CAN WATER AT WILL

G. N. Stock Seems to Be Independent of State Supervision.

Gov. Rogers' Death Will Not Prevent the Helena Conference.

Great Northern officials seem to have kept shrewdly within the law in all their increases of capital stock. Relying on Chapter 265, laws of 1887, critics have declared the Great Northern in fault. This statute required railway corporations, before increasing capital stock, to notify the railroad and warehouse commission and at a public hearing state the reasons for the change, which must not be undertaken until permission was granted by the state.

Search of the records fails to show any occasion when the Great Northern asked the state's permission. A further search of the statutes, however, shows why the request was not made. Chapter 43 of the laws of 1893 provided that the shareholders of any corporation chartered or incorporated under a special act, might increase or diminish their capital stock by resolution, within the limits of the special act. The Great Northern is operating under charters granted the old St. Cloud & Manitoba, later, the St. Paul, Minneapolis & Manitoba, and the original charter was a special act, amended from time to time by other special acts. The Great Northern is therefore independent of the commission, and the legality of its stock issues is a matter between the company and those who buy the stock.

The present authorized capital is $125,000,000.

MERGER MOUTHPIECE

New York Paper Wet Blanketing the Prosecution.

Special to The Journal.

New York, Dec. 27.—The New York Commercial thinks a reaction has set in in favor of the Northern Securities company. It says: "The progress of the movement against the company on the two sides of the continent has been backward rather than forward of late. Within the past three days Justice Scott of the New York supreme court has ordered dissolved the temporary injunction under which it was sought to restrain the officers of the Northern Pacific from retiring preferred stock, as planned in the recent reorganization. The attorney general of Washington has projected an opinion in which he says that while the constitution and laws of that state make ample provisions for maintaining proceedings against 'trusts, monopolies and combinations,' he has not at present any facts that warrant him to proceed against the Northern Securities company on those lines, and the northwestern governors whom Van Sant asked to meet him at Helena, Dec. 30, for the purpose of giving 'moral support' in his anti-Hill crusade are not giving him much encouragement.

"Altogether it does not appear that the courts are willing to take up the cudgels for a small coterie of disaffected stockholders, or that popular frenzy against the new organization can be effectively aroused. Justice Scott's decision shows the court will not permit itself to be used as an instrument to hinder and embarrass little or great business transactions where an allegedly aggrieved person has means of remedy specifically provided for him. The people of this country are fast disabusing themselves of the notion that transactions involving vast amounts of money are all wrong, simply because they are vast."

WILL MEET ON MONDAY

Rogers' Death Will Not Cause Postponement—Toole's Position.

Special to The Journal.

Helena, Mont., Dec. 27.—Governor Toole has advices from Governor Van Sant of Minnesota that a meeting to be held in Helena on Monday, Dec. 30 of governors and attorney generals of the northwest to discuss the railroad merger is an assured fact. It is not believed the meeting will be postponed on account of the death of Governor Rogers of Washington, as the attorney general of that state can attend.

Governor Toole, when asked what he thought of the proposition of a reduction of rates offered by the Northern Securities company, said that while such a promise might be made in good faith it could not neutralize or overcome the force and effect of the constitution and the laws of the state which prevent the consolidation of competiting railroads.

The governor says, in effect, that the proposed rate reduction, however tempting it may appear, cannot prevent him, as the executive of Montana, from enforcing the law against combinations, consolidations or trusts.

Awaiting Word From Van Sant.

Governor Toole wired Governor Van Sant to-day to learn whether the death of Governor Rogers of Washington would interfere with the governor's meeting here next Monday. oN reply has yet been received. Governor Toole expressed some doubt about the meeting being held without the state of Washington being represented, as he expected that the funeral of Governor Rogers would probably beh eld about the time the attorney general of Washington state would be expected to start for Montana to attend the meeing.

Speaking of the death of Governor Rogers Governor Toole said to-day: "I have heard of Governor Rogers' death with the deepest regret. I did not have the honor of a personal acquaintance with him, but I was familiar with his reputation for sound integrity, pure morality and executive ability, which was by no means confined to his state. The forthcoming conference of governors in this city will mourn with the state of Washington his untimely death and the loss of his wise counsel."

Van Sant wired Toole last night that he would leave St. Paul to-morrow night over the Northern Pacific, but it is possible Governor Rogers' death has disarranged his plans.

