

NINE JURORS

ALL THAT ARE REQUIRED TO DETERMINE TYLER'S CASE.

The Present Action Will Not Prejudice Any Subsequent Case—If Declared Insane He Must Go to an Asylum—The Testimony.

The inquiry into the mental condition of Dominick Tyler, now on in the common pleas court before Judge McCarty and a jury, is attracting wide attention, owing to the prominence of Mr. Tyler and those with whom he was connected in business, and the interesting developments that would likely crop out during a trial of Mr. Tyler on the charges under which he is indicted. The number of physicians interested and the divergence of opinion are features of the case and add to the local interest.

Many have an erroneous impression about the character and scope of the present inquiry and its effect upon the criminal charges. Careful inquiry has been made of Judge McCarty and attorneys in the case, that the public might be authoritatively informed as to the exact status of the case under the issue now raised.

This present inquiry is not made for the purpose of discovering whether, at the time of the alleged commission of the acts for which Mr. Tyler is indicted, he was sane or insane. It has nothing to do with that question. The issue in this inquiry is simply: Is he sane now? The law is too humane to place on trial an insane person, whether sane or not when he committed the acts complained of. So provision is made for a preliminary proceeding of this kind.

The law provides that after an indictment is returned against an alleged transgressor of the law, and before sentence is passed, if it comes to the attention of the court that there is a question as to his sanity, upon a certificate being filed by a reputable physician, setting forth that the person about to be tried is insane, the court may order a special inquiry before proceeding with the questions at issue in the original lawsuit. The law provides that a jury shall be empaneled and that trial shall be had as to the sanity or insanity of the person at bar. In this case the certificate was filed by Dr. J. F. Marchand, and the jury was then empaneled and the case proceeded with. The law directs that the defendant shall take the affirmative, and thus the burden is on Mr. Tyler's attorneys to prove that he is insane, the state having the defensive so far as this inquiry is concerned.

The jury that is to pass upon the question of Mr. Tyler's sanity is composed of twelve men, yet the law does not require that all the jurors concur. Three-fourths of the jury, or nine, who concur either that he is sane or insane, is all that is required to constitute a verdict. If nine of the jurors say that he is sane, the jury will then be discharged and another jury empaneled to try the defendant for forgery. Judge McCarty stated this morning that the jurors who are sitting in judgment on this preliminary step will not be allowed to sit in the trial of the defendant under the indictment, if Mr. Tyler should be declared sane. If the jury disagrees, or nine of them are not of the same mind, a new jury will be ordered and the inquiry will be gone into again. If nine of the jurors are of the opinion that Mr. Tyler is insane, the verdict will be recorded and the fact certified to the probate court, where an order for commitment will be issued and he will be taken to an insane asylum for treatment. The law is mandatory on the question of commitment to an insane asylum. A party so adjudged insane cannot be taken in charge by relatives and be kept at home. The law provides further, that if, after incarceration in an institution, the person so declared insane recovers, and is discharged by the authorities of the asylum, he must be tried on charges in the indictment. The question, if there is a question, whether the defendant was sane when he committed the acts complained of, is not prejudicial in any way by the preliminary inquiry as to his sanity. If there is a contention in that regard, it must come up in the regular trial, and as a part of the defense in the criminal action.

Dominick Tyler was brought into common pleas court at 3:30 Thursday afternoon and placed on trial before Judge McCarty and a jury. Mr. Tyler stands indicted for forgery and also for uttering a forged instrument. The present phase of the case, however, hinges on whether, as alleged, Mr. Tyler is suffering from senile dementia. If in the opinion of the jury, Mr. Tyler is demented, there will be no prosecution, at present at least, for the forgery indictments, and on the other hand, if it is proven that the defendant is not demented, the trials will go forward at once. Hence the case at bar is an important one.

JURY SECURED. The jury that has been chosen to sit for the Tyler case is the one that heard the Guskay case, which was concluded Thursday afternoon at 1:15. Guskay was tried as indicted for receiving stolen goods, and the jury at 3 o'clock returned a verdict of not guilty.

The defendant being unable to speak or understand the English language, Mr. Wm. C. Widder was called to act as interpreter.

The jury did not leave the box, but Judge McCarty immediately called the Tyler case.

