

SUPREME COURT REVISES RULES

Makes Sweeping Changes in Procedure in Equity Cases.

SIMPLIFICATION THE AIM.

Reduction of the Cost of Litigation and the Elimination of Delays Sought by Chief Justice White and His Associates—New Anti-injunction Rule.

Sweeping changes in procedure in equity cases in federal courts throughout the United States are effected in revised rules promulgated by the supreme courts of the United States. The object is to reduce the cost of litigation and to eliminate delays.

The rules were announced by Chief Justice White, who, however, omitted explanation of one which would prohibit issue of preliminary injunctions without notice to the opposite party and also restricting issues of temporary restraining orders.

The new anti-injunction rule incorporates into practice several demands of labor leaders which they sought to have recognized by the enactment of the so-called Clayton anti-injunction bill. The new rule follows in a general way the rules of the federal court in the ninth circuit, which comprises the Pacific coast states.

Samuel Gompers, president of the American Federation of Labor, had this to say about the anti-injunction rule:

"It is a step in the right direction and one of the things labor has long been fighting for."

To Do Away With Delay.

Chief Justice White grouped the reforms under four or five heads. One was in regard to the exercise of power by the federal courts in equitable matters. Another was described as being designed primarily to remove all unnecessary steps in modes of pleading and to bring the parties quickly to the issue. A third was described as being a restriction in the modes of taking testimony, particularly in patent and copyright cases.

"The whole intention has been," said the chief justice, "to bring the taking of testimony down to a more simplified and inexpensive method."

Another reform was said by the chief justice to be illustrated by the statement that the new rules in general provide for trial by the court instead of a reference of the suit to a referee to take the testimony and report back to the court.

The chief justice said the new rules, which go into effect Feb. 1, 1913, would make it possible for the appellate court not to reverse suits merely because of errors not prejudicial.

The New Injunction Rule.

The new rule on injunctions provides: No preliminary injunction shall be granted without notice to the opposite party, nor shall any temporary restraining order be granted without notice to the opposite party unless it shall clearly appear from specific facts shown by affidavit or by the verified bill that immediate and irreparable loss or damage will result to the applicant before the matter can be heard on notice.

In case a temporary restraining order shall be granted without notice in the contingency specified the matter shall be made returnable at the earliest possible time and in no event later than ten days from the date of the order, and shall take precedence of all matters except older matters of the same character. When the matter comes up for hearing the party who obtained the temporary restraining order shall proceed with his application for a preliminary injunction, and if he does not do so the court shall dissolve his temporary restraining order.

Upon two days' notice to the party obtaining such temporary restraining order the opposite party may appear and move the dissolution and modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require. Every temporary restraining order shall be forthwith filed in the clerk's office.

Work of Chief Justice White.

One of the tasks undertaken by Chief Justice White when he was appointed to succeed Melville W. Fuller was to reform procedure in the courts. He first revised the rules of the supreme court itself. For seventeen months the chief justice and Justices Lurton and Van Devanter have been working on the equity rules as a subcommittee of the court. They asked every federal judge throughout the country to get expressions from bar associations on the subject and wrote to many others asking for suggestions.

These suggestions were digested by the subcommittee, assisted by W. J. Hughes of the department of justice. The present rules came down from the courts of England, with only one or two revisions.

FROM NAPOLEON'S GRAVE.

Sprig of Holly Part of Widow's Inheritance From Lawyer.

One of the items in the legacy of Henry H. Reed, a San Francisco lawyer, going to his widow, Mary J. Reed of Chicago, who separated from her husband twenty years ago, is a sprig of holly from the grave of Napoleon at St. Helena. Reed died on Oct. 11, leaving no will, and the holly, with a bank account of \$2,300, goes to Mrs. Reed.

The holly sprig is in the shape of a cross. The wood is brittle but still sound. It was found in Mr. Reed's safe deposit box by the public administrator when going over the effects of the dead lawyer.

APPRAISAL OF PULITZER ESTATE IS NEAR \$20,000,000

Publisher's Newspapers Form Less Than One-third of It.

The official appraisal of the estate of Joseph Pulitzer, who died on Oct. 29, 1911, will fix a total value of Mr. Pulitzer's estate between \$18,000,000 and \$20,000,000. This is \$10,000,000 less than the figures announced at the time his will was made public.

