

JUDGE TO THE GRAND JURY

MEMBERS WARNED AGAINST DIVULGING ANY SECRETS.

Fewer Cases in the Police Court Than Usual on Monday—Other Cases in the Courts.

Judge Alford, of the Criminal Court, when he instructed the grand jury yesterday morning, took occasion to indicate his attitude regarding the cases of the grand jurors. He told the grand jurors that their deliberations should be in secret and not divulged. This was directed to the member or members who had talked concerning the action of the grand jury in receiving the witnesses of the Civic Alliance and who told how the grand jurors voted.

Another part of his remarks referred to the duties of grand jurors in judging evidence and returning indictments when they are convinced that there is violation of the law. He said:

"I desire to say to you grand jurors this morning that the laws of this State provide and demand that your deliberations, opinions, statements and votes upon all matters before you shall be secret and remain so, and that this court has the power under the law to punish for contempt any member who willfully violates this provision of the law. You have taken an oath to this, and the law demands it. You have also taken an oath to make diligent inquiry into all violations of the criminal laws of the State, happening in Marion county, and after such inquiry to return a true and correct indictment of the truth and nothing but the truth in relation to all crimes."

RECENT LEGAL OPINIONS.

Whether photographs are admissible in evidence is now well settled in the affirmative.

PHOTOGRAPHS ADMISSIBLE IN EVIDENCE.

Not as Many as Usual on Monday—Sentences Imposed.

Police Court business yesterday was rather light as compared with previous Monday morning sessions. Only about twenty cases were called, and most of them were for minor offenses.

James O'Brien, who snatched a pocket-book from Mrs. Leary, of 104 Bates street, Saturday, and was caught by Superintendent Hyland after a long chase, was bound over to the grand jury after examination on charges of grand larceny and robbery.

Nim Davis, colored, who has a long police record, was fined \$25 and costs and given sixty days in the workhouse for assault upon Thomas Fowler, deputy marshal of Woodruff place, and held to the grand jury on the charge of robbery.

Benjamin Walker, who stole \$30 from Harry Estein's cash register Sunday morning while he was counting his money, was given \$5 and costs and thirty days in the workhouse on a charge of larceny.

Thomas Riley, charged with keeping the gambling house at 235 North Third street, Monday morning, was fined \$10 and costs. Six men pleaded guilty to gaming and were each fined \$5 and costs. Charles Hemphill pleaded guilty to visiting a gambling house and was fined \$10 and costs.

William Goodspeed, of 1622 Arrow avenue, who was arrested and charged with drunkenness and impaired ability to drive, was fined \$1 and costs on a charge of drunkenness. The other charge was withdrawn.

Petition for an Injunction.

Hawkins & Smith yesterday filed a petition for injunction on behalf of William J. Carrin, Joseph R. Paul and William L. Kann against the Central Steel Company, Major Collins, Crawford Fairbanks, Daniel P. Irwin, the Cramp Steel Company and J. Wesley Allison. The petitioners are interested in the Premier Steel Company, and say that when the plant was sold to the four named defendants they were not properly considered. They say the sale was made at a time when they could not enter objections and that under the advantage was taken of them. The petition says that the owners are now proposing to sell the plant to the Cramp Steel Company and Allison and asks for an injunction to prevent the sale until their claims are adjusted.

Fined for Violating Order.

Judge Leathers, of the Superior Court, yesterday fined Barney Von Berg and Harry F. Riley for violating an order of the court that requires defendants in divorce suits to appear and be questioned. The law requires that defendants shall appear, and it has been most rigidly enforced since the new law, requiring a deposit of \$5 for the prosecuting attorney to defend unaccounted suits, went into effect.

Breach of Promise Suit.

Mollie Battles yesterday filed suit against James E. Robertson for \$30,000 for alleged breach of promise. She says that he promised to marry her and pictured to her what a happy home they would have when they were married. She says he finally grew cold and then refused to marry her.

Mrs. Ross Sues for Divorce.

Georgia Ross yesterday filed suit against her husband, James W. Ross, for divorce. She alleges cruel treatment and drunkenness. A restraining order was issued by Judge Carter to prevent him from disposing of his money and real estate.

