Daily Globe.

Official Paper of the City of St. Paul

Printed and Published Every Day in the Year, BY H. P. HALL. NO. 17 WABASHAW STREET, ST. PAUL.

Terms of Subscription for the Daily Globe.
By carrier (7 papers per week) 70 cents per month.
By mail (without Sunday edition) 6 papers per week, 60 cents per month
By mail (with Sunday edition) 7 papers per week, 70 cents per month.

THE SUNDAY GLOBE.

By mail the SUNDAY GLOBE will be one dollar per year.

THE WEEKLY GLOBE.

The WEEKLY GLOBE is a mammoth sheet, exactly double the size of the Daily. It is just the paper for the fireside, containing in addition to all the current news, choice miscellany, agricultural matter, market reports, &c. It is furnished to single subscribers at $1.00 per year.

ST. PAUL, FRIDAY, MARCH 21, 1879.

THE new constitution of California forbids any corporation or municipality from giving work to the Chinese. If adopted it will compel the heathen to go into business on their own hook.

HAYES' message to Congress is a model in one thing, at least—it is brief. He doesn't feel called upon to say a great deal, and if he were he couldn't say it, for his heart is sorrowful at beholding, as one of the results of his policy, a Congress opposed to him in both branches.

SIMON CAMERON completed his eightieth year on the 8th inst., and celebrated the event by an entertainment at his residence, which was attended by a large number of his personal and political friends. The Widow Oliver was conspicuous by her absence. It cannot be, surely, that Simon failed to send her an invitation.

GEN. SHERMAN has recently written a letter to Henry Ward Beecher offering his most earnest assistance in Christianizing the Indians providing their care is entrusted to the war department. As a missionary Sherman might be a success, but he would labor under slight difficulties from the fact that the Indian language contains no "cuss words."

CONKLING, though cast down, is not wholly discouraged. He is one of the two Republicans who retain chairmanships of Senate committees under the new regime, Mr. Edmunds being the only other. Conkling's committee is not a very important one, it is true, but still it is something. He is well enough qualified to attend to the engrossment of bills.

THE delegation from St. Paul took a leading part in the Irish immigration society's meeting at Chicago. Bishop Ireland was the leading spirit, and nearly all of his associates from Minnesota took an active part in the debates. The result will be that Minnesota will be able to secure a large allowance of the immigrants who come to this country through the agency of this society.

THE disappointment of the people of Pennsylvania, who thought they had received a section of the day of judgment by a shower of sulphur, was great when they learned from a chemical analysis that the stuff was not sulphur at all, but merely a little pollen wafted hither and thither by the winds. They would have greatly preferred to remain in the happy felicity of a belief that his Satanic majesty had been bestowing a little attention to their needs.

THE Minneapolis *Tribune* is endeavoring to fire the sawdust heart by such paragraphs as these:

The St. Paul newspapers are bitterly opposed to the building of our narrow-gauges.

This is a dodge to induce the people of that city to vote a burden of a quarter of a million dollars for narrow-gauge railroads. The St. Paul newspapers, led by the GLOBE, urge the issue of these bonds by Minneapolis. The GLOBE urges it because it is willing and anxious to see Minneapolis burden herself to build railroads which will terminate in St. Paul, if ever built at all. The GLOBE earnestly hopes Minneapolis will vote the bonds. The roads cannot stop until they reach their natural terminus at the head of navigation, and we shall rejoice to see Minneapolis expending money to build up St. Paul.

IMPROVEMENTS IN ST. PAUL.

The present building season in St. Paul promises to witness a larger expenditure in improvements than ever before seen in the city in any one year. Already improvements have been commenced, or arrangements perfected for doing so, which will require an expenditure of more than a million dollars. Foremost among these improvements in its bearing upon the future of the city, is the erection of the large flouring mill by Messrs. Archibald & Schurmeier, of which mention is made elsewhere. Then there is the great union depot, freight depots for the St. Paul & Pacific, the Northern Pacific and the Chicago, Milwaukee & St. Paul railroads, the machine shops of the St. Paul & Sioux City company, the Davidson business block on Jackson street, John Wann's new addition to his Sibley street block, the bank building for the German-American bank, the enlargement of the Sherman House, the erection of a great agricultural salesroom and warehouse, enlargement of Hale's block on Jackson street, and numerous other business improvements not necessary to mention. In addition, and not computed in the million expenditure, are the residence improvements being made. These are quite numerous, and for an ordinary season would probably meet the general requirements of the city for such property. But this year is exceptional, and already in advance of the time when new-comers usually begin to arrive, it is found almost impossible to obtain a house for rent, while the great majority of the houses being built are rented in advance of the completion of the foundation.

With such a state of facts staring our property owners and capitalists in the face, it is time some organized effort was made to meet the demands of the coming months when the full tide of immigration to the city, largely swelled as it will be by the progress of the improvements above noticed, and of others little if any less important now being perfected. The improvements to be made will bring here alone a large number of laboring men. Many of them will be men of families, and a large proportion of them, if suitable houses could be secured at reasonable rents, would bring their families and settle with us. Prompt and vigorous action must be had in this matter of more residences, suitable for all classes of society, or St. Paul will lose a large new population this year.

