HEADS THE PROCESSION

NO SALE EQUALS

THE SPECIAL FRIDAY SALE

This week it will offer Embroidered Aprons at 19c.
36-inch Cashmeres 18c; good value.
38-inch all-wool Novelties 39c; cheap at 55c.
100 dozen 5-8 Silver Bleached Napkins at 99c; former price $1.50.
Fine Damask Sets, 2½ and 3-yard lengths, ¾ to match, at $4.39 and $6.69; former prices $7 and $10.
Outing Flannels 6¼c; worth 10c.
8 pieces of 50-inch Jute at 47c; former prices $1 and $1.25 a yard.
Zephyrs 5c; worth 10c.
6-4 all-wool Sackings at 39c; worth 60c.
Black Jersey Waists at $1.50; worth $3.50 to $5.
45-inch Black and White Plaids 47c; worth 65c.
45-inch Lace Flouncings $1.39; worth $2.50.
Real Guipure Laces, 17c and 19c; worth 50c and 75c.
French Shirting 10c; worth 18c.
New styles in Brocaded and Moire Ribbons at 25c.
Percale Zephyrs 6¼c; worth 12½c.
Handkerchiefs at 15c; worth 25c to 30c.
An import of ladies' extra fine Richelieu ribbed fast-black Cotton Hose, delivered us late, at 25c a pair; 45c quality.
50 sample Parasols less than manufacturers' cost.
Short lengths Brown Muslin, 6½c.
50 dozen Gents' Night-shirts, choice 50c.
Bleached Muslin, 7c.
9-4 Brown Sheeting, 15c.
Whisk Brooms, 9c each.
Colgate's Toilet Soaps, 49c a dozen.

L. S. AYRES & CO.

DECKER BROS.'
∴ PIANOS ∴

Are used and indorsed by the leading musicians, musical clubs and societies in this State. A specially fine assortment of these celebrated Pianos has just been received by us and should be seen by those desiring the highest grades.

D. H. Baldwin & Co.,
95, 97 & 99 N. Pennsylvania St.
INDIANAPOLIS.

ART EMPORIUM.
Tel. 500.

Rose Jars, Chocolate Pots, Cups, Saucers, Bon-Bon Boxes, Plates, Pin Trays, Cracker Jars, Salad Dishes, and a large line of Vases in plain White China, for decorating.

THE H. LIEBER COMPANY,
33 South Meridian St.

China Paints, Brushes and Supplies.

It seems a good deal of money to pay for a single copy of Shakspeare:

$6,000.

A New York book-seller has, on his December catalogue, the volume referred to: "The First Folio Edition of Shakspeare, London, 1623." Probably twenty-five copies can be found in this country.

At the Bowen-Merrill Co. you can find ten or twelve different editions of the same book. Price ranges from $1.50 to $16.

BRICK PAVING IS CHEAPER.

Kennington Gets the Contract for South Street—How the Bids Ranged.

Yesterday morning the Board of Public Works opened bids for improving South street with brick from the I. & V. tracks to Virginia avenue. There were five bids. The contract will be let to Robert Kennington, who is the lowest bidder. His bids are about $1 less a front foot than City Engineer Mansfield's estimates. This year, however, brick can be secured at about thirty cents less on the square yard than last year. The bids were as follows:

Capital Paving and Construction Company—Canton pressed brick, oolitic, stratified or Berea sand fill, $6.26 per lineal foot; granite fill, $6.34; Parkhurst curb, 15 cents extra; Canton standard brick, $6.11 and $6.18; John Porter brick, $6.12 and $6.19; American fire-clay brick, $6.04 and $6.11; Bucyrus pavers' brick, $5.95 and $6.02; London iron-stone brick, $5.80 and $5.89; Grape creek brick, $5.65 and $5.72.

J. W. Cooper & Co.—Canton brick, $5.60; for repressed, $5.45; for standard John Porter brick, repressed, $5.60; standard, $5.45; Indiana paving brick, end cut, $5; side cut, $5.30.

Fulmer & Seibert—Wabash Clay county repressed, Parkhurst curb, $5.80; stratified curb, $5.75; oolitic curb, $5.73; Berea curb, $5.76; Canton brick, repressed, Parkhurst curb, $5.98; stratified curb, $5.95; oolitic curb, $5.93; Berea curb, $5.88; Canton standard brick, Parkhurst curb, $5.83; stratified, $5.78; oolitic curb, $5.75; Berea curb, $5.73; Vulcan or Buckeye, repressed, brick, Parkhurst curb, $6.20; stratified curb, $6.15, oolitic curb, $6.13; Berea curb, $6.10.

