BITTER ON NOYES

Copious Extracts From the Court's Decision.

JUDGE ROSS' DISSENTING OPINION

It Holds That the Penalty Prescribed by the Majority of the Court Was Too Light.

Special to The Journal.

San Francisco, Jan. 11.—The complete decision of the United States circuit court of appeals in the Noyes case contains over 13,000 words. The main text, written by Judge Gilbert, has over 12,000 words and with the concurring opinion of Judge Morrow and the dissenting opinion of Judge Ross makes the total. Judge Gilbert's opinion goes into a full history of the case as he sees it and deals out some severe blows to Noyes and his alleged associates. The court maintains that a conspiracy existed of the most criminal kind, one almost unparalleled in the history of the courts of the country. Judge Gilbert in his opinion says:

The records and the evidence of these proceedings show, from first to last, upon the part of Judge Noyes, an apparent disregard of the legal rights of the defendants in the cases in which McKenzie was appointed receiver. The proceedings upon which the receiver was appointed were extraordinary in the extreme. Immediately after his arrival at Nome, in company with the man who, it seems, had gone to Nome for the express purpose of entering into the receivership business, and who boasted to others that he had secured the appointment of the judge and that he controlled the court and its officers upon papers which had not as yet been filed, before the issuance of summons and before the execution of receiver's bonds, without notice to the defendants, without affording them an opportunity to be heard, Judge Noyes wrested from them their mining claims of which they were in the full possession, the sole value of which consisted of the gold dust which lay safely stored in the ground, and placed the claims in the hands of a receiver, with instructions to mine and operate the same, and this without any showing of an equitable nature to indicate the necessity or propriety of the receivership or the necessity for the operation of the mines by a receiver in order to protect the property or prevent its injury or waste. When the defendants undertook to appeal from these orders, their right of appeal was denied them. The receiver so appointed was permitted to go on and mine these claims on an extensive scale and extract from them their value. According to the testimony, some of the mines were gutted.

"Arbitrary and Unwarranted."

The appointment of the receiver was, in the case of Chipps vs. Linderberg, almost immediately followed by an order authorizing the receiver to take into his possession the personal property of the defendants which was found upon the claims, including their stores, provisions, tools and tents. The order so made was so arbitrary and so unwarranted in law as to baffle the mind in its effort to comprehend how it could have been issued from a court of justice. The appointment of the receiver in each case was in direct violation of the code of Alaska, under which the court was organized.

When the defendants finally established their title to the property by the verdict of a jury, and the receiver was discharged, his account showed that he had taken out of the mine $30,000, while his expenses were largely in excess of that amount. The owners contended that he had taken from the mine more than $200,000. Upon reference of the receiver's account to the referee appointed by Judga Noyes, it was found that the receiver had taken from the mine $100,000 and that his expenses were no more than $35,000. The evidence shows that neither receiver nor his bondsmen have any property which can be found to apply upon this large deficit of $65,000.

Had Noyes done nothing further than to refuse to make an order directing the receiver to obey the writs, however, we should hesitate to hold his refusal to be contempt of court. But he went further than that. Not only did he refuse to make the order, but, apparently fearful that the defendants in those cases were about to obtain possession of the gold dust under the writs, he issued to the marshal and to Major Van Orsdale directions to hold things in status quo, and so couched his directions in words which, upon their face, we can construe in no other way than as meaning that his purpose was to prevent the delivery of the gold dust to the defendants or to any one else.

In arriving at the conclusion which we have reached in this case, we have not failed to recognize the seriousness of the charge of contempt when laid at the door of a judge of a court, nor the necessity of maintaining a due regard for the judicial discretion which belongs to their office. It is essential, however, to the administration of justice, that the process of courts be obeyed. Upon no one does this obligation rest with more binding force than upon a judicial officer. The respondent, Arthur H. Noyes, is adjudged guilty of contempt of the authority of this court by his resistance of the execution of its writs of supersedeas. In view of the fact that he holds a public office, it is the opinion of the court that the respondent be required to pay a fine. It is acordingly adjudged that he pay a fine of $1,000.

Judge Ross' Dissent.

Judge Ross dissented, not because he thought the decision too heavy, but because he considered it too light. His opinion is as follows:

The findings of fact in the cases of Arthur H. Noyes, Joseph K. Wood and C. A. Frost embodied in the foregoing opinion of my brother Gilbert to the effect that each of these parties committed the contempt alleged against him, meets with my concurrence, but I am of the opinion that the records and evidence in the cases show beyond any reasonable doubt that the circumstances under which each of those persons committed the contempt alleged, and so found, were far graver than is indicated in the opinion of the court, and that the punishment awarded by the court is wholly inadequate to the gravity of the offenses. I think the records and evidence show very clearly that the contempt of Judge Noyes and Frost were committed in pursuance of a corrupt conspiracy with Alexander McKenzie and with others not before the court and therefore not necessary to be named, by which the properties involved in the suit mentioned in the opinion among other properties, were to be wrongfully taken under the forms of law and the proceeds thereof appropriated by the conspirators. For those shocking offenses it is apparent that no punishment that can be lawfully imposed in a contempt proceeding is adequate.

