JOURNAL'S BUSINESS DIRECTORY.

AGENT INDIANAPOLIS JOURNAL—Wm. L. Rice, 2605 West Michigan street. Telephones: old 2875; new, 3152. Territory west of White river.

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COAL—Coburn Coal Co., East 22d st. Anthracite, coke, hard and soft coal. Phone 2445.

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BRILL & CO., fancy dyers and cleaners; silk curtains, any color, cleaned and finished equal to new; also ladies' light cloth jackets a specialty. 238 Massachusetts avenue and 155 North Illinois street.

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H. C. STEVENS, New Style Wall Paper. Low prices. 930 N. Senate ave. Tel. 2 on 2502.

FUNERAL DIRECTORS.

FLANNER & BUCHANAN—(Licensed embalmers.) Can ship diphtheria and scarlet fever. Lady embalmer for ladies and children. 329 North Illinois st. Telephone 641, new and old

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

DIED.

CRAFT—Frank Craft, at his late residence, 817 Udell street, Thursday, April 26, at 12:30 p. m. Funeral Saturday, April 28, at 2:30 p. m. Burial at Crown Hill.

CROUSE—Frank M., Thursday at 6 a. m. at residence, 721 Park avenue, in his seventy-third year. Funeral at 2 p. m. Saturday. Lafayette papers please copy.

HOGAN—Jno. D. Hogan died Thursday morning at his late residence, 605 East Twelfth street, aged fifty-five years. Funeral Sunday at 2:30 p. m., in charge of Meridian Lodge, I. O. O. F.

PERKINS—At Lafayette, Ind., April 26, Volney H. Perkins, younger son of Samuel Elliott and Susan E. H. Perkins, aged twenty years. Funeral from his home, 1011 North Pennsylvania street, Saturday afternoon at 4 o'clock. Friends invited.

CHURCH NOTICES.

Baptist.

FIRST BAPTIST CHURCH—Northeast corner New York and Pennsylvania streets. The Rev. Thomas J. Villers, pastor. Preaching at 10:45 a. m. Topic, "Four Traits in Love's Character." At 7:30 p. m., "Wounded in the House of Friends." Bible school, 9:30 a. m. C. E. Dearborn, superintendent. B. Y. P. U., 6:30 p. m. Midweek prayer and covenant meeting Thursday evening. The public cordially invited to all of our services.

Episcopal.

CHRIST CHURCH—A. J. Graham, rector. Holy communion, 9:30. Other services, 10:36 and 4:30. Services at St. George's at 7:30.

Methodist.

MERIDIAN-STREET METHODIST EPISCOPAL CHURCH—Bishop Hurst, of Washington, D. C., will preach at 10:45 a. m. and William A. Quayle will preach at 7:30 p. m. Sunday school at 9:30 a. m.

ROBERTS PARK M. E. CHURCH—Corner Vermont and Delaware streets. Sunday services: 11 a. m., sermon by Bishop Andrews, of New York; 7:45 p. m., address before the Epworth Leagues, of this city, on his trip around the world. Classes, 9 a. m. Sunday school, 10 a. m. Epworth League, 6:30 p. m. Midweek service on Thursday at 7:45 p. m.

Presbyterian.

TABERNACLE CHURCH—Corner Meridian and Eleventh streets. Rev. J. Cumming Smith, D. D., pastor. Sermon by the pastor at 10:45 a. m. Subject, "The Power of an Endless Life." Bishop J. H. Vincent will conduct a Chautauquan vesper service at 4 p. m. No evening service. Sunday school, 9:30 a. m. Y. P. S. C. E., 6:45 p. m. Service in West Washington-street chapel at 7:30 p. m., conducted by Jno. G. Blake.

FIRST PRESBYTERIAN CHURCH—Southwest corner Pennsylvania and New York streets. The Rev. M. L. Haines, D. D., pastor. The Rev. Charles L. Overstreet will preach tomorrow at 10:45 a. m. and at 7:45 p. m. Evening subject, "The Sacredness of Labor"—Ecclesiastes iv, 22. Special music by chorus choir. Sunday school meets at 9:30 a. m. Young People's Society Christian Endeavor at 6:45 p. m. Midweek prayer and conference meeting on Thursday evening at 7:45 o'clock. All are cordially invited.

SECOND PRESBYTERIAN CHURCH—Corner Pennsylvania and Vermont streets. The Rev. Joseph A. Milburn, pastor. Preaching at 11 a. m. and 7:30 p. m. by the pastor. Sunday school, 9:45 a. m. Dr. Motte's Bible class for the adult, 9:30 a. m. Prayer meeting Thursday at 7:30. Mayer Chapel, corner West and Catherine streets, in charge of the Rev. Clifford McBride. Sunday school at 2:30 p. m. Prayer meeting Wednesday evening at 7:30. Preaching Sunday evening at 7:30.

