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ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the taste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, headaches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the taste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

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CALIFORNIA FIG SYRUP CO.
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EAST-BOUND RATES

ONE FREIGHT OFFICIAL CONTENDS THEY ARE BEING MAINTAINED.

Others, However, Intimate They Are Shaded When Necessary to Secure Business—Pennsylvania Changes.

Thomas H. Noonan, general manager of the Central States Despatch, yesterday, when asked, "Are all the lines living up to the rates which took effect Nov. 12?" said: "I believe they are. I have just returned from St. Louis, where rates are cut if at any point, and I am confident they are adhering to tariff at that point. In years past cotton has proved the great rate breaker, but now every line is carrying the business at full rates, as lines east of St. Louis have given their Western and Southern connections to understand they will not share in any reduction in rates." Mr. Noonan said he had heard from Chicago and several other points where his line has representatives; only one case of irregularity was reported, and he telegraphed to the agent who made the report that if the shipper could get such a rate he should at once avail himself of it.

Another freight man, the commercial agent of one of the Indianapolis lines, was asked if rates were being maintained, and he promptly said "No." He then cited a case of an Indianapolis shipper who, before the advance in rates of Nov. 12, was favored with the reduction then in vogue and with an additional 3-cent rebate; the same road was now paying that shipper 4 cents rebate. When the assistant general freight agent was asked about it he denied knowing anything of it, but later said that the company's local agent made the contract unknown to him, for which he was sorry, but could not remedy it, and the business was still going at a rebate of 4 cents per 100 pounds.

A Big Four freight man was asked about rate matters, and he smiled and said that that road never carries business at less than tariff. When some business the Big Four is carrying in connection with the Chesapeake & Ohio was spoken of he remarked: "Oh, that is export business, and we are only using our differentials." The more inquiry that is made the more uncertain does it become whether east-bound rates are shaky or not. The Lackawanna is getting a good deal of business from this section, and it is hinted that this line is not as strict as it might be in maintaining agreements, but the general expression of all freight men is that provisions, dressed meats and live stock rates are fully maintained, but in other articles some shading is going on.

Plan to Reorganize the C. & N. P.

The Chicago & Northern Pacific bondholders' committee have completed a plan of reorganization, the main points of which are as follows: A new company is to be formed under the name of the Chicago Terminal and Railway Company, which shall issue stock to an amount to exceed its bonded indebtedness, which stock may be divided into common and preferred shares. To prevent the possibility of adverse control of the company in the early stage of its existence, all stock issued shall contain a provision giving a committee of bondholders authority to elect directors annually for a reasonable period from the date of the new mortgage. So soon as the road is bought in under foreclosure a meeting of holders of the United States Trust Company certificates shall be called to consider further details of the plan. The right is reserved by the bondholders' committee to suggest in such detailed plan that an amount of bonds and stock be withheld from general distribution and used for these purposes: First, to acquire competing or connecting properties if the committee and bondholders should deem it advisable; second, to secure payment of an assessment on the old common shares, and third, to effect, if possible, by some recognition of the stockholding interest restitution of the $2,500,000 and a settlement of all other claims against the Northern Pacific Railroad Company. The company will issue to holders of the present first mortgage bonds new securities in the shape of bonds and stock bearing such interest and dividends as the earnings of the company shall warrant. A certain proportion of the new securities shall be retained in the treasury for future improvements. All the remaining securities, both bonds and stocks, shall be issued to holders of the United States Trust Company certificates, subject to the expense of foreclosure and reorganization. This plan is to become operative when approved by 70 per cent. of the holders of the United States Trust Company certificates.

The committee states that "It appears that $2,500,000 Chicago & Northern Pacific bonds have been used by the Northern Pacific Railroad Company for its own purposes, they having been taken from the treasury of the Chicago & Northern Pacific Company without authority and without compensation to the latter. Long and tedious negotiations were commenced early last spring and have been broken off without results. Recourse must be had to the courts unless a satisfactory settlement can be otherwise made.

Pennsylvania's Winter Schedule.

The new winter schedule on the Pennsylvania lines goes into effect Nov. 25. The changes on the through trains have been mostly made with a view of shortening the time between Pittsburg and the prominent points East and West. The following are the changes as announced by General Passenger Agent Ford:

Pittsburg and Chicago—No. 9, with through coaches, dining and sleeping cars, will be shortened up fifteen minutes, leaving Pittsburg at 8 a. m., Pittsburg time, reaching Chicago as usual, at 9 p. m.

St. Louis and New York—No. 20's time reduced forty-five minutes, leaving St. Louis at 8:55 a. m.; Chicago at 10:30 a. m.; Indianapolis at 3:50 p. m.; Cincinnati at 4:45 p. m.; Columbus at 8:25 p. m. Arrives at Baltimore at 12:20 noon; Philadelphia at 12:20 noon; Washington at 1:30 p. m.; New York at 2:23 p. m. Runs daily. Solid train of vestibuled coaches, Pullman, dining and sleeping cars, St. Louis to New York.

