VITAL STATISTICS—OCT. 29.

Births.

Ben and Lucy Wheat, 564 North Beville avenue; girl.
Fred and Rosia Gurt, 509 Wilkins street; girl.
Charles and —— Deflbaugh, 3428 Graceland avenue; girl.
Frank C. and Bertha Hunt, 1097 Congress avenue; girl.
Jules and Lizzie Tarwe, 2904 North Senate avenue; girl.
James and Annie Roach, 329 South Capitol avenue; boys.
Charles and Maggie Lehr, 48 North Temple avenue; boy.
Harry and Mary Wellce, 1601 East Market street; boy.
Frank and Augusta Smith, East Vermont street; girl.

Deaths.

Clara Henderson, fourteen years, Thirtieth and Dearborn streets; congestion of brain.
Francis Lewis, fourteen years, 1024 Shelby street; endocarditis.
Mary Stilwell Curtis, eighty-four years, 230 East Tenth street; senile debility.
Jessie D. Ginton, fifty years, 211 North Liberty street; malaria.
Mary N. Reynolds, sixty-four years, 521 North Alabama street; heart failure.

Marriage Licenses.

Roscoe D. McFadden and Clara Rose.
Iva A. Dicks and Emma J. Bellman.
Alfred Geisel and Sadie Wise.
Charles W. Ferge and Francis Harris.
A. L. R. Smith and Hannah Keel.
Silas W. Hunter and Jennie Davis.
Herbert C. Armstrong and Clara Helms.
William J. Lacey and Dora E. Hunt.
William H. Heger and Caroline H. Brinkmeier.
Sidney Martin and Julia Undersaw.
Samuel Sharp and Mollie V. Stager.
Willie Sebastian and Jessie A. Morrow.
Frank B. Hudson and Catharine Eichholtz.
John Schmutte and Mayme Schall.
Patrick J. Cahillane and Elizabeth M. Moore.
Arthur F. Austin and Jennie C. McCauley.

DIED.

MOORE—Alma Frink Moore, wife of Harvey A. Moore, Oct. 29, at 12:30 p. m. Funeral services at the residence of Mrs. N. R. Ruckle, 1011 North Illinois street, Thursday at 3 p. m. Friends invited. Burial private.

FUNERAL NOTICE.

MASONIC—Funeral notice. Ancient Accepted Scottish Rite. The brethren are requested to meet at the Temple House of the Rite Wednesday afternoon, at 1:30 o'clock, to attend the funeral of our late Brother Jesse D. Guyton, from his late residence, 211 North Liberty street. Burial at Crown Hill.
CHARLES L. HUTCHINSON,
JOSEPH W. SMITH, T. P. G. M.
Secretary.

MONUMENTS.

MONUMENTS—A. Diener, 449 E. Washington. Tel. 2535. Branch works E. entrance Crown Hill

FUNERAL DIRECTORS.

FLANNER & BUCHANAN—(Licensed embalmers.) Can ship diphtheria and scarlet fever. Lady embalmer for ladies and children. 320 North Illinois street. Telephone 641, new and old.

Old 250. C. E. KREGELO, New 250.
FUNERAL DIRECTOR,
722 N. Delaware St.

TUTEWILER & SON,
Undertakers, 124 W. Market st. Tel. 216.

FOR SALE—REAL ESTATE.

FOR SALE—40 feet by 150, best unappropriated corner for large flat, in sights of new government building. Cheap at any price. On market to Nov. 2 only. T. A. GOODWIN, 1220 College.

REAL ESTATE—Morton Place, Alabama st.; ten-room dwelling; modern improvements; hardwood finish, a bargain at $5,500. THE M'GILLIARD & DARK CO., New 3312. 147 East Market st.

FOR SALE OR TRADE.

FOR SALE OR TRADE—Complete drug stock in good locality. Will sell at invoice or trade for good rental property. INDIANAPOLIS DRUG COMPANY.

FOR SALE—MISCELLANEOUS.

FOR SALE—Small stock of cigars and pipes in first-class condition; very cheap; to be removed. 539 S. Illinois st.

FOR SALE—Beautiful Sea Shells. Rare and beautiful, various colors and kinds, from Gulf of Mexico, delivered at $1 a quart. W. S. DOYLE, Sanibel, Fla.

FOR SALE—Call on me for all kinds of commercial printing. I can save you big money on envelopes, letter heads and business cards. Promptness and good work is my motto. G. E. LOUSING, 29½ N. Delaware st.

FOR RENT—HOUSES.

FOR RENT—See list at 131 E. Market; ground floor. GREGORY & APPEL.

FOR RENT—ROOMS.

FOR RENT—Two furnished rooms, with heat, light, bath. 721 Park ave.

FOR RENT—Six rooms; bath, furnace; delightfully situated, 3 blocks postoffice; $16. 255 Highland av.

