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Regular Terms of Court. Fourth Monday of February.

Third Monday of May.
Fourth Monday of September.
Third Monday of November. Regular Meetings of County Commis-sioners 1st and 3d Tuesdays of month. Church and Sabbath School.

Presbyterian Sabbath School at 9:45 a. m.; M. E. Sabbath School at 10:00 a. m. Preaching in M. E. Church every Sabbath evening by Rev. W. O. Calhoun.
Preaching in the F. M. Church every
Sabbath evening at the usual hour. Rev. H. D. Call, Pastor.

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TI NESTA LODGE, No. 369, I. O. O. F. A Meets every Tuesday evening, in Odd Fellows' Hall, Partridge building. CAPT. GEORGE STOW POST, No. 274 G. A. R. Meets 1st and 3d Monday evening in each month.

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## LIFE PASSES EXEMPT.

VOL. XXXIX. NO. 47.

Federal Judge Holds Law Does Not Invalidate Contracts.

Jury In Thaw Trial - Negro to Get Plum In Ohio-Job For Ex-President Cleveland-Several Sage Gifts-Con ference on Japanese Question-Davis' Action Approved,

Judge Walter Evans, in the federal court at Louisville, Ky., has overruled the demurrer of the Louisville & Nashville Railroad company to the equity petition filed by Erasmus L. and Annie M. Motley, in which the latter sought to enforce a contract by which the raffroad company agreed to issue annual passes to each of the plaintiffs during their lifetime.

The court says that the act of June 29, 1906, known as the railroad rate bill, under which the railroad company declined to Issue the passes agreed. in January, 1907, should be considered precisely as if, in its general language, there was an express exception excluding from its operation the complainants' contract. In no other way can the vested contract rights of the complainants be preserved.

The general tenor of the opinion is to the effect that congress did not intend to annul any previously made contract founded upon good consideration. The court says, further, that the passes issued the Motleys, while called "free passes," were not so any more than a ticket bought and paid for. The demurrer of the railroad company, which was argued by Colonel Henry L. Stone, was based on the rebate law, which prohibits the issuing of passes, the railroad taking the position that this law ended its contract with the Motleys.

Jury Completed In Eight Days.

The Thaw trial jury was completed ate on Friday. The selection of the 12th juror, Bernard Gerstman, came as a complete surprise at the end of a long and tedious day-the eighth of the trial-and immediately after he had been sworn Justice Fitzgerald ordered an adjournment of court until 10:30 o'clock Monday morning.

In announcing that the introduction will not require more than one session of the court, Mr. Jerome is evidently of the opinion that the cross-examination of the state's witnesses as to the main events associated with the tragedy will not be very extended.

The jury complete is as follows: Foreman, Deming B. Smith, aged 55, retired manufacturer, married,

George Pfaff, 34, hardware, married. Charles H. Fecke, 45, shipping agent, eral Jackson. Oscar A. Pink, 46, salesman, mar-

Henry C. Harney, 50, planos, mar-

Harry C. Brearly, 35, advertising igent, married. Malcolm S. Fraser, 40, salesman,

narried. Charles D. Newton, 65, retired railway official, married.

Wilbur S. Steele, 60, manufacturer, married. John S. Dennee, 38, railway freight

gent, unmarried. Joseph B. Bolton, 57, clerk married. Bernard Gerstman, 36, manufactur-

er's agent, married. Negro to Get Plum In Shio.

President Roosevelt will appoint a negro to federal office in Ohio. The man selected is Ralph Tyler of Columbus, and he probably will be given the place of surveyor of customs at Cincinnati, the home of Senator Foraker, who has been fighting the administration in the Brownsville matter, taking the side of the discharged colored soldiers.

The president has been impressed by the professed friendship of Senators Foraker and Dick for the colored race and believes that they should have opportunity to show this is a concrete way. It is understood that, appreciating the strength of the president's position, the Ohio senators will not oppose Tyler's confirmation.