Browder & Shover—Wabash Clay county brick, with grout filling, $5.97; with coal tar, $6.05; London iron-stone paver brick, grout filling, $5.95; coal tar, $5.99; Brazil brick, end cut, grout filling, $5.75; coal tar, $5.84; Malvern Clay county brick, with grout filling, $6; coal tar, $6.05.

Robert Kennington—Canton cherry red brick, oolitic curb, $4.55; stratified curb, $4.60; Parkhurst curb, $4.65; Canton standard brick, oolitic curb, $4.60; stratified curb, $4.65; Parkhurst curb, $4.70; Canton repressed brick, oolitic curb, $4.75; stratified curb, $4.80; Parkhurst curb, $4.85; Wabash repressed brick, oolitic curb, $4.50; stratified curb, $4.55; Parkhurst curb, $4.60.

The formula of tabulating the bids will be gone through, and the contract will be let to-morrow morning.

Other Street Improvements.

The Board of Public Works yesterday morning took final action on the improvement of Fletcher avenue and South streets. Engineer Mansfield sent in resolutions for the improvement of Quincy street, from Michigan to Bates, Warren from Michigan to Bates, and Gellard avenue, from Washington to Michigan, by grading and graveling. Resolutions were adopted for the improvement of Ramsey avenue, from Clifford to Brookside avenue; Ramsey avenue, from Clifford to Michigan street; the first alley south of Catherine, from Missouri to Chadwick street, and Susquehana street, from New York to Vermont.

Must Tear It Down.

The building inspector notified the board that H. D. Pierce has not complied with the order to tear down a building on Massachusetts avenue. He was notified to tear it down at once.

Alabama-Street Tracks.

The Citizens' company was ordered to make its tracks on North Alabama street conform to the grade and to gravel between the tracks.

Fair Ground Track.

The contract for furnishing the soil for the State fair ground race-track was let, yesterday, to C. W. Clayborne and J. S. Stevens at 40 cents a yard. Twelve thousand yards will be required. The soil will come from Sheridan, and will be transported on the Lake Erie road directly to the point of dumping on the track. Rails are to be laid into the grounds for this purpose. The bids for moving the horticultural building from the old to the new grounds will be let to-day.

NEW side-boards at Wm. L. Elder's.

$3.50 to Chicago. $3.50

Via the Pennsylvania Line from Indianapolis.

NEWSPAPERS AND COURTS

How Far Dare the Press Go in Criticism of Tribunals of Presumptive Justice?

Interesting and Delicate Question Argued Before the State Supreme Court in the Fishback Contempt Case from Terre Haute.

FISHBACK CONTEMPT CASE.

Effort to Define How Far the "Freedom of the Press" Goes.

The case of State ex rel. Circuit Court of Vigo County vs. William O. Fishback and George M. Allen, editor and proprietor, respectively, of the Terre Haute Express, was before the Supreme Court yesterday on an appeal to be discharged from the finding by Judge Taylor for contempt. The defendants, it will be remembered, are still in jail, to which they were sentenced, and from the bastile they are editing and managing the paper. The first speech was made by William P. Fishback, uncle of the editor. He began by stating briefly the circumstances of the case. A contract for a sewer had been let at a price which led the public to believe there was a conspiracy upon the part of the city engineer, a Republican, and the contractors, Democrats, to defraud the city of a large amount of money. Public indignation ran high, and there was a demand for a grand jury investigation. It was begun on one day and suddenly stopped. A grand juror informed Mr. Allen of the fact on the street, and he, as proprietor of the paper, repeats this to defendant Fishback, the editor.

THE OFFENDING PARAGRAPHS.

The latter commented in the paper on the stoppage in the following paragraphs:

The array of lawyers to defend those who are to be investigated in this city scandal increases day by day, and the array of Democratic fine-workers who are doing day and night work in the case under the direction of the Democratic bosses is also increasing. Some days ago the Express called attention to the fact that it had been demonstrated that in every instance where unusually excessive profit was to be secured by the action of public officials that Democrats were the beneficiaries. Democratic lawyers are also the ones who are the politicians outside the court-room. The intelligence and integrity of the citizens' committee is the safeguard now.

