CHAMBER OF COMMERCE.

The Regular Meeting of the Board of Directors Yesterday—The Fox and Wisconsin River Improvement Discussed—The Third Street Crossing and Other Matters Debated.

The board of directors of the chamber of commerce met yesterday morning, and all the members had on their war paint. The result was a long session lasting for two hours, during which many of those present expressed their views upon the various subjects before the board.

THE FOX AND WISCONSIN RIVER IMPROVEMENT.

One of the principal matters before the board was the report made by Mr. Noyes, from the mercantile committee, on the Fox and Wisconsin river improvement, which was as follows:

Your committee to whom was referred the communication of Gen. John Newton, of the board of engineers, U. S. A., relative to further improvement of the Fox and Wisconsin rivers, to secure water communication between the Mississippi river and the lakes, would respectfully report that the northwest is pre-eminently interested in cheap transportation, and thus in the establishment of lines of water communication with eastern ports and markets, water competition, especially if under government control, securing at all times even and favorable rates of transportation and protection against combination and monopoly.

The history of the Fox and Wisconsin river improvement is well known to this chamber. As far back as 1773 the route westward for freight and travel was by these rivers, so nearly connected at the portage as to be naturally preferable to any other.

From the fire survey in 1817, by Maj. Long, to the last just completed, all competent engineers have agreed that the route is an excellent one and the plans of improvement entirely practicable. In 1846 the state of Wisconsin received a government grant of land in aid of this improvement, and soon after entered upon the work, surrendering it, however, to the general government in 1871, on payment by the government of $145,000 expended in addition to the value of the land grant. Since then the work has been conducted by the government on the plan of improving the natural channel of the Wisconsin river by wing dams and dykes, the Fox river by dams and locks to secure slack water navigation.

Gen. G. K. Warren, about 1867, recommended that a canal be built along the Wisconsin river—from the Mississippi to the Fox river—in preference to any attempt to improve that wide and shallow stream. The final decision in this matter of canal, or river, must rest with very able and competent engineers who have the work in charge. From St. Paul, this route has about 250 miles of Mississippi river navigation 112 miles on the Wisconsin, seven miles of canal at the Portage and 146 miles on the Fox river. Its plans contemplate 27 locks, 165 feet long, 6 feet deep, and 35 feet wide, covering a fall of some 200 feet. If the Mississippi river improvements, which is of primary importance, is carried out, and five feet of water secured, a tug, properly constructed, can take at St. Paul three barges, carrying 1,000 tons, in tow and deliver them safely on the lake at Green Bay. The canal and fifty-four miles of river improvement—on the Wisconsin—were completed in 1879—(see report of Col. A. C. Houston, engineer in charge)—and $2,161,000 have been expended in the work. It is now estimated that $3,000,000 more are required to complete it. Will it pay to expend this large amount upon it? Your committee firmly believe that it will, and that the benefits of the northwest, direct or indirect, of such water-way, under government control, will be incalculable.

It should be a free highway for commerce, and thus forever a guaranty of cheap transportation, and of protection against monopoly and extortion. The great hindrance to this work for many years has been the opposition of parties interested in railroad lines, and very naturally inclined to delay and disparage so formidable a competitor. "They will not willingly permit in the northwest the creation of a second Erie canal."

Grain is now being carried by lake, canal and river 1,422 miles from Chicago, Ill., to New York for $2.62 per ton, or less than 84-100 of a cent per bushel. By the Wisconsin and Fox river route, when completed, the rate from upper Mississippi river points to the lakes should be less than by any existing route. It is not expected that this route would take out all the produce of the northwest, or bring in all its merchandise from the east, but it would surely modify and control rates of transportation between the Mississippi river and the lakes. Mr. Murphy, of New York, in his argument for the abolition of tolls upon the Erie canal, said of it: "It is the great regulator of the cost of transportation, and it would be sound policy and wisdom for the state to maintain this great waterway in a condition of the highest efficiency, though not a ton of merchandise was carried upon it." Gov. Horatio Seymour said of it: "If it did not carry a pound of freight it would be wise to keep it ready for use to defeat unjust and hurtful charges." If, as has been asserted, "the chief element in the prosperity of any state or nation is the economy of transportation of persons and property," we cannot hesitate to urge upon government the immediate and permanent improvement of the greatest waterway of this continent, the Mississippi river, especially that long neglected portion of it from the Des Moines rapids to the head of navigation, and in connection with this—as part of the great plan of general improvement—the early completion of the natural and most available waterway from the Missisipi river to the lakes via the Wisconsin and Fox rivers.

It would, however, be as great folly to complete this waterway, and neglect the improvement of the upper Mississippi, as to build an extensive bridge and neglect its approaches. When, however, the Mississippi river has had the attention it rightly demands, then let this most desirable and important connection between it and the lakes be promptly secured.

Your committee desire to express their thanks to General Sanborn, Governor Marshall and Mr. Russell Blakely for valuable aid and interesting communications to the committee, from which they have drawn most freely. These communications are submitted with this report for the use and information of the chamber. Respectfully, DANIEL R. NOYES, Chairman, For the Committee.

