

ST. PAUL NEWS.

THE RAILWAYS.

THE ANNUAL MEETING OF THE READING RAILROAD.

An Excellent Financial Showing—A Loan of \$12,000,000 to be Negotiated—Traffic on the Northern Pacific—A Souvenir to Mrs. Villard—Railway Elections—Topics Here and There.

The Reading.

PHILADELPHIA, Jan. 14.—The annual meeting of the stockholders of the Philadelphia and Reading Railroad company was held this afternoon. President Gowen read his annual report. It shows a surplus of \$2,137,282, allowing 7 per cent on preferred and 6 per cent on common stock, with a balance of \$57,634 applied to the payment of interest on deferred bonds; the net profits of both the railroad and coal company are \$15,385,842, out of which all rentals and interest accounts have been met, leaving the surplus stated above. Reference is made to the building of a road by the Baltimore & Ohio from Baltimore to Philadelphia with which it is expected the Reading will connect via the Schuylkill river, east and west side roads recently incorporated. The reports speak of the great increase in the anthracite coal production and predict that before long the demand will be equal to the producing power of the entire property. This, the report says, grows out of the new avenues of traffic opened with the Philadelphia & Reading road. The report closes with a recommendation for the creation of a collateral trust loan of \$12,000,000, 5 per cent, to pay off the floating debt, income mortgage bonds and purchase outright 50,000 shares of Jersey Central stock. The report adds that the trust loan will not increase the floating debt, but on the contrary will reduce the fixed charges. Mr. Antelo offered a series of resolutions accepting and adopting the report, endorsing the contracts and engagements recommended with various companies, the projects of construction and the proposed collateral trust loan of \$12,000,000 and thanking the managers for their conduct of the affairs of the company. Adopted. Mr. Gowen offered a resolution in favor of adjourning the meeting till the 28th inst., to enable the stockholders in the meantime to examine the report of the managers that they might report intelligently on the question of the dividend. Agreed to.

The officers elected were president, Geo. Dohrmann; managers, J. B. Lippincott, Henry Lewis, J. M. Williamson, Edward C. Knight, Jos. B. Altman, Loring A. Robertson; treasurer, Wm. A. Church; secretary, Albert W. Foster.

Mr. Gowen said he had received a large number of proxies in reference to the question of declaring a dividend, a large number in favor of dividends, and unless otherwise instructed he should consider it his duty to vote for it at the same time. He was also bound to say he had received a large number of proxies with contrary instructions, and quite a number leaving the question entirely to his own judgment. He thought the interval allowed by the adoption of the resolution for adjournment to the 28th inst. would afford ample time for the examination of the managers' report and enable every stockholder to vote intelligently.

Mr. Hardness had read a letter from prominent corporations and citizens of New York, and a petition from a still larger number of individuals and companies of Philadelphia urging upon Gowen the importance of his remaining at the head of the Philadelphia & Reading Railroad company. Mr. Hardness thereupon on behalf of the meeting presented a series of resolutions unqualifiedly endorsing Gowen's administration and exonerating him from all blame for the late financial embarrassment of the company, which the resolutions recited was due to the fact that the stockholders in the emergency preceding the receivership declined to take Gowen's advice. The meeting received the resolutions with much approval.

Mr. Gowen objected to any action on the resolution—said he could not consent to an action complimentary to him at a meeting at which he had proxies representing nearly 400,000 shares. A compromise from business men would be cherished highly by him, and the letters would be allowed to go on record, if only to show in later years that he had not been treated by Mr. Hardness accordingly withdrawn the resolution.

The following resolution was introduced by Gowen for action on the 28th inst. Resolved, That it is the opinion of the stockholders that on the successful issue of the collateral trust loan, referred to in the report of the managers just read and realized, the proceeds thereof be used by the managers for the purpose of retiring outstanding income mortgage bonds and paying the floating debt of the company and paying the balance of the purchase money due on 50,000 shares of the Central Railroad company of New Jersey, a stock dividend of twenty-one per cent, representing arrears due, be made on preferred stock of the company, and a dividend of three per cent, cash be made on common stock of the company.

The ticket submitted by the directors was unanimously elected, receiving 391,100 votes, representing the same number of shares.

Shipments on the Northern Pacific.
The following circular has just been promulgated by the Northern Pacific:
NORTHERN PACIFIC RAILROAD CO.,
EASTERN DIVISION,
TRAFFIC DEPARTMENT.