FOR RENT—Ten-room dwelling, 2015 Alabama st., Morton Place; all modern improvements; $35. THE M'GILLIARD & DARK CO., new 3312. Rooms 6 and 8, Thorpe block, 147 East Market st.

BUSINESS CHANCES.

BUSINESS CHANCE—Manufacturers or others desiring good agents or brokers for staples or specialties can find the right man for Baltimore, whose ability, experience, habits, standing, connections and references are all good, by addressing H. S. L., Box 766, Baltimore, Md.

DENTRISTY.

DENTISTRY—Dr. S. F. Earhart, painless dentist, by the systematic treatment. 11½ W. Washington st., Iron block, opposite H. P. Wasson & Co.

NOTICE.

NOTICE—JOSEPH GARDNER, tin work and furnaces, 39 Kentucky ave. Telephone 324.

NOTICE—If in need of second-hand building material of any description call on or 'phone THE INDIANAPOLIS WRECKING CO., 1015 Cornell av. New 'Phone 3598. OLD BUILDINGS BOUGHT AND TORN DOWN.

NOTICE—

All advertisements inserted in these columns are charged at very low rate of 5 cents a line. No additional charge per line for blank or dash lines. Telephone 238 and your ad will be called for.

PALMISTRY.

PALMISTRY—MADAM DELPHI, Palmist and clairvoyant; 50c, $1. Hours, 10 a. m. to 5 p. m., 7 to 9 p. m. 325 Indiana av.

LOST.

LOST—Note Book. Notes payable to Occidental S. & L. Ass'n. Return to 225 Lemcke building. Reward.

FINANCIAL.

LOANS—Money on mortgages. C. F. SAYLES, 127 East Market street.

FINANCIAL—Private money to loan on inside property, 6 per cent. WRIGHT & CO., 82 Baldwin.

FINANCIAL—Money to loan; long time; low rate; no commission. D. W. COFFIN, 42 Lombard building.

FINANCIAL—First-mortgage loans on improved Indianapolis property; lowest rates; privilege of prepayment. SPANN & CO., 148 E. Market.

FINANCIAL—Loans on city or farm property in Indiana, 5½ per cent. NO COMMISSIONS. Money ready. C. N. WILLIAMS & CO., 219-222 Lemcke building.

FINANCIAL—
SALARY LOANS.
We will advance you a month's salary and take your plain note for the money. We only loan to high-class employes. Our rates are the lowest in the city.
THE SALARY LOAN COMPANY,
New phone 2253. 327 Stevenson Building.

SEALED PROPOSALS.

NOTICE—Notice to bidders: Notice is hereby given that sealed proposals will be received by the board of trustees of the Central Indiana Hospital for Insane at their office up to 2 o'clock p. m. Thursday, November 7, 1901, for the construction of a sewer on the hospital grounds. Plans and specifications are on file at the office of Adolph Scherrer, architect, Indiana Trust building. By order of Board of Trustees.

LEGAL ADVERTISEMENTS.

Cleveland, Cincinnati, Chicago & St. Louis Railway Company.

The annual meeting of the stockholders of this company, for the election of directors and for such other business as may come before the meeting, will be held at the office of the company, corner of Third and Smith streets, in Cincinnati, Ohio, on Wednesday, Oct. 30, 1901, at 10 o'clock a. m. The stock transfer books will be closed at the office of Messrs. J. P. Morgan & Co., No. 23 Wall street, New York, at 3 o'clock p. m. Thursday, Oct. 10, 1901, and reopen at 10 o'clock a. m. Friday, Nov. 1, 1901.
E. F. OSBORN, Secretary.
Cincinnati, Oct. 1, 1901.

JOURNAL BUSINESS DIRECTORY.

ELEVATORS—
Passenger and freight. Repairs and supplies. REEDY & CO. 'Phones—New 3170; old 22752.

FLORISTS—
BERTERMANN BROS.,
New No. 241 Mass. ave., 228 N. Del. st. Tel. 849.

OPTICIAN—
ROUSE & MAYHEW, Practical Opticians. 106 Monument place. English Hotel block.

PATENT LAWYERS—
E. T. SILVIUS & CO., 168 N. Pennsylvania st. Free pamphlets and consultation.
THOMAS R. BELL, consulting engineer and patent solicitor. 64 Ingalls block, Indianapolis.
V. H. LOCKWOOD, pamphlet or any general information free of charge.
415-418 Lemcke Building.

RESTAURANTS—
STEGMEIER BROS., Oyster and Chop House. 19 N. Illinois st. Both 'phones 706.

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

STOVE REPAIRS—
THE PEERLESS FOUNDRY CO., 710 Meek st. New phone, 2462.

WALL PAPERS—
H. C. STEVENS, New Style Wall Paper. Low prices. 236 N. Senate ave. Tel. 2 on 2552.

FUNERAL DIRECTORS—
FRANK BLANCHARD,
99 N. Delaware st. Tel. 411. Lady attendant.