Mr. Drake remarked that he supposed it was too late to argue the matter, as he supposed the board had made up its mind, but he desired to put himself on the record as opposed to the alleged improvement. It was evident that the committee that made the report was far behind the age. Canal freightage is a thing of the past. Nothing but the heaviest articles are transported on them, like coal or ore. Not a box of dry goods ever goes by them, or ever will again. They are too slow, beside they are frozen up five months in the year. He illustrated what he said by referring to the Ohio canals, and said the effort of the state now was to get some one to take them for keeping them in repair. If the government is going into the freighting or transporting business, and pay the expenses, let it put down steel rails and do the freight business in a manner that will be more satisfactory than canals have ever proved to be. The whole history of transportation the world over shows that canals are of no account in the matter of freight transportation. They do not even regulate the price of transportation.

Mr. William Lee wanted to have the roll called on the matter. He wanted all to go on record. The youngest member of the chamber would not live to see a boat go through that canal.

Mr. Noyes defended the report and maintained the points stated in it, and thought Mr. Drake was wrong, for he (Noyes) had been informed that a large part of the whole freight of Great Britain was moved by water.

Mr. McClung was not gratified with the report. It was not sufficiently exhaustive. He desired postponement for two weeks to give the committee an opportunity to examine further. The vote to postpone for two weeks was lost and then another motion to postpone for one week was also lost, and then the report was adopted by a vote of 13 to 10, on roll call, in accordance with the report of Mr. Lee.

Mr. Lee then moved that the roll call be sent to Mr. Newton, which would show him and the world that less than one-third of the members of the board voted for it, but the motion, when taken, was lost.

PAVING THE STREETS.

The following report was submitted by Mr. McClung, which excited a warm discussion:

The committee on streets held a meeting on Friday night in joint session with the common council committee on streets, the board of public works and the city attorney to consider the proposed paving of certain streets. The result of their conference was that they recommend the paving of the following streets:

St. Peter street from Third to Martin; Cedar street from Third to Eighth; Minnesota street from Third to Seventh; Robert street from Third to Eighth; Jackson street from Second to Third; Sibley from Seventh to Eighth; Wacouta from union depot to Eighth; Rosabel from union depot to Eighth; Broadway from Third to Mississippi and Mississippi thence to Grove. Fourth street from Seven corners to St. Peter; Fifth street from Third to Broadway; Third street from Seven corners to Pleasant avenue.

The subject of paving Third street with granite was fully discussed and it was decided by a unanimous vote to recommend the common council to rescind their order for paving with granite, and order cedar blocks from Sibley street to the Seven corners instead of granite. Granite was recommended for paving Fourth street from St. Peter to Jackson street.

Respectfully submitted,
J. W. MCCLUNG, Chairman.

Mr. Oppenheim stated that in Chicago they were taking up the wood pavements and putting down granite.

Mr. Ingersoll argued in favor of using cedar blocks and referred to New York. Paving with granite made the street too slippery and dangerous. In level places it may do, but it would not do on an incline. It is impossible to use it on an up hill street.

Mr. Murray explained that they now used a narrower stone and by leaving a space between the stones for dirt the difficulty referred to by Mr. Ingersoll has been obviated.

Mr. Noyes moved to amend by limiting the report of the committee from Wabashaw to Pleasant avenue.

Mr. McManus opposed the granite pavement on the ground of the noise it made.

Mr. E. F. Drake stated in August last he saw them paving the Strand in London with pine blocks, and said they claimed to have a process by which the blocks were made impervious to water, and the company guaranteed the pavement to last a certain term. In Paris they also used pine blocks. He said that they claimed that if the foundation upon which the blocks were placed could be made permanent that there was no trouble about the pavement being durable. The trouble had been found to be in a single block sinking. As soon as one sinks all the wheels that pass over drop down and continue to pound other blocks down and then the pavement is gone; whereas if the pavement can be kept level, and all the blocks even by placing them on a solid foundation there will be no trouble with a wooden block pavement. He was in doubt what kind of pavement was the best and desired to see experiments made. If a granite pavement could have been put down on the square at the junction of Third and Sibley streets, where there is a good deal of heavy travel, we could tell how it would operate. He did not think it best to adopt the report hastily.

Mr. McClung favored cedar blocks all the way. There had been improvements in cedar block pavements. They now saturated the blocks with tar which kept out the water. He did not want to stand in the way of public improvements but desired to call the attention of the members to the fact that it was proposed to compel citizens to put down stone sidewalks. Paving streets and putting down stone sidewalks is expensive, and taxes are piling up pretty heavily. It is worth while to be careful:

Mr. Ingersoll was decidedly opposed to granite. Third street is a retail street, and there was no doubt in his mind that wooden blocks made the best pavement.

Mr. Oppenheim laughed at the objection made on account of the noise. On Broadway, New York, where there is more business done in an hour then there is on Third street in a year, there was no trouble at all to hear any one talk.

Mr. James H. Davidson, in view of the fact that the report opened up a very important matter, moved that it be made the special order of an adjourned meeting of the board, to be held this (Tuesday) evening. This motion was readily agreed to on the question being put.

BRIDGING THIRD STREET.

The following was offered by Mr. Oppenheim:

Resolved, That we heartily approve the prompt action of the city council in ordering Third street bridged at the railroad crossing, and trust the board of public works will act promptly in the matter under existing contracts between the railroads and the city.