Mr. Tyler, who had been waiting in a side room, was brought into court by his son-in-law, Mr. W. J. Piero, who, with his law partner, C. T. Meyer, will represent the defendant, while Prosecuting Attorney Pomeroy represents the state. Accompanying Mr. Tyler was his wife, while inside the bar rail were seated several physicians who are witnesses in the case.

There were a few changes in the jury. One juror, Mr. Criswell, was excused

because attorneys for defense represented him in a law case now pending. Another, Squire Hossler, was also excused because he was a trustee for the Tyler estate. With one or two more changes the jury was satisfactory.

ATTORNEY MEYER made the statement for the defense. He stated that while the defendant was indicted for forgery, the jury was not to consider that offense at this time. They were to determine whether Mr. Tyler was insane. The attorneys for defense believed they would prove that Mr. Tyler was demented. Mr. Pomeroy made the statement for the state, contending that Mr. Tyler was responsible for his acts.

Doctors Portmann, Fraunfelder, Marchand, Leininger and Post, and Mrs. D. Tyler arose to be sworn as witnesses for the defense, in support of the contention that Mr. Tyler is demented.

DR. FRAUNFELDER was next called and testified to examinations he had made. He said that Mr. Tyler thought he was Dr. Phillips and said that a good many physicians had been up to call upon him, but he didn't know why, as he was well and didn't need them. The doctor detailed the delusions as testified to by other physicians.

"I asked Mr. Tyler who his family physician was," said Dr. Fraunfelder, "and he said Dr. Matthews. I told him Dr. Matthews was dead, but he said he wasn't and that Dr. Matthews had been up to see him the day before. He said that he was still secretary and treasurer of the Diebold Safe and Lock Company."

"Do you think he is insane?" "Well that is a hard question to answer. There are certain things that indicate that he is insane, and there are many others that indicate that he is sane. The fact that he felt that he heard voices and footsteps, and in fact did not hear them, would indicate an hallucination. He did not have these delusions when I was there, so I could not test him in that. If it is true that Mr. Tyler was indirectly the cause of the man's death at the safe works, and the man haunted him, it would not be an insane delusion, as the premises would be true. When he told me that these men were coming after him to take him out to find all, I could not tell whether he was feigning or not, and I do not believe any other man could tell. I will say this, however, that when he was telling me about these delusions he did not have the expression and manner one would expect to find in an insane person."

These answers were all made in chief, and as the witness for the defense, Mr. Pomeroy on cross examination, asked him if the fact that Mr. Tyler had been for many weeks housed up and kept in restraint would not have some effect upon him. The answer was that it would affect his system.

"Was there anything to indicate that it was not the same Mr. Tyler whom you had known for years?" "There was not."

The evidence of Dr. Fraunfelder created somewhat of a sensation in court, being a witness for the defense. He declared that he was not prepared to say that Mr. Tyler was of unsound mind. He said further that he would not expect a man to be controlled in other matters by having a delusion on one particular matter.

MRS. TYLER TESTIFIED.

Mrs. Tyler followed Dr. Kymon on the witness stand. Witness said her husband was born in 1828; had always acted natural and pleasant until shortly before the troubles at the safe works were made public, when he was morose and melancholy. Witness testified to defendant's inability to remember names and identify things beginning with the time subsequent to his confinement in the county jail. Defendant has had a desire ever since to go to Cincinnati to close up matter in an imaginary drug business. Witness testified relative to the delusion of going down into the earth. Defendant did not allow witness to make his bed, but if she managed to get it made while he was out of the room he never noticed it. Defendant had gone from the house at various times, one time in June, at 5 o'clock in the morning. Witness had discovered defendant in the front yard acting strangely, and had asked what he was doing, when he replied that he was building a bridge. He was standing near the fountain in the yard. Mrs. Tyler told of the attempt of the defendant to shoot her. She was in the kitchen washing dishes when Mr. Tyler approached and asked for his clothes, stating that he must go to Cincinnati. He had no means at the time with which to make the trip. Defendant left the kitchen but shortly returned with a revolver, and raising his hand, shot at witness. Mrs. Tyler ran out and to a neighbor's house. Remained there until her son-in-law, Mr. Piero, came up and defendant became quieted. Defendant seemed to have no recollection that he had shot at witness. Witness was not prepared to say whether defendant was of unsound mind, but believed something was wrong with him.

