

MACKEN & SMITH'S
END OF SEASON SALE
 Is still going on quite lively. Many bargains in suits, overcoats, raincoats, shirts, hats, etc., that you should see. Not an old garment in the store.
123 EAST CENTER STREET MACKEN & SMITH

Wanted for Milling....
WHITE CORN
 (Not White Capped)
 We pay the highest market prices for corn, oats, clover and timothy seed
 We Want Good milling Wheat.
 We Sell Bran, middlings, chop, screenings, oil meal, cotton seed meal, etc.
 Our prices are right. See us.
Marion National Mill Co
 Mfgs. of Clover Leaf Flour.

Postle and Curtis
 Undertaking
 Ambulance Service.
 Office Phone 152
 Residence Phone 998
 234 E. Center St.

Read these Prices
 Pure Maple Syrup gal \$1.00
 3 cans choice Peas 25c
 3 cans Pumpkin 25c
 3 cans Corn (extra) 25c
 3 cans Hominy 25c
 3 cans Kraut 25c
 Ralston Whole Wheat Flour, Sack 25c
 Wilson Bros Gluten Flour Sk. \$1.00

DAVID MARTIN.
 Phone 39 122 E. Center.

Who is Who?

Spectacles
 There are all kinds of them the 10c kind and the good, perfectly ground ones.
 We handle only the best and fit your eyes just as well as the man that charges you \$10 for examination. Our prices are reasonable. Consult us about your eyes.

C. E. BURRIS
 Jeweler and Optician
 212 West Center.

"BUFFALO GLUTEN" BEST FEED FOR COWS
 Mr. Will Heller made an increase in butter production of \$8.80 by use of \$3.30 worth of "BUFFALO GLUTEN." Figure the profit, you can do it too.
 —WE SELL IT—
Ohio Milling & Elevator Co.

We have two kinds of oil suitable for salads. **OLIVE OIL**—bearing an American warrant for purity—and **SALAD OIL**. Either of these made up in Mayonnaise makes an especially fine dressing. Both are marketed under our label.
CRAFT'S QUALITY DRUG STORE, The Rexall Store
 Telephone your order Marion Hotel Building

CAUGHT HIM IN THE ACT

Henry Sauers is Accused of "Bootlegging."
CHIEF SENDS HUBBY HOME
 Assists Wife to Locate her Husband
 Mayor Seiter will ask for a Curfew Ordinance and Will Try to Keep Young Boys and Girls off the Streets at Night.

Caught in the act was Henry Sauers Saturday night, when Patrolman Frank Wilhelm saw him giving away a drink of liquor to a friend. Sauers was immediately placed under arrest and a charge of "bootlegging" will be placed against him. The incident occurred near Cox and Smart's livery on North Main street, shortly after 9 o'clock. There were three in the party but the third man escaped. The man who received the liquor from Sauers' hands was Al Fetter, a local drayman. A pint of whiskey was obtained when the arrest was made. The officer claims that he had a witness who will swear to the incident and it is believed that the state will be able to make a strong case against Sauers. An affidavit was filed in mayors court Monday against Sauers charging him with giving away liquor to Albert Fetter. The charges were preferred by Patrolman Frank Wilhelm. When arraigned before Mayor Seiter Sauers entered a plea of not guilty and his trial was set for 9 o'clock Tuesday morning. The defendant is represented by Attorney John Hemminger, Attorney Eymon and Thompson, Elmer T. Boyd are counsel for the prosecution.

"Get out of here and go home to your family." Those were the instructions handed out by Chief of Police John W. Klinefelter Saturday night, when he apprehended a man loafing in Fred Page's saloon on North Main street, when his wife was tramping the streets looking for him. Klinefelter was making his rounds Saturday night, when he ran across a woman sauntering along alone on Main street. He inquired what she was doing, and she remarked that she was looking for her husband. "Where is he?" queried the chief. "I think he is in that saloon," replied the stranger. The woman hesitated when the chief instructed her to go with him into the place. "Now, tell me which one is your husband," queried Klinefelter, as he appeared in the room surrounding the bar. "Over there," said the woman as she pointed her finger accusingly at a man who was cowering behind a table. Then the chief proceeded to arraign the victim and he started off home with his wife. It was not just an ordinary scene. It seemed to remind other men who were loafing in the place that they had wives at home, and the room cleared as though by magic.