At present New York is the only Northern state in which negroes hold federal office. On numerous occasions in the past the president has desired to appoint negroes in other Northern states, but has been deterred by the opposition of Republican senators and representatives from those states,

Grover Cleveland Chairman.

Grover Cleveland, ex-president, has been elected chairman of the Association of Life Insurance Presidents at the meeting of the executive committee of that organization in this city. Mr. Cleveland's election was unanimous. He has accepted the position. The Association of Life Insurance Presidents, which was recently organized, is composed of the executives of the principal life insurance companies of this country. The object of the or-ganization is to co-operate for all kinds of reform which, the members claim, will increase dividends to policy holders. Mr. Cleveland will also act as chief counsel for the association.

Agreement For Eight-Hour Day. Following two private sessions on Saturday in Pittsburg an agreement has been reached between the United Typothetae of America and the Printing Pressmen's Union of America. The agreement is for five years, the first two years being for a nine-hour day and the succeeding three years for Electric Oil,—Guaranteed for an elght-hour day. It is said the agreement will increase the cost of press work 32 per cent. Over 150 delegates

from all parts of the United States were in attendance representing 10,500 proxies. When a vote on the working agreement was taken it stood 7,000 for and 3,500 against.

Public Bequests by Mrs. Sage. At the annual meeting of the Alumni Association of the Rensselaer Polytechnic Institute, held at the St. Regis hotel in New York Friday night. announcement was made of the gift

by Mrs. Russell Sage of \$1,000,000 to that institution. The announcement was made by Dr. Palmer C. Ricketts, president of the Institute, who read a letter from

Mrs. Sage announcing the gift. Announcement was made Monday afternoon of a gift of \$1,000,000 by Mrs. Russell Sage to the Emma Willard seminary of Troy, an dalso of \$250,000 to the international commission of the Young Men's Christian as-

Injunction Against Letting Contract.

Bids for building a new Chautauqua county court house at Mayville, at a cost of \$135,000, were opened at Mayville. As the committee was about to let the contract, its members were served with a complaint in a suit for a permanent injunction brought by taxpayers of Jamestown and vicinity The authority of the committee to let the contract is attacked on legal grounds, but the protest which led to the suit is based on current charges that the passage of the resolution of the board of supervisors under which the committee is acting was procured by bribery.

The Week In Congress.

The time of both the senate and the house this week will be taken up with the consideration of appropriation bills. In the senate the Indian bill is now under consideration, while the house has the river and harbor bill under way. Several days will be required to dispose of each of these measures, and when they have been voted upon the senate will take up the army bill, and the house the naval bill. These four measures will practically monopolize the time of the two bodies, as there are many provisions in each of them over which there is wide difference of opinion.

McClellan's Motion Denled.

Justice Leventritt has denied the application of Mayor McClellan to set aside the service of summons and complaint in the quo warranto proceedings brought by the attorney general in the matter of the recount of the ballots cast at the last city election.

Justice Leventritt granted a stay of proceedings in the matter until three days after Justice Fitts of Albany hands down his decision in the motion of prohibition against Attorney Gen-

Fined For Accepting Rebates.

Judge Holland in the United States district court at Philadelphia has imposed a fine of \$3,000 upon the Camden Iron Works company of Camden. N. J. which was recently convict ed of accepting rebates on a shipment of iron pipe to Winnipeg, Manitoba, over the Philadelphia & Reading and the Baltimore & Ohio railroads to the great lakes and thence by the Mutual Transit company of Buffalo which operates a steamship line on the lakes.

Lumber Bark Sunk by Steamer.

After battling with head winds and heavy seas for 17 days and when within a few hours of her destination, Norfolk, Va., the bark Charles Loring, carrying 380,000 feet of lumber from Savannah to New York, was run into and sent to the bottom by the Old Dominion steamer Seneca Saturday night four niles off Sea Girt, N. J. The collision occurred in a dense fog. No one was injured and no lives were

Conference on Japanese Question.

