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OF

THE JOURNAL

Have been conveniently located at the following drug stores in the various sections of the city, from which

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—STATIONS—

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College Ave. and 7th St.—Geo. C. Fisher.
Columbia Ave. and 7th St.—Geo. C. Ruch.
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Shelby St., No. 182—C. A. Eitel.
Talbott Ave., No. 350—M. Schwartz.
Virginia Ave. and Coburn—C. G. Mueller.
Virginia Ave. and McCarty—M. C. Staley.
Wash. St. and State Ave.—N. S. Driggs.
Wash. St., No. 764 East—Baron Bros.
West St., No. 563 North—C. W. Eichrodt.
Yandes and 9th Sts.—Dixon.

DIED.

RIDGE—Letty, wife of J. J. Ridge, Dec. 1, 1896, aged sixty-eight years. Funeral private from the residence of her daughter, Mrs. F. A. Reif, 358 East Market street, Thursday, Dec. 3, at 2 p. m. Friends can view the remains from 10 to 12 Thursday.

FUNERAL DIRECTORS.

PLANNER & BUCHANAN—172 North Illinois street. Lady embalmer, for ladies and children. Office always open. Telephone 641.

LOST OR STOLEN.

LOST OR STOLEN—Bull pup, four months old; ears trimmed, large brown spot over left eye, small spot over right eye. Return to 246 North Illinois street. Liberal reward.

SOCIETY NOTICES.

MASONIC—Pentalpha Lodge, No. 564, F. and A. Masons. Stated meeting in Masonic Temple this (Thursday) evening at 7:30 o'clock. Election of officers, payment of dues and other important business. GEORGE A. GAY, W. M. WILLIAM H. SMYTHE, Secretary.

MASONIC—Ancient Accepted Scottish Rite—Special fall convocation — Continuation of programme.
INDIANA CONSISTORY, S. P. R. S., 19 deg. to 32 deg.
Commencing at 10 a. m. to-day, Thursday, Dec. 3, and continuing at 2 p. m. and 7 p. m.
NICHOLAS R. RUCKLE, 33,
Deputy for the District of Indiana,
T. P. Grand Master Adoniram
G. L. of Perfection.
CHARLES L. HUTCHINSON, 33,
M. E. Sov. Grand Master Saratah
Council, P. of J.
BYRON K. ELLIOTT, 32,
M. W. and P. Master Indianapolis
Chapter of Rose Croix.
JACOB W. SMITH, 32,
Ill. Commander-in-Chief Indiana Consistory.

FINANCIAL.

LOANS—Money on mortgages. C. F. SAYLES, 75 East Market street.

TO LOAN—A large sum; amounts to suit; commission and expenses lowest. No gold clause. NEWTON TODD, 4 Ingalls Block.

MONEY—To loan on Indiana farms. Lowest rates, with partial payments. Address C. N. WILLIAMS & CO., Crawfordsville, Ind.

LOANS—Sums of $500 and over. City property and farms. C. E. COFFIN & CO., 90 East Market street.

MONEY—To loan on Indiana farms. Lowest market rate; privileges for payment before due. We also buy municipal bonds. THOS. C. DAY & CO., Rooms 328-329, third floor Lemcke Building, Indianapolis.

WANTED—MALE HELP.

WANTED—Men and women out of employment and willing to work can learn of a permanent situation at good wages by writing at once to P. V. H., Box 283, Augusta, Me.

WANTED—Competent men to work life insurance in Indianapolis and every town in Indiana. CAPITOL LIFE INSURANCE COMPANY OF INDIANA, Indianapolis.

WANTED—Traveling salesmen for cigars. Old, reliable house. Experience unnecessary. Extra inducements to customers. $75 to $150 per month and expenses. CHAS. C. BISHOP & CO., St. Louis.

WANTED—An idea. Who can think of some simple thing to patent? Protect your ideas; they may bring you wealth. Write JOHN WEDDERBURN & CO., patent attorneys, Washington, D. C., for their $1,800 prize offer and list of inventions wanted.

WANTED—MISCELLANEOUS.

WANTED—To buy paying Indianapolis drug store. Give location and full description for reply. Cash. Address H. H., Journal.

WANTED—Property worth from $2,000 to $3,000, anywhere from St. Clair to Ohio, and Illinois to East streets. C. W. PHILLIPS, 70 Monument place.

WANTED—To rent a modern house of ten or twelve rooms on Pennsylvania, Meridian or Delaware street, north of Ohio. Inquire C. W. NEAL, Auditor of State office.

FOR SALE.

