

The True

Page LV. Number 52

PAW PAW, VAN BUREN COUNTY

MANDAMUS DENIED IN LOCAL OPTION MATTER

Judge DesVoignes Filed Opinion on Wednesday. Petition Dismissed.

WILL GO TO SUPREME COURT

Writ of Certiorari Granted Thursday Morning. Entire Proceedings will be Reviewed by Higher Court.

The local option matter, which has been pending for some time, has been settled so far as the Van Buren county circuit court is concerned. On Wednesday of this week Judge DesVoignes filed an opinion dismissing the petition for mandamus.

The readers of the True Northerner are already familiar with the facts surrounding the local option matter and the complete status of the case to date. It will therefore not be necessary to review the proceedings at any great length.

The Court's opinion is an exhaustive one, and we will only attempt to give a review of the salient points of the same.

IN RE GARFIELD S. FLANDERS,

RELATOR,

vs.

THE BOARD OF SUPERVISORS OF VAN BUREN COUNTY,

RESPONDENT.

The Board of Supervisors, having turned down the local option petitions and refused to order an election, the relator applied for a writ of mandamus ordering the board to reassemble and reverse its decision.

Four reasons are assigned why such action should be taken.

That the board rejected and refused to count certain names that did appear on the registration books.

That the committee having the charge reported that they had 2,533 names of qualified electors, and that the total vote of the county at the last general election was 10,000, that the petitions were duly filed in the township of Columbia, they were posted.

That the board wrongfully declined to receive an amended affidavit of post-copies of the Columbia petition.

That the board rejected said petition because the exact location of the posted copies was not stated in the affidavit of posting.

The Court in his opinion reviews these contentions of the relator and the action taken by the board and its committee somewhat at length and quotes the final action of the board as follows: "Whereas, The petitions praying that an election be held in said county to determine whether or not the liquor traffic should be prohibited in such county, having been examined, and having found such petitions insufficient;

"Resolved, That the prayer of the said petitioners be and the same is hereby denied."

The Court then discusses the claim that this action of the board is final and not subject to review by the courts, and cites cases wherein the supreme court has held this doctrine when the board has called an election, and sees no reason why the action is not equally final when the board refuses to call such election.

The Court refers to a similar case that arose in this county in 1906, wherein S. J. Strickland on the relation of the attorney-general asked for a mandamus requiring the board to re-convene and rescind its action ordering an election. This case was argued before Judge DesVoignes, the writ denied and such action sustained by the supreme court. The Court quotes from Justice Carpenter's opinion in that case in which it is said: "The statute made the resolution of the board final as to the sufficiency of the petitions and the requisite number of electors signing the same." After commenting on that decision the Court says: "For this reason in refusing the writ of mandamus in 1906, in my opinion"

Continued on page 4.

POPULAR YOUNG MAN GONE

Earl Chappell Died at U. of M. Hospital Last Friday Following Operation for Appendicitis.

Earl Chappell, younger son of Sheriff Mrs. C. C. Chappell, died at the U. of M. hospital at Ann Arbor last Friday morning. He had been sick less than a week and the sad news came as a great shock to his relatives and friends and a gloom over the entire village.

Earl had always been a strong, healthy young man. He had never seen a sick day. On Saturday prior to his death he attended to his usual good duties. On Saturday he commenced to feel unwell and grew worse rapidly. His trouble was appendicitis and he was operated on at the U. of M. hospital. Dr. J. C. ...

EAST DECATUR WON HONORS

Defeated White Oak School in Spelling Contest. Box Social Enjoyed in the Evening.

The pupils of the White Oak school met the East Decatur pupils last Friday P. M. at their school house in answer to a challenge for a spelling contest. There were five points to be won. Primary oral spelling, intermediate oral and written spelling and grammar written and oral. East Decatur carried off the honors by three points to one, the intermediate written work being a tie. The champions in oral spelling were Marguerite Miller of White Oak, grammar, Morris Mac Gowan, intermediate and Dorothy Hains primary of East Decatur. Those perfect in written work were Bernice Lewis, Leo Betch and Edna Phelps. In the evening the older pupils from each school accompanied their teachers to a box social at Will Nelsons near Lawton.

