

JURY FINDS MR. HERRIMAN WAS NOT INSANE

BY THE FINDING OF THE JURY IN THE ISAAC HERRIMAN WILL CASE THE WILL CAN NOT BE BROKEN.

WILL IS NOT BROKEN

Many Witnesses Examined In An Attempt to Set the Will of Isaac Herriman On Insanity Charge.

In the Isaac Herriman will case that was decided by the jury Thursday night in favor of the defendants an explanation further than the mere statement of the verdict is deemed necessary to a full understanding of the case.

Isaac Herriman had several daughters, and one son, Benjamin. During his life time, there came to his home a girl who had been cast out on to the world, who was taken in and given a home, and afterwards became the wife of the son Ben, appearing in the case as Katie Herriman. After their marriage a home was built near the family home, and an arrangement was made between father and son by which the son runs the farm on a basis of three-fifths to himself and two-fifths to the father. When the wife of Isaac Herriman died he made a will, which favored the son above the daughters, they having married, leaving the old folks to the care of the son and his wife. One of the daughters had gone from home and married Sam Stewart, whose name has been familiar to readers of the Republican of late years.

Later on when the son Ben, died, another will was made. In the making of this will the families of the daughters fared about alike, but there being twenty-nine grandchildren, the testator showed favoritism in the bequests to several of these. Among these twenty-nine grandchildren were two children of Sam Stewart, and they were not among the favored ones. The reason not being a part of the case.

Under the law, if Mr. Herriman had left no will, the daughters would have shared equally in the property, but as the will was made it left them and their children with varying amounts, which were not satisfactory to some of them.

At the same time that the will was drawn, a deed was made to twenty acres of land to Katie Herriman, the wife of Ben Herriman, who had cared for the father after the death of his wife, and who took care of the older man even after the death of the son. Besides giving this twenty acres to his daughter-in-law, Mr. Herriman also left her a sum of money, about \$147.00, out of which she was to pay for certain things about the grave, which being done reduced the amount to about \$104.

The original action was brought to set aside the will, and in the same paragraph, was the setting aside of the deed made to Katie Herriman of the twenty acres of land. The Attorney for the defense raised a point at the opening of the case, that two causes could not be brought in the same case or paragraph, and the point was sustained by the judge, the last part was stricken out, and the case limited to action to break the will, leaving the matter of the deed for future complaint.

Inasmuch as the breaking of the will only involved the legacy of \$147.00, given to Katie Herriman, under ordinary circumstances it would not be worth quarreling over, but the point was, if Isaac Herriman was insane when the will was made, it would be easy to prove him insane when the deed was made.

The real cause is easy to see into. Mr. Herriman sought to dispose of his property while alive in such a way as was satisfactory to himself, and contrary to what the strict law

governing such an estate would give to each heir. He wished to do this because he felt that some of his children were more deserving of his favors than others were.

Whether he was right or wrong in thus wishing to favor some over others, was not the point the jury were told to consider. Their opinion was not asked for. What they thought was the proper way for Mr. Herriman to do, was not the issue before them. What they were asked to pass on was as to whether the plaintiff had proven to their satisfaction that Isaac Herriman was insane when the will in question was made. If they decided that he was insane, then the will could be set aside. If they found that the evidence did not prove to them that he was insane, then the will should stand, and could not be broken under the terms of the complaint.

The finding of the jury was, after several ballots, that the plaintiff had not sustained the charge of insanity, and the will was therefore not broken. With the verdict it is clear that an attempt to set aside the deed will fail on the charge of insanity.

The "Old Crowd" Entertained.

One of the pleasant things connected with the coming of the Christmas time is that an opportunity is given for reunions. Families make a special effort to get together for Christmas more than at any other season of the year. Not only families but various groups of old friends get together, and recount the days that are gone, and in a measure live over in memory the happy hours spent in more youthful times. Ever with these little gatherings there is a tinge of sadness, for all of the once joyous crowd cannot be there. Some are hindered by sickness, business, distance and various other causes. Some there are from every circle who are gone. They sleep the sleep that will know no waking until the angel's trump is sounded that calls the sleepers forth. Kindred and friends have bade them farewell, and they cannot hear and heed the calls that might be made for them. But this need not hinder the rest from meeting, and rehearsing the pleasant scenes of the past. We cannot, and we would not wish to, blot them from memory's tablet, and we can get pure enjoyment in our after lives by talking over with old friends those former days. Even we can if we will get pleasure telling over the good qualities of the lives that have now ceased forever, and often we are strengthened by remembering some good that came from their life to us. So that no life that has been lived uselessly is lost, for it still lives in us, and inspires us to do high things. Things that will tend to elevate those about us, as we go through this life.