U. P.'S ANNUAL REPORT

Why It Bought N. P. and S. P. Stocks—Some Big Figures.

New York, Dec. 27.—The annual report of the Union Pacific railroad company, embracing a statement of the financial condition of the Souhtern Pacific and a reference to the part of the Union Pacific in the affairs of the Northern Pacific was made public to-day. The financial statement of the Union Pacific showed the gross receipts for the year ending June 30 were $43,538,181, operating expenses and taxes $24,587,145 and total net income $22,172,001. The gross receipts showed an increase of $4,390,483, or 11.21 per cent and the operating expenses an increase of $3,140,930, or 15.55 per cent. The surplus was $5,178,175 to which must be added $781,080 earned in dividends between April 1 and June 30 by the Northern Pacific stock held by the company. The statement of the Union Pacific includes the operations of the Oregon Short Line and the Oregon Railway and Navigation company.

The statement of the Southern Pacific showed that the gross revenue was $77,244,898; operating expenses and taxes $50,879,013; rentals, betterments, sinking fund and discounts absorbed $24,608,867, leaving a surplus of $3,456,560.

As to the acquirement of control of the Southern and Northern Pacific the report said:

Developments in connection with the constantly increasing traffic of the northwest and of the states of the Pacific slope and the vital importance of securing for the Union Pacific system its due proportion of the tonnage and revenue tributary to its lines rendered it essential, in the judgment of the board of directors, that steps should be taken to maintain and protect the position of the system and to safeguard its future agreements with other lines. In furtherance of this policy and for the purpose of developing and extending the business of the system and opening new channels of interchange the directors deemed it necessary to acquire $75,000,000 par value of the capital stock of the Southern Pacific company, and $78,108,000 par value of the stock of the Northern Pacific Railway company.

The report brought out the fact that the title to the Northern Pacific stock had been vested in the Oregon Short Line company. The latter provided for the purchase by the issue of purchase money certificates of indebtedness, which are held by the Union Pacific Railroad company. The table of securities owned includes $61,000,000 of these 4 per cent certificates, none of which are in the hands of the public. The balance sheet of June 30 contained in the statement of liabilities an item of $23,202,247 as the current liabilities of the Oregon Short Line. A footnote explained that this was balance of indebtedness incurred in the acquisition of securities of other companies and in new construction. Current liabilities of the Union Pacific were $6,752,130. A map of the Union Pacific system given out with the report contained a projected line from Callientes, Nev., to Palm Springs in southern California on the line of the Southern Pacific.

C. S. MELLEN'S STATEMENT

He Won't Resign N. P. Presidency—Regrets Present Agitation.

President Charles S. Mellen of the Northern Pacific yesterday made a statement to the public, denying his reported intention to resign, and quite harmonizing with President Hill's reassurances. President Mellen says:

There is no foundation in the statements recently made in the press that I have either resigned or that I am contemplating such action.

The Northern Pacific is being operated independently of other railways now, as it has been during the time I have been connected with it, and I have no knowledge of any attempt to change its policy or curtail the authority heretofore intrusted to me.

To my mind it is extremely unfortunate, both to the railway and the public, that so much agitation and apprehension is being indulged in regarding the Northern Securities company and its relation to this property.

Practically the same parties own its stock as have for several years, and no more disposition is manifest to-day to interfere in it policy than during the whole period of my official connection with the company.

All questions of legality will be passed upon by the highest court in the land, and all parties should patiently await its decision, and any attempt meanwhile to prejudice public opinion is harmful and to be deprecated.

WASHINGTON'S ATTITUDE

Not Changed by the Death of Gov. Rogers.

The death of Governor Rogers of Washington wil cast a gloom over the gathering of governors in Helena Monday. It will not prevent the meeting, however. Attorney General Stratton wired Governor Van Sant last night of the death of Governor Rogers, but said nothing to indicate that he would not be present.

Governor McBride, the new executive, is not expected. It would hardly be proper for him to leave the state so soon after the sad event. Governor Rogers was heartily with Minnesota in opposition to consolidation, and Governor Van Sant expressed deep regret this morning.

Governor Herreid of South Dakota will probably attend. He has wired to that effect, and may be accompanied by Attorney General Pyle.

CLAIMED BY TWO WIVES

George McKay Mystery at Sioux City Deepens.

