

Daily Globe

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ST. PAUL, SATURDAY, JUNE 14, 1879.

ONE of the Louisiana witnesses stated on Thursday that he was exercising the right of an American citizen to lie as he pleased. A very frank admission, truly. He ought to be given to understand, however, that American citizens have other rights, among them that of playing chequers with their noses behind a grated door.

SENATOR HILL, of Georgia, made the best speech of his life, and the most cruel out of all, when he remarked, after Blaine had devoted a couple of hours to a rehearsal of ante-bellum events in Georgia, that the gentleman from Maine had said nothing to which a sensible man need reply. He speaks the truth besides, for Blaine's drivel was even below the average of his mouthings.

For months Republican newspapers and Republican Senators and Representatives have been assuring us that they did not care to retain the jurors' test upon the statute books. They may have been sincere, but if so why did the Republicans in the House refuse to vote upon it, thus preventing a quorum and delaying its consideration? Precept and practice don't seem to agree very well in the Republican party.

The death of Gen. James Shields leaves Gen. Robert Patterson, of Philadelphia, the only surviving general officer of the Mexican war. Gen. P., now over eighty years of age, is as active and strong as a man of fifty. He attends to the immense business of the large house of which he is the head, and reaches his office and stays as long as his young employe. Long may the grand old veteran live to enjoy the blessings of free government, he did so much in three wars to establish and perpetuate.

The question has arisen, apropos of McCrary's nomination for the circuit judgeship of this circuit, whether the Senate has the right to confirm any person in an office in which a vacancy does not exist. It will be remembered that Judge Dillon's resignation does not take place until September, and if McCrary is confirmed at the present time as his successor, the problem arises whether or not we would have two judges entitled to occupy the same bench. It is a knotty point, but we presume the committee to whom it has been referred will be able to unravel it.

ONE of the most peculiar things in all the legal complications of the St. Paul & Pacific road is the suit begun yesterday by Receiver Farley against the new management, asking for a division of the property. Mr. Farley does not claim to have invented any thing but simply to have been one of the original pool organized to buy the bonds and the matter having been successfully consummated, without his aid, he comes in and demands a share. There are probably a good many people who would like to own a slice of the reorganized St. Paul & Pacific, and if all such persons bring suit for a divide it will keep the courts busy. Perhaps it would be quicker to chop the property up and divide it around on the true communistic principles. Most any one will take a chunk of a good paying railroad if he can get it.

IN accordance with the resolution adopted June 4 by the French committee on the Franco-American treaty of commerce, a committee of senators and deputies had an interview to-day with Minister Waddington to urge action in Chambers in response to the resolution now before the United States Congress, and opening negotiations with the United States government on the subject. Waddington received the committee most cordially. He stated he had already exchanged communications on the subject with Everett, United States secretary of state, and would instruct the French negotiator at Washington to give the matter the most serious consideration.

THIS reads a cable dispatch. If any of our readers can tell what it is about we will send them a chronicle. To those who have not kept the run of every item that has passed over the wires for three months, it is simply Greek. Yet it is only a fair sample of dispatches that are daily transmitted across the ocean. We submit that such "news" is not only an outrage upon the papers that pay for it, but upon the public, expecting to receive what the cable professes to give—an intelligent resume of the doings in the other hemisphere.

THE OHIO CAMPAIGN. For the past week the Republican papers have busied themselves in concocting all sorts of stories about a disagreement between Gens. Ewing and Rice and a possible rupture of the ticket placed in nomination in Ohio last week. They have asserted that Ewing insisted upon the retirement of John G. Thompson from the head of the State committee, while Gen. Rice insisted as strenuously upon his retention, and that upon this rock the ticket was bound to split. Happily this disagreement has only had an existence in the imaginations of the editors and correspondents of the Republican press. The wish with them was father to the thought. We have abundant and authoritative proof for the statement that no such contention exists or ever has existed between the candidates, but that they have not sought to interfere in any manner with the organization of the committee. If it should come to retain Mr. Thompson in the position he has so long and so ably filled, or to dispense with his services, there will be no objections from either Gen. Ewing or Gen. Rice.

