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DECIDE THE LEASE VALID

VANDALIA CANNOT DROP TERRE HAUTE & PEORIA DIVISION.
Community of Ownership Causes Anxiety Among Railroad Men as to the Security of Positions.
 Some months ago the United States Circuit Court of Appeals decided that the lease of the Terre Haute & Peoria Railroad to the Terre Haute & Indianapolis is valid and affirmed the order of Circuit Judge Woods directing the receiver to pay out of the surplus rental accruing to the Peoria company one of the Terre Haute & Peoria's defaulted coupons, there being at the time the order was made only enough of a balance to pay one coupon. The Terre Haute & Indianapolis company asked for a rehearing, which has just been denied. In the meantime there has accumulated in the receiver's hands a balance of rental sufficient to pay several of the defaulted coupons of the Peoria Company's bonds.

Why Agents Are Troubled.

Representatives of the fast freight lines are beginning to worry over the community of ownership of railroads which is now being accomplished, and they fear it may end by dropping individual solicitors. While a few representatives of fast freight lines affect to believe that nothing will come of the new order of things, others are disturbed as to results. However, stories have been exploited annually for ten or twelve years to the effect that the fast freight lines were to be brought under one management, but as none of these stories has materialized, the men have learned to give them but little attention. The primary principle of these combinations is to put them in shape to operate economically. In the past the average of gross earnings set aside for operating expenses has been approximately 70 per cent, but it is claimed that the roads are now getting into such a shape that they can run their roads on a less per cent. There is one thing in favor of the collecting agencies, the absolute maintenance of rates, because the general officers say that the maintenance of rates now shows that the late rate was due rather to the policy of the roads than to the attitude of the solicitors, although the latter was a factor. The solicitors argue that the roads are convinced that to obtain peace it will not be necessary to dismise them.

Personal, Local and General Notes.

After March 1 the Pennsylvania company gives notice that it will stop at Frankton, Ind.
 J. H. Talbot, M. D., left for Cleveland last night to attend a meeting of the medical examiners of the Pennsylvania voluntary relief department.
 President Spencer, of the Southern Railway, says the Middle & Ohio will be operated as a separate company without consolidation or merger with the Southern.
 W. L. McCarty has been appointed coming to the Peoria depot in triplicate as a missioner of the recently formed New York Freight and Transportation Bureau.
 A. S. Lodge will on March 1, become general freight manager of the Memphis system of roads. For several years past he has been general freight manager of the Cotton Belt.
 The Panhandle is putting in service some new combination baggage, express and mail cars of superior build. They are seventy-two feet long and rest on two sets of six-wheeled trucks.
 The Lake Shore will contract for 1,500 cars of which will be placed on the Lake Erie & Western lines. The Illinois will purchase 1,000 box cars of 30,000 pounds capacity.
 The managers of the roads comprising the Union Railway Company will hold their monthly meeting at Chicago on Monday.

Exceptions in Vandalia Case.

A bill of exceptions in the Vandalia case has been prepared as the preliminary step in an appeal to the Supreme Court from the decision of Judge Carter, of the Superior Court, who gave the State judgment against the railroad company for \$33,000. The State sued for damages to a cow owned by the plaintiff, which was killed by a train. The railroad company makes the appeal in the case and sets out its exceptions in 2,800 typewritten lines. The State is not satisfied with the decision and will file a cross bill of exceptions in the Supreme Court, setting out the grounds on which the State then was awarded in the finding of Judge Carter.

Jacob Emden's Sentence.

Jacob Emden was fined \$5 and sentenced to jail for eight hours yesterday by Judge Alford for petit larceny. It was charged that he took \$5 worth of goods from Selig's store, where he worked. The moderate sentence was given on the ground that Emden is on time to go to work there this morning.

Street Car Company Sued.

Caroline Hamilton yesterday brought suit against the Street-car company for \$10,000 damages for injuries alleged to have been sustained by a car which ran over her while she was in the act of alighting.

Henry O. Hesse's Will.

The will of Henry O. Hesse, probated yesterday, leaves the bulk of his estate to his wife, Alice M. Hesse.

THE COURT RECORD.