INTEREST OF THE SOLDIERS' MONUMENT

Evelyn Social at Home of O. W. Rowland. Good Time and Neat Sum For the Fund.

A whole household of the members of the G. A. R. and W. R. C. assembled at the residence of Mr. and Mrs. O. W. Rowland last Saturday evening—a social gathering in the interest of the soldiers' monument association. They were a hilarious lot, indeed; a passer by might have thought it was an insane asylum from the racket they made. A short impromptu program was given as follows: A few very interesting remarks by Judge DesVoignes followed by some humorous reminiscences by Mr. Rowland and a short talk by L. H. Titus. Mrs. L. O. Dell read a paper giving some interesting incidents of her California trip. Refreshments, consisting of coffee, sandwiches, etc., were served after which O. W. presented a literary guessing contest, stating that he would give a first and second prize to the two best guessers participating. Slips were passed containing the following 29 suggestions, each representing the name of a well-known author:

- 1—What a father said to his son when he wanted him to eat properly.
- 2—Many have knelt to kiss him.
- 3—Makes and mends.
- 4—The dwelling of men.
- 5—Worn on the head.
- 6—Fiery pains and stings.
- 7—Belonging to a monastery.
- 8—Like an oyster heap.
- 9—Always youthful.
- 10—An internal pain.
- 11—A manufacturing town.
- 12—Value of a word.
- 13—A worker in precious metals.
- 14—A vital part of the body.
- 15—Small talk and a weight.
- 16—Comes from a pig.
- 17—A slang expression.
- 18—A young domestic animal.
- 19—Mamma is in perfect health.
- 20—A painful fellow on the foot.
- 21—Meat, what are you doing?
- 22—To agitate a weapon.
- 23—Before.
- 24—An elevated woman.
- 25—A worker in barrels.
- 26—A renter.
- 27—True of the ladies.
- 28—Fast indeed.
- 29—An edible grain between an art and a bee.

We will give the answers next week.

The winning parties were Mrs. M. L. O'Dell, who came to the front with 15 correct answers, Mrs. L. H. Titus being second with but one less. Mr. Rowland then presented the prizes, being two small, but finely executed steel engraved portraits, mounted and ready for framing; one of the "Father of his country the other of "Poor Richard."

The next semi-monthly social to be given by the "old boys and girls" will be held at the residence of Mr. and Mrs. John Smith, Saturday evening, Feb. 12.

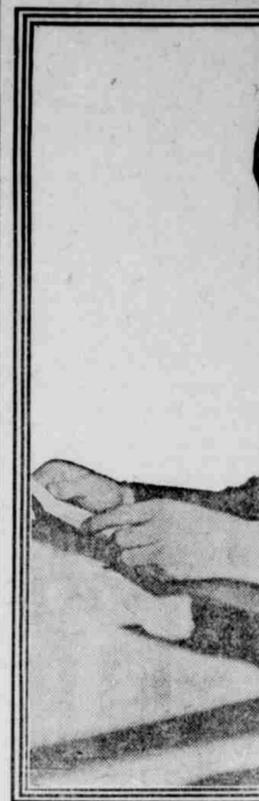
SUCCESS OF LAWTON MAN.

The Lawton Leader of last week, stated that Lowell A. Packer had brought Mr. Weidin's interest in the large mercantile business in which they had been partners, and was now the sole owner of the concern. Mr. Packer is a son of J. E. Packer of this place, and has many Paw Paw friends who are proud of his continued success in his chosen line of business.

IN HONOR OF MISSES LANE.

The Kalamazoo Gazette of last Sunday, gave an extended account of an enjoyable dancing party given at the home of Mrs. M. H. Lane in honor of their daughter and their niece Miss Irene Lane of Paw Paw. It was a brilliant social function enjoyed by about 150 guests.

WILLIAM



Photograph by Cineomat, Washington, D. C.

Secretary to the Secretary

PLAYS PART KNOWING MOTHER AND SISTER LYING AT DEATH'S DOOR

Mrs. Fred Kimball (Mary Servoss) recently passed through a terrible experience. During the performance of "The Wolf," in which she is leading lady, she reached her that her mother and sister had been shot in Chicago. She displayed wonderful nerve in going on with the performance, her audience never knowing under what a dreadful strain she was working. Following is an account of the affair as taken from the Lansing State Republican:

"If ever a woman played a part, in the true meaning of the words, Miss Mary Servoss, leading woman in 'The Wolf,' accomplished that feat Saturday night, when with the knowledge that her sister and mother had been shot by her brother-in-law in the afternoon and were lying at death's door, and went on as usual in the play, and despite the awful strain went through the scenes of this tense drama in her usual fine manner, no one in the audience imagining she was undergoing so much that they might have their evening entertainment.

