JOURNAL'S BUSINESS DIRECTORY.

COAL—
COAL—Coburn Coal Co., East 224 street. Anthracite, coke, hard and soft coal. Phone 2445.

DYEING—
BRILL & CO., 155 N. Illinois st. and 238 Mass. ave. Party, ball and theatrical dresses cleaned equal to new; also, dyeing and cleaning gents' and ladies' garments by expert dyers.

FLORISTS—
BERTERMANN FLORAL COMPANY, New No. 241 Mass ave., 226 N. Del. st. Tel. 840.

LAUNDRIES—
UNION CO-OPERATIVE LAUNDRY, D. S. Kelley, Mgr. 138-144 Virg. ave. 'Phone 1269.

MANTELS AND GRATES—
P. M. PURSELL (Mantels, Furnaces), 231 Mass. ave.

PATENT LAWYERS—
CHESTER BRADFORD, 1238 to 1246 Stevenson bldg., 16 E. Wash. st.
V. H. LOCKWOOD, 415-418 Lemcke bldg.

SALE AND LIVERY STABLES—
HORACE WOOD (Carriages, Traps, Buckboards, etc.) 25 Circle. Tel. 1097.

SHOW CASES—
WILLIAM WIEGEL, 116 South Pennsylvania st.

UNDERTAKERS—
FRANK BLANCHARD, 39 N. Delaware st. Tel. 411. Lady Attendant.

WALL PAPERS—
H. C. STEVENS, New Style Wall Paper. Low prices. 860 N. Senate ave. Tel. 3 on 2552.

FUNERAL DIRECTORS.

FLANNER & BUCHANAN—320 North Illinois street. Lady embalmer, for ladies and children. Office always open. Telephone 641. Hacks at lowest prevailing price.

Old 250. New 250.
C. E. KREGELO, FUNERAL DIRECTOR, 223 N. Delaware St. Residence Phone, New 1749. No branch office on N. Illinois street.

MONUMENTS.

MONUMENTS—A. DIENER, 449 East Washington st. Tel. 2525. Branch works Crown Hill.

DIED.

REIFFEL—Margaret Reiffel, widow of Abraham Reiffel, died Monday, Dec. 18, at 6:35 a. m. Funeral Wednesday, Dec. 20, at 2 p. m., from residence, 847 South Illinois street. Friends invited.

SOCIETY MEETINGS.

MASONIC—Ancient Accepted Scottish Rite. Meeting of Adoniram Grand Lodge of Perfection this (Wednesday) evening at 7:30 o'clock for business. N. R. RUCKLE, T. P. G. M. JOS. W. SMITH, Secretary.

FINANCIAL.

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

$100,000,000 to invest through bankers, brokers, etc. Send for circular. Investors' Directory, N. Y.

LOANS—Sums of $500 and over. City property and farms. C. E. COFFIN & CO., 150 East Market street.

LOANS—On city property; 5½ per cent.; no commission; money ready. C. N. WILLIAMS & CO., 319 Lemcke building.

MONEY—To loan on Indiana farms; lowest market rate; privilege for payment before due; we also buy municipal bonds. THOS. C. DAY & CO., Rooms 803-812 Law building, Indianapolis.

FOR SALE.

FOR SALE—Coal, coke and wood. C. F. HUNT CO. Both 'phones, 1169.

FOR SALE—Ten R.I.P.A.N.S for 5 cents at Druggists; one gives relief.

FOR SALE—Bank counters of high grade, made by A. H. Andrews Co., of Chicago. Counter has been in use, but well taken care of. Will sell at one-fourth its value. Address MARION BANK, Marion, Ind.

FOR RENT.

FOR RENT—Furnished front room to one or two gentlemen; also, back room. 121 West Ohio street.

REAL ESTATE.

REAL ESTATE—A fine residence in the center of Morton Place; ten rooms; modern in every particular. Cheap if sold this year. L. T. LEWIS, 144 East Market street.

WANTED—MALE HELP.

WANTED—Cash for acceptable ideas; state if patented. Address THE PATENT RECORD, Baltimore, Md.

WANTED—For U. S. Army; able-bodied unmarried men between ages of 18 and 35, of good character and temperate habits. For information apply to Recruiting Officer, 25 N. Illinois st., Indianapolis, Ind.

WANTED—SALESMEN.

SHOE SALESMAN
SHOE SALESMAN
wanted, on commission, to carry a well-advertised general line of a well-established shoe factory. Must have ability and shoe experience. Address, stating experience, Box 2369, Boston, Mass.

LOST.

LOST—White bull terrier bitch, blind in one eye, black spots over eyes, on back and tail; answers to the name of "Rail." Reward for information or delivery. ARTHUR F. HALL, Journal office.

STORAGE.