Prosecuting Attorney Pomeroy then cross examined. Mrs. Tyler said that Mr. Tyler always kept his business to himself, and she knew nothing whatever about his affairs; they never discussed business matters. Defendant was a studious man, and paid a great deal of attention to general literature of every class. Witness never knew that defendant owed anybody until matters became public. For some time past Mrs. Tyler had been staying alone with her husband, caring for him without the aid of a girl. The shooting affair was reviewed. Since that time there had been no repetition of violence.

DR. T. H. PHILLIPS was the first witness for the state to take the stand. Had practiced medicine in Canton for 29 years. Had frequently treated patients for insanity. Had known Mr. Tyler well for twenty years. Was asked to see Mr. Tyler about the first of October in order to testify at the proper time. Was requested to do so by the prosecuting attorney. Saw Mr. Tyler first on October 4. His appearance was about the same as usual. Conversated

with him on general subjects. Defendant insisted that he was not sick, though his wife claimed he was and had taken away his clothes. Took the physician to be Dr. Portmann and spoke of the delusion relative to going into the earth. Had asked the defendant when he was born and he had replied in 1828 and that he was 67 years of age. Mr. Tyler during that visit repeated most of the other matters which have been mentioned during the trial. Dr. Phillips had examined him and found him in normal condition, except his pulse, which was a little fast. Next visited Mr. Tyler October 9. At that time defendant called him Dr. Matthews, and said, when asked if he knew Dr. Phillips, that he did not. Witness next called on defendant November 15. At this time Mr. Tyler stated that he was feeling well and could not account for so many calls from physicians. Witness took notice to only such things as were peculiar, as already narrated. Noticed nothing unusual about his manner. Was treated courteously and invited to call again each time.

"What do you think about the genuineness of these delusions?" asked the prosecutor.

"The only thing I can judge from is the condition of body and mind, for one cannot tell by actions or words whether delusions are feigned or not. I do not believe these delusions are insane delusions."

"From the history of this case, doctor, do you think you are sufficient intelligence of mind to discriminate between right and wrong?"

"I think he has" was the response.

Dr. Phillips placed a different construction upon the actions of the defendant than had the witnesses who preceded him. At this juncture court adjourned this trial until 1 o'clock Monday afternoon.

During the afternoon Mr. Tyler acted a little strange in court. Twice he arose from his seat as if to leave the court room, but was pulled back into his chair by Attorney Piero who sat at his side. The court room was filled with spectators during the afternoon.

DR. PHILLIPS went on the stand again for cross examination by Attorney Myers. In answer to questions asked, Dr. Phillips stated that in his opinion Mr. Tyler's delusions were feigned, in other words, I do not think that he himself believes that he ever was taken into the earth. No, sir; I am not prejudiced in this case. I went there at the request of the state's attorney, to make an impartial diagnosis, and an expressing my own opinions fairly.

"Well, doctor, do you not think Mr. Tyler a fit subject for the asylum," was asked.

"Yes, possibly, as a fit subject for confinement of a diagnosis," was the answer.

In re-direct examination by the prosecutor, Dr. Phillips explained that he thought if he were sent to the asylum the opportunities would be better to give him a proper and careful examination.

ALVIN HURFORD

then took the stand. Had known Mr. Tyler for years. Had assumed his (Hurford's) father's business affairs and had come in contact with Mr. Tyler in this connection. The question as to whether witness knew of defendant's frauds in connection with certain documents, was objected to and the objection was sustained. As that was all the state desired of Mr. Hurford, the next witness was called.

DR. A. B. WALKER Had practiced 24 years. Had come in contact with defendant during his professional career. Had examined defendant at the request of the prosecutor to form an opinion of Mr. Tyler's condition. Had called six times during October and November. Found Mr. Tyler in his room, partially dressed. Was cordially received. Asked him questions and examined him physically. The doctor gave the details of the alleged delusions as heretofore printed in these columns. "I noticed that Mr. Tyler's memory was a little slow in giving proper names," said Dr. Walker. "He spoke of his wife having and keeping his clothes, though added that she was very good to him. He reviewed the delusion relative to being charged with murdering a man at the safe works. When I departed, Mr. Tyler asked me to tell Dr. Matthews to come up. That was all that occurred at my first visit. My second visit was on October 12. Mr. Tyler reviewed the delusions as before. Later Mr. Tyler told of his connection with the safe works and of owning a farm."

