LIFE SENTENCE IMPOSED

TEREST 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 tweaty-four hours of meditation. 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 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 mani-

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

tried here on change of venue from Shelby county. A special venire of forty names was ordered drawn by Judge Alford, 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 Jos-Moscovitz, filed yesterday against says she left him. She also charges that during their married life he said she was a beggar and he had made a lady of her.

Another divorce complainant was Bertha M. Barnett, who filed suit against her husband, Richard G. Barnett. She charges suaded him to live with her again, and they resumed their married life for a few when she was deserted a second

vorce from her husband, John Reed, charges that he failed to make provision for her support and finally abandoned her Sarah Wycoff asks a divorce and the custody of their child Leota, five years old, in

against her husband, Raleigh She alleges that he spends his money for drink and is an habitual drunk-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.

The company refused to pay both fees. company was paying a license under the ordinance of 1880 an additional fee under the 1893 ordinance could not be collected. The case came before him on an appeal from the Police Court, where judgment

Responsibility for Man's Death.

The responsibility for a most unusual death was fixed yesterday on the Big Four resa C. Herman, administratrix of the estate of her husband, Valentine Herman, She asks \$10,000 damages for his death. A machinery is negligence or not is a quesfew weeks ago, while Herman was leading | tion for the jury to decide. 2. An instruchis cow across the Big Four Railroad | tion which invades the province of the jury tracks, on Massachusetts avenue, a train is erroneous, but where it appears that the came along and frightened the cow. The cause has been fairly tried upon its merits cow was on one side of the track and Herman on the other, and the engine struck instruction. the rope, which Herman had wrapped about his body, dragging him beneath the S. C. Reversed. Roby, J.-1. Where a wheels. He died a few hours after the ac- creditor occupies a position superior to

seven children. In the Probate Court.

Henry C. Kiel was yesterday appointed guardian of William Adkins, sixteen years old, and gave a bond of \$1,800. Mary A. Stubbs was appointed guardian of Joshua Stubbs, of unsound mind, and

gave a bond of \$11,000.

THE COURT RECORD. SUPERIOR COURT. Room 1-John L. McMaster, Judge. Carlin vs. Central Steel Company; infunction. On trial by court. Room 2-Frank E. Gavin, Special Judge. Willard Murphy vs. William R. and C. E. Rubush; damagest. On trial by jury.

CIRCUIT COURT. Henry Clay Allen, Judge. In re, probate of alleged will of Mary J. Tutewiler, deceased. Motion for new trial withdrawn. Judgment admitting will to probate. Judgment against objector for

Charles E. Cozatt et al. vs. W. S. Mann et al.; mechanic's lien. Dismissed by plaintiff. Judgment against plaintiff for costs. City or Indianapolis vs. William J. Hogan; from City Court. Finding for defendant. Judgment against plaintiff for

City of Indianapolis vs. William J. Hogan; from City Court. Finding for plain-Judgment against defendant for \$5. Judgment against plaintiff for costs of ap-

Henry S. Hunter vs. Lela M. Hunter; divorce. Submitted to court. Evidence heard. Finding for plaintiff. Decree of divorce. Custody of child, Carlyle Hunter, awarded to plaintiff. Defendant given allmony in

sum of \$362. Judgment against plaintiff for CRIMINAL COURT.

Fremont Alford, Judge.

Martin Freese; murder. Venire of forty ordered for Dec. 4. James Johnson; murder. Jury returns verdict of murder in the first degree. Imprisonment in State Prison during life. NEW SUITS FILED.

Ida Hummel vs. David G. Hummel; divorce. Superior Court. Room 1. Bertha M. Barnett vs. Richard G. Barnett: divorce. Superior Court, Room 2 Carrie M. Houston vs. Adelaide C. Jaillet; on note. Superior Court, Room 1. Sarah Wycoff vs. Raleigh Wycoff; torce. Superior Court, Room 3 Mary Josephine Moscovitz vs. Julius Mos-

covitz, alias Mosco; divorce, Superior

tion vs. James Kelly et al.; mortgage foreosure. Superior Court. Room 3. Mary D. Smith vs. George S. Smith et al.; support. Superior Court, Room 1. Theresa C. Herman, administratrix of the estate of Valentine Herman, vs. C., C. & St. L. Railway Company; damages. Demand, \$10,000. Superior Court, Room 2. Horace McKay vs. May Funk et al.; on note. Superior Court. Room 2. Matilda Reed vs. John Reed; divorce. Superior Court, Room 3.