STORAGE—INDP'LS WAREHOUSE CO. W. E. Kurtz, Pres. H. A. Crossland, Mgr. (New) 517-523 S. Penn. 'Phone 1342. WE STORE, PACK AND HAUL.

STORAGE—The Union Transfer and Storage Company, corner East Ohio street and Bee-line tracks; only first-class storage solicited. CRATING AND PACKING OF HOUSEHOLD GOODS A SPECIALTY.

CLAIRVOYANT.

CLAIRVOYANT—Call and see Mrs. Griswold and be convinced there is one person in the world who knows every secret wish of your heart, your every trouble, hope and anxiety. Gives full detail to past, present and future life. 546 East South street.

LEGAL ADVERTISEMENTS.

NOTICE TO BIDDERS.

Sealed proposals will be received at the office of the board of trustees for the Indiana Central Hospital for the Insane, Indianapolis, until 2 o'clock p. m., Dec. 29, 1899, for the steam heating and plumbing for the dining rooms, department for men.

Plans and specifications for same can be seen at the office of Adolf Scherrer, architect, Room 615, Indiana Trust Company's building, Indianapolis.

The board of trustees reserves the right to reject any or all proposals, or any part thereof.

By order of the Board of Trustees.

J. L. SMYZER'S OFFER.

He Wants to Buy Stock of Ohio Falls Car Company.

In connection with the recent sale of the Ohio Falls Car Manufacturing Company, of Jeffersonville, it was learned in this city yesterday that a statement had been sent out to all stockholders that J. L. Smyzer had offered to buy all the stock of the company, both common and preferred, at $33.33 1-3 a share, the payment to be in cash.

J. M. Atherton and Atilla Cox, stockholders in the company, have recommended that the proposition be accepted by the other stockholders. The authority says that the assets of the company are largely in the shape of bills receivable, some of which are in default, while others mature in 1906. These notes, it is said, cannot be disposed of except upon the indorsement of the company, which would require that of the amount paid over for the stock a sum sufficient to meet the possible liability as indorsers should be set aside. Contingent liabilities amounting to $482,199 would also have to be provided for by a reserve fund out of the amount paid.

A Christmas Box.

To men with a cultivated taste the Y. B. 10-cent Cigar settles the question of excellence in high-grade goods. Most dealers have them in stock, but, if not, you can get a sample box at 104 South Meridian street.

AN EXTENSION OF TIME

RAILWAYS GIVEN SIX MONTHS IN WHICH TO COMPLY WITH LAW.

Anti-Pooling Decisions by Courts the Cause of Consolidations—Miscellaneous Railway News.

The Interstate-commerce Commission has decided to grant the request of the railroads for the extension of time in which to equip their rolling stock with approved couplers and other safety equipment. The commission will announce its decision probably to-day, and it is understood the time will be extended six months from Jan. 1 next, the time now set.

A Cincinnati Rumor.

A report, which could not be confirmed, was current in Cincinnati yesterday that the Pennsylvania and the Baltimore & Ohio railways directly and the Vanderbilts indirectly have recently reached an understanding on business between the Ohio river and northeastern lake ports. The Big Four has the old short-line between Cincinnati and Cleveland. The Pennsylvania recently started another line along the Ohio river to Pittsburg and Erie, and also purchased the Cleveland, Akron & Columbus road. With the latter the Pennsylvania has its own line all the way between Cincinnati and Cleveland. Soon after these changes went into operation the Baltimore & Ohio announced that it would, on the first of the year, establish another line between Cincinnati and Cleveland, which it could easily do over its own lines, via the Cleveland & Valley terminals, which the Baltimore & Ohio has secured, and with which the Baltimore & Ohio has lines from Cleveland to Pittsburg and from Cleveland to Chicago. Soon after the third line between Cincinnati and Cleveland was announced the Pennsylvania said it would, at an indefinite date, establish another line between Cleveland and Chicago, via Orrville, where the Cleveland, Akron & Columbus Railway crosses the Fort Wayne division of the Pennsylvania. The Cincinnati Commercial Tribune says this new line between Cleveland and Chicago will not go into effect at once, and also that the new line of the Baltimore & Ohio between Cincinnati and Cleveland will not be started the first of the year, although it has no official authority for the announcement of the abandonment of this latter new line. It is thought by some that the probable postponement of the starting of the third line between Cincinnati and Cleveland may be due to the alleged closer relations that are said to be under consideration between the Baltimore & Ohio and the Pennsylvania lines.

Interstate-Commerce Rulings.

The Interstate-commerce Commission, in an opinion by Chairman Knapp, has announced its decision in the case of the Trades League of Philadelphia against the Philadelphia, Wilmington & Baltimore Railroad Company, and other carriers. The complainant contended that iron pipe fittings shipped in cases from northern points to Southern territory, which are charged second-class rates, should take the special iron rate, which is lower than the sixth-class rate, and is applied on any quantity of iron-pipe fittings if shipped in casks, barrels or kegs. The commission holds that the carriers have not exceeded the limits of their discretion in placing iron-pipe fitings packed in cases in a higher class than iron-pipe fittings packed in kegs or barrels, and that such action is not unreasonable or otherwise in violation of the act to regulate commerce.