A conference between President Roosevelt, Secretary Root and the San Francisco board of education, which Mayor Schmitz will attend, will be held in Washington on Friday or Saturday to discuss the Japanese school question. It is understood that the president will endeavor to induce the board to rescind its action excluding the Japanese children from the

Admiral Davis' Action Approved. In unequivocal terms President Roosevelt in a letter approved Admiral Davis' entire action in connection with his visit to Kingston, Jamaica, to render aid to the stricken

city, and in addition requested the secretary of the navy to express to Admiral Davis his heartiest commendation of all that he did. Capitol Probe Bill Signed.

A resolution calling for an investigation of the expenditure of \$9,000,000 for furnishing and decorating the new state Capitol at Harrisburg, Pa., which passed the house Monday night, was adopted by the senate Wednesday and signed by Governor Stuart.

Cadets Go to Jamestown. Secretary of War William H. Taft has given authority to the superintendent of the West Point military academy to take the entire corps of cadets to the Jamestown exposition. The

date has been left to the discretion of the superintendent. Senator Dryden Withdraws. United States Senator John F. Dryden of New Jersey authorizes the announcement that he has withdrawn his name as a candidate for re-election to

the United States senate, owing to ill-

THAW CASE PRESENTED.

Defense Replied With a Plea of Hereditary Insanity.

Story of Man's Insanity Promised Relatives and Physicians - Thaw's Demeanor During Testimony of His Victim's Son-Eyewitnesses Called.

New York, Feb. 5 .- The state laid bare its case against Harry K. Thaw vesterday-a bald, unemotional story of the shooting in the Madison Square Roof Garden, leaving the motive to b€ inferred from the act-and the defense replied with a plea of hereditary insanity. It was asserted that Thaw in slaying Stanford White believed he was acting as an agent of Providence that real or fancied wrongs committed against him by the architect and former friend of his wife seethed in his brain until at last there came the explosive impulse to kill.

When the act was accomplished Thaw made no move to escape its consequences, but holding the fatal revolver nloft, he stood as if mutely proclaiming to the world: "The deed is done; it was right; it was not

Thus Thaw's counsel outlined his case to the jury, after the prosecution had occupied less than two nours of the morning sitting of the court in re lating through eyewitnesses the narrative of the tragedy. When the de fense had interposed its plea and outlined its case an adjournment was taken

"You will hear the story of this man's insanity," Attorney John B Gleason for the defense promised the jury, "from his mother, from his wife, from his relatives and from his physi cians. You will judge him by his acts by the heredity and stress which en tered into his madness, and when you come to judge him you will say to yourself that his act may have been one of insanity, but it was not one of

Mother and Wife Excluded.

That Thaw's wife was to be one of his most important witnesses has long been known; that his mother, Mrs William Thaw, of Pittsburg, was to take the stand only became known postitively when the court excluded from the court room all witnesses save experts. Thaw's mother at the com mand left the room after a moment's hesitation. She seemed unwilling to be parted from her son in the hour of

His wife, too, reluctantly left the room, bestowing a last radiant smile of courage and hope upon her prisoner husband. May Mackenzie was the third of the women who have been daily la the Thaw party to leave the court room. Thaw seemed dejected. Many times last week during the dull days of selecting a jury he turned to his wife for comfort and found her ever ready with a quick responsive Now that the serious work of the trial was to begin he was to be denied her presence.

During the opening address by Mr. Gleason in which he entered the de fense of insanity Thaw sat with flushed cheeks, which at times he covered with his hands, and with downcast eyes. He seldom looked up, just a fleeting glance now and then at the man who was making the first plea for his life and freedom. Never once did his eyes wander to the jury box where the 12 men, with grave faces, listened intently to every word of Mr. Gleason's somewhat lengthy

There was another period-during the morning session - when Thaw again looked only at his hands, clasped before him on the table. This was when Lawrence White, the 19 year old son of Stanford White, was on the stand as the first witness for the pro-

Young White, who is a Harvard student, was not a material witness. He was with his father at dinner the evening of the tragedy but left him be fore he went to Madison Square Garden. White was alone, it was testified, when Thaw approached slowly from behind, wheeled, faced him and sent three bullets into his brain and

Thaw's counsel told the story of the writoner's love for the girl he made his wife. He met Evelyn Nesbit in 1901 and then and there began in him an honorable regard and love for the He told her mother of that love. The girl was in a precarious condition following a serious operadon in a santarium and Thaw suggested to her mother that she take Evelyn abroad to recuperate.