Universalist.

THE CENTRAL UNIVERSALIST CHURCH—Corner of New Jersey and Fifteenth streets. Rev. Marion Crosley, pastor. Preaching services to-morrow at 10:45 a. m. and 7:45 p. m. Morning subject, "The Making and Mending of Creeds." Evening, "The Old Testament Christ Connection." Special music. Sunday school, 9:30 a. m. Young people's service, 6:30 p. m. The public cordially invited.

FINANCIAL.

LOANS—Money on mortgages. C. F. SAYLES, 135 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, 808-812 Law building, Indianapolis.

FINANCIAL—Loans made to honest salaried people holding permanent positions with responsible concerns on their own names. Easiest terms. Get others' rates then see us. Strictly confidential. SECURITY MORTGAGE LOAN CO., 307 Indiana Trust building.

FOR SALE.

FOR SALE—A fine farm of 180 acres, situated 14 miles west of Indianapolis, near Plainfield, Hendricks county, Indiana. For further particulars address Z. H., care Journal.

STOLEN.

STOLEN—Black mare ten years old, 15 hands high, letter F on left hip; also, new Sichler buggy, old harness. Liberal reward. T. J. MORGAN.

STORAGE.

STORAGE—INDP'LS WAREHOUSE CO. W. E. Kurtz, Pres. H. A. Crossland, Mgr. (New) 517-523 S. Penn. 'Phone 1343. We STORE, PACK and HAUL.

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

WANTED—SALESMEN.

WANTED—Salesmen; $70 per month; permanent. FIRST NATIONAL NURSERIES, Rochester, N. Y.

FOR FALL TRADE—Cotton and woolen mill wants a traveling man for country trade. Liberal commission. Good side line. FRANK D. LA LENNE & CO., Philadelphia, Pa.

DIED IN THE AMBULANCE.

Mrs. Kate M. Busch Was a Sufferer from Epileptic Spasms.

Mrs. Kate M. Busch, of Brazil, Ind., who has for several months stopped at the Enterprise Hotel, died yesterday afternoon while being removed from the City Dispensary to the City Hospital. She was subject to epileptic spasms, and when Drs. Berner and Wiggins, of the Dispensary, saw they could do nothing for her at the hotel she was taken to the Dispensary, where they worked with her for about two hours. She was so violent that considerable restraint was necessary. As they were unable to do any good she was sent to the hospital and died about the time of her arrival there.

She had no relatives in this city and her husband died about four years ago. Relatives living at and near Brazil are said to be wealthy and influential.

A BIT OF RAILWAY HUMOR

SOO LINE WILL RUN HOMESEEKERS' EXCURSIONS TO NEW ENGLAND.

The Railways Will Spend Large Sums of Money in Improvements—General and Personal Notes.

Occasionally a bit of choice humor creeps into the railroad world. General Passenger Agent Callaway, of the Soo Line, has a rather light opinion of the proceedings of the lines of the Western Passenger Association, and when he received a notice from that organization that its lines would put on "homeseekers' rates" to Colorado common points of "one fare, plus $2," he thought it time for the Soo line to bestir itself, and officially announced that upon the same dates on which the "homeseekers' rates" to the farm lands of Colorado were to be made the Soo line would make a rate on exactly the same basis to Boston, New York, Portland, Me., and other Eastern common points, "for," said Mr. Callaway, "there are many vacant homes in that part of the country." Just how the attempt of the Soo to settle the abandoned farms of New England will be received by the other roads cannot be told in advance, but it is evident that the Soo line is not as well in the traces as was supposed. Mr. Callaway's rate for homeseekers in New England and the Middle States will go into effect on May 1, and the rate will be good on the first and third Tuesdays of each month. Tickets will be sold for one fare, plus $2, and in other respects will resemble the "homeseekers'" tickets so well known in the railroad world.

Will Spend Money Lavishly.

The contemplated expenditures the present year on not only the leading roads of the country, but on less important roads, bear out the assertion of the Journal, made some months ago, when it quoted President Ingalls, of the Big Four, as saying that the action of the roads in increasing rates was compulsory in order to make needed improvements in roadbed and equipment and necessary repairs. During the period of low rates that prevailed last year and the exceedingly heavy traffic the transportation lines were compelled to take money that should have been used for that purpose to pay dividends and interest, and now that the improvements are necessary increased revenue is demanded. The added cost of material does not seem to deter the railroads from going ahead and spending money with a lavish hand. A year ago the improvements could have been made at much less cost, as will be noted in the following increase in material used in the construction of railroads: Steel rails have doubled in value; bridge material has increased 75 per cent.; structural and tool steel, 75 per cent.; lumber, 60 per cent., and coal and other fuel, 25 per cent. Labor has increased in value owing to the great demand, and many railroads, in order to hold their employes, have voluntarily increased wages. Railroads are barometers and measure existing conditions more accurately than any other known means. When times are good the railroads prosper, but when the period of prosperity ends the railroads are the first to feel it.

