**New York Store**

*Established 1853.*

Closed all day to-day—Thanksgiving.

**Our Butterick Pattern Department**

In the center aisle, main floor, is, without question, the best equipped pattern department in this State. A complete stock of Butterick's—the best—patterns, will be always in stock. December Fashion Sheets and Holiday Souvenirs now ready.

**Pettis Dry Goods Co.**

**MANY IMITATORS**

But no superiors, has

**Princess**

Flour. Accept no blended or spring wheat flour as its equal.

**Drs. Coughlin & Wilson, Dentists**

S. W. cor. Market and Penn. sts., opp. P. O. Formerly in "The Denison."

**CARPETS**

CARPETS CARPETS CARPETS

If you were playing blindman's buff in our Carpet Room you couldn't make a pick, blindfolded, that wouldn't be worth more than we ask for it.

And what a pick you'd have! Bigger stock than others combined.

**ALBERT GALL**

17 and 19 West Washington Street

**Absolutely Pure.**

**The Careful Housewife will use no other.**


## AMUSEMENTS.

**Thanksgiving Bills at the Theaters.**

Otis Skinner will appear before the largest houses this afternoon and to-night at the Grand that ever welcomed him to this city. Popular as he has been with the Indianapolis public in the past, Mr Skinner will find that the engagement which opens with a matinee to-day will break all his records in this city. The matinee bill is "The Lady of Lyons." Mr. Skinner is an ideal Meinotte. To-night he appears in his new romantic play, "A Soldier of Fortune," which will be repeated to-morrow night. On Saturday afternoon "Romeo and Juliet" is to be given and the engagement closes Saturday night with "Richard III."

Kellar appears to grow more entertaining each season. This may be one of his illusions, but he certainly furnishes a delightful bill of magic. He will amuse and mystify big audiences this afternoon and to-night at English's. His programme offers many attractions.

Steve Brodie and his Bowery friends will give the Park's patrons a big Thanksgiving bill this afternoon and evening. "On the Bowery" will fill the Park to its utmost capacity at both performances to-day. It is a strong drawing card.

There will be a crush at the Empire this afternoon and evening. The programme will be furnished by the Vaudeville Club, introducing the very funny Rays—Johnny and Emma; John Kernell, the charming Stewart sisters, Fields and Lewis, Johnson, Davenport and Lorella in their amusing acrobatic act, and the musical comedians, Farrell and Taylor. Don't fail to remain and see Johnny Ray in the amusing farce, "The Wild West."

**Mrs. Goodfriend on the Drama.**

Mrs. Ida Jeffries Goodfriend stirred up a lively basket of kittens at the Professional Women's League in New York the other day when she read a paper on "The American Drama and Dramatists."

"In nearly all the American plays which have been successful, the dramatic rather than the literary quality has been most conspicuous," she said. "Our dramatic authors of the present day have striven to picture correctly in American dramatic literature, types of life and character peculiar to our own land, and to retain the atmosphere of certain localities with its own peculiar charm of poetry and sentiment."

She quoted a few exceptions, however, notably Baker's "Francesca de Rimini," John Howard Payne's "Brutus" and Barrett's last production. As a conspicuous example of an American play of distinctly American color and character, Mrs. Goodfriend mentioned Augustus Thomas's "Alabama," which she said had been an educator to those who were not fortunate enough to become acquainted with Southern life through direct contact. The speaker also mentioned James A. Herne's "Shore Acres," "In Missouri" and "The Danites" as educational in their character.

In comparing the success of the foreign playwrights in this country with the failure of our dramatists abroad, the speaker said that the reason was solely because Americans are better informed on foreign affairs and comprehend the purpose of the author at once, his satire, wit or humor, while the English or continental public know so little of America that the plays of our authors are not understood.

"Women," she said, "with a few notable exceptions, have yet to make a place in dramatic literature."

In the course of the discussion of the paper, in which every one joined, the talk drifted toward the Ibsenian style of play, which brought out some spirited talk, several of the women declaring that they never should be produced in America, where young girls are allowed to attend the theaters, while the majority of the women present scouted that argument. That young girls should see "moral plays" as a part of their education, and that ignorance was not innocence was the consensus of opinion.

Mrs. Welby said that mothers were "entirely too careless anyway, in not instructing their daughters in the ways of the world and leaving them to learn from schoolmates," and when one member apparently horrified at the tone of the discussion, arose and said that she thought it "altogether wrong to explain such things," and that, anyway, she should not know how to go about talking to her daughter of thirteen, and had "always gotten around answering her questions, considering it the better and more modest way," she brought about her head a whole shower of advice, which was ended by the meeting adjourning after Mrs. Goodfriend had said: "The moment you hedge anything about and make it mysterious you pave the way for trouble."

