

## Philadelphia Store.

### Carpet Department.

#### Just Opened!

1000 yds. Ingrain, at 25 and 30c.  
 600 yds. Ingrain, at 25 and 30c.  
 300 yds. Ingrain, at 15 to 25c.  
 800 yds. Ingrain, at 15 to 25c.  
 1,000 yds. double Carpet Lining, 8c.  
 5,000 yds. Mott Proof Lining, 5c.  
 3,000 yds. Metallic Oil-cloth Lining.  
 Great Bargains in Floor Oil Cloth.  
 Great Bargains in Window Shades.  
 Fine Lace Curtains, new design, at very low prices to close out.

We shall open in a few days an elegant assortment of Tapestry, Brussels, Rugs and Mats. A bargain in every one of them.

**PHILADELPHIA STORE,**  
 37 East Washington Street.

## FOSTER KID GLOVE.

Ladies', Gents' and Children's Gloves fitted to the hand before you pay for them.

**PARISIAN GLOVE DEPOT,**  
 H. & TUCKER, Prop'rs, 12 and 14 W. Wash. st.  
 N. E. Cor. 1st St.

## Furs

The Largest and best selected stock of FURS in the city, wholesale and retail.

**D. Lelewer's Manufactory,**  
 91 EAST WASHINGTON STREET,  
 (near corner Delaware st.)

FURS made to order.  
 FURS altered and repaired.  
 REAL SABLES enlarged and re-shaping.  
 Speciality.  
 Don't mistake the place—it will pay you.

## For You,

### Madam,

Whose complexion betrays some humiliating imperfection, whose mirror tells you that you are Tanned, Sallow and disfigured in countenance, or have Eruptions, Redness, Roughness or unwholesome tints of complexion, we say use Hagan's Magnolia Balm.

It is a delicate, harmless and delightful article, producing the most natural and entrancing tints, the artificiality of which no observer can detect, and which soon becomes permanent if the Magnolia Balm is judiciously used.

## Supplies

### FOR WATER, Steam and Gas.

Steam BRASS WORK, Plumbers' Brass Work, Pipe and Fittings, Boiler Flues, Tools, Bath Tubs, Water Closets, Hydrants, Street Washers, Hoses, Belting, Sinks, Pumps, Lead Pipe, Sheet and Bar Lead, Pig Tin and Copper. BABBITT METAL, Wiping Waste Etc., Etc.

## PIPE CUT TO ORDER

BY STEAM POWER.

## Steam Fitting

Promptly attended to.

**JOHN KNIGHT,**  
 108, 110 and 112 S. Delaware St.

## Ayer's Cherry Pectoral

For Diseases of the Throat and Lungs, such as Coughs, Colds, Whooping Cough, and Consumption.

The free competition which have won the highest honors, among not only the medical profession, but the general public, have given to Ayer's Cherry Pectoral a reputation which is well founded. If the remedy be taken in season, every child should have it in the house for the ready relief of all the common ailments of childhood, and even the most violent attacks of Croup, Whooping Cough, and Consumption, that can be cured by medicine.

It is a safe and reliable remedy, and its use is recommended by the most eminent medical authorities.

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## CITY NEWS.

Hon. Morton C. Hunter is in the city.

The North Baptist church, corner of Broadway and Cherry streets, gave a festival to-night.

The Sentinel announces an "important" meeting of the Hendricks club to-night. Shouldn't wonder.

Immense quantities of produce are coming into the city from the surrounding country. Apples and potatoes are very plenty.

The republican state central committee have adopted resolutions of sorrow and regret over the death of Senator Chandler.

The state bureau of statistics has issued blanks calling for information regarding toll, free gravel and common roads for each year from 1875.

Rev. W. H. Boole will preach at Meridian street church to-night. He is said to resemble Dr. N. L. Rice, the noted Presbyterian divine, in his method and manner.

Judge Holman fined Allen Jennings \$5 and cost for contempt of court in making a forcible entry into property under the control of a receiver appointed by the court.

A. E. Sinks failed to prosecute his suit against Luther Benson for compensation for the composition of "Fifteen years in hell," thus virtually establishing Benson's authorship.

The Indianapolis, Decatur and Springfield railroad officers claim that their acceptance of the ordinance granting them the right to lay two tracks into the city, made a contract that no "reconsideration" by the council can affect.

