Daily Globe.

BY H. P. HALL.

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ST. PAUL, FRIDAY, JULY 19, 1878.

THE Republicans of Indiana are casting about them for a leader to take the place of Senator Morton in the councils of the party. Why don't they import Mrs. Jenks?

IT is rumored that Mr. Donnelly proposes to take the field as an Independent Greenback candidate in this District, against his ancient enemy, Washburn. The memory of the campaign of '68 would rally a host to Mr. Donnelly's support if he should enter the canvass.

CONGRESSMAN FOSTER, of Ohio, says the issues of the war are dead and cannot be revived, but Senator Logan says "the groundhog will again appear whenever his shadow cannot be seen." When doctors so eminent in the Republican party disagree, who shall decide between them?

GEN. BUTLER as a cross-examiner of Mrs. Jenks, and an investigator generally, is rather interesting and commendable in the eyes of the Massachusetts Democrats, but Gen. Butler as a candidate for Governor of the old Bay State is quite another thing.—*Philadelphia Times.*

Precisely. Philip drunk and Philip sober are two entirely different beings.

JEFF. DAVIS, who, according to the Republican newspapers, represents the Democratic sentiment of the country, is not received very kindly at the South in view of his last speech. The newspapers are asking how much he received from John Sherman for his contribution to the Republican campaign literature. As yet there has been no response.

THE Chicago *Times* is trying to apologize for the frequency of crimes in that city by laying it to the weather. It says that statistics show that more crimes are always committed during warm than during cold weather. The weather can't defend itself, and we suppose it will have to bear the blame of all sorts of rascality, as well as of the idiocy of the editor who makes the proposition.

THE pious thief Livingston, who has grown rich by plundering the Indians under his care, threatens to sue the Chicago *Tribune* for libel. While he is about it, he might as well sue Secretary Schurz, who pronounces the charges against him true. The best course for him to pursue would be to hide himself forever from the people he has robbed, and foreswear the religion he has disgraced.

THE Chicago *Times* advises citizens of that promising burg to go into the pomological line, for which purpose the front and back yards attached to their houses can be utilized. The advice is timely. It is well to be prepared for adversity, and when trade deserts the city at the head of the lake she should be prepared to supply her neighbors with choice fruits grown on her fertile soil and fertilized by her guano-laden atmosphere.

CONSIDERABLY over a million acres of public land have been sold in Minnesota during the fiscal year ending June 30, 1878. This, supposing each head of a family to have purchased a quarter section, indicates an addition to our population within the year of 6,338 families. This does not take into account the lands sold by the railroad companies, which will amount to nearly as much. It is safe to say that at least twelve thousand families have emigrated to Minnesota during the year and gone to cultivating farms—an increase of population of fully sixty thousand souls.

THERE was a good deal of interest in legal circles yesterday over the announcement in the GLOBE that no record can be found of County Clerk Kiefer's naturalization. Of course, if he is not a citizen he has no authority to administer oaths, and the proceedings of all juries sworn by him would be invalid. Criminals convicted by such juries can not only demand a release, but might commence an action for false imprisonment. This matter cannot be investigated too soon. Mr. Kiefer should either produce his naturalization papers or step down and out.

IT has been demonstrated by the results of the two last boat races—the one at Henley on the 5th of July, and the one at Auburn on Wednesday—that a crew cannot win which does not possess a "peculiar cry." According to the cable dispatches it was by "the sharp, peculiar cry that could be distinctly heard above the roars of applause" that the Columbias won the race over Cambridge at Henley; and according to the Associated Press report of the Cornell-Harvard race at Auburn, it was "the peculiar cry" of Cornell that won the race there. It therefore behooves every boat club anxious to win to get a "peculiar cry." If they can't afford one of their own they should borrow one. Then victory will perch upon their oars, and their "peculiar cry" will become historic through the medium of the press dispatches.

THE Associated Press was active in disseminating the charges against Gen. Fitz John Porter, and the evidence through which he lost his position in the army and his reputation as a soldier and a citizen. But since he has succeeded in having a rehearing of his case, and while the evidence in his favor has been presented before the examining board, a solemn silence has been maintained in the dispatches, and the public has been left in ignorance of the facts upon which he bases his defense against his accusers. The stillness was broken yesterday by the transmission of a brief synopsis of the concluding testimony in his behalf. This is done, no doubt, to open the way for full reports of the testimony against him, which is to follow immediately. Then, with only one side of the story before them, the public will be asked to judge of the fairness of his deposition from the army. This conduct, however, is characteristic of the partisan management of the Associated Press. Run in the interests of the Republican party, it is not surprising that it should descend to the persecution of a man who has been a victim of the malice of leading lights of that party for sixteen years past.