St. Paul, Minn., Jan. 12, 1884.
Notice is hereby given, that on and after the above date, and until otherwise ordered, all shipments of freight destined to points on the Fargo & Southwest railway, west of Lisbon, should be billed to that point only, at the regular rates, delivery at destination to be subject to the pleasure or convenience of the company.

When shipments are offered, therefore, for transportation to Marshall, Verona, or La Monte, Dap, agents are requested to notify shippers or other interested parties that the goods are received, subject to the above conditions, and that this company will not be responsible for non-delivery of same beyond Lisbon, if, upon arrival at that point, service upon arrival at that point, service upon this part of the branch has for any reason been discontinued.

J. M. HENRY, Asst. Supt. of Freight Traffic.
JOHN MUIR, Supt. of Traffic.

A Souvenir for Mr. Villard.
The New Haven Clock company has just completed a clock for H. L. Bridgman, the case of which was made from a piece of the last tie of the Northern Pacific railroad, which was laid in the Rocky mountains last September. The clock was designed for a present to ex-President Villard and was sent to him on Monday.

The rough, irregular piece of wood had been placed in the end of the clock before the piece of ornamentation was begun. It was then placed on a silver base with gold rim and bars to represent a yard. On one side of the case was a small bear on the other

an elk. Across the front were the words "Blessed be the tie that binds," and on the dial was the quotation *Finis coronat opus*. A miniature gold engine surmounted the case standing on a slightly projecting platform. "H. L. Villard from Henry L. Bridgman" was the inscription on the back of the clock. The value of it is about \$100.

Railroad Election.

PITTSBURGH, Jan. 14.—The annual meeting of the railroads with headquarters was held to-day, and the elections resulted as follows: New York, Pittsburgh & Chicago road—President, James S. Noyes, Pittsburgh; Directors, W. S. Murree, D. Lord, J. Thomas Simpson, New York; Charles Kiedler, Jersey City; Hon. J. S. Robinson, Kenton, O.; Henry Cassell, Fredrickton, Ohio; Jas. S. Negley, Jr.; W. R. Kiddle, Wm. E. Schmeit, N. A. Carroll, V. C. Rollins, Pittsburgh; J. F. Mansfield, Canton, New Jersey; The Neweast and Salamanca road—President, James S. Negley, Pittsburgh; Directors, W. S. Murree, H. S. Murree, H. K. Schwab, New York; H. E. Collins, Hon. J. H. Anll, H. T. Hanna, J. S. Negley, Jr., J. H. McCreery, C. Decker, New Jersey, Thomas H. Wilson, Brooklyn; Pittsburgh and Western road—President, Jas. Collier. The old board of directors were re-elected.

The West Shore.

New York, Jan. 14.—Henry Monett, general passenger agent of the New York, West Shore & Buffalo Railway company, defines its position with reference to the trunk line's pool and the lines west of Chicago as follows: This company is selling western tickets and until the present complications between the joint executive committees and the Chicago lines are cleared up, the time honored practice of giving all lines west of Chicago the benefit of a uniform rate, adhering to the lowest rate announced by the joint executive committee in connection with the particular lines. The West Shore has just entered the field for through traffic, is not entering rates, but simply applying to all railways alike the lowest figures adopted by the trunk line commissioners. The West Shore company is not in the slightest degree responsible for the existing trouble, and declines to antagonize its connection with Chicago, that has shown a disposition to do business with it, and in fact are already sending considerable traffic over the West Shore line to New York and New England points via Suspension Bridge and via Buffalo. The West Shore is now a through line, has good connections and must necessarily protect its interests by maintaining friendly business relations with western lines regardless of the effect such action may have in the contention between trunk lines east and west of Chicago.

Differences Settled.

New York, Jan. 14.—It is announced to-day at Commissioner Fink's office that the negotiations with the western roads which have been lighting the trunk lines will probably result in the restoration of harmonious relations on the basis of the circular letter of December 10, issued by Commissioner Fink. It is expected that the Alton and Rock Island roads will formally agree to-morrow to the propositions submitted them, and an adjustment of the present differences will be followed immediately by the restoration of the former rates on east bound passenger traffic.

Suit Dismissed.

St. Louis, Jan. 14.—Judge Thayer of the circuit court, in the case of Nelson and others vs. the Pacific railroad and Missouri Pacific railroad, sustained the demurrer and dismissed the bill. The suit was to set aside the foreclosure of the third mortgage on the Pacific railroad to C. C. Garrison in favor of plaintiffs who were judgment creditors.