Big Four Earnings.

The Big Four lines proper earned in the third week of April $305,765.87, an increase over the corresponding week of 1899 of $26,287.49. In the first three weeks of April the lines earned $920,741.70, an increase over the corresponding period of 1899 of $82,306.58.

The Peoria & Eastern earned in the third week in April $42,113.05, an increase over the corresponding week of 1899 of $5,840. In the first three weeks of April P. & E. lines earned $125,019.04, an increase over the corresponding three weeks of 1899 of $16,864.26.

Personal, Local and General Notes.

The Monon is this week distributing on its line north of Lafayette 3,000 tons of new heavy steel rails.

C. C. Pierce, general agent of the Merchants' Despatch, who has been quite ill for three weeks, was better yesterday.

Under the schedule that takes effect to-morrow the Big Four will have sixty-four trains arriving and departing at Indianapolis daily.

To-day at all prominent railway centers except Indianapolis railroad offices will be closed on Saturday at noon and will do so until September.

Commencing to-morrow the Knickerbocker, on the Big Four, will be strictly a New York train, the Boston car being hauled in the train, leaving at 2:45 p. m.

Elliott Holbrook has been appointed chief engineer of the Kansas City Southern and Suburban Belt railways. J. W. Heylmun has been assigned to other duties.

B. F. Sipp, superintendent of the Whitewater road, has christened the new train north-bound the Hoosier State Express; south-bound, the White Valley Flyer.

William Morris, superintendent of motive power of the Chesapeake & Ohio, passed through the city yesterday returning from a trip to the northern part of the State.

The stone traffic of the Monon from the Bedford quarries is again very heavy, reaching seventy to eighty cars per day, much of the business going to Eastern States.

Mr. F. K. Rule has been appointed acting general manager of the Los Angles Terminal Company, succeeding Mr. S. B. Hynes, who resigned as general manager to accept a position elsewhere.

Hocking Valley earnings for the third week in April show a gain of $41,665; net earnings so far for the year, $790,000. Operating expenses from July 1 are less than 60 per cent. of gross earnings.

H. F. Houghton, superintendent, and W. Baldwin, engineer of maintenance of way on the Chicago division of the Big Four, are going over the line on a motor car propelled by gasoline as a fuel.

Samuel Cox, who for many years was an engineer on the Big Four, and five months ago lost his position for a mistake in interpreting a train order, has been reinstated on his previous good record.

The new interlocking plant the Monon and the Wabash are putting in at the crossing at Delphi, Ind., will be put in operation to-morrow. The plant cost $10,000, and is one of the best in the State.

W. C. Rinerason, general passenger agent of the Queen & Crescent, announces that trains on all Southern lines are again running on schedule time, the troubles from high waters having been entirely overcome.

The new train of the Peoria & Eastern, which will be put on to-morrow, will leave Columbus, O., at 9 a. m. and reach Indianapolis at 3:05 p. m. On this train will be hauled a dining car, a parlor car and a through coach for St. Louis.

H. F. Baldwin, former chief engineer of the Chicago, Peoria & St. Louis Railway, with headquarters here, but now chief engineer, at New York, of the Lake Erie & Western, has been appointed chief engineer of the Chicago & Alton, vice H. C. Draper.

George Chapman, president of the Findlay, Fort Wayne & Western, passed through the city yesterday en route to Fort Wayne. It is understood something will soon be announced as to the future of the line. Material extensions are said to be under consideration.

On the first and third Tuesdays of May and June the Wabash, the only road of the Central Passenger Association to do so, will run homeseekers' excursions to West and Southwest points, Denver, Colorado Springs and Pueblo, Col., being added to the list this year for the first time.

The Chicago & Rock Island west-bound excursions from Chicago, Missouri river and intermediate points to Denver, Colorado Springs and Pueblo, Col., Salt Lake and Ogden, Utah, will start on June 20, July 9, July 17 and Aug. 1. The east-bound excursions start on June 23, July 12, July 20 and Aug. 4.

A Baltimore paper says: "Arrangements have been perfected by which the Baltimore & Ohio Southwestern, hitherto operated independently, will come under the general management of the Baltimore & Ohio. Vice President Green, of the Baltimore & Ohio Southwestern, will be retained as a vice president of the general system."

Wabash earnings continue to show marked improvement over a year ago, when, it may be recalled, traffic receipts were heavier than in any corresponding time in the company's history. In the third week of April the road's gross earnings increased $41,401 over the same week in 1899, making for the fiscal year to April 21 a total gain of $1,885,481.