A JEWISH correspondent of the New York *Sun* regards the establishment of a British protectorate over Asia Minor as the beginning of the restoration of the Jews to the Holy Land. He argues that Beaconsfield, being a Jew, had that purpose in view when he negotiated the treaty with Turkey, and will do all in his power to fulfill the promises of the scripture in that regard. We do not apprehend that the Israelites in any considerable numbers have any particular desire to see the scriptures literally fulfilled. In most countries they are quite as well off, politically, as they would be in Palestine with absolute control of the government, while in England, Germany and America, and perhaps in other countries, they have commercial advantages and social standing which they could not hope to enjoy there. A few of the more religiously inclined of the nationality might, from a sense of duty, emigrate to Jerusalem and do what they could to restore its lost glory, but the majority greatly prefer their present denationalization, which enables them to pursue their natural bent and become literally potentates in the financial and commercial world. The hope expressed by the correspondent, while it no doubt proceeds from a worthy motive, is extremely foolish, and will meet with no response from his fellow Israelites, at least in America.

THE MONEY POWER.

In addition to the advantages already noted as having been gained by England in her diplomatic game at Berlin, the Marquis of Salisbury calls attention to the fact that Russia, in obedience to the wish of England, waived all claim for a money indemnity from Turkey, for an indefinite period. This, the marquis thinks, will give the British holders of Turkish bonds a great advantage, for it will give the Sultan's government an opportunity to devote its energies to the payment of interest on those bonds. If Turkey is wise, he hints, she will at once devote herself to this object. If she does not, it is easy to see how England can compel the payment of interest. In the first place, she has contracted to pay an annual rental for the island of Cyprus of $650,000. This amount can be withheld by her and applied to the payment of interest. There are other payments which her occupation of Asia Minor will compel her to make, not to mention the leasehold of the Suez canal. By applying these payments to the matured and maturing obligations of Turkey, she can protect her own citizens, and at the same time discharge her own obligations.

It is very apparent that the money interest held by British subjects in Turkey has had a considerable influence upon the policy of the plenipotentiaries at Berlin. They now hold about a thousand millions of Turkish bonds, the interest on which has not been paid since 1876. It was not to be expected that England would lose this vast amount without a struggle. She was bound to protect herself in this respect as much as she was bound to protect her territorial possessions, and she has succeeded as fully as she could have desired. Instead of paying her rentals into the Ottoman treasury she can pay them to her own citizens, which almost amounts to the same thing as paying them to herself. The hint of Salisbury to Turkey is a broad one. He says:

"Whether use will be made of this, probably the last opportunity obtained for Turkey by interposition of the powers, and particularly by England, depends on the sincerity with which the Turkish statesmen now address themselves to the duties of good government and reform.

Which, reduced to plain language, means that if Turkey does not pay the debt she owes to British subjects, she will be turned over to the tender mercies of her enemies to be devoured or torn piece-meal, and her cries for help will remain unheeded, as far as England is concerned.

NOW ELECT HIM.

The Democratic Convention of the Second Congressional District met at Shakopee yesterday, and inaugurated the Anti-Strait campaign. The convention was harmonious, and in placing Hon. Henry Poehler in the field a most excellent selection was made. Mr. Poehler has been a resident of Minnesota for twenty-five years. He has been a member of the legislature seven years, having served three terms in the House and two in the Senate. He is a successful business man, and one of the largest merchants in the Minnesota valley. Above all, he is a gentleman of irreproachable integrity. Not one word can be uttered against him. He is a candidate combining both integrity and ability, and will do more for the State in Congress than half a dozen Straits.

The importance of sending a Democrat like Mr. Poehler to Congress, from this State, is too apparent to require argument. Both branches of the next Congress are sure to be Democratic, and if Minnesota has only Republicans in Congress, her material interests will not only suffer, but will be almost entirely obliterated.

It will be two or three years before we can secure a Democratic Senator, and as the State is sure to be crippled on this account in a Democratic Senate, it is doubly important that we should send Democrats to the lower House. On pure business accounts the Republicans should unite with the Democrats to send Mr. Poehler to Congress.

But independent of business considerations it is time for Minnesota's acknowledged Democratic District to be represented by a Democrat. Three times the District has been lost by divisions among the Democracy. Happily, the nomination of Mr. Poehler unites the Democracy in all portions of the District. His name is received in all portions of the District with a cordiality akin to enthusiasm. His most cordial supporters will be the friends of the other candidates before the Convention. Since the organization of the District the Democrats have not gone into the campaign with such a cordial feeling. While Mr. Strait is not a competitor to be belittled or despised, it only needs an active and harmonious canvass to defeat him. We regard his defeat as already assured, and it will be a proud day for the Democracy of the Second District and an important day for the entire State, when Hon. Henry Poehler takes his seat in Congress. From this day forth until the polls close in November, there must be no relaxation of the canvass. Poehler and victory is the watchword.

A SCENE IN THE BERLIN CONGRESS.

Gortschakoff on Russia's Sacrifices.

[Berlin Correspondence London Times.]

At the beginning of yesterday's sitting there was a really interesting scene, which deserves to be noticed.