As soon as the resolution was read Capt. Berkey rose and very strongly opposed it. He declared that Third street had already received $30,000 in bonusses, besides he knew, as a matter of fact, that the people on the street were laying back to get a chance to recover big damages; besides, only people on one side can be assessed for the improvement. To bridge the street there was useless, for in less than ten years the railroads will own the street down there. Mr. Drake, who owns property on Third street near the proposed improvements, was appealed to as to how much his property would be injured. He admitted that it would be injured a good deal. He, (Berkey), knew the game the people down there were playing.

Mr. P. H. Kelly replied to Capt. Berkey and suggested that the captain owned property on Seventh street which might account for his views. He explained all about the contract with the railroads, which will have to bear half the expense of the bridge. He argued that it would cost less to make the improvement now than it will in years hence. He also referred to the painful fact that a number of people had been killed there by the cars, and that one woman whose husband was killed there is now in St. Peter totally insane. He also referred to the fact that there was a very large population over there on the bluff that have rights that should be regarded. They are now almost shut off from communication with the city.

Capt. Berkey replied that he did own property on Seventh street but that did not influence his opinion or judgment in this matter. In regard to the railroads he said they could not be relied upon at all. They had never lived up to their agreements with the city and there was no reason to think they would in the future. He was opposed to recommending the council to appropriate money where there was no legislation that authorized it.

The resolution was finally passed almost unanimously.

THE BUILDING COMMITTEE

made the following report, which was adopted by resolution:

To the Board of Directors of the St. Paul Chamber of Commerce:

The building committee, to whom, by resolution of the 24th of September, 1883, was entrusted the procuring of a design for the proposed chamber of commerce building, hereby respectfully report: That invitations were on or about the third of October given by the committee to five of the architects residing in this city to prepare and submit designs, with specifications and estimates of cost for the proposed building, with the understanding that the committee might decline any or all of them, paying, in that event one hundred dollars to the author of any design so declined, and that the author of any design that should meet the approval of the committee should receive the appointment of architect and superintendent of the building, and should receive and accept as full compensation for all designs, drawings and services as such a commission of two (2) per cent. of the actual cost of said building to the chamber, not exceeding, however, fifteen hundred dollars total compensation—the chamber to employ and pay a competent inspector on the building while the construction should be in progress.

Of the five architects invited three declined the competition on the terms proposed, and two accepted and have submitted designs. One of these has been declined by the committee, and an appropriation of one hundred dollars is recommended for payment to the author on the proper voucher, to be certified by the committee. The design submitted by Messrs. Carpenter & Teltz has been approved by the committee, subject to such modifications as may appear to be proper and expedient hereafter, and the committee accordingly recommend the formal appointment of that firm as architect and superintendent of the building upon the terms proposed by the committee and agreed to by that firm.

The design, comprising drawings and an estimate of cost (within the limit prescribed by the board) is herewith submitted, and the committee, having completed the duty assigned to it, await the further action of the board of directors.

JOHN B. SANBORN,
WM. LINDEKE,
PETER BERKEY,
J. W. BISHOP,
J. D. LUDDEN,
Building Committee.

The above business having been completed the board adjourned.

Cares of Life.

As we come to them they are received, borne with and passed over with no more than a thought, if we are in the enjoyment of health, but if suffering with piles or skin diseases of any kind they magnify a hundred fold. A. R. Wilkes, B. and E. Zimmerman, and E. Stierle, the druggists, have Dr. Bozanko's Pile Remedy, an absolute cure. Sold at 50 cents.

LIGHTS AND SHADOWS.

As Seen Through the Spectacles of the Police Court Reporter of the "Globe."

This is a queer, crazy old world, in which the shadows sometimes fall so thick that unless the mental vision is well balanced, one is in danger of losing sight of the lode-star, which, though oftentimes hidden in the clouds of doubt and despair, glimmers unfailingly in the thickest gloom. If one took only the constable's bation and the scenes of the police court as a criterion of the race, he would give up the problem of happiness in man as hopeless, and jump off the big span as a mere matter of relief from the pressure.

Henry Bates, one of the first sinners before hizzoner yesterday, is a young man with a head as free from hair as a billiard ball, a clear cut face. and with the dirty clothes of a tramp. He had first served a term in the workhouse and was up again for drunkenness. "I want to say a word, your honor," he said. "Sunday I had my bag packed and was going to see my friends—oh, I have friends, and good ones, too, in Wisconsin, and they think the world of me; well, you see, it was cold and I was gloomy and discouraged and did take a drink; I have only one lung, yer honor, and the other one is going too, so please give me another show." He was directed to take his bald pate and fragment of lung out of the city.

Alex Mahoney had a fearful black eye, and the officer stated that he had come to the city hall drunk, asked for lodging and had been locked up. He told the court that when he had asked for lodging some one had kicked him in the shin and blacked his eye. The court said that under the circumstances, sentence would be suspended.

F. Richter pleaded guilty to fast driving and he was fined $15, which he paid.

John Murphy's nose was as red and bloody as the sunset tints in a tea shop chromo. He had been on a bum, and he went out for five days.

P. Marks had bounced one of his boarders down stairs, and in extenuation he said the latter had thrown a bucket of nasty slop on Mrs. Mark's hair. He was fined ten bills.

Mike Duffy was up for disorderly conduct. He had tried to get into a freight office, and he said that he was cold and only wanted to get where there was a fire. He took ten days.

Ed. Dunn was charged with going home drunk and chasing his wife out of doors. He denied the charge, but just the same he was fined $10 and put under bonds to behave himself.