A PROPOSED COMPROMISE.

A Washington special dispatch communicates the information that overtures for a reconciliation between the Democratic party in Congress and Mr. Hayes have been made by a prominent Democrat to a member of the cabinet. This leading Democrat, it is said, has assured the cabinet officer aforesaid that it is the present policy of the Democrats to offer the appropriation bills that failed at the last session without waiting for a regular committee to be appointed, so that they can be considered by the House sitting in committee of the whole. The army reorganization scheme will be dropped from the army bill, and the only extra feature retained will be that forbidding the use of the army at the polls. The legislative bill will have included in it the repeal of the test oath for jurors and a modified repeal of the election law. The Democrats will not ask for the abolishment of supervisors, but merely for the repeal of the sections of the law authorizing deputy marshals to interfere with elections. If Mr. Hayes could approve the appropriation bills in such a shape, this leading Democrat thought Congress could be speedily adjourned. If this course is pursued it is thought Mr. Hayes will withdraw his opposition to the measures, and thus harmony would be restored.

We see no objection to the plan proposed. The Democrats will surrender practically nothing. The supervisors of elections are an expensive, annoying and illegal luxury, but they will possess little power after their associate deputy marshals are removed. It is understood that there is no difference in the cabinet as to the propriety of repealing the test oath or of forbidding military interference with elections, while several of the ministers are decidedly in favor of refusing to authorize marshals to make arrests at the polls. Mr. Evarts especially regards the law as unconstitutional, and is warmly in favor of its repeal. It is, therefore, probable that some such arrangement as that alluded to above will be made, and that the session of Congress need not be prolonged more than thirty days at the outside.

There is considerable curiosity to learn who the Democrat is who made such a proposition, and whence he derived his authority. A few facts seem to point to Abram S. Hewitt, who has been in Washington for several days looking after Tilden's interests. He has been in close conference with leading members of both houses, and has made some such propositions to them. His views seem to have met with general concurrence, owing to a universal desire to avoid fruitless conflicts with the other end of the avenue. While the Democrats might very properly insist upon a full repeal of these obnoxious laws, and would be sustained by the country in so doing, they can afford to be content with depriving them of their power to work mischief. To antagonize Mr. Hayes in this respect might provoke his supporters to retaliatory measures which would disturb the harmony of the country and awaken partisan feeling at a time when the people require a rest. The compromise suggested is a good one, even though it does not grant to the Democratic party all that it has a right to demand. It is, however, expedient to adopt it and to live up to it in good faith.

PARTISAN BUGABOOS.

The extra session of Congress has not thus far been sufficiently remarkable, either in point of partisanship or eloquence to excite anybody's alarm. The "Southern brigadiers" from whom the Republicans feared such terrible things, have not shown themselves to be extraordinarily desperate fellows, but have settled down into their places in a quiet and orderly manner, just as if they had no intention of raising Cain at all. In the Senate they have all been assigned to their places on the committees, and are waiting for something in the way of legislation to turn up about which they can employ themselves. Their associates, Republicans as well as Democrats, do not look upon them as ogres, but as gentlemen, and they have so conducted themselves during the few days they have been in Washington as to win the esteem of all with whom they have come in contact.

The utter folly of the great hue and cry that was raised by the partisan press during and since the last campaign will be apparent to every man of sense. The Southern members and Senators have conducted themselves during the past few sessions with greater moderation than was expected. They have borne the taunts of their opponents with calmness, and only in cases of extreme provocation have they retorted in any but the most temperate language. Among so many it was remarkable that there were so few hot-heads, and that so little of discord has been manifested—so few local jealousies brought to the surface. The bitterest controversies have been between Northern men, who have assumed the duty of regulating the affairs of the country after their own notions, and who, to obtain a partisan advantage, have deliberately provoked a sectional dispute. Beside the sectional hatred of Blaine and Edmunds, the broad patriotism of nine-tenths of the Southern members has been gloriously bright.

It is folly to fear for the country on account of the preponderance of the "Southern brigadiers" in Congress. Whatever they may have been in the past—rebels and aliens, perhaps—they have returned repentant; and have shown fruits meet for repentance. Until they shall have committed some act to prove the insincerity of their professions we are bound to believe them honorable in their intentions. As yet they have given no such evidence. It is therefore very foolish to cry before you are hurt.

MR. J. C. WHITNEY, of Minneapolis, perpetrates a mammoth joke on the Fair business. He sends a letter to the GLOBE, asserting that great injustice is done Bill King in saying he opposed a union fair this year. After solemnly arguing this point, Mr. Whitney concludes by saying "my (his) opinion is and has been that one union fair this fall *at the Minneapolis grounds*, would be the best thing for both cities, and I am quite sure the public will so judge, and I feel certain that even now Col. King would aid fully in this matter." Here's richness direct from the Whitney fountain. All that Minneapolis asks is to have the State Fair abandoned and one fair only—*to be held at Minneapolis*. It is refreshing to be officially advised that even Bill King will agree to this.