The dressing of bone for the state-house structure will be continued through the winter. The contractors say they will have an unlimited quantity of material in readiness for the commencement of operations early in the spring.

A vinegar woman on South Pennsylvania street discharges its refuse through a trough elevated at a convenient height to catch the unsuspecting pedestrian under the jaw. It might be called an obstruction of the sidewalk without straining the term.

The supreme court yesterday held the whistling act, passed by the legislature last winter, constitutional. The result will be that, in order to avoid prosecutions by prejudiced persons, railroad companies will be compelled to make the state resemble a boiler shop for din and confusion.

The fitness of things: The first page of Harper's Bazar for the present week, shows a monkey on a bedstead, handing a new style bonnet, "fashioned like a porringer," to an elaborately costumed lady. Some ignorant men are now enlightened as to where the fashions in head gear originate.

Charles L. Downie attempted suicide with morphine at the Occidental hotel yesterday, but was discovered in the afternoon and saved by antidotes. The proprietor, to whom Representative Reichelderfer, of Allen county, disgraced himself last winter, has been infatigating the young man of late.

**AMUSEMENTS.**

**THE BORMAN GIRL.**

The performance of Balfie's most popular opera at the Park theater last night was attended by a good sized audience who manifested their appreciation of the frequent applause. Mr. Digby's "Count Arubheim" was a careful and satisfactory piece of acting and singing. He is not a Drayton nor a Campbell, but he has a good voice and does not attempt anything beyond his powers. The Irish tenor, Mr. Piu, could be improved. It lacks spirit and finish. Benita's "Devilshoop" was over acted and under sung. Miss Bell has a fine voice and did "Arlene" very well. Mrs. Barry's fine voice was heard to good advantage in "The Gypsy Queen." Her acting lacked ease. She introduced the Balfie song, "Bliss forever past," with good effect, and the orchestra repeated. The engagement closes to-night with "Pinafore."

**THE OATLEY TROUPE.**

"Star" was repeated at the Grand opera house last night to a much smaller house than it deserved. Miss Mattie Vickers continues to win laurels in her imitation of the great actress, and Mr. Rogers supports her ably. The play will run all the week.

**MRS. RICHARDSON'S LECTURES.**

The audience last night was not as large as the lecturer or the subject ought to command. The theme was "English ballads" and was handled in a manner to please the most fastidious audience. A better lecture, and one more worthy of patronage by all who love old English literature has never been delivered in this city. The lecture will be given at the same place, next Friday night, and the final one on the Monday night following.

**PEARSON'S BENEFIT.**

Miss Lillian Stoddard, Mrs. S. E. Morrison, Miss Louise Fiedt, Messrs. M. H. Spades, S. R. Morrison, Sydney Reade, H. C. Stanwood, Arthur Miller, C. M. Steward and Ben Pearson's full orchestra will assist at the Pearson Benefit at the Park theater to-morrow night. Mr. Pearson will sing "Beloved heart," "Arlene," "My Love," and take part in the final act.

**Woman's Board of Industry.**

The woman's state board of industry appointed Mrs. Hagar, Mrs. Adkins, Mrs. Finch and Miss Cobb a committee to draft a constitution and by-laws for the organization, and elected the following officers for the coming year:

President, Mrs. Dr. Hagar; recording secretary, Mrs. M. H. Finch; corresponding secretary, Miss M. D. Taylor; treasurer, Mrs. M. E. Stowell; executive board, Mrs. Brown, Mrs. Noe, Mrs. G. Wynn, Mrs. Dr. Sawyer and Mrs. F. A. Townsend; vice presidents, Miss Alice A. Vining, Laporte county; Mrs. M. Adkins, Marion county; Miss Celia Hancock, Harrison county; Mrs. H. V. Austin, Wayne county; Miss Mary Thompson, Johnson county; Miss Jessie Morris, Washington county; Mrs. A. Armstrong, Howard county; Mrs. Sarah G. May, Madison county; Miss Nelson, Allen county; Mrs. Dr. Harlan, Hendricks county; Mrs. Southard, Putnam county; Mrs. M. C. Riley, Hancock county; Mrs. Alice S. Moore, Decatur county.

