CITY NEWS

First Oranges Arrive — The first of this season's oranges arrived in this market yesterday. They were Mexicans and sold quickly at good prices.

Mr. Oswald Convalescent—John C. Oswald, who has been confined to his bed for five weeks, will be out in a few days. He is up out of bed and receiving the good wishes of his friends, having fought a hard battle with grip.

Canadian Editors Coming — J. C. Crome, a newspaper man, of Winnipeg, Man., was in the city yesterday. He is chairman of the excursion committee of the Western Canadian Press Association, and is on his way to California to make the necessary arrangements for the annual jaunt of the Canuck editors. He says that there will be about eighty in the party, which will reach here on Jan. 7.

His Injuries Fatal—Michael McGrail died at the city hospital Tuesday night from injuries received ten days ago in an accident near Caledonia, Minn. Returning from work on the section near Caledonia, on the evening of Oct. 18, the train on which McGrail and other laborers were riding collided with a farmer's wagon, on a crossing, and several of the men were seriously injured. McGrail made his home with a friend, at 808 Edmond street, St. Paul.

Sunday School Plans Made — The third conference of the superintendents of the Congregational Sunday School Publishing Society closed last evening at the St. James Hotel. This was the first conference held for ten years. The previous meetings were held in Minneapolis also. Several changes in missionary pulpits were made. More attention will be given to work among foreigners in the middle west and northwest. The results of the meeting are helpful.

Oil Tank Exploded—The oil tank on the top of "B" still of the Barrett tar paper factory, Nineteenth avenue and Bluff street S, exploded at 6 o'clock Tuesday night. It is believed that during the day the oil, which is heated by steam pipes, became too hot and gas formed, which blew off the lid. The oil was spilled over that portion of the factory plant and ignited, making a fierce blaze which raged for several minutes. The loss will not exceed $100. Work at the plant was resumed this morning.

To Protect Banks—Articles of incorporation of the American Bank Protection company have been filed with the register of deeds. The company will have its principal place of business in Minneapolis and will devote itself to the manufacture and sale of electrical and other devices for the protection of banks and other buildings. The incorporators are F. E. Kenaston, Minneapolis, president; F. C. Robinson, Council Bluffs, Iowa, vice-president; O. B. McClintock, Minneapolis, secretary and treasurer; A. McClintock, Kansas City, and F. E. Green, Council Bluffs, Iowa.

Did Not Stay Good—Emmett Wallace was given a sentence in police court this morning and immediately started upon a thirty-day sentence in the workhouse. On Sept. 30 Wallace was charged with assault and battery upon his wife, Nellie Wallace. He was convicted, but Mrs. Wallace interceded and begged for leniency, and upon her request Judge Holt ordered a stay of execution of the twenty-days' workhouse sentence to Dec. 9. Last night Wallace got drunk, and when he was arraigned in court this morning he was given ten days for the offense charged and ordered to begin service of the former one.

Police Court "Doings"—J. H. Prazil in the police court yesterday admitted the theft of two pairs of shoes and was sentenced to pay a fine of $20 or serve twenty days in the workhouse. Charles Worthingham, 517 Second avenue S, pleaded not guilty to the charge of stealing a case of peas from Knud Aslesen, proprietor of a grocery store at 509 Washington avenue S. He will have a preliminary examination to-morrow. Jacob Haolstrom, accused of stealing an alarm clock from the residence of Earnest Bayer in South Minneapolis, will be examined Nov. 1. Ed Porter, charged with forging a note for $4.60 on the National Bank of Commerce, using the name of James S. Nolan, will also be examined on Nov. 1.

NECROLOGICAL

CHARLES L. PATTEE, 71 years of age, died suddenly at the home of his daughter at 921 Third avenue N, Tuesday night, of apoplexy. The summons came without warning and death resulted before a physician could reach the home. Mr. Pattee was a native of Vermont. He came to Minneapolis twenty-five years ago.

W. C. HODDER—The funeral of W. C. Hodder, who died suddenly Tuesday, will take place from Mr. Hodder's late residence, 107 Royalston avenue, Friday morning, at 10:30. The body will be taken to Syracuse, N. Y., for interment. Mrs. Hodder, who has been in the east visiting, returned home this morning.

GET A MOVE ON

Big Lots of Mail Should Be Posted Early.

Postmaster Lovejoy has issued another appeal to business men to post their mail early. This appeal is necessary periodically because so many patrons are accustomed to leave the dispatch of mail from their offices until between 4 and 6 o'clock. About this time the eastern mail trains leave and owing to the rush it is impossible to get it all off on the same day. Mr. Lovejoy asks the co-operation of the business men in changing this practice of holding mail until late in the evening. He asks also that mail matter of all kinds originating in business offices be sent to the postoffice or the post boxes often during the day. One large manufacturing institution sends mail every hour, which insures its dispatch on the same day.