HIGHER COURTS' RECORD. APPELLATE COURT.

3519. Indiana Stone Railroad Company vs. Strain. Owen C. C. Affirmed, Comstock, C. J.—1. The law presumes that a railroad will be constructed in a proper manner. 2 A railroad company may do what is necessary to be done in order to build its road, and if done properly must be considered as damages, to be recovered by the owner whose land is appropriated.

3873. Pittsburg, etc., Railway Company vs. Iddings. Lake C. C. Affirmed. Black, J.-1. A township trustee is a trustee of an express trust and may sue without joining with him the beneficiary for whose benefit the action is prosecuted. 2. A township has such an interest in the keeping of public road in repair that it may sue and recover damages for a wrongful injury to 3. A railroad company is liable for the infury to a roadway caused by fire negligently escaping from the right of way and the burning of public bridges, culverts, etc 4. The rule applicable as between a raila few minutes before a verdict was reached | road company and an individual proprietor, whereby the latter is bound to exercise reasonable and ordinary care and diligence to prevent the destruction of his property by fire negligently permitted by the former to escape from its right of way, by taking precautionary or preventive measures, cannot apply as between the railroad company

> 4040. State, etc., Association vs. Brackin Blackford C. C. Affirmed, Robinson, P. J. A proceeding, under 627, 628, Burns, 1901, to review a judgment for error of law is in the nature of an appeal and is to be tried by the record alone. A party may appeal to the appellate tribunal, or he may file in the Circuit Court a complaint for review, and the adoption of one of these remedies waives the other. 2. In review proceedings the only errors that can be considered are such as might have been considered in legitimatized and becomes capable of inthis court had the original case been appealed here directly.

and a township.

C. Affirmed. Wiley, J. 1.-Money, whether it be secreted or deposited in bank is not is a present and continuous creditor of her husband, and in an action for divorce from be allowed to sleep with him in his cell. the husband she may recover real estate The request was granted. Although John- | which her husband fraudulently caused her son did not say, it is thought by the jail of- to convey. 3. Where there is evidence in ficers that he wishes the minister with him | the record to sustain the finding of the with being accessory to the be set aside and the property be subjected duty of a trial court in decreeing a divorce defense of the petition

3887. Fifer vs. Rachels. Posey C. C. Reversed. Henley, J.-Merely signing a deed of conveyance and depositing it with a banking company as bailee subject to redelivery at any time the depositor (grantor in the deed) calls for it, is not a delivery so grantor's death.

3909. Matchett vs. Knisely. Marshall C. C. Affirmed. Henley, J.-1. Parol evidence is admissible to show that a deed absolute upon its face is only a mortgage. 3838. Mathews vs. Rumel. Benton C. C. Reversed. Robinson, C. J.-1. The court may, on motion, allow supplemental pleadings, showing facts which occurred after the former pleadings were filed. 2. It is error to permit a material amendment after a cause is submitted to the court for decision upon the evidence.

3881. Koons vs. Manifold. Henry C. C. Affirmed. Black, J.-1. An estate given by will in clear language cannot be either cut down or enlarged in a subsequent part of the will, except by words equally clear and decisive. 2. When real estate and personal property are disposed of in a will to each so that the intention of the testator that they shall go together, in the same way is manifest, the will should be so construed as to carry such intention into

3922. Rose vs. Provident, etc., Assn. Marion S. C. Affirmed. Comstock, J.-1. If two mortgages upon the same real estate are executed simultaneously, one of which any agreement the mortgage for the purchase money will be given priority, and such fact can be proven by facts outside the mortgage. 2. If mortgages on the same real estate are executed, apparently as disclosed by the instruments, upon the same date, it is competent to prove that one was delivered before the other for the ourpose of giving it priority. 3. A lien holder may waive the prior lien of his mortgage by agreement that if another is subsequently executed it shall be the first lien upon the mortgaged real estate. 3747. Citizens' St.-R. Co. vs Heath. Hen-dricks C. C. Affirmed. Comstock, J.-1.

