OUR TREATY WITH HAWAII

Discussed in the Senate Along with the Proposed Cable to the Islands.

Failure of an Attempt to Cut Down the Subsidy—Responsibility for the Defect in the Tariff Bill—Work of the Lower House.

WASHINGTON, Feb. 17.—The credentials of William A. Peffer, as Senator-elect from the State of Kansas, for the term beginning March 4, next, replacing Mr. John J. Ingalls, were presented to the Senate to-day by Mr. Ingalls and placed on file. Also: by Mr. Turpie, the credentials of Mr. Voorhees, amended so that the Governor, instead of using the word "commissions," uses the word "certifies."

The diplomatic appropriation bill was then taken up, the question being on Mr. Dolph's amendment to increase the salary of the minister to Portugal from $5,000 to $10,000. On a point of order made by Mr. Hale, Mr. Dolph's amendment was ruled out, and a subsequent amendment offered by him to make the salary of the minister to Portugal $7,500 was, on motion of Mr. Hale, laid on the table.

Mr. McPherson moved to reconsider the vote adopting the Hawaiian cable amendment so that he might move to reduce the annual allowance from $250,000 to $150,000. Mr. Edmunds moved to lay the motion to reconsider on the table, and the latter motion was agreed to—yeas, 29; nays, 25.

On motion of Mr. Sherman the item of $6,500 for minister resident and consul-general to Greece, Roumania and Servia was changed so as to make it read: "For envoy extraordinary and minister plenipotentiary."

The question of the Hawaiian cable came up again, Mr. Carlisle taking the ground that under the treaty with the kingdom of Hawaii, the United States had a right to the occupation of the harbor of Pearl river and could land a cable there without any concession that might be held by a citizen of Massachusetts. That treaty, however, had been violated by the United States in the passage of the tariff act of 1890; though he was not aware that the Hawaiian government regarded the treaty as abrogated.

THE HAWAIIAN TREATY AND THE TARIFF.

In connection with that point the action of the conference committee and of the two houses, in connection with the tariff bill, came under discussion. Mr. Carlisle argued that the Hawaiian cable amendment had no proper place on the diplomatic and consular appropriation bill. It related to a subject that ought to stand by itself and on its own merits. By placing sugar on the free list under the tariff bill of 1890, the act of 1876, admitting sugar and rice from the Hawaiian islands free of duty, so as to carry out the treaty, had been repealed—expressly and absolutely repealed—by the Congress of the United States without notice to the Hawaiian government.

Mr. Allison—I understand the Senator from Kentucky to say that, with the knowledge and understanding of Congress, the commercial part of the Hawaiian treaty was abrogated by the legislation of last year.

Mr. Carlisle—I do.

Mr. Allison—So far from that having been my understanding when I agreed to the conference report, I understood from a source which had fully examined the question, that the omission of the clause that was originally in the bill—that it should not repeal existing treaties—did not affect the Hawaiian treaty at all. If the commercial portion of that treaty was abrogated, it was not done with my knowledge or my understanding that it was to be abrogated.

Mr. Morgan criticised Mr. Carlisle's opposition to the Hawaiian cable amendment, imputing that opposition to an unwillingness to intrust President Harrison with the expenditure of $250,000 a year. He denied that the cession of a coaling and repair station at the harbor of Pearl river, in the Hawaiian Islands, gave the United States government a right to land a telegraph cable, and asserted that the only opportunity to land a cable there was the concession made by the King of the Hawaiian Islands to an American citizen [Mr. Hartwell]. That party might, if the United States did not make use of the opportunity, make an arrangement with the Canadian government to have the American end of the cable landed on the shores of the Dominion. The situation, Mr. Morgan said, with the Hawaiian Islands at the present moment was somewhat confused, somewhat doubtful, somewhat dangerous to the interests of the United States. He believed that an active movement on the part of the United States government to define its policy in relation to Hawaii, in a sedate way, would save the United States a great deal of trouble in the future. He believed that the question was about to be presented whether the United States would abandon its interests in Hawaii or whether it would maintain them, and he did not know a more significant way of expressing the intention of the United States than by making the actual communication with those islands more complete and more direct.

NO REFLECTION ON THE PRESIDENT.

Mr. Carlisle disavowed making any reflections upon the President of the United States. His remarks, he said, had been directed to the merits of the proposition. He had not said one word that could be construed as a reflection on the President or into an expression of want of confidence in his integrity or capacity to expend the money.

Mr. George declared himself so opposed to the Hawaiian cable amendment that he would be compelled to vote against the bill. He regarded it as another step in the fatal policy of subsidizing private individuals and corporations out of the treasury of the United States; and he argued that the government had the right now, without regard to any private concession, to land a telegraph cable on the shores of Pearl river harbor.