Says Mr. Lovejoy:

With business men, time is an element of importance, and the business house that mails its letters frequently during the day can outdistance its competitors. For instance, two business houses may be handling a similar line of goods, and may be desirous of sending out circulars or letters calling attention to the goods in question. One business house may prepare its letters and mail during the day, the other may hold its letters until evening. The result is that the first house very often secures the delivery of its mail twenty-four hours ahead of its slower competitor. This is in itself an item of considerable advantage and it appeals directly to the interest of every business house.

PABST'S ICE YACHT

Its Coming to Minnetonka Causes Much Talk Here.

Two events which are attracting much attention among the members of the Minnetonka Ice Yacht Club have been scheduled already for the approaching season. One of the particular attractions for the winter will be the appearance of Fred Pabst, Jr., of Milwaukee, with a brand new ice yacht, which he considers speedy enough to carry off the open championship trophy.

Coincident with Dr. W. N. Porteous' purchase of the fast yacht Elk, comes the announcement that he has accepted a challenge to race the Elk against Guy Landis' North Star, one of the swiftest boats in the Minnetonka fleet.

The two skippers met on the street a few days ago, and—the weather being warm—got into a heated discussion as to the respective merits of the two boats. The upshot was that Mr. Landis then and there challenged the doctor for a race as soon as the ice would permit. With the present sultry weather it seems a little premature to talk ice-boating, but it will give the partizans of the two skippers a chance to place their bets well in advance of the race. The St. Louis road will be urged to run a special train to Lake Minnetonka.

JAIL SHELTERS HIM

Isaac Alley, a Patriarch, Arrested for Attempted Criminal Assault.

Special to The Journal.

Miller, S. D., Oct. 30.—Isaac Alley, 60 years old, has been arrested for attempted criminal assault on 9-year-old Anna Fenton, and is in jail in default of $500 bonds. Alley was under the influence of liquor. The officers are taking extra precaution as there is fear he may be roughly dealt with.

ST. PETER POSTOFFICE

Daniel Fichthorn Authorized to Take Charge.

Washington, Oct. 31.—The president today appointed the following postmasters: Minnesota—St. Peter, Daniel Fichthorn. Montana—Hamilton, James E. Stevens.

BONE IN HER THROAT

'Twas the Indirect Cause of Mary Livingstone's Death.

SHE SUBMITTED TO OPERATION

The Bone Splinter Has Lodged Deep in the Soft Tissues.

Mary B. Livingstone, 1905 Fifth avenue S, died yesterday during an operation for the removal of a bone which had lodged in her throat last Monday.

Miss Livingstone was a carpet sewer for the New England Furniture company. Monday evening several of the women employes there gave a little party at a restaurant at the corner of Fourth avenue S and Franklin. During the meal a splinter of a bone lodged in Miss Livingstone's throat. She was relieved with difficulty. Yesterday morning she suffered great pain and it was found that the bone had worked its way into the tissues, necessitating a surgical operation, which was performed this morning.

Miss Livingstone was 35 years old. The surviving relatives are a sister, Margaret, with whom she lived, and two brothers, Neill Livingstone, a well-known railroad bridge contractor, of Minneapolis, and Charles Livingstone, a contractor at Winnipeg.

BRIGGS' CASE IS ARGUED

NOW BEFORE SUPREME COURT

Messrs. Steele and Kerr Appear for Briggs and Al J. Smith for the State.

Fred Briggs' fate now rests with the supreme court. Arguments on his appeal cases were heard this morning and a decision is expected speedily. If the lower court is sustained, Briggs will spend six months in the workhouse and pay $200 fine on each of two counts, making a total sojourn of one year at Shingle Creek.

John H. Steele and W. A. Kerr appeared for Briggs, and each addressed the court at length. An unusual feature was the presence of the appellant himself in the court. His attorneys made forty assignments of error in their brief, but in the argument dwelt principally on what they termed the unfairnes of Judge McGee. They argued that the state's case was really a simple one and that the court erred in admitting a vast amount of incompetent evidence, also in causing the arrest of the witness Anderson for alleged perjury, which it is claimed influenced the jury. They also laid stress on the fact that March 30 is cited as the date of the offense in the indictment, while the evidence showed that Briggs had his conversation with Olson on Feb. 13.

Al. J. Smith, for the state, admitted an inaccuracy in dates, but cited decisions to show that such an error was not a flaw in the state's case. He then took advantage of the counsel's reference to the remarks of Judge McGee in passing sentence and repeated in substance his honor's famous "roast" upon Briggs from the bench.

MAYOR AMES' MANDAMUS

Final Arguments Are Heard by Judge Elliott.

The final arguments in the mandamus proceedings to compel Mayor Ames to sign the so-called improvement bonds were made yesterday before Judge Elliott. Victor J. Welch, appearing for his honor, argued that the act authorizing the issue of the bonds was unconstitutional; furthermore, that there was no demand for the bonds. All of the improvements which had been made had been paid for or the cost assessed in regular form. There was no work unprovided for so far as payment for the same was concerned. No showing had been made that any improvements which could not be paid for in the regular way were necessary.

