

Vincennes Commercial.

DAILY EDITION—VOL. XXIII—NO. 171—NEW SERIES.

VINCENNES, INDIANA, WEDNESDAY MORNING, SEPTEMBER 4, 1907

PRICE THREE CENTS.

LARGE NUMBER OF CASES ARE DISMISSED

Tuesday Was a Busy Day in Knox Circuit Court—Injunction Suit Against Board of Trade and Number of Divorce Cases Among Those Dismissed.

Business is starting off decidedly brisk in the Knox circuit court. Although only a short session was held Monday on account of the day being Labor Day, a good start was made, and on Tuesday, a large number of cases were acted upon by motions and otherwise. Although the docket for the term was decidedly large, an unusually large number of the cases have already been settled, the motions being made Tuesday that dismissed them from the docket. In addition to the civil cases acted upon, two criminal cases were nolle prosequed on motion of Prosecuting Attorney Culbertson. These were the cases of State vs. John Frank and Henry Holtsmiller, both of whom were charged with selling to minors. In addition to the cases acted upon, a large number of cases were set for trial and many reports were filed on probate matters.

The following cases were acted upon:

Suits Dismissed.

The injunction suit of Henry E. LaPlante and Joseph Joice vs. The E. & T. H. Ry. Co. the board of trade et al. dismissed by plaintiff.

In the slander suit of Tillie Ruprecht vs. Michael Kraeger, plaintiff's attorney presented written dismissal of suit by plaintiff in vacation on July 14th and motion to dismiss, sustained. Cause dismissed at plaintiff's costs.

The divorce suit of Anton Bohner vs. Eliza A. Bohner, dismissed by plaintiff.

In the case of Mattie S. Hume vs. Byron Miller conversion of real estate, suit dismissed by plaintiff.

The divorce suit of John Gruble vs. Cora Gruble was dismissed by plaintiff at his costs.

In the suit for trespass brought by August Mominnee vs. Marshall T. Johnson, plaintiffs written dismissal, filed with clerk in vacation on July 3d, was sustained and case was dismissed at costs of plaintiff.

The foreclosure suit of Louis A. Meyer vs. John Bohna was dismissed by plaintiff.

The account case of Carnahan Mfg. Co. vs. H. R. McIlvaine and McIlvaine Lumber Co., was dismissed by plaintiff.

In the account case of Earl Buch and John T. Boyd vs. Frank Krack, by agreement of parties, case dismissed by plaintiff at costs of defendant.

The Mechanics Lien suit of Summett & Reel vs. Ollie Pruitt and the Home Building and Loan Association of Vincennes, vs. John M. and Clara Jordan. Was dismissed by the plaintiff.

In the appeal case of Looney McCormick vs. Jacob McCormick, plaintiff filed written dismissal of case at plaintiff's costs.

The foreclosure suit of The Vincennes and Knox County Building, Loan, Fund and Saving Association of Vincennes, vs. John M. and Clara Jordan. Was dismissed by the plaintiff.

In the suit of Sarah S. Blair et al. vs. Herbert F. Jones, et al. dismissed by plaintiff.

The divorce suit of Pearl Hood vs. Alvin Hood was dismissed by plaintiff at his costs.

Remonstrance Cases.

In the appeal cases of Edward Watson and Henry Branning vs. W. P. Beasley et al. being an appeal from the decision of the county commissioner's in the matter of granting saloon licenses to Watson and Branning, the plaintiffs moved the court to dismiss the appeal. Motion was in writing and was filed.

Slander Suit.

In the slander suit of Viola Gilmore vs. Mary A. Wilkinson, defendant, filed separate and several demurrer to each paragraph of complaint and to each set of slanderous words alleged in complaint.

Report of Sale.

In the receivership case of Squire

B. Helm vs. The Gilt Edge Butter and Cheese Co., William L. Ewing receiver, filed report of sale of real and personal property to John A. Risch for \$3,200. Approved and received charged. Deed ordered and approved.

For Alimony.

In the divorce suit of Dexter L. Schmiedekamp vs. Edna Frances Schmiedekamp, defendant filed application for alimony pendente lite.