Special to The Journal.

Sioux City, Iowa, Dec. 27.—An unknown woman, saying she was from Minnesota, called at the Hotel Leader last night upon Mrs. George McKay, the four weeks' bride, who says she is from Tracy, Minn., and whose husband disappeared last Sunday night with her $100, and told Mrs. McKay that her name was also Mrs. George McKay; that she married her husband five years ago and he disappeared two years ago and has not been heard from.

Both women are now looking for the missing man to determine which is his wife. The mystery is deepened by a telegram to-day from Tracy, that no one of the principals is known there.

THE NEW STORE'S THANKS

Extended to Those Who Helped on Christmas Day.

Evans, Munzer, Pickering & Co., of the New Store, extend their heartfelt thanks to Major Frank T. Corriston and the National Guardsmen who contributed to the success of the Christmas day distribution of presents to poor children, to the men and women who so kindly volunteered their services in the labor of love; to The Journal band for the part which it "played" in exercises at the armory and to all others who in any wise assisted in an event which means so much to thousands of little ones in Minneapolis. The management of the New Store, thanks largely to its able assistance, regards this year's distribution as more satisfactory in the results generally sought to be achieved than any previous annual distribution in its history.

TO INVESTIGATE CRUELTY

Conditions at the Red Wing Training School Will Be Looked Into Carefully.

Disclosures in the North-Wagner case at Red Wing will probably result in a rigid investigation of the state training school by the board of control. According to the best information, cruel punishment of the boys has been common. Members of the board decline to state what they will do, but it is evident they are aroused over the matter. The Wagner case was brought to their attention by the mother, and the investigation was made by members of the board personally. It is considered strange that such practices could prevail without coming to the attention of the superintendent.

WHIPPED BLACK AND BLUE

Young Wagner Tells His Story of Hard Treatment.

Special to The Journal.

Red Wing, Minn., Dec. 27.—Superintendent Brown of the training school, when interviewed to-day regarding the charges against the school, said that corporal punishment was administered only in exceptional cases, and then by a leather strap on the hands. Such punishment was under the superintenden't supervision, and there had been three cases of this kind during the past three months.

Mr. Brown knew nothing of North's sever punishment and its discovery caused North's discharge.

The Wagner boy, when interviewed, told how he had been kept in confinement three days on bread and watera nd later punished with part of a horse whip until black and blue, for two trivial offenses. His mother happened to arrive both times. By secret marks on his letter he kept his mother informed. Wagner says the story regarding North's punishment of a Colored Band boy is true.

Superintendent Brown has always been known as a fair and conscientious man, and has no objection to an investigation, as he has nothing to conceal.

HAVE NO STANDING

Foreign Corporations Must Comply With Summerville Law.

CAN'T SUE MINNESOTANS ELSE

The Supreme Court So Decides in a Case Involving a Brewing Company.

Foreign corporations doing business in Minnesota without having filed articles with the secretary of state have no standing in state courts. They cannot even collect bills.

The supreme court laid down the rule this morning in the case of the G. Hallman Brewing company, which sued John Piemeisl, a Waterville saloonkeeper, for $195.50 due. Piemeisl's attorney set up the defnse that the company had not complied with the state law. Before trial of the case the brewing company complied, but under the court's ruling its compliance was too late to give it standing in the Piemeisl case.

A Minneapolis case awaiting this decision comes up this morning. It is brought by the Climax Refining company of Ohio against the Cornplanter Oil company for $150, the value of some tanks claimed by the Ohio company. The latter has never complied with the Summerville law, and T. S. Dill of St. Paul, attorney for the Cornplanter company, will move a dismissal of the case before Judge Brooks to-morrow. The syllabus in the Piemeisl case is as follows:

G. Heilman Brewing Company, appellant, vs. John Piemeisl, respondent.

A foreign corporation doing business in this state without first complying with the provisions of laws 1889, chapter 6, cannot maintain an action in the courts of this state upon any contract or demand growing out of such unlawful business. Nor will compliance by it with the statute after the making of any such contract, or after the commencement of an action thereon, remove the bar of the statute, which closes the doors of the courts of the state to foreign corporations doing business in the state in defiance of its laws.

Order affirmed. —Start, C. J.

