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### RIGHTS OF LOCAL MERCHANTS.

#### A Peculiar Marriage Contract—Rights of a Passenger Who is Riding Free of Charge.

The Indiana Supreme Court accords to a member of a convention who is injured in a collision while riding together with other members of the convention on the cars belonging to a street railway company at the invitation of the company the right of a passenger, in Indiana Traction & Terminal Co. v. Klentschy, 79 Northeastern Reporter, 908. The servants of the carrier did not become the servants of the convention by the latter's acceptance of the invitation to ride on the carrier's cars, and the fact that the passenger was carried gratuitously did not deprive her of her right of action if injured by the negligence of the carrier.

The rights of local merchants to agree among themselves not to purchase merchandise from wholesalers and jobbers who sell goods to catalogue or mail order houses, and to inform each other of what wholesalers and jobbers make such sales, is upheld by the United States Circuit Court for South Dakota, in Montgomery Ward & Co. v. South Dakota Retail Merchants' and Hardware Dealers' Association, 150 Federal Reporter, 415. The Court regarded it not to be unfair competition, intimidation, or coercion for the retailers, either by persuasion or other peaceable means, to seek to prevent wholesalers from selling to mail order houses.

An ingenious marriage contract not to be performed until the death of the young lady's mother, presumably to avoid any disagreeable interference by the mother-in-law with the connubial bliss of the wedded pair, is revealed in the case of Bailey v. Brown, 88 Pacific Reporter, 518. Judge McLaughlin, of the California Court of Appeals, who filed a concurring opinion in the case, intimates that a breach of such contract did not constitute a cause of action. He asked the question, "How could a contract to marry exist when the promisor might never be under an obligation to marry the promisee, and vice versa?" and continued: "If this good mother should live to a very ripe old age, as mothers sometimes do, no human could tell what might happen. Either of the parties might be waiting for the other, harp in hand, beyond this vale of tears, or both might pine away and die before this promise of future connubial bliss could ripen into a cause of action enforceable in earthly courts."

### TO ATTEND COLUMBUS MEETING.

#### Indiana Railroad Commission to Get a Few Pointers.

The Indiana Railroad Commission will attend a meeting of the Interstate Commerce Commission, which will be held at Columbus, O., Monday, October 28. The Interstate Commerce Commission at that time will try cases of alleged discrimination in coal rates and in the movement of cars. The complaint has been filed against the Hocking Valley Railroad Company in Ohio by the coal companies. The Indiana commission will attend the meeting with a view to getting information which will be of value in deciding such cases in Indiana. The Indiana commission also will hold a conference with the Ohio state commission to discuss subjects of mutual interest.

A bad wreck occurred in the Erie yards Monday night at 2 o'clock. One of the large engines pulling a number of cars ran into some cars loaded with steel rails and the engine was almost demolished. The rails were thrown from the cars and it was a long time before the scene could be cleared up enough to permit the passage of the trains. The engine was taken to the local shops.—Huntington Herald.

### LEAD ALL OTHER DISEASES.

#### Tonsillitis Was Also Plentiful—Small Pox Existed in Seven Counties—No Deaths.

The Bulletin of the State Board of Health for September, just issued, says: The reports for the month show that typhoid fever was very prevalent. Indeed, it is reported as the most prevalent disease. In the corresponding month last year, typhoid was fourth in prevalence. Tonsillitis existed to a greater degree than in the corresponding month last year. Thirty-six counties reported diphtheria present, and it was epidemic in two places in Brown, in one place in Daviess, one in Delaware, one in Grant, one in Huntington, three in St. Joseph and three in Vanderburgh. The disease existed to considerable degree in Marion. Total number of deaths from the disease in the whole state was thirty. Typhoid fever was reported in seventy-six counties, and probably was present in every one of them. The total number of deaths was 133, and in the corresponding month last year, 143. Consumption did its usual damage, causing 325 deaths, in the corresponding month last year, 291. Pneumonia caused ninety-three deaths, and was reported as eleventh in area of prevalence. In the corresponding month last year, ninety-three deaths and fourteenth in area of prevalence. The cancer deaths numbered 115; violence, 199; diarrhoeal diseases, 280. The total number of deaths in the whole state was 2,751; rate, 12.4. The city death rate was 14.1, and the country death rate, 11.3. The death rates of the cities having over 25,000 population were: Indianapolis, 14.4; Evansville, 12.7; Fort Wayne, 15.8; Terre Haute, 15.9; Anderson, 11.2; Muncie, 9.3; South Bend, 14.6. Smallpox was reported present in the following counties: Cass, Clinton, Dearborn, Madison, Marshal, Martin, Starke, with no deaths.