The annual report of George T. Jarvis, receiver of the Louisville, Evansville & St. Louis, on the condition of the road for the year 1899, filed with the clerk of the Federal Court yesterday shows the gross earnings for the year to have been $1,818,023.11, and the net earnings, $615,824.86, an increase over 1898 of $191,089.40. The total mileage operated was 364.68.

Some of the railway publications have both a literary and artistic value. "Wonderland," a book issued by the Northern Pacific Railway Company, not only contains illustrations affording glimpses of the magnificent scenery along the line of its road, but a description of the region tributary, including the story of Lewis and Clark's great exploitations of the Northwest. It is a work of permanent value.

It is reported on what seems to be the best of authority that a deal has been closed between the Illinois Central and the Burlington, Cedar Rapids & Northern whereby the former secures the right to use the lines of the latter for the Albert Lea & Southern line from Glenville to Albert Lea, and the Central has secured the lease for ninety-nine years. This reduces by about one-third the track that will have to be built to complete the line from Lyle to Albert Lea and give the Illinois Central a direct entrance to the Twin Cities.

General passenger agents of roads having lines to New York view with alarm the action of the Nickel-plate in putting on a twenty-six hour train between Chicago and the metropolis. It is generally conceded that the matter will lead to a revision of the differentials, and possibly to a speed or a rate war. Both the other differential lines will be compelled to adopt protective measures, but what these will be has not been determined. The matter is considered serious enough to submit to the presidents, and the agents of all lines interested have already gone to headquarters with their trouble. Until the matter is fully considered by the chief executives it will not be known just what effect the Nickel-plate's action will have.

A FLAGMAN'S HARD LUCK

HE HAD A NARROW ESCAPE FROM DEATH AND WAS DISCHARGED.

By an Accident He Derailed a Switch Engine and Then the Trouble Began in Earnest.

An unusual accident happened near the Capitol-avenue crossing of the Union Railway tracks between 2 and 3 o'clock yesterday afternoon, and but for the prompt action of a Vandalia engineer it might have been much more serious than it was.

Flagman Wills, employed by the Union Railway Company, sat on a switch block at the east end of the Vandalia freight house, enjoying the perfect weather. Suddenly he looked up and saw an engine backing eastward on one of the other tracks. It was an I., D. & W. passenger engine, making up a train. The flagman, from long training, at once thought of the crossing. He turned quickly about to see if a vehicle or pedestrian were approaching, and in doing so lost his balance. The switch block was only about three feet from him, and the flagman naturally reached for something to save himself from falling. He reached out frantically and caught the lever with which the switches are turned. He naturally gave the lever a jerk in trying to right himself, and this threw a switch. Unfortunately it was the one on which the I., D. & W. engine was approaching.

In another instant the engine had struck the switch, and the old flagman was horrified to see it leave the track. He was so amazed and startled at what he had done that he seemed to lose his wits. He stood in the middle of one of the tracks gazing at the derailed engine. So distressed was he with the situation that he did not observe a Vandalia passenger train bearing down on him from the west. The train was one of the fast ones and was due at the station at 2:40. It was probably running at the rate of fifteen miles an hour, when the engineer discovered the old flagman in the center of the track, standing as if nailed to the spot and apparently unaware of his danger.

The fireman rang the bell and the engineer blew the whistle. Shriek after shriek arose from the approaching engine, but still Flagman Wills stood there as if rooted to the spot. Finally the engineer found that the old man was not going to move, and he realized that he must act hastily. The reverse lever was brought into instant use and the airbrakes were applied with a violence that almost unseated a trainload of people. Some of the passengers, it is said, were thrown from their seats by the sudden change in the speed of the train. Flagman Wills, as soon as the train stopped, realized what was going on. About this time Superintendent Zion, of the Union Railway Company, arrived on the scene, and as soon as he learned the details of the curious accident he proceeded to discharge Flagman Wills.

FOR STUDENTS AND FACULTY.

Annual Banquet of the Indiana Dental College—Commencement To-Night.

The twentieth annual commencement exercises of the Indiana Dental College will be held at English's Opera House this evening. The exercise will be open to the public. Last night at the Denison Hotel the annual dinner of the college to students and faculty was given. Seventy-four people were at the tables. Dr. J. N. Hurty, president of the college, presided as toastmaster and addresses were made by Drs. George E. Hunt, A. C. Kimberlin, R. T. Oliver, D. L. Stine, Alexander Jameson and others.