State Capital News

CATTLE CAR TAXES

The Freight Line Test Case Soon to Come Up.

The attorney general's office will try to get the state's case against the Cande Cattle Car company on the calendar of the supreme court at this term.

The suit was brought to enforce collection of the tax imposed in 1897 on freight line companies. Several of the companies combined to test the law, and are now in default to the amount of $6,996. The law taxes the companies 2 per cent on their valuation, and the companies claim it is unconstitutional. The constitution requires that all taxation shall be uniform, and the exceptions do not specify freight lines.

Judge Jaggard dismissed the case in the Ramsey county court, allowing the demurrer of the defense. An appeal ordinarily would not get before the court at this term, but the tax commission is anxious for a ruling before their report is made up, and the defense has agreed to join in a request to the court to hear arguments this fall.

Statehouse Notes.

Boiler Inspector Johnson of the fourth, or St. Paul, district, has made a ruling that engineers whose licenses expire must take a new examination before being relicensed. The custom heretofore has been to renew licenses at the end of the two-year term without questioning the engineer's qualifications.

W. W. P. McConnell, state dairy commissioner, is paying a visit to the famous James J. Hill farm, accompanied by Inspector Scott and Secretary Wall of his department, and James A. Martin, the governor's executive clerk.

The Merchants' State Bank of Royalton has incorporated, with $10,000 capital stock.

STOLE COPPER

Brainerd Officers Are Searching for William Barber.

Special to The Journal.

Brainerd, Minn., Oct. 31.—William Barber was nabbed at the Northern Pacific shops last night by two employes. It is claimed he has been stealing copper off of engines and officers have been on his track for months. He is thought to have stolen hundreds of dollars worth and the evidence is strong against him. He made his escape from the men, but the officers are on his trail. He has a family and was formerly a switchman in the Northern Pacific yards.

STATUS OF STEINS

Pres't Pritchett's Advocacy of Beer Drinking Condemned Here.

GERMAN STUDENTS TEMPERATE

Dr. Folwell Says Their "Commers" Is a Good Thing, but Not Needed Here.

Shall a course in beer drinking be included in the curricula of American colleges? President H. S. Pritchett, of the Massachusetts Institute of Technology, says "yes." Minnesota educators say "no."

In a talk before the Massachusetts Schoolmaster's Club, President Pritchett advocated the introduction into this country of the German "commers." In effect he said that "a stein on the table and a good song ringing clear" would be of direct benefit to the college youth of the country. His remarks were taken seriously, as he undoubtedly meant them to be, but at the same time his stand has drawn down upon him the jibes of professional humorists, one of whom said: "I don't want to express any opinion on this subject until I know how much stock the learned professor holds in the local breweries." This remark was not meant to be taken seriously, but it has been so regarded in many quarters, and President Pritchett has come in for much unjust criticism in consequence.

Dr. Folwell's Idea.

Vice President W. W. Folwell, of the state university, who is at the head of that institution during the absence of President Cyrus Northrop, when asked for his opinion on the matter, said:

The commers in Germany is a perfectly respectable thing. It is a great assemblage of the university in some place of public entertainment where everyone drinks beer and smokes as he pleases. Beer drinking is no offense in the kaiser's country. It serves a valuable purpose in promoting social intercourse between the students themselves and between the students and their professors. There it serves as a common ground upon which student and professor may meet and converse in genial sociality. That very thing is much needed in this country, especially in the older colleges, but I think we are attaining it in another way. Here in the west our younger professors—and when I say that I include myself in the number—are making friends of their students through their interest in athletics.

I could not recommend the commers in this country because we Americans haven't sense enough to do anything in moderation. In Germany overindulgence at the commers is rare. Here I am afraid that would not be the case. In Germany beer drinking is not regarded as an offense. In America it is so regarded by many parents who would not send their son to college if they thought his instructors would sit down to table with him and drink beer. Moreover, the national system of treating would prove an unconquerable obstacle to the success of the commers in this country. Treating usually results in a man's drinking more than he wants and more than is good for him, simply that he may be considered what is colloquially known as a "good fellow." In Germany you couldn't offer to buy a man's beer for him unless you were on very intimate terms. It would be considered an affront, just as it would in this country if you were to propose to buy a stranger's dinner, or to purchase for him a new cravat.

The Germans know how to use beer in moderation and I don't believe there is any harm in that. I was in Berlin at the time of a big Berlin university commers and the occasion was most enjoyable. Students and professors sat around tables, drinking, smoking and talking. The mayor of the city was there, and all the prominent officials of the university itself. Such an institution conducted as it is there does not harm. In this country I fear it would do harm.

Professor Fred S. Jones agrees with Dr. Folwell that the commers would not bear transplanting upon American soil, but he also questions its utility abroad. Said he:

The commers is nothing more nor less than a gigantic drinking bout. Both it and the German korps are essentially objectionable from the American standpoint. They are undemocratic.