M. & St. L. Wins.

The state loses in the New Ulm & Southern case. This railroad was chartered in 1895, and was to pay a tax of 1 per cent until 1900, 2 per cent till 1906, and 3 per cent thereafter. The M. & St. L. company bought the road in 1899, and tendered the 1 per cent tax. State Treasurer Koerner announced that he would demand 3 per cent, holding that the purchase operated as a merger, and the company must pay the full tax. The M. & St. L. brought suit against the treasurer to enjoin him from collecting the other 2 per cent, but the Ramsey county district court sustained the state's demurrer.

This order is reversed by the supreme court, holding that the purchase does not constitute a merger, and that the line built under the charter of 1895 still pays the special tax. The syllabus says:

The Minneapolis & St. Louis Railroad Company, appellant, vs. August T. Koerner, as State Treasurer of the State of Minnesota, respondent.

Under the gross earnings tax law the purchase of a railroad subject to the 1 per cent tax by a company subject to the 3 per cent tax does not operate as a merger, nor entitle the state to take into consideration the earnings of the former in estimating the gross earnings of the latter.

In an action brought to enjoin the state from collecting the additional 2 per cent tax from such purchaser: Held, that the complaint states a good cause of action.

Order reversed. —Lewis, J.

Sandstone Company Must Pay.

Elizabeth Attix of Sandstone collects $5,000 from the Minnesota Sandstone company for the death of her husband, Edward Attix. He was a quarry foreman, and was killed by the breaking of a boom. The court holds in this case as follows:

Elizabeth Attix, as administratrix of the estate of Edward Attix, deceased, respondent, vs. Minnesota Sandstone Company, appellant.

First—In an action to recover damages for the death of plaintiff's intestate, caused by the alleged negligence of defendant, the principles of law relative to the obligation of a master to furnish his servants with reasonably safe instrumentalities with which to perform the work of their employment, his duty to inspect the same from time to time for the purpose of repairing defects, if any, and maintaining appliances in reasonably good repair, the principles applicable to the servant as to assumption of the risks incident to his employment and his contributory negligence, considered in connection with the facts found by the jury in this case and the evidence is held sufficient to sustain the verdict.

Second—The duty of the master to furnish his servants with safe instrumentalities and appliances for the performance of their work applied to a foreman, or superintendent, as well as to a servant without rank or title.

Third—Various assignments of error considered and held to present no ground for reversal. Order affirmed. —Brown, J.

G. N. Gets a New Trial.

A new trial is granted the Great Northern in the damage case of Jacob Koralewski, who got $1,500 in Marshall county for injuries received by the derailing of a handcar. The syllabus says:

Jacob Keralewski, respondent, vs. The Great Northern Railway company, appellant.

A handcar, occupied by a section crew, while running at the rate of five to eight miles an hour, ran upon a stick lying across one of the rails, thereby derailing the car and injuring one of the men.

Held, that the evidence was not sufficient to show:

First—That the foreman was not engaged in the reasonable exercise of his duty in keeping a lookout ahead for obstructions.

Second—That the accident could have been averted had he been in the proper exercise of such duty.

Order reversed, and new trial granted. —Lewis, J.

Local Court Reversed.

The only Hennepin county case is a reversal. It involves a real estate transaction. Barbara Schwend contracted with C. C. Joslyn to sell a piece of real estate, providing that if title could not be made good in sixty days, the deal would be off. Soon after a lis pendens was filed involving the property, and the widow tendered back the earnest money. It was refused and the district court held her to the contract. The supreme court reverses the order on the ground that the dis pendens could not have been disposed of within sixty days, and that the contract could therefore be broken by the vendor. The syllabus says:

Colin C. Joslyn, respondent, vs. Barbara Schwend, appellant.

A contract for the purchase of real estate contained the following provision: "And it is agreed that if the title to said premises is not good and cannot be made good within sixty days from date hereof, this agreement shall be void, and the above twenty-five ($25) dollars refunded. But if the title to said premises is now good in my name or shall be made good by me within sixty days, and said purchaser refuses to accept the same, said twenty-five dollars ($25) shall be forfeited to me."

Held: First—The title having been refused by the vendee on account of the filing of a lis pendens, and the vendor having tendered to theh vendee the deed and earnest money, and it appearing that thhe vendor could not have cured the title within the sixty days, the contract became void at the expiration of that time.

Second—Chapter 223, laws 1897, does not apply to contracts of this nature. Order reversed. —Lewis, J.