Prince Gortschakoff, detained in his bed by gout, has not been able to attend the last sittings. At yesterday's meeting he came in his carriage, which stopped at the entrance whence the prince was carried to the door of the council-room, when every one hastened round him to congratulate him on the restoration of his health. Soon afterward Prince Bismark declared the sitting opened. Prince Gortschakoff then begged permission to speak, and though the president exhorted him to be seated, he rose with apparent effort, and, amid profound and respectful silence, said:

"Mr. President, Your Excellencies: After having been kept away for several days from our deliberations, I do not like to reappear among you without making the following remarks, which are prompted by the love of truth and of my country. During your late deliberations my colleague (the prince here bowed toward M. d'Oubril and Count Schouvaloff) have granted you, in the name of Russia, concessions far surpassing those she thought of making."

On hearing this all the members of the congress evinced sings of apprehension. This aged prince spoke with effort in a trembling voice, holding firmly to the table, and looking before him with a resolute expression, and his auditors began to wonder whether his words were not the prelude to a declaration withdrawing the concessions Russia had made, and whether it was not to make this declaration that the prince had braved the extreme fatigue imposed on him by his presence in the congress. Happily, however, the plenipotentiaries were soon reassured by the prince continuing:

"But I am too well aware of the feelings which influenced my colleagues to raise any objection to the concessions they deemed it their duty to make. I merely wish to state to you what is very well known, that Russia has made these sacrifices from her desire of peace, and that she spoke truth when declaring, before as well as at the end of the war, that she merely stood up on behalf of the Christians of the east, that she had no narrow or selfish aim, and that, having made enormous sacrifices in a war in which the cause of Christianity and civilization was alone at stake, she has just proved herself capable of also making sacrifices for the great work of pacification to which you are devoting your efforts. I suppose no one will gainsay the glory of her army, which has achieved the most brilliant victories; but Russia wishes it to be known that she is desirous of exchanging the laurels of victory, bought with the most precious blood, for the palm of peace."

These words were followed by a profound silence, due, probably, to the emotion of his auditors; for the spectacle of the illustrious old man thus exerting his last energies to vindicate the moral greatness of his country was really calculated to touch the heart. After a few moments Lord Beaconsfield rose and begged to be heard. In language which I have heard greatly extolled, but of which I have not been able to obtain the exact text, the English premier, with that varied action peculiar to him, thus began:

"I feel sure I shall interpret your sentiments in expressing the profound admiration I have felt for the language of my noble and illustrious friend, and the way in which he has given utterance to the true sentiments of his country. I am happy to think that it is a desire for peace which has guided the decisions of Russia in the late deliberations. I therefore hasten to acknowledge it in the name of this illustrious congress, listening to me, and I firmly hope that I shall meet with the same sentiment in all its deliberations."

Lord Beaconsfield spoke for several minutes longer and then sat down, and the real business of the meeting begun after this somewhat sentimental incident, by which, however, the noble lord produced the best possible effect on all his auditors. It is said that Prince Gortschakoff will appear at no more sittings in the congress, and that the words of his I have just quoted are the last the plenipotentiaries will hear from him.

Who Wrote the Speech?

[Hastings Union.]

Strait actually mustered up courage to address the convention that nominated him, for the space of fifteen minutes. Who in thunder wrote that speech for him?

Lamb-Like.

[Howard Lake Advocate.]

The Stewart delegates were led like lambs to the slaughter-pen. And the old man Ramsey says, "Everything is lovely."

LAND GRANTS.

HOW RAILROADS HAVE BEEN DEVELOPED BY LAND DONATIONS.

An Able and Exhaustive Review on the Subject--Government and the People Benefited by the Policy of Granting Lands to Railroads.

The Land Grant Commissioners association, at a late meeting in St. Louis, appointed James B. Power, of the Northern Pacific railroad, W. L. Webber, of the Flint & Pere Marquette railroad; Peter Daggy, of the Illinois Central railroad, a committee to report upon the advantages of land grants to the people and to the general government. At the meeting in Chicago on the 10th, this committee submitted an able paper, from which we make the following extracts:

We claim that land grants have been of greater value to the people and general government than the grants themselves have to the companies accepting them.

Before the opening of the Western States by land grant roads, the culture of our broad prairies were effectually estopped by the one item of cost of transportation to market by the then only means, the wagon.

Wheat, for instance, hauled 300 miles by wagon, would cost 90 cents a bushel, its best average value on the farm,—by rail the highest cost for same distance will not exceed 15 cents a bushel, a clear 75 cents per bushel in favor of the farmer. To Iowa, Kansas, Nebraska and Minnesota, this difference means seventy-five millions of dollars annually in the pockets of its farmers on their wheat crop alone.

Another important and visible value of railways in enriching farmers and real estate owners, is the enhancement of the worth of the lands on and within convenient reach of the lines of roads.

Take for illustration the field traversed by the Burlington & Missouri river Road in Nebraska, the Missouri, Kansas & Texas, the Cedar Rapids & Missouri River, Iowa Falls & Sioux City, St. Paul & Sioux City, St. Paul & Pacific, and the Northern Pacific roads, districts entirely new, sparsely settled, and the land almost exclusively owned by the United States government at the time of the grants to these roads.

The then extreme value of lands was the government price, $1.25 per acre.