OPTICIANS.

OPTICAL—Don't neglect your eyes; examination free. CHICAGO OPTICAL CO., 119 West Ohio street. Graduate lady optician.

TYPEWRITERS.

FOR SALE—The New Manhattan and other leading makes for sale or rent at anti-trust prices. MANHATTAN GENERAL AGENCY. Phones, 509. 114 E. Washington st., Indianapolis.

STORAGE.

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

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

WANTED—MALE HELP.

WANTED—Pressed-bricklayers; two months' job. BULLEY & ANDREWS, Portland, Ind.

WANTED—Gas fitters; five good men to set meters. Address ALEXANDRIA GAS CO., Alexandria, Ind.

WANTED—Permanent position requiring no canvassing for the right man to represent an old-established company having $200,000 capital; $75 salary the first month, not conditional on results; $900 and expenses the first year, payable weekly direct from our office. Absolutely straight salary; no deception. Opportunity for promotion and increase of salary. State age, references and business experience. Address UNIVERSAL MFG. CO., Box 733, Philadelphia, Pa.

WANTED—MISCELLANEOUS.

WANTED—JAN HONG LOW CO., 226 Indiana av. Best chop suey house in city. Good cook from San Francisco, strictly up to date.

SALES OF REAL ESTATE.

Twenty-Two Transfers Made Matter of Record Yesterday.

Instruments filed for record in the recorder's office of Marion county, Indiana, for the twenty-four hours ending at 5 p. m., Oct. 29, 1901, as furnished by the Indiana Title Guaranty and Loan Company, No. 129 East Market street. Both teelphones 2066:

George W. Stout to Mary M. Brown, part of Lot 215, Stout's Haughville add. (Cleaveland st, near Crawfordsville road.)	$400.00
Francis M. Furgason to James H. Thomas, part of Lot 11, Drake & Mayhew's 1st add. (West st, near Drake st.)	800.00
James L. Keach to Henry Kahn, Lots 19 and 20, Outlot 147. (Cor California and Market sts.)	7,000.00
Mary S. Carey to David Turple, Lot 2, Pratt's sub of Outlot 171. (No. 962 North Meridian st.)	16,500.00
Ruth A. Lowes to Letitia Caldwell, Lot 3, Buisterbaum's sub of Lot 6, E. T. Fletcher's 1st Brookside add. (Brookside ave, near Jupiter st.)	500.00
Dora E. Stetkam to Mattie J. Comarroe, Lots 3 and 4, Dora R. Miller's Mount Jackson sub of Blk 71, A. C. Harris, executor's, south add. (Harris av, near Ida st.)	575.00
Mary Rice to Frank M. Page, 40 feet of the north side of Lot 25, Burton & Campbell's Park-place add. (Cor Senate av and 29th st.)	2,900.00
Railroad Men's B. and S. Ass'n to John E. Russell, Lots 5 and 6, Florence L. and Peter Crapster's sub of part of the n w ¼ of Sec 7, Tp 15, R 4. (Summit st.)	1,200.00
John E. Russell to Edwin Manzey, Lot 6 in same add as above. (Same as above.)	400.00
John F. McLeay to Edward P. Walker, Lot 216 in Jackson Park add. (Sheldon st, near 22d st.)	300.00
Charles D. Meigs to Jesse J. Privett, Lot 2 in Lamb, receiver's, sub of Wright's sub of Lot 26, Johnson's heirs' add. (20th st, near Cornell av.)	500.00
Joel A. Baker to Hamilton A. Canfield, Lot 52 in Avondale add. (Capitol av, near 36th st.)	1,600.00
Julia A. Sanders et al. to Frank E. Sanders, Lots 31 and 32, Richey's add to West Indianapolis. (Kappes st, near Miller st.)	650.00
Crown Hill Cemetery to Anna E. Mussmann, Lot 172, Sec 16, Crown Hill Cemetery	108.00
Jane Lydy to Henry Mootz et ux, e ½ of part of the n w ¼ of Sec 15, Tp 15, R 3. (Howard st in West Indianapolis.)	2,500.00
Eliza M. Thompson to Martha C. Preston, Lot 51 in Sell's West Indianapolis add. (Reisner st, near Sells av.)	300.00
E. I. Fisher, trustee, to Indianapolis S. and L. Co., Lot 98, McCarty's 1st West Side add. (Blaine av, near Howard st.)	229.39
Katherine D. Knox to Clara Koch, Lot 10, Lewis & Co.'s sub of Bryan's add. (Keystone av, near Tilden st.)	375.00
George Kessler to John M. Good, Lots 19 and 20, Shelby's 1st sub. (Ethel st, near 27th st.)	1,200.00
George Kessler to Charles C. Shepp et ux, Lots 27, 28, 30 and 32, Shelby's 1st sub. (27th st, near Ethel st.)	3,500.00
George Kessler to John M. Good et al., Lots 15 to 18, 36, 37 and 38 and strip adjoining, all in Shelby's 1st sub. (Cor Ethel and 27th sts and street near 27th st.)	4,000.00
Bert McBride to Hannah C. Haughey, Lot 71, E. T. Fletcher's sub of Lots 6 to 23, E. T. & S. K. Fletcher's add. (Columbia av, near 15th st.)	2,000.00
Transfers, 22; total consideration	$47,537.39

Building Permits.