Salve for His Feelings.

Leo Fiola, a Grand Rapids telegraph operator, gets $750 from J. J. McDonald for malicious prosecution. McDonald had him arrested for assault. The court says: Leo Fiola, respondent, vs. J. J. McDonald, appellant.

In an action for malicious prosecution. Held:

First—The question of probable cause was properly submitted to the jury and the evidence was sufficient to support the verdict.

Second—The verdict was not excessive. Order affirmed. —Lewis, J.

Other decisions filed to-day were as follows:

Carver County.

Herman Poppitz, respondent, vs. German Insurance Company of Freeport, Ill., appellant.

First—Northwestern Life Insurance company vs. Rochester Fire Insurance company recently decided by this court, followed and applied with respect to the question as to what constitutes a total loss within the meaning of our standard policy law.

Second—Evidence examined and held not so clearly in favor of plaintiff's contention that he had suffered a total loss of his property as to justify the court in directing a verdict in his favor.

Third—A jury trial may be waived in the manner pointed out in G. S. 1894, section 5385, or by such unequivocal acts and conduct before the court as clearly show a willingness and intention to do so.

Fourth—It does not necessarily follow from the fact that at the close of the trial of an action both parties request the court for a directed verdict, that either thereby waived the right to have the cause submitted to the jury, if his request is denied; especially if his request for a directed verdict is accompanied by requests for other instructions. Order reversed. —Brown, J.

Watonwan County.

George O. Jorgenson, appenllant, vs. Siver Larson, as administrator of the estate of K. O. Jorgenson, deceased, respondent.

The owner of land, a married man, agreed to convey it to the plaintiff upon being paid the purchase price therefor, which was paid during the life of the vendor. The wife was not a party to the contract. The vendor died intestate, leaving him surviving his widow and children. The widow, after the death of her husband, refused to convey her third of the land to the plaintiff, who commenced this action against the vendor's administrator for damages for the loss of one-third of the land. Held, that this claim against the state became absolute when the widow refused to convey her interest in the land, and, not having been presented to the probate court for allowance, this action cannot be maintained.

Order affirmed. —Start, J.

Red Lake County.

Allen W. Wood and P. B. Caass, Copartners as The Union Land and Investment Company, appellants, vs. Paul Scheenauer, respondent.

Held: The trial court did not abuse its discretion in vacating a judgment taken by default and in permitting a defense to be made.

Order affirmed. —Lewis, J.

Martin County.

Thomas Veltum, John F. Brown and Frank O'Marra, appellants, vs. Fred W. Koehler, respondent.

First—The agent is bound to discharge the duties of his agency faithfully to the best interests of his principal, and is entitled to reimbursement for all advances and expenditures made in the course thereof and for the benefit of his principal, when the same have been properly and in good faith paid; but he cannot claim such reimbursement when the advances and expenditures made by him were rendered necessary by his own failure to exercise reasonable care and diligence in the conduct of the buiness of the agency. When they are incurred and made necesary by his own neglect, the principal is not liable therefor.

Second—Evidence examined and held sufficient to sustain the finding of the trial court to the effect that the advancement of certain money by the Watonwan County Abstract company, through which plaintiffs claim a right of recovery in this action, as the agent of defendant, and in payment of an indebtedness arising from a mortgage executed by him, was rendered necessary by the failure and neglect of such company to perform faithfully its duty to defendant as his agent, and the indebtedness so paid was incurred solely by its failure to discharge the duties of its agency.

Order affirmed. —Brown, J.

MR. PEAVEY'S CONDITION

His Son Wires That Reports Have Been Exaggerated.

Reports of the serious illness of F. H. Peavey became current on 'change this morning. Much anxiety was felt. George W. Peavey wired John Washburn, president of the chamber, as follows:

Please deny report as to father's serious illness. At no time has his condition been such as to cause fear. He is doing nicely and will soon be as well as ever.

An Associated Press dispatch from Chicago says Mr. Peavey has pneumonia and that the crisis will not be reached till Sunday or Monday.

NO EVIDENCE TAKEN

Megaarden Commission Takes a Rest of a Day.