Some ten or a dozen years ago—just the exact number does not matter—there was a "crowd" of young people in Plymouth who had right jolly times together. They were such as had a part in what was known as the "Blue Ribbon Club," and the "Bon Tons." They have become scattered, and it is no longer possible to gather them all together. Indeed some are "sleeping the long sleep," their eyes are shut and their ears are stopped.

Miss Mary C. Brown, now Mrs. Dr. H. Browne, was one of the crowd who then constituted the younger society folks of Plymouth. At this Christmas time there are a number of the members in the city, and Mrs. Browne conceived the idea of having them all together for an evening. The thought was soon worked out, for with Mrs. Browne action comes quick after thought. Invitations in an informal way were sent to the "old crowd" to come over to Mary's home on north Michigan street, last evening, and have a season of old-fashioned visiting. Those who were married and had children were to bring them along, and while they talked among themselves, the unmarried ones were to care for the children of their more fortunate brothers and sisters.

Some thirty were there, counting the little new members, and with songs as of old they went over in memory the happy days spent in those halcyon times so dear to them all. They were happy—they were sad. Happy in a reunion in part—sad at the thoughts of those gone beyond recall.

That they were royally entertained goes without saying, for no one among the whole "old crowd" knows better than Mrs. Browne just how to make all feel at ease, and each one who was there will take up the sterner duties of life next week with a new vigor gained by the hour spent last evening in going over again the words and deeds that bring back to mind the joyous days when life meant so much to each heart.

FARMERS ARE HOLDING A BIG INSTITUTE HERE

GOOD PROGRAM IS BEING CARRIED OUT AS PLANNED AND MANY FARMERS ATTEND.

A SPECIAL DAIRY DAY

Noted Men Are Here to Tell What They Know About How to Get Best Results For Labor Expended.

The Marshall County Farmers' Institute is being held at the Court House beginning with Tuesday morning. C. T. Mattingly was the first speaker, with his experiences growing alfalfa on his farm near Plymouth. A discussion followed, after which M. L. Fisher of Purdue took up the subject of the various grasses for the making of hay and for pasturing purposes.

After the opening of the afternoon session, J. F. Bohner of Hubbard spoke on Soils and their conditions, and then Mr. Fisher spoke on the subject of good seeds making good crops. He explained the process of selecting corn, and other seeds for planting, and said that the man who selected right was sure to have good results, while poor selection resulted in poor crops the next year. Mr. Fisher is a clear and convincing speaker, and his talks will surely be of much help to the farmers if they give heed to what he says.

H. H. Swaim came next on the program for the afternoon session, and talked on the care of the orchard. Mr. Swaim is well known being the man who judged the fruit and grain at the Home Coming last fall. That his talk will be full of interest is sure.

Considering the bad weather, the attendance of farmers is good, showing they have an interest in these meetings and realize the benefits to be gained.

The program as published is being carried out substantially as planned. The farmers are attending fairly well, and those who are there manifest an interest by asking questions and trying to get the information that is necessary to a full understanding of the subject under discussion. The management of the institute this year is fortunate in having secured able men to present what the farmer wants to know, and a meeting of this kind is surely of great benefit to the up-to-date farmer. Farmers are much like other people. There are among them the same class of "know-it-all" who insist that their way is the only way. These are not the men who get good out of these institutes. But the man who takes heed to the speaker as he tells what he has found by actual experiences, is the man who gets benefit. To such the speakers will carefully go over and explain all the details, and it is by paying attention to the small things that the larger results are obtained.

We have been unable to procure notes on all that has been given at this institute, but if all subjects are discussed as ably as the few we have been privileged to listen to, the farmers are to be congratulated on the good speakers that have been provided for them.