FOR SALE—Drug stock; new and clean; invoice about $3,000; established trade; town of 10,000; rare opportunity. C. M. C., care Journal.

FOR SALE—
EST'D. EST'D.
1872 —JUST RECEIVED— 1872

Another lot of those choice potatoes—a bargain at 30 cents per bushel.
GEORGE J. HAMMEL,
GROCERIES AND MEATS.
Telephone 775. 110-112 Massachusetts ave.

FOR SALE—REAL ESTATE.

FOR SALE—Choice residence property from $20,000 to $2,500. C. W. PHILLIPS, 70 Monument place.

STORAGE.

STORAGE—Indianapolis Warehouse Co., 265-273 S. Penn. st., Pennsylvania tracks. Phone 1343.

PERSONAL.

PERSONAL—Mme. Mason, massage treatment. Room 20, Hendricks block.

MEDIUM.

TRANCE MEDIUM—Mrs. E. J. Paul, trance medium, 100 Senate avenue, north, corner West Ohio street.

CLAIRVOYANT.

CLAIRVOYANT—Mrs. T. Griswold, the great clairvoyant and palmist, tells you every hope, fear and ambition of life; everything revealed; gives advice on business, love and marriage. Office and residence, 296 East South street.

PALMIST.

PALMIST—Juanita, the queen of all palmists, has just arrived and will give scientific palm readings of past, present and future. Satisfaction guaranteed or no pay. Readings 25c up. Ten days only, 88 West Ohio street.

NOTICE OF LETTING OF PRINTING.

Notice is hereby given that the printing committee of the Grand Lodge I. O. O. F. Indiana will receive sealed bids up to 2 o'clock p. m. on the 22d day of December, 1896, at the grand secretary's office, in the Grand Lodge building, Indianapolis, Ind., for the printing, stationery, blank books and supplies needed by the Grand Lodge I. O. O. F. Indiana for the year beginning Dec. 22, 1896, and ending Dec. 22, 1897. Samples of quality, style and amount will be furnished by the grand secretary I. O. O. F., W. H. Leedy. All bids must be sealed, and the successful bidder must enter into a written contract for the faithful performance of the same, secured by a bond. The committee reserves the right to reject any or all bids. J. B. KENNER,
Chairman Committee on Printing.

A CHILD AND MATCHES.

May Finnins Seriously Burned--Father to the Rescue.

May, the three-year-old daughter of Geo. Finnins, of 8½ Malott avenue, was very seriously burned last evening. While her mother was on the lower floor of the house little May got hold of a box of matches and began striking them. In some way her clothing caught fire. Her screams alarmed her father, who rushed into the room and saw his little daughter enveloped in flames. He frantically went to her rescue, but was himself badly burned before he succeeded in removing her clothes. Dr. Bahr, of the City Dispensary, and Matron Hahnrahan went to the Malott-avenue home and did what they could to relieve the child's pain. While she is dangerously burned about the upper parts of her body, Dr. Bahr thinks she has a fair chance to recover.

EARNINGS OF RAILWAYS

BIG FOUR AND PENNSYLVANIA LINES MAKE UNFAVORABLE EXHIBITS.

A Light November Tonnage of Freights—Railroad Matters Discussed by President Jeffrey.

Reports of the earnings of the Cleveland, Cincinnati, St. Louis & Chicago railway for October, and also for the ten months of the year from Jan. 1, were in detail as follows:

Month of October:

	1896.	1895.
Gross earnings	$1,152,762	$1,327,485
Operating expenses	896,412	972,119
Net earnings	256,350	355,366
Charges	230,551	231,569
Surplus	25,799	123,797

Ten months from Jan. 1 to Oct. 31:

	1896.	1895.
Gross earnings	$10,787,172	$11,614,648
Operating expenses	8,247,684	8,656,971
Net earnings	2,539,488	2,957,677
Charges	2,354,421	2,362,903
Surplus	185,067	554,774

The following is a comparative statement of the October earnings and expenses of the Pennsylvania system: Lines directly operated—Gross earnings, October, decrease, $666,400; ten months' decrease, $1,542,000; October expense, decrease, $463,000; ten months' decrease, $2[illegible],100; net October earnings, decrease, $2[illegible],400; ten months' decrease, $1,204,900. Lines west of Pittsburg and Erie, directly operated—Gross earnings, October, decrease, $806,800; ten months' decrease, $1,808,100; October expenses, decrease, $531,300; ten months' decrease, $462,700; net October earnings, decrease, $535,500; ten months' decrease, $1,345,400. All lines east of Pittsburg and Erie—Gross October earnings, decrease, $1,959,400; October expenses, decrease, $530,000; ten months' decrease, $31,900; net October earnings, decrease, $347,300; ten months' decrease, $1,927,500. All lines west of Pittsburg and Erie—Gross earnings, decrease, $372,500; ten months' decrease, $2,122,800; October expenses, decrease, $390,500; ten months' decrease, $671,700; net October earnings, decrease, $582,000; ten months' decrease, $1,445,100.