At the exercises this evening no seats will be reserved after 8:15 o'clock. The following programme will be given:

Selection—"Singing Girl" ..... Herbert
Orchestra.
Invocation ..... Rev. H. C. Meserve
Selection—"Call Me Thine Own" .... Halevy
Orchestra.
Address .....
Prof. Victor C. Vaughn, M. D., Dean of the Department of Medicine, University of Michigan.
Tenor Solo .....
(a) "Two Eyes of Brown" ..... Hawley
(b) "As the Dawn" ..... Gantor
Mr. Raymond J. Lynn.
Violin Solo .....
(a) "Cavatina" ..... Bohm
(b) "Serenade" ..... Pierne
Miss Benaldine Smith.
Reading ..... "Company A"
Mrs. John T. Brush.
Soprano Solo .....
(a) "Love Me Well" ..... Bemberg
(b) "Up to Her Chamber Window" ..... Foote
Mrs. George Edwin Hunt.
Presentation of Diplomas .....
..... Burris Atkins Jenkins, A. M., B. D.
Benediction ..... Rev. H. C. Meserve
Selection—"The Sun Do Move" .. Stromberg
Orchestra.

Following is a list of the graduates: T. B. Alsop, P. L. Beal, W. A. Birch, Will Bickenstaff, G. J. Bookwalter, I. W. Borden, H. E. Boudinot, J. C. Branham, Lon Chapman, W. A. Chapman, J. H. Coe, C. M. Corns, L. T. Davies, F. W. Davis, Ellison Dixon, E. R. Donell, P. G. Eddy, W. T. Edwards, E. W. Ellis, W. F. Faries, Berton Featherstone, A. R. Friedman, J. O. Fryer, H. E. Gage, F. E. Grafft, C. B. Green, C. W. Griffith, L. J. Haas, J. H. Hite, Mrs. Jennie Hockett, J. A. Holden, R. M. Hollingsworth, H. M. Hunt, A. A. Johnson, Walter Kennard, F. L. Lafferty, R. G. Litsey, J. H. Loertz, H. R. Lotshar, C. H. Metsker, J. F. Meyer, C. P. Miller, J. M. Miller, G. A. Mills, Chris Olsen, H. P. D. Schaffer, William Schloser, F. F. Schmidt, Martin Schumacher, W. F. Shepherd, S. B. Shonkwilder, K. H. Shreve, W. J. Smith, O. E. Starr, W. H. Stephens, C. E. Stephenson, Lloyd Stevenson, F. H. Swart, H. J. Templeton, W. L. Todd, M. M. Walker, F. W. Williams, N. N. Williams, H. S. Winzeler, F. E. Yule.

Insure with

The Indianapolis Fire Insurance Company. John M. Spann, secretary, 148 E. Market st.

CHARLES BUSHONG SUES

HE DEMANDS $3,000 FROM THE CITY FOR ALLEGED SERVICES.

Says He Was Never Legally Dismissed as Sprinkling Inspector—Other Cases in the Courts.

Charles Bushong brought suit against the city of Indianapolis yesterday for $3,000 which he claims is due him for services as inspector of street sprinkling and sweeping. He asserts that he was appointed to that position by the Board of Works Jan. 1, 1893, and that he has never been dismissed in the manner named in the city charter. He says that he continued in service until Jan. 1, 1894, when a successor was appointed without his legal dismissal, and that he continued to report regularly for duty until May 1, 1894, when he secured temporary employment at other work. He avers that he was occasionally called upon to do work in the capacity of inspector until Aug. 23, 1894, but since that time he has not been employed by the city.

He charges that the city has refused to pay him his salary since Dec. 23, 1893, and that $425 is due him from that date until May 1, 1894. His salary was fixed at $100 a month, and he says that the other employment he was forced to accept only pays $60 a month, a loss to him of $40 a month, and on account of this loss the city is now indebted to him to the amount of $2,300, in addition to the debt of $425.

LOUISA SULLIVAN SUES.

Has Trouble with Life Insurance Company of Virginia.

Louisa Sullivan sued the Life Insurance Company of Virginia yesterday for $300, which she claims is due her on a policy held by her son, Harry L. Sullivan. She asserts that he took out a policy Dec. 1, 1891, agreeing to pay 40 cents a month, and that it was made payable twenty-four hours after sufficient proof of his death. She says there was an understanding that the payments were to be made before the twentieth day of each month, but on the tenth day of July, 1895, the defendant company, through its agent, demanded the regular monthly installment, saying the policy would lapse if it were not paid on that day. She alleges that a promise was made to pay the installment the next day, and that the money was offered on that day, and also on the day following, but the company refused to accept it. She says that her son died March 12, 1896, and that the company refuses to pay the policy.

E. H. CANNON ARRAIGNED.

He Is Bound Over to Grand Jury—Police Court Cases.

In Police Court yesterday morning E. H. Cannon, former manager of the Grand stock company, who was arrested and charged with embezzling about $450 from the company, was arraigned, and upon waiving examination was bound over to the grand jury.

