

LIQUOR LICENSES MAY BE WITHHELD BY COUNTY BOARD

Licenses Applied for Tomorrow May Not Be Needed, If County Votes Dry Under Local Option Law.

CONSTRUCTION OF LAW FOR CONSIDERATION

Option Election Intervenes Between Day of Application And Time of Expiration of Present License.

Will liquor licenses that will be granted tomorrow by the county commissioners when they meet tomorrow be valid in case Wayne county votes dry next Friday, or not? This question of vital interest will have to be determined one way or the other. It is probable the matter will be brought to the attention of the commissioners tomorrow.

It is an established custom of the board of commissioners in this county, that liquor license applications are to receive consideration the first meeting of each term, which is held the first Monday. This rule has made it necessary for the applications to be on file in time to be considered then. It does not happen always that the licenses expire the first Monday in the month in which the applications are acted upon however. It is this fact that may lead to the entanglement that will require legal opinion to determine.

Under the rule of the commissioners' court, a license which may expire on the tenth, fifteenth or any other day in the month subsequent to the first Monday, must be renewed on that day. But if, as may be the case in this county, a local option election be held between the first Monday and the date of the expiration of the license, and the county vote dry, will the license be good or not?

What the Law Says.

The local option law says: "If a majority of the legal votes cast at said election shall be in favor of prohibiting the sale of intoxicating liquor as a beverage in such county, it shall thereafter be unlawful for said commissioners or any court to grant a license to any person for the sale of intoxicating liquors in said county, and the board of commissioners thereafter shall have no power or jurisdiction to hear or consider applications for license to sell intoxicating liquors nor to grant such license to any person in such county, until at a subsequent election held under this act a majority of the legal voters of said county voting at such subsequent election shall vote against prohibiting the sale of intoxicating liquors as a beverage."

Application Is Peculiar.

The law may be found to have peculiar application in Wayne county. If the commissioners grant the licenses tomorrow, the county vote dry Friday and the licenses now held not expire until a date subsequent to election, it may be held that the licenses secured tomorrow will be invalid. If some of the licenses now held do not expire until after the fifth of the month and on that date the county is declared dry, there is a question whether the saloons could continue under the license granted tomorrow, or it be held worthless and the saloons have to close at the expiration of the present license.

The questions involved are somewhat confused, and will furnish room for argument for both sides. The opinion is held by some that a license granted tomorrow cannot become effective until the expiration now held. The law stipulates that no license can be granted subsequent to an election being held and the sale of intoxicants ordered prohibited. It is held, further, that until the date of its expiration, the saloons will be operating under the old license and the one to be issued tomorrow cannot become effective until the other expires. That being the case, it may be argued, no new license can be granted legally as it would take effect subsequent to the election, which is prohibited.

Legal Opinion Given.

An attorney, who was asked in regard to the subject last night stated he believes, if such a contingency arises, any license issued tomorrow would not be effective and the operation of the saloon would have to cease at the expiration of the present license. In view of the publicity given the problem, it may be that the commissioners will hold up the applications received tomorrow pending the result of the election.

SAFE BLOWERS START A FIRE

Entire Business Block Is Destroyed.

Chilhowie, Va., Jan. 30.—Safe blowers attempting to crack the vault in the bank of Chilhowie early this morning started a fire which destroyed an entire business block and caused a loss of \$50,000 with \$20,000 insurance.

PAID: Gold Medal Flour - very highest quality.

THE THEATER



RICHARD CARLE

Who Presents Himself in His Latest Musical Comedy, "Mary's Lamb."

THEATRICAL CALENDAR.

GENNETT.
Saturday—"The Wolf."
NEW PHILLIPS.
All Week—High Class Vaudeville.

"Mary's Lamb."

Richard Carle recently recalled the first play he had ever seen. This was "Dreams," or "Fun in a Photograph Gallery."

"That was away back in 1883, when I was 12 years old," declared the comedian of "Mary's Lamb," which comes to the Gennett Tuesday, February 9. "My father and mother," he continued, "took me over to Boston from Somerville, a suburb where I was born and where we always lived. That was the first time, too, that I really knew that I was short sighted. I could see the persons on the stage, but I could not make out their expressions clearly."

"Willie Endon, the famous English actor, was the star of the show, and James T. Powers and Jacques Kruger were members of the cast. I thought the funniest thing in the show was Jimmy Powers sliding down stairs. Anyhow, that made the greatest impression on me. I laughed till my sides ached."

