

LIFE SENTENCE IMPOSED

JAMES JOHNSON SHOWED LITTLE INTEREST IN HIS OWN CASE.

The Jury Took Sixty Ballots Before Reaching the Verdict—Other Cases in the Courts.

Imprisonment for life was the sentence imposed on James Johnson, colored, charged with the murder of Joel Combs in the Criminal Court reached this decision after twenty-four hours of deliberation. Sixty ballots were cast. At no time was the jury divided as to the degree of murder of which Johnson was charged, the first ballot deciding his crime to be murder in the first degree. The rest of the balloting was to decide his fate, whether it should be imprisonment for life or death. Until a few minutes before a verdict was reached the jury stood five for the death penalty and seven for imprisonment for life. Johnson was unmoved when the verdict was read; in fact he seemed pleased. The State made an unusual effort to have Johnson hanged and it was believed by many that the death penalty would be the decision of the jury. Johnson, in his conversation with the officers at the county jail, said he did not doubt that the jury would find him guilty of murder in the first degree and believed the only question would be as to the penalty. He showed considerable anxiety until the verdict was received, which was the only interest manifested during the trial.

The Rev. John Brown, colored, of Columbus, Ind., who is in jail on a charge of violating the pension law, spent considerable time with Johnson yesterday. Last night Johnson requested that the minister be allowed to sleep with him in his cell. The request was granted, and Johnson said he did not say it is thought by the jail officers that he wishes the minister with him to help him to sleep. No sooner was this murder case disposed of than preparations were at once begun to try Martin Reese of Shelbyville, who is charged with being accessory to the murder of William Gray. Gray was shot and killed at Red Mills on Monday, July 23 last and is now serving a sentence of life imprisonment for the crime. Reese is charged with procuring the weapon with which his wife did the shooting and driving her to Red Mills where the crime was committed. His case is being tried here on charge of venue from Shelby county. A special venire of forty names was ordered at Red Mills, and the jury to make up a jury to try the case. The trial will begin next Wednesday.

DIVORCE MILL GRINDING.

Josephine Moscovitz Files a Complaint—Other Stories Told.

In the divorce complaint of Mary Josephine Moscovitz, filed yesterday against her husband, Julius Moscovitz, alias Mosco, she charges that as a practicing optician he earns \$3,500 a year, is worth \$10,000, but has treated her with cruelty. She avers that he struck her with a cane, threatened to strike her with a hand mirror, and threatened her life. Believing that he would carry the threat into effect, she says she left him. She also charges that during their married life he said she was a beggar and had made a lady of her. She asks for alimony.

Another divorce complaint was filed by Bertha M. Barnett, who filed suit against her husband, Richard G. Barnett. She charges that he abandoned her in 1898, but she persuaded him to live with her again, and they resumed their married life for a few months, when she was deserted a second time.

Matilda Reed, in her complaint for divorce from her husband, John Reed, charges that he abandoned her, but she persuaded him to live with her again, and they resumed their married life for a few months, when she was deserted a second time.

Sarah Wycoff asks a divorce and the custody of their child Leota, five years old, in a suit against her husband, Raleigh Wycoff. She alleges that he spends his money for drink and is an habitual drunkard.

David G. Hummel is made defendant in a suit for divorce filed by his wife, Ida Hummel, on a charge of failure to provide.

Only One License Fee Necessary.

Two license fees could not be collected from transfer companies according to a decision of Judge Allen, of the Circuit Court, yesterday. The Hogan Transfer Company was recently arrested for not paying two vehicle licenses, one under an ordinance of 1898 and another under the ordinance of 1901. The company refused to pay both fees. Judge Allen did not hold either of the ordinances invalid, but decided that the company was paying a license under the ordinance of 1898 and an additional fee under the ordinance of 1901. The case came before him on an appeal from the Police Court, where judgment was rendered against the company for both fees.

Responsibility for Man's Death.

The responsibility for a most unusual death was fixed yesterday on the Big Four Railway Company in a suit filed by Theresa C. Herman, administratrix of the estate of her husband, Valentine Herman. She asks \$10,000 damages for his death. A few weeks ago Valentine Herman was leading his cow across the Big Four Railroad tracks, on Massachusetts avenue, a train was passing and the cow was struck and killed. The cow was on one side of the track and Herman on the other, and the engine struck Herman, who was killed. She says she was with him at the time and he was left destitute with seven children.

In the Probate Court.

Henry C. Kiel was yesterday appointed guardian of William Adkins, sixteen years old, who gave birth to a child.

Mary A. Stubbs was appointed guardian of Joshua Stubbs, of unsound mind, and gave a bond of \$1,000.

THE COURT RECORD.

SUPERIOR COURT.

Room 1—John L. McMaster, Judge.

Carlin vs. Central Steel Company; In rem, on appeal from judgment of the trial court. Defendant given alimony in \$1,000.

Room 2—Frank E. Gavin, Special Judge.

Willard Murphy vs. William R. and C. E. Rubush; damages. On trial by jury.

CIRCUIT COURT.

Henry Clay Allen, Judge.

In re, probate of will of Mary J. Tutewitter, deceased. Motion for new trial withdrawn. Judgment admitting will to probate. Judgment against objector for costs.

Charles E. Conant et al. vs. W. S. Mann et al.; mechanics' lien. Dismissed by plaintiff. Judgment against plaintiff for costs.

City of Indianapolis vs. William J. Hogan; judgment against defendant for \$5,000. Judgment against plaintiff for costs of appeal.

City of Indianapolis vs. William J. Hogan; judgment against defendant for \$5,000. Judgment against plaintiff for costs of appeal.

Henry S. Hunter vs. Leila M. Hunter; divorce. Submitted to jury. Verdict of divorce. Custody of child, Caryle Hunter, awarded to plaintiff. Judgment against defendant in sum of \$252. Judgment against plaintiff for costs.

CRIMINAL COURT.

Freemont Alfred, Judge.

Martin Freeman; murder. Verdict of forty ordered for Dec. 4.

James Johnson; murder. Jury returns verdict of murder in the first degree. Imprisonment in State Prison during life.

HIGHER COURTS' RECORD.

APPELLATE COURT.

3515. Indiana Stone Railroad Company vs. Strain, Owen C. C. Affirmed. Comstock, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3573. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3574. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

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3577. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

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3591. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3592. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

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3595. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3596. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3597. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

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3600. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3601. Pittsburgh, etc., Railway Company vs. Iddings, Lake C. C. Affirmed. Black, J. The law presumes that a railroad will be constructed in a proper manner. A railroad company may do what is necessary to do in order to build a road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

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LINE-UP for TODAY'S FOOTBALL GAME

MANUAL TRAINING HIGH SCHOOL

Full Back  
Woodbridge 19-152

Right Half Back  
J. Shuler 17-124

Right End  
J. Shuler 17-124

Right Tackle  
Kittie (Capt.) 18-138

Right Guard  
Kittie (Capt.) 18-138

Left Half Back  
Bosler 19-146

Left End  
D. Dean 19-156

Left Tackle  
Masters 18-135

Left Guard  
Gibbs 19-149

Center  
Conor 17-124

Right Half Back  
Bosler 19-146

Right End  
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A BOOK WITH A MARVELOUS SALE

LIFE AND DISTINGUISHED SERVICES OF

William McKinley

OUR MARTYR PRESIDENT

By MURAT HALSTEAD

The Celebrated Author and Journalist

With chapters by Hon. John Sherman, Gen. C. H. Grosvenor and Col.