

# THE LEON REPORTER.

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## HAYDEN GETS 21 YEARS

### Judge Miller Overrules Motion for a New Trial—Gives Him 21 Years in Ft. Madison Penitentiary.

The final scene in the celebrated trial of John F. Hayden for the murder of W. E. Bracewell on Jan. 8th, was enacted at the court house Monday forenoon when Judge Miller returned to the city to hear the motion for a new trial submitted by Hayden's attorneys, which he promptly overruled and then sentenced Hayden to serve twenty-one years in the penitentiary at Ft. Madison at hard labor, and the prisoner was taken to Ft. Madison the same afternoon by sheriff Thomas Wallace and ex-sheriff Geo. W. Lefollet, and commenced serving his sentence Tuesday morning.

The motion for a new trial which was filed by Hayden's attorneys was a voluminous one, and a new trial was asked for on a number of different counts, there being about forty reasons urged why a new trial should be granted him, the principal reasons being that the verdict was not supported by the evidence, was not sufficient evidence to justify a verdict of second degree murder, was contrary to the evidence and the law, as well as the instructions of the court, and for error made by Judge Towner in refusing to grant a change of venue to the defendant, and errors by Judge Miller in refusing to sustain objections of defendant to certain jurors who had read the accounts of the murder and had formed to a certain extent an opinion as to the guilt or innocence of the defendant, thereby prejudicing his case and he was compelled to exercise peremptory challenges in order to remove those jurors from the trial in the case. There was also complaint made as to statements made by attorney Lewis Miles to the jury in which he stated he believed the defendant was guilty, which is contrary to law, and to certain questions propounded to witnesses on the stand during the trial of the case. There were also affidavits from Sam Adair, M. E. Parsons and Cyrus Jennings, in which they swore that before the trial of the case one of the jurors, H. Allard, had expressed his opinion of the case and had said the defendant ought to be hung. The state objected to the affidavits on the ground that they had not been filed until last Saturday, when the ruling of the court was that the motion for a new trial must be filed by 10 o'clock last Thursday. Attorney V. R. McGinnis argued the motion before the court and quoted numerous authorities in support of the defendant's claim that he was entitled to a new trial, but Judge Miller promptly overruled the motion and passed sentence on the defendant.

Under the law Hayden can secure his release in eleven years and nine months if he is a good prisoner and earns all his good time, the law providing that where a prisoner is good during the first year he earns one month of good time, two months the second year, three in the third, four in the fourth, five in the fifth, six in the sixth, and six months of every remaining year of his sentence. Should Hayden earn all his good time and live until March 8, 1916, he would be released unless pardoned sooner.

The attorneys for Hayden express great confidence in being able to secure a new trial if the case is taken to the supreme court, but Hayden has not as yet made up his mind as to whether he will appeal his case or not.

On being asked by Judge Miller if he had anything to say why judgment and sentence of the court should not be pronounced on him at this time, Hayden said he had and addressed the court as follows:

"Yes, sir. At that time of day I would not have gone to drive the cattle if I had known there would have been any trouble. When I did go, I went to drive the cattle out and not put them up. I changed my mind when I saw the fence was down. Later on when I was going, Mr. Peck came up. At that time if Bracewell had come to me and talked to me I would have told him to keep the fence up and keep the cattle up. But he rode on around me. Later on when I shot him I shot him through fear and not through malice. I would not have shot him at all if I could have run fast enough to get away from him. Mr. Bracewell and I never had any trouble at any time; never had a word in the world. On the first day of last September I was at his sale and used my influence in favor of his sale and bought a horse; talked to his family. On the 31st day of December he came to my sale and brought a colt to sell and used his influence for me. He bought eight stacks of hay and a colt. He went into the house and helped my clerk make out the notes. Outside of the house he called me off and stopped me and told me that the clerk had taken a note that wasn't good and I promised him to see to it. He asked for a halter to lead the horse home and I loaned him a lariat rope. In the year 1894, I think, possibly or near that time, his hogs had been in my corn and I took them home to him. He wasn't there. Mrs. Bracewell was there and I asked Mrs. Bracewell to see to the hogs. They never got in any more."

Judge Miller then asked the attorneys for the defendant if they desired to make any statement and Mr. C. W. Hoffman arose and made a few remarks during which he took occasion to say there was nothing in the evidence in the case to justify a verdict as severe as the one returned by the jury, and urged that the greatest possible crime that his client should have been convicted of was manslaughter. That if the defense had not introduced any evidence at all but rested solely on the evidence of the state the defendant could not have been guilty of a greater crime than manslaughter, and for this reason urged that the sentence should be a light one in keeping with the degree of crime which the evidence showed had been committed.