HOW THE TRAMPS ARE PUNISHED.

Bill King's paper strikes a brilliant gait on the tramp question. It thinks Judge Flint, "instead of brief sentences to imprisonment at hard labor for a few days, should give them two or three months on the stone pile." And then this brilliant sheet adds:

The actual policy pursued has so little deterrant effect upon the tramps that the suspicion is beginning to prevail that the evil is deliberately fostered in order to swell the revenues of the sheriff, who gets $3.50 a week for boarding the tramps, and, we believe, $1.00 for every commitment, besides other perquisites.

If the sheriff was "deliberately fostering" this nuisance, would he not desire longer commitments than a week? This astute journal thinks the sheriff is in collusion to get the tramps in jail for a week, and in the same breath censures the judge for not sending them up for three months, which would increase the sheriff's revenues ten fold. We might add that the sheriff receives nothing for commitment and but $3 per week for board.

The city charter provides as follows:

That the city justice shall not have the power for vagrancy to commit any person to the city prison, city workhouse or county jail, or to order any such person to work upon the public streets, or improvements of said city, for a longer period than thirty days.

In addition, it is provided that the jail shall be made the work-house, and that prisoners sent to the work-house shall be directed to work in Smith Park, under police control. The judge cannot, it will be seen, sentence them over thirty days, and they must, of necessity, be boarded in jail. If their sentence is brief the board bill is less, than if prolonged as the philosopher of Bill King's paper proposes. It is a matter which the sheriff has nothing to do with, and he merely accepts the situation as a necessity. It would be well for Bill King's paper to mix a little common sense with its partisan malignity.

PLUCKED PURCELL.

Letter to the Public Explaining His Embarrassments and Appealing for Aid.

CINCINNATI, March 20.—A letter to the public from Archbishop Purcell is published this morning. After reciting the struggles of his early life, his removal to this diocese, the necessity of going into debt to provide for the wants of the diocese, etc., he dwells on his present financial troubles. He states that it can be safely said that not more than $500,000 was deposited. The rest is the result of compound interest. As proof, he cites an instance which occurred yesterday where a creditor called with a claim of $1,100. In presenting it he admitted that $800 of it was for interest, and expressed a willingness to accept $300, the amount of the original deposit.

THE CLAIMS OF HUNDREDS

are of the same nature. The indebtedness of the diocese in equity does not amount to more than $1,000,000, to place it at the highest figure.

He says further, for twenty years no collection has been taken up for the support of the diocesian seminary, the entire burden of educating priests falling upon the archbishop. He paid the salaries of professors, and fed, clothed and educated the seminarians. He also paid the expenses during the same period for ecclesiastical students at Mount St. Mary's, Emmettsburg, in France and at Rome. In twenty years these expenses, which, in justice, the whole diocese should have borne, amounted to a vast sum. While in Europe he bought a library of 16,000 volumes, with philosophic apparatus, etc., which required a large expenditure, which with the sum spent in building the orphan asylum, cathedral and other buildings finally swamped him. The archbishop then rehearses the situation, declaring that but for the generous sympathy of friends, Catholics and Protestants alike, he would have sunk under the weight of his troubles. He then appeals to all Catholics and all who feel for others' woes to help him out of his embarrassments.

THE COURTS.

Supreme Court.

State of Minnesota vs. Adolph Graffmiller. Syllabus—In a criminal prosecution for violating a provision in the charter of the city of Northfield against selling spirituous liquors in said city, the justice in entering the action in his docket erroneously entitled it in favor of the city instead of the State as plaintiff. Held: The error was an irregularity that did not affect the jurisdiction of the justice nor prejudice the defendant as the proceedings themselves asserted, fully described the real parties and the nature of the action. Jurisdiction to issue a warrant acquired by a duly verified complaint in writing, charging an offense in direct and positive terms, is not lost by proof upon the trial, that the complainant had no knowledge of the commission of the offense, except upon information and belief. No point made upon the evidence can be considered when the whole of the evidence bearing upon the point does not appear to be returned. Judgment affirmed. CORNELL, J.

State of Minnesota, respondent, vs. Louis E. Torinus, J. Edwin Staples, William A. Brunson and Martin Mower, appellants.

Syllabus—When any agent of a State exceeds his authority in selling and delivering the property of his principal and taking a note therefor from the purchaser, the legislature of the State may, by a statute duly enacted for that purpose, in the absence of any constitutional prohibition against it, ratify the act of the agent in making the sale and receiving the note, and the State thereupon may enforce payment of the note, the same as an individual. Order overruling demurrer to complaint affirmed. CORNELL, J.

Alvina Semrow, respondent, vs. Julius Semrow, appellant.