Where an action is brought by a husband Painter135 154 195 E. Bri'km'r.173 ... 106 for damages, on account of an injury to E.E. Heller.147 156 147 E. Resener..170 172 174 his wife through the negligence of the de-Where an action is brought by a husband fendant, the general allegation that the injury for which suit is brought was caused without fault upon the part of plaintiff is the proper one to be made. 2. The arrested for not paying two vehi- freedom from contributory negligence may be shown by the general averment, and and another under an ordinance of 1893. by specific facts alleged. 3. When it does not appear that the defendant was prejudiced by an amended reply, the judg-ment will not be reversed. 4. When upon sustains an objection to a question pro sary to save the question that the exam ing party should state what he proposes was rendered against the company for both | to prove. 5. A witness may be asked upon cross-examination as to particular acts for the purpose of affecting his credibility as a witness. 6. The cross-examination of a witness upon collateral matters and speci- Gielow141 141 168 Ketchem133 161 14 fied acts of immorality rests largely in the disecretion of the trial court, and in the

> will not be reversed 4012. Wortman vs. Minich. Sullivan C. C. Affirmed. Roby, J.-1. Whether or not the wearing of a glove in oiling certain then it will not be reversed upon such an

absence of a clear abuse thereof the cause

3696. Swift Co. vs. Dyer Co. Vanderburg cident. She says she is left destitute with other creditors and by means of it secures an advantage, he must, when the transaction is attached affirmatively show fairness and good faith. 2. Where directors act Grafton 164 154 17) Hughes 138 191 187 without any authority the corporation is

not bound by their acts. 3899. Moran vs. Creagan. St. Joseph C. Affirmed. Henley, J.-Where an application is made for a license to sell intoxicating liquors at some designated place in a township, beyond the limits of an in- Carey Crawford, a Colored Man, Atcorporated city therein, it requires a majority of the legal voters of such township residing anywhere therein to remonstrate in order to defeat such application. 3832. Essex vs. Myers. Whitley C. C. Reversed. Robinson, P. J.-1. A substantial compliance with the act of March 8, 1897, is sufficient to get the evidence into the rec-

for said premises was * * * issued in accordance with the statutes of the State" to the plaintiff by the county auditor such averment is one of conclusion, not of fact. A tax deed must be executed by the county auditor under his hand and seal and witnessed by the county treasurer and acknowledged and recorded properly. 3284. Robinson vs. Wolf. Marion S. C. Affirmed. Roby, J.-An insurance company and 4903, Burns, 1901, cannot by "special

contract" make a policy holder, one among

a limited number, recipient of a portion of the gross earnings on all insurance in force in Indiana for a period of ten years. 3499. Vaught vs. Barnes's Estate. Clark Reversed. Wiley, J.-1. On appeal every reasonable presumption is indulged in favor of the general verdict. 2. Where a the owners at more than \$10,000. At first parent and adult child live together as thought it would appear that the hall would members of the same family there is no implied undertaking on the part of either to pay for services, but such undertaking may arise from express contract or it may be nferred from surrounding circumstances. By a general verdict in favor of plaintiff every fact is found in favor of such party essential to his recovery. 4. Where the evidence is not in the record the general verdict must stand if it can be upheld under any supposable state of facts provable un- rate from all sections. Entries for all de-