Judge Miller then ordered the defendant to arise, and proceeded to pronounce the sentence of the court as follows:

## LEON WILL CELEBRATE

### The Fourth of July Celebration at Leon will be a Nummer and the People will be Entertained.

It was definitely decided at a public meeting held at the court house last Friday evening to hold a grand Fourth of July celebration at Leon this year. It has been three years since Leon celebrated the Fourth, laying off so as to give the smaller towns in the county a chance, but this year the people are expecting Leon to celebrate and they will not be disappointed.

Frank Manning was chosen chairman of the meeting and O. E. Hull secretary, and the question of celebrating fully discussed. A volunteer committee had been circulating a subscription paper among the business men to see what they thought of the celebration project and everyone responded quite liberally, there being subscriptions on the paper amounting to nearly three hundred dollars, with quite a number to be seen yet, so the finance committee will have but little trouble in securing the necessary funds.

On motion the following committees were appointed for the celebration:

Executive Committee—Geo. E. Hurst, H. L. Long, J. R. Bowsher.  
Finance Committee—Frank Manning, S. E. Benefield, H. J. Vogt.  
Speaker—V. R. McGinnis, A. P. Olson, Geo. W. Baker.

Music—E. B. McClelland, Dr. J. W. Rowell, O. E. Hull.  
Amusements—C. M. Akes, Robert Bowsher, Claude Lorey, O. E. Tullis.

Advertising—S. E. Benefield, H. O. Harvey, Mat Pullen.  
Water and Ice—J. M. Caster.

Privileges—J. A. Caster, M. Mayer, W. C. Stempel.  
Fire Works—F. N. Hansell, W. A. Alexander, L. Van Werden.

Marshal of the Day—Robert Bowsher. The preliminary work of the committees is now well under way, and the program for the day is being prepared.

It is proposed to make the day one long to be remembered by everyone present, and there will be something going on all day long. Quite a number of our business men have promised to give special prizes for features on the program, and there will be fun galore. Some of the special features will be prizes for the fattest baby in the county under six months of age, a team hitching contest, tug of war between teams from different townships, prizes for the oldest lady present that day, and also for the oldest couple, girls nail driving contest, barrel races, jumping matches, children drills, free coffee for everyone, jubilee singers, wrestling matches and other amusing features, and everything will be absolutely free to the people who come to Leon.

A promise has been secured from Hon. V. R. McGinnis that he will deliver a speech, and it is well known that there is no man in the whole state of Iowa who can make a finer Fourth of July address than Mr. McGinnis, and the announcement that he will speak will draw many people to Leon on that day.

It is probable that there will also be a free gift drawing on this day at which the prizes will be paid in gold, and a goodly sum given to people who attend the celebration from outside of Leon, as it is understood that Leon people will be barred in all the contests, so as to give the prizes to people outside of Leon.

Everything points to it being the grandest celebration ever held in Decatur County, and if you want to have a day of enjoyment for yourself and family, make no arrangements for the Fourth that will prevent you from coming to Leon to celebrate.

## "Olivette" Was a Grand Success.

The presentation of the opera "Olivette" by the Ladies' Musical Club of Leon, under the direction of Mrs. C. E. Gardner, at the opera hall on Wednesday and Thursday of last week, was a grand success, and each performance was witnessed by a good sized and appreciative audience. The entire cast was taken by ladies, and each member acquitted herself in a creditable manner. Great credit should be given to Mrs. C. E. Gardner who directed the performance and to her efforts much of the success of the opera is due. She has no superior as a director, and in addition to this work was also at the last minute compelled to take one of the principal parts. Miss Louise Waigh as Captain de Merimac, scored a decided hit in this difficult character, as did Mrs. C. E. Gardner as Valentine, his nephew. The part of Countess of Roussillon was admirably adapted for Mrs. Fred Conroy, her appearance and singing being one of the features of the performance. Mrs. E. A. Bowman as Olivette, and Miss Edith Harris as the Duc des Iles, were also among the stars of the evening, and Mrs. Nora Galpin as Coquelicot could hardly have been improved by a professional. Miss Charlotte Vogt as Marvejol was specially good in this character. Mrs. Blanche Morris made a charming maid in the part of Veloutin, and Misses Fern Pryor as Postiche, and Lucille Alexander as Moustique, added their full share to the success of the production. Little Margaret Hurst and Nina Bowman were charming little pages to the countess and the singing and acting of the large chorus was simply splendid. The total receipts were \$148.45, and after paying the expenses which were quite heavy on account of costumes, etc., the library will net about \$50. Special mention should also be made of the music which was under the direction of Miss Pearl Riley, of Decatur City, one of the most talented young pianists in the state.

