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Indianapolis Peoria CHICAGO

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UNION DEPOT Corner Seventh St. and River. CITY TICKET OFFICE No. 218 Fourth Ave. S. J. GATES, General Agent, Louisville, Ky. WARRREN J. LYNCH, G. P. A., WM. P. DEPPA, A. G. P. A., CINCINNATI, O.

Brown Leghorn Eggs

5 CENTS. CHARLES L. JACQUES, 2422 St. Xavier.

How Brown Leghorns Lay—Twelve hens and pullets laid 1,233 eggs in 1899; Jan., 12; Feb., 20; March, 187; April, 138; May, 142; June, 117; July, 137; Aug., 151; Sept., 162; Oct., 83; Nov., 83; Dec., 51.

HIBERNIANS.

What They Have Been Doing the Past Week—General News Notes.

Division 2 elected officers Thursday night. The installation will take place at the next meeting.

The annual picnic of the Hibernians and Irish societies of Milwaukee will take place August 17.

We understand that the Hall Board will soon announce an all-day or evening entertainment that should arouse the interest of every division.

Division 3 has secured the nights it desired and will shortly return to Hibernian Hall. This division will not meet again until the first Monday in August.

Last week the Hibernians met for the first time in their new hall in Milwaukee. There was a public installation, musical and literary exercises and a social. Rev. Cornelius Shyne, a Jesuit missionary, was the principal speaker.

Division 1 held a slimly attended meeting, Tuesday evening. One member was elected and business of minor importance transacted. The next meeting will be an important one and every member should endeavor to be present.

Division 5, of Somerset, ranks among the most prosperous of the several divisions in New Hampshire and each year adds to its prosperity. This result was acquired by diligent, united effort by the leaders of the organization, who from its institution sought to place it in the front ranks of the order. Following the example of the leaders the members took pride in the division and every undertaking was successful. Several years ago a lot was purchased and a building erected on it, containing stores, offices and two large halls, the latter being occupied by the division and the Ladies' Auxiliary. The officers-elect are all bright, energetic men, who thoroughly understand how to conduct the organization and keep up its standing.

Our Lady's Picture.

"What success, dear?"

"None, Aunt Helen. Only the managers of the different departments have been engaged by the firm. Mr. Brown tells us that they are bringing their clerks with them. The season is too far advanced to find employment elsewhere, so two weeks more of my salary is all I can count on."

Amy threw herself dejectedly in a chair and the tears which she had so bravely kept back all day rolled down her cheeks, at first slowly, then faster and faster.

Dot came and laid her head on her sister's knee. Amy took the child upon her lap, and hiding her face in the little one's, wept long and bitterly. Miss Tracy kept on with her work, knowing it was best to let the girl have her cry out undisturbed.

"Two weeks is a good while, dearest," she said, when Amy had grown quiet. "By that time we may see another opening. What is that old saying? 'Never one door shuts but another one opens.'"

"I know, Aunt Helen, but I had so hoped to stay. I earn so little—but that little will be missed."

There was a great stamping of feet outside and a bright-faced boy rushed in. "Oh, Aunt Helen, I could have earned a quarter if I had only had a shovel; the snow is getting awful deep. There is two dollars and a half for the bread last week and fifty cents for the doughnuts today. Mr. Newby wants a lemon cake and a snow pudding; Mr. Brown wants a coffee cake, a white cake and a dish of baked beans, and Miss Long wants two loaves of whole-wheat bread and a pint of wine jelly. All this beside the regular twenty-five loaves of bread. Now, auntie, ain't I a good business man?"

"Indeed you are, my boy. Amy, dear, don't you catch a glimpse of that other door?"

"How good you are, auntie; but this is all work for your hands. I am young, strong and so willing to work, and I can do so little."

"Supper is ready," said Marie, coming in from the kitchen. "Now, auntie, you'll see how well I can cook. You will never have to get supper again."

"I'm awfully glad you're ready," said Oliver. "I'm hungry as a bear."

"Hungry as a boy, you mean," said Marie.