The importance which the Republicans attach to the result in Ohio the coming fall is evidenced by the frantic efforts they are making to stir up strife in the Democratic ranks. Their endeavors, however, will be of no avail. Never within the recollection of the oldest politician, has there been such unanimity in the Democratic party of that State as is now manifested. The candidates are acknowledged to be strong politically, and no two men in the State can boast of a larger personal following as Ewing and Rice. Certainly none better deserve it. There is no doubt but upon the result of the election in Ohio will depend in a great measure the conduct of the two parties in

the Presidential contest next year. We do not esteem Ohio to be the pivotal State, but it may be so. It is certainly of the greatest importance that the Democrats should win the October battle. We are sure that no effort to that end will be spared. The canvass promises to be a lively one. All the national issues will be brought into it. Local interests will occupy only a minor place. The Republicans will fight it on the issues of the late war, with incidental mention of the financial policy of the government. The Democrats will fight it on the issue of a free ballot—will ask a verdict upon the acts of its representatives in Congress on the matter of the repeal of the election laws passed at the close of the war. As to the result we have little fear, for we are assured that the great mass of the people are heartily in accord with the policy of the Democratic party. The Democrats are united and harmonious. They have but to organize and work to achieve a success that may prove a turning point in our national history.

CHIEF JUSTICE RYAN. We regret to learn that Hon. Edward G. Ryan, chief justice of the supreme court of Wisconsin, is lying at the point of death. For many years past Mr. Ryan has occupied a prominent place in the affairs of the North-west. He founded the Chicago Tribune as a Democratic paper about thirty-eight years ago, and by his vigor and ability soon placed it in the lead of Western journals. He soon wielded editorial power, however, and went to Milwaukee, where he engaged in the practice of the law, early taking the foremost rank at the bar of that city. He was an orator of rare power, commanding in presence, forcible, logical, and where his feelings were enlisted, terribly vindictive. In 1856 he achieved a national distinction by the manner in which he conducted the prosecution in the impeachment trial of Judge Levi Hubbell before the Senate of Wisconsin. His speech in closing the case for the State was a masterpiece of oratorical invective, and it is recorded that as he proceeded, piling denunciation upon denunciation on the head of the accused, Judge Hubbell left the Senate chamber in horror and dismay. Possessing a naturally irascible temper, that defect was increased by financial reverses and family bereavements, and gradually he lost the lucrative practice he had gained. When the war broke out he had no hesitancy in espousing the cause of the South, and opposing himself almost single-handed against the people of the entire North, he issued the famous Ryan address, a document remarkable for its fierce denunciation of the policy of the administration of President Lincoln and at the same time an able argument in defense of the course of the South. In 1874, a vacancy having occurred on the supreme bench through the death of Judge Byron Paine, the bar of the State united in nominating him to the place, and he was elected without opposition. He was re-elected for a full term two years afterwards, no one daring to contest the place with him. As a jurist he had few superiors. He was also fully fearless in the promulgation of his opinions, always emphatic in denouncing whatever to him had the slightest appearance of wrong. He was an orator of rare force, and possessed a fervor and wealth of language for few men in the country could boast. His eccentricities were many, yet no one has ever whispered even the suggestion of a dishonest motive as applying to him either as a lawyer or as a judge. His death, which appears so imminent, will occasion wide-spread sorrow, for though he had many and bitter enemies politically, he had not a single personal foe save those who had merited and received his denunciations.

A PLAIN DEMOCRATIC VICTORY. The judicial appropriation bill passed the House on Tuesday. This fact of itself is not sufficiently noteworthy to call for extended remark, for such a result was anticipated and required by the exigencies of the case. The debate on the passage of the bill, however, ought to command the attention of the public, for it illustrates the position of the two parties most fully. The Republicans, through their chosen leaders, Messrs. Hiscock and Garfield, opposed the bill on the ground that it did not appropriate money enough for the judicial branch of the service. The bill, however, appropriated the usual amounts required, leaving out only those sums that have heretofore been appropriated for the pay of supervisors and deputy marshals employed at the polls. They are no part of the legitimate judicial expenses of the government, and were very properly omitted from the bill.

Both Garfield and Hiscock declared that the act of the Democratic majority in leaving out provisions for these extra-judicial officers amounted to nullification. We are willing to admit the charge. It was a nullification of an unconstitutional law, the repeal of which has been inhibited by the executive of the Republican party. For nullifying such a law we think the Democratic party is entitled to a very large credit mark. Nothing unconstitutional or illegal was attempted in the bill. It has been the custom ever since the government was established to withhold appropriations that might be deemed unnecessary by Congress from any department of the government. Such appropriations have affected the executive, the legislative, the judicial and the diplomatic departments in the past, yet no one has seen fit to denounce though they have criticized such action. It is but a few years since Congress came to the conclusion that the mission at Rome was an unnecessary expense. The appropriation for the salary of the minister at that city was therefore dropped from the bill, and by that means the mission was abolished. The act was legitimate, and met the approval of the people of the country at large. Similar instances might be multiplied indefinitely, but they are unnecessary.