It was arranged that Thaw should accompany the two as the avowed suitor of Miss Nesbit. In 1903 he asked her to marry him and she refused

"The reason for this refusal you will hear from her lips," announced Mr. Gleason. "Suffice it to say the reason had to do with an incident in her life with reference to Stanford White." Foundation For Insanity Plea.

Thus laying the foundation for the plea of insanity, the defendant's lawyer declared brain disease laid hold of Thaw some three or four years ago. He said that there have been many instances of a person being insane upon one subject and that alone. Mr. Gleason cited instances of temporary insanity evidenced by a single act.

We will not base our plea, however upon a single act," he went on. "It will be shown that there was insanity on both sides of this defendant's fam-

fly. Heredity has made us what we are, heredity has made the living world. Our case is far removed from the much discussed defense of emo tional insanity. You must disabuse your minds of all you have read in the newspapers and especially of the idea that has gone abroad that we are to rely upon some higher or unwritten

law. "We rely upon the constitution and From His Mother, His Wife, His laws of the Imperial state of New York and upon them alone. You will under stand this man's insanity. It will not require experts to tell you of it It is within you to judge him and you will say from the evidence that when he killed Stanford White he was an insane man.

He declared that Thaw labored un der the delusion that his life was always in danger when he was in New York city and that he believed threats had been made to kill him. This accounted for the fact that after January, 1904, he always carried a pistol. He had placed it in his overcoat pockship under the supplementary separaet the night he went to the Madison Square Roof Garden. There he turned suddenly and saw what he thought was a demon glowering at him. The impulse came. He felt that to kill White would be an act of Providence and sc believing he set deliberately at his

It was the work of an insane mar Mr. Gleason said-the delusion of a disordered brain.

Mr. Gleason Twice Interrupted. Counsel told the story of Thaw's de fense in a conversational way as if he were taking every juror into his confidence. They listened intently. Mr. Gleason was twice interrupted by District Attorney Jerome on the ground that he was arguing the case from the interruptions caused Mr. Gleason to stories. repeat in some instances, but his remarks did not seem thereby to lose weight.

In adopting a calm dispassionate manner in addressing the jury, Thaw's of the plan, attorney followed the example set by Assistant District Attorney Garvan, who opened for the prosecution at the beginning of the session.

The rumor that there were to be further changes in the jury box were not down until Mr. Garvan actually began speaking. It was said that Dis trict Attorney Jerome had brought all the pressure and persuasion at his command to gain consent for the removal of one or two of the men, but Thaw's counsel resolutely and successfully resisted all pleading for a further revision of the trial panel.

Mr. Garvan in telling the story of the alleged murder occupied less than 10 minutes and the prosecution's entire side was kept within two hours. Except young White and the coro ner's physicians who performed the Panama canal construction may be reautopsy and described the wounds in jected and the work done by the gov-

White's body the only persons called to the stand by the state were five eyewitnesses. They were cross-examined briefly by Attorney Delphin Delmas of the defense, who for the first time participated actively in the proceedings. Witnesses told nothing hat has not been known to the reading public ever since the night of the tragedy. They related the deliberate way in which Thaw approached White, faced him and fired. They repated Thaw's assertion "He ruined my wife," and Mrs. Thaw's remark to her hus band, "Yes, but look what a fix you are in now." To this last remark Thaw replied: "Dearie I have probably saved your life." It was brought out that Thaw looked back at his victim as he walked away "with a staring look in

Garvan's Outline of State's Side.

