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ST. PAUL, WEDNESDAY, AUGUST 3, 1881.

"The mills of God grind slowly, but they grind exceedingly small." The smallest grist turned out of late years is the Miller and Lapham grist from New York.

The St. Louis Republican has undertaken to tell "The Truth About Missouri." As we have no hankering after Jack Sheppardism, or the style of dime novels generally, the Republican needn't be mailed to this office for a week or two.

St. Paul and her citizens have contributed about ten thousand dollars in cash for the benefit of the sufferers by the New Ulm cyclone, and all of it has been delivered. It was not necessary to wait till a strike of railroad hands subsided, to hear from this city.

Mr. Bookwalter, the Democratic candidate for governor of Ohio, is sneeringly spoken of by the New York Tribune as Mr. Pocket-Bookwalter. It is not long since that the Tribune was called upon to speak of Mr. Dorsey as having carried Indiana by splendid organization and a good deal of (Laughter).

TIME, it is said, makes all things even. Down in Iowa, however, it seems to be different. Instance the following:

As J. F. Wilson, as a statesman, has no superior and few equals among Iowa men. His record was made in the nation's darkest hours, and is now laid before the people. The closest scrutiny will fail to discover in it a single flaw, and to examine it the more is to admire it the more.

There was a time when Credit Mobilier was not popular in Iowa.—Sioux City Journal.

When brethren of one family agree so well as to the moral qualities of a favorite son, it would be supererogation to interpose any comment.

It is scarcely likely that Peoria, Ill., beer will come into extensive use as a national beverage. A rat of it exploded the other day, killing two men and scalding thirteen others. This might be called the beer that brings the drinker to his bier.

Perhaps it would be a good idea to import a few kegs of this Peoria beer and scatter it around in the woods about Eau Galle, Wis. If the Williams brothers should chance to sight it the result would be as fatal as their hunters could wish. In fact, it is a much more feasible plan for extermination than hunting them with cavalry.

Up to Saturday night Chicago had collected and forwarded to New Ulm \$67,378. This is generous, but still only a very small fraction of what Chicago can afford to do under the circumstances.

Since the extension of the Winona & St. Peter road to New Ulm, Chicago has been the source from which the merchants have drawn their supplies. The freight rates given by the railroad have made that section a sealed book to St. Paul, and the trade which formerly came to us, has been turned by the Chicago railroads to that city.

The cyclone disaster is one which peculiarly appeals to Chicago, as that city has not only been reaping the business of the region, but the very disaster makes a large increase of trade the current year.

THE EARLY BIRD CATCHES THE WORM.

As a rule, take the years that you see, the farmer who markets his wheat as soon as it is harvested, makes the most money. The largest farmers in Minnesota and Dakota uniformly follow this rule. This year seems likely to especially prove the truth of the statement.

A powerful combination has cornered August wheat in Chicago, and to carry the corner to a successful conclusion, they must pay in cash for all wheat which reaches Chicago prior to August 31, whatever price they bid on the August option, or else their entire scheme will fail.

They can afford to pay a price far above the real market value during August owing to the fact that the speculators have sold short to the extent of thirty million bushels or more. These short sales run all the way from \$1.08 up to \$1.22. The corner clique have secured these options, and as it is impossible for the short sellers to deliver the wheat, they must settle with the corner for the difference between their sale and the price paid by the clique for actual wheat delivered to them in August.

It is very liberal to estimate that ten million bushels of spring wheat can be threshed and thrown into the Chicago market during the current month, and hence if the clique pay a high price for ten millions they make a far greater sum by squeezing the short sellers of thirty millions. The host of the leader of the clique—T. P. Handy, of Cincinnati—that wheat would sell at \$1.50 and perhaps \$2 in Chicago this fall, is evidently for the very purpose of inducing farmers to hold back their shipments until the August corner terminates. The less actual wheat the clique are obliged to buy, the better it suits them. They are gambling on the price, and must keep it up to win their great game. If they can induce the farmer to hold his grain until later in the fall, so much the better for the clique.