3809. Franklin vs. Lee. Vanderburg C. C. Affirmed. Wiley, J.-1. (a) A new trial will | Wednesday evening. not be granted on the ground of newly discovered evidence where such evidence is merely cumulative or corroborative of evidence given in the trial, (b) nor where such evidence is merely for impeachment or in to the Advance Veneer and Lumber Comcontradiction of evidence given at the trial. (c) The party applying for a new trial for newly discovered evidence must show dilli- setts avenue, Bentwood, Huston and gence in attempting to procure it before Adams streets for \$5,250. The property will the trial. (d) In order to warrant the be utilized by the company's yards. granting of a new trial on the ground of | Caroline Queisser deeded to Bertha newly discovered evidence such evidence Queisser her residence property in Highmust be of a very material and decisive land Place addition for \$5,000. character. It should be such as to render it David C. Bryant has purchased of John F. Rathbone charge of affairs and displacing reasonably certain that another trial would The Mutual Home and Savings Associa- | bring about a different result. 2. Under the | Park addition for \$3,500.

LINE:UP for TO.DAY'S FOOTBALL GAME

MANUAL TRAINING HIGH SCHOOL Full Back Woodbridge Left Half Back Right Half Back Wheeler 18-144 Quarter Back Right End Right Tackle Right Guard Left Guard Left Tackle Left End J. Shideler Kittle (Capt.) Left End Left Tackle Left Guard Right Guard Right Tackle Right End Gipe 19-154 W. Dean (Capt.) D. Dean Gibbs Masters 19-165 Quarter Back Hall 18-140 Right Half Back Left Half Back Clark Bosler Full Back

SHORTRIDGE HIGH SCHOOL Substitutes-M. T. H. S.: Bonham, Warren, Hamlet, Cooper, McCrea, Rhodes, Glass, S. H. S.: Hacker, Dugan, Scott, Holdson, S. Johnson, Wiley, Doudicon.

statutes of Indiana if a man marry the mother of an illegitimate child and subsequent to such marriage acknowledge the child to be his own such child becomes heriting from such father. 3927. Bowles vs. Indiana R. Co. Elkhart C. C. Affirmed. Black, J.-1. Where an em

ployer furnishes a conveyance for the mutual convenience of both parties without ties at the time is that of employer and emof the train hitched to the conveyance running away, in the absence of the injury employer to recover for injury to an employe through the negligence of the employer the plaintiff shall negative knowsedge on the part of the employe of the danger through fault in the employment or retention of servants or want of safety of implements or appliances. 3744. Kinsey vs. Boyce. Marion C. C. tition for rehearing overruled.

transfer overruled. 3642. Todd vs. Ogiesby. Tipton C. Leave granted to file brief. 3818. Town of Crown Point vs. Thompson. Porter C. C. Leave to file brief denied. 4089. Board of Commissioners vs. Mowbray. Miami C. C. Motion to dismiss as to Miami county overruled and leave granted

4226. Jackson vs. Sayler. Lake C. C

3965. Rariden vs. Rariden. White C. C

Leave to file brief denied. 4103. The Farmers' Mutual Fire Insurance Co. vs. Alexander E. Yetter. Marshall

Miami County Council to join appeal,

C. C. Appellee's brief (8). THE NIGHT'S BOWLING.

Some High Scores Made During the Evening.

The Tish-i-Mingo club bowled the most inconsistent game of the season last night, Electrics lost part of the firm hold on first place. The Ramblers won six from the Melrose team, but the scores are not given because they were taken away from the alleys. The Prospects made the best scores of the evening. The scores follow: PROSPECTS VS. HOO-HOOS

(Washington Alleys.)

	-111	St T	Avision.—		
Prospects.			Hoo-Hoos.		
E. C.Heller 191 Kerr 192 R. Ch'reh'n 176 Fox 160 Allen 177	139 214	214 188 181 146 223	Kleine 164 Kleis Holtz 181 Buddenb'm .164 H. Rinne 183	194	171 141 188 176
Totals896	913	981	Meyer188 Totals880	-	133
	-Seco	ond l	Division		
			J. Painter167 S. Dedert 178		178

Totals742 747 880 TISH-I-MINGOES VS. ELECTRICS.