At the Farmers' Institute on Wednesday morning, S. B. Connor of Purdue University, gave a talk on Green Manure. In the course of his remarks he stated that Indiana farmers wasted from eighteen to twenty million dollars worth of barn yard manure every year. Lack of a knowledge of how to use manure so as to get the best results was the cause of this wholesale waste. He urged that this be stopped, and all saved and carefully applied.

All grain crops need to be carefully rotated—corn, wheat, clover—and between them a crop of some such growth as cow peas, soy beans, vetch or something of this nature, that should be turned under as a green manure. No attempt should be made to harvest, or even to pas-



—Bartholomew in Minneapolis Journal.

ture such crops, but they should be all given back to the ground as a fertilizer.

The speaker explained the various properties of the plants, and had charts giving the results of different experiments that had been conducted by the Purdue University management. He declared that a crop of cow peas or other Leguminous plants, would cost about \$5.00 per acre to sow and prepare the ground, and this was much less than any good fertilizer would cost. He explained further that to harvest this crop, feed it to stock, and use the manure for fertilizer, would lessen its value fifty percent. That is, if turned under green it was worth twice as much to the land, than it would be if cut and feed to stock.

Mr. Connor spoke of vetch as a crop that was coming into notice, and advised farmers to study this, and be early in the field as raisers of it. The point emphasized by the speaker was that if good crops of grain are wanted, the farmer must have plenty of manure and use it judiciously and wisely, else he need not expect good results.

Care of the Orchard. In his talk at the Farmers' Institute on the Care of the Orchard, H. H. Swaim spoke of the recent Indiana apple show, and some of its surprises, one of which was that some very good prizes came to the northern part of the state. Commercial fruit men in the south portion of the state have always contended that northern Indiana could not grow apples, especially the Grimes. Ft. Wayne, Allen County, took the grand Sweepstakes (\$200) for best box at the show, and it was a box of Grimes Golden at that.

St. Joseph county took the Indianapolis News \$200 prize for best county exhibit. Marshall county had one orchardist who made a very creditable exhibit, and took first on best plate of Grimes Golden. That's what northern Indiana and Marshall county can do, if they only will do it.

The speaker emphasized the importance of proper care for the orchard. Whatever is sown in the orchard should be a cover crop and not a pasture crop. Return it to the ground, not take it off for feed. Cut out dead and useless wood, and shape the tree properly.

The importance and necessity of spraying if we would have fruit, was also brought out clearly. First the winter spraying, when trees are dormant, for the control of San Jose and other scale insects. Then the summer spraying at proper times to kill or control the codling moth or apple worm, and other insects and fungus pests and enemies of good fruit.

Full and detailed information about how and when to spray may be had for the asking by writing to the Horticultural Department of Purdue University, Lafayette, Indiana. Spraying not only controls and kills insect and other pests, but has a preserving effect on fruit, as shown by samples exhibited from sprayed and unsprayed trees. The cost is very small compared to the benefits, and spraying must be done if we are to have fruit of any commercial value.

Prof. A. G. Phillips of Purdue University, made a fine talk on Poultry and Eggs at the opening session of the institute Wednesday morning.

He showed that there is more money in poultry, if properly handled, than in anything else produced

on the farm provided the buyer can be induced to pay a fancy price for the best poultry and eggs, and he can be made to do this if the farmers will stand together, grade their poultry and eggs and demand a price according to quality.

Some farmers do not want eggs tested because they sell good eggs, dirty eggs, small eggs and stale eggs all in a bunch, never think of grading them because they have never done so.

The wife and the hens often buy all the groceries for a family on a farm and have a greater surplus at the end of the year than the farmer has from the sale of everything else.

In most farming communities the profits could be increased 25 percent, by proper handling and grading.

Eggs should weigh one and a half pounds to the dozen, should be uniform in size, naturally clean, not washed, should be strong shelled, fresh and sound. No egg over five days old should be sold. Eggs from stolen nests cracked eggs and small eggs should be used at home; and first quality eggs should bring a first quality price and they will always find buyers where the seller establishes a reputation for first quality goods.