The bill of exceptions in the case of the state against Guy G. Case was submitted to Mayor Seiter for examination, Saturday afternoon. Case was fined \$150 in mayor's court on a charge of distributing liquor in dry territory and his attorneys will carry the case to the higher courts.

A fight in a temperance bar room was reported to the police Saturday night. Two farmer boys were reported to have indulged in the exchange of a few blows resulting in a trivial disturbance. The trouble was squelched before the officer's arrival.

Chief of Police John W. Klinefelter

made a complete tour of the city Saturday. "I didn't exactly conduct any searches; I was just looking around a bit to see what I could see," remarked the chief, Monday.

Several searches had been planned, but when Sauers was arrested, a general alarm was sounded by the temperance mongers and the police thought it best to put off the work until a later date. "It beats the band how fast news travels in this town; why, ten minutes after Sauers had been arrested, it seemed that everybody in town knew about it," declared a police officer, Monday.

Mayor John G. Seiter has decided to ask the city council for a curfew provision and is of the opinion that it would prove a mighty influence for good in affairs of municipal government.

"There are entirely too many young girls and boys traversing our streets at night; they should be at home with their mothers instead of loafing in the ice cream parlors and on street corners," remarked Mayor Seiter.

The curfew law is an old one but Mayor Seiter believes that some old things are the best. He says that very many parents complain about not being able to keep their children at home. If there was a curfew law, they would be compelled to remain at home after 8 o'clock.

Two officers from Hardin county were passing through the city Monday with a prisoner for the Mansfield reformatory. When the train stopped at the local depot for a few minutes, the prisoner gave the officers the slip and made his getaway. The local police were notified but were unable to gain any trace of the fugitive. The prisoner was a young man aged about seventeen years.

Visit country store. Plenty of clerks. Tally Wag Carnival. 2-19-3t

PUBLIC SALE.
 The undersigned will offer at Public Auction, four miles west of Marion, on the Keener pike, Thursday, Feb. 24th, Horses, Cattle, Hogs and Sheep, Corn, Hay, Oats and Farm Implements. WM. H. NAVIN. 2-21-3t

Farmers' Institute Marion Y. M. C. A. Feb. 23, 24. 2-21-2t

PERSONALS
 Frank Tombs, of North Main street, is ill with grip.
 Attorney Fred E. Guthery went to Columbus today on business.
 Miss Geraldine Hord visited Bucyrus friends Saturday.
 Fred Tietz went to Cincinnati this morning on a business trip.
 Benjamin and Helen Anthony, of Garden street, are ill.
 Fred Morrison, of Olney avenue, left this morning for Chicago on business.
 Mr. and Mrs. W. B. Denman will leave tomorrow for Florida to spend the remainder of the winter.
 Miss Olive Silverthorn, of Mt. Sterling, O., was a guest of Mr. and Mrs. Charles Maxwell Sunday.
 Amos R. Green went to Bellevue this morning to look after cement block business.
 The three children of Mr. and Mrs. H. B. Wells, of Garden street, are ill with whooping cough.
 A child of Mr. and Mrs. William Luellen, of Garden street, is ill with whooping cough.
 Mrs. James Gunder, of Richmond, is visiting her sons in this city this week.
 Mrs. William McAllister, of Marysville, is visiting at the home of her son Richard McAllister, of Blaine avenue.

Miss Etta Jacoby, of the High school faculty, is off duty on account of illness. Mrs. N. L. Gebhardt is filling the vacancy.

Miss Elizabeth Ruerhumund is off duty with the faculty of the Marion high school. Superintendent H. L. Frank is looking after her duties.

Edward Pierson, who has been located in Columbus for the past several weeks, is visiting his parents, Mr. and Mrs. L. W. Pierson, of Cleveland avenue.

Joseph Klinefelter, of South High street, is reported to be very critically ill at his home. Mr. Klinefelter is a Civil war veteran and is well known throughout Marion county.

E. H. Marshall resumed his duties as principal of the Marion High school this morning, after being off duty on account of the death of his father.