Mr. Daniel also declared his antagonism to the Hawaiian cable amendment as one of a series of subsidies, and he criticised the proposition to pay to the holder of the concession as much as was asked, without any estimate on the part of government officers of the cost of the undertaking. If the proposed cable was to be part of the national defense—a military telegraph line—it was improper that it should be owned by private individuals. The government should construct it, should own it, should control it and should be able to keep all other communications from passing over it. But the whole scheme and plan of the amendment was in derogation of the idea that the cable was designed as part of the national military defense. It was a speculation on the part of some enterprising commercial men, who wanted to make money out of the United States government.

Mr. Quay submitted some remarks, not on the diplomatic bill or the Hawaiian cable amendments, but on a bill introduced by him last May to amend the interstate commerce law by adding a provision that nothing in it should be construed to prohibit any common carrier from giving reduced rates of transportation to commercial travelers.

THE BILL PASSED.

The diplomatic and consular appropriation bill was then passed—Yeas, 33; nays, 16—Messrs. Gorman, Hampton and Morgon voting yea with the Republicans, and Mr. Pettigrew no with the Democrats.

The copyright bill was then taken up, the pending question being on Mr. Daniel's amendment to insert in the proviso that requires copyrighted books to be printed from type set in the United States the words "Or shall be otherwise produced in the United States from processes executed in the United States." After discussion the amendment was rejected—yeas, 19; nays, 27. Messrs. Ingalls, Mitchell, Power and Sherman voted in the affirmative and Mr. Hampton in the negative.

Mr. Edmunds moved to amend Section 13, which provides that the act shall only apply to a citizen or subject of a foreign state when that state permits to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens by striking out the rest of the section and inserting the words "the existence of the conditions aforesaid shall be determined by the President of the United States by proclamation, made from time to time, as the purposes of this act may require." After a brief discussion the amendment was agreed to without division, although Mr. Platt appealed to the Senate not to place any amendments on the bill.

Mr. Power offered an amendment, drawn up by Mr. Sherman in co-operation with Mr. Carlisle, providing that all books, maps, charts, dramatic or musical compositions, engraving, etc., the author, inventor, designer or proprietor of which is a citizen, subject or resident of a foreign country, may be imported into the United States on payment of the duties, if any, imposed by law. Without disposing of the amendment the Senate adjourned.

Proceedings of the House.

WASHINGTON, Feb. 17.—In pursuance of a written designation by the Speaker the House was called to order this morning by Mr. Payson of Illinois. Mr. Thompson of Ohio, from the committee on the judiciary, reported a resolution for the impeachment of Alex. Boardman, Judge of the United States District Court for the Western district of Louisiana for high crimes and misdemeanors. Ordered printed and recommitted.

Mr. Brewer of Michigan presented, and after a brief debate the House agreed to, the conference report on the fortification appropriation bill.

The House then went into committee of the whole, Mr. Dingley of Maine in the chair, on the Indian appropriation bill. Mr. Blanchard of Louisiana offered an amendment providing for the appointment by the present Speaker of a committee to consist of six members-elect of the Fifty-second Congress who, together with one person to be designated by the Secretary of the Interior, shall inquire into the condition of the Indian tribes, with a view of recommending such changes in the Indian policy as may be necessary for the amelioration of the condition of those people. Ruled out on a point of order.

Mr. Carter of Montana offered an amendment appropriating $946,000 to carry out the agreement with the Crow Indians of Montana. Adopted.

The amendment for the carrying out of certain treaty agreements with the Sisseton and Wahpeton and other Indians was agreed to.

Mr. Holman of Indiana offered an amendment providing that the Cherokee Nation may negotiate with the Secretary of the Interior for the sale of the Cherokee Outlet. Adopted.

The committee then rose and reported the bill to the House. The previous question was ordered on the passage of the bill, and the House adjourned.

PENSIONS FOR VETERANS.

Residents of Indiana and Illinois Whose Claims Have Been Allowed.