While the little family is at supper let me say a few words about them. Helen Tracy was still a pretty woman, in spite of her forty years and the lines which sorrow and care had left in the noble face. The children—Amy, 17; Marie, 14; Oliver, 12, and Dorothy, 6—were children of a brother, who was killed three months before Dorothy was born. For two years the widow struggled bravely to keep the little family, then her health failed. She sent for Helen, who lived at the old homestead with her aged grandmother, and asked her to be a mother to her children. Helen promised, and after laying the mother away she took the little ones and went back to the farm.

A few days after her return her grandmother was stricken with paralysis; she lingered a few weeks, but never regained her speech. For a year after her grandmother's death Helen tried to run the farm, which was mortgaged. Then she rented it, moved to the village and did dressmaking. Two years before the writing of this story she went to Chicago, giving the children better educational advantages and finding employment for Amy in one of the large department stores.

Helen did sewing and fine needle-work, besides selling each week what home-made bread, cakes and dainty desserts she could get orders for. The past year they had no tenant for the farm, and Dot had a long and tedious illness. The time for the mortgage had almost expired, and the outlook was enough to discourage a stouter heart than Amy's.

"Oliver, dear," said Miss Tracy, when supper was over, "take this five to Mrs. Wells. She is to pay you five dollars, and be careful, my boy, come home as quick as you can; you know there are so many 'hold-ups' now."

"All right, auntie, but no highwayman would imagine I had five dollars about me."

"I had an order for a shawl today, Amy, and Miss Leonard paid for her dress. That makes up the rent money which is due Monday. Your two weeks' salary will pay next month's rent; this two dollars and a half will buy another sack of flour, and I have the five dollars which Oliver will bring to live on."

"But the mortgage, Aunt Helen, is due in May."

"I know, dear," with a sigh. "I hate to let the old home go, and to that man of all men."

"I had a letter from Dick Price today saying that if I would marry him his father would cancel the mortgage."

"Not for a thousand homes should you do that. Do you know, dear, that I sometimes think Uncle Tom did pay that mortgage, as he promised grandma he would. But why did he not give her the receipt? You know he came to see her when I was with your mother, and told her that he would pay the mortgage and provide for you children. When we came home he was in New York on business and the day he came so hurriedly to tell grandma good-by I had gone to your old home to settle your mother's business. That night he left for Australia."

"How sad for Aunt Alice that he never reached home, and to be buried at sea. Poor Uncle Tom!"

"The stroke of paralysis came before I reached home the next day. Poor grandma. She tried so hard to tell me something. Could it have been more than to keep her picture of our Lady? Yet she seemed perfectly satisfied when I promised to keep it always."

"How she loved that picture, Aunt Helen. I will never forget how careful she was of it those few days you were gone."

"Grandfather gave it to her, dear, before they were married, and, apart from that, the picture itself is very valuable. The frame is solid gold and there are real amethysts and pearls which form the flowers in the corner. Grandma claimed that it was copied by a great artist from the original picture of Our Lady of Good Counsel at Genazzano. Let us put up our work now, here come the children; no lessons tonight; tomorrow we will be busy enough."

As Marie and Dot came from the kitchen Oliver rushed in, quite out of breath and a trifle pale. "I came near being held up, Aunt Helen. A man asked me for a nickel and when I said I had none he grabbed me by the arm."

"Oh, dear! and what did you do?" said Marie.

"I cut and run," said the boy laughing. "And here is your five dollars, auntie, safe and sound."

"And my boy, too, safe and sound," said Miss Tracy, patting his head. Tapping Dot in her arms, she drew the big rocker nearer to the fire. "Now, children, what shall it be tonight? Shall I read to you or will you have a fairy story?"

"Let's talk about your ship, Aunt Helen," said Marie, eagerly.

"You are getting too big for fairy stories, Marie," said Amy.

"Your ship isn't a fairy story, is it, auntie?"

"No, sweetheart; it is just a myth which Aunt Helen keeps faith in as an antidote to discouragement and discontent. We just borrow our pleasures from the future and call it my ship."