"I tried to scare him a little this time," said Dr. Walker, "and told him that some time these fellows would dissect him." He replied, "Oh, they can't do that until I am dead."

"Again visited Mr. Tyler October 15. Talked politics with him. Mr. Tyler said times were good when people were good. Had slept good the night previous. Refused to sign his name as requested by witness, claiming that he had promised his wife to write it no more. Mr. Tyler said he had been troubled with delusions for the past two years. Called again in October 25, when nothing particularly new happened. Called again November 4, with Dr. Brant. Defendant was quite interested in the election and talked intelligently. The next time I called was on November 15. Mr. Tyler was glad to see me. Said he would like to get out of the house. Asked him to write a gentleman's name, but he refused, declaring it was wrong to write another man's name. I asked him if he had any safe stock to sell, when he said no, that it was good paying stock."

In response to questions asked by Prosecutor Pomeroy, witness said he noticed nothing unusual about Mr. Tyler during these calls, excepting with reference to these delusions.

Asked to tell what he would expect in connection with insane delusions, Dr. Walker said the physical condition might be natural, but he would expect the conduct to be in keeping with the delusions; would expect him to be more nervous and irritable.

"Well, doctor, what do you think of these delusions?" was asked.

"I believe they are feigned."

"Why?"

"Because his actions did not indicate that he was at all in sympathy with them himself."

SENTENCE DAY.

JUDGE McCARTY METES OUT THE LAW'S PUNISHMENT

To Those Who Were Declared to Be Transgressors—A Massillon Man Who Wouldn't Answer Questions Hauled Off to Jail.

Common Pleas court convened at 8:30 this morning. Judge McCarty first passed on a motion filed by Attorneys Welly & Albaugh in the case of Ohio vs. John W. Myers, indicted for embezzlement. The motion made was to require the state's attorney to present a bill of particulars setting out the various amounts alleged to have been misappropriated. Judge McCarty was of the opinion that there was nothing to warrant such an innovation, and the motion was overruled, as was the demurrer to the indictment filed on the grounds that not enough facts were brought out to constitute an offense. Exceptions were noted by Attorney Welly.

The case will not be tried until after the DePeyster case.

Prosecuting Attorney Pomeroy then asked for sentence in the case of Ohio vs. Mat. Bast. Bast last week pleaded guilty to selling liquor in a prohibition township and to selling on Sunday. Attorney C. C. Bow made a statement to the court in behalf of his client. He said that some time ago, about four weeks after Mr. Bast had been released from the workhouse, where he had served for a similar charge, a party of prominent Canton gentlemen had approached defendant with relation to the organization of a club. They stated that a local attorney had advised them that if a club were organized all members could secure whatever they desired in the way of drinks, even in a prohibition township, without breaking the law. Mr. Bast had consulted the attorney in question and the statements were verified by him at the time. Thereupon the Lotus Club was organized, a charter secured, officers elected, and headquarters opened at Mr. Bast's resort at the lake. Club members were entitled to checks in return for money, which were good at the bar. Mr. Bow stated to the court that Mr. Bast never had any intention of leaving the law, but thought he was committing no crime by proceeding in this manner.

Prosecuting Attorney Pomeroy in his statement supplemented Mr. Bow's remarks by saying that everybody could become a member of the club by simply signing a book. He was then provided with a slip which read as follows: "This is to certify that Mr. Blank has become a member of the Lotus Club and is entitled to all the privileges of the club." These were signed by Mat. Bast as president. Holders of these certificates were entitled to buy checks which were good at the bar. The prosecutor added that the club was a success in point of membership. There were 2,900 in all.

Judge McCarty, having heard the statements, asked Mr. Bast to stand up. He remarked that he was sorry to be compelled to pass sentence upon a neighbor. He said it might be possible that Mr. Bast had entered into this scheme fully believing that he was right in so doing. However, he thought if \$100 had been at stake and an attorney had given such advice, the defendant would have consulted another attorney before proceeding. The court then said that in passing sentence he was going to give Mr. Bast the benefit of half-believing that he had taken the attorney at his word. "But," added the judge, "the next time you come before me I am going to give you the full extent of the law."

"You will never find me here again, Judge," interposed Mr. Bast.

For selling liquor in a prohibition township Mr. Bast was sentenced to fifteen days in the workhouse and to pay a fine of \$75. For selling on Sunday he got fifteen days and \$35. He stands committed until fine and costs are paid.