Pensions have been granted the following-named Indianians:

Original Invalid—Chauncey Loomis, Wm. L. Denman, Thos. Moore, Jacob E. Marsh, Marquis L. L. Whiteman, George W. Duncan, Levi Zumbrun, Geo. Schafer, Wm. H. Boyd, Harrison Tucker, Benjamin A. Bertram, Thomas A. Smith, Wesley A. Logan, Asa R. Morris, Isaac W. Ritter, Robert Haney, Amos Shoupledecker, Mark W. Orcutt, Wm. Sheron, Benjamin F. King, Samuel L. Campbell, Charles A. Carter, August Busch, Stephen Curwin, Daniel N. Dressler, Abraham Kelley, Byrum Burge, David W. W. Bray, Isaac T. Wilkinson, Henry B. Jamison, James Baldwin, Josiah Carpenter, Joshua Ingram, James C. Alvis, Samuel Sperry, Nat. Hawkins, Jesse Davis, Wm. A. Clark, Wm. R. Christy, Hamilton Welling, Wm. Shockey, Wm. H. Diltz, John F. Hargrave, Evander M. Payne, Wm. Reed, Samuel Carmichael, Amos Murray, Wm. C. Taylor, John Meyer, Moses Brown, Wm. H. Thornburg, Joseph Steinmetz, Wm. Freeland, James E. Hughes, Francis J. Wilson, Solomon Fleetwood, Amos J. Wood, Hosea Tillson, Theophilus Tash, Henry W. Drocheman, George J. Hibner, Patrick Roach, Enos Durst, George L. Sickling, Jacob B. Stellar, Andrew J. Caruthers, Wm. D. Brown, Lewis D. Reed, Henry Northern.

Increase—Sanford Cutler, Clifford W. Ross, Philip H. Ports, Perry Joslin, George W. Jarred, Gottfried Wagonblast, Nicholas Miller, Andrew Naughie, John Powers, Benjamin F. Cobee, Philip T. Williams, John C. Gorman, James McGlinn.

Reissue—James W. Drake, Benjamin F. Black, Robert H. Blair, Lauren Mullin, Joseph von Burg, George W. Legg.

Original Widows, etc.—Alice, widow of Simon P. Waltz, Mount Moriah; Eliza E., widow of John Derimple; Margaret, widow of John L. Armstrong; Laura M., widow of Samuel D. Smith; Theresa, widow of Frederick Walter; Elizabeth, widow of Valentine Meier; Emma B., widow of George W. Bivin; Luvina, widow of Patrick Roach.

TO RESIDENTS OF ILLINOIS.

Original—Joseph G. Marshall, John T. Hills, Henry Perry, Joseph Wilkins, Homer H. Marshall, Charles H. Burdsall, Aaron Clark, Wm. Land, James K. P. Sloan, Charles Schlinger, Isaac Pettit, Elias Burkholder, John N. Waddle, George H. Reeder, Leonard M. Taylor, Wm. C. Ragland (dead), John H. Steele, Michael Cassady, George Shaeffer, Green Woods, Benjamin S. Organ, Grayson T. Jameson, Elisha C. Milam, Daniel Titus, John Stadtfeldt, Charles H. Drake, Wesley R. Van Gilder, John Shaw, Sanford B. Kanady, Thomas E. Pearce, James H. Madden, Wm. R. Strickiin, Christopher Link, John M. Smith, Thomas Robinson, John V. Moorman, Henry C. Morris, James W. Bradford, John Buchanan, Patrick Feeley, Albert W. Cole, Wm. H. McCormick, George H. Winning, Richard R. Tilton, Wm. M. Holmes, Daniel Brown, Wm. P. Stith, John Sullivan, Powhattan E. Hatcher, Thomas Baker, Job Cruse, James H. Lane, Jarrett Cavender James Jackson, Eugene S. Welton, James Holt, Martin Bear, John B. Tucker, John B. Ferguson, Albert Marney, John Charleston, Hiram Bastian, Jacob Voegeli, William J. Brown, Simeon Mansfield, Thomas R. Shelly, Jonas Larson, Charles Schoenmeyer, Thomas Bohannan, Ransler D. Bullock.

Additional—Jacob V. Moody.

Increase—Asa T. Gillmore, Joseph Phillips, Henry Fox, Jonathan Puzey, John Simons, Daniel Y. Black, Franklin Moore, Matthew Harris, William Warkle.

Reissue—Philip Huffman.

Reissue and increase—Henry Cruger.

Original Widows, etc.—Caroline, widow of Frederick Niehaus; Laura A. D., widow of John P. Lamb; Mary C., widow of Edwin Jones; Sarah A., widow of Ebenezer Williams; Philena, widow of George Jacobs; Sarah A., widow of John J. Tippy; Nancy, widow of George W. Hulsopple.

DAILY WEATHER BULLETIN.

Local Forecasts.

For Indianapolis and Vicinity—For the twenty-four hours ending 8 P. M., Feb. 18—Colder; cloudy weather; clearing during Wednesday.

GENERAL INDICATIONS.

WASHINGTON, Feb. 17.—Forecast till 8 P. M. Wednesday:

For Indiana and Illinois—Fair on Wednesday; colder; northwesterly winds; cold wave.