Lillie Bentine and Mary Shanley, a couple of idle females, were each sent out for thirty days.

The case of Pat Gleason was rather peculiar. He was charged with robbing a Hebrew rag peddler of $10. The latter testified that on Nov. 22 he was peddling in Rose township, when Gleason knocked him down, held a knife over him and threatened to kill him unless he gave him $10, when he gave up the money. The case was partially tried and continued to the 15th.

John Gillespie was up for kicking a boot black. In extenuation he claimed that the gamin was putting the polish on his socks. He was fined $20.

Cause of Failure.

Want of confidence accounts for half of the business failures of to-day. A. R. Wilkes, B. and E. Zimmermann and E. Stierle, the druggists, are not liable to fail for the want of confidence in Dr. Bosanko's Cough and Lung Syrup. He gives away a bottle free to all who are suffering with coughs, colds, asthma, consumption, and all affections of the throat and lungs.

TRANSPORTATION NOTES.

Changing the Time.

The scheme to substitute standard time for local time on all the railroads in this country on and after November 18, although passed at the late time-table convention in Chicago by a unanimous vote, will not be generally adopted by the western roads, several of them having come to the conclusion that to adopt the new standard time at present would subject them to much annoyance and inconvenience.

The Illinois Central has definitely decided not to adopt the new standard time for the present, but is now arranging new time-tables by which trains between Chicago and Cairo are run on Chicago time, between Cairo and New Orleans on New Orleans time, and on the Iowa division on Dubuque time. General Superintendent Jeffery states that the reason his road has decided not to adopt the standard time is because it runs a large number of suburban trains the time of which cannot well be changed so long as the city of Chicago adheres to local time, because most of the suburban passengers would not be able to discriminate between Chicago time and ninetieth meridian time and many of them would miss the trains. The difference between Chicago time and central standard time—a little over nine minutes—was too great, and to make the change would not only seriously inconvenience the public, but his company as well. And to change the time of through trains and not of suburban and local trains was not possible because it would lead to serious accidents. Mr. Jeffery stated, however, that he was very favorably impressed by the new scheme and would gladly adopt it, if the city of Chicago would change its time to ninetieth meridian time, and he could see no reason why the city should not make the change.

The Chicago & Northwestern road has the subject under consideration.

The Chicago, Milwaukee & St. Paul has decided not to make the change at present.

The Missouri Pacific railroad announces that the central or 90th meridian time will be adopted on all the lines of that company beginning the 18th inst.

The officials of the Chicago & Alton road state that they have not definitely decided whether they would adopt the new standard of time for their road or not.

The Michigan Central has not yet decided what to do, and, as it has all along been opposed to the new scheme and only voted for its adoption because all the othet roads voted for it, the prospects are that for the present it will continue to run its trains on Detroit time.

The Rock Island & Pacific will make the change. This road is now arranging new time tables corresponding to the ninetieth meridian time, which will go into effect Nov. 18. The company will effect the change by simply setting back its clocks and watches to agree with the standard by which its trains would be run in the future.

The roads running east from Chicago with the exception of the Michigan Central, will all make the change at the appointed time. These roads have all given orders to their employes notifying them of the change and instructing them to regulate their watches November 18 in accordance with the new standard. The change will not necessitate a rearrangement in the running of their trains; it will simply involve a resetting of the clocks and watches.

IN ST. PAUL.

None of the roads centering in St. Paul will adopt the new standard. On being questioned yesterday, Mr. Odell of the Northern Pacific said: "We are kindly disposed to the new standard time and may ultimately adopt it, but there must be some changes as it catches us at one point in the middle of a division."

Mr. Whitman, of the Chicago, St. Paul & Omaha said: "It is the intention of odr company not to adopt the new standard of time as proposed by the convention unless we are forced into it by its adoption on the part of all our connections and it is our intention to continue to use the time on which we are now running, that is, St. Paul time unless the circumstances referred to make it necessary to act differently."

Memphis Route South.

The railroad offices in St. Paul received yesterday a circular announcing the completion of the Kansas City, Fort Scott & Gulf railroad. The completion of this short line to the south brings that heretofore to the west practically inaccessible section into close relation with the west and northwest to the very great advantage to all.

Through trains for Memphis with Pullman palace sleeping car and elegant day coaches leave Kansas City daily, saving frequent changes and many hours time to Memphis, Jacksonville, Fla., New Orleans, and all southern cities. Tourist's tickets via this short route to Jacksonville, Mobile, New Orleans, and all the winter pleasure resorts of the south, will be on sale at all coupon offices throughout the west. A map of this new route has just been prepared and will be mailed free on application to J. E. Lockwood, G. P. & T. A., Kansas City, Mo.

Rail Notes.

Mr. Teasdale, of the Royal Route, has not yet returned from Chicago.

Four hundred Mormons arrived in Chicago Saturday on their way to Utah.

Mr. H. D. Mack has been appointed agent of the Chicago, Burlington & Quincy railroad at Rock Island.

Geo. K. Barnes, general ticket agent of the Northern Pacific road, and Charles S. Fee, assistant superintendent of passenger traffic of the same road, left yesterday for Chicago.

Mr. Oakes, vice president and acting general manager of the Northern Pacific, and Mr. Odell, assistant general manager of the same road left last night for a trip over the road.

The United States circuit court of New York has decided to permit a suit to be brought against Commodore Garrison, in the Missouri Pacific railroad case, for $3,000,000 and interest.