Patrick Killain and "Jack" Thompson, both of whom were severely cut in a fight at Killain's home on Douglass street, March 29, were each fined $25 and costs on charges of assault and battery. Thompson was so badly injured that he was sent to the City Hospital and recently released.

Appellate Court Decision.

The Appellate Court yesterday affirmed the decision in the Marion county Circuit Court in the case of the Supreme Tent of the Knights of the Baccabees vs. Sarah A. Volkert. Mrs. Volkert's husband became a member of the order in 1893. By the terms of his certificate his wife was to receive $1,000 at his death. The rules of the order prohibit any member engaging in the sale of intoxicants. Mrs. Volkert's husband went into the saloon business after becoming a member, and during that time the local officers continued to receive dues from him, and also collected one payment from his widow after death. The court held that the officers waived the right to object to pay the claim when they collected the dues, knowing the business he was engaged in.

Bad Bookkeeping Caused Discrepancy

The petition against T. C. Whitcomb, who filed an intervening petition in the case of Gall against the Eureka Savings and Loan Association, for an accounting, that was to have been heard in Room 3, of the Superior Court, yesterday, was continued until the first Monday in June. On Whitcomb's petition it was learned that he, as secretary-treasurer of the company, was short about $21,000. No fraud is alleged, but a system of bad bookkeeping is said to be responsible for the discrepancy. The time was extended to give the attorneys more time to investigate the books.

The Saloon Burned Down.

The suit for abatement of nuisance and damages of Conrad Shellhouse against Alexander Robertson and Jacob Greenman was heard by Judge McMaster, in the Superior Court yesterday. The defendants were proprietors of a saloon near the point at Massachusetts avenue and Vermont street, and Shellhouse alleged that his property, which adjoins that of the defendants, was damaged to the amount of $3,500 by its proximity. Recently the saloon burned down, which abates the nuisance, leaving the actual damages the point to be decided.

Probate Court Affairs.

Jesse I. Reese was appointed guardian of Edna H., Ethel M. and Harry L. Reese, yesterday, and gave a bond of $100.

Peter Sexton was appointed administrator of the estate of Mary Sexton, giving a bond of $100.

Harry McCammeck was appointed guardian of Minnie McCammeck and gave $100 bond.

Stock Will Be Sold.

A petition was filed in the Probate Court yesterday by A. M. Byers & Co., of Pittsburg, Pa., to sell $25,000 worth of stock in the McIlvaine-Richards Company that belongs to the estate of J. B. McIlvaine, the proceeds of the sale to go toward the payment of a debt of $70,000. The petition was granted and the sale will be made June 1.

A Final Report Filed.

Felix T. McWhirter, receiver, filed his final report in Room 1, of the Superior Court, yesterday, in the matter of the receivership in the case of the Big Four Building Association against Leona Crumbing. It shows that $297.42 have been collected and $305.35 expended, leaving a balance due the receiver of $7.93.

A Will Is Probated.

The will of Isabella Socwell was probated yesterday, which gives her property at 542 and 544 East Market street, to be equally divided between her children, Samuel H., William P., Milton S. and Adah Belle Socwell. Adah Belle Socwell is to receive the rents from the property during her life.

Grand Jury Report.

The grand jury will make a report this morning on the jail cases so that the court can have these disposed of before the final report is made and new cases are brought in.

THE COURT RECORD.

SUPREME COURT.

18184. State of Indiana vs. Midkiff. Decatur C. C. Affirmed. Hadley, C. J.—Affirmed upon the authority of State vs. Kuhn, No. 18183, decided at this term.

18807. Carpenter vs. Schaeffer. Steuben C. C. Dismissed per curiam. The transcript of the record should be authenticated by the seal of the lower court.

18968. Adams vs. City of Shelbyville. Shelby C. C. Reversed. Hadley, C. J.—The public improvement act known as "the Barrett law" is not antagonistic to the Federal Constitution as now construed by the United States Supreme Court. 2. The following principles are applicable to assessments for local improvements: The Legislature may create, or authorize a municipality to create, a local taxing district for local improvement purposes, which includes part only of the property within the municipality; the Legislature may declare conclusively that only the property within the taxing district shall be specially assessed on account of local improvement within that district, and each parcel of contributing property may be assessed only to the extent that it actually receives special benefits; the taxing district as a whole may be assessed only to the extent of the sum of the special benefits actually received by the several parcels of contributing property; the improvement, so far as its cost exceeds the special benefits resulting to the several parcels of property in the taxing district, is a benefit to the municipality at large, and such excess must be borne by the general treasury; property owners affected by an improvement within a taxing district are entitled to a hearing on the question of special benefits, and none of said principles are denied by the "Barrett law." 3. In the search for legislative intent the court will look to each and every part of the statute; to the circumstances under which it was enacted; to the old law upon the subject, if any; to other statutes upon the subject or relative subjects, whether in force or repealed; to contemporaneous legislative history and to the evils and mischiefs to be remedied. 4. In ascertaining the intention of the Legislature in enacting a statute of several sections the entire statute must be considered. 5. Section 3 of the "Barrett law" of 1889 must be construed as providing a rule of prima facie assessments in street and alley improvements, which allotments by the city or town engineer, under Section 6 of said act, are subject to review and alteration by the common council and board of trustees, under Section 7 of said act, as amended by Acts of 1891, P. 324, and 1899, P. 64, upon the basis of actual special benefits received by the improvement, and under Section 7 of said act the common council of a city or board of trustees of an incorporated town have the power and it is their duty to adjust the assessments for street and alley improvements to conform to the actual special benefits accruing to each of the abutting property owners and the costs of such improvement exceeding the special benefits accruing to abutting property must be paid from the general revenues.