Cincinnati and Peoria—Through day coach service on trains 13 and 19, between Peoria and Cincinnati, via Logansport & Toledo and the Peoria & Western road.

Pittsburg and Cleveland—A new four-hour solid train in both directions, with Pullman buffet parlor cars. Runs daily, Sundays included. Leaves Cleveland at 8 a. m., arrives at Pittsburg at 12 noon. Leaves Pittsburg at 5:30 p. m. and arives at Cleveland at 8:30 p. m.

Chicago and Cincinnati—Time shortened. Cincinnati fast day express leaves Chicago daily at 10:30 a. m. reaching Cincinnati at 7:20 p. m. Pullman buffet parlor cars. Direct connections at Cincinnati for the South.

Mention was made yesterday of the further shortening of the time of the through trains of the Pennsylvania road, not only between St. Louis and New York, but between Chicago and New York. The New York Mail and Express says:

"Railway officials in this section have noticed lately that a marked change has come over the policy of the Pennsylvania with respect to the fast service, and it is believed that an effort is to be made by that progressive company to win back the laurels it formerly treasured, but lost in the matter of the fastest service in the East. When the New York Central startled railway circles a year or so ago by putting on the Empire State express with its flying schedule, the Pennsylvania was looked to for a similar stroke of enterprise, but that company kept silent. Then the Central capped the climax by inaugurating a twenty-hour service to Chicago, but despite vigorous urging the Pennsylvania maintained its regular schedule. The claim was urged that while the Pennsylvania route to Chicago was much shorter than the Central's, the work of double-tracking the Ft. Wayne was far from completed, and until this was accomplished nothing could be done toward meeting the time-annihilating schedule of the Central. The Ft. Wayne is virtually now double-tracked from Pittsburg to Chicago, and a proof that that branch is to be used largely for passenger service is found in the decision just made public to divert the freight traffic to the Panhandle. Another evidence of a new move for faster schedules is the putting on of fast trains beginning yesterday in the East and reduction in time of certain regular trains. The Pennsylvania is now bent on speed."

Senator Brice's Plans.

A gentleman who keeps well informed regarding the affairs of Calvin Brice, says he is going out of politics and will hereafter be a railroad magnate of no small calibre. It is believed he will consolidate the roads the Brice syndicate has been buying with terminals at ten important railway centers. The following telegram from St. Louis gives some color to such a statement:

"There have been rumors from various sources at different times that the Bluff line, or, more properly, the St. Louis, Alton & Springfield, would pass into the hands of a strong line desiring a St. Louis inlet. Several times it has been asserted that various lines, including the Illinois Central, the Chicago, Milwaukee & St. Paul and the Rock Island, were desirous of such an inlet, but no confirmation given. Now it is asserted with some show of probability that the Lake Erie & Western, which has now a deal on hand for acquiring the Indianapolis, Decatur & Springfield, has to extend the latter line to Springfield and effect a consolidation with the Bluff line for an inlet to St. Louis. This would bring an aggressive line into St. Louis and would materially change the east side situation. The Bluff line has been improved to sell, and it will undoubtedly be sold."

Will Pay No Commissions.

The session of the joint committee of the trunk lines and the Central Traffic Association, at Buffalo, which was held in connection with the adjourned meeting of the general managers at the Hotel Iroquois, resulted in the adoption of the agreement to pay no commissions after Jan. 1. The decision was acquiesced in by all of the representatives present, and the other lines in interest agreed through correspondence to abolish commissions. The meeting was secret and was presided over by George B. Blanchard, the chairman of the joint committee, L. J. P. Farmer, the chairman of the passenger committee of the trunk lines, acting as secretary. The many cheap tickets on the market would, it was expected, be a subject of discussion, but nothing was done, and it is expected that the question will be handled at a meeting to be held next month.

Personal, Local and General Notes.

L. C. Smith has succeeded George Van Keuren as superintendent of the Jefferson division of the Erie lines.

Engine 1,137, one of the new type of locomotives on the Pennsylvania road, last week hauled four cars 126 miles in 101 minutes.

J. L. Calhoun has been appointed general agent of the Adams Express Company at Chicago and S. E. Allison assistant general agent.

John R. Manchester, who has been elected president of the Railway Claim Agents' Association for 1895, is claim agent of the Union Pacific.

N. K. Elliott, general superintendent, and Harry Miller, superintendent of the Vandalia line, were in the city yesterday on official business.

Superintendent Seabert, of the Delaware, Lackawanna & Western, who retires on the first of the month, will at once go to California for his health.

A party of fifteen will leave for California to-day over the Peoria & Eastern to Bloomington, then taking the Chicago & Alton and Southern Pacific.