**Lona Wants $3,000.**

NEW YORK, Nov. 25.—Lona Barrison, one of the wicked Barrison sisters now performing at Koster & Bial's, has brought suit against the Horse Show Association for $3,000 damages. In her complaint she alleges that the association did not permit her to exhibit herself and her horse Maestoso, although she had paid her entrance fee and had been given to understand by the association that she would be allowed to exhibit. She claims that she spent $250 for a new riding habit for the occasion and that she spent considerable time and hard work in training her horse in various maneuvers preparatory to his exhibition. She alleges that the association permitted announcements in the daily press to the effect that she would ride at the show in male attire on a man's saddle, and that just a few moments before the call for her to enter the ring she was told that she would have to ride on a side saddle. This prevented her from entering. She claims that her entrance fee has never been returned to her.

**West Point Band to Make a Tour.**

WEST POINT, N. Y., Nov. 25.—A furlough has been granted by the secretary of war to the Military Academy Band under the conductorship of George Essigke, from Jan. 10 to Feb. 4, to make a concert tour of the principal cities of the United States.

**Notes of the Stage.**

The version of "Romeo and Juliet" which Otis Skinner presents Saturday afternoon at the Grand differs somewhat from the version with which theater-goers are familiar, but the changes have been made for the better. Otis Skinner is an ideal Romeo; there is an abandon in the great depth of his love for Juliet that carries him outside of self and makes his interpretation of the hot-headed Montague something to be remembered. In the balcony scene he is said to be superb. He is equally effective in the duel with Tybalt. Mr. Skinner's Juliet is Maud Durbin, and the theater-going public have seen few better interpretations of this character than she gives. She has youth and beauty on her side, and her work is marked by a womanly tenderness and grace throughout her entire performance, and full of those touches one sees in the true artist only.

The Park offers a big bill next week in "A Railroad Ticket" and the pictorial wonder of the year, the Cinematographe.

The matinees at the Grand and English's today will begin at 2:30 o'clock.

The advance sale for A. M. Palmer's production of "Trilby" at the Grand next week opens to-morrow morning. The engagement is for the first half of the week.

George Backus, who is playing William Gillette's part of Billings in Charles Frohman's "Too Much Johnson" company this season, has been very successful. During the New Orleans engagement of the company last week the newspapers of the Crescent City were exceptionally warm in their praise of the work of Mr. Backus. They recalled the time some years ago when he was a prominent member of David Bidwell's stock company in New Orleans and said many pleasant things about him. Mr. Backus has been with Charles Frohman ever since leaving William H. Crane three years ago. "Too Much Johnson" will be at the Grand the last half of next week.

## COAST-DEFENSE CONVENTION

**Governor Matthews Asked to Send Delegates to Florida Meeting.**

Governor Mitchell, of Florida, has sent personal invitations to the Governors of all the North Central States, as well as the commercial organizations of the larger cities, to attend the South Atlantic and Gulf States harbor defense convention to be held at Tampa, Fla., Jan. 20, 1897. Among the invitations sent was one addressed to Governor Matthews, through Albert Lieber. Invitations have also been extended to the Board of Trade to send delegates to the convention. T. T. Wright, of Nashville, Tenn., who is a personal friend of Governor Mitchell, and who is very much interested in the success of the convention, is in Indianapolis and will call on Governor Matthews to-day for the purpose of personally presenting the merits of the idea and to urge him to be present at the convention. Mr. Wright came here from Iowa, where he received the promise of Iowa's Governor to attend the convention, as well as that of representatives of the commercial bodies. Minnesota has also chosen delegates. Governor Mitchell is particularly anxious to have Indiana represented. Mr. Wright is a friend of President-elect McKinley, who has been invited to be present. Mr. Wright says that plans are being perfected to have all delegates entertained at Tampa Bay Hotel, one of the most elegant hotels in the world. He adds that "mint is flourishing."

Speaking of the purposes which the convention hopes to accomplish, Mr. Wright said that coast defenses in the South are very inadequate. He says that with modern implements of war it would be easier for a foreign enemy to capture the harbor of New Orleans than it was in the days of Admiral Farragut. This is a question, he says, which affects the Central and Northern States almost as vitally as it does the South. It is the purpose to discuss the entire subject fully and obtain the consensus of the different States, after which it will be presented to Congress for proper and necessary legislation.

## MORE FAITH THAN KELLAR.

**A Brahmin Who Thinks the Tricks Are Occultism.**

Dr. Ganadin, the Brahmin who has been delivering theosophical lectures in this city, visited Magician Kellar's performance yesterday afternoon, accompanied by ex-Judge R. W. McBride. The Brahmin was very much puzzled at Mr. Kellar's tricks and Mr. Kellar, for the benefit of the man from India, would occasionally exchange a wink with a friend in one of the boxes. After the performance the Brahmin was asked what he thought of the magician's feats, which the magician himself admits are all tricks.

"They are not all tricks," he replied. "It would be impossible for him to perform all those feats if they were mere sleight-of-hand affairs. I am quite sure that some of them are the result of physical development, particularly the one in which Mrs. Kellar does such mathematical work. I have never seen anything like it in India."