The best reason for redoubled efforts to get at the bottom of these contract scandals is the fact that certain influences are being brought to bear to shut off serious investigation.

The Gazette called upon the grand jury to investigate Peker. Why, it won't even investigate a Republican when a Democratic contractor is involved. Suppose the Gazette consult its friend, Judge Taylor, early this morning.

Mr. Fishback argued that the articles on their face are perfectly harmless. If such comment is to be prevented by law official corruption could never be punished or ferreted out. Tweed, on such a principle, could never have been found guilty. The contempt must lie, in law, in the purpose of the expression made, and these articles show no purpose to hold the court in contempt. The purpose, Mr. Fishback said, as shown in the answers of the defendant, was to stir the grand jury up to a sense of duty. The investigation, as the defendant believed, had been suspended. He wrote, therefore, as of something that had passed. It was the editor's right, said the speaker, to refer in any terms to the court's action after it was over. The remedy is not for contempt, but by libel. Mr. Fishback argued further that in view of the general belief that a fraud had been committed, and the editor's honest belief, based on a statement of the grand juror, that the investigation had been suspended, he had a right to say what he did. As to the editor's purpose, concerning which he is alone entitled to speak, his sworn statement in answer denies that the articles constitute contempt of court on their face, and disclaims the meaning put upon them by the trial court, and denominated innuendo. Mr. Fishback holds that this should constitute a full purgation of contempt and entitles the defendant to discharge and his liberty.

NATURE OF THE CONTEMPT.

Mr. Fishback then gave attention to the nature of the contempt. It was constructive contempt, as distinguished from direct contempt in the presence of the court. There is nothing better settled, he said, by the Supreme Court decisions, than that they are based upon written accusation, and all that is permissible in the record is the affidavit of accusation and of purgation. The decisions hold that the intent is clearly necessary to establish a contempt, and the disclaimer is a sufficient answer. The defendant is the only man who knows what he intended to say and his answer in this case denies malice. He was laboring to arouse the people to their own protection, and to promote the ends of justice, not to impede them, as the affidavit of accusation reads. The defendant had asked for leave to get affidavits of the grand jury, who had said the investigation had been stopped, but the court had refused the petition and had made a finding. The court which, in constructive contempt, must rest its case on the affidavit of accusation and purgation, often makes a finding "that, of his own knowledge, the affidavit of the defendant is not true, and that the investigation before the grand jury is not stopped, but is still pending." "Thus," said Mr. Fishback, "the judge of the Vigo Circuit Court becomes not only judge, accuser and executioner, as the law permits him to be, but he assumes also the role of a witness." Mr. Fishback then stated that the authorities are unbroken in holding that while in direct contempt the testimony of the defendant is not conclusive, in constructive contempt it is final.

THE CASE AGAINST ALLEN.

The case of contempt against Allen, the publisher of the alleged contumacious matter, was then argued upon for a few moments. The answer of defendant denies the charge of contempt by innuendo. Mr. Fishback dwelt upon the fact that Judge Taylor, having found the defendant guilty, constitutes himself a board of pardons, and offers to suspend the punishment if the defendant will confess he had perjured himself, and publicly retract in his paper. In closing, Mr. Fishback declared the act of the court in sending the defendants to jail was a malignant assault upon the freedom of the press. He recited how, in George Third's time, a law had been passed curtailing the freedom of the press. It was a measure of most dangerous and repugnant nature to Anglo-Saxon liberties, and caused the framers of the American Constitution, which was just then in process of formation, to insert a section declaring that no law should ever be passed abridging free speech. In the face of such history and such civilization, it remains for an Indiana judge to resort to such a proceeding. There is more in the case than the interests of the defendants—the act imperils the liberties of the people.

MR. M'NUTT'S ARGUMENT.

At the conclusion of Mr. Fishback's speech the Hon. C. F. McNutt, speaking for the prosecution, said:

"This is a case of especial importance, as I take it, to the judiciary of this State. It is in the exercise of the high power of self-preservation that the Vigo Circuit Court has taken the step which it has, and this court in reviewing this case is reviewing an action of the Vigo Circuit Court, tending to preserve its dignity, and to prevent its being brought into disgrace by false and calumnious assault upon it by a paper published in the city of Terre Haute."

