

TOWN RESPONSIBLE

Sidewalks are Solely for Public Use is Ruling of United States Judge Sater.

A decision having local application to about every town in the state was rendered by Judge Sater, of the United States court recently when he held that the town of Eaton is responsible for the safe condition of its street sidewalks and liable for damages when it allows them to be obstructed.

The question was raised in the suit of William Nearon against Eaton for \$5,000 damages for injuries he received in falling over a front doorstep which had been built out on the sidewalk from one of the residences in the town.

Judge Sater says the sidewalks are part of the public highways and they belong to the public wholly, from the inside line to the outside line. Any thing which encroaches on them and tends to impede travel is a nuisance, he held, and can be abated by the municipal authorities.

The fact that the front doorstep causing the trouble at Eaton extended out from the house only a foot is held to make no difference and to be no excuse.

Mr. Nearon's suit for damages must now go to trial.

G. A. R. Memorial Services.

John M. Barrere Post No. 205 G. A. R. will hold their memorial services for their departed comrades Sunday afternoon at the W. R. C. room in Masonic Temple at 1:30. The families of deceased comrades are invited to be present and all members of the Post are requested to attend.

Real Estate Transfers.

Isabel Burton to J. W. Burton, 16a, \$1.
Margaret Banks to Reuben Grandie, Fairfield tp, 3a, \$60.
Carrie Lawson to Harry M. Barrett, Leesboro, land, 1a, \$1.
J. H. Peddicord to M. W. Shaw, Clay tp, 6a, \$209.
J. A. Wheeler to I. N. Femer, Jackson tp, 75a, \$1.
John Garman et al to Stephanus Garman, Liberty tp, 41a, \$1.
Lucy Murphy to William Shawver, Leesboro, land, 5p, \$700.
Henry B. Thompson to E. W. Archer, Liberty tp, lot, \$1.
Ira Q. Roberts to A. L. Osburn, Mowrystown, lot, \$700.
Mary S. Hughes to Anna E. Thornburg, Hillsboro, lot, \$1.
E. W. Archer to Lewis Babbitt, Liberty tp, lots, \$70.
Isaac Whitto to John B. Seaman, Greenfield, lot, \$1.

Marriage Licenses.

Sherman Winkle, Lynchburg, and Maggie Thornburg, Fairview.

Probate Court Proceedings.

Wm. Heifrich, admr of Wm. Deafner, filed second, final and distributive account.
Will of Mary M. Noble filed.
J. E. Barrett, admr of L. C. Barrett, filed inventory and appraisal.
W. H. Strain, admr of Mary Ann Bowers, filed first and final account.
Will of Della Milner probated.
Miss Mae Larkin entertained with a miscellaneous shower for Miss Lucy Beam, Tuesday afternoon.
George West and Miss May Stroup, of Lynchburg, were guests of Mr. and Mrs. Walter Tedrick Sunday.

Preston Swartz and family moved last week from North East street to Earl Rizer's property on East Beech street.

J. W. Watts has sold his Bru-hereek farm to Ellsworth McCoppin, of Ada, and his brother, Sherman, of this county.

Branson Satterfield, who spent the past year at Emporia, Kan., came home last week for a short visit with his parents.

Mrs. Randall Hunt, after an extended visit with Mrs. Catherine Collins, left Monday for Palaceville, Fla., where she will spend the winter.

2071 Lawrence—You may keep the one you have will be glad to let you have one of the other two you wanted.
SAN MARCOS.

Aldis Smith, of Pierre, S. D., arrived last week for a two weeks visit with his sister, Mrs. B. C. Donohoo. He and Mrs. Donohoo spent Friday with relatives at Pricetown.

Two Singer sewing machines, tables roughed, machinery good as new. Will be sold at a bargain. Call at Singer Store and see them, South High St., Hillsboro, O.

INJUNCTION

SUITS FILED

Restraining Treasurer From Collecting Taxes Levied For Pike No. 95.