IT'S UP TO DR. HALL

School Board Has No Authority to Force Vaccination.

SO CITY ATT'Y HEALY DECIDES

The Compulsory Vaccination Rule Is Therefore, Promptly Abrogated.

It is Health Commisisoner Hall's move in the Grant school vaccination difficulty. The board of education at a noon meeting yesterday voted to notify Dr. Hall that in the opinion of the city attorney, it was impossible to comply with his demand that the unvaccinated children attending Grant school be excluded for two weeks, or until successful vaccination is accomplished.

Frank Healy, who is attorney for the boards as well as for the city, expressed the opinion at the meeting to-day that the board of education had no authority to exclude children from the public schools, neither had the board of health such authority. Mr. Healy said further that the board of health had no authority to close a school. He added that there no express authority for compulsory vaccination.

Commissioner Hawley said that he wanted it understood that the board wanted to do what it could in the matter and he did not wish any citizen to think the board desired to exceed its powers. Under the opinion of Mr. Healy it was impossible to exclude unvaccinated children from the Grant school.

The recommendation of the committee upon rules and regulations that the rule requiring compulsory vaccination be abrogated was carried with one dissenting vote, that of Mr. McMillan.

Commissioner Hicks moved that the school sessions be suspended for the day following Thanksgiving. But the members of the board agreed to stand by the new rule which requires that when vacations fall on Thursday the schools shall be in session the following day. Consequently school will "keep" on Friday, Nov. 29.

The board voted to give to the Y. W. C. A. six each of first, second and third grade readers.

VERY LIVELY RACE

Is That for the Commercial Club Presidency.

PAUL AND PARIS PLATFORMS

Both Candidates Stand for Social Features and Public Affairs Work.

There is every indication that the attendance at the annual meeting of the Commercial club on the night of Nov. 11 will be by far the largest in the history of the organization. The club has 800 members and efforts are being made to get most of them out for the annual meeting. The election of ten new directors and the expression of a preference as to the new president is the exciting topic. A. C. Paul and Al W. Paris are the only candidates for the presidency thus far. The rivalry is friendly and is developing a lively hustle between the friends of each. The slogan of each side is "get out the vote."

There appears to be no difference in the platform or policy of the two candidates in regard to continuing the public affairs work of the club. It has been intimated that Al Paris stands more strongly for the social features of the club, but this Mr. Paris denies. Tersely stated the ideas of the two parties are as follows:

Mr. Paul's Position.

Mr. Paul's followers say:

We believe, first, in a strong social organization, with a large membership, good income, and as fine club facilities as any organization of its kind in the country.

Every progressive city in the country has some organization that looks after the city's welfare and stands for the city's best interests. We believe that the Commercial Club of Minneapolis should represent the best interests of the city in every way possible and that there is no matter which affects the city as a whole, or a majority of its citizens, which it is not the province of the Commercial Club to take up and push in such a manner as shall advance the public interests.

In short, we believe that it is the province of the Commercial Club to do anything and everything in its power to make Minneapolis a better place to live in and a better place for business.

Mr. Paris' Platform.

Mr. Paris couches his own belief as to the purpose, mission and opportunity of the Commercial Club in terse terms. He says that the social feature of the club must be well cared for and guarded, and clears up all doubt as to his policy on the public work by the following statement:

If I am elected president of this organization, more public work will be done and it will be done better than ever before.

TIPS FOR YARDMEN

How the Big Shippers Are Getting Around the Car Shortage.

CAR CLEARING HOUSE SUGGESTED

It Is Believed It Would Save Various Roads a Large Outlay.

It's a poor car shortage that doesn't help the enterprising yardman or the gallant switchman. Since cars worth $100 per day to the railroad companies became so scarce that every shipper is away behind in his orders, gentlemanly agents of big firms have been to see the railroad yardmen. They went to see them in the hope of securing needed cars, as politicians sometimes secure needed votes. They passed the cigars. This worked for a few days before the shortage became so marked, and then it played out.

"You can't get something for nothing," remarked a yardman to one of the "agents" this morning.

"What will you take to let us have a few?" was the answer.

A prominent lumberman said to-day that his firm was over 100 cars short on its orders and that the situation was getting to be mighty serious. If he could get the cars he would lose the profit on many shipments in order to accommodate good customers, but the cars were not to be had except by fine work of the finest kind. "We had our boys pas the cigars for a few days," he said, "but it wasn't long before we found that something stronger than cigars was necessary."

A Clearing House for Cars.

Officials of some of the western roads are considering plans for the better meeting of the demands for more cars without investing too much money in cars. A clearing house for cars is an idea which has been brought forward by one of the Chicago-Minneapolis lines.

With the wonderful increase in traffic this year there is no doubt but that every road must make material additions to its equipment. Orders for more cars are being placed now. The railway officials desire to avoid investing money in cars where united action on the part of the roads would do as well.