The commission, in an opinion by Mr. Prouty, announced its decision in the cases of George Tilleston Milling Company and the city of St. Cloud, Minn., against the Northern Pacific Railway Company. The cases arose under the long and short haul clause of the interstate-commerce law, and the decision is against the railroad company. The commission holds that allowing railroad competition such as was shown in this case to constitute an exception to the rule of the fourth section would permit throughout the whole country the making of higher rates to or from intermediate points, thereby disarranging business conditions and producing endless discriminations.

Changes on the Alton.

C. H. Chapelle, vice president and general manager of the Chicago & Alton, admitted yesterday that a number of important changes in the management will be made Jan. 1. Among those who are to be retired are General Passenger Agent Jas. Charlton, Col. J. H. Wood, the general manager's assistant, and A. V. Hartwell, general purchasing agent. Mr. Chapelle says these changes are due to change in system and organization, and in no way reflect on the retiring officers. Mr. Felton, the new president, being familiar with the details of every department, will largely direct their work himself, making it unnecessary to keep so large a staff. Mr. Chapelle stated also that he expected to retire Jan. 1, or soon thereafter, but the matter had not been determined.

Cause of Consolidations.

United States Investor.

For some months past there have been reports of gigantic railroad consolidations, in particular one which should include various alleged Vanderbilt lines extending practically from the Atlantic to the Pacific seaboards. We are told, and it seems reasonable enough, that such projects owe their conception to the Supreme Court decisions in the Transmissouri Association and the Joint Traffic Association cases. The blow thus administered to pooling and rate regulation has incited the railroad managements to question if the desired results cannot be attained by actual consolidation of the various lines.

Personal, Local and General Notes.

W. T. Smith, general claim agent of the Lake Shore, is thought to be fatally ill.

M. W. Mansfield, superintendent of the I. & V., and of the Pennsylvania terminals at Indianapolis, has gone to Pittsburg.

Lake Erie & Western passenger brakemen, commencing with this month, will receive $2.50 a month more wages than under the old schedule.

Samuel Rittenhouse, who recently retired as agent of the Chicago & Eastern Illinois at Slidell, takes the agency of the company at Chicago Heights.

A meeting of the Western Passenger Association has been called for Dec. 27, to take steps to restore all passenger rates on Jan. 1 and maintain them.

Colonel William Shaw, of the Chicago, Burlington & Quincy, J. H. Millkin, of the Louisville & Nashville, and M. F. Bragg, of the Norfolk & Western, are in the city.

The Eastern lines last week took out of Chicago 96,363 tons of freight, against 81,796 tons for the previous week, and of the amount the Pennsylvania lines carried 16.3 per cent.

J. B. Hill, general freight agent of the Pennsylvania's Southwestern system, left yesterday for Philadelphia to attend a meeting of the freight officials of the several interests.

Henry James, who has been station agent of the Lake Erie & Western at Oxford for twenty-eight years, has resigned, and Elgin McConnell has been appointed his successor.

The Terre Haute Gazette of Saturday devoted six pages to a history of the Terre Haute & Indianapolis and sketches of the lives of the officials from the beginning to the present.

The Chicago & Alton will spend $200,000 in enlarging its shops at Bloomington, Ill. An electric plant, among other things, will be erected to light and heat the shops and drive the machinery.

Charles Robinson, one of the Panhandle detectives, has been placed in charge of the yards and the company's property at Winamac, which has become quite an important station on the Logansport division.

Colonel J. A. S. Reed, former general agent of the Lehigh Valley Railroad, died Monday night at his home in Chicago. Mr. Reed was born at Buffalo, N. Y., in 1832. On account of failing health he retired from the Lehigh Valley Company one year ago. Mr. Reed was the owner of the well-known pacer Directly, whose record for a mile is 2:03¼. He sold the animal at the recent horse show in New York city.

The Lake Erie & Western earned in the second week of December $79,388, an increase over the corresponding week of 1898 of $19,382. The Evansville & Terre Haute proper earned $27,351, an increase this year of $3,297.

The heavy rains of the last week have checked construction work on the Southern Indiana road, and Chief Engineer Cooke says the company will hardly complete the grading and track laying to Terre Haute before Feb. 1.

Harry Moore, train dispatcher on the Peoria & Eastern, has gone to Battle Creek, to accept a position with the Grand Trunk, and Warren Sherman, of the P. & E. train dispatcher's office, has been promoted to Mr. Moore's position.

