

INDIANA TAX CASES

Will Be Heard by the Supreme Court on the 2d of April.

Verdict Against the L. E. & St. L. Railway in Favor of George Clarke, Executor, Affirmed.

Special to the Indianapolis Journal. WASHINGTON, March 5.—In the Supreme Court this afternoon Messrs. Smith, Ketcham, Pickens et al., representing the two sides of the issue involved, submitted their motion for an advancement of the Indiana tax cases. They called attention to the conditions which exist and demanded an early hearing. The Chief Justice and Associate Justices Harlan and Gray held another brief consultation on the bench when the motion had been submitted, after which the Chief Justice inquired particularly whether both sides were anxious to have the cases argued at the earliest possible date. Attorneys upon both sides then arose and stated formally that both sides were eager for the early disposal of these cases; that the conditions were such that interests upon both sides would be advanced by an early disposition of the issue involved. Chief Justice Fuller then announced that the court, believing the principles at issue were of great importance, had decided last fall not to hear until the end of the bench was full, and that nothing had been presented to remove the impression that the arguments should not be made when there was a vacant seat upon the bench. "I therefore state," said Chief Justice Fuller, "that the Indiana tax cases will be advanced for hearing on the first day when there is a full bench. We expect a full bench on the first Monday in April, but if for any reason unforeseen at present a full bench should be obtained earlier than that date, then the cases will be called for argument at that earlier time."

The Supreme Court to-day, through Justice Harlan, announced the decision in the case of the Louisville, Evansville & St. Louis Railway Company, plaintiff in error, vs. George Clarke, executor, et al., appealed from the United States Circuit Court of Indiana, and argued here on Jan. 4 last by Messrs. Miller and Humphrey. The court here affirms the decision of the United States Circuit Court of Indiana with costs. This was an action by George Clarke, executor of the estate of the late George Clarke, deceased, who was injured while a passenger upon the L. E. & St. L. railroad between Evansville and Chicago, where a train was turned over, by which Clarke was injured and from which injuries he subsequently died. The amount of damages awarded was \$9,000. Among the errors claimed by the plaintiff in error was the refusal of the court to receive the testimony of the executor, who testified as a witness as to the amount of damages. The court here clearly holds the railroad company responsible for injuries incurred by passengers when the fault is in no way the fault of the passenger.

The staffy room of the Supreme Court was crowded here this afternoon at noon to-day with people who expected to see the installation of a new justice. Within the railing set around the court, the majority of the people were those of Senator White, who had not resigned his decision to remain in the Senate for the next year. Most of the spectators beyond the railing were ladies, whose faces were becoming and lent a touch of unwelcome color to the court. There was much disappointment manifested on the faces of the justices filed into court, but several in number were seen failing to appear, and Justice Jackson, who is in Florida for his health, being also absent.

DEALING IN FUTURES.

Mr. Hatch Gives Hearings to Sellers of Cotton. WASHINGTON, March 5.—The leading authorities on the cotton trade were before the House committee on agriculture to-day for the first of a series of hearings on Mr. Hatch's anti-option bill. It brought out some sharp controversy, during which Representative Hatch, the author of the bill, joined issue with President J. O. Bloss, of the New York Cotton Exchange, and President J. W. Labrousse, of the New Orleans Cotton Exchange. The general practice of selling cotton with the distinct understanding that it was to be a speculation, with no actual delivery, Mr. Hatch said that this practice was carried on constantly in Chicago, and he had evidence of unquestionable character as to the fact. Both of the heads of the cotton exchanges controverted this.

In the course of the discussion with Mr. Bloss, Mr. Hatch asked how many bales of cotton the New York Exchange had on hand from day to day. "About 25,000 bales," said Mr. Bloss. "What are your average daily transactions?" "About 300,000 bales, and sometimes much less."

"Then," said Mr. Hatch, "your daily transactions are more than the cotton you have on hand?" Mr. Bloss assented, and then proceeded to show that speculative markets had a tendency to help prices. The higher the market the higher the business. Mr. Bloss added that Mr. Hatch had been misinformed or misled as to the alleged practice of making future contracts not to deliver.

Mr. Hatch—Do I understand you to say that all the cotton in the world is sold in Trade in Chicago in any of the commodities named in the bill are always terminated by an actual delivery of the property?" Mr. Bloss—I say the contract calls for it. Mr. Hatch—You misunderstand my statement. That is exactly what I say, but there is not one out of a thousand ever terminated in actual delivery, and the general understanding is that the contract is not without that. If, according to your statement, the rules of the Board of Trade require an actual delivery on every contract of that kind which is made, why is it not enforced?"

NEW IDEA IN TELESCOPES.

Mr. Gathman Thinks a Lens 100 Feet in Diameter Can Be Made.

CHICAGO, March 5.—"A telescope is practicable with an objective one hundred feet in diameter, more efficient in proportion for every scientific purpose than the Lick or Yerkes telescope. There is no reason in telescopic science why we should not see the inhabitants of Mars and see to pick up a pin on the moon." This is the bold utterance of Mr. Gathman, an inventor of this city, well known as a manufacturer of milling machinery and as the designer of the Gathman project system. Mr. Gathman's idea is that a lens be constructed in sections. He has made a model and secured patent right, first in Germany and then in this country. Mr. Gathman says that a lens in sections can be made as correct as any other lens, provided the sections are separated by dull black partitions, which prevent an interference of light from their margins. The sensitiveness of a lens to such disturbances is well understood. A single air bubble, which is not visible to the eye, renders it worthless, the reason being that it spoils and refracts certain rays of light and causes confusion at the focal point. Mr. Gathman's theory is that if the bubble is bored out and the opening filled with dull black material the lens will be perfect again. But he thinks there is no use going to this trouble when lenses can be made in small sections and the perfection of each section assured before it is used.

Condition of Ex-Minister Phelps.

NEW HAVEN, Conn., March 5.—The physicians attending Prof. Edward J. Phelps, ex-minister to Great Britain, say that the condition of his health is such that he has had and is still very weak. He is, however, able to partake of nourishment. Mr. Phelps had been made for some time as soon as he should be able to stand the fatigue, but it has been postponed owing to his weak condition.

"Old Aunt Eliza" Dead.

SAN FRANCISCO, March 5.—Mrs. Eliza B. Williams, known here as "Old Aunt Eliza," died. She lived one hundred and three years, four months and eighteen days. She was a mulatto, and was born a slave. She was 173.

Sufferers from Piles

Should know that the Pyramid Pile Cure will promptly and effectually remove every trace of them. Any druggist will get it for you.

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