

# REHEARING IS REFUSED, SAYS HIGHER COURT

### Appellate Court Refuses To Rehear Case Of Wisner vs. Levering Et Al

### JUDGMENT OF THE LOWER COURT STANDS

### Marion Snow Ordered to Contribute Money Toward Support Of His Child

Application for a rehearing of the case of George Wisner vs. John C. Levering et al. has been denied by the court of appeals, according to an entry received by Clerk of Courts Lester Wednesday.

In the Knox county common pleas court, Levering obtained a judgment against Wisner in the sum of \$329.64 for meat furnished the Wisner hotel. Wisner carried the case to the appellate court, which affirmed the lower court.

Recently, Wisner's attorney, William G. Koons, filed a motion and application in the court of appeals for a rehearing. Wednesday, an order was received at the clerk's office from the appellate court denying the motion for a rehearing and ordering the former decision adhered to with exceptions.

### Snow Must Pay

In the case of the State of Ohio vs. Marion D. Snow, charged with non-support, the defendant has been ordered to pay the sum of \$13 per month towards the support of his minor child. The payments are to be made by the defendant to Probation Officer Purcell on each month, except during the times when the child is visiting the father, when a proportionate reduction is to be allowed.

### Motion Is Filed

A motion for a new trial was filed in the Knox county common pleas court late Tuesday afternoon in the case of Harriet Perrine Brown vs. the Industrial Commission of Ohio. The motion was filed by the defendant, giving five reasons why the commission alleges error on the part of the court in permitting a verdict for approximately \$3,000 in favor of the plaintiff for the accidental death of her former husband. The attorneys for the industrial commission are J. C. Price, attorney general of Ohio, R. B. Zimerley, special counsel for the attorney general, and County Prosecutor Paul M. Ashbaugh.

### Sale Confirmed

In the partition case of Wilbur R. Rock vs. Hattie H. Rock, the common pleas court has confirmed a sale of real estate and has ordered a deed and distribution.

### Alimony Allowed

The divorce and alimony case of Helen Metcalf vs. Jacob L. Metcalf was submitted before Judge Blair in the Knox county common pleas court Tuesday afternoon. The court allowed temporary alimony in the sum of \$15 per month, but in regard to granting a decree of divorce Judge Blair took the question under consideration.

### Application Made

In the estate of Flora B. Fry, application to fix the inheritance tax has been filed in the probate court of Knox county.

### No Tax Due

Judge Duke of the probate court holds there is no inheritance tax due in the estate of Anna B. Stump.

### Application Filed

Application has been made in the probate court of Knox county for the appointment of a guardian for Ruhannah Robertson, an alleged incompetent person. The matter has been set down for hearing in probate court on Dec. 19.

### Appointment Made

Harry W. Koons has been appointed assignee of J. C. Corwin, former furniture and hardware merchant of Centerburg, giving bond in the sum of \$5,000 in a surety company. The assignees are H. W. Updike, James Huddleston and Harry Reil.

### Deed Ordered

In the matter of R. L. Carr, executor of Martha A. Pealer, vs. Mary E. Matheny, a deed and distribution has been ordered by the Knox county probate court.

### Will Certified

The will of Otley J. Metcalf,

## Saved By U. S. Sailors in Smyrna Fire



Mrs. Juliet Louvar

Mrs. Juliet Louvar, who has just returned to America, had been in Smyrna, Asia Minor, for nine months with her husband. On the night of the fire which destroyed the city she was rescued by sailors from the U. S. S. Simpson, with other American refugees, and spent two months in Athens before she could get passage home. Her most thrilling experience was sleeping in a graveyard the night before the Turks captured the city.

The probate court of Knox county has certified the inheritance tax for collection to the county auditor.

New office hours at the Knox county treasurer's office at the courthouse went into effect Monday and will remain throughout the taxpaying season, according to announcement by County Treasurer Charles McDonald Tuesday.

Hereafter the dock of the office will close at 4 o'clock in the afternoon, instead of 4:30 in order that the office force may balance and check up the business of the day.

However, the office will remain open all during the noon hour. Hereafter the office has been closed during the noon hour.

### Jury Case On

The case of Harriet Brown vs. the Industrial Commission of Ohio occupied the attention of the jury in the Knox county common pleas court all day Monday and was resumed when court convened Tuesday morning.

A motion was offered by the defense Monday to take the case from the jury and direct a verdict for the defendant. Judge Blair overruled the motion.

Plaintiff is suing for approximately \$4,000 damages for the accidental death of her husband.

Arguments were completed Tuesday morning, and the case will go to the jury later in the day.

L. C. Stillwell represents the plaintiff, while the industrial commission is represented by County Prosecutor Paul M. Ashbaugh, assisted by Mr. Zemerle of the attorney general's office, Columbus.