The Wabash has this week put into service on its east and west day trains buffet cars of a new type, which are said to be elegant in their finish and conveniences.

The six months' notice of withdrawal which the Louisville & Nashville gave the Southern Passenger Association has not been withdrawn, and it is stated emphatically will not be.

Harry Fuller, general passenger agent of the Chesapeake & Ohio, has so far recovered from the serious injuries he received in a wreck some months ago as to be at his office again.

The dissatisfaction in the Southern Railway Passenger Association is increasing, and its early dissolution need not be a surprise, say those who are in position to understand the situation.

The Pennsylvania will build six engines at the Altoona shops which are expected to haul a train of six or seven cars at speed of one hundred miles an hour under favorable track conditions.

E. R. Newman will, on the 1st of December, take the position of assistant general freight agent of the Wabash road, vice Sumner Hopkins. Mr. Newman has been local agent of the company at Chicago.

The railroad department of the Young Men's Christian Association at Fort Wayne has elected Amos Slue chairman, vice A. D. Craig, resigned. Fort Wayne has a large railroad branch, and a very prosperous one.

Every Western line has gone back to the excess baggage charges in force before Nov. 1. In due time, however, excess baggage charges, which are now in many cases lower than freight rates, will be properly readjusted.

The Findlay, Fort Wayne & Western is filing a mortgage at county seats on its line in Indiana in favor of the Mercantile Trust Company, of New York, to secure $1,200,000 first mortgage and $800,000 second mortgage bonds.

William N. Bannard, who recently resigned as superintendent of the Pennsylvania's Altoona division, it is stated, is to become the superintendent of the Western division of the New York Central, with headquarters at Buffalo.

A dozen or more freight officials from northern Ohio and eastern Indiana are holding a meeting at the Bates House for the purpose of arranging class rates from Fostoria, Tiffin and Findlay, O., to Central Traffic Association points.

The regular quarterly meeting of the directors of the Chicago, Burlington & Quincy road was held at Boston yesterday and resulted in the declaration of a 1 per cent. dividend, payable Dec. 15, to stockholders of record Saturday, Nov. 24.

The annual meeting of the Passenger and Freight Agents' Benevolent Association of the United States and Canada began in Chicago yesterday. The opening session was taken up by the reading of the annual reports. Active business will begin to-day.

The members of the Western trunk-line pool met again yesterday at the office of Chairman Midgley, in Chicago, and decided to extend the territory of the pool to St. Paul, and also to Des Moines and Sioux City. Other points will be considered to-day.

Yesterday two passenger conductors on the Panhandle, veterans in the service, were discharged, and it is stated two more are to go to-day. In this connection it should be said that neither was discharged for handling the funds of the company improperly.

The conductors on the Wabash road have been instructed to accept coupons of mileage books for extra baggage and seats in parlor cars. This move, which was inaugurated by D. G. Edwards, of the Cincinnati, Hamilton & Dayton, promises to become general in its application.

G. M. Clark, formerly a division superintendent on the Illinois Central, now with a railway in Panama, writes a friend to discourage people who contemplate going there, as there is no worse place in the world than the Isthmus of Panama if a man is out of work and out of money.

Rev. L. Darmstader will no longer travel on clergymen's half rates, his permit having been found in the hands of a scalper. Mrs. E. Gilmore, president of the National Missionary Association, is in trouble of the same kind, her permit having been found in the hands of a scalper. She says it had been lost and she had not thought to notify the railroads to dishonor it on presentation.

Local ticket agents have been notified by the Western lines that they will sell home seekers' excursion tickets in transmissouri territory Dec. 4 and 18. It is expected that roads in the Central Traffic Association territory will sell tickets in connection with the Western lines on those dates.

Steps are being taken to organize a branch of the railroad men of Terre Haute by the Young Men's Christian Association. The officers of the association say that Indianapolis is slow in taking hold of this matter. To get an association on its feet at Indianapolis will require some earnest, hard work.

It is stated on excellent authority that the Standard Oil Company and the Big Western packers have succeeded in their efforts to get exemption from the six mills rate agreement made by the roads, they securing higher rates by special contracts with certain lines. This, of course, means that other companies owning cars can make similar contracts with the roads over which their cars run.

In the second week in November the Lake Erie & Western earned $67,690, an increase over the corresponding week of 1893 of $6,029; the Toledo, St. Louis & Kansas City, $39,271, an increase this year of $4,732; the Ohio Southern, $19,461, an increase this year of $5,634; the Louisville, Evansville & St. Louis, $20,009, a decrease this year of $9,527; the Wabash, $279,240, a decrease this year of $47,266.

The officials of the Cincinnati, Hamilton & Dayton are working on a schedule looking to consolidating Trains 31 and 33, which leave here, respectively, at 2:55 p. m. and 4 p. m. With the change which the Vandalia makes on Sunday the through parlor car from St. Louis will be so much later that it will hardly be necessary to run these two trains, but the company will put on a morning train, leaving Indianapolis about 7:30, which will be a faster train than local trains usually are.