Twenty-six cars of cattle, consigned to Con. Kohres, and twenty cars consigned to A. Meyers, both Chicago arrived at the Minnesota transfer yesterday. This is probably about the last of the cattle shipments this season.

Within the last few days the Gulf, Colorado & Sante Fe railroad discharged 300 to 400 men along its line, caused by stoppage of construction and the general dullness of railroad business. The Galveston, Houston & San Antonio roads have also curtailed their force.

The Michigan Central will in future require prepayment of all charges on agricultural implements or machinery returned to manufacturers located on the line of its road, unless the written order of the manufacturer to return the goods is produced by the shipper.

An order for the sale of the Cincinnati Northern railroad has been issued by the superior court at Cincinnati, O., to satisfy a judgment of $24,000, balance on the purchase of real estate, only $8,000 of which is now due. The road will be sold as soon as the master can do so under form of law.

Commissioner Midgley has called a meeting of the Iowa Trunk Line association to be held at his office to-morrow. It is stated that the object of the meeting is to consider troubles regarding live stock traffic and also to make arrangements for maintaining uniform rates on the lumber traffic.

Mr. Muir had in his office yesterday a very beautiful oil painting of a mountain view from Columbia river, near Portland, Oregon. In the distance is Mount Hope with its lofty top bathed in the rays of the morning sun; below it are lesser mountain tops and below and between flows the beautiful Columbia. The picture is about six feet in length by four and a half. It will probablo be placed on exhibition in some window on Third street.

Following the example of the Milwaukee & St. Paul the Wisconsin Central has given notice that it will not abide by the arrangement made in Chicago to have the question of differential rates on lumber to Missouri river points from the various sources of supply submitted to an arbitrator in case the committee of general freight agents should fail to come to an understanding. As stated yesterday the committee has thrown up its job and the lumber rate war will continue indefinitely.

Announcement is made that a company has been organized to build a railroad from Danville, Ill., to Ritchie, on the Chicago division of the Wabash, St. Louis & Pacific railroad. The incorporators named are Jay Gould, Russell Sage, T. W. Evans, Thomas F. Ryan and A. L. Hopkins, of New York; John E. Greene, of Louisville. The directory is one-half of Wabash people and the other half of Louisville & Nashville officials. The road will form an air-line between Chicago and the south via the Wabash and the Louisville & Nashville roads.

Legal Decision.

PITTSBURG, Nov. 12.—In the supreme court this morning the judgment of the lower court was affirmed in the suit of Gardner vs. the Pullman Palace company. The case attracted widespread attention. Gardner secured a verdict of $300 having been robbed of valuables while sleeping in one of the Pullman cars. The supreme court's opinion held that the company, while not liable in an action as an inn keeper or common carrier, yet a reasonable and proper degree of care is imposed on them. The main object in taking passage in such a car is to permit the passengers to sleep. While in that helpless condition a duty rests on the company to provide reasonable care and caution against the valuables of passengers being stolen from his bed or from the clothes on his person. This is not a case of robbery by force and violence, but by stealthy larceny. The fact that another passenger in the same car was robbed on the same night, was admissable as bearing on the absence of proper care by the company.

In the case of the Pennsylvania company vs. the Pittsburg, Youngstown & Chicago Railroad company, a special certiorari was allowed as prayed for returnable the first Monday in December next. A stay of proceedings in the lower courts was also ordered until the final hearing until Wednesday.

The Cut Postponed.

CHICAGO, Nov. 12.—The cut in rates from $14 80 to $10 by roads interested in the passenger business between Chicago and Kansas City, which was to have commenced yesterday, has been postponed till the latter part of the week by agreement, pending a meeting of the passenger agents with a view to a settlement of differences. J. T. Hosford, representing the Erie & Chicago line, and W. T. Whitman, representing the Niagara Falls Short Line, have been admitted to membership and participation in the deliberation of the east bound trunk line passenger committee.

Defective Lease Acknowledged.

BOSTON, Nov. 12.—Information comes from good authority that the Eastern railroad people are about ready to concede the existence of technical defects in their lease to the Boston & Maine company, in that the protection afforded bondholders, or those who will become preferred stockholders under the terms of the lease, is not sufficient. Needed legislation will be asked for and consolidation be delayed at least a year.

Appointment.

ST. LOUIS, Nov. 12.—It is stated here that W. R. Woodward, late superintendent of the Hannibal & St. Joseph railroad, has been appointed to fill the position of general manager lately vacated by George W. Rister on the Texas & St. Louis narrow gauge. Woodward and President Paramore started last night on a trip over the road.

An Injunction Granted.

NEW YORK, Nov. 12.—E. Emery Anderson, on behalf of J. J. Bradford, has obtained an injunction returnable on Wednesday from Judge Donahue, restraining the issue of $20,000,000 second mortgage bonds of the Northern Pacific Railroad company. No importance is attached to the suit which will be tried in the United States courts.

Officers Appointed.

LITTLE ROCK, Ark., Nov. 12.—Manager Wood announces the following officers of the combined Liltle Rock and Fort Smith and Little Rock, Mississippi River and Texas railways: J. A. Woodson, tariff manager; Theodore Hartman, superintendent; H. G. Allis, general auditor.

Suit Against the Northern Pacific.