THE COURT RECORD.

SUPERIOR COURT.

Room 1—John L. McMaster, Judge. David Hand vs. Cleveland, Cincinnati, Chicago & St. Louis Railway Company; damages. Plaintiff dismisses at defendant's cost.

Mary C. Evans vs. Sanford A. Evans; divorce. Plaintiff dismisses. Judgment against plaintiff for costs.

CIRCUIT COURT.

Henry Clay Allen, Judge. State ex rel. Nannie M. Powers vs. Harry H. Beck; bastardy. Satisfactory provision being made for support of child, cause dismissed. Defendant discharged.

George F. Bussey vs. Anna Knowler's Estate; claim. Submitted to court. Allowed for \$14 and costs against estate.

Louis M. Bradley vs. L. Bradley's Estate; claim. Submitted to court. Allowed for \$5 at cost of estate.

Henry Aufderheide vs. Elder's Estate; claim. Submitted to court. Allowed for \$22.15. Costs paid.

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Michael F. McHugh et al. vs. Mary C. McHugh; partition. By agreement cause

CHAPMAN POST ATTITUDE

THE CONTROVERSY OVER MONUMENT BOARD OF CONTROL.

A History of the Shaft Erected to the Soldiers and Sailors of the State Is Given.

The following preamble and resolutions were adopted by George H. Chapman Post, No. 29, G. A. R., at a recent meeting:

"Whereas, At a former meeting of this post, a resolution was adopted asking the Governor to appoint non-combat veterans of the war of the rebellion on the board of control of the Soldiers and Sailors' Monument; and

"Whereas, Said resolution has been misunderstood by our sons and comrades who were engaged in the late war with Spain, and much has been said about the design of the monument, in the public prints, and the organization of the soldiers of the Spanish-American war; therefore, be it

"Resolved, That in asking the Governor to recognize non-combat veterans of the civil war in his appointments to the board of control, this post meant no discourtesy to those who took part in the Spanish-American war.

"That the whole intent and design of such request was to preserve the object for which the monument was built, and to hold sacred the object.

"That we believe the time has come to set forth the true history of said monument, especially as claims have been recently made that the monument was erected to commemorate the deeds of Indian soldiers in all wars, past and to come, and therefore we give to the public succinctly the history of the origin and inception of the movement to erect such a monument, and we do this in justice to our comrades dead and living, who went forth from 1861 to 1865. The history is as follows:

"The first public utterance in favor of the erection of such a monument was made by the Hon. George H. Chapman Post, in his message to the Legislature at its special session in 1857. The Legislature, at that session, enacted a law authorizing County Commissioners to raise a fund for the erection of monuments to the memory of the soldiers who have lost their lives in putting down the rebellion.

"In his message in 1857 Governor Morton returned to the subject, and strongly urged that a monument to the dead of the civil war be erected in Crown Hill Cemetery. This met with much favor, but others objected on the ground that the monument should not be to the dead alone, but to all those who fought, both living and dead. Nothing was done at the time.

"At a reunion of the veterans held in Indianapolis in 1875, the matter was brought up, and a committee was appointed to raise a fund for the erection of a grand State monument, and \$1000 was subscribed. A committee was appointed to raise the necessary funds by private subscriptions evolved. The association did not meet until 1882, when the Grand Army of the Republic took the matter up, and a grand military festival was given in honor of the war of 1861 to 1865.

"That the George H. Chapman Post asks all the other posts of the State, and all the other posts of the State, to join with him in this request to the Legislature."

"The neighboring Club will meet to-morrow for a visit in Chicago.

"The Epworth League of Meridian-street Church will give a students' social in the city parlors Friday evening, Nov. 3.

"Miss Marie Barrett left yesterday for Louisville, where she will be the guest of Mrs. Samuel Oberbecker for several weeks.

"Mrs. Avery, who has been visiting her sister, Mrs. Zenet, of College avenue, has returned to her home in Marietta, O.

"Miss Minnie P. Fleese entertained at her home in Emerson avenue, Irvington, last night, in honor of her guest, Miss Flora Lehnen, of Lafayette.