Syllabus—An appeal does not lie from an order which adjudges a defendant in contempt for disobeying a previous order of the court defining him to pay to plaintiff a specified sum as temporary alimony, and which directs a warrant to issue for his arrest and commitment in case he refuses to pay the amount of such alimony with interest and costs of motion within ten days after the personal service upon him of such order. Appeal dismissed. CORNELL, J.

District Court.

[Before Judge Brill.]

COURT CASES.

Campbell, Burbank & Co., vs. T. B. Forbes; action on note. Case submitted, and judgment returned in favor of the plaintiff.

Municipal Court.

[Before Judge Flint.]

The city vs. Thomas Dalmage; fast driving. Fine and costs of $6.15. Paid.

The city vs. James Devine; drunkenness. Reprimanded and discharged.

The city vs. Michael Ryan; drunkenness. Committed to jail for four days.

The city vs. Thomas Wallace; disorderly conduct. Sentence suspended on motion of the city attorney.

The State vs. John McManus; larceny. Committed to jail for thirty days.

The State vs. James Barnes; larceny. Acquitted.

The State vs. Jacob Vahlet; threats to kill. Continued until to-day at 9 o'clock.

The city vs. George Covern, Wm. O'Connor and John Boyer; vagrancy. Committed to jail for twenty days.

The State vs. Minef Martz; larceny. Committed to the Reform school.

CIVIL.

J. W. McClung vs. A. M. Radcliff and A. D. Condit; action on lease. Judgment for plaintiff in the sum of $200, with costs. Notice of an appeal to the supreme court given.

Althof, Bergman & Co. vs. J. P. Ray; action on promissory note. Judgment for plaintiff in the sum of $104.25, with interest and costs.

IRISH COLONIZATION.

Important Meeting of Irishmen in Chicago—The Minnesota Delegation in Charge—Bishop Ireland's Address.

The Irish national colonization conference, which has been in session at Chicago during the entire week, closed on Wednesday night, after a very interesting session. The Minnesota delegation was the largest from any State, and it is no flattery to say that by their superior abilities they became the leaders of the movement. The only unpleasantness during the session arose on Tuesday over the report of the committee on credentials, recommending the admission of Charles Collins, of Dakota, as a delegate. Father Butler, of St. Louis, protested against the admission of the delegate on the ground that he was not a Catholic, and the report was recommitted.

The committee on credentials returned, and Mr. Doran, as chairman, reported that they had decided to exclude the representative from Dakota, in accordance with the recommendation of the Rev. Father Butler, whose objection was that he had no credentials.

The latter gentleman arose and said that he had not desired that Mr. Doran should mention any names, but since he had done so he (Butler) would assume the responsibility.

Mr. Onahan moved that the report, as revised, be adopted.

A delegate explained how Mr. Collins, who had been one of the chief promoters of colonization in Dakota, had been invited to a seat in the convention, and he hoped he would not be excluded on merely technical grounds.

Mr. P. H. Kelly, of St. Paul, asked if it was necessary for a man to be a Catholic in order to take part in the convention. Even if the gentleman was a Protestant or an Orangeman he should be taken in, and the lines of sectarianism blotted out in the more important national question before the convention. He moved that the report of the committee as originally presented be adopted.

Mr. Charles Collins, one of the secretaries, and proprietor of the Black Hills *Champion*, said that he did not wish to appear in the convention as the representative of an antagonistic element, and he would withdraw from it. He accordingly picked up his hat and coat and started out, but several gentlemen insisted upon his remaining. He refused, however, and walked out of the room.

The Rev. Father Butler said he did not wish to appear bigoted, nor opposed to the gentleman because he did not happen to be of his religious belief.

Mr. Onahan's motion was put to a vote and lost, and Mr. Kelly's (St. Paul) to adopt the original report, admitting Mr. Collins, was carried.

BISHOP IRELAND'S ADDRESS.

Bishop Ireland, who was requested by a special committee to attend and address the gathering, was present during the latter part of the credential dispute. As soon as the report was disposed of he was called upon to speak, and complied in the following terms:

MR. CHAIRMAN AND GENTLEMEN OF THE CONVENTION: I am pleased with the honor you have conferred upon me by asking me to make a few remarks. I assure you that I feel the deep importance of the convention. I look upon it as a most solemn occasion, and I will have obtained all I wish from my present remarks if I can bring you all to look upon it with the same interest that I do at this present moment. We are assembled together for the purpose of Irish Catholic colonization—a most solemn object. We certainly have a deep interest in our race, and should do what we can to assist it. With the race is connected most intimately the church, for the race is Catholic. We are free to admit that many of our people do not in the country at large occupy the positions to which we would wish to elevate them—to which their titles of Irish Catholics should lift them up. The fact that they do not occupy these positions arises from a thousand unfortunate circumstances. They arise from the venal laws of centuries of duration at home. I can well listen to men talking to me of the few defects of the Irish race, for I may say that the great miracle on God's earth to-day is that we have an Irish race. [Applause.] We have a few little defects, but the vitality which has preserved our race should inspire us to a full confidence that all the defects can be easily remedied. The duty, then, of Irishmen and Catholics who are in a position to assist their countrymen is to come forward and assist them. [Applause.] It is their duty, their solemn duty, to take part in any movement which they have any reason to believe will benefit their people. Colonization has been proposed as one of these movements for the purpose of encouraging our people in the large cities, from large industrial centers where they are now suffering from the depression of trade, to emigrate to our fertile prairies of the West. I need not speak at length to tell you that this movement is positively one of the wisest that could be devised for the benefit of our people. In the large cities they have

