

Convictions of Halls upheld by appeals court

The Indiana Appeals Court upheld the convictions of Gary and Margaret Hall, Columbia City, for reckless homicide and neglect of a dependent in a 3-0 decision Thursday, Sept. 26. The Halls are charged in the February 16, 1984, death of their

School board changes schedule

The Wawasee Community School Board has changed its meeting schedule for the month of October.

The board will meet on Tuesday, Oct. 15, at the Syracuse School building. The meeting will start at 7:30 p.m. The next meeting will be Oct. 29 at 7 p.m. It will be held at the administrative center.

26-day-old son, Joel David Hall, and are members of Faith Assembly.

The infant died of severe complications from bronchial pneumonia and tracheal bronchitis at the Hall's rural Columbia City home, according to medical authorities.

The Indiana Court of Appeals say the constitutionality of charges against the couple convicted in their son's death couldn't be reviewed because the issue had been waived.

John Bloom, a Columbia City attorney appointed to represent the Halls, stated in the appeal document that Circuit Judge Edward J. Meyers erred by allowing the prosecutor to argue that "legitimate practice" meant using common sense or what a

reasonably prudent person would do in similar circumstances. However, the appeals court said since the instruction given to the jury was virtually the same as the language in the child neglect statute, there was no error.

The judges also noted the Halls failed to object to the prosecutor's statement at the time. On the Halls' constitutional claim, the appeals court said a challenge to a statute must be raised by a motion to dismiss the charge before the defendants have been arraigned and entered a plea or the matter is waived. The issue wasn't properly raised by the Halls, the court said.

The Halls also claimed there wasn't sufficient evidence to uphold the convictions. The appeals court disagreed. Judge George B. Huffman stated when a defendant raises the defense in the legitimate practice of his religious belief he provided treatment by spiritual means through prayer, in lieu of medical care, the defendant must shoulder the burden of proving the defense. He added the jury heard the Halls explain the reasons for their actions and by the verdict reached by the jury, the jury failed to believe the testimony of the Halls.

The Trial

The Halls were sentenced last September to five years in prison for reckless homicide and two years for child neglect, with sentences to be served concurrently. Since Hall had prior

felony convictions, he began serving his sentence last October in the Indiana State Farm, Putnamville. Margaret Hall remains free on a \$2,000 appeal bond.

Alfred F. Allina, Whitley County Coroner, testified during the Halls' trial that the infant may not have died if medical attention had been received. The Halls testified they had not sought medical treatment for their son because of their religious beliefs.

The Faith Assembly, a Noble County based religious sect, teach followers to shun conventional medical care and rely on faith-healing through prayer.

An issue in the case was the Indiana child neglect statute, which says it's a defense if the accused provided treatment to the child through prayer, instead of medical care.

The Halls were the first Indiana child neglect couple to be convicted in the death of their child.

Appeal Pending

An appeal is still pending before the state court of appeals for David B. and Kathleen C. Bergmann, rural Syracuse residents, and also Faith Assembly members. The Bergmanns are appealing last September's conviction in Noble Superior Court. They were sentenced in October of 1984 to 10 years in prison for reckless homicide and neglect of a dependent. Their nine-month-old daughter, Allyson N. Bergmann, died June 7, 1984.

Temperate weather coming

October expectations from Goshen College Weather Observer, Lores Steury, show a record of temperate weather.

Average temperature for October is 53 degrees. The warmest on record was in 1947 with 60.1 degrees and the coolest was in 1925 with 44.3 degrees. The warmest October day was 90 degrees on Oct. 8, 1939, while the coolest day put some frost on the gobins on Oct. 31, 1925, with only 16 degrees.

Precipitation averages 2.83 inches. The wettest was in 1954 with 10.96 inches and the driest was in 1963 with only .51 inches.

It's time to talk snow too, says Steury. Average snowfall for October is .36 inches. The most received was in 1962 with 8.6 inches — the most received in one day was on Oct. 23, 1917, with 3.8 inches.

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Stove fire at Syracuse

Syracuse Fire Department, station one and station two, responded to a stove fire at Promatry Point, Papakeechee Lake, Tuesday, Oct. 1, at 7:19 p.m. Vincent Greese notified Cromwell Fire Department and Syracuse Fire Department of the possible house fire. There was no damage.

Syracuse Fire Department officials report the fire was out when they arrived and checked the stove before returning to the station. The cause of the fire was excess gas in the oven chamber.

Strassheim resigns as president

Dale Strassheim, president of Elkhart Hospital, has resigned his position, effective Oct. 31, announced hospital board chairman, William Phillips.

Strassheim will continue to serve as one of the four ministers at Apostolic Christian Church in Milford.

Strassheim, who has been with the Elkhart Hospital for the past 13 years, began his affiliation with the hospital in 1972 as an administrative assistant. He then served as an assistant administrator and vice president and was promoted to the presidency in 1976.

During Strassheim's administration, Elkhart Hospital expanded the scope of many of its services and programs such as 6-NE, progressive care, the new pediatric and young adult unit and Renaissance, center for adictions treatment.

Watch for ticks

A word of caution for those planning a camping vacation about wood ticks in Western U.S.A. and dog ticks in the East. These ticks can carry Rocky Mountain spotted fever and transmit it to humans.



Lions honored

A number of area Lions were honored Saturday during district 25-G's annual banner night. The event was held in South Bend with the Clay Township Lions serving as hosts.

In the top photo, from left, are Immediate Past District Governor James Cameron of Urbana, Indiana's candidate for Third International Vice President William Schooler of Munster, and Governor William Blankenship of South Bend. Schooler was the speaker for the evening.