The Railway Commission of Illinois on Tuesday completed its annual inspection of roads in that State. Commissioner Lape says they passed over 11,000 miles of track. The companies, he said, are raising the standard of their roads. They have put in new bridges, heavier rails, better ballast, and generally are provided with better rolling stock. The commission did not find it necessary to condemn a single line, and managers had shown a disposition to comply cheerfully with their recommendations.

Passenger representatives of the Western lines were in session at Chicago yesterday, considering the pass agreement adopted some time ago by the general managers of their lines. The principal portion of the day was taken up by the consideration of whether men in charge of emigrant parties and men in charge of other excursion business should have passes. No definite action had been taken when the meeting adjourned. The matter will be taken up again and a report submitted for approval of the general managers.

T. B. McKay, for many years passenger agent of the Burlington road, has resigned, and early in December will sail from San Francisco for the Orient, where he will assume the duties of general passenger agent for the Pacific Mail and the Occidental and Oriental steamship companies, the Southern Pacific, Union Pacific and the Northwestern railroad companies for India, China and Japan. His headquarters will probably be in Yokohama. The companies for which McKay is agent will act together in handling passenger traffic from the Orient, and encroachment of the Canadian Pacific in this class of travel is the main reason for sending him to Yokohama.

A morning train from Indianapolis over the Monon, returning in the evening, has become a necessity, if it runs no farther than Frankfort, arriving there to connect with the trains going out of there in the morning over the other roads. The citizens of Frankfort are a good deal wrought up over the matter, and the News says: "If the Monon Railroad Company want to do business with the people of Frankfort, who travel, it must make different arrangements. That freight train is an abomination, and our people have decided to patronize it no longer. At present all the Indianapolis travel comes and goes by the way of the Vandalia or L. E. & W., and will continue to do so as long as present conditions exist."

Among the new members added to the State executive committee of the Indiana Young Men's Christian Association at the recent convention at Columbus are: A. Galloway, superintendent of the C., H. & D.; W. J. Lewis, secretary-treasurer of the P., D. & E., and J. M. Lindley, trainmaster of the Louisville division of the P., C., C. & St. L. This enables the State association to have an exceptionally strong committee on railroad work, which will be constituted of the above-named gentlemen, together with John F. Wallick, superintendent of the Western Union, as chairman, and C. S. Rhoads, superintendent of telegraph, Big Four. This arrangement is understood to be an indication that the State association proposes to push the extension of their railroad department in this State more than ever before.

OLD WAR HABIT OF MARCHING.

Capt. Chester Barney, Aged Seventy-Six Years, Wanders Away Again.

Capt. Chester Barney, who resides at 189 Woodruff Place, has been missing since yesterday noon. He is an old soldier, whose memory has failed him except as to events occurring during his long war service. The habit of marching is so fixed in his mind that when he starts out for a walk, if alone, he will continue his tramp until he becomes confused and is unable to find his way back home.

His wife was about to start out for a walk with him yesterday, but was detained for a few minutes, while the Captain went on alone, and got beyond the view of his wife. No trace of him has since been discovered. He may have gone beyond the city limits, as some time ago he walked to Clayton, Ind., before being turned back. He is seventy-six years of age, is white-haired, has a short, white beard and carries a cane.

Ex-Confederates Thanked.

The following is the text of the resolutions adopted by George H. Thomas Post at its last meeting and forwarded to R. E. Lee and Pickett Camp of ex-Confederates in Richmond, Va.:

"Resolved, That the sincere thanks of George H. Thomas Post, No. 17, Grand Army of the Republic, Department of Indiana, are hereby extended to R. E. Lee and Pickett Camp of ex-Confederates of Richmond, Va., for the courtesies extended and the hearty good will displayed to its commander, Rev. D. R. Lucas, D. D., during his recent visit to Virginia, and that the hospitalities of the post are hereby extended to any members of the Richmond camps who may visit Indianapolis, with the fervant desire that the lives of the members of these camps may be crowned with measureless content, in a common country, with a common destiny and under one flag."

The Butler-Wabash Game.

Football interest at present is directed toward the game to be played next Saturday by the teams of Butler University and Wabash College. This game is the fight for second place, Purdue already holding first. These teams have defeated other college teams in the State, and each has gone down to Purdue. Coacher Flint, of Butler, is putting his men through a stronger course of training this week than at any time this year, and is confident that Butler can win. On the other hand, the Wabash men are just as sure of victory. Buchanan, center, Farrell, guard, and Ashman, tackle, three of the best men on the Wabash team, have not played recently, but are getting in prime condition and will play next Saturday.

Correcting Reports of Scarlatina.