Word of the attempted murder reached Miss Servoss shortly before time for the theatre to open and with rare self control she decided to go ahead as usual with the performance, after which she took a train for Chicago to go to the bedside of her injured relatives.

Lying in wait for his wife and mother-in-law in their room at the Wyncamers Hotel, East Eighteenth street and Indiana avenue in Chicago, Saturday afternoon, W. S. Barnes, theatrical agent, shot and probably fatally wounded both women. Following the shooting he fled from the hotel, jumped into an automobile and escaped. The victims of the shooting were Mrs. Aletta Barnes, 27 years old, shot in the mouth and through the left wrist, and Mrs. Mary Servoss, 52 years old, her mother, shot in the left side of the chest.

Two weeks ago Barnes made an attempt to kill his wife at the same place. At that time when his wife, from whom he has been separated for several months, repulsed his overtures for reconciliation, he fired several shots through the door of her room."

A letter from Mr. Kimball to Paw Paw friends states that the unfortunate ladies are getting along nicely. He and Mrs. Kimball are with the sufferers and the prospects are good for their ultimate recovery.

WAR ON MAIL ORDERS.

Rufus Saunders, the popular circulation manager of the Kalamazoo telegraph was in Paw Paw last Monday. While here he circulated some advertising matter for the Michigan buggy company, of which M. H. Lane, principal owner of the Telegraph is president. The Michigan Buggy company has declared war on the mail order houses, and are using a liberal amount of printers ink as a weapon. The company is well known, not only locally but abroad as well, and is doing an immense business in the vehicle line.

CONDUCTED READING CIRCLE.

Commissioner of Schools V. R. Hungerford, conducted a teachers reading circle at the Supervisors room in the court house last Saturday. The attendance was good and the meeting a profitable one.

PRATER REPLIES TO WILDEY.

G. E. Prater Jr. Local manager of the Southern Michigan Fruit Association has an article in this issue of the True Northerner in reply to Mr. Wildey's article of last week. Prater's reply will be found on page six, and will be of interest to those who are close students of the grape proposition.

FINE MUSIC STORE.

Leland Gorton, Paw Paw's progressive piano dealer, has rented the McNeil store, recently vacated by the Charles Drug Co. He will move in a few days, and will then have one of the finest music stores in Southern Michigan.

WILL BECOME CITIZEN.

Rev. John T. Cavers of Gobioville was in Paw Paw last Tuesday. While here he filed his declaration of intention to become a citizen of the United States. He is a Canadian by birth, and has resided in the United States about five years.

ATTENDED OFFICERS MEETING.

Prof. A. J. Prentice of South Haven, A. M. Brown of Breedsville, A. B. Chase and daughter, Mrs. Spellman of Covert, Supervisor Cleveland of Arlinton, and John R. Giffin of Bangor were among those who attended the school officers' meeting in Paw Paw on Tuesday.

SMALL POX AT NILES.

The city of Niles is having a small pox scare. Dr. R. H. Stevens expert from Detroit was there last Saturday, and confirmed the opinion of Health Officer Van Noppen, that four persons were suffering from small pox. A rigid quarantine was placed on the houses of those afflicted, and all with whom they came in contact. Local physicians differed in their diagnosis of the cases, and the expert was called in to decide the matter.

WOODCHUCK SAW HIS SHADOW, LAST WEDNESDAY. RETURNED TO WINTER QUARTERS TO REST FOR SIX WEEKS.

It seems as though the Niles have decreed that we shall be obliged to endure at least six weeks more of winter. According to his usual custom, the ground hog came out of his winter quarters last Wednesday, looked about, saw his shadow, and immediately returned to rest secure for the next six weeks. Wednesday was cloudy overy all the forenoon, the sun came out just before-noon however, so there is no question but what the little animal saw his shadow. The sun went in under a cloud immediately after noon, and the balance of the day was cloudy.