Buck Will Contest.

In the matter of the objections of Jemima E. Dorsett to the probate of the last will and testament of Leander Buck, deceased, petitioner asked leave to amend objections by making new parties, Jennie Bates and Charles M. Hill, executors of last will, to which said Bates and Purcell Buck objected. Objection overruled. C. B. Kessinger appointed guardian ad litem for minor defendants. Case passed to second setting of cases.

Found for Plaintiff.

In the suit on note brought by Herman L. Begeman vs. Thos. G. Robbins, default; trial and finding for plaintiff for \$73.40, without relief and costs.

In the note case of Thomas J. Shively, executor of the last will and testament of Wm. Pennington, deceased, vs. American Lavee, default; trial and finding for plaintiff for \$25.00 without relief, etc. and costs.

Partition Suit.

In the partition suit of George W. McCoy vs. Ida B. Doty et al. trial and finding for plaintiff for partition as prayed in complaint and John E. Rogers, David M. Shouse and Joseph Newkirk were appointed commissioners to make report at this term of court.

Cost Bond Ordered.

In the suit of Wm. Ziegler vs. Charles Bonewitz to recover money alleged to have been lost while gambling, plaintiff ordered to give sufficient cost bond by next Monday.

New Trial Overruled.

In the damage case of John Adams vs. Vandalla Ry Co., motion for new trial overruled. Appeal prayed to appellate court. Granted.

Other Matters.

In the suit to declare a lien filed by Catherine Muckinstorm vs. August B. and Treacy G. Laeter, minority of defendants suggested and Samuel M. Emison was, appointed guardian ad litem.

In the account case of Edward VonTress vs. Ashley W. Meyers, Thos. B. Coulter referee, filed report and petition for further time in which to have hearing of the evidence in this cause. Heard and granted.

Books for Court Library.

The court ordered that the clerk certify to auditor an allowance for warrant on treasurer of Knox county in favor of Bobbs Merrill Co., of Indianapolis in full for law books for the Library of Knox county court.

Petit Jury Called.

The petit jury was called for Tuesday, Sept. 10th, at 9 a. m., and the clerk was ordered to issue a venire for the petit jury accordingly.

Court Calendar.

The complete calendar, for the September term of court as arranged to date is, as follows:

- September 9th.
Mack vs. Mack.
Emison, petition for allowance.
Honeberger vs. Honeberger.
- September 10th.
State vs. Enley.
State vs. Enley.
State vs. Hobbs.
- September 11th.
State vs. Davey.
State vs. Higgins.
State vs. Mauck.
- September 12th.
State vs. Young.
Duncan vs. Duncan.
Meyers vs. Meyers.
Kearns vs. Kearns.

WAS INSTANTLY KILLED BY BIG FOUR TRAIN

William Martin Falls Asleep in His Wagon—Horses Get Struck on Railroad Crossing and Train Crashes Into the Vehicle, Killing Martin

William Martin was struck by a Big Four passenger train at the Klein crossing, a mile south of the city Tuesday morning and was instantly killed.

Martin and Leroy Cary were hauling cement for a bridge which is being constructed on the Edgin road. Tuesday morning came to this city to get a load of the material. When they left the city Martin had a hundred pounds of dynamite on his wagon, which was to be used by the contractors who are constructing the road on which the bridge is being built. Shortly before the two wagons reached the railroad Cary told Martin that he thought that he had better take the dynamite as Martin was sleeping and some accident might happen which would explode the dynamite and kill him. As luck would have it Cary took the explosive and placed it on his wagon and drove on. He had crossed the track and Martin was coming behind with his wagon. O. P. Glenn met Martin just before he reached the crossing and saw that he was asleep on the wagon. Glenn says he called to him, trying to awaken him, but the man would not awaken and Glenn stopped to see how he would get across the track. When the team which Martin was driving, reached the track they stopped with the front wheels between the rails

and at that instant the train came along and struck him. The wagon was knocked loose from the team and the wagon and man were knocked several feet. When the train was stopped and the men reached Martin he was laying in the rear of the wrecked wagon dead. Several of the bones of the unfortunate man were broken. His back was broken and it is very probable that that break was the fatal one.