Stockwell and Augusta, on the Big Four, are now day and night telegraph offices, the heavy traffic over the Chicago division necessitating the better telegraph service. Long passing tracks have been laid at these points.

Another record-breaking run was made on the Chicago, Burlington & Quincy last week, when the fast mail train was hauled 206 miles in 209 minutes, the eighty-three miles from Mendota to Chicago being covered in seventy-six minutes.

Both of the Big Four paymasters were in the city yesterday, paying employes for November services. The monthly disbursements of the two paymasters now amount to over $500,000, and $305,000 of the sum goes to the transportation department.

E. L. Bevington, for nineteen years connected officially with the Chicago & Alton, will on Jan. 1 become general manager of the Denver, Boulder & Northern Road, which, when completed, will extend from Denver to Greeley, eighty-six miles.

Within a short time every freight car on the Lake Erie & Western will be equipped with automatic couplers. Such would have been the case several weeks ago, but 2,000 couplers contracted for last September were not delivered until last week.

Peter Eagan, the oldest employe in active service on the Panhandle lines, his service covering forty years, will be buried to-day at Columbus, O. He was a machinist, and was a few days ago found lying dead by his bench beside his machine in the shops.

The managers of lines composing the Indianapolis Union Railway Company yesterday held their regular monthly meeting, J. Q. Van Winkle acting as chairman. No business except of a routine character was transacted, there being nothing of importance to act upon.

C. B. Ryan, Western general passenger agent of the Chesapeake & Ohio, called attention to an error in the statement that the Vanderbilts were spending a few weeks, as they do every winter, at Hot Springs, Ark., when it should have been Hot Springs, W. Va.

The American Car Foundry Company at St. Louis will, on Jan. 1, commence turning out 3,500 new cars for the New York Central at the rate of forty a day, and when completed they will be loaded with grain and cotton and sent East over the Big Four to New York.

An official who is well informed in the affairs of the Lake Erie & Western, stated yesterday that the election of George L. Bradbury as president of the company was only temporarily postponed, certain papers necessary to its present owners securing absolute control being as yet unsigned.

It is stated that J. C. Moorehead, general superintendent of the Erie lines, will on Jan. 1 succeed Second Vice President Merrill, who, on that date, goes to the New York, New Haven & Hartford as first vice president. Mr. Moorehead was at one time a train dispatcher on the Indianapolis & St. Louis under E. B. McClure.

Within the last twelve months the Pullman car works have delivered 3,000 new cars to the Big Four, and the same number to the Chesapeake & Ohio. The 6,000 cars were contracted for by President Ingalls in 1898 for 1899 delivery, and cost in round numbers $3,000,000. To purchase the same number of cars of the same quality now would cost $4,500,000.

It has been practically settled that the Brotherhood of Locomotive Engineers will select Cleveland as the place to establish the proposed home for sick and disabled engineers. It is proposed to invest $300,000 in an institution of that character, and at the meeting in May definite action will be taken in this project, which has been agitated for three or four years.

The equipment that the New York Central & Hudson River Railroad Company will purchase with the $15,000,000 increase of capital stock will include seventy-five passenger coaches, 100 Rodgers ballast cars, two Rodgers standard distributing cars, 1,004 box cars, 500 flat cars, 6,000 coal cars, 250 flat steel cars, 98 mogul engines, 25 passenger engines and 27 switch engines.

An innovation was made yesterday in the matter of railroad commission history in Texas in the arraignment of General Manager L. J. Polk, of the Santa Fe Railroad, for contempt. Mr. Polk recently criticised rather harshly the action of the commissioners in reducing the rate on oats and they had him arraigned for contempt. After spending the day in arguing over the case, the commission late in the afternoon returned a verdict of guilty and fined Mr. Polk $50, which brought the contempt proceedings to a close.

M. W. Mansfield, superintendent of the Pennsylvania terminals, yesterday, with the approval of John F. Miller, general superintendent of the Panhandle's Southwestern system, issued a circular appointing F. E. Sawyer agent of the Pennsylvania lines at Indianapolis, vice Col. Oran Perry, resigned. Mr. Sawyer is expected to reach the city to-day. Colonel Perry stated that he will remain with him several days and introduce him to the business men of the city, and to the methods of doing things at the local freight department and several yards.

Mr. Berry yesterday introduced a bill in the United States Senate to amend the third section of the interstate commerce act by making strict provision against discrimination on the part of railroads against the public and in favor of one railroad against another. It is made unlawful for "any common carrier to make or give any undue or unreasonable preference or advantages to any person, company, firm, corporation or locality or any particular description of traffic in any respect whatever or to subject any particular person, etc., to any undue or unreasonable prejudice or disadvantage in any respect whatever."

Bowling Prizes Won.