President Jeffrey on the Situation.

E. T. Jeffrey, president of the Denver & Rio Grande, is now in New York city. In speaking of the railroad situation he said: "As to Western railroad business, so far it has shown no betterment. The reports from our own road have compared unfavorably with those of the same period last year. This has been due partly to the fact that as yet there has been only a slight revival in trade, and partly because of the Leadville labor troubles. In another month or two the improvement in business will be well under way, and I believe that within a very short time the earnings of the railroads will be showing good increases. I do not think the Western roads will do much in the way of extensions or renewals for some little time yet. You can confidently count on the West sharing largely in the prosperity in store for the whole country. Western business will improve steadily from now on. New enterprises will be launched with the aid of reassured and confident capital. The production of the West will be largely increased. And the railroads will benefit by all this improvement. To my mind, the most important result of this election, the result that will most benefit the Western country, is the decision by the people that everywhere in the United States there shall be law and protection for property. That is what is going to bring the capital of the East and of Europe to the West. I do not think the Western people realize this yet. But I can see it, and I do not hesitate to proclaim it. You cannot induce capital to come into enterprises when that capital is fearful of its own safety. The people of this country have decided that protection shall be given to property and investments."

Victory for Western Roads.

The Western roads have scored a victory in their fight to get the lines of the Joint Traffic Association to join them in meeting the competition of the Canadian Pacific excursions to points in eastern Canada. They have for a month back been trying to get the roads of the Eastern organization to stand a portion of the reduction, but the latter would have none of it. Finally Chairman Caldwell went in person to New York and made an argument before the Eastern roads, with the result that they have rescinded their former action and will aid the Western roads in meeting the competition through St. Paul and Chicago. Hereafter when the Western roads have a fight to wage before the board of managers of the Joint Traffic Association they will send a personal representative to the spot and not trust to the intermediate work of committees formed of representatives of the Joint Traffic and Trunk-line associations.

November Business.

Last month there were handled on the Big Four system 404,170 passengers, against 466,568 in November, 1895.

In November there were handled at the city freight depot of the Pennsylvania line 33,267,076 pounds of freight, representing 3,029 cars, against 51,257,601 pounds of freight in November, 1895, representing 4,509 cars.

On the Big Four system last month there were handled 125,529 loaded cars, against 150,470 in November, 1895.

There were transferred over the Belt road in November 93,175 cars, Belt road engines handled for the stock yards 4,194 cars, and for private switches on its lines 1,250 cars.

K. & I. Bridge to Be Sold.

Judge Barr, in the United States Court at Louisville, yesterday ordered the preparation of a decree of sale of the Kentucky and Indiana Bridge Company, which includes approaches on both sides of the river, the New Albany Street-railway Company and the New Albany Belt railroad. The value of the whole is over $3,000,000 and the claim of the first mortgage bondholders is given priority over all other claims. An impression prevails that the Southern railway will secure control of the property and lease to other lines now operating over the bridge.

Personal, Local and General Notes.

The Cincinnati, Hamilton & Dayton Magazine for this month is out and is an unusually interesting number.

The Baltimore, Ohio & Southwestern has secured control of the bridge and terminals at Marietta, O., under lease.

The October statement of the Chesapeake & Ohio shows an increase in net earnings of $4,471, as compared with October, 1895.

H. P. Hathaway, of Louisville, has been appointed traveling agent of the Kanawha Dispatch, with headquarters at Chicago.

The new freight depot of the Big Four at Jeffersonville was opened for business on Tuesday, with James E. Biggett as agent.

Judge Bacon, general agent of the passenger department of the Chicago, Rock Island & Pacific, is in the city on official business.

Frank E. Janowitz, coal traffic agent of the Baltimore & Ohio Southwestern, has retired from service and is succeeded by R. S. McVeigh.

W. W. Webster, soliciting freight agent of the Chicago, Burlington & Quincy, has resigned and accepted a position with the Star Union line, with headquarters at Kansas City.

The clergy half-fare permit agreement recently adopted by the Central Passenger Committee lines is now in effect. Permits can be obtained from Commissioner Donald, of Chicago.

Thomas Noonan, general manager of the Central Despatch and Continental fast freight lines, and General Manager Pomeroy, of the Nickel-plate fast freight line, were in the city yesterday.