When it was explained to the man from the land of occultism that maybe Mrs. Kellar had a wire attached to her foot and the mathematical results were communicated to her by ordinary telegraphy, he opened his eyes. But Mr. Kellar does not admit that it is done this way.

## A "WILD WEST" SHOW.

**Peter Album, Locked Out, Tries to Shoot His Way Into His House.**

Peter Album, of 265 Kentucky avenue, and his wife had a quarrel yesterday and last night Album got drunk and went home. His wife expected that he would be in that condition and she locked him out. He tried to kick his way in and failing in that, he tried to shoot the door down. His wife says he fired nine shots. Neighbors counted seven. He had two pistols. Mrs. Album told officer Streit, who investigated the affair, that her husband finally left the place swearing that he would return and kill her. She fears for his safety as well as her own, for she said he had nearly $200 in his pocket. The officer failed to find any bullet holes in the door, but the neighbors explained this by saying that Album was so drunk that he "could not hit the side of a house."

**Building and Loan Compilation.**

L. G. Rothschild, clerk of the land and banking department of the auditor's office, is engaged in compiling the annual report on building associations. It will show 504 associations in the State, fifty new ones having been organized during the year and forty-nine having retired from business, after paying out. In this city there are 153. During the year twenty-four of the Indianapolis associations have retired and sixteen new ones have been organized.

**The Municipal Reports.**

City Controller Johnson and the heads of the various departments of the municipal government will not begin preparing their annual reports to the mayor until some time next month. Under the charter they are required to make detailed statements of all expenditures and work accomplished each year. It is likely that the reports will not be ready for publication before the middle of January, as they are to cover the time up to Dec. 31.

## ROTTEN CEMENT WALKS

**HAUGHVILLE TAXPAYERS CARRY GRIEVANCES TO COURT.**

**Want Democratic Trustees Enjoined from Accepting the Improvements—Police Story of Mrs. Sullivan.**

Teterick Eck and fourteen other residents of Haughville yesterday filed suit against the members of the Democratic Board of Trustees of Haughville, asking that they be enjoined from accepting the sidewalk that has recently been laid on Sheffield avenue. It is alleged that the foundation of the walk is made of dirt instead of gravel cement, and that in no way does the work conform to the specifications. The board is about to accept the work, and the plaintiffs ask that an order of court be issued to prevent the acceptance.

Citizens of Haughville claim that the Town Board has used very bad judgment in letting contracts for cement walks. The Sheffield-avenue walk has just been completed, and at the time it was being constructed there was some freezing weather, which seriously damaged it. There are other contracts not yet completed, and it is said to be the determination of the board to have work on a new contract begun yet this fall. The property owners say they will ask for an injunction to prevent the work if the contractor undertakes it.

**A SPLIT-PULLEY PATENT.**

**Decree Entered in Favor of a Mishawaka Company.**

A private dispatch received from Chicago last night says: "On Monday, Nov. 23, Judge Woods, of United States Circuit Court for district of Indiana, sitting at Indianapolis, entered a final decree in the celebrated patent suit of Dodge Manufacturing Company, of Mishawaka, Ind., against E. C. Atkins & Co., in which the Reeves Pulley Company, of Columbus, Ind., were the real and actual defendants, perpetually enjoining and restraining the making, selling and using of split pulleys infringing the Dodge and Philion patent. The suit has been in court a number of years and a large sum of money has been spent in unsuccessfully attempting to overthrow the Dodge and Philion patent on split pulleys. The printed testimony in this case comprised over four thousand pages."

Judge Woods was shown the above telegram and confirmed the information it contains. He says that he entered a final decree by agreement of the attorneys of the parties interested. The case never came up for trial in this court, but a similar case, involving the same questions as those in the case here, was tried at Ceveland, after which the attorneys decided to have the case here dismissed. Judge Woods is unfamiliar with the points involved, as he never heard them presented and knows nothing as to the merits of the suit.

## PERCY B. SULLIVAN'S WIFE.

**Louisville Police Officers Tell a Story of Her.**

The case of Percy B. Sullivan, charged with passing raised bills, was set for trial in the United States Court yesterday, but it could not be reached, and was continued until Friday. Sullivan was brought into court, and near him sat a local police officer with a warrant charging him with swindling people by selling forged insurance policies. In case Sullivan is not convicted on the counterfeiting charge he will be arrested on the swindling charge.

Sullivan's wife is in the city. She spent an hour with him in the United States marshal's office yesterday morning. She is a young and handsome woman. Two police officers from Louisville who were here yesterday claim to know her. Her story of coming from Virginia to marry Sullivan, they say, is not altogether true. She was born in Virginia, but went to Louisville when a child live with her uncle, an ex-city official. Lieutenant Jacobs, one of the officers, says Mrs. Sullivan was known in Louisville as Hattie, or "Willie" Montgomery, the latter being her uncle's name. He says she left her uncle at one time, and was found occupying a suite of rooms over a saloon. Jacobs is the officer who arrested Sullivan on a charge of stealing a bicycle in July at Louisville.