Many were the pleasures for themselves and others planned by the children. "Amy must have a piano," said Oliver, "and you shall have a black silk dress, Aunt Helen."

"No," said Dot, "a red one, you got enough black dresses."

"I'll have two, darling; a red one and a black one. Yes, Amy shall have her piano and lessons from a professor. Our little student here," laying her hand lovingly on Marie's dark curls, "shall study everything and have her voice cultivated. Oliver shall have a pony—or shall it be a bicycle?"

"A pony—a black pony, with a tail that sweeps the ground," said the boy.

"A black pony it is, then, and Dot shall have a great big doll that walks and talks."

"And has real, for-sure hair," broke in Dot eagerly.

"Yes, and real, for-sure hair," said Aunt Helen. "Now, let us have devotions and go to bed. We have much to do tomorrow."

In the next room. Peering cautiously through the half-open door she saw a gaunt, hungry-looking man kneeling before the fire. On the floor beside him was her grandmother's workbox and the picture of Our Lady. He examined the jewelry; the gems gave out little flashes of color as the fire-light touched them.

Before Helen could gather courage to move he had put them all in his pocket and started to unframe the picture. Helen screamed and sprang toward him. The robber grabbed the picture, and pointing a revolver at her backed toward the open window. Helen's screams had wakened the older children who gathered round her.

With rare presence of mind Oliver ran to the front door and gave that peculiar shrill whistle with which boys of his age delight to startle people. Hearing it the robber dropped the picture and jumped from the window.

In answer to the boy's call two policemen came in. Miss Tracy gave them a description of the burglar and of the stolen jewelry. They searched the room, but nothing else had been disturbed. "I think he is not a professional, miss," said one of the officers; "he was after the money and jewels, and he must have known where to find them."

"The money, though a small sum, was quite a loss to us, but the jewelry is the greater loss; it was very dear to me."

Helen lifted the picture reverently. The gold frame was broken and several of the jewels had been knocked out by the fall. She looked at it sadly. Tomorrow she would see what she could do toward mending it. At breakfast Helen found it hard to meet the children with her usual cheerfulness. With money and jewelry both gone, what were they to do?

The next day Helen set about mending the picture. Though the glass was broken the canvas was uninjured. "Marie, dear, get me the paste. I think I can replace these jewels. I will have to unframe the picture in order to take out the broken glass."

She deftly removed the back from the picture. Beneath lay two letters. With trembling fingers she opened them. In one was the receipt for the mortgage, duly signed by Richard Price; it had been paid October 7, 1892. The other was a letter from a New York mining company saying that they had reason to believe there was a good vein of coal under the meadow land, and asking that an expert be allowed to examine it with a view to purchasing. Folded in this envelope with a slip of paper on which was written: "My brave Helen, from Uncle Tom," was five thousand dollars. Helen sat like one dazed. This was what grandma had tried so hard to tell her. Uncle Tom had kept his word.

Now she remembered that the first time she had paid the interest after her grandmother's death Mr. Price had looked surprised, said "she need not have been so prompt; there was no great hurry." He learned then that she did not know that the mortgage had been paid. How hard she had struggled these four years. But now the old home was free and dear Uncle Tom's gift—five thousand dollars!—what comfort for her darlings!

"Here is paste, Aunt Helen," said Marie. Miss Tracy threw her arms around the child and burst into hysterical tears.

"What is it, Auntie? You are nervous from your fright last night. Please don't cry like that."

"I had to cry, dear; I could not help it. Marie, our ship has really come in at last. I can hardly wait for Amy to come home."

"Oh, Aunt Helen, a real, for-sure ship!"

"A real, for-sure ship, darling; it was hidden all this time in the back of Our Lady's picture, and if we had not been robbed we would never have known it."

Several days after a detective called. "We have found the jewelry at a pawnshop, Miss Tracy; you will have to identify it. If we catch the thief, you will prosecute?"

"I thank you. You see," a smile lighting her soft, brown eyes, "the question is this—were we really robbed?"

"That was certainly the man's intention when he entered your house, and for the sake of justice I think you should prosecute."