There are several advocates of a car clearing house among the prominent traffic men. They say that with a central bureau in charge of the car situation to-day the shortage would not be anywhere nearly so serious. Such a bureau could regulate the supply in different sections of the country according to the demand, keep the cars of all of the roads continually earning money, and at the same time keep down the investment in that class of equipment.

S. DAK. ELOPERS CAUGHT

MARRIED MAN AND YOUNG GIRL

Former Is Released on Bail and Immediately Plans Another Runaway.

Special to The Journal.

Madison, S. D., Oct. 31.—A sensational elopement was brought to a sudden focus in this city this morning. Ed Cummings and Miss Eva Christianson arrived here from Flandreau yesterday afternoon and engaged a room at the Central Hotel. While on the cars Cummings intrusted his secret to two prominent Flandreau men. They immediately informed the young lady's parents who wired instructions to Chief of Police McGovern here and officers located the runaways at the hotel early this morning. The man was placed in jail and the girl started home on an early freight.

By prearrangement the girl left the train at Colman, a small town this side of Flandreau, where her parents supposed she had gone to visit a married sister in the first place.

Cummings was released from custody a little later and telephoned his wife at Flandreau he would be home on the morning train. He next telephoned the girl at Colman to catch the east train, joining him, and they would journey to Minneapolis. This the girl agreed to and Cummings left here at 10:30 this morning to carry out his plans, declaring he would still have the girl.

He is a squaw man—married to a halfbreed—and has four children. His wife, he says, is a nurse in the Indian hospital at Flandreau. The girl is from one of the best families in Flandreau, the daughter of Peter Christianson.

JEALOUS WOLVERINE

Kills His Wife and Attempts to Commit Suicide.

Newaygo, Mich., Oct. 30.—Abraham Stees shot and instantly killed his wife to-day and then shot himself. He will probably recover. Jealousy is believed to have been the cause of the shooting

"Col." Hodge and "Ed" Stokes

The fact that Edward Stokes, slayer of Jim Fiske, now lies dying in New York, recalls to mind the fact that there is in Minneapolis to-day a man whose striking resemblance to Stokes has been the subject of national comment. The man in question is Colonel "Dick" Hodge, for years one of the most picturesque characters about Minneapolis. Hodge was for many years the proprietor of a Sixth street saloon, and many a New York traveling man who has had occasion to frequent his place in days gone by has commented on the fact that the two men looked enough alike to be twins.

With features moulded along almost exactly the same lines, both men helped out the resemblance by wearing closely cropped white hair and by dyeing their mustaches a very dark hue.

Stokes, who was twice convicted, was a wild and successful speculator in Wall street, and involved in innumerable law suits.

Hodge, who eked out a very comfortable living in his Sixth street buffet, owes his financial downfall, like his double, to the fact that he was too ambitious. Minneapolis wasn't big enough for him, and in the heydey of his prosperity here, he sold out and went east with the intention of "breaking into" New York.

New York proved impregnable and when the fact was thrust home on him that he was playing a losing game, Colonel Hodges wisely concluded to make tracks for Minneapolis. Unable to install himself in the liquor business, he tried the political lay, and laid bare his troubles to the tender heart of his old friend, "Doc" — now Mayor—Ames. He asked the doctor to "stake" him to a job, and having nothing better to offer the mayor gave him a portfolio at the workhouse.

And so it came to pass that Colonel Hodge entered upon his duties as night watchman at the workhouse, Sept. 18 last at $40 per month.

New Fall Shoes

We have an elegant line of new Fall Shoes; the styles are right and the prices are right. SEE THESE:

Ladies' New Enamel

Ladies' fine English enamel lace with extension edges, heavy soles, shoes worth $3.50, price.. **$2.00**

Ladies' new vici kid lace, new heavy sole for fall with latest patent tips, worth $3.00, Thursday **$1.98**

Ladies' Princess lace shoes, stamped and warranted, worth $2.50, light flexible soles for dress; new kid and patent leather tips, Thursday, our price, **$1.75**

Ladies' new double sole vici kid lace with new extension rope edge; best Fall Shoe; also in box calf and enamel; Boots cost $4.00 in other stores. Our price.......... **$3.00**

Ladies' Splendid Fall Boots; Lace, Goodyear welt soles; flexible, easy and durable; extension rope edge, worth $3.50.......... **$2.50**

Ladies' heavy sole vici kid lace extension, excellent fall lace boot, worth $2.00.......... **$1.45**

Ladies' new strap slippers, easy, comfortable house slippers, also fancy dancing slippers. The best assortment in the city.

Ladies' $1.25 white kid strap slippers, with satin bow, Thursday.............. **83c**

Ladies' new $2 pat. leather 4-button Virginia slipper; see these at **$1.50**

Ladies' $1.50 fine hand turn kid slip'rs, with satin ornament and bow. Thurs. **98c**

Ladies' new 3-strap hand turn slippers, with fancy beaded straps—fine $2.00 style—our price **$1.50**

Ladies' 75c felt slippers, with leather turn sole and braid trimming.......... **49c**

CHILDREN'S SHOES.