**J. B. WILSON'S CASE.**

**It Was Affirmed by the United States Supreme Court.**

Additional information received yesterday indicates that the Supreme Court of the United States has affirmed the decision of the local court, sentencing James B. Wilson, editor of the People, to the penitentiary for two years. It seems that the Supreme Court announced its finding orally. If this is true Judge Baker says the finding of the court would only appear on the clerk's record, and the court here would not be notified until the end of the term, when the court would order the mandate sent down.

John W. Kern, Wilson's attorney, said yesterday that it might be true that the sentence had been affirmed. He says that it was understood that he would be notified of the hearing and for this reason was at first disposed to regard the report as unfounded. He says if the case has been disposed of there must have been error on the part of some one in not notifying him. Mr. Kern will move for a stay of judgment until he can make two or three facts known which he wished to present to the court.

**WOMEN IN POLITICS**

**Led to a Quarrel and a Case in a Magistrate's Court.**

Lucy McDonald is a colored woman who lives on a part of a farm in Wayne township. A neighbor of hers is Rhoda Shaw, a white woman, who rents a part of the farm. They differ in politics, and when McKinley was elected they had some words about it. Mrs. McDonald gets her water from the well on the Shaw part of the farm, and when she pumped a pailful on the morning of Nov. 6 the two women got into an argument. It ended in Mrs. McDonald giving Mrs. Shaw a shower bath with the pail of water. Yesterday the two women were before Magistrate Nickerson with nearly a score of witnesses. Mrs. McDonald was charged with assault and battery and was fined $1 and costs. She immediately secured a warrant charging Mrs. Shaw with provoke, and the case will be heard Friday.

**HIS WHOLESALE LYING**

**Resulted in Heavy Sentence for Ally of Postoffice Robbers.**

Judge Baker yesterday sentenced the three men implicated in the robbery of the postoffice at Wellsboro. Harry Parmeter and John Ewing pleaded guilty to the charge of burglary of the postoffice, and were sentenced to two years and fifteen months, respectively, at hard labor. Theodore Kent, who was charged with having in his possession about $8 worth of postage stamps stolen from the office, was found guilty by a jury, and the court fixed his punishment at three years at hard labor. Kent was tried first, and his effort to shield the other men and himself by wholesale lying is probably the cause of his heavy sentence.

Calvin Saunders, charged with robbing the postoffice at Ovid, was tried by a jury yesterday afternoon and found guilty.

**CLAIMS HE WAS SWINDLED.**

**Henry A. Winn's Charges Against Firm of Powell & Co.**

Henry A. Winn claims that he was swindled by the members of the firm of Powell & Co., real-estate dealers in the Indiana Trust building, by being induced by them to buy the interest of James M. Powell in the business. He claims that the members of the firm represented to him that the firm's business was worth $5,000, and that on this representation he paid $1,000 in money and other property valued at $500 to James M. Powell for Powell's one-third interest in the business. All this is set out in a complaint filed yesterday in the Superior Court, in which Winn asks judgment against the members of the firm for $2,500. Winn claims that he has never received a dollar from the business and that it is not worth $200.

**The Compulsory Marriage Case.**

William and Mamie Donovan and their one-year-old child were in Magistrate Nickerson's court yesterday, where their family differences were settled, so far as the magistrate's court is concerned. Less than a year ago Mamie Mulry sued William Donovan in Magistrate Lockman's court, and a marriage was the result. Recently Mrs. Donovan filed complaint against her husband under the act of the last Legislature which provides, in case of desertion after such a marriage, that the husband may be made to pay a penalty of not less than $200.

Donovan took a change of venue to Magistrate Nickerson, and the case came up Tuesday. Donovan claimed that he had been out of work, but had a place offered him, and would provide for his wife when he went to work. It was arranged that he should pay his wife $15 a month until she went to him, for his position was in another city, and after they should begin living together the matter would be considered ended.

Yesterday Donovan informed the court that he had failed to get the work promised him. The magistrate then opened the case again and bound Donovan over to the Circuit Court. He prefers that Judge Allen shall wrestle with the administering of the first case under the new law. The magistrate is uncertain whether the $200 can be collected only as a judgment or as a fine. Donovan gave bond.

**Eliza Lester's Breach of Promise Suit.**

Eliza Lester yesterday filed suit against James W. Madin asking judgment for $5,000 for his failure to carry out an agreement to marry her. She says in the complaint that in December, 1894, he promised to marry her, the wedding to take place in the summer of 1895, and that before the time arrived he asked that the marriage be postponed until the summer of 1896. Later he asked that it again be postponed until the coming winter, to all of which she agreed. She now learns, she alleges, that Madin is soon to be married to one Minnie V. Abbey, and asks that he be compelled by law to pay her $5,000 for his faithlessness. She says she has been to great expense in preparing clothing and securing furniture for the home she expected to occupy with Madin as her husband.