It is pretty well understood that Martin was drunk at the time and that Cary took the dynamite because he knew that Martin was drunk.

The remains of the unfortunate man were placed in the train and brought to the Big Four depot and Undertaker Gardner was called to take them to his morgue.

A few years ago Martin got into a quarrel with a man while intoxicated and a fight followed in which Martin was severely cut and his antagonist killed. Martin served a term in the penitentiary for killing the man, but has been out for a number of years. He has been married, but his wife has not lived with him for a number of years.

A brother-in-law of the deceased, who resides on a farm in the southern part of the county was called, and will make arrangements for the funeral. It is not known when the funeral will take place.

- Crandall vs. Crandall.
Handley vs. Handley.
Wise vs. Wise.
September 13th.
Heltz vs. Telephone Co.
September 16th.
Bogard vs. Bogard.
Schwebbe vs. Schwebbe.
Smith vs. Smith.
September 17th.
State vs. J. C. Watkins.
September 23rd.
Foster vs. Foster.
Wagoner vs. Wagoner.
Rodgers vs. Rodgers.
Bradley vs. Bradley.
Hooper vs. Hooper.
Bowden vs. Bowden.
Steffy vs. Steffy.
September 24th.
Ellis vs. Law.
Bartlow vs. Ready.
Taylor vs. Ready.
September 25th.
Davis vs. Kuhn.
Bolk vs. Osterhage.
Irwin vs. Robeson.
Messer vs. Vandalla R. R. Co.

CENTRAL LABOR UNION TO MEET

To finally close up the year's business the Central Labor Union will this evening, elect officers and receive reports of the state of trade in this city. The final settlement of the Labor Day celebration will be made by the committee, this showing how quick affairs can be finished and all bills paid—all in two days. There will be some money left over, which is showing pretty well for the committee, notwithstanding the rain marring the days festivities to at least \$200 in cold cash. Every delegate will be at his post and no doubt, a general hand-shaking will take place on account of Labor Day.

Hall Caine Seriously Ill.
Canton, Mo., Sept. 3.—Susan Clark was prevented by illness from attending the production of his new version of "The Christian" at the Lyceum theater on Saturday night, is suffering from nervous exhaustion. Doctor Marshall says the result may be a breakdown, unless he takes the rest that he needs.

SERIOUS ACCIDENT

Henry Donahue Has Hand Frightened at the Rolling Mill.

While at work Tuesday afternoon at the rolling mill Henry Donahue had a very serious accident. He was clipping a large piece of steel at the shears when he got his hand caught between the slab and the lower jaw of the shears. The skin of the back of his hand was torn loose and pulled down over his fingers. He was taken to his home on Hickman street between Third and Fourth streets by two of the men of the rolling mill and Dr. Maxedon, the physician for the company, was called to dress the injury. The physician thinks he can save the hand. The accident was a very painful one and the unfortunate man became very sick immediately after it happened.

FELL FROM A BOX CAR

While three young men were playing on top of a box car at the corner of Fourth and Hickman streets Tuesday evening, one of them fell from the top of the car to the ground. His right limb was badly bruised and sprained. He was taken to the street car line in a wagon and taken to his home on a car. It was not learned where the young man lived nor what his name is.

His Intention.
Miss Meanley—It may not be your intention to offend, but doesn't it occur to you that your treatment of me is rather calculated to make us bad friends?
Miss Cutting (coolly)—No; I had the hope that it would make us good enemies.

FIRST YEAR'S EXPENSES OF THE NEW HOSPITAL

Board of County Council Makes an Appropriation of \$3,000 for the Year's Expenses—Fair Association Appropriation Voted Down.

The annual meeting of the board of county council, convened with County Auditor J. T. Scott Tuesday morning, with all members present with the exception of Mr. Elliott. The board put in the entire afternoon in considering the numerous appropriations to cover the expenses of the various departments of the county business during the ensuing year, estimates of which had been prepared by the various officials, and certified to the auditor, who had the list published as required by law.