Double Tracking.

St. Thomas, Ont., Jan. 14.—As soon as the weather permits, construction trains will be placed on the Canada Southern division of the Michigan Central railroad, for the purpose of double tracking the line throughout the ensuing year.

Rail Notes.

Mr. Hannaford, of the Northern Pacific road, is expected back to-day.
J. J. Hill, president of the St. Paul & Manitoba road, has gone to New York.
Superintendent Kimberly, of the Minnesota division of the Northern Pacific road, is in St. Paul.

A meeting is to be held at the union depot at 3 p. m., this afternoon to revise the St. Paul and Minneapolis route sheet.
General Alexander, general traffic manager, and Mr. Warren, assistant general passenger agent of the St. Paul & Manitoba road, have gone to Chicago.

A meeting between the representatives of the Northern Pacific and Union Pacific railroads was held at the Grand Pacific hotel, Chicago, Saturday, and they agreed upon rates to and from common points on their lines.

Local passenger agents, parties to the Kansas City agreement, have decided to continue to abide by that agreement after the withdrawal of the Hannibal road, provided the Hannibal does not inaugurate a cut in rates.

There was no trouble on any of the roads yesterday and the trains were all on time. On the northern division of the St. Paul & Manitoba road around Crookston and north of that point and on the Northern Pacific it was very cold.

Eighteen Indian girls and boys from the White Earth reservation, under the care and direction of Rev. Mr. Gillilan, passed through St. Paul yesterday on their way east. Ten of them were girls who were on their way to Philadelphia, and eight were on their way to Peoria.

Judge McCarty has appointed W. R. Woodward receiver of the Texas & St. Louis railroad, of which he is now general manager. The road is in default on interest on the bonded debt, and suit is instituted in the United States circuit court in Missouri to foreclose by order of a majority of the bondholders.

Commissioner Midgley returned to Chicago Saturday from the Missouri river meeting, held at Louisville Friday. He says all rates from Missouri river points to New Orleans and the south were restored and will go into effect Jan. 15. A committee of four—one from each initial line—was appointed to see that the rates are strictly maintained.

Articles of incorporation were filed Saturday, at Springfield, Ill., in the secretary of state's office for a new railroad, viz: The New York, Rock Island & Omaha railway, with a capital of \$30,000,000. The principal office will be in Chicago. The incorporators are Joseph S. Reynolds, Edgar Torhune Holden and Josiah Brown, of Chicago; Joseph M. Davis, of New York; and George W. Bagley, of Coldwater, Mich. The road will commence at the east line of Illinois, within five miles of the northeast corner of Cook county, thence running to a point on the Mississippi river in Rock Island county, opposite Muscatine, Ia.

Fine fur garments at auction, at Kavanagh's, 49 East Third street, 10 o'clock this morning.

THE COURTS.

U. S. Circuit Court.

[Before Judge Nelson.]

C. Ashtman & Co. vs. Peter Thompson, motion for a new trial; submitted.
[David Burton vs. St. Paul, Minneapolis & Manitoba Railroad company; appeal notice.]

Supreme Court.

Peter J. Martin respondent, vs. the North Star Iron works, appellant.

Syllabus—Defendant negligently piled a quantity of smoke stacks and other material near the M. E. Railway company. A train of cars coming along one of the cars caught one of the stacks, pushed it against a tower in which the plaintiff was stationed in his employment of signaling trains and he was injured.

Held, That whether so piling the smoke stacks, etc., was an act of negligence as to plaintiff was under the circumstances a question for the jury.

That so far as defendant is concerned negligence in law is not to be attributed to either the railroad company or to the plaintiff merely because knowing of the danger to passing trains from the fire of smoke stacks, etc., the former continued to run its trains and the latter continued in his employment of signaling trains.

Order affirmed. GILFILLAN, C. J.

DISSENTING OPINION.

In view of the undisputed fact that the railroad knew that its smoke stacks were in dangerous proximity to its track, I think it was guilty of negligence in running its trains without first having these obstructions removed. But still the negligence of defendant in placing these obstructions so near the track was the proximate cause of plaintiff's injury, although it would not have occurred but for the succeeding negligence of the railroad company. It was simply a case of the concurrent or successive negligence of two parties to the effect such act may have in injury to a third person, for which he may recover damages from the one guilty of the first wrong notwithstanding the succeeding negligence of the other united in producing the injury.