The winter wheat crop is half short, the spring wheat yield is less than last year, and foreign crops are far from satisfactory. The outlook for wheat the current year is favorable. It is owing to

these facts that they have been able to organize this August corner. They have used these facts to advance the price and added the fictitious valuation besides. It is therefore reasonably certain that the price of wheat in August will exceed that of any month this year, and Minnesota farmers who can market any or all their crop before the first day of September will make money. What is to-day thirty cents higher than the corresponding day last year. The clique may force it ten or more cents higher during the month, but the farmer who threshes his crop and places it where it can be sold during the height of the squeeze now in progress will have no occasion to regret it.

WHAT'S IN AN AIM?

The annual fest of the Northwestern Schutzenbund will begin at the St. Paul Rifle club grounds to-day. A large number of strangers were in the city yesterday, and most of them connected in one way or another with some of the organizations that will participate in the festivities of the week. They will be partisans of one or the other of the clubs that will contend for the prizes, but it may be safely said that they will acquiesce fully in the decisions of the judges appointed.

The fest that opens so auspiciously to-day is memorable as signaling the first gathering in the Northwest of a society that numbers among its membership many enterprising, thorough-going business men. Among those who will be present at the contests this week are men who have won places in the business world by their earnest endeavor, honest industry and perseverance in business life.

Mostly of the German nationality, they are nevertheless Americans in the fullest significance of the term. The Germans may be and are, to a certain extent, clanish, but they fraternize with the Americans as thoroughly as any other people. When you scratch a Russian you find a Tartar, but when you scratch a German you are sure to find an American citizen—a man upon whom you can depend not only to discharge the duties of citizenship, but to defend with his life the integrity of the country of his adoption.

Aside from national considerations the schutzenfest will serve a good purpose. Emulation in the practice of rifle shooting is commendable. It has been too much neglected in the past. A name is a good thing in time of peace and war. The guests of St. Paul on this occasion may be assured that they are heartily welcome. The banners that are extended across the streets and that decorate the fronts of all our prominent buildings are not an empty "Welcome." They express the full meaning of the citizens, who extend to their guests a hearty and enthusiastic welcome.

"Welcome to St. Paul" is the expression of every citizen.

"Come again" will be the parting salutation to all who are compelled to part company with our citizens.

The schutzenfest has come, and it will go, but the GLOBE hazards nothing by predicting that none of the visitors from abroad will depart with other than the kindest feelings for the people of the Northwestern metropolis.

BOARD OF COUNTY COMMISSIONERS.

Synopsis of the Business Transacted at its Regular Monthly Meeting Yesterday. The board of county commissioners held its regular monthly meeting yesterday forenoon, Mayor Rice presiding.

The bill of Thomas Miller, for which he had obtained judgment against the board of county commissioners, was ordered paid by a unanimous vote.

A petition of E. F. Drake asking for a refund of certain taxes paid by mistake was referred to the committee on taxes.

A petition signed by B. Michel and others for a change in the route of a highway across the southeast quarter of section 12, town 29, range 23, was referred to the committee on roads and bridges.

The county treasurer's report of the receipts and expenditures from March 1, 1881, to May 31 was presented, showing total receipts at \$379,648.68; disbursements \$160,381.58, leaving a balance on hand of \$219,267.10. Referred to committee of ways and means.

The sheriff was requested to ascertain the names of all persons selling intoxicating liquors without a license and make complaint thereof and report to the county attorney, who will thereupon proceed to prosecute the same.

A number of bills were presented and referred to the appropriate committees.

Eight hundred dollars was appropriated for the support of almshouse, hospital, etc., for the month of August.

The committee on public buildings was instructed to receive bids for supplying the county with wood.

The county treasurer reported that the amount of funds in the treasury on Monday, August 1, was \$39,379.18.

The abstract clerk reported amount of collections for the month of July at \$429.05.

The register of deeds reported his fees for the month of July at \$714.55.

Some other miscellaneous business was transacted, when the board adjourned.

THE COURTS.

Municipal Court. (Before Judge Burr.) CRIMINAL CASES. Charles White, Alex. Frick, George Ward, Louis DeGree, Thomas Holtz, J. Nelson and F. Whitehouse. All charged with drunkenness and all fined \$5 each, with costs.

THE BOND TRIBUNAL.