Eggs should be laid in clean nests, kept in a cool, dry place, and should be gathered every day. An egg will begin to get stale in 24 hours if kept in a temperature higher than 70 degrees.

Every rooster except those kept in pens, specially for breeding purposes, should be sold as early as July 1, because infertile eggs are better than fertile eggs.

Buyers should be made to pay a better price for graded eggs, than for inferior eggs because they can sell good eggs for from three to five cents a dozen more than inferior eggs.

The same rule applies in selling poultry. Fine, smooth, fat hens are worth more than poor skinny birds. But if a dealer has a place to fatten the skinny chickens he can put a pound of meat on a two pound hen in two weeks, for less than seven cents a pound and sell the three pound hen for a fancy price. The farmer should do this at home.

Dealers will soon learn to patronize the best producers and pay them the highest price, and the people who produce good poultry and good eggs will not have to pay the losses of inferior goods which they now have to pay in most communities.

The whole address may be summed up in one sentence. Produce the best and demand a price in accordance with quality.

The committee on nominations reported as follows: President, Charles Baker; Secretary, Ralph Kline; Treasurer, Wm. Seymour. Vice-Presidents: Center, Alonzo Stephenson; Bourbon, Ora Seymour; Polk, Lorie M. Chase; West, Chas. Kebert; Union, J. E. Behmer; Green, Harrison Ringle; Walnut, John Wiekizer; Tippecanoe, Wm. Yantis; North, Ed Kanaar; Green, Elba Robinson.

The committee on Resolutions reported as follows:

Be it resolved, That we, in Farmers' Institute assembled, hereby extend our thanks and appreciation to Judge Bernetha for vacating the Court Room for this meeting; to the speakers for their efforts to make this meeting of interest; to the orchestra for music, and to all who have helped in this meeting.

GIVE FINE PROGRAM.

Methodist Sunday School Pleases Congregation Which Packed the Church Sunday Night.

An audience which packed the Methodist church to the doors Sunday night was highly pleased by the program which was rendered by the members of the school. A pretty little Christmas tree lighted by electric candles, occupied the center of the platform, and a large Sunday school choir rendered some excellent music. At 8:25 Santa Claus arrived and going to the front shook hands with most of the little boys and girls, who were very glad to see him. He said he could not stay long because he had other little boys and girls to see that night. The program was under the direction of Superintendent Frank Southworth and was pleasing to all, both as to its length and character. It is as follows:

The Song and the Child.
Orchestra.
Redemption song by the Chorus Choir
"We love the story" Primary Classes
Prayer.
Responsive Reading.
Hymn, Joy to the World, Congregation.
Recitation, The Song and the Child, Florence Morlock
Music, Chorus Choir.
Exercise, "Why He Came," Ruama Sult's Class
Song, "The Little Child," Mildred Duncan and Jean Metsker
Recitation, "My Wish" Harry McKinney
Song, "Silent Night," Minnie Swindell's Class
Responsive Reading.
Orchestra.
Exercise, Christmas Mrs. Murgatroyd's Class
Recitation, "Praise to the King" Walter Cunningham
Exercise, "Christmas Candles," Grace Royce's Class
Manger Story Raymond Fanning, Howard Grube, Clifford Drake.
Solo, "The Old Story" George Milner
Recitation, "What Does It Mean To Me?" Charles Knappen
Gifts to the King, Fred Long, Claud Maxey, Frank Knappen
Song, "Cradle Hymn by Luther," Primary Classes
Christmas Address by the Pastor
Song by the Chorus Choir.
Benediction.

Christmas At Brightside.

If any set of children more than another needs Christmas, it is the unfortunate ones who have not the surroundings of real home life. The children at Brightside are not really unfortunate, but rather the reverse, for Mrs. Work and Miss Barr join in the effort to make the Christmas tide a time of good cheer.

Twenty-five chickens, with all the usual good things that go with any body's chicken dinner, are served up for the little ones at that home. Each child is given a present that is appropriate, dolls being given the little girls, for nothing can delight a girl so much as a doll. One hundred and fifty pounds of candy are given out, so that each one gets his share, and the day is made as pleasant and enjoyable as possible. No visitors are allowed on Christmas, as there is a relaxing of the usual restraint, and more or less of confusion is a natural result. The children are given presents by their relatives and friends outside, and have a day of joy and happiness. The management sees that no child is neglected, but is made to have a part in the general good time.