Mrs. Maude H. Darraeh, repairs, frame house, 1811 North Delaware street, $200.

Louis Burman, remodel, frame house, 1046 Davis street, $1,25.

H. Mathes, frame addition, 920-922 Prospect street, $100.

J. M. Nelson, brick dwelling, Muskingum street, near Vermont street, $2,500.

Mrs. E. V. Barnett, repairs to frame house, 521 East Eleventh street, $150.

William Fox, repairs to frame house, 905 Engine street, $300.

John R. Pasquire, frame addition, 1424 Bellefontaine street, $200.

Mrs. Dye, repairs to frame house, 628 East St. Clair street, $190.

Clark, of the Oregon.

[Captain Clark, who commanded the Oregon during her remarkable dash around Cape Horn, and at the naval battle of Santiago, is, like Admiral Schley, one of the few heroes of the Spanish-American war who has not brought himself before the public by talking or writing of his record.]

Now, here's to Clark, who made his mark
And never said a word;
Who did his deed, and wrote no screed,
But silence deep preferred.
A health to him—that fighter grim,
Who met the wily Don,
And made his strike most workmanlike—
Clark, of the Oregon!

From sea to sea alone sailed he,
With ever-ready guns;
From where the tide is half-world wide,
To where the icefloe runs;
Through scorching heat to snow and sleet,
Full speed both night and morn,
His good ship hurled half round the world,
From 'Frisco by Cape Horn.

Back to the Line, swift through the brine,
With neither swerve nor sheer;
He met the fleet—up to the cleat
The signal flew: "We're here!"
All clear and clean, his war machine
Was trim from stern to bow—
"If there's a fight by day or night,
We're ready for it now!"

Then came the race, the thrilling chase
Through smoke and spume and foam,
And each shell's clang in rhythm sang:
"My Captain sends me home!"
Then back again, with cheering men,
When battle-smoke grew dim,
Yet not a word from Clark was heard—
His turrets talked for him.

So, here's to Clark, who made his mark!
God send us more, we pray,
Who do their deed, yet write no screed,
And have no speech to say,
Who never talk and never balk,
But fight at dark or dawn,
May he have health and joy and wealth—
Clark, of the Oregon!

—W. D. Nesbit, in Baltimore American.

TITLE INSURANCE is no experiment. It is demanded by the most conservative investors.

Do not make any investment in Real Estate unless the title is guaranteed by the INDIANA TITLE GUARANTY AND LOAN COMPANY, 129 East Market street.

THE PASSENGER OUTLOOK

NO INDICATIONS OF AN EARLY FALLING OFF IN TRAFFIC.

Another Speed War Between Chicago and Omaha Probable—The Car Shortage Becoming General.

Warren J. Lynch, passenger traffic manager of the Big Four lines, was in the city yesterday. He expressed the opinion that passenger business the remainder of the fall and through the winter would be very satisfactory, and he stated that the general passenger agents who attended the convention at Asheville week before last almost without exception took a cheerful view of the outlook. The Big Four, Mr. Lynch said, last year did a phenomenal passenger business and this year in every month has excelled in passenger earnings any months of the preceding year, and he looks for a good business next year, basing this prediction on the prosperous condition of the country. Each year so much is done in arranging trains to make good time and in furnishing fine passenger equipment that riding over the country at fifty to sixty miles an hour is appreciated. He said the trolley lines are cutting into the short travel some, but business has been so good for two years past that it was not noticeable in the way of decreased earnings.

Speed War Imminent.

Indications are that another speed war between Chicago and Omaha may be inaugurated as a result of the Chicago & Northwestern's cut to 12½ hours between these points, which becomes effective Nov. 3, in connection with the Union Pacific winter schedule. The new time table shows that the overland limited will leave Chicago at 8 p. m. and arrive at Omaha at 8:30 a. m. At present the Chicago & Northwestern's two fastest trains make the run in thirteen hours and twenty-five minutes and thirteen hours and thirty minutes. The Chicago, Burlington & Quincy runs a day train which makes the fastest time of any road—thirteen hours and fifteen minutes—but its through train makes the same time as the Northwestern, 13½ hours. The Chicago, Rock Island & Pacific schedule is thirteen hours and forty minutes; the Chicago, Milwaukee & St. Paul, thirteen hours and fifty minutes, and the Illinois Central thirteen hours and twenty minutes, and there is no doubt that the Chicago, Burlington & Quincy and the Chicago, Rock Island & Pacific will meet the Chicago & Northwestern's cut in time, which will probably precipitate another war of speed similar to the one fought out in the winter of 1899. At that time the contest was mainly for the mail contract, and the Rock Island started the cut. Then, as now, the Lake Shore was carrying the transcontinental mail into Chicago and there transferred it to the Chicago, Burlington & Quincy. The Rock Island connects with the Lake Shore at Englewood, fifteen minutes out of Chicago, and it arranged a schedule with the Lake Shore which gave it an advantage of half an hour at Englewood, also an hour required to transfer the mails from the Lake Shore depot to the Chicago, Burlington & Quincy depot in Chicago.