No evidence was taken this morning by the governor's commission which is investigating the official deeds of Sheriff Megaarden. Mr. Megaarden, his attorneys and witnesses were ready but Assistant County Attorney C. L. Smith had to put the finishing touches on the suit which is to be brought against former Sheriff Alonzo Phillips and asked for a postponement of the examination until to-morrow morning. There was no objection and the commission adjourned its sitting.

GOOD FOR CEDAR AVENUE

A New $20,000 Building to Go Up Soon.

The Hegna Dry Goods company will build a two-story store building at 261-263 Cedar avenue. It will cost $20,000. It will have a frontage of forty-five feet on Cedar avenue and be 170 feet deep. It will also have a sixty-six feet front on Two-and-a-Half street. It will be occupied by a department store.

Nearly all the royal personages of Europe are cousins.

Roosevelt Asked to Preside

Paris, Dec. 27.—Baron Coubertin, president of the Olympian games, has just received a personal letter from President Roosevelt says he will lay the matter to the president asking him to become president of the Olympian games to be held in Chicago during the year 1904. Mr. Roosevelt says he wil lay the matter before the cabinet. He adds that he takes the greatest interest in the matter and will do what he can to make the games a success.

Mr. Roosevelt's letter is couched in the warmest terms. He referred to Baron Coubertin's works on sports, with which he showed acquaintance.

IN THE THRALL OF HORROR

Continued From First Page.

dream scene. This is quite as much a triumph of stagecraft as of acting. It has all the impalpable, elusive vagueness of a dream in which the utter helplessness of the dreamer, held in the clutch of illogical, but unyielding circumstances is evident. Mathias in the grip of his fate continually cries out that it is only a dream—but still the trial goes on remorselessly. Anon he calls weakly, fatuously, for his son-in-law, upon whose help in case of possible trouble he has built such high hopes. And still the inexorable judges, unheeding his perfectly just objections to their procedure, press on. To wrench from him his carefully guarded secret, they call the mesmerist whose mystic powers have roused his waking fears. Giving up the struggle at last, he tells the dreadful story to his dream judges, those formless, unseen, impalpable inquisitors created by his guilty imagination. And then he wakes only to feel about his throat the grip of the conscience that he always knew would finally throttle him.

This is dramatic art of the finest—but it is oppressive, mind-benumbing art. What a pleasure to turn to the lighter, laughing art of Miss Ellen Terry in that classic little comedy, "Nance Oldfield." Here is an antidote for the horrors of "The Bells," indeed, and if the management had but changed the order of things and permitted Miss Terry to wave her magic wand and dispel the terror-fascination of watching the unfolding of Mathias' fate, the effect would have been more wholesome. But curtain-raisers must go before, according to the tradition of the stage.

Since her last appearance here Miss Terry has certainly quaffed a draft from the fountain of youth. She romped through the sketch with inconceivable spirits and buoyancy. Nance Oldfield has ever been a favorite role with Miss Terry, perhaps because as an actress of long experience she enjoys giving her public a glimpse of the life as it really is—full of hard work, inspired by serious purpose, and yet affording its compensations to offset its deprivations. It is a role that she adorns with many touches of human nature until it is fairly radiant of wholesome good humor. She disillusionizes the young poet who has fallen in love with the tragedy queen, with the evident relish of an actress playing a part. The vulgarity she assumes to banish his dream is that of triviality, of familiarity and of shallowness; but it is never vicious or even unwomanly. This is but an example of the good taste that rules everything Miss Terry does.

The sketch also affords an opportunity for two other excellent characterizations. Laurence Irving, son of Sir Henry, plays the young poet with a sublimated enthusiasm worthy of his sire. While the role is but brief and sketchy, it is presented so worthily as to lend confidence to the hope that the name of Irving is to be perpetuated on the stage. C. Dodsworth gives a quaint, relishable impersonation of the crochety father of the poet, so neatly tamed by the arts of the actress.

It should also be noted that the supporting actors in "The Bells" are for the most part excellent. The characters are simple bourgeoisie, and are acted with grateful simplicity. Miss Maud Milton as Catherine, Miss Mabel Hackney as Annette, the daughter; W. E. Ashcroft as Christian, the lover, and Clifford Bown and C. Dodsworth as the village cronies, deserve special commendation.

To-night "Waterloo" and "Madame Sans Gene" will afford opportunity to see the stars in a bill, neither part of which they have ever presented here.

—W. B. Chamberlain.