Albert Deutsch, of the Prospect Bowling Club, offered a prize to the member of the club scoring the highest average in three games. The games were played on the Pastime alleys last night and Frank Olive won with an average of 165 2-3. Joe Byers, with the lowest average, won the booby prize, a bunch of weiner-wurst. The other prize was a diamond scarf pin of unique design.

Caught in Exhaust Fan.

John Wilson, "process man" at the Van Camp Packing Company works, while engaged in oiling the shaft of an exhaust fan in the factory, slipped and thrust his right hand into the fan. The member was terribly mangled and he was taken to the office of Dr. Eisenbeiss, where two fingers and about half of the hand were amputated.

Holiness Meetings.

The midwinter convention of the Central Indiana Holiness Association will begin at Blackford-street M. E. Church next Tuesday evening and will continue until Friday. The Rev. G. A. McLaughlin, D. D., of Chicago, M. L. Haney, D. D., of Illinois, C. W. Ruth, of this city, and other evangelists will conduct the meetings.

Mr. Hadley Returns.

C. C. Hadley, deputy attorney general, has returned from Anderson where he has been examining the officers of the glass companies that have entered the trust, known as the American Window-glass Company.

Mrs. Beveridge Ill.

Mrs. Beveridge, wife of Senator A. J. Beveridge, has been seriously ill for two or three weeks at the home of her father, George J. Langsdale, 527 East Twelfth street. Senator Beveridge is expected home Friday.

H. H. Hanna at Home.

Mr. H. H. Hanna, who returned from Washington yesterday, expressed his gratification over the passage by the House of the currency reform bill. He thinks the bill will pass the Senate also.

Dates for the Encampment.

Adjutant General Smock said yesterday May 16 and 17 had been agreed upon as the date for the Department Encampment, which meets in this city the coming year.

CASE WILL BE PUSHED

NOTWITHSTANDING THAT TWELVE OF THE PLAINTIFFS WITHDRAW.

It Involves Assessments for Street Improvements by the Front Foot —Court Gossip.

All except three of the fifteen property owners who recently brought suit against the city of Indianapolis and the Bermudez Asphalt Paving Company for injunction to prevent the collection of their assessment for a new pavement on Twenty-first street, between Illinois street and Northwestern avenue, have withdrawn from the suit. In the Circuit Court yesterday the cause was dismissed, except as to Chester and Ruby Bradford and Charles P. Green.

The suit was brought about two or three weeks ago, the plaintiffs charging, among other things, that all proceedings providing for the improvements and the collection of the assessments were null and void for the reason that the city charter, so far as it attempts to provide for the payment of street improvements by the front foot method, is in conflict with the fourteenth amendment to the Constitution of the United States, which provides that no person shall be deprived of property without due process of law, and that all persons shall have equal protection from the laws. The complaint set up the further contention that the only ground on which property could be assessed without violating the Constitution was the assumption that the property would be benefited to the amount assessed. The city charter, it was claimed, provides that assessments on improvements shall be levied without regard to benefits resulting and without an opportunity of ascertaining whether the benefits equal the cost of the improvements.

The plaintiffs asked the court to declare the pretended assessment for Twenty-first street improvements null and void and to quiet the title of the plaintiffs as against all pretended liens.

The suit was brought by Attorney W. H. H. Miller, who said last night that the action would be prosecuted regardless of the withdrawal of a majority of the plaintiffs. He said that when the suit was first talked of all those interested were informed that such an action would probably result in prolonged litigation. After the suit was brought the plaintiffs who withdrew from it concluded that they did not care to go into the case with no prospect of a speedy decision by the courts. The suit is now waiting on the city's answer.

STREET-RAILWAY INVESTIGATION.

Several Witnesses Are Before the Grand Jury During the Day.

The most of the witnesses before the grand jury in the street-railway investigation yesterday were men who are identified with banks. The jury is continuing this line of investigation in order to ascertain how large the bank accounts of some people were about the time the street-railway franchise was turned over to the present company. Among those examined yesterday was Thomas Kaylor, bookkeeper at the Indiana National Bank; E. E. Rexford, paying teller at the Merchants' National Bank, and one of the tellers at the State Bank. Messrs. Somerville and Kuhn, who were examined Monday, were recalled yesterday.

Among the others examined was Jeremiah Collins, a grocery keeper at Senate avenue and McCarty streets. Collins was a "rumor" witness. Ben Aldridge, a resident of the northeast part of the city, was another "rumor" witness. It was announced last night that within the next few days "some people who are more prominently before the public" will probably be called.

In the Bankruptcy Court.

Samuel Smith, of Lyonton, Sullivan county, a merchant, filed a petition in bankruptcy yesterday in the Federal Court. His liabilities are $2,523.90; assets, $3,844.78.

Margaret A. Bell, of Alexandria, Madison county, housekeeper, filed a petition in bankruptcy. Her liabilities are $1,005.70; assets, $268.85.