ANOTHER DAY OF ARGUMENT, AND A LITTLE PROGRESS MADE.

Hon. Daniel Buck Argues That the Tribunal is a Court and Hence Was Illegally Constituted.—Hon. Gordon E. Cole Argues That It is a Board of Arbitration and Sustained by Many Precedents.

At the sitting of the supreme court yesterday morning Hon. Daniel Buck continued the argument for the State on the attorney general's application for a writ of prohibition directed to the bond commission organized by and under the act of last winter.

HON. DANIEL BUCK'S POINTS. Mr. Buck in opening said he would discuss only one question and while he might seem in some measure to differ from his associates in his line of argument, yet he would reach the same result as they. He took for his theme the question of the right of the State to create a commission or court of arbitration, in the application of the law to the facts.

This commission is created simply to give a piece of advice, a voice, to the governor. You cannot enforce a voice. You cannot say these are the laws of the State. It is an advisory commission or court of arbitration, it is a misnomer to call it inferior to the supreme court.

The general duties of the commission are in no sense judicial, according to our constitution. In Western Railway Co. vs. DeGraff this court settled these principles as I contend. (9 N. W. Rep. 345.) The legislature could have conveyed the lands absolutely, but it imposed a commission of executive officers to purchase the lands for the State, and the application of the law to the facts.

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No body but the legislature can represent the State in its contracting capacity. The legislature provided \$50,000 to help the attorney general in the purchase of the lands for the State. "Under this act," not against it.

The legislature, still assuming the constitutional amendment to be out of the way, had the right and power to provide in all respects for the adjustment of this debt. By its direct or through designated officers or by arbitrators to be selected as it should provide.

There is a distinction, which our friends have overlooked, between what the State may do for itself and what it may do for private parties. Wilson (interrupting)—That is the best illustration of the argument advanced here.

Cole—Will it get through. They loaded for a private party and have got the State. The number of these boards or commissions is legion. But no writ of prohibition lies against them.

The reason why the reference should be had to this commission. Whenever the payment of the bonds has been advocated the response has been, you have been bought to do your duty, you have been bribed to do your duty. That has been the cry for twenty years.

A precedent in point was the appointment of a board of auditors of Sioux war claims in 1823-33. Nobody supposed a court was constituted, although the exercise of a judicial function. It was composed of executive officers and took \$350,000 out of the treasury.

Furthermore a board of appeals, composed of executive officers, was created in 1864, which appears to have been a court of record, according to the argument advanced here.

The powers given to the State auditor in 1878, is a further illustration of judicial powers being constitutionally exercised on behalf of the State. He heard and decided tax assessments and appeals therefrom.

The Seymour, Sabn & Co. commission of 1878 is another illustration. It was appointed to settle all matters of difference between the State and that firm. And the law providing for the commission extended to third persons.

But that it was constitutional and legal is apparent when you consider it was the State acting in its corporate and contracting capacity.

Another is the Lake Superior commission of 1870, appointed to settle and adjust all claims of the Lake Superior & Mississippi Railroad company against the State, for stampage sold by the State auditor. That commission had to pass upon both law and fact, and the law was under consideration here.

But here is a single matter of difference, a single question of law, submitted to certain gentlemen, heads of courts of the State, whose opinions will give credit to the new bonds.

Dealing with the State in its contracting capacity, the objections of the attorney general do not apply. The objection of the attorney general do not apply.

In Murray's Lessee vs. the Hoboken Land and Improvement company, [18] 579, the exercise of judicial power by an executive officer was sustained because it was for and by authority of the government.

Practically, we are proposing to refund our debt to the State, and to do so by the issue of new bonds. But theoretically, we do not force our creditors to come into court and accept this proposition.

This is a treaty between the State and the public creditors. I tell the attorney general that I do not see a single instance of a sovereign nation settling with its creditors by similar means and commissions. The precedents are numerous in our own authorities. An individual, with joint consent, may submit to a tribunal of arbitration, and no writ of prohibition would lie against the State debarred from a privilege enjoyed by every citizen.

A precedent may be found in the presidential commission of 1877. Whence was its power? Not from the constitution. For was its jurisdiction over the matter because it came from the inherent powers of government applying to a matter wholly within and of itself.