Commencing Dec. 10 Cincinnati, Hamilton & Dayton mileage books will be honored by the Evansville & Terre Haute, and mileage tickets of that company's issue will be accepted by the C., H. & D.

The new one-thousand-mile ticket just issued by E. A. Ford, general passenger agent of the Pennsylvania and Vandalia, is interchangeable and good for travel over five thousand miles of railway.

The Columbus & Hocking Valley not only runs its trains into the Lake Shore depot at Toledo, but uses the terminal facilities of the Lake Shore and houses its engines in the Lake Shore's roundhouse.

The board of managers of the Joint Traffic Association has authorized holiday excursions, to be run from Chicago to points in Canada. The rate for these excursions will be one fare for the round trip.

E. F. Serviss has been appointed commercial agent for the Kansas City, Pittsburg & Gulf, vice W. F. Bellaire, resigned. Mr. Serviss has been the chief clerk in the general freight office for some years.

The Denver & Rio Grande people claim to have the largest and fastest passenger locomotives in the world. They weigh seventy-five tons each, without the tank, and will haul a train seventy miles an hour.

Hon. John Scott, whose death was announced on Monday, was for many years solicitor of the Pennsylvania Railroad Company. He retired from that position about a year ago. He was then seventy-one years old.

On Dec. 10 Charles A. Young, who has been agent of the Cincinnati, Portsmouth & Virginia for several years, will retire to take service in the train dispatcher's office of the Cincinnati, Hamilton & Dayton at Cincinnati.

William Holmes, for fifteen years passenger conductor on the Chicago & Eastern Illinois, died quite suddenly on Tuesday, and will be buried at Chicago to-day. Several conductors from this section will attend the funeral.

T. M. Johnson, freight traffic manager of the Chicago, Rock Island & Pacific, has been elected chairman of the new rate committee of the Western Freight Association. The old Western trunk-line committee has been abolished.

The Santa Fe shops, which have been running eight hours a day, commenced, Dec. 1, running nine hours a day, six days a week. The new shops of the company at Argentine, Kan., are completed and will be started to-day for the first time.

Trenton, the next station south of Middletown on the C., H. & D., has taken a progressive start in the number of commuters this month. There were fifteen new commuters, and Train No. 2 will hereafter stop regularly at this station to accommodate them.

The travel between Chicago and St. Louis seems to be as well provided for as between Indianapolis and Chicago. The Chicago & Alton, the Wabash and the Illinois Central each now runs three eight-hour trains in both directions with the highest type of equipment.

William Garstang, superintendent of motive power of the Big Four, goes to Richmond, Va., to-day. Mr. Garstang has plans and specifications prepared for a consolidated freight locomotive which he guarantees will haul, with the same amount of coal per train, five more loaded cars.

The regular monthly meeting of the Central Passenger Committee was held in Chicago yesterday, and little beyond routine matters was transacted. The decision of the committee some time since to place the issue of clergy tickets in the hands of Commissioner Donald was formally ratified.

The Illinois Central road has just closed a deal for the purchase of additional right of way in Cedar Rapids, the strip in question being perhaps half a mile in length. This not only increases the terminal facilities, but would seem to foreshadow a probable southwestern extension of the road.

The lines of the Central Passenger Committee have agreed to make a rate of one and one-third fare for the round trip for the holidays. The rate will be good between all points in the territory of the committee except to or through the gateways of the Western Passenger Association.

It is stated that the St. Louis & San Francisco management is not disturbed over the appointment of a receiver for the St. Louis, Kansas & Southwestern branch. The Frisco company has no interest in the property, and it has ceased to operate the line, as it could not be done except at a loss.

A movement is on foot to take the various lines of the Union Pacific, Denver & Gulf system out of the hands of a receiver, and consolidate the Union Pacific, Denver & Gulf, the Denver, Leadville & Gunnison, the Cheyenne & Northern, the Denver & Pacific, the Denver, Texas & Ft. Worth and the Colorado Central under one company.

Thomas Morris, assistant chief engineer of the Big Four, claims that the track of that road from Cincinnati to Kankakee is in the best physical condition of any railway property in Indiana. Sixteen miles of eighty-pounds-to-a-yard steel has recently been laid, and the track from Cincinnati to Kankakee is now laid with a heavy rail.

The headquarters of the supply department of the Southern Railway will be removed from Manchester, Va., where they have been located for many years past, to Atlanta, Ga. The change will be made next Saturday, when E. F. Weld, general storekeeper and chief of supplies for the Southern, will remove to Atlanta, bringing with him his entire force.