For Ohio—Local rain or snow in northern portion; fair on Wednesday in southern portion; colder; westerly winds; cold wave.

Observations at Indianapolis.

INDIANAPOLIS, Feb. 17.

Time.	Bar.	Ther.	R. H.	Wind.	Weather.	Pre.
7 A. M.	29.64	54	70	West	Cloudy	0.02
7 P. M.	29.66	46	82	West	Cloudy	T

Maximum temperature, 55; minimum temperature, 42.

Following is a comparative statement of the temperature and precipitation on Feb. 18:

	Tem.	Pre.
Normal	33	12
Mean	48	02
Departure from normal	*15	—10
Excess or deficiency since Feb. 1.	*79	*03
Excess or deficiency since Jan. 1.	*302	—1.16

*Plus.

General Weather Conditions.

TUESDAY, Feb. 17, 7 P. M.

PRESSURE.—The high barometric area in the Northwest Monday night moved southeastward; central Tuesday night over Nebraska. It extends from Dakota to the Indian Territory, from eastern Montana and Kansas to Iowa. It is surrounded by low pressure. A low area is central over Lake Superior. It extends from Minnesota to the Atlantic, and it is connected by a narrow, low trough from Indiana, southwestward, with a low area in Mexico.

TEMPERATURE.—Low temperature continued west and northwest; very high south and east. The fall in temperature is very abrupt along the barometric trough; Buffalo, 32°; Pittsburg, 60°, Indianapolis, 46°; Louisville, 64°; St. Louis, 30°; Cairo, 62°, Fort Smith, Ark., 48°; Little Rock, Ark., 70°; Oklahoma, Ind. T., 38°; Abeline, Tex., 70°. Zero and below is reported from northern Montana, North Dakota and central Minnesota, northward; 10° above zero and less from Nebraska, northwestern Iowa, Wisconsin and northern Michigan, northward; 30° and below from Kansas, northern Missouri, central Illinois and southern Michigan, northward; 60° and above from the Ohio valley and Pennsylvania, southward; 70° and above from Texas, Arkansas and Tennessee, southward.

PRECIPITATION.—Snow is falling near the upper lakes. Rains fell near the lower lakes, in Pennsylvania, Maryland and New York, and near the gulf coast east of the Mississippi.

To feel bright and cheerful attend to your stomach. Take Simmons Liver Regulator.

AFFAIRS OF THE RAILWAYS.

Presidents Attempt to Adjust the Dressed-Beef Rate Squabble.

The presidents of the Trunk-line Association and the Central Traffic Association were in joint session all day yesterday, at New York, discussing the question of dressed-beef rates from Chicago to the seaboard. George M. Bogue and Henry B. Stone, as arbitrators, some time ago decided that the Grand Trunk was entitled to a differential rate of 2½ cents per one hundred pounds on dressed-beef shipments to New England points by way of Montreal. The Lake Shore refused to abide by this decision, and the meeting yesterday was called to reopen the question. The matters discussed were rates on car mileage, the rates per one hundred pounds on dressed beef and the differential rates. There seemed to be no difference of opinion on the latter question, but the rates on car mileage and rate per one hundred pounds have to be adjusted to make the differential rate effective. The presidents were unable to decide on the adjustment and agreed to leave it to the executive committees of the Trunk-line and Central Traffic associations, which will meet again to-day. There is an indication that the matter will be satisfactorily adjusted, as yesterday's meeting seemed to be harmonious, and the only thing that kept the presidents from arriving at a decision was the numerous details which had to be dealt with.

Personal, Local and General Notes.

The Big Four, in the first week of February, earned $271,246; increase over the corresponding week of 1890, $17,787.

The Lake Erie & Western earned in the week ending Feb. 14, $62,098.12, against $53,200.61 in the corresponding week of 1890; increase, $8,897.51.

Unless reports are untrue the Big Four has more occasion to bounce some of its ticket-collectors for irregularities than it ever had to discharge conductors for such cause.

H. C. Hadley, claim agent of the Missouri Pacific, who died so suddenly in Wichita on Sunday night when entertaining a party, had held the position on the M. P. road twelve years.

J. E. Davidson, who may be made second vice-president of the Pennsylvania Company, is now treasurer of thirty-five railroads or organizations directly or indirectly connected with the Pennsylvania lines.

Not for years has travel to Pacific coast points been as heavy as since 1891 come in. Yesterday Indianapolis agents sold fifteen tickets for San Francisco, and nearly as many for Portland, Ore., and that territory.