Thanksgiving and Christmas are the days when the children are given a chicken dinner. On New Year's day they are given a rabbit dinner, and if rabbits are not available, something else extra is substituted.

Burglary At Culver.

The Slattery Drug Store in Culver was burglarized Saturday night, and \$150 taken. It is quite likely the work is of local talent, as no attempt was made to take anything but money. The place where a bag with silver change was kept was located by some one, and the store entered and this taken. The thieves have not been apprehended as yet. There has been considerable petty thieving about the town, and the citizens are on the watch for the guilty parties.

Advertised Letters.

Schwartz Import Co.
Isiah Thomas.
Walter Verhalen.
Commercial Nat. Bank.
Mrs. Mary Change.
Mrs. Sam Miller.
Etta Manuwal.
Miss Merley Paul.
Mrs. Mary Seiders.
Mrs. Ida Wiekizer.

SUDDEN DEATH OF PLYMOUTH BUSINESS MAN

FRED M. SHOEMAKER FALLS DEAD IN HIS RESTAURANT LATE SATURDAY NIGHT.

WAS SICK SOME TIME

Indication of Tuberculosis Is Revealed by Post Mortem Examination Made by the Physicians.

Plymouth people were startled Sunday morning when word was passed about that Fred Shoemaker had died suddenly Saturday night. He was at his restaurant on Michigan street, and was serving three late customers shortly after eleven o'clock, and had just spoken to his assistant to place the food on the tables. He sat down on a stool, and leaned forward, when an attendant chanced to notice him just in time to prevent his falling to the floor. A great clot of blood came from his mouth, and he was dead in a few moments.

He was taken care of, and physicians summoned, but they found him past all help. A post mortem was held by doctors Stevens, Holtzendorff, Eley, Knott and Eidson, and it was found that the lungs indicated tuberculosis affection, which resulted in his sudden death.

Mr. Shoemaker had been sick for several months, but had attended to his business all the time. While the death was in a measure unexpected and sudden, the intimate friends of Mr. Shoemaker have known for a long time he was a sick man, and that it was only by an effort of the will that he was able to keep about his work.

His wife has been giving some anxiety, having but recently returned from an operation in a Fort Wayne hospital, and for her sake her husband has tried to keep up, when many persons would have given up completely.

Fred M. Shoemaker was the last surviving son of John M. Shoemaker who was for years a leading merchant of Plymouth. He died several years ago, leaving a wife who still resides on south Michigan street with an adopted daughter, Miss Anna Shoemaker. Fred Shoemaker was born Nov. 6, 1859, and died Dec. 23, 1911, aged 52 years, 1 month and 17 days. He leaves two daughters, Laura and Miletta, and one son, besides his wife and other relatives as stated.

The funeral was held at the family home on Miner street at two o'clock this afternoon, with Rev. Zumbstein of Laporte officiating, assisted by Father Ivins. Burial in Oak Hill cemetery.

Riddick-Boys Gathering.

One of the pleasant gatherings for the Christmas time was that of members of the Riddick and Boys families at the home of Mr. and Mrs. S. E. Boys. Sunday and Monday were happy days for the relatives who were reunited from many distant places. The company of visitors consisted of Rev. I. H. Riddick, father of Mrs. Boys, with his wife and son Parker from Albion, Mich.; Mrs. E. R. Close of Richmond Ind., sister of Rev. Mr. Riddick; Foster Riddick of Winamac, Ind., and Paul Riddick of Lewistown, Mont., brothers of Mrs. Boys; Mrs. Richard T. Baldwin of Marlette, Mich., sister of Mrs. Boys, Miss Lucile Dilley of Martinsville, Ind., and L. A. Boys of Goodland, Kans., father of Mr. Boys.

The company went to South Bend Wednesday to attend the wedding of Mr. Foster Riddick of Winamac to Miss Verna Kizer of that city.

Ex-Deputy Schroeder of Bourbon was a Plymouth visitor Tuesday.