The Kansas City, St. Joseph and Council Bluffs division of the C., B. & Q. system is making a great earning record this fall. October showed an increase of $95,000, or nearly $3,000 a day, over October, 1895. Many stations which usually show earnings of $1,000 increased their business to such an extent than an increase of $6,000 to $7,000 per day was shown.

Arrangements have been completed for winter boat service between Chicago and Benton Harbor. The steamer Jay Gould will on Monday be placed in service, and will ply between Chicago and Benton Harbor in connection with the Big Four, the Vandalia and the Chicago & West Michigan. The City of Duluth will run between Milwaukee and Benton Harbor, as originally planned.

The Cleveland, Canton & Southern is again in a fair way for reorganization. The death of Austin Corbin, chairman of the first-mortgage bondholders' committee, and the serious illness of C. A. Peabody temporarily delayed all plans. Mr. Peabody has recovered from his illness and has assumed the chairmanship of the committee, and H. K. Pomeroy has taken the place of Mr. Corbin on the committee.

Some weeks ago the Joint Traffic Association gave notice of its intention to withdraw commodity rates at the end of the year. Owing to numerous protests from shippers the date of change was extended to March 1. In the meantime the question will be considered by the board. An opinion prevails with shippers that there will not be so general a withdrawal of these rates as was at first proposed, but that they will be retained on many classes of traffic.

In the early sixties William Doggett was paymaster on the Indiana Central, now the Indianapolis division of the Panhandle. He used to go over the road paying on a handcar, carrying the money in a box. In 1860, while making one of his trips, the box, containing several thousand dollars, came lose from its fastenings and fell off unnoticed by him and was never recovered. Now it takes the men on a pay car twelve days, drawn by a fast engine, to disburse the monthly pay rolls on the Panhandle system.

The organization of the Society of Railway Club Secretaries of the United States, which was begun at Saratoga last June and further considered at Buffalo in September, was permanently effected at the Gilsey House, New York, on Tuesday. The clubs represented are the New York Railway Club, Central Club, New England Club, Western Club, Southern and Southwestern Club, Northwestern Club and the St. Louis Club. The Texas Club, organized this year, has given notice that it desires to be a member.

W. A. Kellond, assistant general passenger agent of the Illinois Central, and R. H. Fowler, traveling passenger agent of the same system, are in the city on official business. Mr. Kellond states that the passenger and freight traffic that their Southern lines are doing is in the nature of a surprise, far exceeding the expectations of the higher officials, and each month shows an increase in traffic of both classes. Especially is the fast line from Cincinnati via Louisville to New Orleans doing an unexpectedly heavy business.

The leading transatlantic steamship agents have sent out a circular, signed by both the British and continental lines which says that, beginning with Dec. 1, all orders for tickets issued by agents other than Cook & Gays for first cabin tickets, prepaid or otherwise, will not be honored by the company. This, it is stated, wipes out of existence in New York city alone twenty-six agents. The object of the lines doing away with agencies is to save a commission of $5, which they have been paying on each cabin passenger booked by the agent, which means that in the future all passengers will have to deal directly with the steamship companies.

THEY ARE FUGITIVES.

Several Suspects Who Had Been Held by the Police.

George Ruhl and John Winfield, who were arrested by Sergeant Hyland on the night of Nov. 26 while they were trying to break into Dailey's grocery store at the corner of Kentucky avenue and Maryland street, have turned out to be fugitives. As there was no direct evidence that the two were actually breaking into the grocery store, when they were tried, they were held for loitering and the case continued until more could be learned concerning them.

Word was received at the police station yesterday that they are wanted at Evansville, and they will be taken there. Samuel Swain, who was arrested Sunday night for loitering, also turns out to be a fugitive and wanted for forgery at Marshalltown, Ia., and at Union City and La Fontaine, in this State. The sheriff from the latter place is in the city waiting to take Swain, and will start with his prisoner to-day.

The whole story of the wonderful cures by Hood's Sarsaparilla is soon told. It makes the blood rich, pure and nourishing. It cures scrofula, catarrh, rheumatism.

Hood's Pills act harmoniously with Hood's Sarsaparilla. Cure all liver ills. 25 cents.

EVIDENCE OF MR. MILLER

MAKES A RATHER DARK CASE FOR LEOTUS M'LEAN'S SLAYER.

President of State Bank of Indiana on the Stand—Supreme Court Affirms Tax Case.

The trial of William Perry, in the Criminal Court, for the murder of Leotas McLean, progressed rapidly yesterday, the State probably completing its side of the case. Prosecutor Wiltsie informed the court, at 12 minutes to 5 o'clock, that the State would probably rest.