In restating the case, Mr. McNutt said: "It was rumored generally in the city of Terre Haute that certain contractors had formed a scheme by which they proposed (as he characterized it), to rob the city of Terre Haute of the sum of $5,000, by a combination by which false bids were to be put in in relation to the Crawford-street sewer, whereby they expected to divide up the surplus above the real value for the construction of that sewer. It was further rumored and published as a fact in both of the daily newspapers that Cooper, the city engineer, who was a Republican, had formed a conspiracy with one of the bidders in the planning of that sewer, and that there ought to be an investigation by the grand jury and the offender brought to speedy justice. Every man and every citizen in the city of Terre Haute who paid taxes felt that this was his individual case. Public indignation ran high against the contractors, against the Republican city engineer and against the members of the Council, the general belief being that they had been guilty of gross stupidity. There was great excitement there; there was a great indignation. It permeated the entire town. So that a publication at this particular time had a tendency to bring the Vigo Circuit Court into greater disgrace, into more discredit, and to destroy the confidence of the people in it more than at any other time possible in the history of Vigo county. The grand jury began its investigation; and, as has been said here, the investigation was stopped. The Vigo Circuit Court, finding that a scheme was on foot to whitewash this city engineer who was believed to be guilty of crime, suspended the investigation until the next morning, as an honest and conscientious judge ought to have done. It is not anywhere shown that it had been stopped corruptly. So if we take what the defendants say to be true, the charge of corruption arose out of Fishback's own mind, was a conception of his own and his alone. It does not make any difference whether it was stopped or not; it was suspended for the period of ten, twelve or fifteen, or may be twenty-four hours, but not stopped permanently. He heard that it had been stopped, but he does not tell the Vigo Circuit Court that he heard it had been stopped for political purposes."

Mr. McNutt then reviewed the newspaper articles, putting particular stress upon the admonition to the Gazette to consult Judge Taylor in the morning, thereby connecting the court with the rumors of corruption.

GRAND JURY AND COURT.

Mr. McNutt dwelt at length upon the newspaper utterances in their references to Judge Taylor, and insisted that in casting reflections upon the grand jury the act constituted plain contempt of court. "Our courts," said Mr. McNutt, "have decided again and again that the grand jury is a part of the court, just as well as the petit jury. The grand jury room is simply a part of the court-room, an extension of the court-room, and to attack the grand jury is to attack the court. To attack the integrity of the grand jury is to attack the integrity of the court. To seek to intimidate the grand jury is to seek to intimidate the court in the administration of justice. And that was the purpose, and the avowed purpose, of the gentlemen, and the avowed purpose of the answer filed by the defendant in this case." The speaker admitted the sworn answer must be accepted as true, but he insisted the answer was evasive and equivocal. He next considered the point whether the investigation was pending. It was held that the stoppage was but temporary, for good reason, and the publication was an attempt to intimidate it. "I say," continued the attorney, "that was the avowed purpose of the defendant, to drive this grand jury to act, whether it would or no, by a charge, and a false charge, too, because there is no evidence that such a thing is true in this record, a false charge of corruption. They thought to drive the grand jury, against its free and independent will, to investigate this business and return indictments whether or no."

Concerning the court's refusal to allow the defendant to file affidavits of grand jurors, Mr. McNutt said:

"I do not believe the Circuit Court has the powtr to require a grand jury to make affidavits of that sort. The grand jury is sworn to absolute secrecy as to what happens before it. There is no power given the court to release them from that secrecy except in particular instances, which do not include this case." It was also urged that before such a privilege could have been granted, the defendants should have manifested good faith and honesty in their answer. Instead, they stood upon their ground. It was urged that the court could consistently know of his own knowledge concerning the action of the grand jury. The grand jury is supposed to be present in person in court; the grand jury room, according to the authorities, is an enlargement of the court-room. The grand jury is supposed to be under the very eye of the court; and then for somebody to come in and say he wanted to tell the court what the grand jury was doing, I say, is utterly preposterous and unheard-of. And so here the court would not allow these parties to come in and say under oath that this grand jury had stopped this investigation, when the court knew of its own knowledge that the grand jury had not stopped the investigation, and had so found. Mr. McNutt argued further that the request to file affidavits of a part of the court, sworn to secrecy, constituted in itself a second offense in contempt.

MR. FISHBACK'S REPLY.