COMMON PLEAS COURT

Kesler Will Case Still Going On And Will Not Be Finished Before Saturday—New Cases Filed.

Two suits were filed by taxpayers last week against County Treasurer Charles D. Johnson, to enjoin him from collecting the taxes assessed against them for the purpose of building Free Turnpike No. 95.

This pike runs from New Market to Harrisburg and was granted by the county commissioners April 19, 1909. It is to be constructed under the one mile system and a tax of ten mills on the dollar has been levied on those living within its bounds.

The pike commissioners are Albert Shelton, J. E. Brewer and J. A. Eyer. Those who bring the suits to enjoin the construction of the pike are, John C. Bennington, Joseph Gonia, John E. Burns, Charles L. Euverard, Frank S. Ruble, Elizabeth Mock, C. Newton Bennington, Charles L. Euverard as guardian, and George M. Favor.

Judge Newby granted a temporary restraining order and set the matter for hearing March 8, 1910.

The grounds upon which the plaintiffs ask for an injunction are as follows:

They allege: 1st. That a majority of the land owners within the bounds of the road did not sign the petition.

2nd. That there is an unimproved county road, known as the "Bottom Road", within two miles of the new pike and unconnected therewith and that the territory was not divided with this road and that if this was done, as required by law, that plaintiffs would be without the bounds of the road.

3rd. That the taxes levied are insufficient to make a good and substantial road.

The court is asked to grant a temporary order restraining Charles D. Johnson, as Treasurer, from proceeding to collect the taxes levied against the lands of plaintiffs and upon a final hearing that a permanent injunction be granted.

Other new suits filed are: Mamie Bryan vs. Homer Bryan, in which the plaintiff asks for a divorce on the grounds of habitual drunkenness and extreme cruelty. The parties are colored and have no children. The defendant is at the present time in the Cincinnati work house.

Marie Young vs. Luke Roberts et al heirs at law of Malacei Roberts, deceased. This is a suit for partition of inlot 277, situated in Hillsboro. The plaintiff alleges that she and the defendants are owners of the property as tenants in common.

The Kesler will case is still in progress in the Common Pleas Court. The plaintiffs concluded their testimony shortly after noon on Monday. At the opening of court Wednesday morning, but two witnesses for the defendants, Mr. and Mrs. Clayton Dunlap, had been examined and the attorneys for the defendants stated that the testimony would probably not be all in before Friday at noon.

It now looks as though the case would not go to the jury before Saturday.

Madison C. Gregston, colored, who was indicted for bigamy by the last grand jury, on Monday entered a plea of guilty and was sentenced by Judge Newby to serve one year in the Ohio penitentiary. He was taken to that institution Tuesday by Sheriff Mc-Mullen.

Ernest Elliott and Ray Golph, who spent the past year in Chicago, arrived last week for a short visit with relatives. Monday evening the former left for New Mexico where he expects to make his future home and the latter left at the same time for Michigan.

Henry, the young son of Mr. and Mrs. W. H. Walker, fell on the icy streets Saturday while coasting, suffering a bad rupture. He is doing as well as could be expected at this time.

The Etude Quartette, composed of Mrs. Stanley Rogers, Mrs. C. F. Faris and the Misses Margaret Carroll and Anna Steele, left yesterday morning for South Salem to furnish music for a Farmers' Institute being held at that place.

Phonograph records at Stabler's.

Cubs Take Three.

The local bowling tournament opened Monday night with the Cubs and Ravens the contestants.

Lack of practice by some of the men and failure to observe the foul line resulted in some low scores. The Cubs took all three games, rolling three fairly good scores. The games resulted as follows:

	1st	2d	3d
Cubs.....	782	696	791
Ravens.....	631	661	726

The next series will be rolled Friday night between the Tigers and the Pirates.

Two series of three games each will be rolled each week on Monday and Friday nights until the close of the tournament.

10 Dead; 49 Wounded.

During the hunting season just closed 10 Ohio hunters were killed and 49 injured sufficiently to get their names in the papers. There were 100 fatalities throughout the country.