		-Fir	st D	ivision.—		
ij	Tish-i-minge	es.		Electrics.		
i	Ray182	156		Lasky165	173	150
	Kimmel180 Taylor132 Parnin168 Pritchett203	161 189		Meyer147 Adams Herrman142 Peterson141 Nolting214	152	132 178 196 204
	Totals865			Totals809	765	-
ij			24.00		***	
į	McGrew169 Randall146 Sielken124		104		151	146
	Partlow 161	128	128			140

Totals741 685 754 Roberts160 175 163 Totals682 833 730

COMPEERS VS. DEWEYS. (City Club Allows)

44.65	C 5.00	o Autopay		
-Fir	st D	ivision.—		
		Deweys,		
	189		147	169
172	118	Gable136	145	128
243	118	Linegar169	171	138
199	148	F. Brink'n 157	184	131
152	156	B. Boyle213	173	148
*	200			1000
926	729	Totals877	820	715
Seco	and I	Division		
		C. Boyle 167	188	146
155	156	Clark178	149	180
177	195	Adkins 151		136
181	143	Hallett158	169	146
	160 172 243 199 152 926 Sector 122 155 177	-First D 160 189 172 118 243 118 199 148 152 156 926 729 Second D 122 136 155 156 177 195	160 189 Romer	-First Division.— Deweys.

Totals785 787 800 Totals787 856 785 ASSAULTED AND ROBBED.

tacked by Another Negro.

Carey Crawford, a negro living at 903 St. Peter street, while returning from Norwood about 9 o'clock last night, was assaulted on South Keystone avenue and ord. 2. When it is averred that "a deed robbed of \$16.50. His assailant, another negro, made his escape and could not be found by the police. Crawford said the negro met him at the corner and demanded his money, at once beginning to beat him with a board in which there must have been a nail, owing to the nature of the wounds inflicted. Dr. Knerr was called to attend him, but on account of the serious nature of his injuries he was taken to the organized under Sections 4807, 4848, 4900, 4901 | City Hospital. He had two deep scalp

wounds and several cuts on the face. Chickens Worth \$19,900.

The poultry that will be on exhibition at the poultry show to be held in Tomlinson Hall, Dec. 4-10, will probably be valued by not hold so many chickens, but many of the birds on exhibition could be sold for more than a hundred dollars each, and it is a common occurrence for breeders to pay five, mens that meet their fancy. The secretary's office, 818 Majestic building, is a busy place these days, as entries for the show are coming in at a lively

the show will be open to the public Properties Change Hands.

William L. Thompson yesterday deeded Edwards a residence property in Douglass | F. M. Dice. Mr. Rathbone will take charge

TEN POUNDS ADVANTAGE

SHORTRIDGE ELEVEN OUTWEIGHS M. T. H. S. THAT MUCH TO A MAN.

M. T. H. S. Will Rely on Line Plays and S. H. S. on End Runs-Both

The annual football battle between the two high school elevens of this city will take place at Newby Oval this afternoon. The game will be called at 2:30. Both M. T. H. S. and S. H. S. completed their practice yesterday afternoon. Both teams were Petition to modify judgment overruled.

3480. Hogan vs. State ex rel. Board of Commissioners. Hendricks C. C. Motion to in signal practice on their training grounds, released from their respective schools early and Shortridge practiced their signals and trick plays at Newby Oval.

More interest is manifested in the game this year than ever before, and yesterday, at the two schools, the students practiced their songs and yells. The M. T. H. S. rooters will occupy the west side of the large amphitheater this afternoon, and the followers of Shortridge will hold forth in the east half. The efforts of the rooters of