Alexander Johnson, superintendent of the Indiana School for Feeble-minded Youth, has issued a circular, correcting the reports of an epidemic of scarlatina in the institution. In all, the school has had but fourteen cases, with one death. The superintendent says that the sick children are nursed in a fever hospital which is some distance away from the main building and has no communication with it.

Incorporated Yesterday.

Articles of incorporation filed with the Secretary of State yesterday were: Hay & Willits Manufacturing Company, Indianapolis, capital stock, $20,000; directors, W. R. Evans, Thos. Hay, V. Burton Willits, Geo. F. Evans. Richmond Church Furniture Company, Richmond, Ind., capital stock, $5,000; directors, A. W. Hemphorman, A. H. Mitchell and James W. Moore.

Daughters of the King.

The Daughters of the King, St. Cella Chpter, will meet at St. George's Church this evening. Service will be conducted by the pastor, Rev. Mr. Ranger, and Rev. Mr. Sargent will make addresses. Mrs. Sargent will read a paper and Bishop Knickerbacker is expected to be present.

Personal Comeliness

Is greatly enhanced by a fine set of teeth. On the other hand, nothing so detracts from the effect of pleasing features, fine eyes and a graceful figure as yellow teeth. That popular toilet article SOZODONT checks their decay and renders them as white as snow.

ACCEPTED HIS BOND

COUNTY COMMISSIONERS FINALLY APPROVE THAT OF MR. FESLER.

The Signers Represent Property Worth $130,000—Another Bartender Sentenced to the Workhouse.

The bond of Clerk of the Courts Fesler was finally accepted yesterday afternoon. When presented, after being prepared so as to overcome the first objection of the county attorney and Mr. Johnson, deputy auditor, the board quibbled over the values represented in the bond. They said the property represented was not taxed for more than $88,000, when, as a matter of fact, the signers represented property worth $130,000. The name of Mr. Fairbanks was not on the bond submitted, because he is out of the city and could not be here to sign it. The bond commissioners finally said if W. H. H. Miller would sign, in addition to those who had agreed to sign it, the bond would be accepted. The signers were present at 6 o'clock and the transaction completed. The signers were W. A. Ketcham, Clinton L. Hare, William A. Van Buren, Edward Daniels, Nathan Morris, John E. McGaughey, John A. Hugg, John L. Griffiths, Charles C. Perry, Martin M. Hugg, William L. Taylor, Smiley N. Chambers, Fred P. Rush, John B. Elam, Merrill Moores, W. H. H. Miller, Daniel M. Ransdell and J. J. Higgins.

CRIMES AGAINST CHILDREN.

Ten Youths Indicted for Assaulting Two Thirteen-Year-Old Girls.

The grand jury yesterday indicted ten youths for criminal assault upon two girls, each thirteen years old, named Clara Gould and Ethel Dillman, the former having her home on Sinker street, and the latter at 335 East McCarty. The sheriff yesterday arrested the following among the number indicted: Otto Schultz, Frank Blair, Harry Ohmes, Author Bogardus, Samuel Byers, Henry Borgerding, George Wolf and Otto Mowwe. The case came to the attention of the grand jury through the prosecution begun several weeks ago before Justice Habich against Borgerding. The tender age of the prosecuting witness led to an unusual interest in the case. It was dismissed, under the expectation that the matter would be referred to the grand jury, as the case was not one merely of paternity, but of criminal assault. The girl admitted that a number of other boys had misused her, and the name of the Dillman girl was dragged into the scandal in the same way. The investigations were continued until the indictments named and several others were found. The Gould girl is living now at the Home for the Friendless. Ohmes gave bond yesterday in the sum of $2,000.

THE COURT SURPRISED HIM.

Charles Shafer, a Bartender, Sent to the Workhouse.

Charles Shafer was yesterday sentenced to pay a fine of $10 and costs and to be imprisoned in the workhouse for thirty days for selling liquor on Sunday. He entered a plea of guilty, supposing there would be a nominal fine and by so pleading he would avoid an attorney's fee. The Court surprised him and then he hired a lawyer to get him out of the trouble. He said he was not the regular barkeeper for the saloon, and that he had been asked merely to stay in the saloon while the regular man went to dinner. Then he risked the sale that caused him the trouble. The court was asked in the afternoon to remit the sentence, this being Shafer's first offense. The reputation of the saloon is not good, however, as an observer of the law, and Judge Stubbs manifested no hurry in releasing the prisoner. The case will come up again to-day.

Judge McMaster in Charge.

Judge McMaster took charge of the court in room No. 1 yesterday. No business of public interest received attention. The court in general term now consists of two Republicans and one Democrat, and some new rules regulating the practice are talked of.

A Woman Insulter Fined.

Fred Reagan, the stranger in the city who was arrested the day before for insulting a woman on the street while drunk, was yesterday fined by Judge Stubbs. The defendant was very penitent and said his language was misunderstood.

Alfred H. Traub, Guardian.