Four Legged Duck Exhibited.

Secretary Moyer, who has charge of the poultry display at the combination Corn and Poultry show, to be held the week preceding Christmas, informs us that the entries are coming in fast and that there is positive indication that the display will be large, and also fine. Among the exhibits will be the famous four-legged duck owned by Mr. John Campbell, of Eastwood. He also states that the scoring will be done by the card system, and this work done by a judge of such prominence as Judge Cram means much for the owners of poultry raiser desiring a catalogue, can secure the same by addressing him.—Georgetown News-Democrat.

HONEST AND CLEANLY

These Qualities and its Humor the Chief Charms of "Quincy Adams Sawyer."

A prominent American dramatic critic concluded a recent play review with this sentence: "If a wholesome, honest, cleanly, play that alternates pathos and laughter with galling gun rapidity is what theatre-goers want, they will go to see 'Quincy Adams Sawyer,' and it is quite evident they are going."

In these few words he summed up the facts and the reasons therefore that epitomize the success of the great rural play that for five years has been touring the country to record-breaking houses everywhere. The great masses of the people want their drama to be wholesome and cleanly; they leave the highly seasoned dramatic pabulum to the so-called society epicures. They want no "problems", no suggestive disquisitions upon topics that, outside of the theatre, are not discussed in public.

"Quincy Adams Sawyer" gives them an honest story of wholesome people, told brightly, with great human interest. The pathos is of the decent sort and is never obtrusive. The fun, while fast and furious, is always cleanly. In addition, the play is given the most complete and elaborate production possible to the modern stage.

The company has been selected with special reference to the fitness of the players for the work they are to perform, and the ensemble shows that completeness which is welcomed by theatre-goers.

When the play is seen here at Bell's Opera House on Thursday, December 16, the proof of all these statements will be so self-evident as to be indisputable.

Big Hog.

Dan Coyner, a Greenfield stock dealer, purchased the largest hog of the season from a farmer near Sinking Springs last week. The porker weighed 1,060.

The village blacksmiths exercised their strong right arms vigorously Saturday. All of them worked far into the night to meet the demands made on them by country people anxious to get to their homes but who could not owing to the icy conditions of the pikes. Many of them had to remain in town over night and had their horses shod Sunday morning before returning home.

Mr. and Mrs. George Pugh entertained a number of their friends last Wednesday evening with a "500" party.

Mr. and Mrs. A. D. Moorehead and son, Ellis, were the guests of Thomas Moorehead and family, at Lynchburg, Sunday.

Mr. and Mrs. A. P. Smith, of Portland, Ore., are visiting relatives and friends in different parts of this county.

Mirrors, 10c to \$1, at Stabler's.

George W. Gill Dead.

George W. Gill, aged 70, of Columbus, one of the best known of the elder business men of that city, died suddenly Sunday morning as the result of acute indigestion, aggravated by heart trouble. Mr. Gill had been ailing only a couple of days, although his general health has not been of the best for several years. Saturday night he was thought to be mending but at 3 o'clock the nurse became alarmed and summoned the physician. Death came at 5 o'clock with no one but the wife present.

He was a brother-in-law of Mrs. J. J. Pugsley and an uncle of Mrs. G. B. Beecher and has visited here frequently. The funeral services were held at the late residence Wednesday morning, Mr. and Mrs. Pugsley and Mrs. G. B. Beecher attending.

Mr. Gill has not been actively engaged in business for about 15 years but exercised a supervision over his large farm in Hardin county and his extensive coal lands in Athens county. As a younger man he conducted a large stove foundry in Columbus.

Chicken Pie Supper.

The Ladies of the Methodist Church will give a chicken pie supper in the lecture room Friday evening, Dec. 17, at 5 o'clock. The following is the menu:

Chicken Pie	Lima Beans
Sweet Potatoes	Cold Slaw
Cranberries	Bread and Butter
Coffee	

Teacher's Certificates.