SUPERIOR COURT.
 Room 1—John L. McClure vs. United States Express Company; damages. Jury out.
 Room 2—James M. Leathers, Judge.
 Geo. H. McClure vs. First & Second St. Co.; damages. Acquitted. Jury instructed and retired.
 Room 3—Vinson Carter, Judge.
 Irvin Robbins & Co. vs. J. H. Murphy; account. Dismissed and costs paid.
 Maria White vs. Conrad Schier; damages. On trial by jury.
CIRCUIT COURT.
 Henry Clay Allen, Judge.
 Edith Coan vs. Cora Hinkle et al.; to set aside will. Cause settled, defendant agreeing to pay \$5 and half the costs.
 William B. Buel vs. Francis Kantmann's estate; to set aside will. Cause settled, defendant agreeing to pay \$5 and half the costs.
 Herman Lauter vs. Indianapolis Street-railway Company; damages. Substantiated to jury.
CRIMINAL COURT.
 Fremont Alford, Judge.
 Jacob Emden; petit larceny. Finding of guilty on agreed statement. Fined \$5 and imprisoned for eight hours.
 John Gorman; burglary. Suspended sentence set aside. Committed to Reform School for boys.
 John Gorman; petit larceny and entering house to commit larceny. Suspended sentence set aside. Committed to Reform School for boys.
 John Gorman; attempting to bribe an election officer. Defendant files bill of exceptions. Signed and filed.
 Collins Fishery; grand larceny and receiving stolen goods. Motion for new trial overruled. Sixty days in jail on bill of exceptions.

NEW SUITS FILED.

Anna L. Horton vs. John E. Horton; divorce. Superior Court, Room 1.
 Louis M. Baitinger vs. Washington I. Rainier; divorce. Superior Court, Room 2.
 Lillian M. Stewart vs. W. Stewart; divorce. Superior Court, Room 3.
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 1901. Charles F. Reinhardt et al. vs. Nicholas S. Riefers. Tippecanoe S. C. Appellate's brief.
 234. E. Reynolds Muller vs. the State Life Insurance Company. Tippecanoe S. C. Appellate's request for oral argument.

NOTICES THAT COLONISTS' RATES WILL BE APPLIED ON MONDAYS, TUESDAYS, WEDNESDAYS AND THURSDAYS HAVE BEEN WITHDRAWN, AND THE RATE WILL BE APPLIED ON TUESDAYS ONLY.

In April, 1888, Joseph E. Lund, of Elgin, Ill., was arrested at the instance of the Chicago, Milwaukee & St. Paul and the United States Express Company for doing what is called a "box" express business, but the magistrate before whom he was tried discharged him. It was his practice to purchase for customers and have them shipped as baggage. Lund sued the railroad and express company for damages, and was last week awarded a verdict for \$2,000. It is understood the case will be fought to the court of last resort, and it is admitted it will mean that the courts will not permit the express companies to interfere with the private business men and their goods who carry packages on small commission.

MARION CLUB TICKET.

The annual election will take place on March 6. The nominating committee of the Marion Club has posted the following ticket: President, John G. Kirkwood; first vice president, Judge J. M. Leathers; second vice president, William A. Bogardus; third vice president, Lawson M. Harvey; secretary, Bert E. Uhl; treasurer, Thomas A. Wynne; sergeant at arms, Leon J. Cooper; board of directors, John Ketcham, Sr.; Edwin D. Landon, William Kothe, P. A. Havellock and Charles O. Boller. The annual election of the club will take place on March 6, from 4 to 9 o'clock p. m.

FOR BREACH OF PROMISE.

Henrietta L. Berg sues John B. Stumph—Other Cases.
 Henrietta L. Berg recently brought suit against John B. Stumph for \$5,000 damages for an alleged breach of promise to marry. In the past the average of gross earnings set aside for operating expenses has been approximately 70 per cent, but it is claimed that the roads are now getting into such a shape that they can run their roads on a less per cent. There is one thing in favor of the collecting agencies, the absolute maintenance of rates, because the general officers say that the maintenance of rates now shows that the late rate was due rather to the policy of the roads than to the attitude of the solicitors, although the latter was a factor. The solicitors argue that the roads are convinced that to obtain peace it will not be necessary to dismise them.

An Incurable Youth.

Judge Alford, of the Criminal Court, yesterday sentenced John Gorman, twelve years old, to the Reform School for breaking into a junk shop. About a year ago the boy was before Judge Alford on a similar charge, but was released under suspended sentence at the request of his father. In the present case the father failed to appear and the boy was sent to the school, but the boy was soon returned as his relatives there do not desire to have him, and the father cried in the courtroom, and said he was willing that his son should go to the Reform School, the last hope of making a man of him.

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Arrest of Four Boys.

Harry Meyers, Herbert Bushin, Thomas Barnard and Walter Beckler, four boys employed at the cotton mill, were arrested yesterday on warrants sworn out by Alva Frazer, a milkman, who complained that the lads stole milk from his wagon while



he was delivering to customers inside. The boys claim they filled bottles with lime and water, to resemble milk, and then by running from his wagon with them, their hands made the dealer think they were taking his milk.