#### NICHOLSON VISITS RICHMOND. Author of Famous Indiana Temperance Law Talks.

Richmond, Ind., October 18.—S. Edgar Nicholson, formerly of Indiana, and author of the Nicholson Temperance law, is one of the visiting Quakers at the session of the Five Years' Meeting in this city. He is now a resident of Harrisburg, Pa. In an interview here he said that Indiana is one of the states that soon will experience a hard fight between the liquor forces and the temperance people.

That the Nicholson law should have been made more effective by the passage of the Moore law is a source of no little satisfaction to Mr. Nicholson. Although both these statutes have points altogether acceptable to the temperance organizations of the state, the author of the original measure anticipates a provision from the next assembly that will remove any dissatisfaction that may now exist.

It is not expected that any of the fellows who go to Chicago next week to regulate the trusts will do any more than talk about it. But talking and kicking count in the long run. It requires agitation, and a good deal of it sometimes, to get the public aroused. The truth is so many people are getting their share out of the combination and trust business that they are in no hurry to do anything calculated to "bust" them.—Columbia City Post.

It has been several years since good winter apples were so hard to get as they are at the present time. It is seldom that they are offered for sale, and as a rule the quality is very inferior. Farmers who have good orchards say they picked and put away apples this year that in other years they would hardly use for cider. It was a ground hog case with them. They had to accept the apples or do without. Anything like decent apples sell for a dollar or better a bushel.

### DECATUR LADIES AS OFFICERS.

Mrs. Al Burdug Appointed, Guard of Forest and Mrs. James Bain as Great Interpreter.

Indianapolis, October 18.—By a margin of a single vote, Mrs. Lulu Beach, of Wyoming Council, Elwood, was elected Great Minnehaha of the degree of Pocahontas of Indiana by the delegates to the great council today. Four ballots were taken before an election was declared, and on the final ballot the race had narrowed down to four candidates. Mrs. Beach won with 243 votes over Mrs. Nannie Diggs, Winchester; Mrs. Katherine Furr, Muncie, and Mrs. Julia Kerr, Indianapolis. The balloting for Great Minnehaha was finished just before noon and the winding up of the work of various committees the work of the great council was completed a little after 4 o'clock.

Other officers were elected as follows: Mrs. Mary Jones, of Coal Bluff; Mrs. Myrtle Suttin, of Coamont, and Mrs. Jane Cowan, of Terre Haute, were elected trustees. Mrs. Emma Graham, of Anderson, was re-elected as keeper of records, and Mrs. Mary Teague, of this city, was re-elected great keeper of wampum.

Following the usual custom of promotion, Mrs. Iva Hunemeier, of Washington, became great prophetess; Mrs. Lida Roser, of Richmond, great Pocahontas, and Mrs. Jessie Cornell, of Hartford City, great Weanah.

So enthusiastic are the members of the degree of Pocahontas over the prospects for the erection of a great wigwam in Indianapolis that a wigwam committee was appointed to plan for the raising of money during the year. This committee is composed of Mrs. Aline N. Neff, Indianapolis; Mrs. Katherine Reinhold, Terre Haute, and Mrs. Margaret Dick, Richmond. While the great council was still in session a collection of over \$25 for the wigwam fund was taken, and on suggestion of the wigwam committee the lodges throughout the state agreed to give entertainments during the coming year, the proceeds from which are to go to the wigwam fund.