The two years old child of Mr. and Mrs. Hinamon, residing on the Linton pike northeast of the city, is seriously ill with congestion of the lungs.

Miss Hilda Garberson, one of the teachers at the Olney avenue school building, is off duty on account of sickness. Miss Lillian Klinefelter, of the same building, is also off duty on account of the illness of her father.

Carnival tickets, 10c, and they're good for a dance. Hurry! 2-19-3t

SAYS LAW IS NOT SOUND

Cincinnati Jurist so Rules in Liquor Cases.

PROPERTY CANNOT BE HELD

Higher Courts Have not Made Ruling.

Judge Dickson Holds That Property Owner Cannot be Held for the Aiken Tax Assessed Against a Tenant.

A ruling just made by Judge Dickson of the Hamilton county common pleas court, declaring unconstitutional the law which holds property responsible for the Aiken tax where violators of the Rose Option law have been found guilty and either refuse or are unable to pay.

Inasmuch as nearly \$7,000 has just been placed on the liquor tax duplicate against property owners whose tenants have been convicted of illegal selling, the decision while not necessarily one that the higher courts will uphold, is of more than ordinary interest here. In ruling upon the question Judge Dickson said:

"The business of trafficking in intoxicating liquors in this state is in an anomalous position. This position is caused either by public policy or both. Either policy is an unruly horse to ride and which when once astride one is often led far away from the domain of true law. The constitution of Ohio provides no license to traffic in intoxicating liquors shall hereafter be granted in this state; but the general assembly may, by law, provide against evils resulting therefrom. This provision of the constitution neither permits or prohibits this business. It does the issue, shrinks from calling the business a crime, dubs it a producer of evil and regulates its control to the realm of the police power vested in the general assembly. This body has sought to restrain the evils by assessing a tax with penalties and stringent methods of collection. Several laws have been passed touching upon this question. Each in its turn, except the Dow tax and the Dow Aiken tax has been declared unconstitutional. The general assembly only can tell us what is criminal. We have in this state no common law crime. No evil is a crime unless declared to be such by the act of the general assembly. Had the constitution the general assembly, declared the business of trafficking in intoxicating liquor a crime the solution of the problem in this case would be easy. There can be no crime without intent and this plaintiff would be relieved from this tax, there being neither intent or knowledge on her part as to any sale. The question arises, Has the general assembly under this sovereign power the right to burden the innocent as well as the guilty? Has it the right to burden those who reap no benefits? Who have done the best they could to even obey the spirit of the law. The innocent is one class of tax payers, to this one class the protection of the public of which it is a part, is to tax this one class twice. This is wrong. It can never be a good law to confiscate the land of a citizen in the guise of a tax on the land of the innocent to protect the morals of the public. The law is therefore unconstitutional and the treasurer will be restrained from assessing the tax upon the property."

This is the same law under which the assessment against the owners of property in this city is made.

NOTICE
 Of Examination of Applicants for Police and Fire Departments.
 Notice is hereby given that the Board of Public Safety of the city of Marion, Ohio, will hold an examination of applicants for the Police and Fire Departments of said city at Council Chamber in the Huber building, beginning at 9 o'clock a. m., March 5, 1910.
 By order of the Civil Service Commission. WM. T. JONES, Clerk. 2-19-satweddt

SOCIAL NEWS
 Covers were laid for twelve at Miss Floretta Allmendinger's daintily appointed dinner for the members of the Cooking club at her West Church street home Saturday evening. The centerpiece was an artistic arrangement of fernery, and the place cards were tiny red hatchets in remembrance of George Washington. Draperies of "Old Glory" made all effective patriotic background in the dining room.

After-dinner hours were happily informal in nature, given to embroidery and general sociability. Miss Emma Romsoer enjoyed the charming hospitality offered by Miss Allmendinger aside from club members.

Mrs. Edwin Smith, of West Columbia street, has invited the club for the next meeting.

An excellent program was presented by the Bay View Reading circle at the South Prospect street home of the Misses Pies, Saturday evening.