There will be a difference of 104 pounds in the combined weights of the two teams when they line up for the game this afternoon, the advantage being in favor of S. H. S. The weights given in the line-up are stripped weights. The ages of the contestants are also given. M. T. H. S. will average 146 and S. H. S. nearly 156. With the teams about evenly matched in experience, the game will be more interesting and the contest will be decided by generalship. M. T. H. S. is a little heavier in the line, while Shortridge has a slight advantage in the backs and ends. The Training School boys have been very successful this year in working their tackle back formation plays, and it is expected that these plays will gain ground for M. T H. S. The boys back of the line are speedy and will be relied upon to advance the ball ine bucking. In Clark and Bosler Shortridge has two very speedy and agile half backs, and Tolin is also very speedy at full. The Dean brothers will also be depended upon to carry the ball into M. T. H. S.'s territory with their brilliant end

as expected, as there seems to be an absence of Shortridge money unless big odds game will settle the championship of Indiana high schools and also of Kentucky high schools, as the Indianapolis teams have both defeated the Louisville teams. It has been thought that Training School had the heavier team, but as Shortridge will average nearly ten pounds to the man heavier than M. T. H. S. there may be a slight change in the betting and even money may be secured. The officials for the game are as follows: Sam Patterson. referee; Roy Pike, Indiana University, umpire; West, timer; Purves, head linesmen Spencer, S. H. S., and Sweeney, M. T. H. S.

"PAT" MORAN'S FORTUNE.

A fortune of over \$30,000 in cash accumulated in the saloon business in about fifteen years is the record of "Pat" Moran. He died three weeks ago at the age of fifty-two without leaving a will, and it was not generally known that he had much money. He never talked of his personal affairs. His closest friends knew he had considerable money, but not the amount. For fifteen years he had been proprietor of a little saloon at the corner of West and Washington streets. The building is a small frame structure two stories high, over his saloon. Those who knew him say for many years he kept his money in a finally induced to put it in a bank, and secured a deposit vault in Fletcher's Bank. when he first came to this country from Ireland. After working there several years and Grant streets and then moved to the corner of West and Washington streets, where, it is said, he made all of his money,

There are but three heirs-a brother. Mike county, a sister, Bridget Burke, who lives dren of Michael Kelly, of Hendricks county, who come in for a share of the property by their mother, who was Moran's sister. Moran was a bird fancier and kept in a rear room of his saloon as many as forty canary birds. He never sold any, but gave them to his friends. A story is told by some of the men who knew him that he kept a bird for each \$1,000 he accumulated.

STATE MEDICAL BOARD.

A Special Meeting to Complete Work on Annual Report.

The State Medical Board met in special session at the Statehouse yesterday afterthe purpose of revising the annual report ten or twenty-five dollars each for speci- report will contain additional features this the street and before the woman could year, and will give the names of doctors who have taken out licenses under the new law, the schools from which they graduated, etc., and will give a list of colleges recognized by the Indiana law and those partments close next Tuesday evening and not recognized.

A special meeting of the board will be held on Dec. 10, at which time a number of so-called medical institutes will be investigated, and their proprietors will appear to give evidence why their licenses should not be revoked. The members of the board expect to revoke the licenses of pany forty-two lots bounded by Massachu- several medical institutions in the State.

Will Assume Charge Monday.

Word has been received at the offices of the rural free delivery in the Majestic building from Washington, giving S. H. of the office next Monday.

A BOOK WITH A MARVELOUS SALE

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William McKinley

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Author and Editor

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Both Phones 238.

THE JOURNAL

SAME CITY INTWO STATES

VERY FREQUENTLY ABSURD COMPLI-CATIONS ARISE.

son Hotel-Season with a Cir-

cus-Hotel Gossip. place again, was in the city last night t

W. A. Bell, of Union City, who represented Randolph county in the last Legislature as a member of the House, and who expects to be a candidate for the same attend the banquet given at the Denison House. Mr. Bell, if elected a member of the House, will probably not be a candicourse, like the honor, but it requires too much hard work to get the place and a lot of harder work after one has it. Union City, where Mr. Bell practices law,