Another means for raising funds for the wigwam to be used by the women is the doing away with the ten district councils during the year and the money formerly spent in this way will be turned over to the wigwam committee. Great Minnehaha Beach made her appointments this afternoon as follows: First great scout, Mrs. Eugene Green, Richmond; second great scout, Mrs. Lena Wentworth, Hartford City; great guard of the tepees, Mrs. Della Neal, Washington; great guard of the forest, Mrs. Jesse Burdug, Decatur; great interpreter, Mrs. Florence Bain (retiring great prophetess, Decatur); board of appeals, A. P. Beatty, Decatur; J. E. Sedwick, Martinsville, and M. S. Mook, Muncie. In the council by-laws committee were appointed Henry Sheppard, Richmond; Mrs. Mary D. Snyder, Muncie, and Mrs. Lizzie Melhorn, Connersville. The committee on investments is composed of John S. Kaufman, Muncie; John Wallers, Washington, and Dr. C. M. Stoute, great junior seagazer of the Indiana Red Men, Middletown. In the proposed wigwam to be built in Indianapolis in the form of a modern office building in which will be the Red Men and Pocahontas headquarters for the state, the women have taken an equal if not a greater interest than the Red Men. Although the Pocahontas members did not vote a per capita tax for the wigwam fund they believe that during the year they can earn a sum equal to that which might be raised by the tax.

#### DR. FOWLER ARRIVED HOME.

Dr. W. N. Fowler, Surgeon of the Chicago Record-Walker Wellman expedition, arrived in this city last evening, accompanied by Mrs. Fowler, and will remain here this winter, resuming his practice of medicine. Six months ago Dr. Fowler left Bluffton for Paris, there to meet and resume with the other members of the Wellman expedition party their search for the North Pole. This was the second attempt, and in many respects the preparations were far superior to those made for the year previous.—Bluffton Banner.

A pleasant party was given by Mr. and Mrs. Charles Loch Friday night at their home on North Second street, in honor of their guest, Mr. Raymond Gerould, of Warren, Pennsylvania. The event was enjoyable and an inquiry magazine contest furnished much amusement for the guests. Excellent music was furnished during the evening and an elegant luncheon was served. Those present were: Misses Marie Beery, Frances Merryman, Emma and Edna Hoffman, Zoe Miller, Ethel Barkley, Winnifred Johnson, Pansy Bell and Lucile Hale and Messrs. Ross Mills and Von Burke.

### THE OTHER SOCIETY EVENTS

Various Social Doings in Decatur Over the Sabbath—Several Dinner Parties.

The home of Mr. and Mrs. Charles Niblick was the scene of a delightful party last night when twenty-six of the friends and neighbors of Mr. Niblick gathered for an evening of pleasure. The occasion was prompted by the birthday of Mr. Niblick and the party was planned to serve as a token of remembrance of the passing of his forty-first milestone. The pretty home was neatly arranged for the occasion and card tables were distributed through the spacious rooms, at which progressive pedro was played to their heart's content. Before the games ensued, however, a sumptuous six o'clock dinner was served, which greatly strengthened the guests for the struggle for the beautiful prizes that were to be awarded in the pedro contest. An investigation of the number of games won by the contestants disclosed the fact that the first gentlemen prizes were won by Messrs. Med Miller, C. Meibers and Dr. D. D. Clark, while the ladies' prizes were won by Mesdames Med Miller, Harry Helm and D. Schmitt. The evening was most enjoyable and before their departure the guests presented a beautiful leather-lined traveling case to Mr. Niblick and without doubt his forty-first birthday anniversary will long be remembered. The guests were Messrs. and Mesdames E. X. Ehinger, D. Schmitt, J. K. Niblick, H. Conter, C. Radamacker, Harry Helm, M. Miller, C. Meibers, D. D. Clark, W. Spencer, P. J. Hyland and J. Gerard and Messrs. Nick Miller, C. S. Spencer and Jesse Niblick.

Sunday afternoon at one-thirty o'clock Rev. Wilken conducted baptism services at the St. Marys church. The infant babies of Mr. and Mrs. Charles Christen, Mr. and Mrs. L. A. Holt-house and Mr. and Mrs. Joseph Knapke were baptized and the services were quite impressive.

The children of Mr. and Mrs. N. C. Coverdale, namely Ruth May, Donald Clair, Jonas S., and Graydon Burdell were baptized at the home of Dr. J. S. Coverdale Sunday afternoon at four-thirty o'clock. Rev. Alexander, of Elmira, Illinois, administered the baptism services and they were quite impressive.

Mr. and Mrs. Thomas Buckmaster who have just returned from a four months' visit at Oden, Mich., were pleasantly surprised when forty friends and relatives gathered at their home on Madison street Sunday morning with well filled baskets and at twelve o'clock the table was loaded down with everything that was good to eat. The day was spent in a general conversation and music. Each departed wishing them many more such happy events.