The present is a parallel case. Congress has come to the conclusion that supervisors of elections and deputy marshals charged with police powers at the polls are wholly unnecessary, and involve an unnecessary expense. They have chosen the plan of nullifying the law authorizing their appointment that has been sanctioned by every Congress for ninety years past. They sought first to repeal the law, it is true, but were foiled in their endeavor by a veto from the White House. That veto, however, will be inoperative when it is found that no provision has been made for the payment of these officers. The Democrats have simply whipped the devil round the stump—have accomplished their original purpose by indirect means. If the Republicans wish to raise the issue—as seems to be indicated by the remarks of the two gentlemen named—that

the Democrats have not appropriated enough money, we can afford to accept it. The trouble heretofore has been that Congress has been too lavish in its expenditures. At the present session an effort has been made to remedy this defect, and all unnecessary expenditures have been cut off, including those for federal election officers. The saving effected will be considerable—far more than appears at the first glance. But a far greater gain will be realized in the effect that the lack of these appropriations will have upon the country. It will put a decided check on the centralizing tendencies of the times, and teach the monarchists at Washington that the people are determined to control their own affairs after their own pleasure. It will further demonstrate the fact that there is not now, nor has ever been, any necessity for laws that can only be rendered effective by an abuse of power. The elections conducted without the interference of federal officials will be found to be as peaceable as any ever held in the country, and the count will no doubt be as honest as if myriads of supervisors and deputy marshals were overseeing the persons assigned to the duty of making up the returns.

Mr. Hayes, despite the opposition of his party, will have to approve of all the appropriation bills as now framed, and future results will show that the Democratic majority was wise in its day and generation in passing them thus. Board of Public Works. A regular meeting of the board of public works was held yesterday forenoon. Present: Messrs. Wabshaw, Mayor, and C. G. Ryan, chief justice of the supreme court. Several property owners on Elgar street, in attendance, General Becht explained that the members of the board had visited the locality, and after careful investigation had arrived at the conclusion that no change should be made in the assessment for grading that thoroughfare. A regular meeting of the board of public works was held yesterday forenoon. Present: Messrs. Wabshaw, Mayor, and C. G. Ryan, chief justice of the supreme court. Several property owners on Elgar street, in attendance, General Becht explained that the members of the board had visited the locality, and after careful investigation had arrived at the conclusion that no change should be made in the assessment for grading that thoroughfare.

THE STATE OF MINNESOTA. Yesterday the case of the State of Minnesota against the estate of the late Sheriff John C. Becht, was terminated with a verdict awarding \$1,923.03 to the plaintiff. In January, 1877, suit was brought by the State against the Fine City Lumber company to recover \$2,000, or thereabouts, due for stumpage on certain lands. Judgment was obtained in that case, and the lumber company, about this juncture, a day or two only intervening, W. Merriam, of Minneapolis, obtained judgment against the same company for \$1,700 and sent the judgment to this county for execution. Meanwhile the State had attached certain property belonging to the Fine City Lumber company. Merriam's writ of execution was placed in Sheriff Becht's hands, and he levied on the attached property, and sold it. Suit was brought to recover from the sheriff, but pending it, he died. The matter was left to commissioners after his death, and they reported in favor of paying the claim. From this Sheriff Becht's executors, John C. Penner and Sarah B. Becht, appealed from this award. The trial which engaged the district court yesterday and the day before came up on this appeal. After the evidence was in, and argument heard, the court instructed the jury to find for the plaintiff, which they did without leaving their seats. Mr. H. J. Horn appeared for defendants and Attorney General Wilson for the State.

OHIO AND PENNSYLVANIA CROPS. CLEVELAND, O., June 12.—The Leader this morning publishes reports from nearly all the important points in Northern Ohio and some places in Western Pennsylvania, giving the condition of the crops. The frosts of last week did very little damage. There will be about a two-third crop of wheat. The prospects are that the corn crop will be a failure. The cause of which is the long dry weather which prevailed this season, previous to last week. Cattle are somewhat better than corn, though not over two-thirds crops. The hay crop will be very light owing to the drought. There will probably be a fair yield of potatoes. Fruits, particularly apples, will be very light.