ADMIRERS OF THE STARS

The Audience a Brilliant Assemblage—Many Out-of-Town Folk Present.

The Metropolitan audience last night for the opening of the Irving-Terry engagement was made up largely of the ardent personal admirers of the English players, for "The Bells" is perhaps the least popular play in the company's repertory. Therefore, the majority of those present went to see the players rather than the play.

The attendance was large, but all signs indicate that the engagement is to be a crescendo, for a larger audience is assured to-night and to-morrow night will be a crush.

In the minority of those who went to the theater last night chiefly because of the dramatic merits of the performance, were many well known scholars, lovers of the greatest in the drama, whatever the portrayal limns of joy or pain.

The brilliancy of the house was due to the followers of fashion in amusement as well as in dress. The most marked feature of the dress parade was the display of handsome opera coats and capes and as there was quite a chill in the air early in the evening these were amply displayed. These with the many dainty head wraps made crowds moving in and out of the theater more noticeably attractive than the audience in their seats. A few handsome light costumes were worn and many elegant dark ones relieved by bright touches of color. The general rule, however, was the customary one in Minneapolis, of dainty white or light-colored waists, with an elaborate coiffures adorned with flowers, or ornaments of ribbon, lace or feathers. The opera bonnets this season are so bewitching that women cannot resist them and on such occasions as last night a considerable number appear, especially on the matrons, who carry off rich effects well. In size, however, they are entirely inoffensive and form no greater obstruction to the vision of those behind then nodding bows and quivering aigrettes.

The parties were all small and were generally family affairs, although many included out-of-town guests. The holidays always attracts to the city many visitors from the surrounding territory and these visitors were also conspicuous, as one of their chief purposes in visiting the city is to enjoy the theaters.

Mrs. Thomas Lowry, Mrs. H. Robinson, Mrs. Percy Hagerman of Colorado Springs and Horace Lowry were a family party in the parquet. Mr. and Mrs. Edmund G. Walton were accompanied by Miss Cooper of Denver, Col., and Mr. Robbins. Mrs. W. D. Washburn and Mrs. W. D. Washburn, Jr., entertained a party. Among other in the audience were Mr. and Mrs. A. E. McMullen and party, Dr. and Mrs. C. M. Jordan, Judge and Mrs. D. F. Simpson, Mr. and Mrs. C. B. Shove, Dr. and Mrs. Richard Burton, Judge and Mrs. McGee, Messrs. and Mmes. Cirkler, Frank Crowell, Will Curtiss, E. F. Osborne, E. J. Phelps, G. H. Daggett, A. M. Fish, J. C. Woodworth, E. J. Kimball, L. A. Arnold, L. S. Gillette, Samuel Hill, C. W. Sutton, W. J. Murphy, W. B. Grosskopf, H. B. Richardson, R. G. Chisholm, Ray W. Jones, G. R. Lyman, Shelmeier of Kalamazoo, Mich., H. L. Hacey, Fred Ames, J. B. Secombe, M. J. Scammon, S. M. Owen, R. S. Keeler, M. F. Lenox, J. E. Moore, J. W. Arctander and Henry Stong, Mrs. Lanphere of Kalamazoo, Mrs. Davis and Miss Davis, West Superior; Mmes. J. H. Queal, W. E. Haskell, A. C. Weeks, the Misses Lyman, Colclazer, Caroline Dann, Helen Heisser, Effie Hughes, Dunwoody, Hasbrooke, Ethel Knox, Florence Harrison, Ireys, Cooper, Wilson, Hobart, Glover, Bonnie Hinkle, Gaty of St. Louis, De Laittre, Lesure, Maude H. Chamberlain of Chicago, and Edith Hall; Messrs. J. S. Bradstreet, Howard Commons, Charles S. Albert, W. W. Dann, Charles Case, J. K. Weaver, Dan Ray and Karl De Laittre.

Mr. and Mrs. L. N. Scott entertained a box party, which included Mr. and Mrs. M. Breslauer, Miss Breslauer and John Butler.

Goodfellow's

Great Annual Sale

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Ladies' Cloaks and Suits,
Misses' and Children's Cloaks
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State Capitol News

BOOMING MR. SHOEMAKER

FOR NORMAL SCHOOL PRESIDENCY

Friends of St. Cloud School Superintendent Name Him for Normal Presidency.