Burrows vs. Gas Co., L. R. 5, Exch. 67; Illidge vs. Goodwin, 5th Cir. & P. 170; Byne vs. Wilson, 15, I. R. C. 32; Pastine vs. Adams, 49, Col. 87; Ricker vs. Freeman, 50, N. H. 420.

On this ground I concur in the decision of the case. MITCHELL, J.

MONDAY'S MISDEFEANORS.

A Good Day for Business in the Police Court—Some of the Most Noted Cases.

"The fact is, Elmira," said Hreazy, to that venerable old ruin, Mrs. Cressy, as she bobbed up in the bull pen yesterday morning, "you are not a woman of your word; you have a fondness for the flowing bowl which I am sorry to say you don't seem to be able to overcome." Elmira assured his worship that if given another chance she would leave the city and quit drinking.

It was decided to give her another show and sentence was suspended.

Chas. Johnson and Joseph McLain, a couple of tough young citizens were up on the charge of disorderly conduct. They had been on a terrible debauch last Sunday and after guzzling the forty rod fire lighting dispensed in a Seventh street joint, they got to fighting over several cigars. They were fined \$10 each and McLain went up for ten days the other fellow paying his fine. The friends of McLain swore out a warrant yesterday afternoon for the arrest of J. Donsky, the saloon keeper, on the charge of selling liquor to minors.

The case of the city against Chas. Ryan, came up on a continuance. Ryan is the Chicago youth, who was arrested upon the charge of stealing a satchel from the main depot. He tried hard to prove an alibi, but the evidence for the prosecution crushed him and he went up for sixty days.

The case of Peter Oberst, collector for Powers, Durke & Co., charged with embezzling \$54, was continued until the 19th inst.

John Cullen and James Bennett, suspected in being concerned in the theft of an overcoat and sashkin cap, will have a hearing to-day.

Fred Lungenhauser, formerly a collector for E. A. Watson, was arraigned on the charge of appropriating \$5.50 belonging to his employer. The hearing will take place to-morrow.

Mrs. Danbar, a colored lady of questionable repute, was arraigned on the charge of disorderly conduct. The examination will take place to-day.

The case of Henry Cornick, presented some very peculiar features. He was arrested on the charge of passing a check off as a police officer, and while on his way to the police station he was seized by a crowd of young ruffians who infest Rosabel street. The defendant called a witness who swore positively that he was not present when the outrage took place, and while this was promised the character of the witness, it resulted in the discharge of Cornick.

Carl Winsel and his son reside together, and the former was before the court yesterday for assaulting a woman who called on his son's wife. He was fined \$10.

BOARD OF PUBLIC WORKS.

Several Assessments Confirmed—A Bid Rejected—Specification Approved, etc.

At the regular meeting yesterday afternoon all were present but Mr. President, and the following business was transacted: The following assessments were confirmed: Construction of sewer on St. Peter street from Martin street to Summit avenue; grading Mackubin street from State to Water street were approved and the clerk ordered to advertise for bids.

P. V. Dwyer's bond as plumber was accepted, a license having been given him. The bid of H. J. Barwell for work on grading Fillmore avenue, was rejected.

Specifications for grading Fillmore avenue from State street to proposed levee were ordered referred to engineer for amendment.

The engineer was instructed to report as to the accuracy of sidewalk assessments in front of lots 7 and 18, Brown's subdivision of east half of block 13, extension of Brown & Ramsey's addition.

The first assessment notice was ordered given on Walnut street sewer, from Oak street to pleasant avenue, and Douglas street sewer, from Ramsey street to Seventh street.

The following estimates were allowed: No. 4, Seventh street sewer, Warno & Stockton, \$1,190; No. 1, St. Peter street sewer, Daniel Mullin, \$2,312; No. 8, Western avenue sewer, Doherty & Doherty, \$826.20; No. 3, Pleasant avenue grading, Ramsey street to south city limits, James Murnane, \$1,830; No. 2, Rice street grading, Morton & Terry, \$1,827.50; No. 2, Sherman street grading, M. O'Toole, \$986. Adjourning to meet to-morrow, Jan. 16, at 7:30 a. m.

On a motion out on a motion of inspection of Seventh street, and other improvements.

Chas. H. Petch, respondent, vs. E. H. Biggs, appellant.

Syllabus—Where a tenancy from month to month commences on the first day of a notice served a month before the day named in it requiring the tenant to quit on the last day of the month is sufficient.

The municipal court of St. Paul has the same power and jurisdiction in proceedings under chapter 84, general statutes 1878, as a justice of the peace, and the mode of proceeding must be the same.