In replying to Mr. McNutt, Mr. Fishback referred to his utterances concerning the judiciary of the State, and said:

"It is hardly necessary for me to add anything to what has already been said in argument. A few words, however, which are suggested by what has just escaped the lips of Mr. McNutt, in his argument of this case for the State. He expresses a profound concern for the preservation of an independence of courts, and desires this court to rebuke these defendants, so that the press of Indiana may be taught to have some respect for the judiciary. This to me is very refreshing, coming from the source it does. This new-born zeal for the protection of courts from the scurrilous attacks of newspapers has a strange sound coming from the gentleman. There has never been a more venomous, uncalled for and unscrupulous assault upon the judiciary than that which has emanated from the gentleman's political party and the press which represents it, in its assaults upon this tribunal, and in its attacks upon a federal judge for the fearless discharge of his duty. No one disputes the right of the press to criticise the action of any judicial tribunal, but there is no excuse for that license of the press which permits the personal vilification of a judge."

In reply to the argument that the contempt was direct to the grand jury, which is a part of the court, Mr. Fishback said: "In defense of the gratuitous finding by the court, as a matter of fact, that the grand jury was in session, and the investigation pending, the gentleman has argued that the grand jury is a part of the court, and that the court is presumed to know, and must be conclusively presumed to know, all that is done by the grand jury. To some extent, this is true, but it is not wholly true. The grand jury has the right to act independently of the court. The grand jury has a right to investigate charges of bribery, and if there is a corrupt judge, although he be the presiding judge of the Circuit Court, the grand jury, without his consent and without his knowledge, have the right by their indictment, to ascend the judicial bench, take the corrupt judge by the collar, and put him in the prisoner's dock, to be tried as a felon. Any other interpretation would allow a corrupt judge to throttle all attempts at the investigation of charges of corruption against the judge and his friends.

"The gentleman makes a pathetic appeal to the court to sustain the action of the court below in imprisoning the defendants on the ground that it would be very hard to drive the judge or any person who had been defamed by the publications to his remedy at law in the proper courts. He forgets himself, and while pretending to be here speaking in defense of the judiciary, he makes an open charge that the courts of the State are so inefficient, so corrupt or so little to be relied upon, that no citizen can get justice in the ordinary form of proceeding.

"It seems to me, from the record in this case, that the court has been inspired by a spirit of vindictive malice rather than by a desire to do justice. These defendants are now deprived of their liberty, and are serving out a term in the jail of Vigo county, away from their families and their friends. It seems to be not sufficient for the judge to send them to the Vigo county jail—he must fling an epithet at the defendants in his sentence, and for fear that some decent jailer would treat them with humanity, he directed that they be confined in the 'common jail.' This whole proceeding, to my mind, is a specimen of what we have a right to expect when a half-baked lawyer, by hook or crook, crawls or is boosted into judicial position, and, in apish fashion, attempts to simulate the frowns and wrinkles of the majestic brow of justice. It is a judicial outrage, pure and simple, and nothing more. It is a scandal to judicial procedure, and one that should bring the blush of shame to the cheek of every man who has a proper sense of the orderly administration of justice. Such a judge deserves public execration.

"We ask you to promptly restore these defendants to their families and to allow them to proceed with their business as law-abiding and respectable citizens."

The court announced that it would take the case under advisement. An early decision is anticipated.

THE MEANEST MAN.

His Wife Avers that He Assaulted Her Returning from Their Child's Funeral.

Emma Elstun wants a divorce from her husband, James T. Elstun, for alleged cruelty and habitual drunkenness. She shows in the petition that Elstun has repeatedly abused her, conspicuously so when they were returning from the funeral of their child at Milroy, Ind., and he assaulted her in the car, making it necessary for the conductor to come to her assistance. She also wants a restraining order to prevent him from taking her furniture from No. 275 Virginia avenue, where she is now keeping a boarding-house.

Claimed to Have a Contract.

Frank S. Butler, formerly an employe of Herman Martens's store, brought suit in court yesterday against Herman and Julius Martens for $2,500. Butler claims to have been employed by the Martens on the first of March for one year, to manage their wall-paper department at a salary of $2,500. On April 16 they discharged him, as he claims, without a just cause. He further avers that Herman Martens transferred his business to Julius Martens as a ruse to insure his release.

Acknowledged Perjury.

'Squire Daniels gave Mrs. Sarah Wetzel $50 damages in her suit against Frank P. Archer, for malicious destruction of property. Archer went to her grocery store and demolished her fixtures, and removed the goods from the store. Edward Campbell, her brother, acknowledged to 'Squire Daniels, yesterday, that he had sworn to a falsehood in regard to a mortgage which Archer is supposed to have on the property.