Mr. Pulitzer's newspaper property, the New York World, the Evening World and the St. Louis Post-Dispatch, represent somewhat less than one-third of the total in the figures. The official appraisal has not yet been able to fix the value of the properties and is waiting for further expert evidence before fixing a final figure. Some difficulty has been experienced in getting newspaper owners and managers to qualify as experts in this valuation.

Melville E. Stone, general manager of the Associated Press, has been the principal witness on the question of determining a just method of estimating the good will of a newspaper. He is understood to have testified that average earnings over a period of years, capitalized at 15 per cent, furnish a fair basis for assessing the good will of an established newspaper.

Mr. Pulitzer held in New York state the stock of the Pulitzer Publishing company, which owns the Post-Dispatch, and the value of that paper will figure in the appraisal. Outside of the Pulitzer building in New York and his home, he held little New York realty. His country places at Bar Harbor and Jekyll Island are not taxable in New York state.

Listed in the estate for appraisal are a great number of stocks and bonds held by Mr. Pulitzer for investment purposes. They aggregate an unexpectedly large part of his estate.

One of the interesting questions which is known to be a cause for delay in filing the appraisal is whether or not Mr. Pulitzer's yacht, the Liberty, aboard which he died, is taxable in New York state as a part of his estate. Attorneys for the estate have contended that the yacht is "tangible property outside the state," and hence not taxable.

Other questions delaying the completion of the appraisal are whether or not the bequest of \$75,000 for a statue and memorial to Thomas Jefferson and \$50,000 for a fountain in Central park are taxable. The official appraiser is reported to be inclined to allow these items to be untaxed because of their public nature, although representatives of the state tax department insist that they are not included under any head of exemption in the inheritance tax law.

GETS HISTORIC ALBUM.

Relative of General Grant Presents Relic of Jefferson Davis.

The Confederate Memorial Literary society of Richmond, Va., was presented by Mrs. Frederick Grant Gleason of Chicago, relative of General U. S. Grant, with an interesting old fashioned album filled with handsome wood cuts and autographs of prominent men going back as far as Daniel Webster. The album was bought in Chicago by Mrs. Gleason's father, Dr. J. A. Kennicott. On the flyleaf is written: "This album was taken from Jefferson Davis' library in Mississippi on July 11, 1863, by Ezra L. Mowers of Company I, Fifteenth Illinois Regiment."

It was announced that the society has just elected to membership Woodrow Wilson and the five celebrated Langhorne girls, one of whom, Mrs. Waldorf Astor of Cliveden, England, footed the fees, amounting to \$50. The chief object of the society is the care of the Confederate museum in Richmond. It also marks the sites of historic places in and about that city.

SEARCHER FOR HARDY PLANTS

Expert Who Spends Years in Remote Asiatic Provinces.

Dr. F. N. Meyer, one of the most expert and fearless scientists of the department of agriculture, is off for a three years' enforced exile in "darkest China," during which time he will seek plant life that might add to the agricultural riches of the United States. His objective is the province of Kansu, the most northwestern of the Chinese provinces, which never yet has been explored by scientists.

Dr. Meyer returned only two months ago from a scientific exploration of Manchuria, central Siberia, eastern Russia and Chinese Turkestan. After two years of privation he emerged from that quarter of the world with many valuable plants and seeds which the department now is trying out.

THIRSTY UNCLE SAM.

19,800,000 Barrels of Beer Consumed in Three Months.

The American people are drinking more whisky and beer and smoking more cigars and cigarettes than ever before in their history. From July 1 to Oct. 1, 1912, more than 3,800,000,000 cigarettes were smoked, an increase of 1,000,000,000 over the corresponding period of the previous year.

The nation consumed 33,150,000 gallons of whisky during July, August and September, an increase of 450,000 gallons as compared with that quarter of 1911, while nearly 1,950,000,000 cigars were smoked. A total of 19,800,000 barrels of beer were consumed during the three months, which was 320,000 barrels more than in the same period of 1911.

CHRISTMAS GIFTS FOR HIS HIGHNESS

Presents the Mere Man Will Find Attractive and Useful.

The man who travels will appreciate a handmade set for his satchel, including a shaving pad, tie holder, collar bag and a handkerchief case. Make them of linen art crash with an original design stenciled on the covers.

For the shaving pad cut two pieces of cardboard 4 by 7 inches, make two round holes in one side of each one-half inch from the edge. Cover the cards with the linen and on one side of each apply the stencil design. Another cardboard seven inches long and one inch wide is covered with linen. This is placed lengthwise of the edge of the two larger pieces and the edges whipped over and over with strong linen thread.