The following persons were successful applicants at the Teacher's examination held at the Washington School building, Saturday, Dec. 4.

For one year—Marie Jonte, Hattie Rains, Lela Mills.

For three years—Roy Gustin (renewal).

For five years—W. H. Mullenix, (renewal), C. W. Johnson, high school, (renewal.)

JOHN S. FARIS, Clerk.

Land Appraisers Meet.

State Auditor E. M. Fullington issued an invitation to all the county auditors and land appraisers throughout the state asking them to be present at a state meeting held at Columbus yesterday for the purpose of formulating plans and devising ways and means whereby an equitable appraisal of all real property should be made. Gov. Harmon made an address in the afternoon. Auditor Roads and a majority of the land appraisers from this county were in attendance.

Degree of Honor Officers.

The Degree of Honor Lodge met on Monday evening December 13, and held their annual election of officers for the ensuing year. The following were elected:

P. C. of H., Mrs. S. T. McMillan; C. of H., Mrs. Wm. Swadley; L. of H., Mrs. Ed. Muntz; C. of C., Mrs. Ed. Ayers; Financier, Miss Bertha Brown; Receiver, Iss Edna Grey; Recorder, Mrs. V. E. Morgan; Usher, Miss Lena Neil; Inside Watch, Miss Pearl Rhoads; Outside Watch, Ed. Ayers.

Corn Crushing.

We now have our crusher in operation, and shall be pleased to crush your corn.

RICHARD'S MILL.

Judge Watts went over to Chillicothe Monday and spent the day with his old army comrade, H. S. Patterson, who is visiting relatives in that city. Mr. Patterson was formerly a resident of this county, but at present is a prominent banker of Los Angeles, Cal.

Take a hint, do your own mixing. Rough on Rats, being all poison, one 15c. box will spread or make 50 to 100 little cakes that will kill 500 or more. It's the unbeatable exterminator. Don't die in the house. Beware of imitations, substitutes and catch-penny, ready-for-use devices.

The Record Republican, of Washington C. H., tells of the felling of what is claimed to be the biggest tree in Fayette County. It was a sycamore which stood on the W. C. Blue farm, near Paint Chapel. The butt of the tree measured 27 feet in circumference and 5000 feet of good lumber were secured from it and a large amount of cordwood.

The Hillsboro basket ball team defeated the 1st Regiment team of Cincinnati in a well played game on the Armory floor Wednesday night by a score of 28 to 21. Charles Carroll, center for Hillsboro, injured his ankle in the first half and Lemon took his place in the second half. This handicapped the local team considerably as Lemon had never taken part in a regular game before.

LARGE MAJORITY FOR BOND ISSUE

To Purchase Old College For Public School Use at Special Election.

VERY LIGHT VOTE CAST

Only 28 Opposed to Issue and if Parties Can Agree Question of School Facilities is Finally Solved.

The special election held Tuesday to determine the questions of issuing \$10,000 in bonds for the purpose of purchasing the old Hillsboro College property for school purposes, carried by a majority of 298.

A very light vote was cast, only 354 votes being cast. Of this number only 28 were opposed to the bond issue.

The vote by precincts was as follows:

	YES	NO
North West	53	2
South East	103	18
North East	63	2
South West	107	6
Total	326	28

This means that the school board is now in a position to take some definite action in regard to purchasing this property if an agreement can be reached with the stock-holding trustees and the Methodist Conference.

It is to be hoped that some agreement can now be arrived at by the contending parties as the people of Hillsboro will secure a wonderful bargain. This property is at a low estimate worth \$30,000 and is an ideal location for a high school. It means much to Hillsboro to secure the property and as it now stands the property is absolutely of no value to anyone. Expensive litigation is going on in the courts and a valuable and beautiful property is unused. The Methodist Conference years ago abandoned the property and have at two different times endeavored to give it to Hillsboro for school purposes. Now is the opportunity for it to show whether it is an Indian giver. The stock-holding trustees are all prominent citizens of this place and now have an opportunity to show their public spirit by agreeing to take a small sum for their claims.