NO OPPORTUNITIES,

however willing they may be, to rise. Competition is too strong, and they are the poor and the weak. They themselves and their children are exposed to many temptations. Take the same class away from the cities, put them on farms, either on timber lands or the prairies, and I am proud at any time to recognize myself as one of them. [Loud applause.] Put them there, with a church and a school in their midst and some friends to advise them, and the defects which were the results of circumstances disappear, and they have temporal prosperity and all their innate instincts of manhood are developed, and their children are safe against all possible dangers which accrue in those large centers of population. [Applause]. For some time during the last few years this question has been agitated in the papers. A great many local efforts have been made throughout the Western States. Some zealous parties in other States have also organized efforts for the purpose of encouraging this colonization. The Catholic press deserves eulogy at our hands for the encouragement it has given at all times during the last few years to this movement. But it is becoming such an important one that we do not wish to rest it any more on local efforts. We want to make it more general or national, and hence our fellow-countrymen of Chicago have invited us from other States to come together and to deliberate as to what plan may be adopted to further in the future yet more than in the past this great movement of colonization. You are called together to present your views, to consult one with another, and to adopt those views that appear the wisest. For nothing else but the benefit of the Irish people are their representatives laboring. Allow me to say that all unimportant, trivial questions, whatever they may be, must be buried deep in the ground—[applause]—and we look to what is worthy of the solemnity of the occasion. I don't know what gathering of Irish representatives could take place on the continent of America this morning which I would deem of greater moment than the one which I have the pleasure and honor of now addressing. Believe me, the eyes of our countrymen in America and at home are upon us. There are many interested in this movement and they are saying

"WHAT WILL COME FROM CHICAGO?"

There are the foes of our race, who will say, if nothing worthy is done, we are not able to form a plan worthy of the occasion—that our deliberations were not worthy of our race. Let us bear well in mind the solemnity of the occasion, and I think that from this morning a new era will dawn for us in America—will dawn for the race at large. [Applause.] We have no time to lose in trifles. We have come from several States. What does it matter if you and I disagree on little things, provided the great thing is accomplished? [Applause.] Large bodies do not enter into the details of each and every question; there are committees to which they are relegated for full and careful consideration. When their reports are returned, if there is anything which demands discussion, we can discuss it. But let us put aside any trivial parliamentary form. We are representatives of a great old race. [Applause.] Much has been done in the way of colonization in the past to encourage us and show that something more can be done. It has been said that Irishmen in the East would not go West. They have gone. It has been said, "They will not till the land." They have done it. They have gone from the factories and dock-yards of the Eastern States and become practical farmers. Let us have faith in our people. They are only too willing to make homes for themselves. Here is a literal fact demonstrated by experience—that among those who have come from the mines and workshops of the East, not a single person has been dissatisfied with the West. [Applause.] You have, then, plenty of material to deal with. Have faith in the people. Do what you can, what God will inspire you to do, and, as I have before said, from this morning a new era will dawn for us in America. [Loud applause.]

GEN. BISHOP TO THE FORE.

He Makes a Pointed Reply to the Charge That His Company Acts Unfairly in Land Matters.

The Jackson *Republic* of the 15th contains the following letter:

To the Editor Jackson Republic:

ST. PAUL, March 5, 1879.—You editorially announced in the *Republic* of March 1 that "we understand" that the St. Paul & Sioux City railroad company has lately increased the price of lands in the vicinity of Jackson and in fact throughout Jackson county, and on this text you institute a comparison between this company and the Southern Minnesota company as to their general policy in the management and sale of their lands. In this our motives are called "short-sighted" and "avaricious" and "reprehensible," our company is a "grasping and puffed up corporation," and its policy "ruinous and unjust," our course "unwise and hoggish," our prices are quoted at "seven to ten dollars" per acre, and finally, after praising the very liberal policy of the Southern Minnesota company as to its extension lands, to which it has not yet acquired title, you say: "In the meantime the Sioux City company permits its lands to lie unsold and increases its prices from time to time, and, as a consequence, little land is sold." Now, if all this is just and true so far as we are concerned, it does not make your county appear attractive to people seeking new homes. If it is all untrue and unjust, the injury to the county and to us can at best be but imperfectly repaired by the most complete and widely published correction that is possible. The article, in full or in substance, has been already copied into one of the St. Paul dailies and into several of your neighboring weeklies, and will doubtless attain a much wider circulation than its denial can hope for. Permit me to say:

First—That our prices have not been raised $2 per acre lately, nor have they been materially or generally increased for five or six years past, either in your county or elsewhere.