"By one of those strange theatrical coincidences, James T. Powers was the star of 'A Mad Bargain,' the first play in which I ever appeared on the stage. And two years ago Jacques Kruger was the leading comedian in one of my musical comedies."

"After that night I began to wear glasses, and I have worn them ever since."

"The Witching Hour."

"The Witching Hour," which will materialize on the stage of the Gennett theatre on Saturday, February 6, matinee and night, is a play that will live until nearly all of its present day competitors are forgotten.

The originality of its theme, the ingenuity of its construction, the novel treatment of scientific problems taken in consideration with its absolute deviation from the beaten track of stage craft, a combination of such "Witching Hour" in a dramatic class by itself. It has proven a sensation wherever given representation.

It comes here bearing the prestige of continuous triumphs in other cities. Already many orders are being booked for seats. During the past few days many letters enclosing checks for seats have been received at the box office.

The company now engaged in the is composed of splendid material. It comprises Edward Gould, Edward See, Robert Martin, Herman Hirschberg, Alma Chester, Eleanor Barry, Janet Dunbar, Franklin Jones, George Howell, Charles Mailes, Frederick Roberts, W. C. Bristol, S. Kent, W. P. Jackson and J. L. Wilson.

The Messrs. S. S. and Lee Shubert never do anything by halves. They believe in giving to playgoers the best that can be procured. That is why their success has been so pronounced.

"The Man From Home."

In the last few years Liebler & Company have presented the finest line of dramatic attractions ever given in this portion of the country by a single firm. As Col. Jack Haverly used to say, "Count 'em." Here are a few: Eleanor Robson, Viola Allen, Wm. H. Crane, and Miss Ellis Jeffers, Yvette Guilbert and Albert Chevalier, "The Squaw Man," "Mrs. Wiggs of the Cabbage Patch," Isabel Irving, Mrs. Patrick Campbell and her London company, and greatest of all American play successes, "The Man

from Home," which achieved the astounding Chicago run last year of 342 performances and is now breaking records at the Astor theatre, New York.

It is glad news that "The Man from Home" plays here soon. The play is so typically American, and so essentially of the great middle west that it may be fairly considered a part of its soil: Indiana loves Booth Tarkington for the fame he has brought her. And in "The Man from Home" he has in conjunction with Harry Leon Wilson written a play that will endure as long as the word Hoosier has a part and place in American happy nomenclature.

Liebler & Co. have given the piece a richly beautiful stage setting and a cast of fine excellence.

The New Phillips.

Probably no better soloist will be heard in the city this season than A. Sweeten, baritone, who will open a three days engagement at the New Phillips Monday afternoon. Sweeten, the possessor of a finely modulated voice, is an artist in the handling of the. Several years abroad under the tutelage of Parisian instructors has given him complete command of his vocal powers without suffering any loss in ordinary sentiment and feeling which appeals to all. His program is broad including selections from grand operas and songs that appeal rather to the heart than to the acutely developed mind.

Cayne and Tomber appear on the new bill with a pretty turn of hand balancing which has excited the comment of artists in their line. The work of the two is the difficult sort which is done with the quickness and their work.

Baldwin and Shea appear in a little comedy sketch which runs over with bright humor and pretty and catchy songs.

LEGISLATION ON LIQUOR WILL NOT BE DEALT WITH

(Continued From Page One.)

law and five will be enough to defeat the bill.

Governor Marshall has let it be known that Indiana is not to be a wide open state during his administration. Before the election the word was passed around generally, but not by Mr. Marshall, that everything would run wide open if Tom Marshall were elected. But things are turning out differently. The other day a prize fight promoter at Hammond advertised a fight. A Hammond newspaper wrote a letter to Governor Marshall asking him to state whether or not prize fights were to be allowed in the state. Governor Marshall answered him calling attention to that part of his message in which he told the people that he did not make the laws and that he would not try to make any; that he would enforce the laws and that he would ask the legislature to give him authority to see that the laws are enforced.

This answer stunned the Hammond fight promoters and sports. They could not understand it, inasmuch as they, too, had been given to understand by somebody before the election that if Marshall were elected Indiana would be wide open. During the campaign, however, Marshall made it plain in his speeches that such would not be the case. On more than one occasion he said in his speech:

"If any man has the idea that when I am governor Indiana will be allowed to run wide open he had better get that idea out of his mind, for Indiana will not be a wide open state."

Marshall himself was not responsible for the erroneous impression that went abroad.

ATTEND THE FUNERAL

City Officials Pay Last Tribute To Market Master Henry Waltherman.