Roll call responses were "Items of Interest Concerning Norway." Miss Lottie Ward read a paper of interest on "Norse Mythology and Legends," a theme rich in material and well handled. Miss Elizabeth Dair's extensive word picture of "Christiana, Capital of Norway" was replete with information. At the close of the formal program there was a happy social hour, the hostess presiding at a

dainty refreshment table as a final pleasure.

Mrs. W. L. Stump, of Farming street, will receive the club at the next meeting.

The Philomathean club presented a most interesting program with Miss Ruth Emery, of Bellefontaine avenue, as hostess.

The atmosphere of the literature was decidedly theatrical. Roll call was "Your Favorite Actress." Miss Fay Huber read a biography of Mary Anderson, the famous English emotional actress. Ellen Terry and Modjeska, both leaders in Thespia, were told of in Miss Helen Houghton's paper, and Maude Adams, favorite of our own day, was biographed by Miss Ruth McKinniss. Miss Ruth Emery presided at the piano as the closing number of the delightful program.

The literary hours were followed by a prettily appointed six o'clock dinner and an evening of social amusements.

Miss Francis Frye received the B. O. F. girls at her East Church street home, Saturday evening.

After the transaction of business, there was a merry hour with music and various social pastimes. Dainty refreshments were served at half after nine o'clock.

The time and place of next meeting will be announced.

In celebration of the eleventh birth anniversary of her son, Master Roy, Mrs. W. C. Phillips entertained with a children's party at her Grand avenue home Saturday.

The little folks invented all sorts of jolly games, with interruptions of music. There was a spread of sweets at the twilight hour, and afterward a play hour in which joyful shouts and much laughter were conspicuous. Master Roy was nicely remembered by his little playmates.

Messrs Paul Randolph and Andrew Postell entertained with an old fashioned party at the Randolph home, State street north, Saturday evening. The hours between eight and eleven were given to the concoction and pulling of the candy delicacy and various social diversions including games and music.

Misses Beatrice Postell, Mable McGrath, Anna Haas, Bessie Leeper, Ida Harris, Mildred Burke, Aurilla Burke, Muriel Randolph and Messrs. Fred Haas, Frank Leeper, Robert Wilson, Paul Randolph, Walter Lindsay, James Uhlme, Lowell Randolph, Herman Haas and Andrew Postell were present.

Mrs. LeRoy Miller gave a farewell party of a number of friends at the Duffy home on Thompson street Saturday evening. The hours were whiled away merrily with games and music, and there was a dainty luncheon presided over charmingly by the hostess.

Those present were Misses Mary Woods, Margeret Woods, Cuba Crisinger, Susan McElroy, Lucile Buckingham, Hazel Buckingham, Flossie Stoll, Hazel Williams, Hattie Worthington, Bessie Burris, Bessie Mead and Messrs. Harry Frantz, Ralph Wright, Dan Wolenfort, Ray Snyder, Earl Moon, Walter Lindsay, Floyd Forrey, Floyd Pratt, Ray Pratt, George Luech, Floyd Mapes, Brooks Haberman and Harry Sifrit.

Mrs. T. D. Williams, of Olney avenue planned a delightful surprise birthday dinner on Mr. Williams yesterday. Guests assembled at the noon hour with congratulations for the forty-seventh birth anniversary of the honor guest. After-dinner hours were social and reminiscent, the affair proving thoroughly enjoyable.

Covers were laid for twenty-five present from out-of-town were Mr. H. E. Williams and sons of Columbus; Mrs. J. W. Davis and sons of Radnor, Mr. and Mrs. S. P. Field and family and Mr. William Williams and family of Adelaid.

Miss Iva Campbell entertained the members of her club pleasantly Saturday afternoon. The young ladies were received at the Maxwell home, Cummins avenue, and spent the hours in informal fashion.

It's a little wonder, this Graphophone now being sold at Baker's Piano store at \$1.99. Equal to a \$30.00 machine. Sale will end Wednesday night.

Wet feet, doctor's bills. Dry feet, Beatty & Long's good fresh rubbers.

James Hildreth, aged nine years, son of Mr. and Mrs. James Hildreth died at the home of relatives at Prospect, O., Sunday after an attack of acute meningitis. The remains will be brought to the home of the parents on Usher avenue, where funeral services will occur some time Tuesday.