Second—That our policy and our terms as to lands that we have title to are at least as liberal as those of any other railroad company in the State as to lands that it has a title to.

Third—As to lands to which our title has not been perfected, our terms have been and are as favorable to the intending purchaser as those offered by any other company as to its lands in similar condition, and that we had been offering these special terms for several years before they were offered by any other company within my knowledge.

Fourth—That our prices are generally lower and that our lands sell faster than those of the Southern Minnesota clearly appears from the sworn reports of both companies to the railroad commissioner. See report for 1878, page 19. Southern Minnesota lands sold January 1st to December 1st, 1878, 7,437 acres; average price received $8 for 1877, and present prices $5 to $8 per acre. St. Paul & Sioux City lands sold in same eleven months, 91,326 acres; (more than twelve times as much) average price received $7.19 in 1877, and present average price $4.80 cash and $6 on time per acre.

Of the lands unsold on the 1st of January, 1878, we sold more than 14 per cent. while that company sold approximately 3 per cent. in the ensuing eleven months. I have nothing whatever to say in disparagement of the Southern Minnesota company, or of its managers or of its policy. It is not necessary, however, to misrepresent us in order to commend that company, and you are not aiding us in selling our Jackson county lands by such an advertisement as you have given them and us. Yours truly,

J. W. BISHOP, General Manager.

PLEURO PNEUMONIA.

Chicago Excited Over a Reported Cablegram Locating Diseased Cattle in that Market—The Report Ascribed to the Machinations of the Canadian Government.

CHICAGO, March 20.—Some excitement was created here by the publication of a special from Toronto of cable news, said to be in the *Globe* of that city, to the effect that cattle exported in the steamer Brazilian, had, upon arrival at Liverpool, been found to be suffering from pleuro pneumonia, and had been slaughtered. It said also that most of the shipment was from Chicago. The truth of the report is doubted, and certainly as to the assertion that cattle exported from Chicago had pleuro pneumonia, as there has never been a trace of that disease found within this cattle district. It is thought this is part of the Canadian administration scheme to destroy trade between Great Britain and the United States, and establish the protection policy. The collector of customs at this port does not believe any diseased cattle have been exported from here.

FINANCIAL FLURRY.

Temporary Suspension of the National and State Banks of New Orleans—Scarcity of Currency and Threatened Panic the Cause—Large Currency Shipments from New York.

NEW YORK, March 20.—The following is a list of New Orleans banks whose temporary suspension was announced to-day: Germania National bank, Hibernia National bank, Louisiana National bank, Mutual National bank, New Orleans National bank, State National bank, Union National bank, Bank of Lafayette, Citizens' Bank of Louisiana, Citizens' Savings bank, Louisiana Savings bank, Metropolitan bank, New Orleans Canal and Banking company, Peoples' bank, and Workingmen's bank. Many orders for currency were received here today from New Orleans, and large amounts were shipped. The order of suspension expires the 29th inst., and before that time funds from this city will have reached the banks. The action taken was to avert a threatened panic.

Worthington Village Election.

[Correspondence of the Globe.]

WORTHINGTON, March 18, 1879.—The village election passed off quietly here to-day. A large vote was polled. A straight temperance ticket was in the field, which only received one vote. All the liberal, progressive candidates were elected by almost unanimous majorities, and Worthington is redeemed from the thraldom and tyranny of the temperance fanatics who have had control for the past six years. OBSERVER.

Virginia County Judges Indicted.

LYNCHBURG, W. Va., March 20.—The grand jury of Judge Rives' court to-day indicted the following named county judges: Haythe, of Campbell; Henry, of Amherst; Sommers, of Baletourt; Brown, of Nelson; Wharton, of Bedford, and Griffin of Roanoke.

AN IMPORTANT DECISION.

Notes Given in Payment for Agricultural and Other Machinery Are Not Negotiable Commercial Papers—So Holds the Supreme Court of Minnesota.

The decision of the supreme court in the case of the Third National bank, of Syracuse N. Y., against Daniel Armstrong, which was filed on the 13th inst., is of such interest to vast numbers of farmers and other purchasers of machinery of various kinds, that we feel justified in furnishing for the readers of the GLOBE a full report.

The persistency of "machine agents" in pressing sales of the various wares represented by them, and the wonderful ingenuity and sharpness of manufacturers and "agents" in procuring the signatures of purchasers to the most wonderfully constructed "notes," "leases," and "contracts," is well known, and it is safe to say, that there are "notes," "leases," "receipts" and "contracts," amounting to vast sums of money afloat in our State, the statute of which is directly and definitely fixed and determined by this decision.

The case was tried on its merits in the district court of Ramsey county and judgment ordered therein for the defendant. From the judgment so entered, the plaintiff appealed to the supreme court, and the case was then argued and submitted April 26, 1878, by E. S. Chittenden, Esq., on the part of the appellant, bank, and by Wm. J. Parsons, Esq., on the part of the respondent, Armstrong. The decision of the supreme court was filed, as above stated, on the 13th of March, 1879.