"It may be that we will have another witness to-morrow morning, and do not wish to formally close our case until then, but we probably rest," said he.

The trial is exciting the usual interest that centers about murder cases. When the doors of the court room were opened yesterday the corridors were crowded with men and women ready to rush into the room. There were more women than on the previous day. The crowd was somewhat noisy during the morning, and great confusion was created several times by people passing in and out of the doors. Judge McCray informed the crowd at the opening of court in the afternoon that those who were present would not be allowed to leave the room until a recess should be taken. Again, at the recess at 3:30, he advised all who did not want to remain until court adjourned for the night to pass out then, for the doors would be kept closed.

When Perry was brought into court he found his wife and children waiting for him. They had not been present the day before. He greeted them kindly. There are two boys and two girls, from about ten years old down to the youngest, which is scarcely two. Perry held the baby in his lap during almost the entire day. Mrs. Perry sat near him, but they conversed very little. Perry watched every witness for the State closely while testimony was being taken. In one or two instances, while witnesses for the State were giving evidence in chief, it looked as though Perry was anxious to catch their eyes, but they invariably kept their eyes turned toward the prosecuting attorney, who was doing the questioning.

The principal witness for the prosecution was Hiram Miller, president of the State Bank of Indiana, who was an eyewitness of the murder. It was committed on his farm. He related how he had met Perry in the stable early on the morning of July 11 last, and that Perry complained that McLean drove too fast and had said that he did not want to pitch hay with him any more. Mr. Miller said he paid no attention to Perry's remarks, and walked around to the west end of the building, where the raised approach to the second floor forms the entrance to the part of the building where hay and feed is kept, and generally spoken of as the barn.

MR. MILLER'S EVIDENCE.

Mr. Miller's evidence was damaging to Perry. He said that McLean was looking under some loose hay for a lost pitchfork, in obedience to his instructions, and was using another fork in the search. When Perry came up McLean began the quarrel by saying to Perry:

"How does it come that you say to Mr. Miller that I cannot drive a team?"

Perry replied: "By God, I did say you could not drive, and I won't load hay behind you any more."

At this time Perry was standing near the door and McLean was standing on a small partition dividing the middle of the barn from the compartments where grain and hay is kept. Perry advanced a step or two toward McLean, and then Mr. Miller interfered and ordered the men to their work. Mr. Miller then noticed that Perry had his knife in hand holding it behind him, out of sight of McLean. He ordered Perry to put the knife up, and as Perry stepped away from McLean and the latter went on looking for the lost fork, Mr. Miller thought the affair was settled, and turned to go to the carriage house, which is north of the barn.

The witness had not gone far until he heard the quarreling begin again and he returned.

"You have been telling stories on me to Mr. Miller and I want it stopped," said McLean.

Said Perry: "I have not been telling stories on you, but you have been telling stories on me and imposing on me too."

McLean denied this and Perry called him a liar. McLean replied: "If you say I am a liar, you're a damned liar."

With that Perry sprang toward McLean, exclaiming: "I won't take that off of no man," and began stabbing him. Mr. Miller saw the whole affair, but was in no position to interfere and made no effort to do so. He described the manner in which McLean held the pitchfork and how he attempted to push Perry away from him with the handle. He did not believe that McLean made any effort to turn the prongs toward Perry. Perry made the remark just before the lie passed that he believed McLean would like to run the fork into him and McLean had replied:

"I would just as soon do so as not if you do not put up that knife."

Then the quarrel took the turn as stated, and the stabbing began. Mr. Miller said the men rolled down the embankment and that McLean raised himself up partly after reaching the ground and then fell back and died.

A FARM HAND'S STORY.

Jerome E. Wise, a farm hand who has been employed on Mr. Miller's farm for a number of years, told practically the same story as Mr. Miller. He was standing right in the doorway leading into the barn and saw and heard the whole thing. He was on the stand two hours at the opening of court and the defense tried hard to shake his testimony, but failed to materially affect it. Mrs. Anna E. McLean and Mrs. Angeline McLean, mother and wife of the murdered man, testified as to his age and physical condition. The wife said her husband had been in ill health ever since their marriage, when McLean was but eighteen years old.

Walter E. Swain, a school teacher living at Muncie, was another witness to the tragedy. He is a son-in-law of Mr. Miller and stood in an upper window of the house, where he had a clear and unobstructed view of the men involved. He said he was aroused by the loud talking. He judged by the actions of Perry and McLean that they were quarreling and then heard Mr. Miller order them to go about their work. The next he heard was when Perry said something to McLean and called Perry a damned liar. He then described the stabbing and the death of McLean. He went to a telephone a short distance from the house and called the police and on the way back met Perry in the road and the latter returned to the barn with him and waited for the police.