In the second photo, William Metcalf of North Webster is accepting the top club award for region four for 1984-85 from Cameron on behalf of the North Webster Lions Club.

In the bottom photo, Earl Roberts of North Webster is accepting the top secretary's award for region four for 1984-85 from Cameron. Milford's club secretary, D. G. Seely, and Warsaw's club secretary Robert Savage were presented brief cases as runners-up to Roberts in the region.

A total of five clubs and 10 secretaries from the district were honored.



Target to open store in Pierre Moran Mall

Target Stores, the quality discount store division of Dayton Hudson Corporation, announced September 30 that it will locate a store in Pierre Moran Mall, Hively and Benham, Elkhart.

The 80,000 square foot store will be Target's 31st Indiana store and one of 21 the company plans to open in 1986.

Dick Wilson, regional senior vice president, reported that Target's decision to locate a store in Elkhart was prompted by favorable market study results and the opportunity to be an anchor store at Pierre Moran Mall.

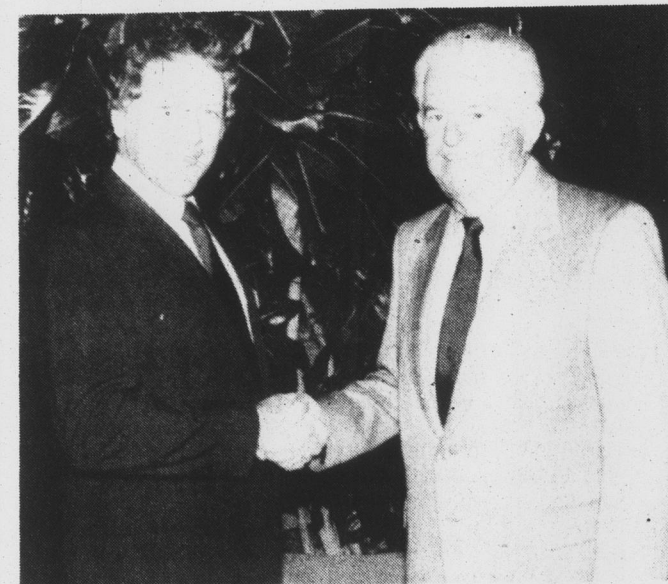
"The market study noted the recent improvements in the economic indicators for Elkhart County. We are confident this recovery will continue. Locating a store in the Pierre Moran Mall will allow Target to both contribute to and benefit from this economic expansion," Wilson said.

Wilson also reported that the Elkhart store will be among the first the company will build incorporating a more contemporary design. "Target is in the process of testing a number of new store design features intended to increase shopper satisfaction," Wilson reported. "We will include the best of these features in the Elkhart store."

The new Target store is expected to provide full and part time employment opportunities for nearly 200 area residents. Wilson also noted the company's policy of contributing five percent of federally taxable income to local nonprofit organizations addressing community social and cultural needs.

"We know that our business success will depend significantly on the continuing health of the community," Wilson said. "The jobs we provide, the merchandise values we offer, and the taxes we pay will be an important part of our community support. Equally important will be the role the company and its employees play in responding to community needs," he added. "We intend to be a good neighbor and a responsible corporate citizen."

Target Stores reported sales of \$3.55 billion in 1984. The company opened its first stores in Minnesota in 1962. Target has been one of the country's fastest growing retailing chains and now operates 226 stores in 22 midwest, southwest, and western states. The company opened its first Indiana stores in 1980.



ANNOUNCES OPENING OF NEW STORE — Target Stores, the quality discount store division of Dayton Hudson Corporation, has announced that it will locate a store in Pierre Moran Mall, Hively and Benham, Elkhart.

Shown are Dick Wilson, left, regional senior vice president, and Raymond Chaet, owner of Pierre Moran Mall. (Photo by Duane Pagel)

Menzie reunion September 22

The Menzie Reunion was held Sunday, Sept. 22, at the home of Mrs. Charles J. (Mary) Menzie. The family reunion and carry-in dinner was attended by the following persons:

Georgia Reeg, Jana and Denise Reeg, Melvin, Cathy, Melanie and Gavin Reeg, and Kathryn Weeks, Columbia City; Brenda Robison, Jennifer Groves, Indianapolis; Forrest D. and Edith Menzie, Larwill; David, Cyndi, Brian and Carrie Menzie, Marion.

Also, John, Susie, Scott and Andrew Peters, Rex, JoAnn, Jeff and Deb Reid, Piercetown; Beth King, Mike Kline, South Whitley; Imogene Menzie, John Gullett, Ray, Jean and Erica Auker, Michelle and Brett Harter, North Webster; Joe and Mary Lois Swain, Warsaw; Judy and Rob Menzie, Randy, Nora and Rachael Menzie, Rick Menzie, Karen Moore, Bob and Carla Stouder and sons, Nappanee; Arch and Elsie Menzie, Bar Harbor, Mich.

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Fred Walls
Associate Minister



Carl Shearer
Minister

8:50 A.M. — Sunday School Opening
9:00 A.M. — Sunday Bible School . . . For All Ages!
10:00 A.M. — Morning Worship Hour — Sermon: "Contagious Christianity" (Children & Teen Worship At The Same Hour) Special Music By The "Newsmen Quartet"
12:00 Noon — Carry-In Fellowship Dinner
1:00 P.M. — Afternoon Program And Concert By The "Newsmen Quartet" (Services For This Sunday Evening Dismissed)

TRANSPORTATION Available For Sunday Mornings And Wednesday Evenings
Call 658-9151 Or 658-9241

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