On the 10th of each month the treasurer of the Pennsylvania Company draws $1,200,000 in currency from banks to turn over to the paymasters to pay the men on the lines west of Pittsburg for their services the month preceding, and in the busy season it requires even a larger sum.

The Big Four is securing a very handsome business for the Southeast out of Chicago—shippers loading from forty to sixty cars a day for the Big Four to haul east to Cincinnati, where they are turned over to the Chesapeake & Ohio and the Queen and Crescent lines. The shipments are largely provisions.

Under the administration of M. S. Conners as superintendent of transportation on the Chicago & Eastern Illinois road the heads of passenger conductors are tumbling into the basket to an extent that worries those still in the company's employ. Among those relieved this week were conductors Davis and Brownlow, both veterans in the service of the company.

The general freight agents of the roads in the Chicago and Ohio River Association held their regular monthly meeting in this city yesterday. The meeting was devoid of interest, no business, except of a general routine character, being transacted. There were several rate questions up for discussion, but without exception they were referred to committees to report at the next meeting.

General Passenger Agent Charlton, of the Chicago & Alton, has addressed a letter to Chairman Finley, of the Western Passenger Association, in which he plainly gives the members of the association to understand that unless there is less rate-cutting and abuse of the mileage-books the Chicago & Alton will get out an entirely new tariff-sheet, fixing all passenger rates at 2 cents per mile.

General Manager Bradbury, who accompanied the Brice party on its recent trip over the Southern lines, says all were surprised at the excellent physical condition of most of the railroad properties. A large part of the East Tennessee, Virginia & Georgia, he says, is as good as the track of the Pennsylvania lines, and the improvement in equipments has been fully as striking the last three years as in the road-bed.

Harry Miller, superintendent of the Louisville division of the Pennsylvania lines, is quite sanguine that 1891 will be an exceptionally prosperous year with that road. The earnings for January were nearly $11,000 in excess of those of January, 1890, which was the largest earnings in any January in the history of the road. Superintendent Miller says a healthy increase is showing in both freight and passenger business.

N. T. Dennison, trainmaster of the Lake Erie & Western, with headquarters at Peru, Ind., and I. W. Kurtz, master mechanic of the shops of the L. E. & W. at Peru, were in the city yesterday for a conference with the higher officials of the road. Mr. Kurtz states that at the Peru shops they are working 110 men full time. A large per cent. of the heavy repairing to locomotives on this system is done now at the Peru shops.

The Manistee & Northwestern road, which is fifty-three miles in length, is one of the best railway properties in Michigan. It has neither stock, bonds or mortgages and is owned by two men, who divide the offices, except that of general passenger and freight agent. It has been a paying road from its start. It was built originally to haul lumber out of the woods. When the line was extended and crossed other roads its passenger business begun to develop. The owners are now considering the building of an extension to Traverse City.

It was stated last night, on the authority of Calvin S. Brice, that the object of the late Gould trip was to look after the Central and South American trade. Said he: "It was our desire to find what steps were necessary to carry out the intentions of the international congress to establish trade between these countries. We are completing our arrangements as rapidly as possible, and have already two Southern ports—Brunswick, Ga., and Mobile, Ala. From these seaport termini we will establish several lines of steamers to the Spanish-American countries."

General Manager Bradbury, of the Lake Erie & Western, yesterday, when speaking of the increase shown in passenger earnings with nearly all roads, said that it was one of the best evidences of prosperity, as travel was always light when money was scarce. He stated that, going back four years, each year has shown a handsome increase from month to month over the corresponding months of the preceding year on all divisions of the road. The principal increase that the L. E. & W. has shown in the first six weeks of 1891 is in the revenue of the passenger department.

If reports are true, the parties who own the Terre Haute & Peoria and the Iowa Central roads have by no means abandoned the idea of securing control of the Indianapolis, Decatur & Western and consolidating the three and unloading them on the Cincinnati, Hamilton & Dayton. The same parties who owned the Dayton, Fort Wayne & Chicago and the Ohio Southern roads, both of which are to become parts of the C., H. & D. system, own the two roads first named. The delay in consolidating the I., D. & W. with the company which proposes to build the Quincy extension is taken as evidence that there is something indefinite as to the future of the I., D. & W. road.

The following prominent freight officials are in the city looking after the interests of their respective lines: P. R. Todd, general freight agent of the West Shore; E. T. Hopkins, foreign freight agent, and B. Howell, general Eastern agent, of the West Shore lines, all having headquarters in New York city; D. T. McCabe, assistant general freight agent of the Pennsylvania lines west of Pittsburg, with headquarters at Columbus, O., and James B. Hill, general Western freight agent of the same company, with headquarters at Chicago; E. T. Washburne, freight-traffic manager of the Big Four lines, and W. H. McDoel, traffic manager of the Louisville, New Albany & Chicago.