Reports from these roads show their aggregate sales to be some 5,000,000 acres, at an average of $5.75 per acre.

It is fair to assume that contiguous lands have an equal value, as a rule, however, railroad lands are sold below the general average value at which those adjoining are held.

If we include the sales of land grant roads in the older States, such as the Illinois Central, Grand Rapids & Indiana, Flint & Pere Marquette and Chicago, Burlington & Quincy in Iowa, whose aggregate sales of over 3,000,000 acres averaged $10.25 per acre, the average would be $7.33 per acre, an actual advance of $6.08 per acre inuring to the immediate benefit of those holding lands along the lines of these roads. Assuming that only an equal area of contiguous lands is taken, the owners of these adjoining tracts have been enriched nearly fifty millions of dollars. We can, however, illustrate this point more fully by taking the broad field of the United States, in which it is estimated that there are 271,823,000 acres of land directly affected in value by the building of railways. Including the older States this increase is estimated at $19.50 per acre, which has added to the wealth of the farmers of our country the enormous sum of $5,300,550,000—yet to this amazing increase the farmer has scarcely contributed anything save the accidental ownership of the soil. Their actual money investment in railroads of the United States is ascertained to be less than two per cent. of the total capital invested in the roads that have so greatly enriched them.

On the other hand, however, the capital that built these roads, and which has so enriched the people along their lines has not returned a profit of three per cent. per annum to its investors.

In addition to the doubled value and quick sales of its lands that we have before noticed, the government derives a large pecuniary benefit from the building of these roads. In the matter of transportation of army and Indian supplies, far in excess of what is usually supposed. From statistics of 1873, in the war department, the only ones at present obtainable by the committee, we find the average cost of wagon transportation on the most favorable contracts in the Western States and territories was $2.00 per 100 pounds per 100 miles. The highest railroad rate will not exceed 15 cents per 100 pounds for the same distance.

One item alone of 3,820,000 lbs. over the Atchison, Topeka & Santa Fe railroad that year made a saving to the government of $260,000. The same year the Union, Central & Kansas Pacific roads carried goverment freight amounting to 33,400,000 pounds an average distance of some 700 miles, at a cost of $734,300. At the average rate of wagon haul over the same ground the cost would have been a clear saving to the government on this one item of $3,824,700.

With time taken to secure full data of the government business, the showing would be astonishing.

The United States land office records show the absorption of public lands since the commencement of the construction of land grant roads in the border States and Territories, that before the stimulant to immigration by the promise of railways, were, except the settlements on the borders of navigable streams, almost entirely without occupants.

The dates included are the fiscal years ending June 30, 1864, and June 30, 1877, and are as follows:

Wyoming, 26,959 acres; Colorado, 1,164,713 acres; Nebraska, 6,569,615 acres; Kansas, 7,537,488 acres; Minnesota, 6,350,158 acres; Dakota, 1,864,687 acres; Oregon, 1,406,813 acres; Washington, 1,384,908 acres.

A grand aggregate in thirteen years of twenty-six millions, three hundred and five thousand, three hundred and forty-one acres of heretofore unoccupied lands, that to-day are paying direct tribute to the government in the shape of yearly taxes, and adding to the wealth of the country by their products.

For the past nine months, however, the immigration to the lands along the lines of these roads has been unparalleled in the history of the West—but your committee have only been able to get statistics from Minnesota and eastern Dakota.

These reports show that in these districts alone, for the six months ending April 1, the United States government has disposed of 1,031,580 acres, and the railroad companies 834,800 acres.

The foregoing figures relative to sales of government lands represent only entries made under the pre-emption and homestead laws, representing cash purchases by actual settlers, procuring lands whose values are to be lastingly enhanced by the railroads built and building under the stimulus of land grants. The railroad sales are almost wholly to actual settlers.

The foregoing facts are to a great extent general in their nature, and the committee would have been glad to have had specific reports from the land commissioners as to their respective roads which would have certainly added largely to what seems the convincing argument already made, but the limited time in which to collate them rendered this impossible, and we therefore have to be content with such as we have in hand.

Your committee, however, have thought it advisable to make specific illustration, and have taken the State of Illinois as the oldest and Minnesota as the youngest of the territories that have reached their present prosperous position as the direct outgrowth of the land grant policy.

ILLINOIS.

As to the benefits to the State of Illinois, Peter Daggy, land commissioner of the Illinois Central, writes to the committee as follows:

"The grant to this road originally embraced an area of 2,595,000 acres. When made, September 20, 1850, the population of the State was 851,470. The census of 1870 gave us 2,539,891, and for the past seven years it has probably been increased in equal proportion.