In such proceedings matters requiring affirmative equitable relief in order to constitute a defense it is competent for witnesses who heard and saw them to state what they understood by them and to whom they understood them to be applied.

The circumstances under which a leading question may be put to a witness is a matter resting in the sound discretion of the court, and not a matter which can be assigned for error, at least not unless there has been a gross abuse of discretion. This is also true as to the extent to which cross examination will be allowed on purely collateral matters for the purpose of showing the interest or feeling of the witness.

In an action for slander the verdict will not be set aside on the ground of excessive damages, especially by an appellate court, unless the case be such as to furnish evidence of prejudice partially or corruptly on part of the jury.

Order affirmed. MITCHELL, J.

THE MINNEAPOLIS MILL COMPANY, respondent, vs. J. B. Bassett, appellant.

Syllabus—Defendant, with the consent of plaintiff, given upon his agreement to remove the same by a specified time, deposited earth in the Mississippi river opposite the abutting land of plaintiff, and between its land and the centre of the river, and failed to remove it by the time specified to plaintiff's detriment.

Held, That plaintiff cannot complain that the earth so deposited constitutes a nuisance.

Also, That the facts make no case for the court to decree specific performance of the agreement to remove the earth so deposited, the only remedy being an action for damages.

Judgment reversed. GILFILLAN, C. J.

District Court.

[Before Judge Brill.]

COURT CASES.

[Before Judge Brill.]

Mehand & Co. vs. Dalfisen & Co., continued to next general term.

Adjourning to 10 a. m. to-day.

[Before Judge Brill.]

Re-assessment for opening Dakota avenue; order for judgment denied.

D. Schulte vs. P. H. Thornton, et al.; motion on pleading for judgment.

[Before Judge McGroarty.]

Estate of Adam Gotzian, deceased; separate bonds of executors filed and approved; letters issued and notice given to creditors.

Estate of W. L. Mintzer, deceased; hearing on claims; adjourned for one week.

Probate Court.

[Before Judge McGroarty.]

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Municipal Court.

[Before Judge Barr.]

Albert Rosenberg and Almina Cressey, drunkenness; sentence suspended.

Fred Lungenhauser, larceny; continued to the 16th inst.

Peter J. Oberst, embezzlement; continued to the 16th inst.

Charles Johnson, disorderly; fine of \$10 paid.

James McLain, same; committed for ten days.

John Cullen and James Bennett, larceny; continued to the 15th inst.

Mrs. Danbar, disorderly; same.

Henry Cornick, same; dismissed.

Charles Regan, larceny; committed for sixty days.

Carl Winsel, assault; fine of \$10 paid.

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Order affirmed. MITCHELL, J.

CHAMBER OF COMMERCE.

The Regular Meeting of the Directors Yesterday—Retailatory Measures Against Germany and France—The West St. Paul Levee—Our Banking Capital.

The board of directors of the chamber of commerce held a regular meeting yesterday morning.

RELIEF FOR THE STILLWATER SUFFERERS.
Mr. William B. Birge, of Stillwater, appeared before the board, and on invitation, explained about the large number of people that were thrown out of employment in that city by the recent fire, and what had been done to meet the exigency, and concluded with a request for assistance.

RETAILATORY MEASURES.

Dr. Day offered the following resolution: Resolved, That, in the judgment of this chamber, it is the duty of the senators and representatives in this state in congress to support all suitable retailatory legislation against those foreign countries which prohibit the importation of our meats and other food products.

Dr. Day supported the resolution by a short, but pretty strong argument in favor of it. The great point made by him was that foreign countries like France and Germany were prohibiting the admission of certain American products. He thought the time had come for us to retaliate by not allowing certain articles manufactured in those countries to be brought into the United States. In the course of his remarks he made a statement that \$800,000 were annually expended by America for German dolls. Mr. D. H. Noyes apparently misunderstood the doctor and wanted to know if he was not mistaken about the Americans paying so much for foreign dolls. This made it necessary to explain about the dolls and small amount of meriment.

THE LEVEE AT WEST ST. PAUL.
The following letter was read and referred to a special committee consisting of the city engineer, Capt. Bell and Mr. McCong:

ST. PAUL, Jan. 14, 1884.—Hon. John B. Sanborn, President of the St. Paul Chamber of Commerce—Dear Sir: Permit me to call your attention to the communication of the secretary of war, addressed to Hon. C. D.