The Association of General Passenger and Ticket Agents met at Chicago yesterday. It was decided, by resolution, that the meeting should take the place o the semi-annual meeting that was to have been held in San Francisco, and to postpone the contemplated trip to the Pacific coast until next year. E. O. McCormick, general ticket and passenger agent of the Cincinnati, Hamilton & Dayton lines, was unanimously elected president. His nomination was made by C. P. Atmore, of the L. & N., who spoke of Mr. McCormick as an example of an American who had put himself to the front by his own energies, originality and faithfulness to duty. The next meeting of the association will be held at Old Point Comfort. A. S. Hanson, of the Boston & Albany, was elected vice-president, and A. J. Smith, of the L. S. & M. S., secretary.

It is no longer a secret that the Brice syndicate, which went over the Louisville, New Albany & Chicago road, have loaned that company a handsome sum of money to improve the property and increase its equipments, and when pressed a member of the Brice party said the syndicate would purchase the Louisville, New Albany & Chicago road at a fair price, but those now having control of the property overestimate its real value, and while this is the case a deal will not be made. A belief prevails that President Breyfogle has now got the finance of the company in such shape that matters will move along smoothly, should the business of the road continue as good as it has during the past twelve months, as the road has earned its fixed charges, operating expenses and a considerable per cent. of the money expended in betterments to the property since the present management took hold.

CULLINGS FROM THE COURTS.

One of the Second Ward Saloons Under a Restraining Order.

In the divorce case of Sarah M. Heidt against George Heidt, in the Superior Court, the plaintiff yesterday served a restraining order to prevent her husband from disposing of his property. This was done to secure to the plaintiff whatever alimony may be allowed. The defendant owns the house known as one of the two saloons in the Second ward, over which so much excitement prevailed a few months ago. Mrs. Heidt, it is said, was much opposed to renting the building for saloon purposes, but could not prevent her husband from so doing. She alleges in her complaint a story of drunkenness, cruelty and unfaithfulness. The defendant was formerly engaged in butchering.

Miss Myers's Claim for Damages.

The suit of Lena Myers against Fletcher Mitchell, a wealthy bachelor, for seduction, will be called in the Circuit Court to-day. The plaintiff was employed on a farm adjoining Mitchell's and disappeared one night last summer. She was found a week afterward in an emaciated condition and told a story of neglect and suffering, which was published at the time. The case has excited much attention in the neighborhood of Brownsburg, where the parties live, and will be tried here on change of venue.

Notes from the Dockets.

The suit of James Mooney against Edward White, on judgment, was compromised in the federal court yesterday for $10,000.

Fred White, who was indicted some time since for robbing a man of a gold watch, was yesterday sentenced to the penitentiary for three years. He has already served three terms in the State prison.

Judge Woods heard argument yesterday on the injunction suit of P. P. Mast & Co. against the Rude Brothers Manufacturing Company. The plaintiffs want a restraining order to protect patents on a grain drill which they claim to hold.

Andrew Worrall was yesterday fined $1 and costs by Justice of the Peace Smock for tearing down a fence on Colgrove avenue. Worrall said the fence obstructed a public highway, but the justice of the peace held that if that be so the defendant had no right to remove the obstruction.

Josephine D. Bryant's application for divorce from Tilghman A. Bryant, dismissed by Judge Brown, of the Circuit Court, for want of jurisdiction, was yesterday re-filed in the Superior Court. Judge Brown told the attorneys in the case that he suspected collusion between the parties, and that he did not like the way the complaint was brought into his court.

The Court Record.

SUPREME COURT DECISIONS.