**Postmaster Acquitted of Hugging.**

Mrs. George Huffman, wife of a well-known Nora merchant, recently filed affidavit for assault and battery against Abraham H. Bowen, the postmaster of that village, on the grounds that he hugged and kissed her against her will. She claims he entered the store one day during her husband's absence and tried to kiss her. Yesterday the case was tried before Magistrate Culbertson, in Broad Ripple, and that suburb attended the trial en masse as curiosity was aroused. Bowen denied the charges strenuously and brought evidence to bear upon the matter to prove its falsity. He was acquitted of the charge.

**P., D. & E. Receivership Report.**

E. O. Hopkins, receiver for the Peoria, Decatur & Evansville Railway, yesterday filed with the clerk of the United States Court his report of receipts and disbursements for the month of October. It was as follows: Cash on hand Oct. 1, $11,468.23; earnings for October, $125,436.85; disbursements, $120,074.45; cash on hand Nov. 1, $16,828.63.

**THE COURT RECORD.**

**Superior Court.**

Room 1—John L. McMaster, Judge.

McElwain-Richards Company vs. Manufacturers' Gas, Land and Improvement Company; account. Judgment for plaintiff against defendant for $3,369.50 and costs.

S. Hamilton vs. A. Sturvedent; under advisement. Appealed.

Ida Rust vs. Susan Rust et al.; account. Judgment for plaintiff for $302 and costs.

Room 3—Vinson Carter, Judge.

James E. Twiname et al. vs. James S. Grisard et al. Finding and decree quieting title in plaintiff. Judgment against plaintiffs for costs.

Frank Klee, by Emma Klee, vs. C., C., C. and St. L. R. R.; damages. On trial by jury.

The Mutual Home Savings Association vs. Orville D. Cosler et al.; foreclosing mortgage. Finding and judgment for plaintiff against Orville D. Cosler for $1,072.25, without relief, and costs, finding and judgment and costs.

A. L. Roach vs. Josephine Cline and Martin L. Cline; for $478.85.

Emma Bradford vs. William E. Stevenson. Dismissed at plaintiff's costs.

Hill, Clark & Co. vs. Howard Cale. Dismissed, and costs against plaintiffs.

**Criminal Court.**

Frank McCray, Judge.

The State vs. William Thomas and Jack Stewart; selling liquor without license. Tried by the court. Stewart not guilty. Thomas fined $20 and costs.

**Circuit Court.**

H. Clay Allen, Judge.

Jesse H. Blair, administrator, vs. John P. Bundy. Judgment for plaintiff for $308.72.

**New Suits Filed.**

Willoughby Walling, guardian, vs. L. A. Fulmer et al.; foreclosure. Room 1.

Sulzer-Vogt Machine Company vs. Lewis M. Howe et al.; note. Room 3.

Ezra Lester vs. James W. Madin; breach of marriage contract. Room 3.

Henry Winn vs. Powell & Co.; damages. Room 2.

Charles W. Meikel vs. Charles C. Topp; account. Room 3.

John Kidwell vs. Wyatt L. Farrington et al.; note. Room 1.

Teterick Eck et al. vs. Town Board of Haughville; injunction. Circuit Court.

**Appellate Court.**

2054. Stark vs. Owens. Monroe C. C. Affirmed. Davis, J.—It is only when the stenographer's report of the evidence, with its incidents, is incorporated in the bill of exceptions that the original bill may be certified to this court as a part of the record. All other bills of exceptions must be copied by the clerk in order to make them a part of the transcript of the record of appeal.

2070. Coleman vs. Gobeo. Montgomery C. C. Affirmed. Lotz, C. J.—Money paid to the county treasurer voluntarily by a person delinquent in the payment of a school-fund mortgage, together with the penalty provided in Section 5315, R. S. 1894, will not be governed by Section 6549, R. S. 1894, and make the county auditor and county attorney liable for such money paid when neither of them received any part thereof.

2280. Anglemyer vs. Blackburn. Miami C. C. Affirmed. Reinhard, J.—1. The overruling of a demurrer to an answer is harmless when the defendant recovers on a counter claim an amount greater than asked by the plaintiff in his complaint. 2. In an action to recover the value of certain personal property that was to be transferred, along with real estate, for other real estate it is not necessary to show the value of the real estate in the cross complaint. 3. Where a verdict is sufficiently plain to be understood it will not be defective for uncertainty.

1780. Rigney vs. Jacobs. Elkhart C. C. Reversed. Reinhard, J.—The practice in filing and sustaining motions by garnishee defendants to dismiss as to them is an unusual one, which amounts to a judgment on the pleadings, and the court cannot consider as true or admitted any facts alleged in the motion or to be discharged or in the statement in support of the motion unless such facts have been set up in the pleadings filed before the motion is presented.

2284. Ridgley vs. Mooney. Bartholomew C. C. Affirmed. Reinhard, J.—Where the title to goods sold has not passed and the buyer refuses to accept them the sellers may recover as damages the difference between the selling price of the goods and the market price at the time of delivery, to which may be added the expense of shipping the property, and the complaint based upon the breach of contract must show the market price of the property at the time or the default, and upon the default of the buyer to accept the goods the seller should proceed to resell them after notifying the buyer of that fact and that he will be held responsible for the loss on the sale.