"Mrs. Charles J. Buchanan will be hostess for a large reception this afternoon in honor of Mrs. Albert E. Buchanan and Miss Drue Lawrence, of New Albany.

"Mr. J. H. Baldwin and family have returned after a two years' residence in Washington, and will occupy their residence on North Pennsylvania street.

"The marriage of Miss Maude King, 243 North Pennsylvania street, and Mr. Edward Newton Wilmington, is announced to take place Tuesday evening, Nov. 26, at Tabernacle Church.

"Announcement is made of the marriage of Miss Marie Barrett, daughter of Mr. and Mrs. E. C. Barrett, of Greenwood, last Sunday evening, Nov. 2, Mr. and Mrs. Barrett will be at home at 411 North Illinois street after Nov. 15.

"The Ladies of the First Baptist Church are making preparations for the annual meeting of the Woman's Foreign Missionary Society Friday evening of this week, which time the mite boxes will be opened.

"Mr. and Mrs. Richard L. Talbot, Jr., announce the engagement of their daughter, Mrs. George Talbot, and Mr. Hugh R. Richards, son of Major and Mrs. William J. Richards. The wedding will occur early in December.

"The following ladies from out of town will be guests at Mrs. Buchanan's reception describing the site of the monument, and detail what Indiana had done during the civil war, making no mention of any other nor any intention that it was to commemorate some event that was to take place in the future.

"THE CIVIL WAR. "According to this monograph, designs were submitted and one selected, and that design, as submitted and approved, dis-

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Many beautiful Things to see at The Busy Store this week. The dazzling collection of Autumn Dress Fabrics in wool and silk—the Beautiful Millinery and the charming Ready-to-wear Garments

WASSON'S RAILROAD FARES REFUNDED

The Style Story

at the Wasson Store will be equal in importance with the flower show, quite as well worth seeing and filled with as great a charm and novelty. A magnificent, brilliant array of the late things in chic Suits and Costumes, Outer Wraps, Raglans and Paletots. Attractive confections in Paris Waists and the proper ideas in Skirts. This is the show we ask you to see.

- Ladies' Raglan Newmarkets, of kersey, Irish Frieze and Coverts, tans, castors, backs, lined, half lined and unlined, at \$35.00, \$25.00, \$18.50 \$15.00 and \$12.50
Ladies' fine Costumes and evening Dresses of silk, velvet, crepe and broadcloth, lace, chiffon, velvet and applique, trimmed (no two alike), confined styles, or fitted \$125, \$75, \$50 and \$35.00
Ladies' Tailor-made Suits of English cut, blue, green, white, rose and black, fitted jackets, new blouse and flare skirts, special to-day \$25.00
Ladies' Botany Flannel Shirts, reds, blues, greens, whites, rose and black, new shield front and back, satin fold, trimmed, stock collars and cuffs, satin-trimmed, \$7.50 waist \$5.00
Ladies' Silk Velour Jackets, new blouse and 24-inch lengths, new vest effects, laces, trimmed with satin or tulle, tailor-stitched belts of tulle, tulle silk, at \$45.00, \$30.00 and \$20.00
Ladies' Automobile Jackets, 42 inches long, kerseys, chevots and pebble chevots, tans, castors, black and Oxford, panne velvet, fur and tailor stitched \$12.50 \$10.00, \$7.50 and \$5.00
Ladies' 27-inch Jacket, new fitted back, box fronts, chevots, Montabanks, Vicunas and kerseys, blacks, reds, castors, tans and Oxfords, tailor strap and fur trimmed, at \$25, \$18.50, \$12.50, \$10.00 and \$8.75
Ladies' Taffeta Shirts, all the new shades and black, hemstitched, tuck and lace trimmed, new open backs, a \$9 value, to-day \$5.00

MILLINERY The Latest Ideas in DRESS FABRICS

Paris Models are pretty, but our productions are more pleasing to the American eye than the imported patterns; some new ones for to-day, showing effective use of furs, flowers, plumes, etc., \$22, \$30 \$35.00 and \$45.00