### Criminal Cases Next

County Prosecutor Ashbaugh announced Tuesday morning that at the conclusion of the Brown-Industrial Commission case, three criminal cases will be taken up in common pleas court. He stated that one of the defendants, charged with non-support, probably would enter a plea of guilty. These are perhaps the last criminal cases in which County Prosecutor Ashbaugh will take part, as his term of office expires the first Monday in January.

### Case Is Appealed

The case of the General Fiber Co. vs. J. C. Corwin has been appealed to the Knox county common pleas court. In the lower court the plaintiff obtained a judgment for \$74. The defendant in the case filed a deed of assignment in the Knox county probate court Saturday afternoon.

Fitzgibbons, Montgomery & Black of Newark are the attorneys for the plaintiff.

### The Skoon Will

The last will and testament of Oscar A. Skoon, late of Clinton township, has been filed in the Knox county probate court. By the terms of the

will, the testator gives his entire estate, both real and personal, to his wife, Lou Skoon. At her death, all the property goes to the three sons, Dwight, Clement and Walter, share and share alike. The will was signed April 3, 1922, in the presence of Barton W. Blair and J. B. Grubb.

### Partition Suit

A suit in partition has been filed in the Knox county common pleas court by Frances Rush against Minnie Alice Miller et al. The land in question is located in Jackson township. Robert L. Carr represents the plaintiff.

### Contract Is Let

The Knox county commissioners, at their session Monday, awarded the following contract: P. J. and H. C. Laymon, repairs to the road bridge in Clinton township, \$14.

### Tax Is Fixed

In the estate of Joseph Lohr, the inheritance tax has been fixed at \$56.06 by Judge Duke of the Knox county probate court.

### No Tax Due

Judge Duke of the probate court holds there is no inheritance tax due in the estate of Edith Lepley Billman.

### Real Estate Transfers

William Petrie to William H. Frye, parcel in Mt. Vernon, \$400.

William H. Frye to Silas Frye, parcel in city, \$1.

Trustees of Union Township to Joseph McMillen, two cemetery lots, \$20 each.

## CENTERBURG

Mr. H. W. Tuttle spent several days last week in Cleveland on business.

Messrs. E. D. Atherton and F. C. Bishop were Columbus visitors Monday.

Mr. and Mrs. C. O. Mortley spent a portion of last week in the home of their son, Mr. D. B. Mortley, and family, at Bellevue.

Mrs. C. L. Bishop is confined to her home by illness. Her daughter, Mrs. G. H. Hulse, of Marion, is caring for her.

Mrs. John Melick is spending several weeks at Magnolia Springs for the benefit of her health.

Mrs. Kathryn Passmore and daughter Betty, of Loudonville, were weekend guests of Mrs. D. D. Blair.

Mr. and Mrs. Edward Riley and son Vaughan, of Newark, spent several days last week in the home of Mr. Riley's father, Mr. W. A. Riley.

Mr. J. Paul Long spent the weekend in southern Ohio on business.

Miss Harriet Hicks of Columbus was a Centerburg visitor Friday.

Mr. B. C. Kerr, a teacher in the Barborton schools, was home over Sunday.

Mr. Lloyd Shaver of Ashland spent Sunday in the home of Mr. and Mrs. S. A. Darling.

Misses Maud and Mildred Owings, teachers in the Cleveland schools, spent over Sunday here with their parents, Mr. and Mrs. C. D. Owings.

Mr. and Mrs. Jay Barnes spent Sunday in the home of Mr. and Mrs. Lee Perfect at Croton.

Mr. and Mrs. Frank Landrum and children, of Junction City, were over-Sunday guests in the home of Mr. Landrum's mother, Mrs. J. E. Landrum.

Mr. and Mrs. A. H. George of Findlay were weekend guests of Mr. and Mrs. James Robertson.

Fuller & Johnson and Cushman gas engines for all farm purposes are the dependable kind. See us before you buy. Butcher Balling Machine Co., West Vine street. WSx6 Fx15

## BIRTHS

A daughter was born Wednesday morning to Mr. and Mrs. Robert Smith of Bangs.

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## MEREDITH WAS NOT WHOLLY DESTITUTE

### He Had \$1,200 in A Bank And A Note For \$500, It Is Learned

The funeral of Stephen Meredith, whose death Tuesday shocked many here, will be held Friday afternoon. The service will be held at 1:30 o'clock in McCormick's chapel, the service being conducted by the Rev. S. J. Cleeland, pastor of the Baptist church. Burial will be in Mound View cemetery.

Since the unfortunate ending of his life by Meredith it has been learned that his circumstances were not of destitution. Chief of Police Parker was informed that but very recently Meredith had given to his sister, Mrs. Henry Underwood, his bank book to keep for him. It shows a balance to his account, it is said, of \$1,200. He also had a note showing a loan of \$500 made by him.