"I hope he has made good his escape," she said gently. "Whatever his intentions were, we are benefited by the deed."

The picture of Our Lady was now doubly dear to Helen and the children. It has been enclosed in another frame and occupies the place of honor in the sitting room of the old homestead. Helen never looks into the sweet face without thinking of the time she was so near to despair. And she often whispered to the tender heart of Mary: "Dear mother, take under your protection the man who robbed us. Obtain for him the grace to lead a better life, and guide him to the heart of your divine Son."—[Lida Coghlan in Baltimore Mirror.

TICKETS GOING LIVELY.

There is a good demand for tickets for the outing and excursion to be given by St. Paul's church on Monday, July 29, at Fern Grove. Everybody seems to want a chance to view the fine piano that will be awarded some lucky ticket holder. The boats will leave the foot of First street at 8:30 and 9 a. m. and 1:30 p. m. This will be the most enjoyable excursion of the season.

CHEAP RATES.

The Big Four route has placed on sale a new series of round trip tickets to New York City from July 1 to October 20, at the Elks' Grand Lodge reunion at Milwaukee; to Chautauque, N. Y., and Chicago, good till July 26. This affords a splendid opportunity to those of our citizens who would take a vacation. For full particulars apply to Sid Gates, the general passenger agent, at the Big Four office on Fourth street, near Main.

ANCIENT CASTLES.

Ireland owns among her many ruined castles and abbeys two of her supreme intrinsic beauty and surpassingly fine situation

—Muckross Abbey and Dunluce Castle. The first is guarded with the utmost care. Walls are propped, fallen mullions rebuilt, crumbling stones in important situations skillfully repaired. In consequence Muckross is, and will be for centuries to come, the glory of Killarney. Dunluce, on the other hand, is being allowed to drop stone by stone and wall by wall into the Atlantic, although it is one of the greatest of attractions to antiquarians and tourists visiting the North of Ireland. At the present time the narrow bridge which is the only means of access to the ruins is half broken down by last winter's storms, and the visitors who pay sixpence a head to Lord Antrim's agent for admission find themselves unable to get in after all.

PREFERRED HIS STRAIGHT.

"So glad to see you, Mr. Woolly," said the Boston hostess, who was giving a musical dinner, "you are just in time. We are going to have a 'cello obligato before dinner.'"

"Well now," replied the Western guest, "I won't take none, thank'y; but I would like a little old rye."

\$8. TO CHICAGO AND RETURN. \$8.

MONON ROUTE. The Monon Route will sell tickets from Louisville to Chicago and return on account of the B. V. P. U. Convention on July 24, 25 and 26 at \$8. They will be good returning until July 30, and on payment of fifty cents at Chicago the limit will be extended to August 24. Call for tickets via Louisville and Monon Route. See the new daylight trains, just inaugurated. The largest and finest coaches ever built. Trains leave Louisville at 7:30 a. m. and 8:20 p. m.

RELIGIOUS LIBERTY UPHOLD.

[CONTINUED FROM FIRST PAGE.]

der the wills of testators who felt an interest in the education of the youth of their country to such pupils as display excellence or take first rank in the different classes and schools, and to medals and premiums are for the most part known by the name of the testator.

The twentieth century of the testator will provide that all the proceeds of his estate shall go to the Right Reverend Bishop of the Catholic diocese of Louisville and three other persons to be chosen by him to be held in trust for the establishment of a home for poor Catholic men, as soon as the proceeds of the estate may justify. The three co-trustees have been chosen by the Bishop and have accepted the trust, and ever since have been acting as said trustees. This item establishes an asylum or home for poor Catholic men. The beneficiaries are the poor Catholic men who may be admitted as such by the trustees from time to time.