John Loutzenheiser, indicted by the special grand jury for keeping his saloon open on Sunday, pleaded guilty to the indictment. He was sentenced this morning to twenty days in the workhouse and to pay a fine of \$50. The court gave Loutzenheiser to understand that if he ever came up again for sentence, he too, would get the full extent.

J. M. Paxton, indicted for embezzlement, pleaded guilty and was fined \$25 and costs.

SENTENCED FOR CONTEMPT.

James Dossie, of Massillon, was summoned in court this morning for contempt. Dossie is the Massillonian who refuses to obey the order of court to turn over \$2,500 which he has in his possession, to W. E. N. Hemperly, recently appointed in the case of James Gillan vs. Harriet Dossie. The defendant this morning, after having the matter fully explained to him, positively refused to tell where the money was or to turn it over. He was therefore remanded into the custody of the sheriff and locked up in the county jail until such time that he might change his mind in the matter.

DITCH CASE.

The Fox lake ditch case received the attention of District Judge Wise and a jury in court room No. 2 this morning. The jury will view the premises Tuesday and the case will again come up Friday.

WANTS TO COLLECT.

Jacob Klotz has commenced an action against J. L. Robb et al. to recover \$213.93, the amount of a judgment awarded by common pleas court. The petition alleged that defendant transferred property to W. H. Smith and it is asked that conveyance be set aside.

FOR DIVORCE.

Emma Hartung has sued her husband, Cyrus W. Hartung, for divorce, custody of their own and an adopted child, and alimony. Plaintiff wants defendant restrained from encumbering property. Failure to provide is charged. C. C. Upham is attorney for plaintiff.

SMALL CASES.

Dr. E. D. Brant has sued William Paulis for \$125 alleged due for professional services rendered. Smith & Yoho filed the petition.

The dates for convening the next terms

of circuit court in Stark county are February 15 and September 27, 1898. For common pleas court, January 18, May 2 and September 19.

Taylor Clay has brought suit against Frances Schaidnagle, administratrix of the estate of Harmon Shaidnagle, deceased, to recover \$100 alleged due on a promissory note. R. W. McCaughey filed the petition.

P. Eckard et al., of the Dayton Rolling Mill Co., have sued Gust F. Volzer for \$523.43, alleged due on a note. Clark, Ambler & Clark represent plaintiff.

ONLY A REPUBLICAN.

Chairman Carnes Does Not Intimate That He Will Be Marcus A. Hanna.

Many Republicans are laying a good deal of stress on the wording of a congratulatory letter to S. A. Carnes, chairman of the committee. It was announced at the time that Mr. Carnes was elected chairman, that he was a member of the Thomas faction of the party. During the whole campaign the chairman was supported by a Thomas executive committee, with particular reference to the candidacy of the Honorable John P. Jones. Now that the victory is won, the Thomas men are quietly showing their hands. In his letter, Chairman Carnes refers to the election of a United States Senator as follows:

"The election of a Republican member of the United States Senate by the general assembly of Ohio is assured."

Mr. Carnes does not say that the election of Marcus A. Hanna is assured. He couldn't say that without tacitly pledging Mr. Jones, and the North Lawrence statesman isn't being pledged with any degree of accuracy these days. Mr. Carnes has shown where his faction is in the party stands, and there is much comment thereat. In the meantime, the Honorable J. B. Snyder wears a Hanna button and is camping on the territory he has off for himself, taking occasional trips as far west as the Massillon car barns to see that Jones isn't poaching, and the Honorable John P. is still out in the west end hills, dodging detectives.

WILL VACATE.

Settlement of a Case Wherein Defendants Were Accused of Illegal Liquor Selling.

The case of Winfield Schlott against Aaron Zimmerman and William Brotsman, charging them with selling liquor in a prohibition township, has been settled. Plaintiff first brought action against defendants to force them from his property, he having learned that in connection with the sale of soft drinks they were also selling intoxicants on the quiet. Defendants having refused to vacate, the action charging them with the sale of intoxicants was brought. The case was settled by the payment of costs by defendants and their vacation of the property.

Probate Court.

Estate of John Stonehill, Paris township; Nicholas Stonehill appointed administrator. Assignment of the Leader Manufacturing Co., Canton, final account filed. Assignment of John Loftus, Alliance; final account filed.