WORKINGMEN'S NOMINATIONS IN CALIFORNIA. SAN FRANCISCO, June 13.—The Workingmen have nominated C. J. Beardslee for railroad commissioner for this district; W. C. Hoagland, architect, for member of the State board of equalization. DAILY WEATHER BULLETIN. OFFICE OF OBSERVATIONS, SIGNAL CORPS, U. S. ARMY. INDEPENDENT BLOCK, CORNER OF WABASHAW ST., ST. PAUL, MINN. Observations taken at 10.15, 1.15, 5.15, 9.15 P. M. at all stations. METEOROLOGICAL RECORD, JUNE 13, 1879, 9.56 P. M. Bar. Ther. Wind. Weather. Breckenridge, 29.59 64 S. H. Y. Rain. Duluth, 29.32 61 N.E. Cloudy. Pembina, 29.67 65 S.E. Cloudy. St. Paul, 29.62 65 S.E. H. Y. Rain. DAILY LOCAL WEATHER. Bar. Ther. Rel. Hum. Wind. Weather. 29.75 63 72 S. Cloudy. Amount of rainfall 0.00, maximum thermometer, 74; minimum thermometer, 65.

SUPREME COURT.

Decisions by the supreme court were filed in a number of cases yesterday, of which the syllabi is given below: Frank Gerler, respondent, vs. Jackson A. Lintock, appellant. Syllabus—A cause of action upon contract, and one for a tort, cannot be united unless the complaint shows that they are of the same single transaction or of a series of transactions all connected together and independent of each other, and all connected with the same subject of action. The statement of fact in one cause of action will not help the statement of another cause of action, except so far as it is referred to in and by such reference made part of the statement of such other cause of action. Order reversed.

Martin Freiburg, as administrator of the estate of Jacob Wyes, deceased, respondent, vs. George Martin, appellant. Syllabus—Evidence held sufficient to sustain the finding of fact. Judgment affirmed. Charles May, David Syme and Alexander Syme, respondents, vs. The First Division of the St. Paul & Pacific Railroad Company, appellants. Syllabus—Evidence held sufficient to sustain the finding of fact. Judgment affirmed.

John Woodruff, appellant, vs. The Town of Glendale, in said South county, and Wm. Byrnes, overseer of road district No. 1, in said South county, respondents. Syllabus—The damages to owners of land assessed in the laying out of roads by town assessors, under ch. 5, of 1875, are to be paid by the town, so the act is not to be construed to the objection that it attempts to take private property for public use without just compensation. Judgment affirmed.

L. V. Goar, appellant, vs. Nicolai Jacobson, respondent. Syllabus—District courts have no jurisdiction to issue writs of certiorari to justices of the peace. Their only jurisdiction to review judgments is upon appeal. Judgment reversed. The Saint Paul, Stillwater & Taylor Falls Railroad Company, appellants, vs. The First Division of the Saint Paul & Pacific Railroad Company, John S. Kennedy, Horace Thompson and Edward Edgerton, respondents. Syllabus—The charter of defendant in terms, authorized it to enter upon lands and construct its road over them in advance of making compensation for the lands taken. The plaintiff in this action must allege and establish that the act was in violation of the charter, and that it was not a taking of land for public use. Order reversed.

Mary E. Finley, respondent, vs. A. H. Reed and Joseph Richardson, appellants. Syllabus—An action for wrongfully causing an attachment to issue must be governed by the law in force at the time it was brought. The plaintiff in such action must allege and establish that the attachment was in violation of the charter, and that it was not a taking of land for public use. Order reversed. Thomas H. Whittaker, appellant, vs. Frank E. Heiler, respondent. Syllabus—A particular contract construed. Order affirmed. Mary Greve and Herman Greve, her husband, appellants, vs. The First Division of the St. Paul & Pacific Railroad Company, respondent. Syllabus—The charter of defendant in terms, authorized it to enter upon lands and construct its road over them in advance of making compensation for the lands taken. The plaintiff in this action must allege and establish that the act was in violation of the charter, and that it was not a taking of land for public use. Order affirmed.

ST. VINCENT.