SPEAKER AWAKENED SYMPATHY SIX MORE WEEKS OF WINTER

Dr. Suleeba's Lecture on "The Devil and the Turk" was Greeted By Large Audience.

Dr. Suleeba, an Assyrian by birth but by choice an American citizen, spoke at the Presbyterian church Sunday at both morning and evening services, and Monday evening lectured under the auspices of the Christian Endeavor society on "The Devil and the Turk." The lecture proper Monday evening was prefaced by a half hour talk illustrated by exceedingly clever work in folding and cutting paper. The half-hour was supposed to be for the children, but Dr. Suleeba had interested his audience on Sunday so much that it was noticeable that the fluttering large audience gathered early and that the "grown-ups" enjoyed following the work of the doctor's deft fingers and the sallies of his quick tongue quite as much as the little folks.

ROY SALISBURY HOME.

Harry Salisbury went to Ann Arbor last Monday to bring his brother Roy home from the university hospital. Roy is on the road to recovery, but is still very weak from the effect of his illness.

FORENOON.

10:15 Discussion. "The Vineyard and Its Needs"—T. A. Farrand, Eaton Rapids Discussion.

AFTERNOON.

1:00 Question Box, in charge of T. A. Farrand. Music—Male Quartette. 1:30 "Emergency Methods on the Farm"—N. I. Moore 2:00 Discussion. "Spraying for Insects and Diseases"—T. A. Farrand 3:00 Discussion. "Woman's Part on the Farm"—Miss Jennie Buell, Ann Arbor 4:00 Discussion. Piano Duet—Misses Luce. 4:30 "Making the Best of It"—Mrs. J. J. Woodman, Paw Paw EVENING.

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FOR THE USAR OF ALL

The matter of salaries, in a school of over 100 pupils, should the voters at the annual meeting neglect to vote a suitable one, the board can vote as large one as their conscience will stand, draw their own orders and collect the same.

There was a good deal of discussion relative to the distribution of primary money, the present system being unsatisfactory. One district in the state now having primary money enough on hand to pay teachers for the next forty years, while others draw practically none.

The speaker eulogized the high schools and colleges of today as compared with those of a half century ago, showing by the compulsory law that it was practically impossible for children to grow up without an education, but regretted that the rural schools had made no advancement, and asked the county commissioner if that had not been his experience. Mr. Hungerford promptly answered No, and the applause that the answer brought forth caused our urbane commissioner to smile, but the smile faded when a director asked Mr. Wright who was to blame when a case of truancy had been reported three times and no action had been taken and the speaker said, your commissioner, of course.

Mr. Wright came out strong on the township unit system which elicited a storm of protests, Chas. Robinson of Lawrence leading the speakers.

Seeing the hornet's nest he had stirred up, Mr. Wright side-stepped and took up the subject of a universal system of text books for the state, in which he had the crowd with him, a standing vote bringing every delegate to his feet.

Judge Haggerty, in trying to get a bill to the legislature through the legislature last winter, and said he believed it was impractical. It was decided that by county's plan would be feasible.

Mr. Wright was continually interrupted by questions that had already been answered, and showed his good nature by going over the subjects again and again, his explanations being lucid and comprehensive, and his answers to many unclass questions being pithy and pointed.

The meeting adjourned and the directors went home to draw their \$2.00, the amount they had absorbed and to tell their constituents that it was money well spent, which of course it was.

Mr. Wright is one of the best superintendents of public instruction that the state has ever had. He is thoroughly qualified, loves the work and is a genial, courteous gentleman who commands the love and respect of the entire state. The meeting at Paw Paw was of inestimable value to the schools of Van Buren county.

QUAILS WILL SURVIVE.

Deputy State Game Warden C. D. Leach states that notwithstanding the severe winter and heavy snow, the quail are coming through in good shape. He thinks that some coveys will probably not survive the winter, but says the farmers in many localities have fed the birds, and that not as many have perished as is generally supposed.

SOCIAL ITEMS MIXED.

The True Northerner inadvertently made several errors in its social column last week. The names of F. P. Grimes and W. H. Longwell were given as guests at the S. Judge and Mrs. were host and W. H. Longwell of the Longwell residence.

ARTS.

Artistic