**Railroad News.**

A daily coal train has been put on the Vincennes road between this city and the Edwardsport coal mines. It is said that Joseph H. Franklin, superintendent of the New York and New England road, is to take the general management of the Indianapolis, Decatur and Springfield road, with H. C. Moore as assistant. John C. Noyes, general freight agent of the Indianapolis and St. Louis road, is to take the same position on the Hoosier tunnel road; S. J. Smith, his assistant, will succeed him in the position vacated. The project to build the North Vernon, Greensburg and Rushville road is again on foot. Horace Scott's proposal to build the road from Greensburg to North Vernon, has been accepted, the contract subject to approval by the board of directors, who are to meet at the Grand hotel next Saturday. The terms of the contract are that the road is to be completed on or before November 1, 1880.

**Mr. P. is in the city.**

Samuel Poole, who was arrested Monday for throwing his wife down stairs and attempting to beat her, called at the News office to-day to explain that he did not throw her down stairs nor attempt to beat her. He was merely remarking that he would "cut her d-d throat," at the same time trying with an open knife. Mrs. Poole, who is in a condition to be easily scared, fell backward down the stairs at this, and Mr. P. followed to bring her back. He regrets with scorn and indignation the imputation that he would strike a woman.

**Lost—A Ladder Truck and Hose Reel.**

The new hook and ladder wagon and hose reel, ordered in Chicago by the fire department, were shipped Saturday and should have been here Monday. Nothing could be learned of their whereabouts by telegraph to-day, and no bill of lading has appeared. Any one seeing such vehicles of this character, with a favor by leaving word at fire department headquarters.

## Supreme Court.

THE "WHISTLING LAW" IS VALID.

8:30. Pittsburgh, Cincinnati & St. Louis R. W. Co. v. John Brown. Decatur, 1879. Warden, C. J.

This was a suit by the appellee to enjoin the appellant from causing the whistle of the engine to be blown in accordance with the act of March 22, 1879, (ch. 179, p. 179), and such proceedings were had that judgment was rendered, peremptorily enjoining the defendant from sounding his whistle in violation of the act.

Immensely full and distinct sounds when approaching a highway crossing, and except such whistling may be necessary and customary in passing for brakes, switches, side-tracks or danger. The first section of the statute cited is as follows:

"That it shall be the duty of all railroads or companies, operating in this state, to have attached to each and every locomotive engine a whistle, such as is now in use or may hereafter be used, by all and managed railroad companies, and the engineers or other persons in charge of or operating such engine upon the line of any such railroad, shall, when such engine approaches the crossing of any turnpike or other public highway in this state, and when such engine is not less than eighty rods from such crossing sound the whistle on such crossing continuously, from the time of sounding such whistle until such engine shall have safely passed the crossing. Provided, that nothing herein shall be construed as to interfere with any ordinance that has been or may hereafter be passed by any city or town, regulating the management or running of a street car or railroad within the limits of such city."

The validity of the statute is not in question. To comply with the section set out above, the defendant is valid. It is a police regulation clearly within the legislative authority of the state. The argument that the constant whistling is a nuisance, it is answered that that which would otherwise be a nuisance, if done under the authority of law for the public good, is justifiable. (2 Ind. on railroads, 408). The legislature must be the exclusive judge as to the necessity of such crossing at which the whistle should be sounded, and as to the necessity of a continuous sounding until the crossing is passed. The necessity of the propriety of the enactment in question was exclusively for the legislature and not for the courts to pass upon. (Ind. on railroads, 408). The judgment below must be reversed.

**RIGHT OF ADMINISTRATOR TO SUE ON ADMINISTRATION—OFFICIAL BOND.**

4:45. State ex rel. Maria Wynn vs. Benjamin Wynn et al. Hamilton C. C. Reversed. How, J.