Now you have the covering for the thin sheets of paper. White tissue or manila paper is cut into sheets to fit inside the covering. Round holes are made in them corresponding to those in the covers and narrow ribbon is run through each hole, brought over the back and tied in a flat bow.

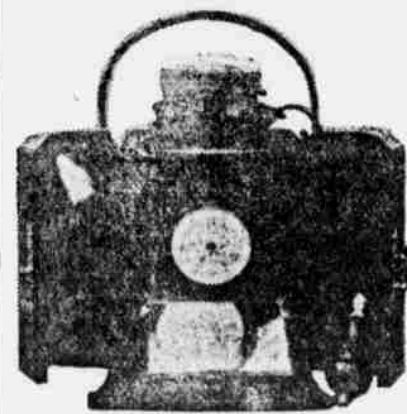
The tie holder is made much in the same way as the shaving case. Two pieces of cardboard are cut fourteen inches long and six inches wide, covered with linen stenciled and joined at one edge, so it will open like a book. The ties are folded and laid flat inside the cover.

Make the handkerchief case of linen folded like an envelope. When finished it is six inches square. The linen is padded with a layer of cotton wadding and lined with pink or blue china silk. It is put together perfectly flat, caught together with embroidery silk after it is folded over, and the flap is held in place with a small glove clasp.

The set or any one of the articles would make an appropriate holiday gift, would cost little and will be very easily made.

The Luminous Clock.

When in doubt about purchasing a really useful Christmas gift for a man why not consider one of the new luminous clocks that are on the market this year?



LUMINOUS CLOCK.

The clock pictured is of this description and makes a most covetable possession.

What the College Man Will Like.

Sofa pillows are gifts that always touch the heart of the college man, but these same cushions must be of the right kind to make a hit with his majesty. The ideal pillow, if intended to take any wear at all should be filled with feathers, not with cotton waste. Somebody may have to spend the night sleeping on that pillow. It should be of material that will neither fray nor fade. Soft velveteen, leather and a heavy silk in plain colors are ideal. If it bears any embroidery let it be well toward the edges or in the corners. Use no tinsel—tinsel scratches. If cords are used it must be seen that they are sewed—nay, riveted on—in the strongest possible fashion. Thereafter will the giver be in receipt of many blessings.

A Musical Suggestion.

Steins are not new suggestions for Christmas gifts, but a musical tankard that plays the good old convivial tune of "For He's a Jolly Good Fellow"



MUSICAL STEIN.

when liquid is poured into its capacious depths is a novelty brought out for the first time this year for the mere man's Christmas present. The stein illustrated is a musical affair of gray green pottery mounted in silver.

EXTRA SESSION OF CONGRESS EXPECTED.

Tariff Revision Likely to Be Taken Up Soon After March 4.

Almost the first duty that President Wilson will perform will be to issue a call for an extraordinary session of congress to revise the tariff, according to the prevailing opinion in Washington. Three tariff bills, passed by congress and vetoed by President Taft, need only to be passed again to get the signature of the Democratic president. It is also held that the Democratic platform pledges Governor Wilson to issue the call.

What the Democratic platform does declare for is the "immediate downward revision" of the tariff, and this expression since the campaign of 1908 has been held to mean revision at an extra session. Governor Wilson himself made no direct statement on the subject, though when President Taft warned the country that the Democratic candidate was pledged to a revision of the tariff at an extra session Mr. Wilson smiled in a way that seemed to indicate his willingness to accept the indictment.

The Democratic leaders in congress confidently expect an extra session, and they look forward to it eagerly as an opportunity for at last passing bills which for the past two years have lacked only the president's signature to become law. Undoubtedly with a Democratic senate those bills will be modified and the La Follette amendment will probably be discarded. But it can be confidently stated that the bills that Mr. Wilson will be asked to sign will not be far different in principle from the measures which Mr. Taft vetoed.

In the bills which passed one house but not the other, changes of a more sweeping character will be made at the next congress. Some of these measures were hurriedly drafted, and obviously for political effect.

The opinion is that the extra session will be called shortly after inauguration day and that it will last well into the summer. The measures already passed can be adapted to present conditions by Chairman Oscar W. Underwood in short order, and they will pass with only perfunctory debate. But after them will come other measures on which the ways and means committee will begin work as soon as congress reconvenes in December.