Such matters are not subjects of the ordinary legal maxims. The proceeding was not unconstitutional and extra-constitutional. The tribunal which this State has created for arbitration of her differences stands as high as any court. The writ of prohibition cannot issue, because the tribunal does not stand in the relation of a court.

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authorities, though not the brain which made the argument. The legislature had a doubt of its power to ignore the entire history of this bond question. The legislature simply judged it expedient to have the sanction of the commission. The legislature deemed it expedient to issue the bonds without reference to the people, if it could have an opinion of their own courts to satisfy the people. It was necessary the minds of the people, and of the purchasers of the new bonds, should be satisfied. It was thought that the decision of the supreme court, or of five such district judges as the governor could select, would give that satisfaction.

The act is in accord with the functions the legislature ought to exercise. What right have we to narrow down the intention of the legislature? What right have they, or this court even, to presume the legislature was cowardly?

The legislature did not need legal advice for legislating or for issuing bonds. What right have we to narrow down the intention of the legislature? What right have they, or this court even, to presume the legislature was cowardly?

While he would simply say in this case the legislative power has not been delegated, he would assert that about the only delegations the courts now say is, are where an act does not take effect of itself; and even the delegation is sustained by good authority. Local cases to the people as to local matters, etc., are held good. The citations made on the other side are not analogous or are not in point.

The cause of reputation be ever thus applicable to precedents. Let us see if we can find a precedent. The protal point of the law is necessary to determine the legislature upon the expediency of issuing the bonds. Is such a law invalid upon principle? No, for whatever was enacted by the legislature is valid.

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COURSE OF TRADE.

Home Business Active and Quotations Nominally Unchanged.—Grain Markets Steady and Stock Market Firm.

St. Paul, Wednesday, Aug. 3. Of the wholesale trade of St. Paul little is to be said this week, more than that merchants and their employes are quite as busy as they are to be this warm weather. Prices are generally steady, and with only exceptional indications of coming changes.

Domestic fruits are reported scarce and high. Apples scarce at 75¢ to 85¢ per bushel and \$4.00 to \$5.00 per barrel. California peaches, per bushel, \$1.00 to \$1.25. Bartlett pears, 75¢; Duchess, White Duane and Sides pears, 65¢; Plums, \$4.00 to \$4.50. Oranges, Sorrento, repacked, \$3.00. Lemons, choice to fancy, repacked, \$9.50 to \$10.00. Bananas, \$3.00 to \$4.00 per bunch, as size. Lawton blackberries, \$4.50 per 16-quart case.

The lumber trade continues active, with prices firm, and the St. Paul market now a little under the Chicago market on corresponding grades.

Malt is held at \$1.12 to \$1.25. New York hops, 24¢ to 25¢. Wisconsin hops, 15¢ to 17¢.

ON THE BOARD OF TRADE. Prices on the board of trade yesterday compared with those of Tuesday last week as follows: Wheat the same, but 3c higher a few days ago; corn, No. 2, 1c higher; oats 2c lower; barley unchanged; rye 5c lower; ground feed and commercial unchanged. Prices on the board of trade yesterday as follows: Wheat—No. 1 hard \$1.13; No. 2 \$1.10; No. 3 \$1.05; September \$1.00; No. 3 \$1.00; No. 4 8c; rejected 7c.

Corn—No. 2 cash and September offered at 46¢; No. 3 46¢ bid, 42c asked. Sale, one car No. 2, 40¢.

Oats—No. 2 white 37c bid, 40c asked; No. 2 mixed, August, 31c bid, 32c asked; do. September, 30c bid, 32c asked; No. 3 mixed offered at 38c. Sale, one car rejected at 30c, and two cars of No. 3 mixed, sacks included, at 45c.

Barley—No. 2 70c bid; No. 3 extra 65c; No. 3 60c. First receipts of new crop are of extra good color and plump grain.

Rye—No. 3 60c. Ground Feed—Offered at \$18.00. Corn Meal—Offered at \$7.00.