"The statistics of lands in cultivation in 1850 are not at hand, but the increase in cultivated acres will far exceed that of the population, and more particularly so along the line of the road. The road when first located passed through an almost uninhabited portion of the State. With the exception of an occasional old settlement, town or village, the prairie grass and native forest trees were the only things found stationary above the soil. At that time, vacant government lands by the thousands of acres could be found almost in sight of the city of Chicago. Even when the road was first completed, in 1855, it could be traveled for miles and miles over an unobstructed prairie, and yet not a fence, house, or any other sign of habitation or even civilization could be seen except the cars and road bed itself. Now the farm houses, stables and outbuildings loom up in every direction, and have more the appearance of towns and villages at a distance than anything else with which they can be compared. It is impossible to give even the approximate increase of population or the increase of area put into cultivation directly along the line of this road since its construction, except to say that from a barren prairie and an unbroken forest, the whole line of the road is now one continuous string of farms.

"The United States owned nearly all the wild lands along the line of this road when the grant was made, and the prices under the graduation act varied from 12½ cents to $1.25 per acre, and no sale for them. The act making the grant advanced them at once to $2.50 per acre, and in less than two years after the grant was made not an acre could be entered from the United States, it was all taken up, and to-day is nearly all in cultivation, and worth from $10 to $100 per acre. The United States was the immediate gainer because from lands it could only expect from 12½ cents to $1.25 per acre for, it realized $2.50 per acre, and that within less than two years, while if the grant had not been made, some of the shilling lands would yet remain unsold. Nor did the people who invested at the increased price lose anything, because the building of the road, increasing facilities for transportation of everything, induced capital and population to flock in to such an extent that an advance of 200 per cent. was no inducement for any one to sell the $2.50 per acre lands.

"No accurate figures can be given in regard to the value of farm products before and after the construction of the road, but it is a well known fact that corn before the road was built was usually a drug in the market at from five to fifteen cents per bushel, while since then it has found a ready market at from twenty cents to $1.10 per bushel, the usual prince ranging from about twenty-five to sixty cents per bushel. Other farm products have varied in about the same ratio.

"No comparison was made, so far as the increased valuation for taxation is concerned, as there was but little of anything along the line of the road to tax before it was constructed, but now everything is subject to taxation except the few remaining acres still held by this company.

"The foregoing is very hastily thrown together, but will give you some idea of what the road has done and what others may do in the future."

MINNESOTA.

From statistical reports of Minnesota we ascertain the following suggestive facts:

The commencement of immigration in any number was in 1857, stimulated by the promise of railroad building under the Congressional grant of land to the State for that purpose made the previous winter. This, however, was checked by the financial difficulties of 1858, and until the close of the war everything was in that State practically at a stand still. In 1864 active preparations were commenced and the following figures show advancement to this time:

Population in 1865	250,000
Population in 1877	675,000
Taxable valuation of property in 1865	$45,184,000
Taxable valuation of property in 1877	220,926,000
Average taxable value of lands in 1865	$2.90 per acre.
Average taxable value of lands in 1877	7.76 per acre.
Average rate of taxation in 1865,	.0458 per acre.
Average rate of taxation in 1877,	.0172 per acre.
Wheat, area 1865	430,000 acres
Wheat, area 1877	1,819,760 acres
Wheat, yield 1865	9,475,000 bus.
Wheat, yield 1877	40,000,000 bus.

The total area in 1877 cultivated to wheat, oats, corn, barley, potatoes, rye and buckwheat aggregates 2,866,400 acres, the total product 74,867,000 bushels, worth at home, sixty millions of dollars.

We confidently claim that the results thus shown are the direct outgrowth of development brought about by the building of railways, and what is true of the two States cited for illustration will follow all others opened to settlement in the same way.

STILLWATER NEWS.

The cool wind of yesterday was very beneficial to the wheat.

The Alex. Gordon took out a gitup for the foot of the lake yesterday.

The log market appears to be brisk, and logs are moving off down river quite fast.

Seymour, Sabin & Co. received orders for fifty threshers in one mail, Monday, and they have orders ahead for all they can build.

River News.

The St. Croix water is not so thin as it was the first of the week by about four inches. The Pauline, Dispatch and Semple, of the Durant, Wheeler & Co. line, each took out a raft yesterday; all were for sale. Durant, Wheeler & Co. report sales of one hundred thousand feet to C. N. Clark & Co., Dubuque, and eight hundred thousand feet to Dimmock & Co., Moline.

The outside shares in the tow-boat Minnesota have been bought up by the Burlington Lumber company, and yesterday she started out with a raft for Burlington.

Personals.

Mr. S. B. Gardner, of the firm of Wells, Gardner & Co., Lyons, is in town buying logs.

Mr. Aisworth, of the firm of Dimmock & Co., Moline. is the guest of Mr. Lowell at the Sawyer house for a few days, while he is picking up a few more logs.

Con and Phil Potts returned yesterday from their commercial raid into Wisconsin, and report business very good.

Dave Diamond is no doubt a hard citizen, for he was up for a plain drunk, and was condemned to labor ten days on the stone heap.

WISCONSIN NEWS.

Farmers in Waukesha are very busy in their hay fields.

A number of tramps are infesting certain points in Racine. The police are looking after them.

From Ripon it is reported that the terribly hot sun is pushing the corn, but shrinking the berry of the wheat.

Farmers in all sections of Racine county are busy haying. Crops are reported in excellent condition, especially corn.