No mercury, no minerals, no dope, no danger in Hollister's Rocky Mountain Tea. The greatest family tonic known. Brings health and strength to all. Cleans your system of winter germs.
 Charles Schmidt & Co.

Ready in a jiffy, easy to prepare, a good, hearty breakfast is Mrs. Austin's famous pancakes.

Bring your girl to Tally Wag Carnival and be dance. 2-19-3t

Farmers' Institute Marion Y. M. C. A. Feb. 23, 24. 2-21-2t

Spring Hats
 We have on display all the new things in spring headwear. If you want something catchy come here—if you want a more sober effect we have them also. Always pleased to show you out
WILLIAM P. KELLY
 594 WEST CENTER ST.

MARRIED IN COVINGTON
 Marion Young People Plan a Romance.
 FATHER OF GIRL DENIES STORY
 Says no Call Received by Her Mother.

A real for sure fortune teller at "Wag" Carnival, Feb. 22-23, 219-3t



Miss Clara Grossglans and Earl Harden Give Their Friends the Slip and are Married in Kentucky's Greta Green.

Wouldn't it dampen your ardor if you ran away to Covington, Kentucky charmed only by Dan Cupid, to get married, and when you applied for a license the unsentimental old clerk said no, just because your age lacked two years of being up to the standard? That is exactly what happened to Miss Clara Grossglans and Mr. Earl Harden, both of this city Sunday, when they asked Clerk Dillon of the Covington court to assist in the consummation of their pretty little romance with the quite necessary license.

"Sorry," he answered curtly, after a look at the ages which would be bride gave as 18 and the groom as 20. Reasoning was useless.

"I know what we'll do. We'll telephone mama and get her permission," suggested the bride. The groom grasped at the suggestion like a drowning man at a straw. Both mammas were reached by long distance thanks to Mr. Bell of telephone fame. After considerable pleading mingled with a few threats and a regular April shower of tears, the permission was reluctantly granted and Cupid, who was beginning to look like a defeated candidate the day after election, sat up and took notice.

"Oh goody we can get married after all. Our mammas say we may." And off skipped the young lovers to find the parson.

Inquiries this morning revealed the fact that Cupid may have worked a little ruse on the matter-of-fact Clerk Dillon. The family of the young lady knew nothing of the affair and deny that they gave their permission via wire. The announcement of the marriage was left to the newspaper reporters. "Love will find a way," and perhaps there was only an imaginary mama at the other end of the line, invented for the benefit of Clerk Dillon. Or perhaps some kind friend impersonated mama, Cupid being prone to gather many em miseries. Anyway, Mr. and Mrs. Earl R. Harden will return to Marion today. The groom is a piano tuner well and favorably known, and the bride is a popular young woman with a host of friends. And best of all, the welcome sign is tacked to both parental doors.

BIG MEN AND LITTLE MEN
 demand nourishing Meats to keep up their earning capacity—prime roast, juicy steaks and chops, veal beyond reproach. A visit to our spotlessly clean

MEAT MARKET
 will repay you. Note the sanitary arrangements, careful handling, and quick delivery once your order leaves our premises, so as to prevent the change of atmosphere affecting conditions. Prices no higher than elsewhere.

W. G. MAUTZ.
 Corner Main and Church.

Gold Medal Coffee
 Is taking the lead. If you buy it once, you will buy it again. In one pound tins 25c per lb. Specials For Tues. and Wed. 10 lbs. corn meal 25c
 7 lbs. bulk oats 25c
 3 pkgs. Mother's oats 25c
 3 pkgs. National oats 25c
 2 large pkgs Post Toasties 25c

The East End Cash Grocery.
 Phone 1527
 Cor. E. Center and Grand.
 J. E. W. Davis & Son.

We Can Supply You
 With Good Country Butter and Fresh Eggs at the Right Price. Give us a Trial. Prompt delivery
 Phone 522.
Adams & Clark

WE FRAME Pictures.
OHLS

"MANHATTAN" The Quality Store
Our Amazing Offers
 On our heavy Overcoat stock has had its effect of ridding us of the stock--there however, still remains some choice patterns at shamefully low prices. 1-3 to 1-2 OFF. Come tomorrow
The Manhattan