John L. Moore yesterday filed a petition in the Federal Court asking that Asbury G. Allen be adjudged a bankrupt, alleging that he was indebted to him in the sum of $1,112.72, and that no part of the claim was secured. Complainant also asked for a restraining order to prevent the defendant, who is a merchant in West Newton, from disposing of his stock of goods. Judge Baker granted the order.

A Verdict for $1,200.

Edward Brown, who sued the street-railway company for damages, was yesterday given a verdict for $1,200 in Room 2, Superior Court. Brown was injured at the street-car stables on West Washington street. This was the third trial of the case.

The suit of W. O. McKinney against the street-railway company went to trial in Room 2 yesterday. McKinney was injured while riding on a College-avenue car.

Were Married in Denmark.

Lars P. L. Paulsen brings suit for divorce from Karen M. Paulsen, to whom he was married in Denmark. He says the defendant refused to prepare his meals and make his bed and kept him out of the house by locking the door and closing other means of entrance. He also says the defendant threatened to kill him. The plaintiff asks for the custody of their son, Thorwald Paulsen.

A Pear Tree Destroyed.

S. Ella O'Leary is suing the Sheridan brick works for $25 damages on account of an alleged malicious trespass. The plaintiff has property at 2518 North Delaware street. It is charged that a team belonging to the defendant was driven across the lawn of the plaintiff, damaging the same and destroying a pear tree that was five years old and was bearing fruit.

THE COURT RECORD.

SUPREME COURT.

18642. Merriam vs. Merriam. Whitley C. C. Reversed. Baker, J.—1. Where an error is disclosed by appellant the burden is on appellee to prove by the record that the error was harmless. 2. In an action to contest a will upon the unsoundness of mind of the testator it is error for the court to charge the jury that, if the decedent prior to the date of the alleged will was of unsound mind, of apparent permanency, the burden would fall on the defendants to prove by a preponderance of the evidence that at the time the alleged will was made the decedent possessed sufficient mental capacity to make a will or had a lucid interval.

18748. National, etc., Association, vs. Black. Madison C. C. Reversed. Monks, J.—This cause is reversed upon the authority of Security, etc., Association vs. Elbert, 64 N. E. R., 753.

18554. L. & N. Railway Company vs. Kemper. Warrick C. C. Petition for rehearing overruled.

APPELLATE COURT.

2982. Brackett vs. Brackett. Marion C. C. Affirmed. Comstock, J.—1. Where a pleading is stricken out on motion, it is not a part of the record, and can only be brought into the record by a bill of exceptions or by order of court. 2. In an action against the husband by his wife for support wherein it was shown that the defendant worked at a salary of $40 per month and had $1,100 in cash and at interest a judgment against the husband for $200 will not be considered excessive on appeal.

2983. Pape vs. Kaough. Allen S. C. Reversed. Henley, J.—1. In asking a recovery against a party upon a written contract the pleading must show that the party sought to be charged executed the contract when the latter appears to be signed by a company of another name than the person sought to be charged 2. The evidence will not be looked into to determine whether or not an error in overruling a demurrer to a bad complaint was harmful. 3. In an action to reform a written contract upon the ground of mistake in its execution, it is necessary that the contract be made a part of the complaint.

2981. Hall vs State ex rel. Hayden, Madison C. C. Affirmed. Black, J.—1. Instructions given by the court are made a part of the record where they are signed by the judge and filed as a part of the record, and instructions requested by a party are made part of the record when they are signed by the party or his attorney and filed as a part of the record. An exception to the giving of any one of the instructions so made a part of the record, or to a refusal to give any one of them, may be taken and saved by the properly signed and dated memorandum, but the properly signed and dated memorandum alone will not bring the instruction into the record. 2. The refusal to give instructions asked will not be considered where it does not appear that all the instructions given by the court are in the record. 3. The trial court is presumed to have given the jury correct instructions upon all the material points in the case.

SUPERIOR COURT.

Room 1—John L. McMaster, Judge.

Marion Bond Company vs. John W. Swindler et al. Dismissed and costs paid.

State Bank of Indiana vs. Greenfield Iron and Nail Company. Finding and judgment for plaintiff against all defendants for $4,339.25 and costs.

Virginia Snyder vs. Susan Lackey; damages. On trial by jury.

Room 2—James M. Leathers, Judge.

Edward Brown vs. Citizens' Street-railroad Company; damages. Jury find for the plaintiff and assess his damages at $1,200.

Ellen F. Powers vs. Curtis B. Raymond et al.; foreclosure mortgage. Defendant defaulted. Finding and judgment against Curtis B. Raymond for $1,774.69, without relief and costs. Foreclosure and sale ordered.

W. O. McKinney vs. Citizens' Street-railroad Company; damages. On trial by jury.

Room 3—Vinson Carter, Judge.