TWO FOR SENATE CHANGE.

Thirty-four Other States Must Approve Direct Election of Senators.

Only two states, Massachusetts and Minnesota, have so far acted upon the constitutional amendment submitted to them by congress proposing the election of United States senators by direct vote of the people instead of by the state legislatures.

The failure of more states to act is due to the fact that very few legislators have had sessions since the joint resolution proposing this amendment was passed last May by congress and certified by Secretary of State Knox to the governors of the states. The day after this proclamation was received in Massachusetts the lower branch of its legislature ratified the amendment, and it was at once unanimously adopted by the senate.

Thirty-nine state legislatures will meet in January, and this will afford them a chance to act. Most of them are expected to ratify the amendment. Thirty-six states must assent to the change to make it a valid part of the constitution, so that if six of the states whose legislatures meet next year fail or refuse to ratify it its adoption would be thrown over until 1914.

WILL BUILD U. S. OIL SHIPS.

Navy Yards at New York and Mare Island to Divide Work.

Indications are that the New York and Mare Island navy yards will divide between them two big contracts for naval construction that will give employment to several hundred men for a year or two.

The substitution of crude petroleum in large part for coal as the fuel for the new battleships has made necessary the construction of a new type of naval auxiliary to supplement the present collier. Congress authorized the construction of two "oilers" not to exceed \$1,140,000 each to be built at navy yards, and while the preliminary bids show that the Mare Island yard is prepared to do the work at a lower figure than the New York yard it is probable that the work will be divided between them.

One of the "oilers" is needed on the Atlantic coast, and the Mare Island yard is now about to undertake the construction of the gunboats Monocacy and Palos, which probably will tax its resources.

FEDERAL ESTIMATES.

Short Season Expected to Have All It Can Do Providing Appropriations.

Estimates of the cost of running the government for the fiscal year beginning July 1, 1913, are ready for approval by the cabinet before submission to congress. Some of the larger items are:

Treasury, \$137,000,000; war department, \$200,000,000; navy, \$130,000,000; agriculture, \$31,000,000; legislative, \$14,000,000, and postoffice, \$275,000,000. The postoffice department will request an emergency appropriation of \$17,000,000 to get the parcels post in running order. It is considered likely congress will have all it can do in passing the appropriation bills without taking up any other important legislation.

Don't Go Up In the Air!



And Then You Will Be Sued DOWN TO THE GROUND! SO WILL THE POOR, TIRED SHOPGIRLS!

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IN THE COURT OF COMMON PLEAS OF WAYNE COUNTY. Robert Stewart v. Susie Stewart. To SUSIE STEWART: You are hereby required to appear in the said Court on the second Monday in December next, to answer, the complaint exhibited to the Judge of said court by Robert Stewart, your husband, in the cause above stated, or in default thereof a decree of divorce as prayed for in said complaint may be made against you in your absence. F. C. KIMBLE, Sheriff. Garratt, Attorney. Honesdale, Pa., Nov. 6, 1912. 89w4.

SPENCER The Jeweler would like to see you if you are in the market for JEWELRY, SILVERWARE, WATCHES, CLOCKS, DIAMONDS, AND NOVELTIES. "Guaranteed articles only sold."

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The Honesdale Dime Bank Honesdale, Pa. Condensed Report CONDITION AT THE CLOSE OF BUSINESS NOV. 2, 1912. RESOURCES. Loans \$401,637.04 Bonds 111,380.00 Mortgages and Judgments 138,516.99 Overdrafts 2.83 Cash and Due From Banks 96,508.45 Real Estate and Fixtures 24,000.00 \$772,045.33 LIABILITIES. Capital \$ 75,000.00 Surplus and Undivided Profits 74,512.24 Deposits 622,533.09 \$772,045.33 A WONDERFUL GROWTH From the day of its opening, Jan. 2, 1906, down to the present time the business of this bank has steadily increased.

D. & H. CO. TIME TABLE---HONESDALE BRANCH In Effect Sept. 29, 1912. Table with columns for A.M., P.M., Stations (Albany, Binghamton, Philadelphia, Wilkes-Barre, Scranton, Carbondale, Lincoln Avenue, Whites, Guilley, Parview, Canaan, Lake Ladore, Waymart, Keane, Steens, Prompton, Fortenli, Seelyville, Honesdale) and times.