The funeral of Henry Waltherman, ex-market master was held yesterday morning at St. Andrew's church, of which the deceased was a prominent member. Many of the officials, including the city officers, policemen and firemen, attended the funeral in a body. Rev. Father Roell of St. Andrew's church, and Rev. Father Mattingly and Father Hoffmann of St. Mary's church officiated.

The city officials met at the city

CONTRACT AWARDED FOR BRONZE TABLET

Standard Pattern Company Has Designed Memorial For Lincoln Bowlder.

HAS GETTYSBURG SPEECH

TEXT OF MOST CELEBRATED ORATION EVER DELIVERED BY MARTYRED PRESIDENT IS REPRODUCED IN BRONZE.

The contract for the bronze tablet to be placed on the bowlder in Glen Miller park, dedicated in honor of Abraham Lincoln at the local centenary celebration has been awarded to the Standard Pattern & Manufacturing company of this city. Propositions were received from concerns outside the city, among them a celebrated firm of artistic marble and bronze designers at New York. The design proposed by the local company and other matters decided the proposition in its favor. The tablet will be made a gift to the city by Rudolph Gaar Leeds.

The face of the tablet will bear a medallion of the head of Lincoln, the dates 1809-1865-1909, the text of the famed Gettysburg speech and a facsimile signature of the martyred president.

The dates are commemorative of the birth, death and centenary. The tablet will be rectangular. The reading matter will be in Roman type one-half inch in height. The plate will be attached to the stone in a manner that will make it as near permanent as possible, and so that no bolts or screw heads will be exposed. Beneath the large tablet will be a presentation plate suitably inscribed. It is the intention to have a place on the granite bowlder, the size of the plate, dressed off, so that the tablet may be inscribed flush with the surface of the bowlder. If weather conditions continue so unfavorable as to prevent the preparation of the bowlder to receive the tablet, the attachment will have to be postponed to a latter date. The contractors have agreed to have the tablet completed, so that it may be affixed, if possible.

The tablet will be placed on display before it is fastened to the bowlder.

building and led by the patrolmen, followed by the firemen, marched to the residence where the remains were viewed. Hence the party went to St. Andrew's church and attended the services. During the hours of the funeral the offices of the city building were closed. Besides the city officials many of Mr. Waltherman's friends were in attendance.

The pall bearers were city clerk C. W. Merrill, president of the Board of Works, George Stauch, City Controller, Webster Parry, Ed Ramler, Joseph Schepman and William Torbeck.

COMMANDER COMES ON OFFICIAL VISIT

Will Be Guest of Local Veterans of Spanish-American War at Camp.

PROPOSAL IS RECEIVED

FORT WAYNE CAMP ASKS LOCAL INFLUENCE BE TENDERED TO BILL TO PROVIDE AN ARMORY FOR IT.

It is probable that the local camp of Spanish War Veterans will adopt resolutions Monday evening at its meeting asking the local representatives in the legislature to support the bill providing for an appropriation of \$50,000 to construct an armory at Fort Wayne. An appeal has been made by Company B of Fort Wayne to the local camp asking that the above action be taken. This company owns many thousands of dollars' worth of material and desires a place wherein it may be kept.

M. R. Moyan of Kokomo, State Departmental commander, will be in attendance on an official visit. He will make an informal address. He requested that no demonstration be made for him and the order will acquiesce in this.

The question of celebrating the Lincoln centennial anniversary will be taken up a week from tomorrow night. The order will in all probability join in with the Y. M. B. C. in the movement.

How Is Your Digestion Today?

If it isn't right—"there's a reason." The reason is—wrong eating—undigested food. Kodol will digest the food and rest the stomach. It removes cause and "the reason."

Then you have no more indigestion. Indigestion is of course impossible when there is perfect digestion of food. And imperfect digestion of food is impossible where there is Kodol.

If you could see Kodol digest every particle of food, in test tubes, in the laboratory of the manufacturers, you would understand this better. Or, what is even more convincing, let it digest the food in your stomach, the first time you have an attack of indigestion.

Of course, you may never have indigestion. Yet most of us, at one time or another, are subject to its pains and discomforts. It is true that this is usually our own fault—but that doesn't help matters any.

Kodol will help the matter very quickly. It doesn't cure dyspepsia understand. It isn't claimed to cure anything. The day of "cure-alls" is past. Modern medical treatment merely aims to assist Nature. Kodol is one of Nature's most invaluable assistants.

The best plan by long odds, is to keep good digestion when you have it. Many persons, however, are unable, for one reason or another to do this. Others don't care to take the trouble to do it. But the "troubles" usually come later, just the same. Then you will want to know about Kodol.