Mr. Garvan's outline of the state's side was of the briefest. He told of Mr. White dining at the Cafe Martin with his son and a college mate of the latter the evening of the tragedy. He related how White went to the roof garden on Madison Square Garden to see the initial performance of a summer musical comedy called "Mamzelle Champagne" and then related in simple unembellished language how he was killed

"The people claim," he continued. that it was a cruel, deliberate, malicious, premeditated taking of a human life. After proving that fact to you we will ask you to find the defendant guilty of the crime of murder in the first degree."

It was not until after Mr. Garvan had spoken that the prisoner's wife room under the rule excluding witnesses. Mr. Garvan spoke so low that his remarks could not be distinguished from the jury box. Mrs. William Thaw and her daughter-in-law both heard distinctly, however, from where they sat. They evidently were prepared for a much longer ordeal and seemed surprised when the young assistant to Mr. Jerome finished.

It Wasn't Filled. A physician well known on the west side when passing a house where he knew a colleague of his had a patient, was surprised when the woman of the house accosted him from the window and asked him to step in and see

"But Isn't Dr. X. attending your son?" asked the physician.

"Yes." replied the woman, "but Dr. N. seems to have his mind more on real estate than on his patients. The druggist said he could not fill his prescription.

The physician entered the house and asked for the prescription. The woman produced a sheet from Dr. X's pad on which was written:

"Bricks, 50,000, "Cement, 50 bbls." Dr. X. has lost a patient,"-Chicago Inter Ocean.

## POINTED | PARAGRAPHS.

Summary of the Week's News of the World.

Cream of the News Culled From Long Dispatches and Put In Proper Shape For the Hurried Reader Who Is Too Busy to Read the Longer Reports and Desires to Keep Posted. Methods and policy of the Standard

Oil company were vigorously assailed in the interstate commerce commission's report to congress, Encouraging results have been obtained at the lepers' settlement in

Hawali by the use of extract of eucalvotus in treating leprosy. It is reported from Rome that the pope has changed his position toward France and will admit of public wor-

tion law. Attorney Ceneral Jackson attacked the constitutionality of the reapportionment act in the court of appeals, and it was defended by former Attorney General Mayer.

Thursday,

Carnation day, in memory of former President McKinley was generally observed throughout the country,

The second special panel was exhausted in the Thaw trial with only 11 jurors selected, and another panel of 100 talesmen was ordered for Thursday. Bret Harte's daughter, Mrs. Jessa-

my H. Steele, is in Portland (Me.) evidence instead of plainly stating almshouse, trying to revise and sell what the evidence was to be. The the manuscript of one of her father's French bishops propose that the government lease the church buildings

to the ecclesiastical authorities, rent

free, and Paris papers urge acceptance Frederick C. Stevens, superintendent of public works of New York, will be the financial backer of William J. | Chicago News. Oliver, who expects to get the contract

for digging the Panama canal.

Friday. Representative James W. Wadsworth defended the meat inspection bill in congress, as answering the president's attack on him last June.

M. Clemenceau, premier, declared the bishops' proposal for perpetual leases of churches was unacceptable. Three more jurors in the Thaw trial were summarily excused by the court

In the French chamber of deputies,

and three more ware accepted, leaving 11 jurors in the box on adjournment. Secretary Loeb says all bids for the ernment under the direction of Chief Engineer Stevens.

Establishment of free ports with ad-

jacent areas of several thousand acres where goods for the export trade may be manufactured is advanced by Secretary Shaw in a speech in Con-

Saturday.

Bernard Gertsman, the 41st talesman examined Friday, was accepted as the 12th juror in the Shaw trial and court adjourned till Monday.