2046. Staeding vs. Strouse. Marion C. C. Affirmed. Lotz, C. J.—This court will not weigh the evidence to reverse the trial court.

2007. Building Association vs. Reynolds. Marion S. C. Reversed. Ross, J.—1. Where there is no evidence to establish some of the material allegations of the complaint the cause will be reversed. 2. An allegation that a party has failed, refused and neglected to turn over property is equivalent to allegation that demand has been made and possession refused.

2016. Glass Company vs. Brakeman. Madison C. C. Affirmed. Ross, J.—The mere granting of a motion to amend the assignment of errors does not constitute an amendment of the errors.

2283. The State vs. Houck. Grant C. C. Reversed. Gavin, J.—The repeal of a criminal statute does not relieve an offender from prosecution for violations of the statute prior to its repeal unless the repealing act shall so expressly provide.

2087. State vs. Cone. Elkhart C. C. Affirmed. Davis, J.—Where language that is obscene or licentious per se is uttered in the presence or hearing of a female the crime contemplated by Section 2081, R. S. 1894, is complete, but where the language is not obscene or licentious per se the use of it is not a crime unless it is shown by extrinsic averments that it was used in the presence or hearing of a female in an obscene or licentious sense and that she so understood the words.

2079. The State vs. Wickwire. Elkhart C. C. Reversed. Lotz, C. J.—An affidavit charging that the defendant was the proprietor of a saloon, etc., and that it was kept in a room not fronting the street or highway is sufficient to withstand a motion to quash, as the gist of the offense was in maintaining the saloon when it did not front upon a street or highway.

2021. Brown vs. Hiatt. Tipton C. C. Affirmed. Ross, J.—1. This court will not disturb the finding of the trial court if there is any reasonable evidence to sustain the action of said court. 2. The fact that a highway is not graded and graveled its full width does not constitute an abandonment of the part not actually used.

1674. Mullen vs. Pugh. Fountain C. C. Reversed. Davis, J.—Where a person rented a farm for one year with the agreement that if he should build a house thereon and at the expiration of his lease the owner would pay for the house he cannot be deprived of the possession until the owner pays him for the house.

2282. The State vs. Hardman. Grant C. C. Reversed. Gavin, J.—1. Where a new statute covers the whole subject matter of an old one, adds new offenses and prescribes different penalties for those enumerated in the old law the latter is repealed by implication. 2. The right of prosecution was not lost by the repeal of Section 1998, R. S. 1894, by the act of 1895 (see Acts 1895, Page 91) when the offense was committed under the old law, but it was continued under Section 248, R. S. 1894.

1824. Fitzmaurice vs. Puterbaugh. Jay C. C. Affirmed. Gavin, J.—1. R. S. 1894, Section 344, forbids a reversal for any error committed in sustaining or overruling a demurrer for misjoinder of causes of actions. 2. Where a dealer falsely and fraudulently represents that a boiler owned by him is safe and in good condition and a buyer believes his statements and relies on his statements in making the purchase the seller will be responsible for all damages caused by the explosion of the boiler from its unsafe condition. 3. A general verdict will stand unless the special finding so conflicts with it that both cannot be true under any supposable condition of the evidence within the issues.

1578. Siberling Company vs. Newton. Washington C. C. Petition for rehearing overruled.

1668. Gas Company vs. Hayes. Hamilton C. C. Dismissed.

2093. Street-railroad Company vs. Findley. Marion S. C. Dismissed.

2168. L. E. & W. Railroad Company vs. Bates. Howard C. C. Certiorari granted.

2201. L., N. A. & C. Railway Company vs. Martin. Washington C. C. Certiorari granted.

2269. Browning vs. Simons. Huntington C. C. Submitted by order of court.

## MR. LUNG'S CUNNING.

**Had to Give Up Colored Man's Laundry, but Will Be Revenged.**

E. Lung, who scrubs his livelihood out of a washboard on Massachusetts avenue, and Frank Garvin, a colored youth, had "heepe much tlubble" and a "tur'bul time" together the other day because the latter had lost his laundry check, but insisted on having his cleansed garments.

"No checkee, no laundly," asserted Mr. E. Lung.

"Lookee huyh, dat laundry is in huyh foah suah, case I brought it day foah yesta'day," replied the colored customer with some warmth.

"Shlow me checkee," said Mr. Lung.

"I done los' it, I tol' you."

"Los people slay loss checkee, blut foolee; no foolee me," and the account book of curious ink dabs was jerked shut. "Go lout, glet away, no foolee me." It gets pretty warm in laundries sometimes.

"Lookee huyh, Mistah Chineeman, I ain't foolin' youah, but I done got to hab dat laundry. S'pose I'm goin' to freeze to def jes' case I los' youah blame ol' check?"