- French Voile, that pretty, sheer, clingy fabric, all the latest colorings \$1.25
Directoire Crepe, 46 inches wide, molair warp, will not muss, sheer fabric, with rough surface \$1.00
Eolian, the sheerest wool fabric, 45 inch silk, yet a very durable cloth, tucks prettily, made soft as wide \$1.50
French Veiling, also a thin fabric, 69c
A Kid Glove Sale
Men's fine quality in Dent's and Perrin's Gloves \$2.00
Ladies' pearl class finest French Kid, for evening and street wear, at \$2.00
Ladies' best quality Mocha, one large pearl class, gray, tans, brown, at \$1.75
Ladies' four-hook green Gloves, \$1.25 quality, at 69c
Men's Furnishings
Men's perfect fitting Fullness Shirts, 2100 linen bosom, each \$1.50
Men's military style black satin Fullness Shields, quilted satin lined, \$1.50
Fullness Stock Bat Bows, in washable white lawn and black peak de soie, each 50c
Ascot Ties, in black and white, plain and figured effects, \$1.00 value, 50c
Men's Fullness Gloves, in white and pearl, one pearl class, dressed kid, fitted, \$1.75

H. P. WASSON & CO.

Announced that it was to have reference only to the civil war, for it was provided that the stragglers just below the statue was to bear upon the four sides the following figures: 1861, 1862, 1863, 1864; and the south entrances were to bear inscriptions showing what each county in the State did in that war. The counties were asked to furnish the dates for this part of the work. Very few replies were made, and for the purposes designed this part does not count.

Fourth—That the law of 1901 was enacted with a degree of secrecy, as no member of the Grand Army of the Republic, so far as this post knows, knew of it, until the monument was erected by provision of the law of 1901. The board of control might be selected from soldiers of the Mexican and of the Spanish-American wars, and that this post solemnly protests against that act.

Fifth—That this post ask the Legislature to rescind the law of 1901, and to amend the law of 1901 so as to strike down the words "Mexican and Spanish-American war soldiers," and to declare in unmistakable terms that the monument was designed to commemorate the services of those who fought from 1861 to 1865.

Sixth—That the George H. Chapman Post asks all the other posts of the State, and all the other posts of the State, to join with him in this request to the Legislature.

PERSONAL AND SOCIETY.

Mrs. Enrique C. Miller will leave to-morrow for a visit in Chicago. The neighboring Club will meet to-morrow for a visit in Chicago.

Dr. H. O. Pantzer and family will return to-day from Germany, after an absence of three months.

Mr. George V. Wagner, of Knightstown, is the guest of Mrs. C. J. Buchanan, on North Meridian street.

Mr. George V. Graves and wife, who were visiting in Atlantic City for ten weeks, will return to-day.

Mr. D. T. Bacon and wife, who have been visiting in the East for two weeks, will return to-day.

Mr. and Mrs. John Hendricks and Mrs. J. Julius Eastman have left for Boston, where they will remain a week.

The Matinee Musical will have its regular meeting, not on Nov. 6 as announced, but on Wednesday, Nov. 13.

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MGR. SBARRETTI, BISHOP OF HAVANA.

MGR. DONATO SBARRETTI.

Mr. Sbarretti, who read his farewell pastoral letter as bishop of Havana last Sunday, has been appointed apostolic delegate extraordinary to the Philippines, in succession to Archbishop Chappelle. He will proceed at once to Rome for instructions, and later leave for Manila.

Consider the general accuracy of photographic reproductions it would seem that there could be no more objection to their use than to those of letter-press copies which are so generally used as evidence. In a recent case the Supreme Court, 100 U. S. 687, held that where the signature of an instrument was in question the signature in context and certain genuine signatures having been enlarged and reproduced by photography, the photographs were admissible in evidence, after proof by the photographer of their accuracy. [53 Central Law Journal, No. 17.]

Power of Congress—Crewa of Foreign Ships.—A foreign vessel is a part of the territory of the country to which she belongs, and although she is subject to the laws of the United States in certain respects while in our ports, Congress has no power to control her domestic affairs, such as the terms on which she ships her crew or the place, time and manner of the payment of their wages, which are matters that properly concern the ship and crew alone, subject to the law of her flag. [110 Federal Reporter (Pennsylvania), Judge McPherson, No. 2.]