John J. Brown, a farm hand who has been employed by Mr. Miller for six or seven years, was standing near his wagon, about fifty feet from the entrance to the barn, in a position to hear part of what was said and to see all that was done. He was to work with Perry that day and was waiting for him when the fight occurred. His story of the killing of McLean was like that of Mr. Miller. Mr. Brown, as well as other witnesses, told of the search for Perry's knife after the tragedy and how Perry had joined in the search. Brown said that Perry called him to one side and told him where he had thrown the knife and asked him to get it and give it to Mr. Miller. This Brown had done after the police took Perry away.

John B. Long, a physician who made an autopsy on the body of McLean, described the wounds. Dr. Castor, who was then coroner, told of his visit to the scene. He gave McLean's height as five feet ten and one-half inches and his weight as 130 pounds. A. D. Rinker, policeman, told of the arrest of Perry and of the search for the knife.

MUST PAY FULL PENALTY.

Supreme Court Affirms Western Union Tax Case.

The Supreme Court yesterday decided another of the Western Union tax cases, declaring that the company must pay the taxes of 1895, with the added penalty of 50 per cent. This case began last spring. After the court had decided against the company, declaring that it must pay its taxes under the law of 1893, the company tendered the full amount of these taxes, with a penalty of 10 per cent. This was refused and suit brought to recover the full 50 per cent. penalty. The trial court sustained the view of the State and the decision of the Supreme Court affirmed that of the court below.

Loaned Money to Schumacher Woman.

Cora Schwartz loaned Lulu Schumacher, until recently proprietor of a resort at 178 West Georgia street, about $65 a few months ago, who paid the loan with the exception of $38.62, it is claimed. She had given a chattel mortgage on her household furniture to secure payment, and recently packed her goods, sent them to the depot and was about to move to Muncie, when Mrs. Schwartz came into the Superior Court with an application for the appointment of a receiver to take charge of the Schumacher woman's property and sell the same in satisfaction of the Schwartz claim. Yesterday Judge McMaster appointed Pierre Gray receiver, and Mr. Gray at once proceeded to the Big Four freight house and took possession of Mrs. Schumacher's goods.

Joseph Baldus's Divorce Suit.

Joseph Baldus, proprietor of a saloon at 250 North Noble street, yesterday morning filed a suit for divorce against Elizabeth Baldus. They were married Oct. 31, 1883, and, as alleged, the defendant has frequently broken up his property, has come into his place of business in a drunken condition and driven his customers out of the saloon. He asked for a divorce and an order of court restraining Mrs. Baldus from visiting his saloon in the future, destroying his furniture and "breaking up" his business.

Harry Day's Damage Suit.

Harry Day, early last September, while driving in a light spring wagon across East Washington street at Highland avenue, was struck by a motor car. He was thrown out, his wagon was demolished and his horse injured. He received severe personal injuries. Yesterday he filed a suit for five thousand dollars' damages against the Citizens' Street-railroad Company.

Ignatz Koch's Estate.

The Union Trust Company was yesterday appointed administrator of the estate of Ignatz Koch. The estate is valued at from $12,000 to $15,000.

THE COURT RECORD.

Supreme Court.

18056. W. U. Tel. Co. vs. The State. Marion C. C. Affirmed. Per curiam. In an action by the State for the collection of taxes under the provisions of Section 11 of the act of March 6, 1893 (acts 1893, P. 374), after the suit has commenced it is insufficient for the defendant to offer to pay the amount of the taxes due and 10 per cent. as a penalty for delinquency, for after the suit is commenced or complaint filed the State is entitled to the full amount of penalty as provided by the statute, to wit, 50 per cent., and the right of the State to this penalty becomes inchoate at the moment of the delinquency, but does not actually accrue until the suit is brought.

18095. Board of Commissioners vs. Bonebrake. Whitley C. C. Affirmed. Hackney, J.—1. A decision of this court will constitute "the law of the case" so far as the principle involved is applicable throughout all the stages of the cause thereafter. 2. An improper finding in a special verdict will not defeat the verdict, but should be disregarded.

17690. Thompson vs. Board of Commissioners. Jasper C. C. Affirmed. McCabe, J.—Assessments against lands for the cost of the construction of a ditch, under Section 5707, R. S. 1894, cannot exceed benefits, and when the board of commissioners are informed the construction will cost more than there will be benefits derived therefrom by the landowners it is required to dismiss the petition for said ditch and proceedings at the petitioners' cost.