The New Town Which Has Sprung up at the Terminus of the St. Paul & Pacific. [Correspondence of the Globe.] ST. VINCENT, Minn., June 10.—St. Vincent is the northern terminus of the St. Paul, Minneapolis & Manitoba railway, the southern terminus of the Pembina branch of the Canada Pacific railway, the practical head of navigation on Red river. Six weeks ago our town consisted of a depot building and section house. To-day we have the following: Pacific avenue, running east and west—W. Stewart, two and a half story frame building 40x60, hotel, will open June 15th in charge of J. E. Thompson, known in St. Paul, Smith & Sweeney, two story frame 20x20, boarding house. Flynn & O'Keefe, two story frame 24x40, general store. Dan. F. Brawley, frame dwelling, with addition dwelling occupied by Geo. E. Winter; additional dwelling occupied by J. E. Thompson, and as postoffice. J. B. Winters, two story 30x30, general store—heavy stock of groceries, merchandise, hardware, dry goods and liquors, wholesale and retail. O. Wilts, one story feed store, ground brood for a large warehouse; Tiffany & Co., of Winnipeg, occupy this building. J. M. McKewen, two story frame 24x30, restaurant.

Atlantic avenue—Hend Bros' two story restaurant, 35x50. This is our pioneer boarding house, over twenty years old, and being accommodated before the roof was on. They deserve the patronage of our citizens. Frame building, occupied as branch freight office and telegraph office, (temporary). Washington avenue—Edgerton & Wieringer, frame saloon, 20x25. Geo. B. Elliott, frame dwelling. John Murphy, frame dwelling. C. J. Gooding, two story frame, 20x25, with kitchen attached.

Central avenue—Main passenger depot. St. Paul, Minneapolis & Manitoba railway, 40x125; ready for occupancy July 1. This will be the finest depot building north of Minneapolis. Freight warehouse, 30x90. Charles Crawford, two story hotel building 30x90. Completed July 1st. Town site Co. building, 20x20, ready for occupancy. Washington avenue—Dwelling house, Wm. Robertson.

Julius Austrian, of St. Paul, has purchased lot on Pacific avenue. Business not known. A large number of men are steadily employed cutting brush, clearing streets, digging ditches, draining surface water, etc. Eli Perkins when here expressed his opinion very favorably toward St. Vincent and named that corner lot, selling for \$135 now, would be inside of three or four years. Our merchants are patronized by Manitobaans, and after paying duties, claim they save money. Pembina, across the river, does a large share of her trading here. The Northern Pacific officials spent about an hour looking our town over and were very favorably impressed. At a meeting of citizens of St. Vincent last Saturday, June 7th, it was decided to hold a grand jubilee on the 4th of July. Hon. W. Taylor, American Consul at Winnipeg, will deliver the oration, Capt. Collins and officers at Fort Pembina co-operate. Freight for Winnipeg and points north entirely cleared up at this point. The new custom house building at Pembina will be occupied by E. McMurtree and assistants to-morrow. St. Vincent and Pembina should unite in putting up a first class ferry transfer. The traffic across the river is very heavy and charges exorbitant. Our lumber dealers complain that they cannot get lumber to meet the demand of trade. One firm have twenty-five cars ordered ahead. A general invitation is extended to the readers of the Globe to meet here on the 4th of July celebration, and a good time promised by yours, W. H. H.

THE SILVER QUESTION. The "Thunderer's" Views of the Recent Advance.—The Matter of Bi-metalism in Germany. LONDON, June 13.—The Times in its financial column says, "One of the main causes of the rise in silver was the publication of a letter to the under secretary of state for India, giving the views of Lord O. Russell, British ambassador to Berlin, in regard to Germany's coinage policy. The letter confirms the announcement of the German government's determination not to sell any more silver at present. The letter also states that the German government has ten million pounds in silver on hand which will increase during the suspension of sales, and it is added on authority of Lord O. Russell, that it is generally believed by financial men in Germany that the government is preparing to introduce a new double standard as in France. This news may be quite correct, for the economic vagaries of the German government are notorious. It is not known whether the German government is prepared to accept the perpetration of any folly after what the past few years have revealed. Still it would be well to consider the matter with caution for more reasons than one. The belief of financial men in Germany is hardly sufficient ground on which to come to a conclusion that the price of silver will rise with a whole. However, the tendency of the extracts contained in the parliamentary paper which we are about to publish, show that the recovery in the value of silver is quite probable. That Germany will cease to sell till the price rises again is also very likely, for the loss so far has been very heavy. It is besides, behind hand with her silver coinage, quite apart from any question of double standard and the fact that the German government is not prepared to accept the perpetration of any folly after what the past few years have revealed. Still it would be well to consider the matter with caution for more reasons than one. 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