LIVE STOCK, PROVISIONS, ETC. Cattle continue in fair supply with good local and shipping demand, at prices higher than last month. We quote from sales of last week: Iowa fancy steers, \$5.60 to \$5.75; cows, \$4.75 to \$4.90; inferior and mixed lots, \$3.50 to \$3.75. Live hogs, \$5.55 to \$5.65. Lambs, 8c. Good to choice sheep, \$4.55 to \$5.00. Hams, 11¢ to 12¢; shoulders, 7¢ to 8¢; breakfast bacon, 12¢; spiced pork, 12c; clear sides, 10¢ to 12c. Lard, tallow, 12¢; lard, clear, and salted, 12¢ to 14¢; mess beef is firmly held at \$10.00. Dried beef 14¢ to 15¢; cooked canned corn beef, 85¢ per 100 lbs.

Dressed meats are steady. Pork 7c; beef sides, 6c; mutton, 9¢ to 10¢; lamb 12¢; veal, 7¢ to 8¢.oultry—Spring chickens 30¢ to 35¢ per pair. Old hens 40¢ to 50¢ per pair.

AT COMMISSION AND PRODUCE HOUSES. Flour—Selling on the trade as follows: XXXX, \$5.25 to \$5.50; straight, \$5.00; patents, \$5.75 to \$6.00. Rye flour, \$6.25. Shorts—Scarce, and selling at \$11.00 to \$12.00 per ton. Eggs—Supply good with fair local and shipping demand. Selling from store at 12¢; packed for shipping, 14c.

Oil—We note an improved demand for choice stock at 18¢ to 22¢, as a range for well known brands of dairy and creamery. Selections are held at 14¢ to 16¢. Shipping, fresh ground, mixed, and even in color, 10¢ to 12¢. Common 10¢.

Cheese—State factory 9¢ to 10¢. Potatoes—Southern grown selling at 50¢ to 60¢ per bushel. The local market takes about all coming in from the country at \$1.50 to \$1.60. Noyes Bros. & Cutler are buying largely and claim to be paying better prices than the article commands in any other Western market. Senega Snake Root—Buyers are paying 25¢ to 30¢.

Chicago, Milwaukee & St. Paul, Western Union Telegraph, Michigan Central and Pacific Mail were also prominent in the improvement. During the afternoon speculation was dull and somewhat feverish in tone, but prices were fairly well sustained until near the close of business, when there was a reaction of 1/4 to 1/2 per cent. from the highest figures of the day, the entire list participating therein.

The Commercial Bulletin says: The Stock Exchange was firm, strong and higher to-day. The tenor of reports respecting trunk line affairs have been that an early settlement of their differences is expected. There is nothing in the statements of leading officials to confirm these reports, but they served a useful purpose to those working for higher prices.

The Evening Post says: The speculation markets are all strong and higher to-day. There are no surface changes in trunk line road affairs, whatever may be going on underneath. The reports about the condition of the wheat harvest reduce the deficiency at first estimated, and the condition at present considered to be "encouraging. Yesterday closing, fresh "short interest" was formed in stocks.