NEW YORK, Nov. 12.—A member of the Northern Pacific syndicate says that a new suit against the company was brought by Dohanta, who had ten shares of common stock of the Northern Pacific transferred in his own name.

Official Publication of Resolution Passed by the Common Council of the City of St. Paul, October 30, 1883.

By Ald. Starkey—

Resolved, That the Board of Public Works, be and are hereby requested to cause sidewalks to be laid as follows:

On the south side of Seventh street in front of lots 5, 6, 7, and 8, block 14; also commencing on the southeast corner of Reaney and Seventh streets running easterly on the southerly side of Seventh street to the west line of lot 12, block 20, all in Terry's addition and Mackubin's addition, to St. Paul.

Also from southeast corner of Reaney and Seventh street to southeast corner of Seventh and Minnehaha street, except in front of lots 13, 14 and 15, block 4, Mackubin's addition to St. Paul.

South side of Seventh street in front of lots 18 to 25 inclusive, of Johnston's subdivision of block 112, L. Dayton's addition.

Yeas—Ald. O'Conner, Robert, Fischer, Otis, Johnson, Van Slyke, Starkey, St. Peter, Mr. President—9.

Approved, Nov. 1, 1883.

W. D. CORNISH,
Vice President of Council.
THOS. A. PRENDERGAST, City Clerk.

THE COURTS.

Supreme Court.

At yesterday's session of the October term all the justices were present and the following business was transacted:

The State of Minnesota *ex rel.* Charles F. Falley, respondent, vs. Lyman B. Everdell, appellant; order restoring case to calendar and argued and submitted.

M. E. Woodling, appellant, vs. George Knickerbocker and J. S. Layman, respondents; argued and submitted.

School District No. 10, of Washington county, appellant, vs. John Thealander, respondent; argued by appellant with no appearance by respondent.

Adjourned to 9:30 a. m. to-day.

N. E. Solomon, respondent, vs. John Vinson and James Griffin, appellants.

Syllabus—On appeal from a judgment enterd upon defendent's default the objections here interposed for the first time that the complaint does not state a cause of action. Held that the facts necessary to sustain the judgment are fairly and reasonably inferable from what is alleged in the complaint, and therefore under the circumstances the judgment should be sustained, following Smith vs. DeWitt, 15 Minn. 81, and other decisions of this court.

A complaint which alleges that the defendant is indebted to plaintiff on account past due for goods sold and delivered to defendant by plaintiff (at a time and place named) in a specified sum, and that the same is now due and has not been paid, states a cause of action (overruling Foster vs. Kirkpatrick., 2 Minn, 210, Holgate vs. Broome, 8 Minn., 243.).

Judgment reversed. MITCHELL, J.

Siguid Royslad, an infant, by Andrew Neland, his guardian *ad litem*, respondent, vs. the St. Paul, Minneapolis & Manitoba Railway company, appellant.

Syllabus—The evidence in this case considered and held that the undisputed facts conclusively show that plaintiff himself was guilty of negligence, and that no reasonable chance for drawing a different conclusion from them, and that if a jury should on such evidence find a verdict for plaintiff it would be the bounden duty of the courts to set it aside.

Therefore, (following Abbett vs. Chicago, Milwaukee & St. Paul Railroad company, 30 Minn., 482) the question of negligence was one of law for the court and the action was properly dismissed.

Order granting a new trial reversed.

MITCHEEL J.

Henry H. Sibley, respondent, vs. Don L. Willard, the board of county commissioners of Pine county, and Levi H. McKusick, Edward Jackson, and John W. Sellers, trustees of school district No. 3 of Pine county, (the board of county commissioners of Pine county) appellants.

Syllabus—The lien of an attorney for his compensation upon a judgment (general statutes chapter 88, section 16), is assignable.

Where one person has received or obtoined the money of another which he has no right to retain, an action against him can be maintained by the person to whom it rightfully belongs although the party from whom the defendant received it paid it to him without authority, and he plaintiff might still have his remedy against him (following Brand vs. Williams, 29 Minn., 238.)

It is immaterial that in this case the board of county commissioners had no authority to receive or collect this money. The obligation of the county to repay it does not depend upon the authority of such board to collect the money, but arises from the moral obligation resting upon every person natural or artificial to make restitution where they have received the money of another which they have no right to retain. Borough of Henderson, vs. Sibley county, 28 Minn. 515.

When a party has received or acquired the money of another by mistake *merely*, without fraud the general rule is that interest does not run upon it until the party, in whose possession it is, is put in default by a demand by the party to whom it is justly due, in which case if the money be retained after demand interests begins to run.

The lease is remanded with instructions to the court below to modify its judgment in accordance with this opinion.

MITCHELL, J.

State of Minnesota, ex rel. A. C. Matthews relator, vs. B. F. Webber, judge of the district court of the Ninth judicial district, Minnesota, respondent.

Syllabus—An order of the district court, allowing a peremptory madamus is applicable, under the sixth sub-division of section 8, chapter 86, general statutes 1878, as "a final order affecting a substantial right made in a special proceeding."

And hence to such an order section 10 of that chapter applies, so that the execution of the bond there authorized "a stay of proceedings" upon the order and "saves all rights affected thereby."

The relator's application for a mandamus must therefore be denied, and the order to show cause discharged.

BERRY, J.

U. S. Circuit Court.

[Before Judge Nelson.]

Margaret Banner vs. Ward; action to quiet title; on trial.