Buy "Lion" shoes for the children and get the kind that wear.

Misses' $1.50 heavy sole Fall lace Shoe, in kid and kangaroo calf, sizes 11½ to 2. **95c**

Child's $1.25 kangaroo calf, lace with hooks, strong soles for fall, sizes 8½ to 11 **77c**

Child's 75c hand turned, button, spring heel, sizes 5 to 8.......... **47c**

Child's $1.25 patent leather, lace, dress shoes, turn soles, spring heel.......... **79c**

Men's Fall Shoes See our Men Shoes. We give more honest worth and real value than another store in the city.

Men's genuine velour calf lace, made on the Boston toe, worth $2.50, **$1.65**

Men's new double sole box calf "White Bros." box calf, with full leather lining, worth $3. **$2.45**

Men's double sole lace, vici kid with leather lining, worth $2.50.......... **$1.98**

Men's new box calf lace, with double decker welt extension edge; cannot be equaled at $4. See these, the latest.............. **$3.00**

Men's double sole fall shoes, kangaroo calf, full English back stay, worth $2.............. **$1.50**

LION SHOE AND CLOTHING STORE
121-123 WASHINGTON AVE. SO.

AGAINST NOYES

Adverse Court Ruling and a Statement That the Judge Received Money Corruptly.

Special to The Journal.

San Francisco, Oct. 31.—The motion of respondents in the Noyes contempt proceedings before the circuit court of appeals to strike out certain testimony which they considered irrelevant, incompetent and immaterial and hearsay, was denied by the court yesterday afternoon. The court wishes all the testimony taken before it will entertain the motion. This is a slight setback for Judge Noyes, as the amicus curiae can continue to introduce witnesses whose only evidence is what they heard somebody say in regard to the alleged criminality of Judge Noyes.

The hearing before Commissioner Peacock began this morning with Captain French, Seventh infantry, who was provost marshal at Nome during 1900, on the stand. He testified that on Sept. 14 or 15, he had been instructed by Noyes to ignore any orders or writs from the circuit court of appeals. French said that he had placed a guard at the bank to protect the gold dust at the request of Johnson, Knight, Nelson and others. He had been present at the bank in October when the gold dust was seized by the marshals and turned over to the Wild Goose and Pioneer Mining companies.

Attorney McLaughlin called ex-Judge Johnson and then asked Attorney Pillsbury for the letter which the court had ordered produced. The letter contained a promise of protection to Attorney Hume if he would testify against Noyes. Johnson admitted that he had signed it. McLaughlin asked that Judge Dubose, who is serving his contempt sentence in the Alameda county jail, be brought over to testify. Pillsbury agreed to procure an order from the court and have the marshal produce Dubose.

Samuel Knight was recalled by McLaughlin to identify and explain a letter which he had written after his flight from Nome to Johnson. The letter was written from San Francisco. The explanation brought out the story of the Reese affidavit. Knight declared that he had talked with Reese and that Reese said he had paid Judge Noyes $2,000 to prevent the appointment of a receiver on certain claims. Knight had been told by McKenzie, Geary and others that Reese was a scoundrel, a liar and a "grafter," and his own investigations confirmed that opinion. Attorney McLaughlin asked Knight why, if he considered Reese a liar, he accepted his word in regard to paying money to Noyes. Knight said that now considered Reese's affidavit false.

Attorney Pillsbury asked Knight about the contempt proceedings in which an order was first issued by Noyes. Knight claimed that the evidence on which the warrant was based was false and perjured.

SAVED BY A PET CAT

Prize Animal Story Comes From La Crescent, Minn.

Special to The Journal.

La Crosse, Wis., Oct. 31.—E. W. Whitney, aged 87, one of the pioneer residents of La Crescent, Minn., was saved by his pet cat last night. He had occasion to go outside during the night, and fell from the doorstep. The cat went out, saw him, ran to Mrs. Whitney's room, jumped on her bed and howled to awaken her. It continued to howl as it went outside, and was followed by Mrs. Whitney, who found the old man unconscious, he having fallen a distance of six feet. His condition is serious, but he will recover.

SO. DAK. MAN MURDERED

Fearful Tragedy on a Farm Near Norfolk, Neb.

Special to The Journal.

Sioux City, Iowa, Oct. 31.—George Fetterly, driving home from Pierce, Neb., with Edmund George, stopped at the home of Christ Duerr, a mile from Norfolk, to get a drink. Fetterly's body was later found with the skull almost shot away.

Duerr says he saw a man leaving his barn and when he told him to stop the man turned and shot at him. He then fired both barrels of his gun at the stranger, killing him instantly. Duerr has given himself up.

Fetterly was 35 years old and respected. His parents live at Alpena, S. D.

EXPOSED TO SMALLPOX

Vaccination Becomes Popular at Red Wing.

Special to The Journal.