19139. Owen vs. Dresback. Grant C. C. Motion to dismiss overruled.

19035. Allen vs. McGee. Monroe C. C. Certiorari granted and issued.

19244. Case vs. Nelson. Cass C. C. Motion to dismiss overruled.

—Minutes.—

19316. The State of Indiana ex rel. Sarah A. Repp et al. vs. Jabez T. Cox. Original action for writ of mandamus. Demurrer to respondent's answer and return filed.

18767. The Maule Coal Company etc. vs. John Parienheimer, administrator. Gibson C. C. Appellants' brief on petition to substitute parties (3) filed.

19206. Margaret Till vs. Sarah Trail Collier. De Kalb C. C. Appellant's supplemental brief.

19307. M. Helen Dunnington vs. Rufus K. Syfers et al. Hendricks C. C. Appellee's petition for certiorari. Notice. Brief on petition.

APPELLATE COURT.

3047. Knights of Maccabees vs. Volkert. Marion C. C. Affirmed. Wiley, C. J.—1. To support an assignment of error based upon the overruling of a demurrer to a complaint for want of facts the defects in the complaint must be pointed out and argued. 2. To present any question for review upon appeal on the ruling of the trial court to strike out a pleading or a part thereof, such pleading or parts of pleading, the motion and ruling thereon must be brought into the record by a bill of exceptions. 3. An insurance society which demands and accepts payment of dues after the death of a member, with knowledge of such death, is stopped from denying liability on the certificate of membership. 4. The mere fact that the member of an insurance society is engaged in a prohibited business, under the contract of insurance, will not forfeit the right to collect the amount of the insurance when the insured pays his dues and assessments to the local authorities of the insurer after he becomes engaged in the prohibited business with the knowledge of the fact that he was so engaged and the insurer receives and retains the last payment with a knowledge of the fact, and the further knowledge that the insured died when engaged in such prohibited business. 5. An insurance company may waive the right to avoid a policy for breach of some of its conditions. An act done after notice of the breach of conditions which recognizes the validity of the policy is a waiver of the right to avoid it for that reason.

3027. P., C., C. & St. L. Railway Company vs. Carlson. Porter C. C. Petition for rehearing overruled.

3156. Columbian, etc., Association vs. Walker. De Kalb C. C. Motion to dismiss overruled.

SUPERIOR COURT.

Room 1—John L. McMaster, Judge.

William Wilkins vs. Cort Matthias; foreclosure. Finding and judgment for plaintiff against defendant for $1,334.48 and costs. Decree of foreclosure and order of sale.

Conrad Shellhouse vs. Alexander Robertson; damages. On trial by court.

Room 2—James M. Leathers, Judge.

Charles Hartman, jr., vs. Minnie Hartman; divorce. Decree granted plaintiff. Judgment against plaintiff for costs.

Standard Saving and Loan Association vs. George Vansickle et al.; foreclosure. Defendants defaulted. Evidence heard. Finding and judgment for plaintiff against George W. Vansickle for $1,731.09, without relief, and costs. Foreclosure and sale ordered.

Ellen Casey vs. National Mutual Life Association; damages. Dismissed at plaintiff's costs.

Mary E. Root vs. Charles G. Root; divorce. Decree granted plaintiff. Judgment against defendant for costs.

Room 3—Vinson Carter, Judge.

Belle Douglass vs. Samuel Douglass et al.; support. Dismissed by plaintiff. Judgment against plaintiff for costs.

Ernest Kitz vs. Indianapolis Street-railway Company; damages. Dismissed for want of prosecution.

CIRCUIT COURT.

Henry Clay Allen, Judge.

Elisha Mannon et al. vs. Sarah J. Mannon et al.; partition. Commissioner files report of sale. Report approved and sale confirmed. Deeds tendered and approved.