The Scarcity of Cars.

The car shortage is becoming the principal topic of discussion in all parts of the country. The Eastern roads have never before been so greatly embarrassed for lack of freight cars as now. Large consignments of west-bound merchandise are pressing for cars, and there never was a time when the Western railroads were more troubled in this direction. Indianapolis lines are beginning to feel it quite seriously, but until within ten days past they were able to keep up the orders for cars so closely that shippers made but little complaint. A Pennsylvania official says that the car famine and present congestion of traffic constitute the most important problems that the company has been called upon to solve. In the Pittsburg district they are unable to furnish more than 65 per cent. of the freight cars needed to forward the freight awaiting shipment. The United States Steel Corporation has an immense amount of finished product awaiting transportation, and there never was a time when Western railroads were so insistent in their demands for immediate delivery of steel rails. All the Eastern railroads are sending out imperative orders for the return of freight cars sent to Western points, and coupled with this is the heretofore spoken of shortage in power to handle the business so promptly that there will be no congestion.

Personal, Local and General Notes.

J. T. Davis, private secretary of M. E. Ingalls, president of the Big Four, was in the city yesterday.

After Nov. 1 Atlanta will be the headquarters of the Southern Pacific for the Southeastern States, with Harry W. Nathan as general agent.

J. R. Charles, agent of the Omaha, Kansas City & Eastern and the Omaha & St. Louis at Cleveland, will retire on Nov. 1 and the office will be abolished.

While on his recent trip, which ended in New York on Saturday night, George Gould and family traveled 5,000 miles over roads controlled and owned by him.

Wilbur Lee, general passenger agent of the Lackawanna, is appointing agents at a number of points in the West, and on Dec. 1 will establish an office and appoint an agent at Denver.

The Union Pacific made a record run last Saturday with a fifty-cars stock train from Cheyenne to South Omaha, covering the distance in nineteen hours and thirty-five minutes. The distance is 550 miles.

To advertise its line among sportsmen General Passenger Agent Pond, of the Wisconsin Central, is distributing deer heads in papier mache. By a folding contrivance they are given a lifelike appearance.

In the last thirty years the time between New York and San Francisco has been shortened 192 hours. To reach such a result the average speed of trains has been trebled, and the time will be still further shortened.

Profiles have been filed in St. Joseph showing the routes of several extensions of the Indiana, Illinois & Iowa. Although not yet admitted by the officials, it is well understood that at some future day Toledo will be its eastern terminus.

Cornelius Vanderbilt denies that his trip over the Chicago Great Western is for any other purpose than to interest the management in his locomotive patents, and that the same is true of his trip over the Chicago, Rock Island & Pacific.

Hereafter all general offices of the Erie system located in the principal cities will be closed at 1 o'clock Saturday the year round. Chicago, Cincinnati, St. Louis, Cleveland, Buffalo, Pittsburg and Indianapolis are benefited by the general order.

Paul Morton, vice president of the Santa Fe, is in San Francisco arranging the details of the agreement recently entered into with the Pacific Mail Steamship Company, by which the latter will take care of the Santa Fe's transpacific and Oriental business.

An idea of the passenger business the Big Four does at this city is shown in the fact that the car inspectors employed at the Union Station train sheds daily inspect 323 passenger cars, and this does not include passenger equipment run on the short local trains.

W. W. Woodford, the new general superintendent of the Pittsburg division of the Pennsylvania, entered railroad service when fifteen years of age as a clerk in a superintendent's office. Since March, 1893, he has been general manager of the Cleveland, Lorain & Wheeling.

One of the New York Central's Atlantic type of engine made the run from Rochester to Syracuse with nine mail and express cars on Monday in seventy-nine minutes; distance, eighty-one miles, eclipsing all records between those points, the Empire State express not excepted.

Clergymen's permits for the year 1902 will be issued by the Western Passenger Association of the Southwestern Passenger Bureau and the Transcontinental Association jointly, so that one permit will apply on all lines between Chicago, St. Louis, Texas and Chicago and San Francisco.

Quite a number of freight representatives of foreign lines arrived in the city on the evening trains, among them F. Thompson, of the Santa Fe; W. Hancock, of the Houston Eastern & West Texas; H. Parker, of the Missouri Pacific, and H. Nicolay, of the Chicago, Milwaukee & St. Paul.