Mrs. David Fortney, of R. F. D. number twelve, entertained at an old fashioned quilting bee last Friday night and an excellent time was had. Those present were Mesdames Ida Chapman, Linnie Ohler, Harmon Bittner, Theodore Beatty, A. Navel, Ida Magner, Nettie Harden, Ben Harkless, Mrs. Miller, Mary Ahr and Mrs. H. L. Coverdale of Decatur, and Mrs. C. F. Allegar, of Marion.

About fifty of the friends and neighbors of Will Parent gathered Sunday to assist in celebrating his thirty-fourth birthday anniversary. The affair was a complete surprise to Mr. Parent, but after recovering from the shock, he joined the guests in enjoying an evening of pleasure. Progressive pedro was the prevailing amusement in which first prizes were captured by Henry Gunsett and Miss Emma Gillig, the boobies being awarded to Miss Rosa Colchin and Frank Parent.

A party from Fort Wayne, composed of Messrs. and Mesdames H. Holbrook, E. Myers and A. E. Walters and family came to the city Sunday to be entertained at the home of Mr. and Mrs. J. R. Schafer, in honor of their daughter and son-in-law, Mr. and Mrs. W. F. Britton, who will leave for their home in Dallas, Texas, some time this week. Beside the Fort Wayne guests, Mr. and Mrs. A. J. Smith and daughter Midge and Dick Neptune enjoyed the festivities of the day. These guests were entertained at dinner and tea and the occasion was enjoyable to say the least. Special music was rendered during the day.

Mr. and Mrs. John Peterson gave a most delightful dinner Sunday at their home on Winchester street. Besides the elegant dinner that was served an enjoyable social time was had by all present. The guests were Mr. and Mrs. C. K. Bell and daughter,

Mr. and Mrs. J. H. Heller and children, Mrs. Frank Alwein and Miss Elizabeth Peterson. This event was thoroughly enjoyed by all.

### WAS FILED HERE THIS MORNING

Change of Venue from Fort Wayne—

To Decide Question of Importance to Express Companies.

A new case, entitled Edna F. Cox vs. Pacific Express Company, complaint for replevin, has been filed here on change of venue from the Allen circuit court. Notwithstanding the fact that only twenty dollars is in litigation the case promises to be a hard fought one, as a very important question is at issue, that of compelling express companies to deliver packages beyond a fixed limit. The case was filed before Michael Tancey, Justice of Wayne township, last June. The complaint alleged that the express company held an overcoat, her property, for which she asks possession and for \$20 damages. The defendants answer admits that they hold the overcoat which was shipped from Arkansas to Fort Wayne, that the defendant lived a half mile beyond the delivery limit established by the company. They delivered the package, but charged the defendant ten cents extra for doing same, which she refused to pay and they held the overcoat. Squire Tancey rendered a finding that the plaintiff should have possession of the overcoat and one cent damages and the defendant should pay the accrued costs. The express company appealed to the circuit court, then took a change of venue here, and if defeated here will no doubt appeal to the supreme court that the cause may be definitely decided. It promises to be quite a law suit for the sum, really involved, ten cents. Ninde Brothers are attorneys for the plaintiff and Barrett and Morris appear for the defendants.

### TO BE HELD IN JANUARY

More Interest Than Usual is Being Displayed and Arrangements Have Begun.

The officials of the Adams County Poultry and Pet Stock show are making great preparations for their annual event to be held during the forepart of January in this city. The show during the past two years has been more than a success and now that the poultry fanciers have taken an interest in this show the managers this year will hold the same on a much larger scale than ever before. Every day brings letters and messages from some section of the state asking what date has been set and what the conditions for entry are. While on the other hand the management is receiving letters from large concerns offering various and numerous prizes for various events. All arrangements have been closed with the judge, who will be J. C. Gault, of southern Ohio, a man of widespread reputation and who is fully competent to handle every section of the show. The members of this association have been unfortunate in the past in selecting a competent judge and have profited by past experience and engaged a man of national repute. The local poultry men are getting their chicks ready for this show and from all present indications it promises to be a hummer.

### WILL REMOVE NOVELTY STORE

Thirty Day Closing Out Sale at Blue Front Before Moving into New Quarters.