In Given's administrator vs. Shouse, 5 Ky. Law Rep. 418, it was held that such a public charity need not put a limitation upon the trustees in selecting the beneficiaries to a particular ward or town or city. To the same effect is Crawford vs. Thomas, 23 Ky. Law Rep. 110. The fact that the trustees are not limited in the matter of selection to the city of Louisville or the State of Kentucky, or the United States, does not affect the validity of the trust. The class of beneficiaries to be selected is designated—poor Catholic men; and such are as much deserving in one country as in another, and there is no sense or reason in holding that, in order that such a bequest shall be valid, the object of the trust should be confined to a particular locality. Nor is it necessary to the validity of such a bequest that the beneficiary should be designated that they might come into court, before being selected, and claim the benefit of the trust. This proposition is true as to private trusts; but the very nature of public, charitable trusts, that the beneficiaries are designated—the most essential elements and characteristics of the public charity. This is elementary law, fully discussed by me in the Barones of Fahnberg's case.

See also Kinney vs. Kinney, 58 Ky. 610; also the celebrated Snug Harbor case, 3 Pet. 99; Attorney General vs. Wallace's Executors, 7 B. Mon. 611. See also Chambers vs. St. Louis, 29 Mo. opinion by Judge Scott, which is an elaborate, learned and able discussion of the subject, and ought to satisfy the most captious and technical objector to such bequests.

To establish a home or asylum for poor Catholic men is both a charitable and a humane purpose, and is within the enlarging clause of the General Statutes touching charitable uses in this State.

This brings us to the twelfth and twenty-second clauses of the testator's will. In the twelfth clause the testator bequeathed \$3,000 to the Roman Catholic Bishop of Cork, Ireland, to be applied to any charitable uses and to do the most good in his judgment; and in the twenty-second clause he bequeathed to the order of the Society of Jesus, known as the Jesuit order, 100 acres of land at near his place, Donerale, in Jefferson and Bullitt counties, for the purposes of education and religion.

It is everywhere recognized as an unquestionable legal doctrine that devices or bequests for charitable purposes are valid as within the spirit, scope and letter of the Statute touching charitable uses, and also as bequests for religious purposes. All bequests for the advancement of knowledge, learning or education, or religion are undoubtedly charitable and valid. Gifts for religious purposes, for the advancement of Christianity among infidels and heathens, for the dissemination of the Gospel, for foreign missions for religious uses, have all been upheld as valid and as strictly within the equity of the statute. If a devise is for an educational purpose, it is a charitable use; if it is for a religious purpose, it is a charitable use; if it is for a religious or educational purpose, it is of necessity for a charitable use, and is valid. Nor does such a bequest have to be for both educational and religious purposes. If the purpose is the promotion or advancement of either, it is a charitable use, and within the spirit, scope and letter of the Statute touching charitable uses, and also as bequests for religious purposes.

The bequest to the Bishop of Cork, Ireland, requires him to make a will for the testator, because the testator restricts the application of the said \$3,000 to charitable uses. He is entitled to the said \$3,000, as he had a right to do, the exercise of his judgment in selecting such charitable uses as he considered to be the most good. This bequest is as valid in my opinion, as any of the other items sought to be impeached in this case by the plaintiff.

The twenty-second clause, devising 100 acres of land to the Society of Jesus, known as the Jesuit order, is strictly limited by the testator to be held and used for the purposes of education or religion. The subject matter—the land—is to be held for the purpose expressly charitable—education or religion, and the Society of Jesus, known as the Jesuit order, is selected as the trustee. If it be said that the Society of Jesus, known as the Jesuit order, is not capable of being a trustee because it is too vague and uncertain, the answer is that such a will not permit a valid trust to fail for want of a trustee. The devise could not under any circumstances be held void because no trustee was named.

I have gone farther into the law on this subject than the case requires, but on account of its being the first case in Kentucky in which charitable bequests of this character have been assailed in the courts, I felt it my duty to set forth these fundamental principles of equity and jurisprudence upon which their validity rests.

The demurrers of the plaintiff to the answers of the defendants to the petition filed back and sustained to the petition; and, as from the averments of the petition and relief which it seeks, it affirmatively appears that the plaintiff has no cause of action and can have none against the defendants, the said petition is dismissed. Let an exception be recited against the plaintiff to the ruling of the court and no appeal granted if desired by the said plaintiff.

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