Dick Sullivan, of Ripon, fell under an ice wagon the other day, and the wheels ran over his neck and hips, but no bones were broken. Dick is a tough one.

A boat capsized in Root river, at Racine, a few days since, and landed a girl and her "feller" in the river, but they reached the shore in safety, wetter, if not wiser.

The thermometer stands only at fifty degrees in "Witch's Gulch," Kilbourn city, Columbia county. Who would not court the society of the witches in a time like this?

Sunday evening a son of John Betz, of Saukville, bathing in the Milwaukee river opposite Opitz's tavern, was taken with cramps, and before help could reach him, he was drowned.

Fred Bolyer, of Waukesha, saw a man trying to break into his smoke house the other night. To save fruitless trouble, he informed the man, from his window, that the horses were not there. Dark as it was, the fellow evidently "saw the point," and suddenly left, without waiting for further information.

Crops never looked better in Pepin county than now. There is a good deal of wheat smut, but we can lose one third of the crop and then have an average one. Corn seems to stretch right up these warm days and nights. There are some fears of a wet harvest time to bother the farmers in saving their grain. Should smut or rust not do much damage, and farmers can save their grain, they will have the most bountiful yield they ever had before.

The Millersburg correspondent of the Dundas *News* says: "Mr. James Strange of this town, found a large revolver last Monday in his pasture. It is supposed to be the one carried by the wounded Northfield bank robber, thrown in there while passing through here on their return. It is a wicked looking piece, capable of doing work for such daring, reckless men. It is badly rusted, and contains, I think, six loads.

SUPREME COURT.

FULL TEXT OF DECISION FILED.

Collin Campbell, Respondent, vs. R. H. Jones, C. W. Shatto and P. B. Christian, Partners, as Jones, Shatto & Co., Appellants.

OPINION.

Action under the statute to determine adverse claims to real estate. The complaint alleges that plaintiff is the owner, that the land is vacant and unoccupied, and that defendants claim some estate or interest therein adverse to the plaintiff, and asks judgment declaiming such claim unlawful and void. After various denials the answer sets up a judgment recovered and docketed in favor of defendant, by their firm name, against Murdock and Margaret Campbell, and another upon an indebtedness accrued prior to the conveyance to plaintiff; the issuance of an excution upon it; the levy of the execution upon the land in question as the property of Murdock and Margaret; the sale under the execution; the purchase of the land by these defendants; the issuance to them in their firm name of a certificate of sale; that on a day prior to the entry of said judgment Murdock and Margaret were owners of the land; that on said day Murdock and Margaret, with intent to hinder, delay and defraud these defendants of their said debt, "and without any actual, valuable or adequate consideration, made a deed purporting to convey said real estate to their son, the plaintiff in this action, who was then a minor in the service of his said father, and residing with his said parents as a member of their family; that said deed was not delivered to the plaintiff in this action, but put upon record, if at all, by his said father or by his direction; that his grantors did not deliver or give possession of said land to their said grantee; that said grantors have ever since the date of their said deed, continued in possession of and to use and occupy said land, notwithstanding their said deed, and have not, before the commencement of this action, delivered said deed, nor possession of said land to their said grantee and son. That the certificate of sale to these defendants was made in their firm, instead of their individual names, without their knowledge or consent, and they did not know of it until the commencement of this action. The answer demands judgment: That no person other than the parties to this action have any interest in said real estate; that the conveyance to plaintiff be declared void as to defendants, and set aside with the record thereof, and that plaintiff has no interest in the land; that it be adjudged to be their property in their individual names, free from all claim of plaintiff, and for the correction of the certificate of sale and record thereof, and that defendants have possession of the land.

To this part of the answer a demurrer was interposed on the ground that two causes of action are improperly united in it. That there is a defect of parties to the counter claim alleged, because Murdock and Margaret Campbell are necessary parties to the adjudication thereof, and for the relief demanded by the answer, and that the facts stated do not constitute a counter claim against the plaintiff. The demurrer was sustained. The statute, sec 84, ch. 66, general statutes, allows only one cause of demurrer to an answer, to-wit, that it does not contain a counter claim or defense.

The ground that in a counter claim two causes of action are improperly united is untenable as ground for demurrer. If each is a proper counter claim to the plaintiff's cause of action they may both be joined in the same answer. To join them in the same statement instead of stating them separately would be improper, but the remedy for that would be by motion and not by demurrer.

A counter claim must be a cause of action in the defendant against the plaintiff, which may be adjudged and determined between them. Sec. 80, ch. 66, general statutes. If the cause of action be such that an action upon it could not be maintainable by the defendant alone against the plaintiff alone, then it is not the subject of a counter claim, and the question whether it is such a cause of action may be raised by the cause for demurrer given by the statute.

Matter pleaded in an answer may be of such a nature that it may be a defense to the action and also a counter claim. Eastman vs. Lewis. 20 Minn., 433; Griffin vs. Jorgenson, 22 ib., 92; and it may also be of such a nature as to constitute a defense, and not be available as a counter claim against the plaintiff in the action, because no affirmative relief can be granted upon it until other parties are joined with the plaintiff or defendant.