W. A. Shoemaker, superintendent of the St. Cloud schools, is being boomed for president of the normal school of that city, vice Dr. Kleeberger, resigned. The county and city superintendents attending the association meeting are backing Mr. Shoemaker, who is a graduate of the St. Cloud normal and a well known educator. The Minnesota educators are especially anxious to see home talent recognized, and to see the normal board abandon its policy of importing men from other states.

NO DECISION YET

Normal Board Case Still in Hands of Supreme Court.

Once more interested parties in the board of control-normal board case were disappointed when the quo warranto decision failed to appear in the weekly batch of supreme court decisions to-day. As most of the judges have gone home for the holidays, the decision will hardly come before court reconvenes Jan. 6.

AFTER TRAINING SCHOOL

New Ulm and Verndale Make Bids for Girls' School.

A delegation of New Ulm citizens called on the state board of control this afternoon to ask for the girls' training school. In the party were S. D. Peterson, Colonel Joseph Bobleter, A. W. Bingham, Jacob Klosner and Peter Manterfeld. The city offers a choice of three sites, from sixty-two to 100 acres each.

Verndale's claims on the girls' training school were also urged upon the board of control this morning by a delegation including Representatives L. W. Babcock of Wadena and J. H. O'Neil of Park Rapids, Colonel G. A. Whitney and C. C. Eastman of Wadena; S. L. Frazier, H. M. Henderson and E. A. Kling of Verndale. They offered a tract of sixty acres and an $8,000 building, erected by Verndale as a bid for the county seat some years ago.

National Guard Meeting.

The Minnesota National Guard association meets to-morrow in the state capitol. It is composed of all the commissioned officers of the state.

BRADSTREET'S NOT FOR SALE.

New York, Dec. 27.—Bradstreet's gave out the following statement to-day: "The statement having been made that the Bradstreet company has changed hands, or that a controlling interest in the stock of that company has been secured by other than the present halders, the officers of the Bradstreet company state that such reports are false and malicious; furthermore, that it is not in the power of any outside parties to buy or otherwise secure control of the company."

FOUTS IS P. M.

Woshington, Dec. 27.—George W. Fouts was to-day appointed postmaster at Riverton, Fremont county, Iowa.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of Chas. H. Fletcher.

MAY CLINCH, AFTER ALL

WORD IN THE PROTOCOL CHANGED

Chilean Minister of Foreign Affairs Charged With Giving Offense to Argentina.

Buenos Aires, Dec. 27.—A new incident has arisen on the Chilean question which may annul the proposed settlement. A Santiago dispatch says that Minister Portela discovered that one word in the protocol had been changed by the Chilean minister of foreign affairs. Minister Portela signed the protocol, believing the document to be an exact copy of that recorded by both governments. He is now claiming modification of that word, and has declared that if Chile does not accept that modification he will leave Santiago and annul all that has been done.

The Argentine minister of war has announced that the protocol will neither mean a suspension of military preparations nor affect the call of the reserves into active duty. Hostile demonstrations are likely to occur to-night when the protocol is published.

Buenos Aires, Dec. 27.—The Nacion says the Argentine-Chile protocol has been definitely approved by Dr. Alcorta, the Argentine minister of foreign affairs. It is further asserted that the incident arising from the change of a phrase in the protocol by the Chilean minister of foreign affairs, Senor Yanez, has not the importance attached to it by some of the newspapers here.

Santiago, de Chile, Dec. 27.—It is asserted here that the Argentina minister to Chile, Senor Portela, has insisted on a new definition of the protocol. This has had a very bad effect on public opinion.

Special Prices Very special prices for the last Saturday of the year 1901.

Ladies' Storm Shoes
Our ladies' $2.39, 8-inch top, vici kid shoes, Saturday.... **$1.69**

Ladies' House Slippers
Our ladies' $1.25 fine brown vici kid, fur top Juliets, Saturday **69c**

Our ladies' 49c and 69c black felt house slippers, Saturday..... **39c**

Men's Slippers
Our men's 69c imitation alligator slippers, Saturday **39c**

Girls' Shoes
Our girls' kangaroo calf line, of good thick soled school shoes, for Saturday, sizes 8½ to 11, **89c**; 12 to 2.. **98c**

Boys' Shoes
Our boys' Kenwood $1.25 all solid leather school shoes, all sizes to 5½, Sat **98c**

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