and he lived a bachelor's life in the rooms is on the line between Indiana and Ohio. In fact part of the town lies in this State trunk in his room and at times had as and the other part in Ohio. There is Union much as \$15,000 there at one time. He was City, Ind., and Union City, Ohio, each city has its separate municipal officers, but the He loaned considerable money to his friends | people of both towns patronize the same at times, but the biggest loan was \$20,000 postoffice, which is located on the Indiana to Kingan & Co., where he had worked side. If one desires to send a letter to a friend in the locality of Union City, O., he started a saloon at the corner of West | he addresses it to Union City, Ind. The two towns are divided by a thoroughfare called State line. At one point this street The Kingan loan is drawing 4 per cent, in- is entirely in Ohio, but along part of the way it lies about half in Ohio and half in Indiana. Once in a while a unique situation Moran, a well-to-do farmer of Hendricks arises on account of the rather peculiar location of the two towns. Occasionally a with her nephew in this city, and the chil- man in one of the towns gets into a fight. Should he not feel financially able to settle his fine at that time he porbably skips adviser. across the State line street into the other State and remains there until he decides to face the law, Mr. Bell tells of a queer incident that occurred several years ago, in which he was interested as an attorney. "A constable in our town arrested a woman," he said, 'and started to take her before the proper official. On the way she asked the constable if he would allow her to

constable being a polite and obliging man of course told here he would accompany her there. She led him along State line until they reached the point where the street is practically all on the Ohio side, Suddenly she chirped, "Good day, constable," and taking two or three quick steps, passed over into Ohio. The constable was naturally amazed, but being a courageous fellow as well as a polite and obliging one, he, too, to spend a day with a relative. took a trip over to Ohio. He sprang across make any serious objection he grabbed her in his arms and coolly carried her back into Indiana. Her case was disposed of, but it happened that this was not the end. A short time later the woman went over into Ohio, where she had some friends and they fixed up a scheme to get even. Within a short time the constable had business across the line and while in the sister State was arrested on a charge of kidnaping. The constable came to me with his trouble and I looked up the law. The case seemed to me a really serious one and I actually felt fearful of the result. Finally the day of trial came around and we went over to Ohio to a justice of the peace, where the case was to be tried. Quietly I informed the constable that when I gave him the nod he was to break out of court and get over into Indiana as fast as his legs could carry him. Then I took up the matter before the justice and on account of some technical

client, if he did not clear out, would be im-

and that ended the case.' SEASON WITH A CIRCUS.

Charles W. Lockwood Had Some Pleasing Experiences.

Charles W. Lockwood, of Peru, who was

at the Denison Hotel last night attending W. A. Bell, of Union City, at the Denithe Phi Kappa Psi banquet, has recently concluded part of a season as press agent for the Wallace circus, which has just gone into winter quarters at Peru after an unusually prosperous season. Young Lockwood belongs to a well-known family, his father being the publisher and proprietor of on the nose by a fellow workman. a newspaper in Peru. The young man went | nose was fractured. Jones was able to out with the circus last summer partly be-cause of his friendship for Mr. Wallace jury was dressed by Dr. Jenkins. and partly because he desired the novelty of a season's travel with a circus. He says the experience was valuable to

him and he learned many things about and souvenirs were deposited taken out, circus people that heightened his respect | The box is of copper and securely soldered, the House, will probably not be a candl-date for speaker. He says he would, of dred people with the Wallace show last cers. Some of the documents in it will, no summer. Lockwood says he found them | doubt, be placed in the cornerstone of the like one big family. "I believe," said he new church building to be erected next yesterday, "that the morals of those four | year. nundred people were as good, if not better, than would be found in any like number of people in any other calling. I think there is ess drunkenness with the Wallace show han any other circus on the road. The greater part of the women with the show are married and their husbands travel with hem in some capacity. Mr. Wallace practices a rather strict discipline and the people with him understand that they must behave themselves. Any way, I didn't find circus people a bad sort." Mr. Lockwood has not yet decided whether he will go with the circus next year. The Wallace show is distinctly an Indiana instution and its proprietor is a millionaire and is said to be the wealthiest circus man in the business to-day. He owns two thousand acres of land near Peru, where he has his winter quarters. He is held in high esteem by the citizens of Peru, who are rather proud of the fact that their city is the home of the Wallace circus. James F. Stutesman, of Peru, who was a member of the last Legislature, is Mr. Wallace's legal

Connersville Prospering.