Suit on the relation of Maria Wynn, administratrix of the estate of Jacob Wynn, against the appellees. The complaint counted upon an administrator's bond in the ordinary form, executed by said Maria and all the defendants in 1870. The condition of the bond was "that if the above named Benjamin Wynn and Maria Wynn shall faithfully discharge the duties of said administrator of the estate of Jacob Wynn, according to law, the above obligation is to be void, save to remain in full force. It was alleged in the complaint that after letters of administration were granted to the relatrix and said Benjamin Wynn, by agreement the relatrix was relieved from all responsibility as such administrator, and that said Benjamin took upon himself the burden of said estate, and took possession of all the assets thereof. It was also alleged that said Benjamin resigned his said trust in 1875, and that his making final settlement of said estate, and his resignation was accepted by the circuit court. The facts alleged as constituting a breach of the bond, were that the relatrix failed to turn an inventory of the assets received by him within sixty days; that he failed to file an account of the estate belonging to her within ninety days; for more than thirty days after said account, he failed to file a report of his administration for more than by the ordinary form, and that he had embezzled assets of said estate, committed waste thereon, and that after resignation of his trust by her co-administrator, Benjamin Wynn, the relatrix, as the remaining administrator, brought suit on the bond given by him and her for the faithful discharge of the duties of said trust, against him and the sureties in such bond, to recover damages for a breach committed by him alone of the condition of the bond. Counting together section 19, R. S., p. 500, sec. 790 of the code, and the act of 1867, R. S., p. 500, note 1, the bond in suit must be regarded as the bond of each of the administrators, Maria Wynn and Benjamin Wynn, and the sureties in this bond must be regarded as the sureties in the separate bond of each, rather than in the joint bond of both of the said administrators. So far as the decision of this cause is in conflict with Ind. 22, 34 Ind., 187 and 40 Ind., 558, the latter cases are overruled.

**STATE NEWS.**

Bate Echeleman, formerly a well known citizen of Jeffersonville, has just committed suicide at Greenville, Pa.

A little daughter of Stephen Arney, of Knox county, was burned to death the other day by her clothes taking fire.

James Moorman, a Winchester banker will probably be compelled to pay \$11,000 to the county for taxes accrued since 1872.

George Lux, a farmer living a few miles south of Metamora, accidentally shot himself in the abdomen while hunting. The shot was fatal.

Miss Sallie Winslow, a beautiful and accomplished young lady of Jonesboro, has left for Madras, India, as a missionary of the M. E. church.

Seliska Wood, a girl of 18, living in the family of George Emerson, of Huntington county, hanged herself because she had been cruelly treated. She used two pumpkins for a scaffold.

The residence of Jesse Crouse, of Abbot township, Allen county, was totally destroyed by fire early yesterday. The family barely escaped with their lives. Loss \$2,000. No insurance.

At the special election for mayor of Greensburg, to fill the vacancy caused by the death of R. H. Meek, Jas. F. Bonner, straight republican, defeated David B. Kerr, independent republican, by 92 majority.

Complaints have been filed in the Montgomery county clerk's office against Sheriff W. J. Krug for drunkenness. The case will be tried at the November term of the court, which convenes on the 17th inst.

Wm. T. Duncan, who resides at Quincy, six miles south of Covadale, endeavored to jump off a passenger train while under the influence of liquor, and fell driving one arm under the train, and it was severed from his body.

Miss Nora Griffin, of Logansport, was to have been married at Kokomo on Monday evening to Mr. Smith of the same place. In place of a bride Mr. Smith received a note stating that the girl had eloped with a prominent Kokomo lawyer.

**MARKET REPORT.**

**Indianapolis Wholesale Market.**

A number of changes are noted this morning. Trade is active, and the tendency in prices is upward.

**Provisions—Market active.** Canned s. c. hams, 10 lbs to 12 lbs average 95c; 15 lbs 95c; 20 lbs and over 95c; bacon clear sides, 95c; plain bacon shoulders, 85c; kettle lard, 10 lbs, 75c; 15 lbs, 75c; 20 lbs, 75c. Clear pork 82c.