Guardianship of Melvin Christman et al., Canton; second partial account filed. Guardianship of Edson A. and Harry L. Miller, Canton; final account filed.

Estate of Henry Huber, Massillon; widow elects to take under the will.

Estate of Harmon Shaidnagle, Massillon; Albert Shaidnagle appointed administrator.

Guardianship of Leo and Amelia Bruehes, Canton; report of guardian on order to mortgage lands filed and approved.

Will Issue a Report.

With reference to certain inquiries concerning the workhouse, which would require pages of detailed figures, it may be stated that the workhouse directors, through their secretary, Mr. A. B. Love, of Alliance, will submit, soon after the January meeting of the board, a detailed statement covering every phase of the operation of the institution. This report may be obtained, if, and the directors will take pleasure in furnishing it to, every taxpayer who desires it.

Fire destroyed the large barn on the farm tenanted by Curt Richardson, four miles out on the Louisville road, at 6 o'clock Friday evening. The origin of the fire is unknown, as no light had been used in the barn during the evening. The entire contents, including large quantities of wheat, oats, hay and other farm products, and valuable farm implements, were entirely destroyed. A milk wagon and other vehicles also went up in smoke. The live stock was removed. The barn is the property of C. H. Lind, of this city.

Indigestion is often taken for constipation. The word consumption means wasting away, and dyspepsia often wastes away as badly as consumption. The reason people waste away is because either they don't get enough to eat or they don't digest what they do eat. If the latter is your trouble, take Shaker Digestive Cordial. This will help you to digest your food and stop your loss of flesh.

Shaker Digestive Cordial is made from herbs, barks and juices of fruit, by the well-known Shakers at Mount Lebanon. It possesses great tonic and digestive powers. Shaker Digestive Cordial has cured many supposed consumptives (who were really dyspepsia), by simply helping their stomachs to digest their food, thus giving them nourishment and new strength. Sold by druggists. Trial bottle 10 cts.

You can't cure consumption but you can avoid and cure every form of throat or lung trouble by the use of One Minute Cough Cure. Shannell & Co., Melbourne Ave., Fischer's drug store, 435 E. Tuscarawas St., E. C. Miller, East End Pharmacy, 1220 E. Tuscarawas St.

WANT HIM REMOVED.

An Action to Oust an Executor Commenced in Probate Court.

A petition has been filed in probate court to remove Venzo Grant as executor of the estate of Wm. C. Grant, on the grounds that he is guilty of gross neglect of duty, is incompetent, guilty of fraudulent conduct, and that he has existing interests that are adverse to the estate.

Dr. Price's Cream Baking Powder.

World's Fair Highest Medal and Diploma.

INTERROGATORIES

ANSWERED BY SUPERINTENDENT J. W. PONTIUS.

Some Points With Reference to the Workhouse That a Massillon Paper Couldn't See, Are Given Intelligently Responder and Reasons.

A day or so ago the Massillon Independent took occasion to propound several questions, directing them to Superintendent J. W. Pontius, of the workhouse. The annual report of the workhouse directors will be issued in January, when the Independent and all others in 'erested will be able to get all the details. As so little effort is apparently made by those now engaged in criticizing the workhouse, to secure facts and sufficient data to form an intelligent opinion about anything in connection with the institution, nor seeming to possess the power of absorbing facts when presented to them, the workhouse superintendent could readily be excused if he ignored the extension of fly-time into the winter months. Every expenditure made at the workhouse is made after examination by and with the sanction of the workhouse directors and the county commissioners. The superintendent's contract with the directors is silent as regards space rates for matter furnished the press, and if the county develops two or three more tyros, who argue on a tangent, it may be necessary for the directors to increase the roster of officers and elect a press agent. That would necessitate the payment of such a munificent salary as is commanded by newspaper men, and then the institution would go broke, sure. But Superintendent Pontius is courteous and obliging, and having nothing to conceal, takes pleasure in answering such questions as are propounded with reference to the institution, feeling that its benefits are so great that it should in no wise be misrepresented. He today submitted the following

OPEN LETTER.

To the Editor of the Independent:—While somewhat unaccustomed to making exploits in print, I cheerfully answer such questions as you propound, on the supposition that they are propounded in good faith, but regretting that I cannot anticipate our annual report in detail. You will have that report from Secretary A. B. Love, after the January meeting. You inquire:

"What is the daily average number of Stark county prisoners?"