Alfred H. Traub was yesterday appointed guardian of the minor heirs of Ida M. Traub, deceased, with a bond of $100.

THE COURT RECORD.

Supreme Court.

16932. Cole vs. Gray et al. Tipton C. C. Reversed. McCabe, J.—The terms and legal effect of a written contract or deed cannot be contradicted, changed or modified by previous or contemporaneous oral negotiations, stipulations or agreements inconsistent with its terms.

16924. Tucker vs. Roach. Hamilton C. C. Affirmed. Howard, J.—The answers to the interrogatories are not in conflict with the general verdict.

16854. Beach vs. Bell et al. Vigo S. C. Affirmed. Hackney, C. J.—Claims against a decedent must be filed against his estate to participate in the personal assets, but liens continue against real estate without the amount secured thereby being filed as a claim unless the lien is discharged by decree or payment.

16909. Premier Steel Company vs. Geo. B. Yandes et al. Marion C. C. Affirmed. Dailey, J.—A trustee named in a mortgage, securing bonds, who attends to insuring the mortgaged property and sees that the mortgageor performs the covenants contained in the mortgage, is entitled to a reasonable compensation for his services though there is no agreement to pay. 2. The character of the services required to be performed by the trustee and which have been performed and for which compensation is asked ought to be taken into consideration in determining who is primarily liable therefor. 3. Under Secs. 2969 to 2997, R. S., 1891, it was the purpose of the Legislature to give courts jurisdiction of conventional trusts, however created, so that the court has jurisdiction in a case like this to decree the compensation of the trustee a first lien upon the mortgaged premises.

16932. Citizens' Street Railway Company vs. Cline. Marion C. C. Dismissed.

Appellate Court.

1342. Buck vs. Pennsylvania Company. Knox C. C. Affirmed. Lotz, C. J.—The instructions fairly state the law and are not misleading.

1403. Blair et al. vs. Porter. Marion C. C. Affirmed. Ross, J.—When defendants submit to the jurisdiction of the court having jurisdiction of the subject matter without objecting, they cannot withdraw therefrom.

1225. Houk vs. Hicks, Guardian et al. Montgomery C. C. Affirmed. Gavin, J.—Where an assignment of error asserts as the cause of error, the substaining of the demurrer to several paragraphs of complaint the assignment can only be sustained by showing that all of the paragraphs were good.

1517. Citizens' Street-railroad Company vs. Webber. Marion S. C. Remitteritur filed.

Superior Court.

Room 2—L. M. Harvey, Judge.

Teutonia No. 4 Savings and Loan Association of Indianapolis vs. John W. Bowlus et al.; foreclosure. Trial by court. Judgment rendered plaintiff for $865.62 and decree of foreclosure.

Edward D. Mazelin vs. Isaac Rardin. Trial by court. Evidence heard and partition granted.

Mary A. Hogan vs. Joseph L. Hogan; divorce. Trial by court. Decree of divorce granted plaintiff.

Room 3—Pliny W. Bartholomew, Judge.

George W. Busey vs. James E. Mann; note. Judgment for $306.50.

Daisy Day vs. Citizens' Street-railroad Company; damages. Dismissed.

Joseph Bristows vs. Citizens' Street-railroad; damages. Dismissed.

Lombard Building and Loan Association vs. James Fleet; foreclosure. Judgment for $344.85. Decree of foreclosure and sale ordered.

James Renihan vs. James Carney; foreclosure. Judgment for $216.99. Decree of foreclosure and sale ordered.

Criminal Court.

John F. McCray, Judge.

State vs. Pink Mendenhall; petit larceny. Acquitted.

State vs. Frank Williams; petit larceny. Found guilty and sentenced to one year in State's prison; disfranchised.

State vs. John W. Sargent; petit larceny. Found guilty and sentenced to one year in State's prison; disfranchised.

State vs. Frank Williams; petit larceny. Nollied.

Circuit Court.

Edgar A. Brown, Judge.

Mary E. Haggart et al. vs. John H. Stehlin et al.; damages. Jury out.

New Suits Filed.

Alpharetta Allen vs. James Allen; divorce; adultery.

Ann E. Wood vs. Cleveland, Cincinnati, Chicago & St. Louis Railroad Company; partition.

Aaron E. Lindley et al. vs. Patrick J. Mulloney et al.; notes. Amount $85.

Isaac D. Lemmon vs. Emma C. Williams et al.; notes. Demand, $150.

Horace M. Hadley vs. Daniel Spiegel et al.; foreclosure. Demand, $100.

Nettie M. Rodmann vs. Charles Rodmann; divorce. Failure to provide.

Rebecca Nunn vs. Henry Nunn; divorce. Desertion.

Zora Kernadel vs. Illinois Masonic and Pythian Benevolent Society; policy.

William W. Wilcoxen vs. Harvey J. Armentraut; account. Demand, $550.