CITY NEWS NOTES.

Mrs. E. R. Fisher returned from De-fiance, O., yesterday, to attend the funeral of her sister, Mrs. M. Kiltner.
 Mr. and Mrs. J. Will Welch will leave for Toronto, Can., today to spend a few weeks with relatives in that city.
 Dr. Quayle will deliver his February lecture in his course of free lectures at the St. Julian-street Methodist Church to-night. The subject will be "The Ring and the Book."
 The hotel keepers of this city in anticipation of a visit by the hotel thieves, who have been unusually active in Chicago for several days, have the following to-night guests of "bolt" their doors upon retiring.

AMUSEMENTS.

"One of the Sights of the City."
 Prof. Aglinton, the Human Top; Baby Stella in "A Bird in a Gilded Cage" and Lorenzo's Lion Hunt. Capt. Bonavita and his Twenty Lions; Moon Boyer, with Bears and Hybrids; Doc, the Bear; and EXTRAORDINARY ART, Blake's Dog and Monkey Circus.

THE ZOO.

It has been decided by the committee having in charge the programme for the celebration of the University of Indianapolis to dispense with the festivities this year.

GRAND FASHIONABLE THIS MAY WENTWORTH, VAUDEVILLE WEEK.

James and Marie Finney, Bettina Girard, Elizabeth Murray, Max Waldron, Callahan and Mack. Edward Reynard, Biograph.

AMUSEMENTS.

English's
 To-night—One Night Only
 She laughs and the world laughs with her.

Marie DRESSLER

And 20 others in the latest musical comedy

MISS PRINT

Prices—\$1.50, \$1.75, \$2.00, 25c.
 Wednesday, Feb. 20—One Night Only
 Town—With the big New York cast.
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MR. TIM MURPHY

and Miss Dorothy Sherrod in
 A Bachelor's Romance
 Prices—\$1.50, \$1.75, \$2.00, 25c.

Friday, Saturday—Feb. 22, 23—Mat. Saturday

As Edmond Danes, in Charles Fiedler's "Monte Cristo." The trinity of play, players and production. Prices—Matinee, \$1.75, \$2.00, 25c. Night, \$1.50, \$1.75, \$2.00, 25c. Seats now ready.

PARK—To-day! To-day! 3 p. m.

"A RUN ON THE BANK"
 Extra Feature—Little Elsie Herberow, "The American Girl," who will hold daily recitations on the stage after the matinee.
 Thursday—Royal Lilliputians, Friday (Washington's birthday) matinee prices same as night.

EMPIRE THEATER

Wabash and Delaware streets.
 THREE DAYS, Commencing Monday, Feb. 18th,
 MATINEE DAILY EVERY NIGHT

Fads and Follies Burlesquers

Prices of Admission—10c, 15c, 25c, 50c.
 Feb. 21, 22, 23—BOWERY BURLESQUERS.

Everything for Housekeeping Cash or Credit.

The Reliable Furniture and Carpet Co.
 22, 24, 36 SOUTH ILLINOIS STREET.

OCEAN STEAMERS.

Three magnificent tours. Lowest prices, best routes. Sailing June 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st.

Walswin PIANOS

HIGHEST GRADE OF EXCELLENCE. FROM OUR FACTORIES TO YOUR HOME.
 145 N. Penn. Manufacturers.

Taft's Dental Parlors

25 W. WASH. ST. ONLY THE BEST WORK

"I AM FOR MEN"
HENRY GEORGE
A GREAT 5c CIGAR
 SEVERIN & CO., Distributors
 INDIANAPOLIS, IND.

WANTED
 It understood that we do the best laundering in the city. House linen by the pound or dozen.
'Phones 249.

The Excelsior Laundry

IF YOU ARE NOT ENTIRELY SATISFIED WITH THE BRAND YOU ARE SMOKING
Try Full-Weight 5c Cigars..
 IF YOU ARE SATISFIED TRY IT ANYWAY.
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REMOVAL!

HENRY C. SMITH
 THE OLD RELIABLE
ROOFER
 Will remove to 520 South Pennsylvania St., on or about March 1. Home Phone 867.
 Now located at 210 West Maryland St., midway between Senate Ave. and Missouri St.

JOHN VAN RANGES,

RELIABLE STEEL RANGES, VAN COFFEE URNS, HOTEL SUPPLIES.
INDIANAPOLIS HARDWARE CO.,
 35 South Meridian Street.

WELSCH LIGHTS

Mantle and incandescent light globes, supply of all kinds at
I. H. HERRINGTON,
 139 E. Market St.
 Saddles, Harness and Blankets

A.B. MEYER & CO.

19 North Pennsylvania St.

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