A representative of the Dupont Powder company in Washington de nied that his company monopolized the manufacture of smokeless powder. Theater combine is indicted in New

tortionate methods employed are recited. Differences of opinion between M Clemenceau, premier of France, and M. Briand, minister of education, over the bishops' proposals may wreck the

York as a trust, conspiracy and re-

straint of trade being alleged, and ex-

cabinet. M. Stolypin, premier of Russia, has issued a circular to governors general governors and prefects emphasizing the government's desire to co-operate with parliament in a friendly

Monday. Edward P. Hipple, brother of the late Frank K. Hipple, head of a defunct real estate trust company of Philadel-

phia, committed suicide

Public interest in the Thaw trial in New York centers on the story the and mother were barred from the artist-model wife of the prisoner is expected to tell on the witness stand. Captain Richmond P. Hobson's story of an "ultimatum" from Japan

to the United States on the San Fran-

cisco school matter was declared untrue in Washington. Discontent in the British navy and the reduction in the size of the army arouse alarm in England in view of what is believed to be the menacing

attitude of Germany. Republican leaders in the New York legislature decided to pass one bill for a recount of the mayoralty votes in New York city and another providing for recounts in future elections.

The house will pass the senate bill

granting service pensions to veterans of the war with Mexico and the civil War. The state superintendent of insurance has finished his annual report,

declaring that the laws passed since

the Armstrong investigation insure safe methods in the future, The presence of the police alone prevented a riot at the Church of the Holy Apostles, Paris, where the French Apostolic church was inaugurated with the aid of Archbishop Vilatte, head of the independent Catholic

movement in the United States.

Picking Pennuts.

on delivery.

The seeds of the peanut are planted like beans, and when the vines have come up and the nuts are ready for harvesting the farmer takes a cultivator especially made for that purpose and starts down the long rows. On either side of this cultivator are two long knives which sink into the ground sufficiently to cut the taproot of the vine. The same process is gone through with on the other side of the vine. The main root being thus severed and the ground loosened, the vines are lifted into shocks like corn. They are cured by allowing them to stand in the sun for about ten days, when a colored woman and children are sent into the field to pick the nuts from the vines. An average picker will pick about five bushels a day, for which he is paid at the rate of 10 cents a bushel.

Material For 1,200 Eggs In a Man. German scientists announce that the material for a man weighing 150 pounds can be found in the whites and volks of 1,200 hens' eggs. Reduced to a fluid, the average man would yield ninety-eight cubic meters of illuminating gas and hydrogen enough to fill a balloon capable of lifting 155 pounds. The normal human body has in it the iron needed to make seven large nails, the fat for fourteen pounds of candles, the carbon for sixty-four gross of crayons and phosphorus enough for 820,-000 matches. Out of it can be obtained, besides, twenty teaspoons of salt, dray lumps of sugar and forty-two liters of water.

Leading Authority.

"Mister," said the sad faced individm! who had sneaked in the big skyscraper, "can I sell you the great Eneyelopedia of Sporting Events?" "Nope," replied the busy man, "We mve one encyclopedia of sporting

"That so? Where do you keep it?" "Why, we try to keep him on that stool over there, addressing envelopes. I mean the office boy, and he is an encyclopedia on everything from a game of skiddos to the Olympic games."-

events already:

you? You look down in the mouth," "Well, Peter, I dare say if you'd been through what I have, you'd look buil, too."

Served Her Right.

"Why, Bill, what's the matter with

"What's the matter?" "Well, you know Sarah Salvels,

don't you, Peter?" "Yes. "I discarded her last night."

"You did! What for?" "Well, I'll tell you. She said she wouldn't marry me, and I'll discard any girl that would treat me in that manner."-Exchange

# Advance in Interest Rate.

Commencing February 1,

### 1907, interest at the rate of Four (4) Per Cent.

will be paid on all interest accounts. Interest will be compounded and credited twice each

Deposits made on or before the third day of any month, will draw interest from the first day of said

Deposits made on or before the 15th day of any month, will draw interest from the fifteenth day of said month.

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required previous to the withdrawal of funds.

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New Building, Corner of Second and Liberty Streets,

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