Walker D. Hines, the new first vice president of the Louisville & Nashville, elected at the annual board meeting in New York, is but thirty-one years of age. He will have supervision under the president of the legal department and also perform such duties as the latter may from time to time assign.

P. W. W. Pummell, traveling freight agent of the Northern Pacific, is in the city. He states that this road is overwhelmed with business, the company being unable to furnish 60 per cent. of cars needed. The development of business on the western divisions has of late been phenomenal.

James Beasdale, for many years a well-known official of the Grand Trunk, died on Monday at Detroit. For several years he had charge of the Grand Trunk machine shops, leaving there in 1893 to take charge of the D. & M. shops in Detroit. He was prominently identified with the Amalgamated Society of Engineers.

Col. William Shaw, district passenger agent of the Chicago, Burlington & Quincy, states that the company is running a new line from Billings, Mont., to Great Falls. The distance in a straight line is 175 miles. The country through which it must pass is mountainous, and when built the line may exceed 250 miles in length. He announces that on Nov. 5 and each Tuesday thereafter a personally conducted through car will be run from Chicago to Los Angeles, via Kansas City.

During the fiscal year ending June 30 the capital stock of the Illinois Central was increased $6,000,000, the proceeds of which were expended on new equipment and additional second track. Since the close of the year the stockholders of the company have authorized the directors to increase the capital stock $13,200,000 to provide funds for additional equipment and facilities needed to handle the company's growing traffic. This brings the total amount of capital stock outstanding up to $79,200,000.

President Jeffrey, of the Denver & Rio Grande Railroad, announces the appointment of J. H. Herbert as general manager of the entire Rio Grande system to succeed J. H. Metcalfe, who will retire on Nov. 1. Mr. Herbert resigned the position of general manager of the Southern Pacific on the retirement of President Hayes. He was at one time superintendent of the Gould lines. Russell Harding, third vice president and general manager of the Missouri Pacific, has been made vice president of the Denver & Rio Grande as well as the Rio Grande Western.

Presidents and executive officers of the Chicago east-bound roads met in Chicago yesterday and discussed the question of abolishing the issue of passes for 1902 as recommended by the joint committee of Eastern and Western railroad presidents in New York a month or two ago. In view of the fact that the Western roads failed to take any action in the matter and are preparing to issue passes for 1902 the same as before it was deemed inadvisable for the Eastern roads to take any action on the matter. It is thought possible something can be accomplished for 1903.

The meeting of the new directors of the Evansville & Terre Haute road, Nov. 1, is looked forward to with considerable interest. It is understood that two of the New York directors will retire and give place to Evansville men, probably to R. K. Dunkerson, president of the old National Bank, and F. W. Cook, a brewer of that city. It is intimated that F. P. Jefferies, present general freight and passenger agent, may be promoted to general manager. The report is still current that the Evansville & Terre Haute was purchased in the interest of the Monon. Mr. Cook is a large owner of stock of the Evansville & Terre Haute, and is said to favor the proposition that the road become a part of the Monon system.

PERSONAL INJURY CASES

AN OPINION THAT RAILROAD ATTORNEYS DESIRE TO SUPPRESS.

Alleged Scheme to Keep It from Becoming a Part of Supreme Court Record—Other Cases.

An innocent-appearing document filed in the personal injury suit of Charles F. Flutter against the New York, Chicago & St. Louis Railroad Company in the Supreme Court yesterday afternoon is expected to create considerable stir when it comes under the eyes of the judges of the court. The document on its face is a simple agreement between Vesey & Heaton, attorneys for Flutter, and Olds & Dougham, representing the Nickel-plate road, reciting that a settlement has been effected by the road with Flutter and asking the Supreme Court to grant the road's petition for a rehearing of the case, adding that as soon as this is done the appeal will be dismissed.

Before the case was compromised the railroad company had filed a petition for a rehearing of the Supreme Court's decision reversing the judgment of the lower court against Flutter. The opinion contains several declarations on the subject of the law in personal injury cases that the railroad lawyers preferred to keep out of the printed reports of the Supreme Court, if possible. They therefore hit upon the plan of inducing Flutter's attorneys to join them in a request to the higher court to grant the railroad company's petition for a rehearing, which, if done, would, of course, withdraw from the records the original opinion in the case.

Flutter was injured Nov. 23, 1897, while running through the company's yards at New Haven, Ind., alongside of a locomotive, by tripping over some wires that connected with a semaphore which was a part of the company's block signal system. The railroad company showed in the trial of the case that Flutter had worked for other roads that used the block system and was therefore familiar with its details, and it showed further that the company's rules required employes to make themselves familiar with places in which they were expected to work. The wires used by the Nickel-plate in its block system differed from those of other similar systems in not being boxed. The attorneys for the road filed in the court below a large number of interrogatories for the jury to answer, and upon these answers the trial court held that the general verdict for Flutter could not stand. This decision was reversed by the Supreme Court in a vigorous opinion, which the railroad attorneys disliked to see printed, inasmuch as it would be used against them in future damage suits of a character similar to the Flutter case.