In this case the facts are set up and the defendants ask such relief as they deem themselves entitled to, and they certainly ask for more than can be given in this action. They ask for the possession of the land; but that cannot be given them, for the plaintiff is not in possession, but other parties are. They ask also for a reformation of the certificate of sale executed in enforcing their judgment against Murdock and Margaret Campbell, but the parties to that judgment are not in this case, and therefore they cannot have that relief. But the demand for too great relief either in a complaint or answer does not vitiate the pleading. Setting aside then the prayer of the answer so far as it asks relief which defendant can have only against others than plaintiff, it remains to be considered whether the matter in the answer demurred to does not constitute a good defense or counter claim against plaintiff's action.

In actions under this statute the defendant may not only attack the cause of action alleged, but may allege any estate or interest, legal or equitable, he has in the land, which is good against the plaintiff's cause of action.

This answer attacks the plaintiff's title by alleging that the conveyance to him was never delivered. If this be true the plaintiff (who is not in possession, but must rely on his title) cannot maintain the action.

It also puts defendants in the position of parties as against whom a conveyance made with intent to hinder, delay, or defraud creditors is void, and alleges that the conveyance to plaintiff and upon which he must rely to maintain this action, was made with such intent, and that it was made without any actual, valuable or adequate consideration. Some criticism is made upon the language in which this want of consideration is stated, but we think it clearly appears from it that there was in fact no consideration either valuable or adequate, as distinguished from valuable.

There is here stated the unlawful intent, the making of, or attempt to make pursuant to it, the deed, and such want of consideration as charges the grantee, and the fact that these defendants, upon a debt existing at the time of the attempted fraud have recovered and docketed a judgment against the grantors, and have proceeded to enforce that judgment. That a judgement creditor may, notwithstanding a conveyance of his real estate by the judgment debtor, made with intent to hinder, delay or defraud creditors, levy upon and sell the real estate there is no question, as to the creditor to defraud whom the conveyance is made, it is void. Sec. 18, ch. 41, General Statutes, and is of no effect whatever in the way of passing the title. The title for the purpose of enabling creditors to enforce their debts against the real estate still remains in the grantor as though the conveyance had not been made, and it is equally clear that the creditor, who has proceeded to enforce his debt against the real estate or any one claiming through such proceedings may show the conveyance to be void as against such proceedings whenever any one shall claim under such conveyance, and in opposition to the creditor's proceedings or the title derived through them when the claim is made by the grantee in the fraudulent deed against the creditor or the purchaser under his proceedings, the validity of the deed may be tried between those two and no other parties are necessary to the liquidation, according to the allegations in this answer the estate or interest whether it be legal or equitable, which the defendants acquired in enforcing their debt is good as against the title of the plaintiff, and if those allegations be true they are entitled to a judgment to that effect.

The order is reversed.

GILFILLAN, C. J.

First District.

The Democratic voters of the First Congressional district of Minnesota are requested to send delegates to a Congressional District Convention to be held at Morehouse's Opera House, in the city of Owatonna, on Thursday, July 25th, 1878, at 11 o'clock A. M., for the purpose of placing in nomination a candidate to represent said district in the House of Representatives of the United States, and for the transaction of such other business as may be deemed proper.

The basis of representation is one delegate for each 150 votes and major fraction thereof cast for W. L. Banning for Governor at the last general election, but each organized county to be entitled to at least one delegate, as follows:

Blue Earth	11	Murray	1
Cottonwood	1	Nobles	1
Dodge	3	Olmsted	11
Faribault	4	Pipestone	1
Fillmore	8	Rock	1
Freeborn	2	Steele	6
Houston	7	Waseca	5
Jackson	1	Watonwan	1
Martin	1	Winona	15
Mower	7		

H. W. HILL, Chairman.

St. Charles, Minn., May 20, 1878.

GLOBELETS.

Aleck Stephens is safe from sunstroke. The sun can't see anything to strike.

"Beyond the Third Term," said Andrew Johnson in the last speech he ever made, 'Stands the Empire."

Bob Ingersoll has quit Washington because he says the heat there was about to change his ideas in reference to hell.

In the United States there are 500 females practicing as doctors, 420 as dentists, 5 as lawyers, and 68 as preachers.

In one part of Dorchester there are only three stores, and all in a row—a beer shop, apothecary's, and a wooden overcoat shop.

Mary Belle Loy, a Kansas girl of fourteen, ran down a large gray wolf and killed it in a fair fight. She's true grit without alloy.

A sign posted up in a Wisconsin saw-mill reads: "The saws are all running—no use to touch them to convince yourselves."

A sensitive policeman at Racine, Wis., has resigned from the force because one of his prisoners was released without being fined.

Lady Gladys Herbert, one of the prettiest women in London, is likewise one of the tallest, being six feet in height. Sweetness long drawn out.

Miss Emily Faithfull's West London *Express* has reached a circulation of 50,000, and it is not a year old. Her friends appear to be faithful as well as herself.