Red Wing, Minn., Oct. 31.—A great deal of excitement was created in this city last evening by the appearance of a man who seemed to suffer from a well-developed case of smallpox. His name is John Pugh and he had been sent here from Bay City, Wis., six or eight miles over in Wisconsin, where he had been working. The city authorities took him in charge and drove him back to Bay City in a carriage. During his stay here a great many persons were exposed and to-day these were being vaccinated.

PARK REGION CONFERENCE

German Lutheran Church Meeting at Brainerd.

Brainerd, Minn., Oct. 31.—The Park Region German Lutheran Evangelical conference convened in this city yesterday. It was an important meeting and was attended by about thirty clergymen.

This conference includes the counties of Douglas, Stearns, Todd, Otter Tail, Clay, Becker and Crow Wing.

The conference was organized by the election of Rev. W. Hitzemann of Long Prairie, Todd county, president and Rev. Mr. Allbricht of Trinity, Stearns county, secretary.

A TOURIST TEACHER

A Former Minneapolis Girl Making a Novel Trip.

TEACHING 'ROUND THE WORLD

Miss Hart Is Now in Manila Where Her Work Is Highly Praised.

Miss Zulu Rosamond Hart, who for three years was a teacher in the Minneapolis public schools, is now principal of the girls' school in the Sampoloc district, Manila, P. I., and is meeting with great success. Since she took up the work she has accomplished a virtual revolution in school methods, and her pupils almost worship her.

To begin with Miss Hart had to teach her assistants English so that they could instruct the children in that language. Then she instituted courses in reading, arithmetic, grammar, history, geography and spelling. Work in the unfamiliar tongue was very difficult for the children at first, but they soon mastered it, and the school is now considered the best managed institution of the kind in the islands.

Miss Hart's first school in Manila was in a kitchen, where she was compelled to endure the odor of garlic and to submit to all sorts of inconveniences. Despite all drawbacks, however, her pupils made such rapid progress that the young teacher was soon discovered and promptly advanced to the place she now occupies.

English Quickly Taught.

Her skill was never better illustrated than by the school exercises on Washington's birthday, just four months after she had been placed in charge. At that time the children knew no English. On Feb. 22 they all joined in singing "The Star Spangled Banner," and in addition presented a most creditable program of recitations. Since then other national holidays have been celebrated, the ceremonial in each case proving mere elaborate than its predecessor.

Miss Hart's work begins at 7:30 a. m. and continues until 5:30 p. m. Three evenings each week she teaches two large classes in the Sampoloc night school, one of which is the normal class. Three evenings she devotes to giving private lessons in English; and one evening she gives up to charitable work along the same line.

A Pedagogic Pilgrim.

Miss Hart has had many interesting experiences since she left Minneapolis in 1896. After that she went through the University of Chicago, and then took up teaching again. In 1898 she left on a tour around the world, the expenses of which she expected to pay by teaching en route. First, she went to Hawaii and soon received an appointment to teach in the government school at Hilo, where she had a polyglot class of Hawaiian, Russian, Portuguese, Japanese, Scotch, English, American and Chinese children.

In July of 1900 Miss Hart left for Japan, and from there went to Manila. She intends to return to Japan next year and to teach there, after which she expects to go to China, Australia, Ceylon, India, Judea, Egypt, Europe, South and Central America and Mexico, before returning home.

The itinerary she has planned is an ambitious one, but it will be accomplished. Miss Hart was born on an Iowa farm and was one of eleven children. Her parents were poor, but her mother had been a school teacher, and she gave her children their first lessons. At 16 Miss Hart secured her first country school, and ever since has supported herself by her ability as a teacher. She loves the work, and has been most successful in it.

SEWELL FUND GROWS

Gov. Van Sant Makes a Collection on His Steamboat.

J. E. Bell, trustee of the Sewell fund, has received $24.50 from Governor Van Sant which had been collected on the steamer Van Sant. The crew contributed $5 and the passengers subscribed as follows.

George Tromley, Jr., $5; John McDonald, M. J. Scandrett, Henry Bingham, James Lyons, Frank Gillette, James Williams, James Sweeney, William O'Hara, Dick Van Hein, $1 each; Alva Slocumb, William Lyons, Edward McCall, Bert Turner, Thomas McCall, L. Nevitt, Y. W. Marshall, C. E. Efner, Nick Smith, E. S. Turner, John Ludtka, 50 cents each.

The dance of the Night Owls netted $20.45 for the fund. The amount received by The Journal to date is $1,394.40.

TRIED FOR BRIBERY

Former Agent of a Publishing House in St. Paul.

Lansing, Mich., Oct. 31.—At to-day's session of the trial of Charles A. Pratt, formerly agent of a St. Paul publishing house, for bribery in connection with an attempt to secure the passage of a joint resolution in the legislature of 1899 providing for the purchase of a set of law reports for each circuit court in the state, the testimony was principally corroborative of that given yesterday with regard to certain drafts given to ex-Speaker Adams and Land Commissioner William French by Pratt. Fred Clark, a former employe of Pratt's, testified to writing a letter to French after the resolution failed of passage asking him to return the drafts given him by Pratt, also one to the proprietor of the publishing house stating that French still had the draft.

