as at any time.

THE BASEBALL RESULTS

NATIONAL LEAGUE STANDING.			
	Won	Lost	Pct
Chicago	101	40	.716
Pittsburg	85	55	.607
New York	81	62	.566
Philadelphia	73	63	.536
Brooklyn	64	77	.454
Cincinnati	60	82	.423
Boston	54	85	.389
St. Louis	44	98	.310

Tuesday's Results.

New York 2; Pittsburg 0.
Brooklyn 5; St. Louis 1.
Cincinnati 10; Boston 4.
Chicago-Philadelphia (too cold.)

AMERICAN LEAGUE STANDING.			
	Won	Lost	Pct
Philadelphia	81	54	.600
Detroit	84	58	.592
Chicago	80	61	.567
New York	66	72	.478
St. Louis	60	80	.429
Boston	58	82	.411
Washington	44	93	.321

Tuesday's Results.

Chicago 8; Philadelphia 3.
New York 4; Cleveland 2.
St. Louis 10; Washington 3.
Detroit 8; Boston 3.

GIANTS TO MEET SLUGGERS

Two Games Are Scheduled for Next Sunday.

Cambridge City, Ind., Sept. 25.—The Little Giants have scheduled two games for next Sunday with the Connersville Sluggers. The morning game will be called at 9:30 and the afternoon game at 1:30. Enyeart and Dillon will be the battery for the locals in the first game and Drischel and Helms in the latter. No doubt both games will be interesting throughout as both teams are made up of good material and are evenly matched.

GREENSBORO BEATS BOSTON.

Greensfork, Ind., Sept. 25.—Greensfork defeated the Boston base ball team Sunday by a score of 14 to 4.

CANNING FACTORIES IN FULL OPERATION

Tomato Crop at Cambridge City Will Be Very Large.

250,000 CANS PROBABLE.

Cambridge City, Ind., Sept. 25.—The two large canning factories at this place are now under full operation canning the tomato crop which will be the largest known for many years if frost does not come too early. Each of the factories is working a force of over fifty employes canning close to four hundred bushels daily. The output for the entire season of both factories combined will amount to more than two hundred and fifty thousand cans which will be much in excess of former years.

While Spurgeon was still a boy preacher he was warned about a certain virago and told that she intended to give him a tongue lashing. "All right," he replied, "but that's a game at which two can play." Not long after as he passed her gate one morning she assailed him with a flood of billingsgate.

He smiled and said, "Yes, thank you, I am quite well. I hope you are the same."

Then came another burst of vituperation pitched in a still higher key, to which he replied, still smiling: "Yes, it does look rather as if it is going to rain. I think I had better be getting on."

"Bless the man!" she exclaimed. "He's as deaf as a post. What's the use of storming at him?" and so her ravings ceased and were never again attempted.

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two cars of the

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Phone us and we will take care of you.

"The Fertilizer People"

The McConaha Co.

CONDITION IS SERIOUS.

James Thornburg Is Suffering From Kidney Trouble.

Hagerstown, Ind., Sept. 25.—Word has been received by Mrs. M. T. Fox o. the serious illness of her uncle, James Thornburg, at his home at Beatrice, Neb. He is suffering with kidney trouble. Mr. Thornburg had but just returned home from a visit to relatives and friends at this place. He was formerly a resident here and was also born and reared near here.

What to do in Constipation

People who have a tendency to constipation, or actually have chronic constipation, will give a good deal to know how to cure it. Yet the method is a simple one and not at all expensive.

However, it is almost as important to know what not to do as what to do. Do not attempt to cure constipation by a sudden movement of the bowels secured through salts, purgative waters or cathartic pills or powders, because it can't be done in that way. One swallow does not make a summer, and one movement of the bowels does not cure constipation. It may clean out the bowels and give momentary relief, but the bowels will soon relapse to their old state of congestion and you will have constipation of a more obstinate form than before, owing to reaction.

By all odds the best way to cure constipation is by the use of Dr. Caldwell's Syrup Pepsin in the dose suited to chronic constipation, and which is described in full on each bottle. In this way the cure is brought about scientifically, and the result is permanent. It is a gentle but effective laxative, pleasant to the taste and so sure in its results that every bottle is guaranteed. If you want to cure constipation so that it will stay cured try this wonderful herb laxative compound.

After an experience of five years of medicine taking to cure constipation, in which almost every known remedy and method was tried, Mrs. Knight, of Bellevue, Tenn., is unhesitating in her assertion that the only way to cure constipation is with Dr. Caldwell's Syrup Pepsin. It cured her and it will cure you.

It is sold in 50 cent and \$1 bottles and can be obtained at any drug store. Every bottle is guaranteed, so get a bottle to-day and see what it will do for you.

Just received a shipment of

COLGATE'S

—AND—

PALMER'S

Toilet Waters and Perfumes

M. J. QUIGLEY,
4th and Main.

FREE TEST These wishing to try Dr. Caldwell's Syrup Pepsin before buying can have a free sample bottle sent to their home by addressing the company. This offer is to prove that the remedy will do as we claim, and is only open to those who have never taken it. Send for it if you have any symptoms of stomach, liver or bowel disease. Get the most effective laxative for children, women and old folks. A guaranteed, permanent home cure. THE PUBLIC VERDICT: "No Laxative So Good and Sure as DR. CALDWELL'S SYRUP PEPSIN." This product bears every guarantee No. 17, Washington, D. C.

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