15646. Farmers' Loan and Trust Company vs. Canada & St. Louis Railway Company et al. Elkhart C. C. Affirmed. Elliott, J.—Where parties agree that pleadings are sufficient, they cannot afterward make any question upon them, except the question of jurisdition of the subject. 2. Laborers and material men are not sub-contractors within the meaning of the statute providing for mechanics' liens. 3. Claims of lienors are payable in money, for money is the ordinary medium of payment, and is always demandable where there is no agreement providing for payment in property, as well as where there is such an agreement, but no tender by the debtor. 4. A continuous line of railroad is to be treated as one entirety, and as such it must be sold; but if a mechanics' lien is acquired in any county through which the road passes, it is enforceable as the law provides without notices being filed in each county. The lien-holder is entitled to share in the fund arising from the sale of the entire railroad pursuant to an interlocutory decree rendered after trial, and in cases where the parties by agreement submit the questions to the court for trial at the intermediate hearing. 5. A railroad company entered into a contract with a construction company to build and equip its road. The president of the railroad company was general manager of the construction company. Three months later the railway company ordered the execution of a trust deed in duplicate, one being delivered to appellant and the other retained by the company. The road was not in existence at this time. The bonds secured by the deed were delivered from time to time as the work progressed on the road. The bonds were transferred, in part, to subcontractors, and the remainder hypothecated by the construction company. Held, that the mortgagee cannot prevail over laborers and material men without showing that it is a bona fide holder of the principal debt in all that the term implies. It cannot, where there was no railroad in existence when the mortgage was delivered, be deemed a bona fide holder as against laborers, mechanics and material men, without showing that before notice of the acquisition of the liens under the statute a fair value was paid for the bonds. The delivery of the bonds to the construction company did not vest title so as to cut out the lienors, and, unless appellant acquired the bonds as a bona fide holder after the delivery to the construction company, it cannot prevail against such lienors. Under the facts appellees (lienors) have a prior lien to that of appellant.

14728. John Harding et al. vs. Samuel P. Cowgar et al. White C. C. Affirmed. Coffey, J.—A complaint to prevent the obstruction of a way already established, describing it as a well-defined road, thirty feet wide, which had been in use for more than twenty years, and was then open and in use, is sufficient. 2. When land is so situated with reference to a public highway that such highway is necessary to ingress and egress to and from such land, the owner has a private easement in the public highway, and may maintain an action for its obstruction. In an order to enjoin obstruction of a public highway it should be described as a public highway in the complaint.

14776. Henry W. Bowers vs. State ex rel. David T. Taylor. Jay C. C. Reversed. McBride, J.—A writ of mandamus was issued to compel appellant, as superintendent, of city schools, to compel the readmission of relator's son. Answer of general denial, and specially that the son had broken a rule providing for suspension for absence, etc. A demurrer was overruled to the answer, and the court ordered a premptory writ. The relator afterwards filed an affidavit charging appellant with violating the order, and appellant answered that upon readmission the son had violated the rule. The answer was held insufficient, and the rule unreasonable, and appellant fined for contempt. Held, that the court by overruling the demurrer adjudged the first answer sufficient, and that the rule was reasonable. The finding shows that the acts constituting the alleged contempt were such as it adjudged by its ruling lawful.

14962. John T. Ramsey vs. State ex rel. Ada B. Stryker. Carroll C. C. Affirmed. Olds, C. J.—In a prosecution for bastardy, evidence of sexual intercourse between the parties prior to the time of conception is admissable. 2. When the defendant in such case put statements of the prosecutrix in evidence that he was not the father of her child, as impeaching evidence, she had a right to put in evidence her statements made about the same time.

14637. David Kilgore vs. Obid Kilgore et al. Rehearing denied.

14936. Midland Railroad Company vs. Samuel M. Smith. Hamilton C. C. Rehearing denied.

15398. Moses Vice et al. vs. William Jones et al. Boone C. C. Motion to dismiss overruled.

15634. William A. Smith vs. Elizabeth Coville et al. Rush C. C. Dismissed.

15286. Charles Clorse vs Amelia Clorse. Ohio C. C. Dismissed.

15762. John E. Moore, Executor, vs. Lotta Baker. Hamilton C. C. Appeal granted.

15401. C., C., St. L. & P. Railroad Company vs. Melissa Stilker. Wayne C. C. Petition to advance overruled.

SUPERIOR COURT.

Room 1—Hon. Napoleon B. Taylor, Judge.

M. Bradley vs. Al H. Hercourt; contract. Dismissed.

Room 2—Hon. James W. Harper, Judge.

August Erbick vs. Alfred Pahud; damages for failing to comply with contract. Verdict for plaintiff for $75.

David F. Hawk et al. vs. William Hammons; notes. Judgment for plaintiff for $473.

Room 3—Hon. Lewis C. Walker, Judge.

Fletcher McLain vs. Cleveland, Cincinnati, Chicago & St. Louis Railroad; damages. On trial by a jury.

New Suits Filed.

William Stagg vs. M. H. Snyder; notes. Demand, $250.

L. M. Harvey, Administrator, vs. Calvin F. Darnell; account. Demand, $300.

B. Koehring & Son vs. Charles E. Kregelo; mechanics' lien. Demand, $200.

Josephine D. Bryant vs. Tilghman A. Bryant; divorce. Cruelty.

David White vs. James Mooney; note. Demand, $300.

CIRCUIT COURT.

Hon. Edgar A. Brown, Judge.