That there are other relatives surviving in addition to Mrs. Underwood has been learned. These are John Meredith, Conneville, O., Charles

Meredith, Adams Mills, O., Joseph Meredith, Shelby, Iowa, Mrs. C. D. Wilhelm, Coshocton, Mrs. Daniel Ford Conneville, O., Mrs. Lucinda Rine, East Gambler street, Mt. Vernon, Mrs. Murray, New Philadelphia, O.

## AMITY

Rev. Totman is holding special revival services at Pike church this week.

Mrs. Alonzo Bass is very poorly at this writing.

Mr. Jay Doup, west of town, was severely injured Tuesday of last week when a horse kicked him in the face, requiring 10 stitches to close the wound.

The funeral of Mrs. Elizabeth Magers Sunday afternoon was well attended.

Mr. and Mrs. T. R. Simmons Jr. and family left Monday for Altoona, Pa., for a visit with Mrs. Simmons' brother.

Mr. and Mrs. Harry Hoover of Howard were callers here Sunday.

Ivan Kunkel was a visitor here one day last week.

John M. Kunkel made a business trip to Mt. Vernon on Monday.

A. B. Brindle expects to leave on Tuesday for his home in Ashland.

Several from here attended the play "Hello Algy" in Mt. Vernon last week.

## DEATHS

Mrs. Sarah France, age 73 years, was found dead in a chair at 6:30 Tuesday morning at her home in Monroe township, by her husband. It is thought death resulted from heart trouble. Mrs. France had been up but a short time and had not yet prepared the morning meal.

The deceased is survived by her husband, George France, and two children, Alva France and Mrs. Frank Johnson of the Wooster road.

Ellen Louise Smith, aged 4 months, and 21 days, died Tuesday at 5 p. m. at the home of her parents, Mr. and Mrs. Harry Smith of West High street, after a two weeks illness of intestinal grip.

Funeral services will be held on Thursday at 2 p. m. with Rev. J. S. Cleeland. Burial will be made in Mound View cemetery.

## BOY IS SENT TO THE INDUSTRIAL SCHOOL

Lawrence Ware, a Mt. Vernon boy, who has been on probation in the Knox county juvenile court for the past two years, was ordered committed to the boys' industrial school at

Lancaster, Tuesday, by Probation Judge Duke. The boy was taken to the institution Wednesday morning by Probation Officer Lurcell.

Judge Duke stated that he had given the boy every chance to amend his ways and that he had been on probation for nearly two years, but had failed to make good.

WANTED—Agents. \$40 to \$50 a week made selling Heberling's medicines, extracts, spices, toilet articles, etc., direct to consumers on terms. Experience and capital not required. Old established company. Complete line of household necessities guaranteed to give satisfaction. Big profits. Exclusive territory. Write today for full particulars and secure your home county. Heberling Medicine Co., Dept. 567, Bloomington, Ill. 1229

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## KEEP ABREAST of the TIMES!

# A Thousand and one Interesting Things for WOMEN EVERY DAY IN THE PLAIN DEALER



The Carters and the Johnsons live side by side, in a Northern Ohio rural community. Until the other day, Mrs. Carter often wondered why Mrs. Johnson and her family seemed so much more up-to-date than hers. The Johnson home is always spic and span, the children always seem to have something new to wear, Mrs. Johnson talks on politics and women's activities with an intelligence that shows everyone that she has made a study of it. Jim Johnson always boasts of what a fine table his wife sets. What did the Johnsons have that the Carters lacked? In an inquisitive mood, Mrs. Carter asked—and the simplicity of the answer astounded her.

### THE JOHNSONS TAKE THE DAILY PLAIN DEALER

There's a thousand and one things of interest to women every day in The Plain Dealer. If it is the last thing she does before retiring, Mrs. Johnson reads thoroughly her Plain Dealer. It is an important part of her life—her education—her home-keeping—her recreation. She feels that she owes it to her husband and

her children—for reading The Daily Plain Dealer makes her a better home-manager and a better mother. One day she counted the separate items of general news and buying news of interest to her, and found over one thousand items in one single issue.

### OF SPECIAL INTEREST TO WOMEN

In The Daily Plain Dealer are the Daily Magazine pages. In this section are interesting articles on food, economics and home problems, by Florence LaGanke, latest styles for misses and children, prize menus, the best fiction, bedtime stories for the kiddies and dozens of other helpful information for women.

Every woman in Northern Ohio should follow the example set by Mrs. Johnson. Besides the general news for everybody, and the special items for women, rural residents find The Daily Plain Dealer the most reliable buying and selling guide for live stock and market produce. The Plain Dealer's Market page is always checked up to the last minute. At the new reduced price of \$4 per year, every Northern Ohio family should have The Daily Plain Dealer.

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