Catherine MacCree vs. Owen MacCree; divorce. Cruelty.

GRAND LODGE I. O. O. F.

Fifty-Eighth Annual Session Begins with a Large Attendance.

The Grand Lodge, I. O. O. F., met yesterday in its hall in fifty-eighth annual session. The capacity of the hall was taxed to its utmost on account of the growth of the order in recent years and the greater interest taken in the meetings of the Grand Lodge. The day was taken in reading and discussing the annual reports of the officers. The report of the grand master, Will H. Talbott, showed that since the May session of the Grand Lodge three subordinate and twelve Rebekah Degree lodges have been instituted. He recommended that the three lodges be fined the minimum, $10, for receiving members at less than the regular fee.

The plan which was adopted a year ago of having a deputy grand master for every county was yesterday made a part of the laws of the order.

The grand secretary, B. F. Foster, read a report which shows a flourishing condition financially. It was as follows:

"After deducting all losses we have a net gain in membership of 686. Our relief report for the term may be summed up as follows: Two thousand eight hundred and sixty-one brothers and 161 widowed families have been relieved. The sum of $60,934 has been paid for the relief of brothers; $2,092.80 for the relief of widowed families; $342.34 for educating orphans; $14,062.64 for burying the dead, and $5,308.61 for other charitable purposes, making the total amount of relief for the six months, for which our report is rendered, $82,760.33. If to this we add the relief, $81,450.87, reported for the preceding term, we have the large amount of $164,211.20 as the relief afforded by our lodges for the twelve months ending June 30, 1894. This is only the moneyed part of our relief; while outside of this are those attentive benefits which our order pays alike to all its members.

"A reference to our statistics will show the resources of the subordinate lodges to be $2,333,065.53, while the receipts of lodges for the term ending June 30, 1894, amounted to the large sum of $207,190.64. Of this amount $82,760.39 was expended in the work of relief."

The report of the grand representatives showed a prosperous condition of the order throughout the country. At the end of 1893 the total membership was 780,192, which, with the Sisters of Rebekah Degree, makes a total of 888,741. The relief expenditure was $3,313,000.

The grand officers for the past year, all of whom are present at this meeting, are: Will H. Talbott, grand master, Orleans; M. A. Chipman, deputy grand master, Anderson; C. F. Northern, grand warden, Greensburg; B. F. Foster, grand secretary, Indianapolis; James A. Wildman, grand treasurer, Indianapolis; W. H. Leedy, grand representative S. G. L., I. O. O. F., Indianapolis; U. Z. Wiley, grand representative S. G. L., I. O. O. F., Fowler; Andrew J. Carey, grand chaplain, Sheridan; Harry Gaines, grand marshal, Greensburg; W. E. Longley, grand conductor, Noblesville; W. N. Larkin, grand guardian, Coatsville; Samuel A. Davis, grand herald, Orangeville; W. H. Leedy, grand instructor, Indianapolis.

According to the unwritten law of succession in Odd Fellowship Judge M. A. Chipman will be elected grand master and C. F. Northern, Mayor of Greensburg, deputy grand master, at the meeting to-day, when the officers for next year will be elected.

The Grand Encampment elected the following officers Tuesday afternoon:

Grand Patriarch—J. S. Byers, New Castle.

Grand High Priest—J. M. Lang, Sullivan.

Grand Senior Warden—J. E. Bodine, Indianapolis.

Grand Junior Warden—J. I. McCoy, Lagrange.

Grand Scribe—B. F. Foster, Indianapolis.

Grand Treasurer—John Reynolds, Indianapolis.

Grand Representative—George Shirts, Noblesville.

Encampment Trustee—W. H. Talbott, Orleans.

Grand Sentinel—J. B. McKinney, Newburg.

Deputy Grand Sentinel—Samuel Babb, Marion.

A Grand Master Moves Here.

A. N. Grant, who was grand master of the Grand Lodge, I. O. O. F., 1887, and grand representative to the Sovereign Grand Lodge, at Los Angeles, Cal., and Columbus, Ohio, in 1888 and 1889, has moved to this city and located at 490 North Illinois street. Mr. Grant comes to the city to practice law.

LOWER TELEPHONE RATES.

The Harrison Company Considering a Local Plant.

It is among the certainties, so the promoters say, that before long the city will have a chance to use the Harrison telephones. Mr. Arrick, son-in-law of W. H. H. Miller, has been appointed agent for this city for the Harrison company, which is operated in the same manner as the Bell company, through the parent company leasing to the State company, the State company to the local company. A local company is about to be organized here, and but for the agitation in favor of putting all wires under the ground in the heart of the city the company would have been incorporated before now. This agitation changes the estimates of expense so that there is a temporary hitch until the promoters learn what the agitation will accomplish.