Remained unrecalled for in the post office at Leon, Iowa, for the week ending June 4, 1904:

Wm. Grimes, Mrs. Jane White.  
When asking for the above letters please say "advertised."

JOHN LEDGERWOOD, Postmaster.

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## June Weather.

The following predictions as to the weather for the balance of this month are made by Rev. Irl R. Hicks, the St. Louis weather prophet, and his predictions are watched with interest by many who have kept tag on them and found them to be pretty nearly right:

A reactionary storm period will be central on the 12th and 13th, with the moon at new and extreme north declination on the 12th. The disturbances immediately preceding these dates will run over into this period. The temperature will rise greatly and the barometer will fall to storm readings on and touching the transit from west to east. Normally the temperature would fall, the barometer rise, and cooler, fair weather appear about the 14th to 16th, and such changes in modified degrees may appear; but the chances of continued thunder showers, with here and there storms of violent proportions are good for many days, reaching into and through the next regular storm period.

The next storm period is central on the 18th, and the Mercury period is central on the 16th, so that the two periods combine their influences from the 16th to the 21st. This period is also near the center of summer solstice, embracing the moon's perigee on the 16th, and also at moon's quarter and on the celestial equator on the 20th. All these causes conspiring within the compass of this storm period, the chances for general, heavy and even dangerous storms are multiplied greatly at this time. The crisis of this period will fall from about Saturday the 18th to Tuesday the 21st, the storms centering on more decidedly and touching the 20th. Look for startling and continuous displays of lightning throughout the nights at this period and most likely for many days through all the central part of the month.

The 23rd, 24th and 25th are central dates of a reactionary storm period. On these days there will be increased tendency to decided storms—higher temperature, falling barometer, growing humidity, all followed by storms of wind, rain and thunder. Change to westerly winds, rising barometer and fair, cooler weather will come in from the west and north as the storm areas pass off to the eastward.

June comes to its close in the midst of a regular storm period. This period is central on the 29th, reaching from the 27th to July the 2nd. On Monday the 27th, the first day of the period the Moon is at full and extreme declination south indicating that disturbances on this period will develop early in the period, and will continue with greater or less intensity for several days. The center of low barometric pressure will lie to the south, inducing northeasterly rains during most of this period, over all sections north of the center of low barometer.

## Weather Crop Bulletin.

FOR WEEK ENDING JUNE 6, '04.  
Des Moines, Iowa.

The average temperature of the week was about normal. There was a general excess of cloudiness, and very heavy showers in portions of the north central and western districts, causing considerable local damage on flat lands and river bottoms, and delaying the necessary work of cleaning out the weedy corn fields. Probably about two-fifths of one area of the state received excessive downpours during the week, and field work has been much retarded by wet weather and prevalent cloudiness. The corn crop has made fair growth wherever conditions have been favorable for cultivation, and the stand, though quite variable, is not materially short of the average of the last ten years at the corresponding date. Replanting and belated planting are still in progress in some localities. The conditions have been generally favorable for the growth of grass, small grain, potatoes and garden truck. Reports indicate that the apple crop is quite promising, especially in the districts where commercial orchards are most abundant.

## Interesting Surgical Operation.

An interesting surgical operation was performed in this place Sunday by Drs. Drennan & McCoy, the patient being Thos. Donald, and the operation being that of skin grafting. It will be remembered that about a year ago Mr. Donald was injured by a stallion, a large piece of flesh and muscles of the leg being bitten out. The wound was never healed over, and its raw and inflamed condition has caused Mr. Donald much pain and annoyance, not to say uneasiness. To remedy this state of affairs it was decided to try the process of skin grafting in the hope of producing a healthy growth over the affected part, and Sunday the operation took place. Twenty-three pieces of skin—were taken from his well leg and transferred to the wounded one, the idea being that they would adhere to the raw muscle and granulate until they came together forming a perfect skin. We believe it is the first time it has been tried in this section, and hope it may prove a perfect success.—Corydon Democrat.

## Went the Alcohol Route.

Ab Baker, a young man living near Lotts Grove, a few miles south of Caledonia, met death last Saturday by drinking wood alcohol. He and a companion by the name of Glenn McLeish had been drinking for several days and finally drank wood alcohol under a misapprehension of the effect it would have on the system. Baker soon became very sick, and a doctor was at once summoned, but did not arrive in time to save his life. McLeish evidently had not drunk as much of the poison as Baker had, and after persistent efforts on the part of the physicians his life was saved. Baker is quite well known in the southern part of the county. He was a man about thirty years old, and unmarried. The funeral services were held Sunday.—Mt. Ayr Record.