The board of education have offered these parties \$6,000 for their interests and the people by an almost unanimous vote have said that they are willing to pay that sum. Now let the Methodist Conference show its good faith and the stock-holding trustees their public spirit and the question of proper facilities for our public schools is settled for years.

Booze Must be Labeled.

Intoxicating liquors will not be allowed to be shipped in dry counties or anywhere else without labels the first of the year. The federal authorities are sending notices to all manufacturers of intoxicants that their wares will have to be labeled on the outside of the packages exactly setting forth what the contents are. The U. S. Attorney General has issued orders that the law must be rigidly enforced.

Little Clayburn, the four month old son of Mr. and Mrs. Lee A. Collier, died with brain fever at the home of Mr. and Mrs. Chas. R. Young, Dec. 8, 1909.

DR. TIFFIN NOT DECEIVED

Dr. Hunter in Replying to His Answer Denies There Was Misrepresentation.

In the suit of Dr. G. W. Hunter against Dr. C. H. Tiffin and others, the Butler county courts Hunter filed in a reply to the answer of Tiffin denying the allegations in the answer. Dr. Hunter, it will be remembered recently brought suit against Dr. Tiffin on two notes for \$1112.12, which were secured by chattel mortgage and which he alleged were given when he sold his practice at Hamilton to Dr. Tiffin.

Dr. Tiffin answered alleging that Dr. Hunter had agreed to equip a horse and dog hospital for him in Hamilton and introduce him to the wealthy people of that place, also that Dr. Hunter had represented his practice as being worth from \$10 to \$20 per day and had guaranteed Dr. Tiffin that he could realize that amount from it. Dr. Tiffin alleged that Dr. Hunter had failed to keep his promises and had misrepresented the value of his practice, that he had left a practice here worth \$2,500 a year and had been damaged in the sum of \$3,000.

Dr. Hunter in his reply alleges that the notes were given in payment for the instruments and the practice and that while he may have shown Dr. Tiffin his books that he made no representation as to its value. He denies that he agreed to equip a horse and dog hospital and claims that he did introduce Dr. Tiffin to his patrons. He also denies that Dr. Tiffin left a practice here worth \$2,500 a year and asks judgment for the \$1112.12 on the notes as prayed for in the petition.

Baptist Church.

Sunday School at 9 a. m. Morning worship at 10:30.—"The Rights of God's Children." B. Y. P. U. at 6 p. m. The meetings are growing in interest. Preaching at 7, subject—"An Unwise Choice."

Next Wednesday evening the committee on "Baptist Brotherhood" will have charge. All the men of the congregation are urged to be in attendance to consider the advisability of organizing a brotherhood.

The public invited to all of our meetings.

Christmas Mail Delivery.

There will be one delivery of mail only Christmas Day by the city carriers. This delivery will be made at the regular morning hour.

Carrier's window will be open at 1:30 for the accommodation of those desiring to get mail matter that may come in at 10:35.

Johnson-Ketchel Fight Pictures.

The great Johnson-Ketchel fight pictures will be at the Orpheum Theater for two nights and one matinee, December 23 and 24 at night and matinee Friday afternoon. These are positively the greatest fight pictures ever put out. Read what the leading papers are saying about them where ever shown. In order that patrons living in the country may see these wonderful pictures, the management will run a matinee on Friday afternoon. Don't forget the dates. The two days preceding Christmas. Come early or you won't get in. Three large reels, over three-fifths of a mile of film. The full two live rounds.

Notice.

The comrades of John M. Barrere G. A. R. Post, No. 205, may pay their dues to Henry C. Ambrose at The Economy Store. By order of the Quartermaster, John Winegardner.

Absolutely Pure...

Royal Baking Powder
Improves the flavor and adds to the healthfulness of the food

ROYAL BAKING POWDER
Absolutely Pure

