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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 appellee, 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.

Rely 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 demurral 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 remonstrants 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 toothsomeness—
found only in

Arbuckles' Ariosa Coffee!

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

ARBUCKLE BROS., New York City.

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

For the Fall and Winter
of '07-'08

Cinderella
The
Household
Queen
of all other
Base
Burners

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 fine or two fine construction. If you wish to save money on fuel buy a "Cinderella."

Prices are from \$35 to \$60

N. A. Kirkman
Main Street

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 biled for Richmond Tuesday some mint julip 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-tinted 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 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 breezing seven of them. Hollis, another southpaw, worked for the visitors and he was touched up for eight hits, but was effective in pinches. Owain Bush, the crack little shortstop, was really responsible for our defeat.

On 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 unworked a nice hit, off Zurig's bat, and both base runners counted, 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 along 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 sensational feature of the game was a catch made by Weaver in the ninth. Benny poled a high one into deep center, after Lally had robbed him of a base hit into 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	1
Weaver, cf.	4	2	3	2	0	0
Parker, 2b.	4	1	2	2	0	4
Burns, If.	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.	O.	A.	E.
Barton, ss.	4	0	1	2	2	0
Bateman, 2b.	3	0	0	1	2	1
Geyer, If.	3	2	0	4	0	0
Valdoise, 3b.	3	1	0	2	0	0
Decker, cf.	4	1	1	3	1	0
Nippert, rf.	4	1	1	1	0	0
Zurig, 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	0	0	0	2	0
Medicine Hat	0	0	0	3	0	0

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

hit—Parker. Sacrifice hits—Johnson, Fisher. Stolen bases—Bateman, Geyer, Valdoise. Nippert. Struck out—Yingling 7, Hollis 4. Bases on balls—Yingling 2, Hollis 3. Hit by pitcher—Bateman. Wild pitch—Hollis. Time—1:30. Umpire—Lally. Attendance—168.

ANNUAL REUNION AND PICNIC AT EATON RANGE

Preble County Hunters Issue
Announcement.

DATE SET IS OCTOBER 4.

Eaton, O., Sept. 25.—The Preble County Hunters' association will hold its twelfth annual reunion and picnic at the Eaton rifle range, Friday, Oct. 4. Thirty-two valuable prizes will be given to the persons making the best shots as follows:

First prize, pair heavy wool blankets. Second prize, set of Rogers 1847 Silver knives and forks.

Third prize, one Smyrna rug.

Fourth prize, pair heavy cotton blankets.

Fifth prize, Universal food chopper.

Sixth prize, one fine umbrella.

Seventh prize, one fine pocket knife.

Eighth prize, half-dozen handkerchiefs.

Four animal targets will be used. Distance, 100 yards off hand, with plain open or peep sights. The shooting will commence at an early hour and continue all day.

A variety of other matches at 100 yards, including a three-man team shoot for trophies, have been arranged for on Creedmore and other targets, and will be in full operation all day, which will give all shooters a full day of sport. A cordial invitation is extended to all to come early and enjoy a day of rest and recreation on this famous range.

A. N. Clemmer is president and John Poos, secretary.

MYTHICAL CREATURES.

The General Belief In Fabulous Monsters In Old 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—saw 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 imaginations.

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 there no actual record of 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." 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