I have four or five bred Poland-China sows for sale.  
R. A. SIGLER.

## ELECT LEON TEACHERS

### School Board Names the Teachers for Next Year—Only Two New Teachers in the List.

At the regular meeting of the Leon school board Tuesday evening the teachers with the exception of Prof. Pierce, who was re-elected a couple of months ago, were elected for next year, there being but two of the old teachers who were not re-elected, Miss Nelle Sanger, principal of the south building and Miss Harriet Kirkpatrick, who had charge of the fourth and fifth grades at the south building, neither of whom were applicants for positions this year. There were a large number of splendid teachers to select from in filling the vacancies and they could hardly have made a mistake in selecting any of them, the only regret being that all could not be given schools. The two new teachers elected are Miss Grace Wallace who takes Miss Kirkpatrick's room, and Miss Irma Allen, who takes the third grade at the south building heretofore taught by Miss Kate Ogden, who was promoted to principal of the south building at a salary of \$45 per month. The new teachers are both graduates of the Leon school, and have had considerable experience in teaching. Miss Wallace having taught for two years in this county, teaching one school near Garden Grove during the entire nine months just closed, while Miss Allen after graduating took a course at Drake University at Des Moines, and then taught for a couple of years at Grimes, the past year having been assistant principal of the public schools at Rockwell City. They are both young ladies whom we feel sure will give entire satisfaction to both the school board and the patrons of the Leon schools.

In this connection a word about the Leon schools will not be amiss for we believe that at the present time we have a corps of instructors who would be hard to beat. The schools are under the supervision of Prof. James M. Pierce, who came here last September and took charge of the school under rather adverse circumstances, but he has shown himself to be not only a thorough instructor but also a splendid superintendent, and under his care the work done the past year has been most satisfactory, and rapid progress has been made by the students in every grade.



PRINCIPAL JAMES M. PIERCE

Prof. Pierce was born in Henry county, Ill., in 1866. His boyhood days were passed on a farm in Jasper county, Iowa, where he attended the common schools. After attaining his majority he attended for a year the Hazel Dell Academy at Newton, Iowa, and also spent a year at the Western Normal College at Shenandoah. During this time he had taught between times and made up his mind to adopt teaching as a profession. In 1896 he entered the State Normal School at Cedar Falls, and completed the four year course, the Latin state diploma course, where he made a creditable showing, ranking as one of the best in the class. After graduating from the State Normal School he was elected principal of the public schools at Redfield, Iowa, in 1890, where he remained until he was elected principal of the Leon schools a year ago. He is a gentleman who commands the respect and admiration of both pupils and parents, and as an instructor and superintendent has shown marked ability. He was re-elected as principal of the Leon public schools a couple of months ago by the unanimous vote of the board, who were more than pleased with his work during the past year.

Prof. Pierce, as stated, worked under great difficulties when he took charge of the schools a year ago, but he has met and conquered them all and the school work is now well in hand, with brilliant prospects for the coming year.

The course of study of the Leon schools will be revised and brought up to date during the summer vacation and when school opens in September principals, teachers and scholars will go to work with renewed vigor and make the coming year a banner one in Leon school history.

The following is the assignment of teachers for the coming year and salary of each.

NORTH BUILDING.  
Principal—J. M. Pierce, \$1,000 a year.  
Asst. Principal—Hattie Drake, \$80 per month.  
8th Grade—Mate Parrish, \$40.  
6th and 7th Grade—May Caster, \$37.50.  
4th and 5th Grade—Hallie Moore, \$37.50.  
3rd Grade—Mrs. M. P. Lindsey, \$37.50.  
1st and 2d Grade—Addie Crawford, \$37.50.

SOUTH BUILDING.  
6th and 7th Grade—Kate Ogden, principal, \$45.  
4th and 5th Grade—Grace Wallace, \$37.50.  
3d Grade—Irma Allen, \$37.50.  
1st and 2d Grade—Ethel Bowman, \$37.50.

The election of janitors and music teacher was deferred until a latter meeting.