Isaac Bigelow, by next friend, vs. Wm. F. Levey et al.; damages. Demand, $10,000. Trial by jury.

CRIMINAL COURT.

Hon. Millard F. Cox, Judge.

State vs. Everel B. Meade; assault and battery, with intent to kill. Guilty and sentence of thirty days in the work-house.

State vs. Henry Brown; robbery. Guilty and sentence of three years in State prison.

State vs. Fred White; robbery. Guilty and sentence of three years in State prison.

MEDICAL LEGISLATION.

Marion County Doctors Fearful that One of Their Bills Will Be Opposed by a Strong Lobby.

At the meeting of the Marion County Medical Society last evening Dr. Frank Ferguson reported that the bills introduced in the General Assembly for medical legislation needed to be looked after closely. The bill regulating the practice of medicine, that had gone into the Senate and was referred to a committee, could not be found. He said there were but sixteen days more of the session, and physicians should go there and give the matter their personal influence. The legislation asked for was being antagonized by misrepresentation, and a Fort Wayne doctor was calling on each physician, by a circular which was being sent all over the State, for $5, as necessary to defeat the measure. Dr. Ferguson further said that a lobby would probably be here next week to work against the bill, and that they might prove troublesome. This bill was fair to all practitioners, as it did not cut off a single person now in practice; and anybody who has a license can procure one under the new bill.

Dr. Guido Bell, president of the society, said there was a misunderstanding about the bill regulating the refilling of prescriptions containing certain poisons. This misunderstanding was that the sale of patent medicines would be affected. Such was not the case; that if people are so foolish as to buy patent medicines they certainly should be allowed to do so. The law in question would be merely for the protection of the physician.

Dr. E. S. Elder introduced a resolution that the society recommend that the meeting of the Indiana State Medical Society be postponed from May 13 to the second Wednesday in June, 1891, for the reason that the American Association will meet in Washington on May 5 and the two meetings would conflict. The resolution passed. The paper of the evening was read by Dr. J. H. Taylor, his subject being "Cholera Infantum."

SILVER AND THE PRESIDENCY.

The Issue Must Be Eliminated if the Democracy Is to Have a Chance.

St. Louis Post-Dispatch (Dem.)

Before the candidates for President are nominated, in 1892, the Fifty-second Congress, which meets next December, will have held its long session. It will have a majority of more than two-thirds for free coinage in the House, and a large majority for free coinage in the Senate, but probably not quite enough to pass it over President Harrison's veto. But the situation may result in a compromise which will take the silver question out of the contest of 1892 as a paramount issue.

The results of that session may be such as to rally both parties around new candidates who are now scarcely thought of. Any prediction as to who the candidates on either side will be must depend for its fulfillment entirely upon the action of Congress. It may be a Cleveland and Blaine fight yet, if the silver question can be settled in time, and Cleveland's friends, who are probably a majority of the silver Democrats, will for his sake do their best to secure a settlement which will eliminate the issue from the contest of 1892.

If they fail in the effort the silver question will be as dominant in 1892 as the tariff question was in 1888, and Mr. Cleveland will be as possible a candidate for the Republicans as for the Democrats. The Republicans, in the meantime, will do their best to reserve the free-coinage fight for 1892. It is their only hope of dividing and conquering the Democratic party. They have been badly beaten on the tariff question, have less to lose by internal division on the silver question than on any other, and they see in it another strong pull on the money power for them.

If Harrison can make himself the hero of a successful free-coinage veto Blaine and reciprocity will scarcely be heard of in the Republican convention, and no anti-silver man will get a Western or Southern vote in the Democratic convention.

Still "Swiping" Cleveland.

Atlanta Constitution (Dem.)

Because the gold bugs and contractionists live in the East, and control its business, there is a disposition in some quarters to fear that the Democracy, with its present financial ideas, cannot carry that section. Perhaps this is a mistake. In the campaign of education already begun it is becoming apparent to the Eastern masses that their only hope of emerging from practical serfdom is to unite with their friends against the McKinleyites and the gold bugs.

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When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

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Children Cry for Pitcher's Castoria.

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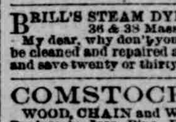
DR. STEDMAN'S IMPROVEMENT IN DENTAL PLATES. Patented Sept. 24, 1889, and Feb. 25, 1890.

This improvement dispenses with the large suction plate in common use for partial dentures. It will also supplant "bridge work" in large measure, which latter is difficult to fit and involves the destruction of valuable teeth. The plates are very small, about one-quarter to one-eighth the usual size. Being constructed on true mechanical principles, they fit the mouth with perfect accuracy. This system applies to all cases having one or more natural teeth rema