Still Fighting for Her Children.

The Fenton-Mangold habeas corpus case came up in Judge Harper's court again yesterday. Mrs. Fenton, whose former name was Mrs. Krauss, was divorced some years ago from Krauss. The latter died recently and she now seeks to gain possession of the two children she had by him. The children were taken care of by Fred Mangold and wife, their grandparents, who now refuse to give them up.

To Collect Insurance.

Lida Newman brought suit yesterday against the Railway Officials' and Employes' Accident Association for $2,500 damages. On Jan. 31, 1891, Newman took out an accident policy in the above company. In October of the same year he died. His widow has endeavored in vain to secure the money due her as guaranteed by her husband's membership certificate, but the company refuses to pay.

Justices' Notes.

Lillian Stollnecker swore out a capias against Isaac Mendenhall, before 'Squire Daniels, yesterday, for a debt due her of $77.18.

The Humane Society swore out a warrant, before 'Squire Smock, yesterday, for the arrest of Thomas McNerney, for breaking the leg of a calf owned by Charles Gardner, while driving it to the stock-yards.

The Court Record.

SUPREME COURT OPINIONS.

15599. Wm. P. Houk et al. vs. James E. Walker et al. Hamilton C. C. Reversed. Olds, J.—A sale of one partner to a continuing member of the firm or to another, in the absence of any special agreement to the contrary, carries with it the actual interest of such partner. The presumption is that an account of such partner with the firm was taken into account, and his interest in the partnership increased or diminished according to the state of his account, and such selling partner, in the absence of a special agreement to that effect, is not liable to account to the purchaser for any sum which may be due from him to the firm, and prima facie such transfer cancels his account in so far, at least, as the purchasing partner is concerned.

14962. Mary M. Harshbarger vs. Midland Railway Company. Montgomery C. C. Rehearing denied. The right of action against a railway company on account of damages for right of way does not descend to the heirs of the land-owner, but it is in the administrator of such land-owner.

15909. T., St. L. & K. C. Railroad Company vs. John M. Stephenson, Trustee. Montgomery C. C. Affirmed. McBride, J.—The Constitution (Sec. 2, Art. 8) concerning the payment of fines to the common school fund, refers to those assessed in criminal prosecutions, and, consequently, the statute (Elliott's Sup. Sec. 1565) providing for a penalty for obstructing a public highway to be paid to the township trustee is not unconstitutional. 2. A complaint before a justice to recover such penalty not averring that the obstruction was "unnecessary and a hindrance to passengers" is bad, but may be amended on appeal, which entitles the other party to a continuance.

15702. Frederick Sim vs. William C. King. Brown C. C. Affirmed. Miller, J.—Where a survey by a county surveyor was not appealed from during three years it was prima facie during that period and thereafter conclusive evidence of the true location of the dividing line between parties to such survey and all persons claiming under them, so far as that could be determined by a survey. 2. This court will not weigh conflicting evidence.

14801. Kate Harris vs. Francis M. Tomlinson et al. Marion S. C. Rehearing denied.

15471. Charles Quaack vs. John C. Schmid et al. Marion S. C. Rehearing denied.

16137. Eel River Railroad Company et al. vs. David D. Dykeman et al. Cass C. C. Certiorari awarded.

16159. Hugh M. Lowe vs. James H. Turpie. Cass C. C. Certiorari awarded.

Robert Fisher, Brazil, admitted to practice.

SUPERIOR COURT.

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

Edward Lawn vs. The Woodburn-Sarven Wheel Company; damages. On trial by jury; jury returned verdict $2,500 for plaintiff.

Room 2—Hon. J. W. Harper, Judge.

Mary Fenton vs. Fred Mangold; habeas corpus. Trial by court.

Room 3—Hon. Lewis C. Walker, Judge.

John W. Kirkpatrick vs. Wm. D. Wildrex et al.; foreclosure. Dismissed at plaintiff's costs.

Julia Jennings vs. Oliver Jennings; divorce. Dismissed at defendant's costs.

Augustus Crenkhite vs. Mary Personette et al.; note. On trial by the court.

New Suits Filed.

Frank S. Butler vs. Herman E. Martens and Julius Martens; on contract. Demand, $2,500. No. 1.