17292. National Bank vs. Judy. Warren C. C.—Motion to modify mandate overruled.

17973. Massey vs. Dunlop. Gibson C. C. Petition for rehearing overruled.

Appellate Court.

2131. B. & O. S. W. R. R. Co. vs. Manning. Knox C. C. Reversed. Ross, J.—When the defendant pays money into court with the knowledge and consent of the plaintiff, and upon the agreement that when so paid in he (the plaintiff) will accept the balance due him from the defendant, he will be estopped from recovering more than the balance in the defendant's hands.

2052. Mills vs. Byram. Marion S. C. Affirmed. Lotz, C. J.—The clerk of the trial court should duly certify to the transcript and to all documents and papers which were a part of the proceedings in the court below, and which he transmits to this court.

2040. Fertilizer Co. vs. Tompkins. Rush C. C. Affirmed. Reinhard, J.—A special agent is not liable to the principal for the loss on sale of goods consummated in his territory by the general agent over the protest of said special agent, although the goods were shipped to the latter and by him delivered to the buyer.

1618. Huber Co. vs. Busey. Miami C. C. Petition for rehearing overruled.

1756. Pierce vs. Walton. Vanderburg S. C. Certiorari ordered.

Superior Court.

Room 1—John L. McMaster, Judge.

Cora Schwartz vs. Lulu Schumaker; receiver. Pierre Gray appointed receiver.

Room 2—Lawson M. Harvey, Judge.

Luther H. Ballinger vs. Clara Martin et al.; mechanic's lien. Dismissed and costs paid.

Sion H. Rogers et al. vs. Fred J. Basler; account. Dismissed and costs paid.

Mary F. Fletcher, administrator, vs. I., D. & W. Railway; damages. Dismissed.

Kahn Tailoring Company vs. Mary E. Evans. Dismissed and costs paid.

Mary M. Monroe vs. Robert R. Sloan; suit for account and wages. On trial by court.

Room 3—Vinson Carter, Judge.

Peters vs. Metcalf. Jury returned verdict for plaintiff for $100 and damages.

Luther H. Ballinger vs. Clara Martin et al. Dismissed and costs paid.

Charles Korner vs. Clara Martin et al. Dismissed and costs paid.

Carl Dresel et al. vs. Julius A. Schuller. Finding and judgment for plaintiff against defendant for $1,606.

New Suits.

Jennie Wise vs. August Wise; divorce. Superior Court, Room 3.

The Arsenal Building and Loan Association vs. Louis J. Fish et al.; foreclosure. Superior Court, Room 2.

Richard N. Young vs. Mahlon W. Isherwood and Andrew C. Allen; for possession of personal property and damages. Superior Court, Room 1.

Carrie E. Coldeweg, executrix, vs. Wyatt L. Farrington; on account. Demand, $300. Superior Court, Room 3.

Indianapolis Brewing Company vs. Willis J. Woodward; foreclosure of chattel mortgage. Superior Court, Room 2.

Robert M. Foster vs. Capital Oil Company; receiver. Superior Court, Room 3.

Harry Day vs. The Citizens' Street-railroad Company; damages. Demand, $5,000. Circuit Court.

Patrick H. Jameson vs. Leonard Lanze et al.; foreclosure of mortgage. Demand, $1,500. Circuit Court.

Joseph Baldus vs. Elizabeth Baludus; divorce. Circuit Court.

MR. RILEY, OF TEXAS.

A Wooden Legged Hobo Who Demanded Instead of Begging.

A lady waiting for a car at the corner of Washington and Delaware streets yesterday afternoon, about 4:30 o'clock, was accosted by a wooden-legged tramp, who demanded that she give him a quarter. She protested and he used some vile language. He walked back to the Pembroke Arcade, where he was making the same demand of a gentleman and threatening to help himself unless he was helped. About that time Officer Moore arrived and the tramp was placed under arrest. He threatened to assault the officer and it was necessary to club him a little to make him walk to the police station. When he arrived he was filled with wrath and, drawing himself up to full height, he dramatically asserted that he was a Southern gentleman, John Riley by name, hailing from Sulphur Springs, Tex. He claimed to be a railroader and said he had lost his leg by a train last March. He deeply deplored the loss of his leg, for he wanted to clean out the station, but offered to do it anyway if the officers would come at him one at a time. On his person were found a pack of cards and a corkscrew. Mr. Riley, of Texas, was registered for vagrancy and offending persons on the street and ushered into the hobo sanctum.

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