"Glet," yelled Mr. Lung, as he reached for an iron, and China ignominiously routed Africa.

Garvin had no thought of giving up the case, however. A thought struck him. The bright, flashy brass buttons of a police officer would probably scare the Chinaman into giving up the laundry. Accordingly he burst into the police station with a very respectful bow and the inquiry: "Can I hab an ossifer go wif me to scare de daylights out ob a Chinee who done won't gib up my laundry case I los' my ticket?" A few questions drew out his story, and, as the police could do nothing in the case, Garvin was so informed. He returned at roll call and followed an officer whose "beat" is on Massachusetts avenue and told him his story. The officer went with him. Triumphantly Garvin made his entrance into the laundry, accompanied by the officer, while a crowd collected about the door, as the word had been quickly passed that a Chinaman had been killed.

"Now youah bettah gib up dat laundry," declared the colored patron boldly.

"You kluss me, and sware me blad names."

"No I didn't; I talked 'spectable; all I wants is my laundry."

The Chinaman whisked about and danced in his wrath and the policeman laughed.

There was some celestial gibberish with the other yellow fellows and the laundry was produced without further parley.

"Slign name and addless in blook," said Mr. Lung solemnly, and his eye had a twinkle of cunning.

"Sut'nly, jest so I git my laundry," and Garvin dashed down his scrawl.

"You kluss me, me got your name, me have you allested for kluss. Me come with p'liceman see you to-mollah," and Mr. Lung danced in glee.

"Foah hebens sake, I'se in foah it suah," moaned Garvin, but his expostulations were cut short by the policeman, who used him as a center rush in clearing the crowd at the door.

"No kluss me," grinned Mr. Lung, as he lighted his pipe.

## BUTLER INTOXICATION CASE.

**Claimed that the Committee Has Not Yet Reported.**

Butler students who were present at the chapel services yesterday say that President Butler took exceptions to the article relative to the fraternity war published in the Journal yesterday morning. They say that he declared that a committee had been appointed to investigate charges of intoxication made against one young man, but that, although the committee had several meetings, it had not yet made a report, but would do so next week.

The report published in the Journal was based upon statements made by a student at Butler. He said that the charges were heard last Friday and that a decision exonerating the accused was reached Tuesday.

Friends of the young men who made the affidavits declare that the action was not taken to injure any opposing fraternity. They say that the captain and manager of the second football team both signed the affidavit. They admit that the affidavit has been contradicted by other evidence, but say that the captain, manager and players who signed it, representing two fraternities and also the nonfraternity men, refuse to retract their statement.

**Light Artillery's Smoker.**

Invitations have been issued by the Indianapolis Light Artillery for an entertainment at the Armory Saturday night which will be the first of a winter series. The entertainment is styled a "smoker" and there will be a profusion of "weed," pipes and matches, therefore, ladies have not been included in the invitation. Members of the battery will participate in the different forms of amusements down on the programme and after that lunch and tobacco will be served.

A number of changes have been made in the Light Artillery during the last few months, and a more rigid discipline is enforced, giving the organization a more pronounced military air. The battery has been organized almost fifteen years and by reason of this long service efforts have been made to branch out into other lines which do not pertain strictly to military principles. This has resulted in dissatisfaction and there has been a weeding out of nonworking and undesirable members, which has brought about better discipline. The strictest rules are now observed at the armory and clubrooms. A new six-ball pool table and a piano have been added to the attractions of the clubrooms by the house committee. The officers and noncommissioned officers of the organization are: captain, James B. Curtis; first lieutenants, Charles A. Garrard and Edward B. Johnson; second lieutenant, Harry Callon; first sergeant, H. H. Van Wie; quartermaster sergeant, Smith Strickland; sergeants, Johnson, Holmes, Edward Miller and William E. Meyers; corporals, Dunlap, Mayhew, Boswell, Navin, Johnson, Brown and Hicks.

**Presentation to Secretary Wines.**

A. G. Wines, for a number of years secretary-treasurer of the International Typographical Union, has retired from that office. Mr. Wines has many friends among the printing trades. As a token of the friendship and esteem in which he is held members of the I. T. U. presented him with a handsome leather couch and easy chair a few days ago. W. A. Greene, John Steffen and O. B. Rankin, the committee which presented the gifts to Mr. Wines, expressed the hope that whatever his future plans may be that he may find it convenient to remain here. Mr. Wines responded with a graceful acknowledgment of the token of friendship.

## BANQUET TO W. J. BRYAN

**AT WHICH THE REV. MYRON W. REED ACTED AS TOASTMASTER.**

**Speech by the "Boy Orator" Urging Education of Business Men Down to the Silver Standard.**

DENVER, Col., Nov. 25.—William J. Bryan visited Pueblo to-day and was given the same enthusiastic reception he received here yesterday. He was met at the Pueblo station by a vast concourse of people, including the Centennial High School Cadets, who escorted him to the Central High School grounds, where the first of six speeches was delivered to a gathering of school children and older people. Mr. Bryan made no speeches en route from Denver, though at every station crowds had gathered to cheer the silver champion, and at various points salutes were fired as the train passed. At Colorado Springs two thousand people yelled themselves hoarse. Mr. Bryan bowed acknowledgments from the car platform.