The transactions aggregated 273,000 shares; Canada Southern 1,300; Central Pacific 23,000; Delaware & Hudson 1,400; Denver & Rio Grande 7,000; Erie 1,000; Hamilton & St. Joe 9,500; Missouri, Kansas & Texas 4,000; Lake Shore 26,000; Louisville & Nashville 1,500; Michigan Central 7,000; Memphis & Charleston 1,900; Missouri Pacific 12,000; Chicago & North Western 7,000; New York Central 9,700; New York Central 12,000; Ohio & Mississippi 3,700; Ontario & Western 1,800; Pacific Mail 13,000; Peoria, Decatur & Evansville 1,500; Philadelphia & Erie 1,000; Chicago & Milwaukee & St. Paul 4,950 to 5,750; Minnesota patent process 6,350 to 8,250. Wheat opened 1/4¢ higher; closed 1/8¢ lower; receipts 145,000 bushels; exports 106,600 bushels; ungraded spring 1,000 to 1,150; No. 1 Chicago 1.31; steamer No. 2 1.18 to 1.15; ungraded 1.10 to 1.28; No. 3 do 1.21 to 1.22; No. 2 do 1.25 to 1.26; steamer do 1.23 to 1.23 1/2; No. 2 red 1.27 to 1.28 1/2; mixed winter 1.23 1/2; ungraded white 1.16 to 1.23; No. 1 do sales 1.00 to 1.05; No. 2 do sales 1.00 to 1.05; No. 3 do sales 1.00 to 1.05; No. 4 do sales 1.00 to 1.05; No. 5 do sales 1.00 to 1.05; No. 6 do sales 1.00 to 1.05; No. 7 do sales 1.00 to 1.05; No. 8 do sales 1.00 to 1.05; No. 9 do sales 1.00 to 1.05; No. 10 do sales 1.00 to 1.05; No. 11 do sales 1.00 to 1.05; No. 12 do sales 1.00 to 1.05; No. 13 do sales 1.00 to 1.05; No. 14 do sales 1.00 to 1.05; No. 15 do sales 1.00 to 1.05; No. 16 do sales 1.00 to 1.05; No. 17 do sales 1.00 to 1.05; No. 18 do sales 1.00 to 1.05; No. 19 do sales 1.00 to 1.05; No. 20 do sales 1.00 to 1.05; No. 21 do sales 1.00 to 1.05; No. 22 do sales 1.00 to 1.05; No. 23 do sales 1.00 to 1.05; No. 24 do sales 1.00 to 1.05; No. 25 do sales 1.00 to 1.05; No. 26 do sales 1.00 to 1.05; No. 27 do sales 1.00 to 1.05; No. 28 do sales 1.00 to 1.05; No. 29 do sales 1.00 to 1.05; No. 30 do sales 1.00 to 1.05; No. 31 do sales 1.00 to 1.05; No. 32 do sales 1.00 to 1.05; No. 33 do sales 1.00 to 1.05; No. 34 do sales 1.00 to 1.05; No. 35 do sales 1.00 to 1.05; No. 36 do sales 1.00 to 1.05; No. 37 do sales 1.00 to 1.05; No. 38 do sales 1.00 to 1.05; No. 39 do sales 1.00 to 1.05; No. 40 do sales 1.00 to 1.05; No. 41 do sales 1.00 to 1.05; No. 42 do sales 1.00 to 1.05; No. 43 do sales 1.00 to 1.05; No. 44 do sales 1.00 to 1.05; No. 45 do sales 1.00 to 1.05; No. 46 do sales 1.00 to 1.05; No. 47 do sales 1.00 to 1.05; No. 48 do sales 1.00 to 1.05; No. 49 do sales 1.00 to 1.05; No. 50 do sales 1.00 to 1.05; No. 51 do sales 1.00 to 1.05; No. 52 do sales 1.00 to 1.05; No. 53 do sales 1.00 to 1.05; No. 54 do sales 1.00 to 1.05; No. 55 do sales 1.00 to 1.05; No. 56 do sales 1.00 to 1.05; No. 57 do sales 1.00 to 1.05; No. 58 do sales 1.00 to 1.05; No. 59 do sales 1.00 to 1.05; No. 60 do sales 1.00 to 1.05; No. 61 do sales 1.00 to 1.05; No. 62 do sales 1.00 to 1.05; No. 63 do sales 1.00 to 1.05; No. 64 do sales 1.00 to 1.05; No. 65 do sales 1.00 to 1.05; No. 66 do sales 1.00 to 1.05; No. 67 do sales 1.00 to 1.05; No. 68 do sales 1.00 to 1.05; No. 69 do sales 1.00 to 1.05; No. 70 do sales 1.00 to 1.05; No. 71 do sales 1.00 to 1.05; No. 72 do sales 1.00 to 1.05; No. 73 do sales 1.00 to 1.05; No. 74 do sales 1.00 to 1.05; No. 75 do sales 1.00 to 1.05; No. 76 do sales 1.00 to 1.05; No. 77 do sales 1.00 to 1.05; No. 78 do sales 1.00 to 1.05; No. 79 do sales 1.00 to 1.05; No. 80 do sales 1.00 to 1.05; No. 81 do sales 1.00 to 1.05; No. 82 do sales 1.00 to 1.05; No