COMPULSORY EDUCATION LAW.

It Is Upheld by the Supreme Court—Other Decisions.

"One of the most important natural duties of the parent is his obligation to educate his child, and this duty he owes not to the child only, but to the commonwealth," declared Judge Dowling, of the Indiana Supreme Court yesterday in an opinion affirming the constitutionality of the compulsory education law. The opinion was rendered in the case of Sheridan Bailey, of Jay county, against whom an affidavit charging unlawful failure to send his little girl to school was quashed by the lower court. The appeal attacked the constitutionality of the compulsory education law of 1901 on the ground that its title is defective. The title reads "An act to amend an act concerning the education of children," and the quoted words, omitting the first three, constitute the title of the amended act which was passed in 1889. Judge Dowling held that this title sufficiently indicated some particular branch of legislation as a head under which the particular provisions of the act might reasonably be looked for. Speaking further of the duty of parents to educate their children Judge Dowling declared that it is a civil obligation to perform which they may be compelled or coerced by law. As a reason for such legislation the opinion says:

"To carry out the enlightened and comprehensive system of education enjoined by the Constitution of this State, a vast fund, dedicated exclusively to this purpose, has been set apart. Revenues to the amount of more than $2,000,000 annually are distributed among the school corporations of the State. No parent can be said to have the rights to deprive his child of the advantages so provided, and to defeat the purpose of such munificent appropriations."

John Aldridge's judgment for $500 recovered against the P., C., C. & St. Louis Railway Company was reversed by the Appellate Court because Aldridge in alighting from a car in New Albany in a snow and sleet storm went to the rear of the car, where the steps were slippery and did not descend to a platform as the front steps did. At the front of the car was a brakeman, who assisted passengers to descend. The higher court held that where a passenger deliberately walked into a place he knew to be dangerous and against which he had been warned by a brakeman he must bear the consequences of his negligence.

The Supreme Court sustained a judgment for $8,000 against the Indiana Southern on account of the death of George J. Peyton, an engineer on the E. & I., who was killed in a collision between his train and an Indiana Southern train that was being backed from a "Y" between the two roads on to the E. & I. tracks at Elnora, Ind. Peyton was killed before the passage of the act of 1899, relieving plaintiffs in damage suits from the necessity of averring absence of contributory negligence on the part of injured persons, but the suit was not brought until the law went into effect. The Supreme Court held the law constitutional and said it applies to suits begun after its passage, but relating to injuries occurring prior thereto.

The Appellate Court upheld the Circuit Court of Huntington county in its judgment that Albert G. Johnson was in contempt because he had failed to pay his divorced wife money to support their child, nothwithstanding Johnson's plea that his marital troubles and the resulting divorce had forced him from the ministry into the profession of law in which he could not make sufficient money to pay the allowance given his wife.

A STORY FULL OF PAIN.

Why William Clune Is Suing the Big Four Railroad.

William Clune yesterday brought suit against the Big Four Railway Company, for $2,500 damages. He says he was crippled in Coal Hill, Ark., by having his foot crushed and broken and wrist sprained. He avers that he telegraphed to his sister, Mrs. Nellie Stuard, of this city, for a ticket to Indianapolis, and that she purchased a ticket from Coal Hill to Indianapolis to be sent to Clune by telegraph, and paid the company $19.80. He says the agent of the company promised to send the ticket at once and notify his sister when Clune left Arkansas and state when he would arrive in order that she might meet him at the station.

He says that six days after his sister purchased the ticket he received a message from her asking why he did not come. He avers that the ticket was not sent, although he sent to the station each day to inquire about it, and upon receipt of her message he went to the agent and demanded the ticket. He says the agent said no ticket had been sent, but he telegraphed for it and it arrived the next day.

When he reached Indianapolis he says it was 4 o'clock in the morning and there was no one at the station to meet him and he had to walk with his crutches to the residence of his sister, which greatly aggravated his injuries.

LETTER TO A REPORTER.

It Is Written by One of the Parties to a Divorce Suit.

Interest in the divorce case of Mrs. Grimes against her husband, Peter Grimes, has been renewed by a letter written to a newspaper reporter. Mrs. Grimes charged that her husband was a religious fanatic, claimed to be sanctified and made life unbearable for her by continually reminding her that if she did not accept his faith she would be lost. Judge Leathers has had the case under advisement for several days. Yesterday a reporter, who had written an extensive account of the suit, received a letter from Grimes. The communication was well worded and was written on a hotel letter head. The letter informed Long that Jesus Christ was in town and if he was not careful he would send his "executioner" around, and added: "You little insignificant reporter, I know who you are and the first thing you know you will be shoveling coal in hell."