Charles Brown vs. Indianapolis Street-railway Company; damages. Change of venue granted. Case sent to Hamilton county.

Evelyn Lancaster vs. John O. Cooper et al.; from justice of the peace. Submitted to jury. Evidence heard.

Balke & Krauss Company vs. John C. Robinson; mechanic's lien. Dismissed by plaintiff. Costs paid.

NEW SUITS FILED.

Louisa Sullivan vs. the Life Insurance Company of Virginia; complaint on policy. Demand $300. Circuit Court.

Wesley Hare et al. vs. the Chicago, Indianapolis & Louisville Railway Company; complaint for ejectment. Circuit Court.

Rose Nicholson vs. Edgar Nicholson; divorce. Circuit Court.

Bertha V. Porter vs. Tilden Porter; divorce. Circuit Court.

Charles D. Bushong vs. the City of Indianapolis; damages. Demand $3,000. Superior Court, Room 1.

Royal Arcanum Adjourns.

The biennial convention of the Royal Arcanum of Indiana decided yesterday to hold the next meeting in Fort Wayne in 1902. The following officers were elected for two years:

Grand Regent—R. M. Millican, of Evansville.

Vice Regent—E. Bierhaus, of Vincennes.

Grand Orator—Frank B. Shutts, of Aurora.

Past Grand Regent—J. E. Shultz, of Michigan City.

Grand Secretary—E. E. Schorer, of Indianapolis.

Grand Treasurer—N. S. Byram, of Indianapolis.

Grand Chaplain—W. S. Roney, of Terre Haute.

Grand Guide—George V. Gottman, of Evansville.

Deputy Grand Regent—W. M. Croan, of Anderson.

Grand Warden—Thomas W. Hawker, of Huntington.

Grand Sentry—J. B. Brown, of Fort Wayne.

Grand Trustees—J. W. Camper, of South Bend, and C. E. Haugh, of Indianapolis.

Representatives to the Supreme Council—J. F. Elder, of Richmond, and John H. Russe, of Lawrenceburg.

Will G. Beach, who is connected with the special revenue service, arrived in the city yesterday to attend the funeral of his brother, Fred L. King. The funeral will take place to-day. Mr. Beach was in the mountains of North Carolina when he received word of his brother's death.

LEGAL ADVERTISEMENTS.

NOTICE OF SALE OF BONDS.

NOTICE is hereby given that the treasurer of Monroe county will receive sealed bids up to the hour of 1 o'clock p. m., on the 8th day of May, 1900, at Bloomington, Ind., on the following bonds to be sold by me: Turnpike bonds for Richland township in the sum of $15,869.10; turnpike bonds for Indian Creek township in the sum of $10,440.

No bid will be considered unless accompanied by a certified check for the sum of five hundred dollars ($500) for the bonds to be sold for each township. Said check to be a guarantee of good faith and to be forfeited in case of failure to take bonds at the accompanied bid. Successful bidder to furnish bonds with coupons attached.

JOHN P. HARRELL,
Treasurer of Monroe County.

AMUSEMENTS.

GRAND—MAT. TO-DAY TO-NIGHT

Last Times of the Great Roman Play,

Quo Vadis

Magnificently staged. Same great cast as before. A wonderful production, the sensational triumph of the season.

Evening Prices—First fourteen rows, orchestra, 75c; balance, 50c; balcony, 25c; gallery, 15c. Matinees: Lower floor, 50c; balcony, 25c.

Next (closing) Week—"She Stoops to Conquer" and "Lady Windermere's Fan."

ENGLISH'S

Monday, Tuesday, April 30, May 1,

"THE ROGERS BROTHERS IN WALL STREET"

Seats now ready.

PARK—TO-DAY—2 p. m. 8 p. m.

Aiden Benedict's Big Scenic Production of the Season's Greatest Play,

"Quo Vadis"

The Reigning Sensation Everywhere.

10c, 20c, 30c. Everybody goes to the Park. April 30, May 1 and 2—"Black Patti Troubadours."

Empire Theater

Delaware and Wabash Sts.

THREE DAYS ONLY

Commencing THURSDAY - - - APRIL 26

Sapho... Burlesquers

Prices of Admission—10c, 15c, 25c, 50c.

A LOCAL and CLIMATIC DISEASE

Nothing but a local remedy or change of climate will cure catarrh.

Get a well-known SPECIFIC,

Ely's Cream Balm

It is quickly Absorbed. Gives Relief at once. Opens and cleanses the Nasal Passages. Allays Inflammation. Heals and Protects the Membrane. Restores the senses of taste and Smell. No Mercury. No injurious drug. Regular size, 50 cents; family size, $1; at druggists or by mail.

ELY BROTHERS, 56 Warren street, New York.

CATARRH