That the readers of the GLOBE may have a full and clear understanding of the case, and realize the full effect of the final decision, we give below the findings and order of the district court, and the full text of the decision of the supreme court:

State of Minnesota, County of Ramsey—District Court, Second District.

The Third National Bank of Syracuse, N. Y., vs. Daniel Armstrong.

This cause came on for trial at a general term on the 14th day of February, 1877, before the court without a jury, a jury trial being waived by the parties. The parties appeared and submitted their proofs, and, after consideration, I find as facts that said plaintiff was, during all the times hereinafter stated, and is now, a corporation as alleged in the complaint; that on the 31st day of July, A. D. 1873, said defendant made and delivered to plaintiff a certain instrument in writing in the words and figures following, to-wit:

$43.33. ST. PAUL, July 31, 1873.

On or before the first day of December, 1876, for value received in one Williams combined reaper, I promise to pay to the order of the Williams Mower and Reaper company, with current exchange on New York city, at the First National bank in St. Paul, forty-three 33-100 dollars, with interest at 12 per cent. from date until paid, but if paid at or before maturity, 7 per cent per annum. This note to become due upon removal of the maker, notwithstanding the above period of payment has not expired. The sale and purchase of said Williams combined reaper, the property for which this note is given, are upon the express condition that the title and ownership of said property shall remain in the said the Williams Mower and Reaper company, and shall not pass to any one by or through me until this note and interest are paid in full, and the delivery at this time is subject to the same condition. The said, the Williams Mower and Reaper company, shall in the meantime have the right to take possession of said peoperty wherever it may be found at any time they may deem themselves insecure, even before the maturity of this note, and if not paid when due I will pay 5 per cent. extra cost for collection. DANIEL ARMSTRONG.

That the same was duly stamped with United States internal revenue stamp. That said Williams Mower and Reaper company were and are a corporation as alleged in said complaint. That after said instrument was executed and delivered, and in the month of January, 1875, the same was, for a valuable consideration, sold, endorsed and delivered to the said plaintiff by said the Williams Mower and Reaper company. That the consideration for said instrument was one combined reaper and mower, sold and delivered to said defendant by said Mower and Reaper company upon the conditions mentioned in said instrument and at the time the same was given. That at the time of the sale as aforesaid of said reaper and mower to defendant, and to induce the defendant to purchase the same, said Mower and Reaper company warranted and represented to defendant that said machine was perfect and a good machine, and that it would do good work both as a reaper and a mower upon defendant's farm in Washington county, in said State of Minnesota, and defendant accepted and purchased said machine, relying upon said representations and warranty. That said machine was not a good or perfect machine, and that it could not be used as a reaper, and that it could not be made to do good work as a reaper, and was worthless and of no value. That plaintiff had no actual knowledge of said warranty nor of the quality and character of said machine before the purchase by it of said instrument. That the allegations of the pleadings, save as herein stated, are not true. And, as a conclusion of law, I find and determine that said instrument is not a negotiable promissory note. That plaintiff is not entitled to judgment. That defendant is entitled to judgment for costs and disbursements.

Let judgment be entered accordingly.

H. R. BRILL, District Judge.

The Third National Bank of Syracuse, N. Y., appellant, vs. Daniel Armstrong, respondent.

Opinion—The promise upon which a recovery is sought in this action, as upon a negotiable promissory note, forms but a part of the written instrument, which was made and executed by the defendant as an entirety. In determining the character and legal effect of such promise, regard must be had to the whole instrument and all its provisions, irrespective of the fact that the promise was put in the form of a negotiable promissory note, payable to order, and was designated as a note in the instrument. Thus considered, it is obvious that the defendant's obligation was not such an independent, absolute and unconditional one, for the payment of a precise and definite sum of money at all events, and without any contingency, as is essential to the validity of commercial paper. 1 Parsons, Bills and Notes, 30, sec. 5, chap. 3; Story, Prom. Notes, sec. 22.

It appears upon the face of the instrument that the defendant's obligation to the Williams Mower and Reaper company, the assignor of the plaintiff, was upon the sole condition that the reaper therein mentioned, and belonging to the company, the possession of which was then conditionally delivered to him, should by a proper transfer of title from the company become his absolute property, whenever and as soon as his said obligation was fulfilled in accordance with the terms of the contract. It also expressly provided that the title and ownership of the reaper should remain in the company until full payment of the so-called note and interest, and that the delivery of the property at that time was subject to this condition, and to the right of the company to retake possession at any time it might deem itself insecure. Defendant's promise, therefore, was not an absolute and unconditional one, to be kept in any event, for it depended upon the contingency of an observance by the company of the sole condition on which it rested, that an absolute transfer of the property, with good title, would be made whenever the promise was performed. The promise of payment and the implied obligation to transfer the title were mutual, as each was the sole consideration for the other, and both were to be performed at the same time. They were concurrent conditions of the same agreement, in the nature of mutual conditions precedent, so that inability or refusal to perform the one would excuse performance of the other. Benj. on Sales, 451 and 480. If prior to any default on the part of the defendant, the company had retaken possession of the property and disposed of it, so that upon the maturity of the defendant's obligation an observance of the condition on its part had become impossible, there can be no doubt that under such circumstances no action could have been maintained against him upon his promise.