RENT MONEY WAS READY,

The Court, Therefore, Decides that a Saloon Keeper Cannot Be Ousted.

Judge Leathers yesterday decided a case that seemed to be a fight between two breweries. George Seifert rented a saloon at the corner of Kentucky avenue and Morris street to Fred Metzheizer for $50 a month and also furnished the saloon on the installment plan. The rent was collected regularly for several months until a controversy arose over some bills. A month or two ago Seifert did not come around for his rent as usual and a few days later he entered suit against Metzheizer for possession. Metzheizer then said he would handle another brand of beer and the Indianapolis Brewing Company furnished the saloon fixtures. Judge Leathers held that as Metzheizer had the money ready to pay his rent and Seifert did not come after it as was his custom the former had acted in good faith and should not be ousted.

Had to Incriminate His Son.

An answer filed yesterday in the suit of the Arthur Jordan Company against S. Arthur Scott, bearing the name of Thomas E. Scott as security, states that the signature of Thomas E. Scott is a forgery. Thomas E. Scott is the father of S. Arthur Scott, and although he knew his name had been forged he concealed the fact and tried to raise the money to save his son. He was finally compelled to file the answer incriminating his son to save his property, as the plaintiffs were pushing the case for trial.

Receiver Is Appointed.

Judge Carter yesterday appointed Charles O. Britton receiver of the Mercantile Guide and Bureau Company, which also operates the Journal job printing plant. The application for a receiver was filed by Olive S. Cavanaugh, one of the stockholders, who represented that the concern was not paying, due to improper management.

THE COURT RECORD.

SUPREME COURT.

19370. The State vs. Bailey. Jay C. C. Reversed. Dowling, J.—1. The title of the act of March 6, 1899, which reads, "An act entitled an act amending an act concerning the education of children, approved March 8, 1897, and declaring an emergency," is sufficiently specific so as to comply with the Constitution. 2. An act of the Legislature is not to be held void because of trivial and unimportant defects in its title. 3. The natural rights of a parent to the custody and control of his infant child are subordinate to the power of the State, and may be restricted and regulated by municipal laws. 4. If a parent neglects to educate his child, which is a duty he owes to both the child and the State, or willfully refuses to do so, he may be coerced by law to execute such obligation. 5. Statutes making it compulsory upon a parent, guardian or other person having the custody and control of children to send them to public or private schools for longer or shorter periods are not only upheld as strictly within the constitutional power of the Legislature, but as necessary to carry out the express purposes of the Constitution itself. 6. In an affidavit where a person is charged with having neglected, omitted and refused to send his child to school in violation of the compulsory education law it is not necessary to carry out the express purposes of the Constitution itself. 6. In an affidavit where a person is charged with having neglected, omitted and refused to send his child to school in violation of the compulsory education law it is not necessary to allege that the defendant "unlawfully" neglected, etc., when all the exceptions of the statute are negatived by proper averments.

19565. Southern Indiana Railway Co. vs. Peyton. Martin C. C. Affirmed. Hadley, J.—1. The act of 1899 (Acts, 1899, P. 58), which shifts the burden of proving contributory negligence to the defendant, in personal injury cases, where the injury was caused by the negligence of the defendant, applies where the cause of action accrued prior, but was in fact commenced subsequent to the taking effect of said act. 2. Remedial statutes which affect only the procedure and practice of the courts in the enforcement of a right, and which do not impair the right itself, or wholly destroy a pre-existing remedy, are retroactive in the sense that they must be applied to causes of action existing at the time of their passage in all cases where the suit is subsequently commenced. 3. Litigants must prosecute or defend in the manner prescribed at the time the suit is entered, without reference to when the cause of action accrued, or the character of previously existing forms of procedure, though it may turn out that present modes are less advantageous to one of the parties. 4. No adverse inference will arise upon a pleading from the absence of unnecessary averments. 5. All reasonable presumptions must be indulged against the special answers, and in support of the general verdict, and if the general verdict thus aided is not in irreconcilable conflict with the answers it must stand. 6. It is the right of each litigant to have the law declared to the jury upon the issuable facts supportive of his theory which the evidence tends to prove, and if such facts are found to be established, and are sufficient in law to constitute a cause of action or defense, in such presentation it is not necessary to embody all minor and unfavorable fact or facts in support of the adversary's theory. If the latter desires a counter presentation from his standpoint he must request it.

19619. Davison vs. Campbell. Delaware C. C. Transferred to Appellate Court.

19656. Churchman vs. Insurance Co. Bartholomew C. C. Same.

APPELLATE COURT.

3694. Felt vs. East Chicago, etc., Co. Lake C. C. Affirmed. Robinson, J.—1. If a party is not satisfied with the form of the judgment as entered he should present his objections to the trial court in a motion to modify, as objection to a judgment cannot be successfully made, for the first time, on appeal. 2. A motion for a new trial because of the admission or exclusion of evidence must point out with