Emma Elstun vs. James F. Elstun; divorce; drunkenness and cruelty. No. 3.

John H. Coffee vs. Carrie M. Coffee et al.; complaint to reform deed and quiet title. Circuit Court.

Lida Newman vs. Railway Officials' and Employes' Accident Association, of Indinapolis; damages. Demand, $2,500. No. 2.

CIRCUIT COURT.

Hon. Edgar A. Brown, Judge.

Amos Creigler et al. vs. Peter L. Negley; to vacate highway. Verdict for petitioner.

August Shumacher vs. Fred Hetz; on contract. Dismissed by plaintiff.

Benjamin S. Atkinson vs. White Sewing Machine Company; on contract and for commissions. On trial by jury.

Large Land Deal.

Two large transfers were recorded yesterday at the recorder's office. George W. Stout purchased from John H. Vajen and his wife, Alice Vajen, for $36,500, a tract of land lying south of the Shooting Park, near the Belt railroad; and of Edward Schurmann and his wife, Nellie S. Schurmann, a tract adjoining it on the north, for $9,000, all of which will be thrown into one piece. A road will be run through the Vajen property, connecting with Post avenue, near the Belt.

Astragal Bids Opened.

The bids in the army astragal competition were opened yesterday by the monument committee, but are only known by motto. The cost ranges from $19,000 to $33,000. The committee of experts received the models offered yesterday and formulated a report, which, however, was not ready for publication yesterday. Their verdict is awaited with considerable interest.

VISITORS : :

Come join the immense crowds that have been thronging the store of

W. H. ROLL

The past four weeks. You will find the largest and most complete lines of

CARPETS,
WALL-PAPER AND DRAPERIES

In the State, at prices below these so-called Closing-Out Sales.

CARPETS — LATEST PATTERNS NEWEST EFFECTS
WALL-PAPER — From the Cheapest to the Best. This Year's Goods
DRAPERIES — EVERYTHING YOU CAN THINK OF. THE HANDSOMEST LINE We Ever Brought to This Market.

W. H. ROLL,
The Leading House of the State. 30, 32, 34, 36, 38 S. ILLINOIS ST.

KILLED BY A TRAIN.

A. W. Yant, an Engineer, Struck While Walking on the Track in Indianola.

A. W. Yant, a locomotive engineer employed by the old O., I. & W. railroad, was instantly killed by an in-coming passenger train one-half mile west of Haughville, at 6:40 last evening. Yant was returning to his home in West Indianapolis, and when the train struck him he was dragged five hundred yards. He was found by William and Grant Hollingsworth, and his remains were so badly mangled that he could be identified only by articles in his pockets. Thomas F. Powers's ambulance removed him to his home, No. 91 Decatur street. Yant was a married man, and leaves a wife and several children.

Building Permits.

Building permits were yesterday issued to the following persons: Henry Voigt, three cottages, No. 225 North Mississippi, street, $2,100; Dave Reebee, addition, No. 35 Mayhew street, $1,200; W. M. Richards, agent, addition, No. 417 Bellefontaine street, $125; Gennieve F. Young, frame cottage, Ash street, $1,800; J. T. Metzger, barn, No. 530 East Eighth street, $200; Henry Wessling, frame store-room, Hoyt and Reed streets, $557; S. C. Dungan, cottage, Fletcher avenue, $1,050; Cynthia A. Ifell, two cottages, Randolph street, $2,700; J. W. Axtell, frame dwelling, Central avenue, $700.

Dunlap's Celebrated Hats,

And all the new spring-style hats, at "Seaton's Hat Store," 27 N. Pennsylvania street.

Money to Loan.

Terms reasonable, on real estate in Marion county, at 85 East Market street.
McGILLIARD & DARK.

$3.50 to Chicago. $3.50

Via the Pennsylvania Line from Indianapolis.

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Joint stock company that gives good indemnity at reasonable cost. Home office, 83 and 85 East Market street.

YOUMAN'S celebrated stiff hats sold exclusively by the New York Hat Company.

THE Connecticut Mutual Life Insurance Company has returned, for twenty years past, 34⅔ per cent. of premium. No other company has equaled this. C. P. GREENE, Agt., 68 East Market street.

DURING the construction of the new addition to the "Eastman Sanitarium for Women," Dr. Joseph Eastman's office will be on the corner opposite its present location, in the basement formerly occupied by Dr. L. D. Waterman.