Only a portion of the business before the council was transacted during Tuesday's meeting, and the members will meet again this Wednesday morning at 9 o'clock to complete their work. During the day, the members in company with the county commissioners, will make an inspection of the new hospital building.

Appropriation for Hospital.

At the meeting on Tuesday, the council made an appropriation of \$3,000 which is to be used to meet the operating expenses of the new Good Samaritan or county hospital during the ensuing year.

No Money for Fair.

During the afternoon members of the Knox county Agricultural Association were before the board to get an appropriation for the fair, as permitted by the law, but the board turned down the appropriation by a vote of four to two. One of the directors of the fair association stated that they had hoped to get an appropriation this year of \$1,000, and that they fully expected to get nothing less than \$500, which amount they received last year.

CORPS OF SURVEYERS BEGIN WORK HERE

Men Have Little to Say Concerning Their Work, but it is Said to be a Plan of the Vandalla to Get into Evansville From This City.

A corps of surveyors dropped into this city over the Vandalla Monday and began the work of surveying a line from the Union Station in a southerly direction. Just who the engineers are doing the work for, they will not state, but it is reported that the men are working under orders of the Vandalla Railway company, and have orders to survey a line to the south to connect with a line which another corps of engineers are bringing from Evansville.

It is also said that the line is being surveyed for the Chicago, Indian-

apolis & Evansville Co., which is said to be controlled by the Vandalla, and that it really is the much talked of plan of the Vandalla to get into Evansville, by constructing a line from this city to Evansville.

Very little information could be learned concerning the work being done, but the surveyors are here and have been working since Monday, and it looks as though they are in the employ of capitalists who mean business. If it means a new line for Vincennes, our citizens will be all the more pleased.

NATURAL GAS CONTRACT

Drawn Up by Board of Works and Forwarded to Pittsburgh for Signature.

The board of works held an important meeting at the city hall Tuesday afternoon, and practically completed the draft of the contract which is to be entered into with Mr. C. B. Shaffer, the Pittsburgh millionaire, who is seeking to pipe natural gas to this city from his wells between Robinson and Flat Rock, Ill. Mr. Shaffer was not present at the meeting, but considerable time was put in in comparing the ordinance with that granted last year to Mr. McDonald. Mr. Shaffer's representative was present, and after the necessary changes were made in the contract, it was decided to forward the contract to Pittsburgh immediately for Mr. Shaffer's signature. It is hoped to have the signed contract back before Friday afternoon, so that the board may take action upon it.

The contract drawn up is almost identical the same as the McDonald contract, except that Mr. Schaffer desires only 60 days in which to secure the necessary pipe and material for the pipeline, and the limit of time for completing the work is only nine months. The maximum price to private consumers is 30

cents, while the maximum price at which the gas will be furnished to the public buildings, hospitals and schools is 15 cents. Mr. Schaffer stated to the board that the maximum price will not be charged, unless at some future time the gas begins to play out and is harder to get to this city.

The following other business was transacted by the board.

The claim of Fred L. Crowe, for three first aid outfits, one for each of the three hose houses, amounting to \$6.00 was allowed.

Final payments were also made to contractors Brown and VanMeter, for the residence for the sexton in the new City cemetery. The claims allowed the contractors, totaled \$52.55, some of which was for the building of outbuildings and fences, which had not been previously mentioned in the contract.

The claim of the J. L. Bayard & Co., of \$12 for a three years fire insurance policy, amounting to \$1,500, which was placed on the new sexton's residence by Charles Edmonds, was granted.

HIGHLAND PICNIC TODAY.

Elaborate arrangements have been made for the annual picnic at the Highland Grove today and tonight. There will be good music, plenty to eat and splendid entertainment. Hacks will run between Seventh and Hart street and the Highlands for the accommodation of those who have no rigs. Don't miss this big event.

Everybody's friend—Dr. Thomas Electric Oil. Cures toothache, earache, sore throat. Heals cuts, bruises, scalds. Stops any pain. 1w