**Produce—Trade brisk.** Shippers are paying 16 cents at farm, for eggs, which sell from store at 18 cents. Good butter selling at 20c; shippers paying 14c; common grades bring 12c. Spring chickens 12c; 15c; 20c; 25c; 30c; 35c; 40c; 45c; 50c; 55c; 60c; 65c; 70c; 75c; 80c; 85c; 90c; 95c; 1.00; 1.05; 1.10; 1.15; 1.20; 1.25; 1.30; 1.35; 1.40; 1.45; 1.50; 1.55; 1.60; 1.65; 1.70; 1.75; 1.80; 1.85; 1.90; 1.95; 2.00; 2.05; 2.10; 2.15; 2.20; 2.25; 2.30; 2.35; 2.40; 2.45; 2.50; 2.55; 2.60; 2.65; 2.70; 2.75; 2.80; 2.85; 2.90; 2.95; 3.00; 3.05; 3.10; 3.15; 3.20; 3.25; 3.30; 3.35; 3.40; 3.45; 3.50; 3.55; 3.60; 3.65; 3.70; 3.75; 3.80; 3.85; 3.90; 3.95; 4.00; 4.05; 4.10; 4.15; 4.20; 4.25; 4.30; 4.35; 4.40; 4.45; 4.50; 4.55; 4.60; 4.65; 4.70; 4.75; 4.80; 4.85; 4.90; 4.95; 5.00; 5.05; 5.10; 5.15; 5.20; 5.25; 5.30; 5.35; 5.40; 5.45; 5.50; 5.55; 5.60; 5.65; 5.70; 5.75; 5.80; 5.85; 5.90; 5.95; 6.00; 6.05; 6.10; 6.15; 6.20; 6.25; 6.30; 6.35; 6.40; 6.45; 6.50; 6.55; 6.60; 6.65; 6.70; 6.75; 6.80; 6.85; 6.90; 6.95; 7.00; 7.05; 7.10; 7.15; 7.20; 7.25; 7.30; 7.35; 7.40; 7.45; 7.50; 7.55; 7.60; 7.65; 7.70; 7.75; 7.80; 7.85; 7.90; 7.95; 8.00; 8.05; 8.10; 8.15; 8.20; 8.25; 8.30; 8.35; 8.40; 8.45; 8.50; 8.55; 8.60; 8.65; 8.70; 8.75; 8.80; 8.85; 8.90; 8.95; 9.00; 9.05; 9.10; 9.15; 9.20; 9.25; 9.30; 9.35; 9.40; 9.45; 9.50; 9.55; 9.60; 9.65; 9.70; 9.75; 9.80; 9.85; 9.90; 9.95; 1.00; 1.05; 1.10; 1.15; 1.20; 1.25; 1.30; 1.35; 1.40; 1.45; 1.50; 1.55; 1.60; 1.65; 1.70; 1.75; 1.80; 1.85; 1.90; 1.95; 2.00; 2.05; 2.10; 2.15; 2.20; 2.25; 2.30; 2.35; 2.40; 2.45; 2.50; 2.55; 2.60; 2.65; 2.70; 2.75; 2.80; 2.85; 2.90; 2.95; 3.00; 3.05; 3.10; 3.15; 3.20; 3.25; 3.30; 3.35; 3.40; 3.45; 3.50; 3.55; 3.60; 3.65; 3.70; 3.75; 3.80; 3.85; 3.90; 3.95; 4.00; 4.05; 4.10; 4.15; 4.20; 4.25; 4.30; 4.35; 4.40; 4.45; 4.50; 4.55; 4.60; 4.65; 4.70; 4.75; 4.80; 4.85; 4.90; 4.95; 5.00; 5.05; 5.10; 5.15; 5.20; 5.25; 5.30; 5.35; 5.40; 5.45; 5.50; 5.55; 5.60; 5.65; 5.70; 5.75; 5.80; 5.85; 5.90; 5.95; 6.00; 6.05; 6.10; 6.15; 6.20; 6.25; 6.30; 6.35; 6.40; 6.45; 6.50; 6.55; 6.60; 6.65; 6.70; 6.75; 6.80; 6.85; 6.90; 6.95; 7.00; 7.05; 7.10; 7.15; 7.20; 7.25; 7.30; 7.35; 7.40; 7.45; 7.50; 7.55; 7.60; 7.65; 7.70; 7.75; 7.80; 7.85; 7.90; 7.95; 8.00; 8.05; 8.10; 8.15; 8.20; 8.25; 8.30; 8.35; 8.40; 8.45; 8.50; 8.55; 8.60; 8.65; 8.70; 8.75; 8.80; 8.85; 8.90; 8.95; 9.00; 9.05; 9.10; 9.15; 9.20; 9.25; 9.30; 9.35; 9.40; 9.45; 9.50; 9.55; 9.60; 9.65; 9.70; 9.75; 9.80; 9.85; 9.90; 9.95; 1.00; 1.05; 1.10; 1.15; 1.20; 1.25; 1.30; 1.35; 1.40; 1.45; 1.50; 1.55; 1.60; 1.65; 1.70; 1.75; 1.80; 1.85; 1.90; 1.95; 2.00; 2.05; 2.10; 2.15; 2.20; 2.25; 2.30; 2.35; 2.40; 2.45; 2.50; 2.55; 2.60; 2.65; 2.70; 2.75; 2.80; 2.85; 2.90; 2.95; 3.00; 3.05; 3.10; 3.15