Edward P. Hawkins, a young business hustler of Connersville, arrived in the city yesterday and will be at the Denison Hotel until to-morrow. He is secretary of the Conersville Funrniture Company. go over to the State line as she desired to Hawkins relates a rosy story of how Consee some one living on that street. The | nersville is prospering in a financial way.

An Engineer from London. Hugh Findlay, a mechanical and civil

engineer from London, England, who is making his second trip through the United States, is at the Spencer House. He is on his way to Cincinnati, and stopped off here

CITY NEWS NOTES.

S. H. Rathbone, the new agent of the rural free delivery in this city, left last evening for his home in Elizabeth, W. Va., to spend Thanksgiving with his family. At the First Baptist Church this evening | change takes place in Postum after it has there will be special Thanksgiving services, been actively boiled for 12 or 15 minutes; conducted by the Rev. John C. Carman and | this change brings out the food value and Mr. Carman will sing a special Thanks- the delicious taste. It does not answer to

Fifty-four newly married couples will be thankful to-day for the accuracy of Cupid's darts. George Fate, the marriage license clerk, was kept busy all day yesterday issuing licenses. Mrs. May Commisky Bliss, of Saginaw,

Mich., will address the congregation of church. On Sunday night Mrs. Bliss will speak at the Edwin Ray Church.

mediately re-arrested, so I gave him the rooms. The report of the show committee ned. He started and did some tall running and also committee on entertainment and

Charles Langman, a laborer, living at 24 North Delaware street, was arrested yesterday morning by Patrolman Newton Shafer and charged with stealing a bicycle from Frank Jennings. The wheel was a new one, costing \$50, and Langman was

Bessie Brady, living at 532 East Georgia street, was painfully hurt about the head yesterday by the breaking of a wooden fly ployed. Several gashes were cut in the scalp. The City Dispensary ambulance

While working on the county power house yesterday Daniel Jones, living at 219 walk to the City Dispensary, where his in-

The cornerstone of the old First Presbyterian Church was uncovered yesterday and the box in which the church records

Iva, the six-year-old daughter of Mr. and Mrs. J. L. Miller, of Valley Mills, while on her way to the country school Tuesday morning was attacked by a sow which was feeding in the woods near the schoolhouse with a litter of pigs. Her screams attracted the attention of schoolmates who had preceded her and after a fierce fight the animal was beaten off. Her injuries, although severe, were not thought to be

COFFEE IMPORTER

dangerous unless blood poisoning sets in.

Tells Some Plain Facts.

One of the heaviest importers of coffee in America, and who requests that his name be kept from the public in connection with the following subject because of the effect it would have on his business, says: "I have used coffee for over thirty-five years, but about a year ago was compelled to discontinue its use on account of its effect on my health. Since that time I have used nothing in its place but Postum Cereal Food Coffee and properly prepared, it is simply delicious with cream and sugar.

"In connection with this I have also used Grape-Nuts Breakfast Food. While in Florida this winter I carried a package with me all the time, so if I was unable to get what I wanted for breakfast I could tely on my own supply

"Any one who could have known of my condition a year ago, and the very great improvement now, would have no cause to question the wisdom of my change from the old-fashioned diet to the present," This man is one of the best known coffee experts in the world, and his testimony re-

garding the flavor of Postum Cereal Food Coffee is noteworthy. Now and then a person gets Postum Food Coffee served under-boiled and, consequently, almost tasteless. A chemical simply leave it on the stove for 15 minutes. it must stand on the stove until bolling

commences, then be allowed to bubble li minutes. A piece of butter twice the size of a pea should be put in the pot to keep it from

Many a man or woman continues in a half-sick state from month to month, not Furniss-place Church to-night in the knowing that the drug in the coffee they use is the cause; try leaving off coffee and using Postum Food Coffee. That change objection I made the court agreed with me The December meeting of the Fiorists' has worked salvation for many skeptical and dismissed the case. I knew that my Association will be held Tuesday evening, sick ones.