Private Dalzell presented his wife with a little Dalzell on the 4th of July. It has been named Washington. That will answer in place of the proposed monument.

If, as an exchange observes, Europe takes the conceit out of American visitors, what will there be left of a great many who go over stocked with no other capital?

A jeweler in the Paris exhibition shows a necklace which purports to be a mixture of true pearls and false, and challenges anybody to single out the real. Really!

Alexander H. Stephens abhors pork, and once threw a plate of sausages at a new waiter who tendered them to him. Baked raccoon is a delicacy he is especially fond of.

The total yield of the bonanza mines in gold and silver bullion to this date has been $99,701,709.86. Before the current month has expired it will exceed the round sum of $100,000,000.

A tramp, who severed a small artery while bathing in the Connecticut at Hartford, last week, roundly abused the physician who attended him because he was not allowed to bleed to death.

Perhaps San Francisco will have the first colossal statue of Washington. Sculptor Gagliardi proposes that a full-length bronze figure, seventy feet high, be placed on the crowning eminence of that city, Telegraph hill.

"Thirty days will bring the crack of doom!" So writes our distinguished fellow citizen, George Francis Train, the highly evoluted physchologist of Madison square. But, George, where will your dictatorship come in?

King Alfonso will build a million-dollar church near the Roy Palace, containing a splendid mausoleum in memory of the late queen. The room in which she died is to be left untouched; in that same room he was born.

It seems to have become too warm for the Potter committee at Washington, and it will attune its lyres to the sad sea waves at Atlantic City after the 23d.—*Philadelphia Times.* Aren't you getting a little careless about your orthography?

An unsuccessful attempt to abolish bullfighting has been made in the Spanish Senate, where it was opposed by the minister of public works on behalf of the government, on the ground that it would throw a large number of enterprising bulls out of employment.

A citizen of Austin, Nevada, the *Reveille* says, "noticing a group of Indian women squatting on the ground playing cards, pointed his finger at the gathering and remarked that the Indian situation looked squawly. There were fifty applicants for the situation vacated by his death.

The New Zealand government, according to a recent dispatch, has lately offered the sum of $25,000, or $50 a ton for the first 500 tons of beetroot sugar produced in either of the two large islands. If the reward isn't speedily claimed the inhabitants will not beetroot to their instincts.

According to a Bohemian popular superstition, it is unlucky for a lover to visit his sweetheart except on Thursdays and Sundays. The saving in candles is simply incalculable, and the young women of the country being thus enabled to get five nights' sleep every week, preserve their singular beauty for many years.

An observer in London writes that the Grecian simplicity of hair-dressing is tyrannically the vogue. At operas and at theaters, where bonnets and hats are prohibited, the hair of budding belle and bouncing dowager is alike free from rolls, puffs, wads and frizzes. This makes a homely woman winning, and a pretty one demurely rascally to look upon.

Massachusetts has a new liquor law which provides that only a licensed victualler may sell liquors over a bar. This has resulted in the opening of a large lot of so-called eating saloons, where the most exorbitant prices are charged for meals, while drinks are sold at the usual rates. The result is that the bars alone are patronized, while the dining rooms remain empty.

The exorbitant charge of a Fontainebleau hotel at which the Shah and his suite dined and slept has been much talked of. The bill sent in amounted to $2,840, and ultimately $1,800 was paid. The following items are given as a sample: Flowers, $300; 20 chickens $80; 1 cigar $1; 4 rooms $40; 2 boxes of cigarettes $10; 12 peaches $24; 1 melon $12. This is enough to make a Congressional committee turn green with envy.

HE WANTS BALM.

Livingston, the Pious Indian Agent and Thief, Will Sue for Libel.

YANKTON, D. T., July 17.—An article appeared in the Chicago *Tribune* and other Eastern papers on the 15th reflecting severely on Dr. F. H. Livingston, late Indian agent at Crow Creek, and stating that Commissioner Hoyt has discovered that the gigantic frauds charged against Dr. Livingston are proven by the records of the safe which was opened by government officials, despite the protest of the doctor. Since then the charges have been frequently reiterated. Dr. Livingston is understood to have taken preliminary steps toward instituting an action for libel against the Chicago *Tribune*. He claims that he has been misrepresented in the matter, and that he will be able to vindicate himself by legal proceedings.

Narrow Gauge Convention.

CINCINNATI, July 18.—At the narrow gauge railroad convention the second day's attendance is undiminished. A large number of communications were received from delegates who expected to be present, but were deterred by the great heat, asking that the sessions be postponed until autumn. A resolution was adopted calling for a national executive committee of fourteen, for the purpose of collecting and disseminating information concerning narrow gauge roads, and with power to call a subsequent convention if deemed necessary. Several delegates then gave their experience in constructing and maintaining narrow gauge lines, the object being mutual instruction by an interchange of views.

Donnelly Will Tackle Washburn.

[St. Peter Tribune.]

Donnelly will of course put in his best licks against Washburn, for he hits a Washburn head whenever he sees it, just as naturally as a mad bull tackles a red flag.