Samuel C. Hoerger et al. vs. George W. Stout; damages. Dismissed and costs paid.

Morgan Wood vs. Lewthomas Wood; divorce. Granted plaintiff. Judgment against plaintiff for costs.

Lavinia Robinson vs. John H. Parthow; to quiet title. Dismissed for want of prosecution.

John H. Snyder vs. Edmons Garrison; appeal. Taken under advisement.

CIRCUIT COURT.

Henry Clay Allen, Judge.

Charles N. Elliott vs. John F. Geckler; election contest. Submitted to court. Evidence heard in part.

Jacob Ruff vs. Ernestine Pollex; mechanic's lien. Plaintiff ordered to produce plans and allow an inspection and copy to be made.

On motion of Charles E. Fenstenmacher, Roy M. Dick admitted to bar.

Chester Bradford et al. vs. City of Indianapolis et al.; to quiet title. Cause dismissed as to all plaintiffs except Chester and Ruby Bradford and Charles P. Green.

Katharine Arn, administratrix, vs. C., C., C. & St. L. Ry. Co.; damages. Dismissed by plaintiff, and by agreement of parties judgment against defendant for costs.

NEW SUITS FILED.

Lars P. L. Paulsen vs. Karen M. Paulsen; divorce. Circuit Court.

Thomas J. Christian vs. Kate A. Weyenberg et al.; note and mortgage. Superior Court, Room 3.

S. Ella O'Leary vs. the Sheridan brick works; damages. Superior Court, Room 3.

Jessie Constance Benedict vs. Charles T. Benedict; divorce. Superior Court, Room 3.

HEARD AT THE HOTELS.

Meetings Are in Session—DePauw Trustees—Gossip.

The representatives of twenty corn mills in this State and Illinois met at the Bates yesterday morning to talk over business conditions, which, it is said, have been bad for four months past.

According to the meager information given out last night nothing was accomplished except an understanding that another meeting is to be held in the near future at which it is hoped to have all the corn millers present. It is denied that the formation of a trust is contemplated.

Electric Line Men Here.

J. H. Sherwood, of Cleveland, the chief engineer of the Greenfield Electric Road, arrived here yesterday morning and had a consultation with Elmer J. Binford, of Greenfield, and G. A. Stanley and G. W. York, of Cleveland, over the progress being made with the road. The grading, it is said, has been completed and the rails will be laid as soon as they can be secured. It is expected to have the cars running into this city by next June.

DePauw Trustees Meet.

The regular semi-annual meeting of the trustees of De Pauw University was held yesterday at the Bates, as anticipated by the Journal. Aside from receiving encouraging reports from the university as to the prospect of raising the expected $500,000 for the endowment fund little business was transacted.

WHAT NOT TO BUY FOR HIM.

A Bachelor's Growl Over Christmas Presents for Men.

New York Sun.

"I've been thinking," said the old bachelor, "that I might be a benefactor to mankind."

His hostess looked at him doubtfully.

"It's the Christmas season that suggested it to me," he continued, thoughtfully.

The woman remembered Scrooge, and admitted that there was hope for every one.

"You've been reading 'Christmas Carol,'" she ventured.

"Heavens, no! and I'm not going to distribute turkeys promiscuously or do anything of that sort. I'm thinking of writing a newspaper story, called 'What Not to Give to Men for Christmas Presents,' and publishing it for the salvation of my afflicted brethren and the reform of woman."

"Well, write it; it can't do any harm. The editor would kill it," said the woman, heartlessly.

"It isn't nice of you to snub budding philanthropy. Now this scheme is wholly unselfish. Unluckily, I haven't a mother or sister; and, thank Providence, I've reached the age where I'm not threatened with Christmas packages, scented with violet and tied up with baby ribbon. But there are others—other men less fortunate—and it is for them that my heart bleeds. There's absolutely no other proof of the total absence of judgment in the feminine make-up so convincing as the presents she gives to men at Christmas time. Some few married women have been educated to a point of rational common sense. Why don't they start a club and instruct the younger generation. They've started clubs for everything else.

"Now, there's that graceless nephew of mine. Last Christmas Dick got eight pairs of embroidered suspenders, three slipper cases, two sofa pillows on which he would never dare put his head, five handkerchief cases, several neckties that he wouldn't wear on the scaffold, a book of poetry that he wouldn't read to save his immortal soul, an elaborate wallet that nothing could induce him to carry, and a cigarette case designed by a maniac who had never seen tobacco. There were other things, all useless. It's always that way."

"But nice things for a man are always so horribly expensive," murmured the woman, feebly.