A complimentary banquet was last evening tendered Mr. Bryan at the Brown Palace Hotel by the Chamber of Commerce of Denver. Plates were laid for three hundred. Rev. Myron W. Reed was the toastmaster of the evening. He introduced Henry P. Steele, president of the Denver Chamber of Commerce, who welcomed the guest of the evening to the city of Denver. Toasts were responded to by Major McMurray, Governor McIntyre, Alva Adams, Governor-elect, Senator Henry M. Teller, Hon. Thomas M. Patterson, editor of the Rocky Mountain News, Congressman Charles E. Towne, of Minnesota. It was after midnight before Mr. Bryan spoke. His address was the last number on the programme. He was received with great cheering. Among other things he said:

"The past few months seem to me more like a dream than a reality; and when I hear the words of eulogy which have been so often spoken, they do not impress me as words spoken of me. The fear that always comes over me when I hear these words spoken with so many manifestations of affection is whether I can maintain the feeling that has been so kindly expressed, or whether, by some misstep, I may do, as many have done before me, fail and lose that love which now is the thing which I prize most in life. It frightens me when I find how many people there are in this country who, believing as I believe, have put their faith in me and the work I have tried to do. The only assurance that I have that I may be able to continue to retain your good will is the belief that my purpose is the same as your purpose, and that we, continuing in this purpose, will travel together.

"I believe that during this campaign in every foreign nation the oppressed were raising a silent prayer for our success and that in every foreign nation the aristocracy was praying for the success of our opponents, because the embassador of the United States to Great Britain declared immediately after the election that he, together with all London, was rejoicing, and when he said he and all London he meant that part of London which he had become acquainted with, and not the toiling part of London or England. You read what is said by the financiers and by the aristocrats of the old world, and you will find that they recognize what many of our people do not recognize—that this question which was before the American people reached down deeper and towered up higher than any question which has confronted us in time of peace in the history of this country.

"We cannot give up this fight if we desire. We have to go on. I think we have been successful in bringing our cause before the American people. I think we will be more successful in the next four years. We have been successful in bringing our cause before the American laboring man. We have failed most in reaching the business men of this country, and I believe that for the next four years we ought to give special attention to the bringing of our arguments before the business men of this country. How long will it be before our well-to-do classes shall understand that they cannot raise themselves far above the masses of the people? How long before they realize that their only safety lies in raising the masses with them?" (Cheers and loud applause.)

It was 2:20 this morning when Mr. Bryan finished his speech. The scene of the banquet hall at the end of a forceful speech by Congressman Charles A. Towne, of Minnesota, on "The Issue of 1900" was remarkable. The climax of his speech, in which he spoke of Mr. Bryan as "the leader of 1896, the victor of 1900," started a great demonstration. Men jumped on chairs and tables, shouted themselves hoarse, waved handkerchiefs and acted generally as only enthusiasts can when stirred to a frenzy by burning eloquence can act.

## AT THE LAFAYETTE HOME.

**County Commissioners Make an Inspection—May Build a Cottage.**

County Auditor H. B. Smith and County Commissioners Greer, Harding and Reinecke and County Commissioner-elect McGregor, went to the State Soldiers' Home in Lafayette yesterday with Commander H. C. Adams, of Thomas Post, to inspect the grounds and buildings. They were much pleased with the institution and its officers. They found the veterans and their wives and widows contented in the home which the State has established in connection with the liberality of Tippecanoe county and Lafayette. Marion county now has forty representatives in the home but has not yet built a cottage. The visit was made, it is understood, to consider the possibility of the building of a house for the accommodation of a part of the Marion dwellers at the home.

## CLOTH IN A GARBAGE WAGON.

**The Driver Ran Away When Patrolman Diltz Came Up.**

While Patrolman Diltz was walking on Massachusetts avenue yesterday evening he noticed an old garbage wagon in which he thought he saw some bolts of cloth. He thought the sight was unusual enough to be worthy of an investigation and he started toward the wagon. The driver jumped and ran, making his escape. Diltz drove the wagon to the police station. It contained two bolts of heavy black cloth, such as is used in making men's clothing. One bolt contained a tag on which were the following marks: No. 3179; yds., 6¼; price, P. T. A.; line, 41-U.

## CITY NEWS NOTES.

The fire insurance committee appointed by the Commercial Club to endeavor to secure lower insurance rates will meet to-morrow afternoon at 3 o'clock for conference. George Merritt is chairman of this committee.

George Schnell, a blacksmith, aged forty-three years, who has been living at various places about the city for several months, was arrested yesterday on a charge of petit larceny. He had an overcoat worth about 30 cents which another blacksmith claims he stole.

Dr. Banker, of Columbus, and Dr. Morgan, of this city, performed a very delicate operation