District Court.

JURY TRIALS.

[Before Judge Wilkin.]

C. A. Bohr and J. H. Hullsick vs. Hagar & Co. Verdict of $283.55 for plaintiffs.

Adjourned to 10 a. m. to-day.

LAW TRIALS.

[Before Judge Simons.]

Colin Napier vs. The Anchor Manufacturing company; submitted for decision and consideration with briefs.

James S. Freeman vs. Christiba & Price; action on a protested note; on trial.

Apjourned to 10 a. m. to-day.

Municipal Court.

[Before Judge Burr.]

Mary Shanley and Lillie Benteen, drunkenness; committed for thirty days.

John Kennedy, same; fine of $5 paid.

H. Bates and A. Mahony, same; sentence suspended.

John Memphis, same; committed for five days.

C. Bacon and P. Marks, disorderly; fines of $10 paid.

J. Gillespie, same; fine of $20 paid.

F. Richter, fast driving; fine of $15 paid.

M. Duffey, drunk and disorderly; committed for ten days.

A. Schuster, assault; dismissed.

E. Dunn, drunk and disorderly; fine of $10 paid.

E. Langevin, nuisance; continued to the 15th.

P. Gleason, larceny; same.

A Smudge.

The alarm of fire from box No. 36 at 3:22 o'clock yesterday afternoon, was caused by the discovery of a volume of smoke and flames issuing from the two story dwelling No. 232 east Seventh street. The department responded and the fire was found to be on the first floor. The chemical engine was brought into play and the blaze was soon squelched. Two ladies who were on the second floor were almost stifled with smoke, and they were rescued by Chief Black. The building is owned by Wm. Constans, and his loss is about $50; fully insured. The dwelling is occupied by Samson Bros., and their loss was about $35. The fire is supposed to have caught from a stove.

CATARRH OF THE BLADDER.

STINGING irritation, inflammation, all Kidne and Urinary Complaints cured by "Buchupaiba," $1.

All the women smoke in Spain. In Italy the like habit is general; in Germany, Austria and other parts of the continent it is the fashion to smoke cigars. In Turkey every female has her hookahh, narghileh and chibouque. There is less lung disease in Turkey than in any other country and the women retain their teeth longer.

LEGAL

STATE OF MINNESOTA, COUNTY OF RAMSEY—ss. In Probate Court, special term, November 12, 1883.

In the matter of the estate of Johanna Shelley, deceased.

On reading and filing the petition of John Kelly, administrator of the estate of Johanna Shelley, deceased, representing among other things that he has fully administered said estate, and praying that a time and place be fixed for examining and allowing his account of his administration, and for the assignment of the residue of said estate to heirs;

It is ordered, that said account be examined, and petition heard, by the Judge of this Court, on Thursday, the 6th day of December, A. D. 1883, at ten o'clock a. m., at the probate office in said county.

And it is further ordered, that notice thereof be given to all persons interested, by publishing a copy of this order for three successive weeks prior to said day of hearing in the DAILY GLOBE, a newspaper printed and published at Saint Paul, in said county. By the court,

[L. S.] WM. B. McGRORTY, Judge of Probate.

Attest: FRANK ROBERT, Jr., Clerk.

no13-tue-4w

STATE OF MINNESOTA—COUNTY OF RAMSEY—ss. In Probate Court, Special Term, held October 22, 1883.

In the matter of the estate of James O'Farrell, deceased:

On reading and filing the petition of James H. O'Farrell, administrator of said estate, setting forth the amount of personal estate that has come to his hands; and the disposition thereof the amount of debts outstanding against said deceased, and a description of all the real estate of which said deceased died seized, and the condition and value of the respective portions thereof; and praying that license be to him granted to sell at private sale, all the real estate set forth and described in said petition; and it appearing by said petition, that there is not sufficient personal estate in the hands of said administrator to pay said debts, and that it is necessary in order to pay the same, to sell all of said real estate;

It is therefore ordered, that all persons interested in said estate appear before the Judge of this court on Thursday, the 6th day of December, A. D. 1883, at ten o'clock a. m., at the court house in St. Paul, in said county, then and there to show cause (if any there be) why license should not be granted to said administrator to sell said real estate, according to the prayer of said petition.

And it is further ordered, that a copy of this order shall be published for four successive weeks prior to said day of hearing, the last of which publications shall be at least fourteen days before said day of hearing, in the DAILY GLOBE, a newspaper printed and published at Saint Paul, in said county, and personally served on all persons interested in said estate, residing in said county, at least fourteen days before said day of hearing, and upon all other persons interested, according to law.

By the court, WM. B. M'GRORTY,
[L. S.] Judge of Probate
Attest: FRANK ROBERT, Jr., clerk.
oct23-tue-5w

Notice of Mortgage Sale by Advertisement.

Default has been made in the conditions of a certain mortgage executed and delivered by Claus M. Dittman and Maliny B. Dittman his wife, mortgagors, to Joseph Groll, mortgagee, dated the 12th day of July A. D. eighteen hundred and eighty-three, and recorded as a mortgage in the office of the register of deeds of the county of Ramsey, in the State of Minnesota, on the 12th day of July A. D. 1883, at 10:40 o'clock a. m., in book 81 of mortgages, on page 193, on which there is claimed to be due at the date of this notice, the amount of seven hundred and fifty-seven dollars, and no action or proceeding has been instituted at law or in equity to recover the debt secured by said mortgage or any part thereof.