Bankrupt Sale of Boots and Shoes.

I will sell at retail all the stock of boots and shoes purchased from the receiver of G. L. W. Mack, of the Buffalo Shoe House, 66 East Washington street. This stock originally cost over ten thousand dollars, and was bought by me at $1,750. With it I have consolidated the stock of shoes purchased, at 40 per cent., from Felix Kerman, who retired from business. Also, all the stock of custom-made shoes from the O. D. Thompson shoe factory, 17 Virginia avenue, bought by me at less than 40 per cent. of cost.

This comprises a large stock of all kinds of shoes, and they will be closed out at about one-half of the usual prices. This stock must go.

Call at once and get your shoewear, 66 East Washington street. The Buffalo Shoe House.
J. C. MAAG.

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Down to 52 South Meridian street and see the best line of refrigerators ever brought to this city. The New Perfection increases in popularity every year. Don't buy inferior makes. Also rapid ice-cream freezers, the New Model and Indiana Clipper lawn-mowers, sprinkling hose and hose-carts, poultry netting, screen doors, wire, etc. HILDEBRAND & FUGATE, 52 South Meridian street.

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Unless it is filtered. The "Gate City Stone Filter is the best. For sale by INDIANAPOLIS STOVE CO., 71 & 73 South Meridian street.

SOLID STERLING SILVER
At $1.75 Per Oz

We have selected patterns in Solid Sterling Flat Ware, which we offer at $1.75 per oz.
Also, a fine line of odd pieces for table use, either in cases or without cases.
We have the most complete line of Odd Spoons in the city.

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Leading Jewelers, 12 East Washington St.
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If you will call and examine these exquisite Pianos, and examine into their merits, and ascertain the low prices and easy monthly payments upon which they are sold, you will buy one.

Pearson's Music-House,
Nos. 82 and 84 N. Pennsylvania St.
Fine Tuning and Repairing.

THE BOSTON DRY GOODS COMPANY
The only place where Quality is combined With Low Prices.

FOR SALE.

A rare opportunity to invest in a well-established business—the Chair Factory lately operated by John Cobb & Co., in Aurora, Ind. Equipped with the best machinery, and ready to run. Will be sold for one-third its actual value. Apply to
ALEX. B. PATTISON,
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ARGE BRICK DWELLING.
Lot 110 feet front by 210 feet deep.
PRICE, $20,000,
At which figure it is a bargain.
JOHN S. SPANN & CO.,
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Spring Cloaks, Dress Goods, — AND — Tailor-Made Clothing ON EASY PAYMENTS
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83, 85 and 87 E. Washington Street.

FOUNDRY COKE, STEAM COAL.
CAR LOTS A SPECIALTY.

FOR SALE.

Machinery of a 50-Barrel Roller Mill,
NOW IN OPERATION,

Must be sold and removed by June 15, to make room for public building. The equipments consist of—

4 Double Roller Mills, 7 in. x 14 in., arranged for three breaks, with automatic feeders.
5 Scalping Reels, 24 in. x 7 ft.
2 Centrifugal Reels, 6 ft. long.
3 Round Reel Flour Dressers, 7 ft. long.
All reels complete in chests with cloths.
2 No. 00 Geo. T. Smith Middlings Purifiers.
1 No. 1 Excelsior Bran Duster.
1 Victor Scourer and Polisher with shoe.
1 Horizontal Brush Machine.
1 Flour Packer, with tubes for barrels and sacks.
1 Power Corn-sheller.
1 26-in. French Buhr Corn and Feed Mill.
The elevators and iron and belt connections required in the mill as now arranged.
Also, Power Plant, consisting of—
A 35 horse-power Stationary Engine and Flue Boiler, with stack, fire front, grate bars, heater, steam feed and exhaust pipes, and all the usual connections.
This Mill is doing first-class work, and to parties wanting to purchase the ENTIRE OUTFIT ALL TOGETHER, very FAVORABLE PRICES will be named.
For detailed information and prices, address
NORDYKE & MARMON CO.,
Indianapolis, Ind.

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The J. D. Pattison farm, comprising 169 acres, situated in Warren township, southeast of city about five miles, on Churchman free pike, adjoining the Churchman property. This is a most desirable farm, having good house, barn, orchard and is well watered and timbered. Full particulars on application to undersigned.
H. B. HIBBEN,
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Executor J. B. Pattison, Deceased.

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