A work recently issued by the U. S. Dept. of Agriculture, says: "In eating, we are prone to let natural instinct be overruled by acquired appetite. . . . We need to observe our diet more carefully—to regulate appetite by reason."

That is the idea! Simply use reason. Don't starve yourself—eat plenty of good, wholesome nourishing food. But eat it at the proper time, and in the proper way. Starving or eating never cured anything—or prevented anything.

Don't worry, eat what you want—Kodol will keep your stomach right.

Nature planned that we should take food to sustain life. But what if the food does not undergo the essential processes of conversion into the elements required by the organs and tissues? Nature's entire scheme is frustrated, at the outset.

Here is where Kodol steps in and sets Nature's scheme right again. It does this by completely digesting all food, for a time. Nature then rests, heals and cures the digestive organs—and they resume work. After that you don't need Kodol—until you put your stomach wrong again.

Our Guarantee

Go to your nearest druggist and purchase a dollar bottle, and if you can honestly say you did not receive any benefit from it, after using the entire bottle, the druggist will refund your money to you without question or delay.

We will then pay the druggist the price of the bottle purchased by you. This offer applies to the large bottle only and to but one in a family.

Don't hesitate, every druggist knows our guarantee is good.

Kodol Digests All You Eat

CHILE GAVE INCH PERU WANTED MILE

Consequently Diplomatic Relations Are Broken Off and War Threatened.

TROUBLE OVER MONUMENT

CHILEAN GOVERNMENT TO BE COURTEOUS BUT PERUVIANS WANTED TO BRING UP OLD DISPUTE.

Washington, Jan. 30.—Advices received here confirm the reports of the breaking off of all diplomatic relations between Chile and Peru and the withdrawal of the Chilean minister, Senor Echenique, from the Peruvian capital.

Chilean papers, according to these advices, generally deplore the situation but there appears to be no great excitement over it, notwithstanding the strained relations between the two countries. Difficulty arose over a monument which the Peruvian government proposed to erect to the mem-

SEND \$845,000.

Washington, Jan. 30.—The total amount of money sent to sufferers by the Italian earthquake to date is \$845,740.

Male Brides.

It had rained all the long dreary day, and his golden curls were bedraggled and wet, and his nice collar hung limp down his slender shoulders when he came home at a quarter past 4 o'clock and threw his school-books at the cat, which lay beside the hearth.

"Grandpa," he said softly as he came to where the old man was quietly sitting, smoking and thinking. "I thought all brides were of the female sex."

"They are, child; they are. Why do you make such an odd remark?"

"Because, grandpa, in looking over my geography lesson I came upon the Hebrides. Are they females, too, and, if so, why are they called 'he'?"

P O L O COLISEUM
MONDAY EVENING, FEB. 1
Anderson vs Richmond
—INDIANA LEAGUE—
Skating Tuesday, Thursday and Saturday Morning, Afternoon and Evening.
Pole prices: Admission 15c, reserved seats 10c extra

GENNETT THEATRE
Harry G. Sommers, Lessee and Manager
TUESDAY, FEB. 9
ONE GREAT BIG LAUGH
RICHARD CARLE
Presents HIMSELF in His Merry Musical Gambol
"MARY'S LAMB"
ARRANGEMENT OF CHAS. MARKS
Exactly as presented all summer at the New York Theatre and during two long engagements in Chicago.
13 PRINCIPALS, every one a star. 13 SONGS, every one a hit. 60 GIRLS, every one a peach.
P. S.—MARY'S LAMB is hemmed, embroidered, trimmed and bordered with GIRLS.
PRICES — 60c, 75c, \$1.00, \$1.50.
Seats on sale Saturday, February 6th.

THIS MUSIC SOLD BY
PAUL E. WILSON
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Harry G. Sommers, Lessee and Manager. Telephone 1683.
FEBRUARY 6TH, Matinee and Night.
S. S. and Lee Shubert, (Inc.) Proudly Preserves in all its Unabridged Entirety, the Dramatic Sensation
"THE WITCHING HOUR"
The latest and greatest play of Augustus Thomas, with a cast of incomparable actors and actresses, and a scenic investiture of wondrous realism and beauty. Two years of enormous success in New York.
"The Witching Hour" begins where other plays leave off. It is in a class by itself. The telepathic triumph of the century. The wise will procure their seats early. Sale of seats opens Thursday morning, Feb. 4, at box office after 10 a. m.
PRICES:
Matinee - 25 to \$1.00
Night - 25 to \$1.50