## MORTUARY.

### Margaret Ann Dain

Was born at Norwich, Muskingum County, Ohio, Feb. 12, 1831, and died at Garden Grove, Iowa, May 28, 1904, aged 73 years, 3 months and 16 days. She was married to Thomas Hanes January 6, 1852. To this union of more than 52 years was born six children, three sons and three daughters. Two children preceded the mother to the spirit land. Caroline died in infancy, Elizabeth died November 10, 1884. The remaining four still live. Cassie Ream resides at Bedford, Iowa, Robert lives with his parents, A. J. at St. Joseph, Mo., and Alonzo at Durango, Col. The deceased came to Decatur County, Ia. with her husband and family in 1882 and resided in Garden Grove to the time of her death. She united with the Presbyterian church at the age of seventeen, of which she was a faithful member. She became a member of the Presbyterian church in Garden Grove by certificate January 7, 1883. Beside the care and nurture of her children, our sister at the age one expects life's burdens to lighten, two grandchildren came to her home, one of them three years old and the other a year and a half old, and they received from her a mother's love as well as a grandmother's love and care. Then when she arrived at the Psalmist's limit of human life three score years and ten, and before her duty was completed for the oldest and remaining one of these grand children, God, a second time, brought to her home and heart three beautiful grand children and the last twenty years of her life she has been occupied in lovingly and faithfully making home happy, not only for her beloved husband and her own children, but also for these five grand children.

### Augustus Dodge Sears

Was born August 11, 1854, in Center township, Decatur county, Iowa, and departed this life, May 31, 1904, aged 44 years, 9 months and 20 days.

The residence of the deceased has been from his birth in Center township, this county. He remained at home, a helpful, cheerful and dutiful son until 1888, when he was united in marriage to Ellen Gittinger, then moved to what is known as the Goodson farm to establish a pleasant and happy home. To this union were born two sons, Ralph A., and Bryant O. When Bryant, their youngest son was born, God saw fit to call the mother home, leaving the husband and little sons in sadness because of their loss. The father and little sons then made their home with his mother and relatives.

June 5, 1901, he was joined in marriage to Mrs. Margaret A. Kob, after which they resided in their pleasant home up to the time of his death. To this union was born one son, Harold Dodge Sears. For nearly a year and a half Mr. Sears has been a great sufferer. Every effort was made to restore his health and strength but only temporary relief was secured.

Last September he, with his wife and baby went to Excelsior, Springs, Mo., in search of health. Even there he suffered much but although he suffered he found joy and peace in Jesus, his savior Dec. 9, 1903, and was received into the Presbyterian church in that place. He longed to come home and go to the little chapel where his loved ones worshipped to tell them what a blessed savior is God's only son. He was a great lover of home, always cheerful, gentle and loving; thinking first of the welfare of others and to look after their comfort and joy was pleasure to him. He was a model and devoted husband, free from bad habits and leaving an example for his children worthy of imitation.

Those who survive him are his wife three sons, his mother, three brothers Geo. W., Frank W., and Samuel W., and three sisters, Mrs. Edith B. Keim, Mrs. Anna G. Caster and Miss Mary A. Sears. Among his last words to his loved ones was the exhortation to "be good."

Funeral services were conducted on Thursday afternoon, June 2, by Rev. W. A. Montgomery, of the Leon Presbyterian church, assisted by Mrs. Gibbons of the Brethren church. The body was laid to rest in the Franklin cemetery.

The large concourse of friends and neighbors in attendance bore a silent testimony to the high esteem in which he was held in the community.

## Dr. W. C. Boone Locates at Ottumwa

Leon friends who have watched the career of Dr. W. C. Boone, who graduated a year ago from the dental department of the University of Pennsylvania at Philadelphia, will be pleased to learn that he is now permanently located at Ottumwa, having formed a partnership with Dr. W. E. Creath, one of the best dentists of that city, in whose office Dr. Boone has been working as an assistant for nearly a year. They have a fine practice, one of the best in Ottumwa and Dr. Clair's prospects are most flattering. The Ottumwa Daily Courier has the following notice of the new partnership:

Dr. W. E. Creath, one of Ottumwa's leading dentists has formed a partnership with Dr. W. C. Boone.

Dr. Boone is a graduate of the dental department of the University of Pennsylvania. He has been associated with Dr. Creath for several months and both of these gentlemen are very popular socially as well as professionally.

They have exceptionally complete and convenient offices over Sargent's drug store, Corner Market and Main streets. Many new appliances have been installed. The new laboratory is exceptionally well arranged for work being furnished in front where three windows furnish ample light. Two operating rooms, a large reception room, a cloak and toilet room entirely separated complete a perfect arrangement for an up-to-date dental office.

Chas. Yoder and some others have been using the drag on the streets and on the roads out of town. Wherever it has been used it has greatly benefited the roads, and its continuous use will result in giving us good roads. We take off our hats and salute the road drag.—Cainsville News.