The said mortgage was duly assigned by an instrument thereof, duly executed and delivered by the said Joseph Groll to Homer C. Eller, dated the 19th day of July A. D. 1883, and recorded in said office of the register of deeds, on the 15th day of August, A. D. 1883, at 9 o'clock a. m., in book "H" of assignments on pages 434 and 435.

The said mortgage was duly assigned by an instrument thereof, duly executed and delivered by the said Homer C. Eller to Charles Michaud, dated the 14th day of August A. D. 1883, and recorded in said office of the register of deeds, on the 15th day of August, A. D. 1883, at 9 o'clock a. m., in book "H" of assignments on pages 435 and 436.

Notice is hereby given, that by virtue of a power of sale contained in said mortgage, and of the statute in such case made and provided, the said mortgage will be foreclosed by a sale of the mortgaged premises therein described, which sale will be made at the front door of the sheriff's office in the city of St. Paul, in the county of Ramsey and state of Minnesota, at public auction by the sheriff of said county, on Thursday, the 6th day of December, A. D. eighteen hundred and eighty-three, at 2 o'clock in the afternoon to satisfy the amount which shall then be due on said mortgage, with the interest thereon, and costs and expenses of sale, and fifty dollars attorney's fees, as stipulated in said mortgage in case of foreclosure. The premises described in said mortgage, and so to be sold, is the lot, piece or parcel of land situated in the county of Ramsey and state of Minnesota, and known and described as follows, to-wit: lot number eighteen (18) in block number eleven (11) of Mackubin & Marshall's addition to St. Paul, according to the recorded plat thereof on file in the office of the register of deeds in and for said county of Ramsey.

CHARLES MICHAUD, Assignee.

S. L. PIERCE, attorney of assignee.
Dated Oct. 22, 1883. oc23-tue-7w

Notice to Creditors.

State of Minnesota, County of Ramsey—ss. In Probate Court, special term, October 29, 1883.

In the matter of the estate of Thomas Carver, deceased.

Notice is hereby given that the Judge of Probate of the County of Ramsey, will upon the first Monday of the months of December, 1883, and January, February, March and April, 1884, at ten o'clock a. m., receive, hear, examine, and adjust all claims and demands of all persons against said deceased, and that six months from and after the date hereof have been allowed and limited for creditors to present their claims against said estate, at the expiration of which time all claims not presented or not proven to its satisfaction shall be forever barred, unless for good cause shown further time be allowed.

By the Court, WM. B. McGRORTY, Judge of Probate.
oc30-tu-5w

Notice of Mortgage Sale.

Default has been made in the conditions of a certain mortgage executed and delivered by Mrs. Louisa Weyl of St. Paul, Minnesota, mortgagor, to Mrs. Catharina Weber of the same place, mortgagee, dated the 28th day of July, A. D. eighteen hundred and eighty-two, and recorded as a mortgage in the office of the register of deeds of the county of Ramsey, in the state of Minnesota, on the 12th day of August, A. D. 1882, at 9 o'clock a. m., in book 55 of mortgages, on page 509, on which there is claimed to be due at the date of this notice, the amount of twelve hundred and fifteen ($1,215) dollars, principal and interest, and no action or proceeding has been instituted at law or in equity to recover the debt secured by said mortgage or any part thereof.

Notice is hereby given, that by virtue of a power of sale contained in said mortgage, and of the statute in such case made and provided, the said mortgage will be foreclosed by a sale of the mortgaged premises therein described, which sale will be made at the front door of the old court house in the city of St. Paul, in the county of Ramsey and state of Minnesota, at public auction by the sheriff of said county, on Thursday, the 13th day of December A. D. eighteen hundred and eighty-three, at 10 o'clock in the forenoon to satisfy the amount which shall then be due on said mortgage, with the interest thereon, and costs and expenses of sale, and seventy-five dollars attorney's fees, as stipulated in said mortgage in case of foreclosure.

The premises described in said mortgage, and so to be sold, are the lots, pieces or parcels of land situated in the county of Ramsey and state of Minnesota, and known and described as follows, to-wit: Lots sixteen (16) and seventeen (17) of block five (5) of Finch's addition to St. Paul, according to the recorded plat thereof in and for said county and state. Said mortgage being given to secure the balance of purchase money of said property.

MRS. CATHARINA WEBER, Mortgagee.

J. MAINZER, Attorney of Mortgagee.
Dated St. Paul, Minn., October 29, 1883.
oc30-tue-7w

STATE OF MINNESOTA, COUNTY OF RAMSEY, District Court, Second Judicial District.

SUMMONS.

Maggie Whitwam vs. F. E. Whitwam.

The State of Minnesota to the above named defendants:

You are hereby summoned and required to answer the plaintiff in the above entitled action, which is on file in the office of the clerk of the said court, at his office at St. Paul, Minnesota, and to serve a copy of your answer to said complaint on the subscribers, at their office, in the city of Saint Paul, in the county of Ramsey, within thirty days after the service of this summons upon you, exclusive of the day of such service; and, if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the court for the relief demanded therein, together with the costs and disbursements herein.

Dated St. Paul, Oct 19, A. D. 1883.

WALSH & GOFORTH,
Plaintiff's Attorneys, St. Paul, Minn.
oct23-tue 7w