Our annual report will set forth this question in detail, and it is now being compiled. I am able to state, however, that during the current year we have received 420 Stark county prisoners and 418 from other counties.

"What is the cost per capita per annum and per day of caring for the prisoners?"

Taking into account the value the county has received from their labor, in the way of public improvements and products of the works, the cost this year has been \$91.73, as set forth in a former statement. For 838 prisoners received, 236 days of the year having elapsed, the cost per day runs a considerable distance to the right of the decimal point.

"What is the price per day paid to the workhouse trustees for caring for the prisoners of other counties?"

All contracts of that nature are made by the workhouse directors, and I have no part in it. For information on that question it would be necessary to inquire of those who make the contracts.

"What is the difference per capita in the cost of maintaining prisoners at the workhouse and inmates of the infirmary?"

The cases are in no wise analogous. It ought to suggest itself that it costs more to maintain 50 prisoners who must be transported to Massillon or some other part of the county, furnished with tents, wagons and tools, than it costs to maintain 50 inmates who do little or no labor and who do not require the same character of sustenance nor in such quantity.

"What is the cost of workhouse administration?"

My salary is \$900 per year. "Is it true that workhouse labor has been diverted to private use?" It is not true in the slightest particular. I will be glad to meet anybody upon that proposition at any time.

"Could not the prisoners of Stark county be maintained at far less cost if outside contracts were not undertaken?" They could not. To officer, guard, heat and light the institution costs about as much for 50 prisoners as for 100 prisoners, and the revenue from outside would be missing, increasing the per capita expense for Stark county prisoners.

"Could it be demonstrated that it pays to board the prisoners of other counties?" We are demonstrating it every day in the conduct of the institution. The county gets an equivalent from the labor for whatever expense is incurred, and prisoners from other counties are a source of positive revenue.

"Is it not a fact that the value of workhouse improvements and road work has no relation to the cost of supporting the prisoners?" It is not a fact. The outlay for teams, wagons and tools is an expense which, in the general course, reverts to the per capita expense. Again, one cannot maintain men who work hard for the same amount as those who do not work. Besides, when doing road work, such as was done on Marshall hill, Massillon, there is an increase in expense. Every item of food procured in Massillon was more expensive than we can procure for prisoners maintained directly at the institution. It cost more than twice as much to make the Marshall hill improvement as it did to do road work within easy distance of the workhouse.

Respectfully, J. W. PONTIUS.

Notice of Appointment.

The undersigned has been duly appointed Administrator of the estate of Samuel Brown, late of Stark county, Ohio, deceased.

Dated the 15th day of November, 1897. FRANK J. SNYDER, Administrator.

Notice of Appointment.

The undersigned has been duly appointed executor of the estate of George Leaber, late of Stark county, Ohio, deceased.

Dated the 18th day of November, 1897. ELIAS LESHER, Executor.

Those Dreadful Sores

They Continued to Spread in Spite of Treatment but Now They are Healed—A Wonderful Work.

"For many years I have been a great sufferer with various sores on one of my limbs. My foot and limb became dreadfully swollen. When I stood up I could feel the blood rushing down the veins of this limb. One day I accidentally hit my foot against some object and a sore broke out which continued to spread and was exceedingly painful. I concluded I needed a blood purifier and I began taking Hood's Sarsaparilla. In a short time those dreadful sores which had caused me so much suffering, began to heal. I kept on faithfully with Hood's Sarsaparilla, and in a short time my limb was completely healed and the sores gave me no more pain. I cannot be too thankful for the wonderful work Hood's Sarsaparilla, has done for me." Mrs. A. E. GILSON, Hartland, Vermont.

Hood's Sarsaparilla

Is the best in fact the One True Blood Purifier. Made in bottles over all liverills, 25 cents.

Trustee's Sale.

In pursuance of the order of the Probate Court of Stark county, Ohio, I will sell at public sale, on

aturday, December 4th, 1897, at 1 o'clock p. m., upon the premises, the following described real estate, belonging to the estate of Dominick Tyler, free of the dower interest of Catherine Tyler herein, situated in the city of Canton, county of Stark and State of Ohio, and known as 1 1/2 corner fifteen hundred and forty-six in Canton, Ohio, and also the same premises in the corrected schedule of lots in said city.