An obligation of this character is altogether too uncertain to serve the purpose of commercial paper as the representative of money in business transactions. It carries into the hands of every holder notice of the existence of a condition that may result in defeating any recovery upon it, and, therefore, cannot have accorded to it the privileges attaching to that kind of paper.

The judgment of the district court is affirmed.

CORNELL, J.

The flouring mill at Wilmot, Menasha county, has been destroyed by fire. A workman named Whapples was burned to death in the building.

GLOBELETS.

Germany last year consumed 841,058,768 gallons of beer.

The Jewish Passover this year will fall on the 8th of April.

A Bourbon county, Ky., man has eaten 1,500 apples since Nov. 1.

Stanley Matthews announces that he has retired from public life.

Kearney has been offered $20 per month to tend saloon in Nevada.

The elevated railroad in New York is introducing 150 palace cars.

It is proposed to give at least 100 races at Saratoga during the year.

Senator David Davis has taken a chair on the Democratic side of the Senate.

The Boston police reports record only ten cases of profanity during 1878.

If Beecher can pick up four ounces somewhere he will weigh 220 pounds.

South Carolina negroes are holding meetings to discuss emigration to Colorado.

Italy can pick up more abandoned children on the highway than any other nation.

The Missouri Senate, which has thirty-four members, employs thirty-three clerks.

Holloway, the great London pill maker, spends $200,000 yearly for advertising.

John Henry Newman has a gaunt emaciated figure, a sharp face and cold meditative eyes.

A Berlin baker was imprisoned lately for making a gingerbread caricature of Bismarck.

The Cincinnati *Enquirer* in a recent issue said: "It's a poor mule that won't work both ways."

Tennessee has 6,334 public and private schools, with an attendance last year of 292,882 pupils.

Cyrus W. Field was for four years prior to his interest in telegraphy a stationer and paper dealer.

Robert P. Crockett, a son of the famous Davy Crockett, is living near Granbury, in Hood county, Texas.

The new ice works in Columbus, Ga., will furnish ice at one cent a pound—cheaper than nature can furnish it.

If Chicago hasn't carried away the belt it consoles itself with the fact that it packed 4,911,981 hogs last year.

Saville Rome, the English playwright, is the nom de plume of Clement Scott, dramatic critic of the London *Telegraph*.

The ex-Empress Eugenie looks very haggard and pale as a ghost, her drooping eyes being encircled with the blue rings of care and anxiety.

Three Ohio boys have gone to shoot Indians, with $20, two revolvers, and a trunk full of dime novels. We are ruined by Chinese cheap literature.

Lester Wallack has signed a contract to act three weeks in the California theatre, San Francisco, in June, for $10,000. It is his first starring trip west of New York.

Mrs. Julia Hay Cameron, the English lady whose amateur photographic work made her very widely known in America as well as in England, lately died in Ceylon.

The nomination of Pinchback and a white Democrat on the same ticket in Louisiana, shows that the colored lamb and the white lion are beginning to lie down together.

Lieut. Colonel John G. Blanchet, speaker of the Dominion house of commons, takes charge of the Wimbledon team this year, with Major Worsley Kingston second in command.

The Roman Catholic bishop of Louisville, Ky., has prohibited religious services over the dead in houses or churches. They must hereafter be performed at the cemeteries.

Miss Louisa Donaldson died of heart disease in the High Street Baptist church, Baltimore, on Sunday. She had been attending a friend who was baptized, and dropped dead in the vestibule.

A Limburger cheese factory at Great Bend, St. Lawrence county, New York, was struck by lightning the other night and burned to the ground. Lightning never did like the smell of Limburger.

Sothern, the actor, will spend the summer among Canadian salmon fisheries. Next September he will start on a professional tour in this country, where he will remain until the spring of 1880.

Anna Dickinson got so much interested in the walking match that she sent Harriman this note on Sunday: "With sincere sympathy for present suffering and the heartiest admiration for courage, nerve and endurance next door to sublime."

Just before Christmas there was a fierce encounter between William M. James and Denwood B. Hinds, young Baltimoreans, over Miss Lizzie Hinds, a sister of the former, whom the latter had wronged. On Saturday the unfortunate girl died.

Senator Kellogg will hand the President in a few days a declaration of grievances from the colored people of Natchitoches, Caddo, Tensas and Madison parishes, in Louisiana. The petitioners want counsel and assistance from the government in the matter of removing to the southern parts of Illinois, Indiana and Ohio.

Victor Hugo's seventy-eighth birthday was recently celebrated by a dinner, to which he was accompanied by his little grandson and granddaughter, Georges and Jeanne.