Circuit Judge Person, who was in office during the session of the grand jury which indicted Pratt, was called to tell of an alleged confession made to him by Pratt. Person, however, having raised the question of his right to divulge statements made to him under such circumstances, suggested that it might be against public policy.

BODY WAS FLOATING

M. J. Grady of Indiana Lost From a Steamer at Racine.

Special to The Journal.

Racine, Wis., Oct. 31.—The body of a man supposed to be M. J. Grady of Hartford City, Ind., was found floating in the harbor this morning. It is believed the man was a passenger on one of the Goodrich Line steamers from Milwaukee to Chicago and that he fell overboard while the steamer was in the harbor.

TOO LATE TO CLASSIFY

TRANSPARENT SOAP CONTAINS ROSIN; all right for varnish, but does not belong in soap. Wholesome, perfuming Satin-Skin Soap contains no adulterant.

ONE PARLOR BEDROOM AND ONE OTHER; steam heat, gas and bath. 523 9th st S. First floor.

SEELYE'S CLAIM

Story of Allege Conspiracy Is Materially Modified.

From The Journal Bureau. Room 45, Post Building, Washington.

Washington, Oct. 31.—Indian Commissioner Jones has received a partial report from Captain Mercer relative to the demand that was recently made upon dead-and-down timber contractors on the White Earth reservation for payment for green timber cut last winter. The commissioner refuses to divulge the particulars of the report, but it is understood that some of the contractors have resisted the government's demand and that it will require considerable pressure to induce them to comply with it. Commissioner Jones has directed Captain Mercer to insist upon the original claim and to make no compromises.

Seelye's Claim.

Indian Commissioner Jones to-day heard arguments in the case of Charles E. Seelye, claimant for about $11,000, which is now in the hands of the Indian office. Seelye contracted to cut a certain amount of timber on the Chippewa reservation, in 1899, and sold that timber to a lumberman named Porter, of Minneapolis. Porter furnished part of the logging outfit and supplies to Indian lumbermen and filed a claim for a portion of the money due Seelye for timber. This claim was resisted by Seelye and the Indian office, not being able to arrive at an understanding, determined to withhold payment of the entire amount.

Recently efforts were made to reach an agreement as to the amount due each claimant and the hearing to-day was to have Commissioner Jones determine that question. Judge George D. Emery, of Minneapolis, represented Seelye and Murchison of New York, represented Porter.

The commisisoner indicated willingness to order payment if an agreement could be reached as to the proportion due each claimant, and a conference will be held between representatives of both parties and a law officer of the bureau with the view to closing the incident. Seelye is now serving an eight-month sentence in Hennepin county jail on the charge of setting fire to forest in northern Minnesota. The application for his pardon, which was recently rejected by President Roosevelt, it is believed under misapprehension of the true facts, was cordially indorsed by Judge Lochren who tried the case, District Attorney Evans and Mr. Purdy, his assistant, who prosecuted it, and by Senators Nelson and Clapp. Congressmen Morris and Fletcher are deeply interested in Seeleye and the former is coming to Washington to make a new application for pardon. The fact that Seeleye was convicted as the result of a conspiracy is now admitted by every one who has followed the case.

Commissioner Jones has been fully advised of the situation, but says that his department can properly consider only that part of the case that relates to the $11,000 claim. The conspiracy matter, he says, must be investigated by the department of justice, and to this department Seelye's friends purpose to take it at once. It does not appear, in view of to-day's developments, that the conspiracy against Seelye embraced George F. Porter, or any lumberman in Minneapolis or elsewhere, although that was the understanding here at the time the story which was published in The Journal yesterday was written. The conspiracy was confined to a few Indians who were Seelye's enemies and had determined to get rid of him. They concocted a story about forest fires and then willfully perjured themselves on the witness stand. Judge Emery says that the perjury has been confessed. It was on this new development that another application for pardon will be based.

The Case of Ortiz.

Attorney General Knox is considering the question whether his department or the secretary of war has jurisdiction over the case of Rafael Ortiz, the Porto Rican confined in Stillwater prison for murdering a soldier in his native country. Ortiz recently made an application for pardon, which was referred to the district attorney for Porto Rico. To-day a letter was received from that official in which the question of jurisdiction was raised, and it will be determined in a few days.

—W. W. Jermane.

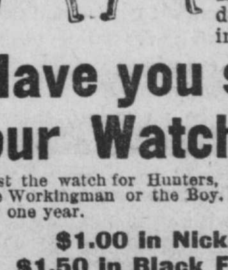
INDIANS FIGHT

Flathead Tribesman Shot and Killed at Plains, Mont.

Special to The Journal.

Helena, Mont., Oct. 31.—During a fight at Plains, Missoula county, Baptiste Robeau, a halfbreed, shot and killed Antoine Michelle, a Flathead Indian. The Indian agent and state authorities are investigating.

ANDIRONS



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