"That doesn't cut any figure. Half the time a woman spends twice as much on a man's present as it would take to buy something he would really like and use. Just this afternoon, I was in a Broadway shop, where a pretty girl was choosing a pipe for some unfortunate man. It wasn't for her brother, because money seemed to be no object to her; and she was tremendously anxious to get the best thing going. There were some fine pipes there—plain, friendly briarwoods and meerschaums, with gold curves and grains—pipes a man could learn to love but, bless your heart, she wouldn't even look at them. She hesitated a long while and then picked out a pipe with heavy gold chasing all over the bowl and around the stem. I almost felt that I must interfere and plead with her to consider the young man's feelings, but I didn't. She was very particular about having the pipe put in a case lined with turquoise blue, because the gold was so much prettier against the blue. Jolly lot of difference that will make to the fellow. After she got her package, she waddled around on one foot, doubtfully, and then she said to the salesman:

"'You're quite sure it's correct. You think he'll like it, don't you?'

"The man never flinched.

"'Oh, he'll love it,' he said, and he winked at me. They haven't any hearts, those salesmen."

The bachelor smoked for a few moments and looked depressed.

"It's a funny thing," he began again, with a sigh, "that women can't understand that a man who is any sort of a man likes plain, substantial, masculine looking things. I was looking at a card case the other day, one of those plain, curved gunmetal or silver ones, for the waistcoat pocket, you know. Along came a girl and wanted a man's card case. The salesman showed her the one I had selected. She didn't like it. She wanted a nice one. They didn't have any that exactly suited her; but she finally bought one, studded all over with turquoises. Poor boy! Did you ever give your husband a cigar case? Of course you did; and I'll bet a dollar you got a big one with an elaborate silver monogram and corners. I never met a woman who knew enough to buy a man a soft, flexible leather cigar case that wouldn't make him look deformed when he carried it in his pocket. Women don't know a blessed thing about smoking, even when they, too, smoke. They prove it the moment they begin buying smoking paraphernalia for a man. It's enough to make any good fellow's heart ache to see the silver and gold ash trays, and jeweled cigar cutters and beautiful tobacco pouches that women are buying nowadays.

"As for the desk fittings, that's a nightmare. Did you ever see a business man's desk decked out in silver inkwells, and paper clips, and stamp boxes, and pen trays, and all that fol-de-rol. An office desk like that would queer a man even with the elevator boy. When a woman gives such things to her husband she can use them at home—in the guest chamber. Ten to one the man will not have them in the library. He wants heavy, dark, substantial leather that will not tarnish and soil, or bronze or something like that. A man hates silver toilet articles, too. He never has them kept clean unless his wife does it for him, and they weigh a ton when he tries to carry them around with him.

"Did you ever think of the number of kind-hearted men who are toting grips they detest around the country just because some of their women folks presented the things and would be hurt if the victims didn't seem to appreciate the offerings? Never buy a valise for a man. Make a note of that. Every man has his own ideas about the kind of a grip he likes to carry and the way he likes to pack it, and he loathes anything that differs from that idea. It's the same way with canes. You may possibly buy a satisfactory umbrella for a man if you get a good one with a sensible handle, and no gold, and silver, and ivory, and mother of pearl about it; but don't get him a cane. You'll be wasting your money and embarrassing the man. There's only one kind of cane that he likes to carry and you'll never hit it.

"Don't give him embroidered things made out of lace and ribbon, either. Every young man who attains the ripe age of thirty has trunkfuls of that stuff that he has never used. Dick has eighteen most gorgeous necktie cases, and he ties a string from his chiffonier to the gas jet and hangs his neckties over that.

"If you want to give steins or liquor sets or anything like that give jolly, serviceable ones, and, by the way, don't let anything tempt you to buy cigars for a man. Don't. Don't attempt books or pictures unless you know the man's tastes remarkably well, and do steer clear of things to wear and jewelry. Men hate the smoking jackets and jewelry that women pick out. One can't go very far wrong on good pearl studs, but when the average woman turns an effulgent fancy loose on rings and watch charms and jeweled tie clips and seals some man is foreordained to agonize."

The bachelor was out of breath. He checked his flow of eloquence and smoked gloomily.

The woman cast a glance toward the drawer where her Christmas presents for the men of her family were hidden.

"But you don't tell me what one really could give to nice men," she said pathetically.

"Oh, that's another story," growled the man.

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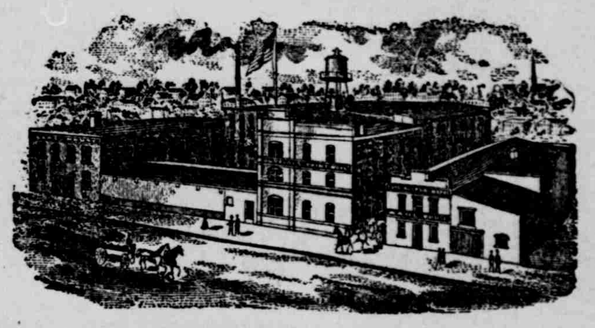

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