The telephone is constructed on different principles from the Bell and has had the tilt through the courts, it is said, that settles that it is not an infringement. Lafayette, it is said, has flocked to the Harrison exchange there, because the company gives a telephone for about an average of half what the Central Union company charges. When the lines are built here it is the expectation that the residences will pay $4 for 'phones and business houses $4, irrespective of the distance from the exchange. Mr. Arrick will have to-day a line running from his office to that of Mr. Miller, with telephones at either end.

AT THE CONTRACTORS' RISK.

Work on West-Street Brick Pavement Will Continue.

The Board of Public Works yesterday gave the contractor on the West-street pavement permission to proceed in this cold weather, with the understanding that if the work was not well done and according to specifications he would not be paid for it. He said he knew he was taking a risk, but the delay had been caused by the failure to receive the curbing and was not his fault. He said it would be less risky on the point of cost to proceed, knowing that if freezing ruined the pavement he would have to lay the contract over again, than to have to stop now when he had all his supplies on hand.

The board refused to grant Gansberg & Brown an extension of time for the completion of the sewer in East street, from South to McCarty street. The objection was raised by Mr. Meyer, who said the contractors had been personally warned by him that they must make better time or they would not be granted another extension. They have been twice granted an extension, and the commissioner thought the property owners should be protected against such abuse of privilege. There is no penalty for failure to complete the sewer by Dec. 1, but the contractors could be prosecuted for obstructing the streets.

Wrong Kind of Gravel.

Councilman Murphy, of the First ward, complained yesterday to the Board of Public Works that the contractor who is improving Pendleton pike was not making the progress that he ought to make, and that he was using gravel that is unsuitable for a street or road. The specifications call for raked gravel, but the contractor is using pit gravel, and the property owners intend to refuse to pay for the improvement unless done according to specifications. The Peoria road is furnishing the gravel as a condition to its willingness that the improvement should be made. The board recently wrote the contractor a letter stirring him to more activity, but the effect does not seem to have been all that was desired.

The Investigation Continued.

Mayor Denny was not able to make the investigation he wanted yesterday into the conduct of the office of city engineer owing to the fact that President Wildman, of the Board of Public Works, was not able to be present. It was arranged, after a conference with the board, to hold the investigation this afternoon at 4:30 o'clock. The various persons who have knowledge of complaints and causes of complaints were asked to be present.

Vacation of Alleys.

The Board of Public Works yesterday adopted declaratory resolutions as follows:

For the vacation of Helen street, to a width of sixty feet, from Georgia street (vacated), to Louisiana street, (vacated.)

For the vacation of the first alley north of Hollis street, from Tecumseh street to the first alley west of Tecumseh street.

For the vacation of the first alley north of First street, from Howard street to the canal.

The city engineer was ordered to prepare plans and specifications for the vacation of the first alley north of Ninth street, from Mississippi street to the first alley west.

A petition was filed for a sewer in the first alley west of College avenue, extending from Seventh street north, and for water mains on Excelsior avenue, from Michigan street to Clifford avenue. The assessment roll in favor of B. Porter for paving the south sidewalk of Wyoming street was signed.

A Protest from Over the Creek.

The property owners who live north of Fall creek, and who have been assessed for the construction of the main interceptor sewer, have called a meeting at Poole's Hall for Saturday night. They will take steps toward contesting the legality of the assessment, saying that as Fall creek lies between them and the sewer the sewer cannot possibly be of any service to them.

Thanksgiving Market.

The ladies of St. Paul's Church will hold a Thanksgiving market on Meridian street near the Circle on Wednesday, the 28th, where turkeys, vegetables and cakes will be sold. The proceeds will go toward the parish house fund.

Dr. Chevis's Case.

The case of criminal assault against Dr. Chevis was set for yesterday in the afternoon before Judge Stubbs, but some of the State's witnesses were not present and the court continued the case until Friday afternoon.

Dr. Price's Cream Baking Powder
World's Fair Highest Medal and Diploma.

ECZEMA From early childhood until I was grown my family spent a fortune trying to cure me of this disease. I visited Hot Springs, and was treated by the best medical men, but was not benefited. When all things had failed I determined to try S.S.S. and in four months was entirely cured. The FROM terrible Eczema was gone, not a sign of it left; my general health built up, and I have never had any return of the disease. I have since recommended S.S.S. to a number of friends for skin diseases, CHILDHOOD and have never yet known a failure to cure.
GEO. W. IRWIN, Irwin, Pa.

S.S.S. Never fails to cure, even after all other remedies have. Our Treatise on Blood and Skin Diseases mailed free to any address.
SWIFT SPECIFIC CO., Atlanta, Ga.

"DANGEROUS HEALTH."

One of Oliver Wendell Holmes' Happy Phrases.

The Great Poet Applied It to William Cullen Bryant.

The Boston Herald Says It Fits the Case of a Great Many People.

In a recent editorial the Boston Herald, in speaking of our great poet, Oliver Wendell Holmes's