Elmer E. Moser Monday closed a deal with the Old Adams County Bank, by which he purchased the Lucky brick block, just south of the Moser Art studio. He will at once conduct a thirty day closing out sale of his beautiful stock of fancy dishes, and other novelties in his Blue Front store near the laundry. He expects to close out his entire stock, then purchase a new and larger stock with which he will furnish his new store to be located in the brick. He will cut an archway between the new store and his art studio and will have one of the handsomest stores in the entire city. The Moser stock of goods already in for the holidays, includes the greatest display of chinaware, Japanese goods, doll babies, fancy articles, of every description ever exhibited here and the entire stock is to be closed out within thirty days. Watch for their announcement.

Mrs. John Teeters, of Berne, who has been the guest of her brother, Ross Mallonee, for some time, returned to her home Sunday afternoon.

### CALL FOR DECEMBER 6 AND

Capt. New Seems to Favor Kansas City for the National Convention.

Washington, Oct. 20.—The Republican national committee will meet this city Dec. 6 and 7 for the purpose of deciding upon the place and for holding the next Republican national convention. Formal announcement to this effect was made by S. New, acting chairman of the Republican national committee. A Chairman New, who arrived here for a conference with Elmer Dover, secretary of the committee, when the committee was decided upon. The call for the meeting will be issued within a day or two. According to New, a number of cities have made formal application to secure the convention, among them being Chicago, Kansas City, St. Louis, Detroit, Seattle, Atlantic City and Pittsburg. From Milwaukee and St. Paul have come inquiries as to their prospects for securing the convention. Mr. New said that at this time he was not committed to any particular city. "The next convention is going to attract a larger number of people than have heretofore attended," said New, "and there are four considerations to be taken into account in deciding upon a place for holding the convention. The first is the accessibility of the town. It must possess adequate transportation facilities. Second, it must have ample first-class hotel accommodations. Third, it must provide a good hall, sufficient in size and susceptible of being arranged for the accommodation of the convention. Further, it must possess adequate facilities for the distribution of mail. Capt. New said he does not believe that the Coliseum in Chicago, where the last national convention was held, will be adequate to accommodate the next one. The Kansas City Coliseum he considers satisfactory in every way. Capt. New was met at the hotel by Secretary Dover. He probably will remain until after President Roosevelt's return on Wednesday.

The negro who drew a gun and threatened to shoot Conductor Hovey of the Clover Leaf when he offered four tramps out of a car at Liberty Center the latter part of last week, after they had broken a seal on the car and were rummaging through the freight, was captured by a sheriff posse after a running fight. The negro was heavily armed, as were the three white men who were captured previously.—Delphos Herald.

Lorenzo Doolittle, conductor of the Clover Leaf freight train, which left the Fourth street crossing last night at 8 o'clock for more than fifteen minutes, was arrested by Officer Lockrance and brought to police headquarters with lighted lantern to answer charge. Judge Williams was called and at 9 o'clock court was held. Doolittle remained prisoner and the train awaited his return in the Clover Leaf yards. When arraigned, Doolittle pleaded guilty. His fine was assessed later.—Marion Tribune.

Fassett A. Cotton, superintendent of public instruction, writes to the schools as follows: "When a child is absent from school for one day child's parents should be given a ten notice, and after the expiration of five days if the child is not in school and does not attend regularly the parents are subject to the provisions of the law. Five days after the child has been served prosecution may be begun. You are not required to give five days before prosecution when dealing with subsequent violators."

There's going to be a pie famine for the snow flies according to pie cooks in various cities in the state. Not only is fruit for pies scarce, it is exceedingly high, and the pie today costs from fifty to one hundred per cent. more than it did a year ago. Even the good old custard with milk and eggs up several cents. Apples and high priced, and the only thing left is the pumpkin. That pumpkin pie will be something to be sneezed at this fall and winter. The dry goods men and milliners who handle heavy woolsens are getting for a long, cold winter. For years past the winters have been mild that all the clothiers and milliners who handle heavy woolsens had to carry over a large stock. It would not be so great a loss, would not that the styles were changing, and can not be made of the next season. Few heavy coats have been purchased within last few years, and a less amount of underwear. To cause ready sale, heavy overcoats and woolsens wear we must have a long, cold winter.