Explosives—Liability for Accidents.—Under a statute providing that no gasoline shall be sold unless the vessel containing it has been marked "gasoline," a seller's failure to label a jug containing gasoline in this manner is held to constitute negligence in itself, so as to render the seller liable for the injuries sustained by a daughter of the purchaser, who uses the gasoline to start a fire under the belief that it is coal oil. [87 Northwestern Reporter, No. 15.]

Trade-Names.—The word "Cascara," which is the name of a drug generally known as a good laxative, cannot be monopolized as a trade name, but may be used by anyone in connection with any preparation of that name, if the name is descriptive. The phrase "Candy Cathartic," however, is a fancy name, and if it has been appropriated by one person, it should be permitted to use that or its plural. [110 Federal Reporter, No. 2.]

Carriers of Passengers—Loss of Baggage.—Where a passenger's trunk, which, when delivered by her to the steamship company contained her wearing apparel, could not be found at the end of the voyage, and when afterwards forwarded to her was empty, and the company refused to give any explanation, and when sued for the loss introduced no evidence as to its care, the court is justified in finding that it was negligent, and that the company's servants. It was also held that a provision in a ticket limiting liability for loss of baggage to \$5 is not reasonable, and will not be enforced, especially where the provision was not called to the attention of the passenger. [106 Federal Reporter (Mass., Judge Lowell), No. 2.]

Criminal Law—Identity.—Where an offense is committed in the darkness, a witness who did not distinguish the features of her assailant, but did hear one of the two who committed the offense, may testify that the defendant was the his voice, and that he recognized him. [96 Pacific Reporter (Kansas, Judge Johnson), No. 6.]

Mr. Taylor Will Not Attend.—"Well, that's new to me," ejaculated Attorney General Taylor yesterday afternoon, as he read in a newspaper that he had been invited to attend the meeting of gas-belt manufacturers at Anderson this afternoon and was expected to be present. He added that he knew of no such invitation and could not accept if it had been sent him.

MURAT HALSTEAD'S "LIFE AND DISTINGUISHED SERVICES OF WILLIAM MCKINLEY" is the Best Life of Mr. McKinley Ever Written.

The Journal has purchased several thousand copies of these books for the benefit of its subscribers. We bought them at an exceedingly low price and can resell them to subscribers at less than wholesale prices. We are not making a single cent profit on the sale of our books. You can secure a book by becoming a subscriber if you are not already one. We cannot attempt to furnish more than one copy to a single copy to one person. Complete details will be found in our resubscription advertisement elsewhere in to-day's paper. Read it carefully. If you want the book, prompt action will be necessary, as the supply is limited.

THE JOURNAL HAS PURCHASED SEVERAL THOUSAND COPIES OF THESE BOOKS FOR THE BENEFIT OF ITS SUBSCRIBERS.

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Don't pay more than 10c. for a toilet soap. Jap Rose sells for that.

Jap Rose is transparent -- perfumed with roses -- made of vegetable oil and glycerin.

Better soap is impossible.

This is Kirk's latest soap.

This world-famous soap maker says that no man can improve it.

Yet it costs but a dime a cake.

Jap Rose Soap

TRADE MARK

OTTO STARK'S PICTURES.

Scenes Near Brookville Reproduced on Canvas.

Mr. Otto Stark has chosen for his pictures now on exhibition at Lieber's scenes in and around Brookville, where the artist spent the summer. Besides Mr. Stark, Mr. Adams, of Muncie, and Mr. Stoeve have gone to this historic place for much of their material.

The majority of Mr. Stark's pictures are water colors, many of which were taken from the east branch of the White Water river, famous for its beauty of scenery. Besides these there are several pencil drawings and experiments in pencil and colored crayons blended.

Mr. Stark's work is characterized by simplicity of detail, a harmonious proportion of the impressionistic and realistic and truthfulness in that most difficult of arts, the expression of the ideal, or the soul of things.

Among his water colors works of particular merit are "The End of Day," notable for strength of color, robustness, and "The Month of August," showing a stubble field just after the wheat has been cut, almost dazzling in brightness.

Mr. Stark is felicitous in his representation of