But a reasonable imprisonment may be here imposed and I am of the opinion that in the case of the respondent Arthur H. Noyes, a judgment of imprisonment in a county jail for the period of eighteen months should be imposed and in the case of Frost a like imprisonment of fifteen months.

The facts and circumstances against respondent Wood are by no means so strong, although I find it difficult if not impossible to reconcile his ignorance of and his connection with the conspiracy with the facts that immediately upon his arrival at Nome he was at McKenzie's dictation given a one-fourth interest in the firm of Hubbard, Beeman & Hume, which firm was employed to carry on the legal part of the nefarious business and that Hume, who was so far as appears, a total stranger to Wood, was likewise at McKenzie's dictation immediately appointed by Wood assistant United States attorney. I think Wood should be imprisoned for three months.

In regard to the respondent Geary I agree with the findings of the court to the effect that the contempt alleged against him is not sufficiently established. Reading and considering Geary's entire testimony and especially his written opinion given McKenzie at the time of the occurrences in question and in the light of the testimony of Mr. Metson I am of the opinion that it is not shown that he went beyond legitimate privileges of an attorney in giving his legal advice. I therefore concur in the dismissal of the proceedings against him.

INDIAN HELD FOR MURDER

FAMILY QUARREL AT PINE RIDGE

End-of-the-Timber Said to Have Killed His Father-in-Law in the Hills.

Special to The Journal.

Deadwood, S. D., Jan. 11.—John End-of-the-Timber, a fullblood Sioux Indian from Pine Ridge agency, was brought to Deadwood to-day in custody of John Belding, deputy United States marshal, charged with murder.

The Indian killed his father-in-law, Walks-Under-the-Ground, on Porcupine creek, thirty-five miles east of the agency, on Monday of this week. The killing was the result of a family quarrel, and the accused Indian alleges self-defense.

He was given a preliminary hearing before C. A. Coe, United States commissioner, and was committed to the Deadwood jail to await the action of the United States grand jury, which convenes in February. W. G. Porter, assistant United States district attorney for South Dakota, appeared for the government. End-of-the-Timber is 25 years old and this is his first trouble.

SACRIFICED

Medicine Man Pays Penalty for a Smallpox Epidemic.

Phoenix, Ariz., Jan. 11.—Padre, a big medicine man of the Yuma Indians, who lives on a reservation near Yuma, Ariz., has been offered as a sacrifice to the spirit in accordance with their customs and has expiated the sins of the tribe which are held responsible for an epidemic of smallpox. The medicine man divined the Indians several days ago and fled to the mountains, but in a half starved condition wandered back to the Indian village and pleaded mercy. He was promptly bound hand and foot and conveyed by a delegation of Indians to Mexico, where he was bound to a tree and tortured to death. Padre had a warm place in the hearts of his tribesmen, but their customs required them to make a heavy sacrifice.

ROMANCE AND MISERY

Death of the Widow of a Nobleman Who Was Killed in a Duel.

New York, Jan. 11.—The death of Mme. Adele Preveau in a miserable shelter which she called her home, ends a career of romance and misery. She was born near Paris 72 years ago and early in life married the Count de Doreau, well known and high in official favor. A dispute in a Paris club over a gambling debt resulted in a duel and the count was killed. The young widow married Henri Preveau, who came to this country to live. The young couple moved in the highest circles in Washington and were received in the diplomatic set. Later Mr. Preveau came to New York. It was here that he died. His widow inherited from him considerable property, but the funds disappeared, in time, and the old lady, driven to the last resort of poverty, made application to a poorhouse. From this she was taken by a negro woman and it was in the house of this woman that she died.

FOR THE NAVY

Proposed Experimental Plant at Annapolis.

Washington, Jan. 11.—At the instance of the navy department Senator Hale has introduced in the senate a bill intended to carry out a long-cherished plan of the naval engineers to provide the navy an experimental plant of the first class. The bill provides an appropriation of $400,000 for the construction of a building at the naval academy at Annapolis and its equipment to deal with engineering problems of value and interest to the navy which cannot be properly left to private enterprises to solve.

TAWNEY ABANDONS PARK

He Now Advocates a Forest Reserve in Its Stead.

Washington, Jan. 11.—Representative Tawney has abandoned the idea of a national park and is now advocating a forest reserve at this time, with such disposition as congress may decide to make of the forests in the future. Mr. Tawney is preparing a bill, which he will soon offer, setting aside the pine lands in Minnesota as a forest reserve. He has the support of some of the members of the Minnesota delegation, but it is not known what position those who opposed the park project will take on the forest reserve plan. It is the intention of Mr. Tawney to ask the Indian committee to set aside a day for a hearing on this subject.

WOULD FIGHT ENGLAND

But Boer Representative Cannot Accept These Illinois Men.

New Orleans, Jan. 11.—Captain L. De Villiers of the Boer army, who is in this city, is in receipt of a letter from H. C. Arnold of Bloomington, Ill., declaring that he has organized in Illinois a company of young men, all of whom served in the United States army during the recent trouble with Spain, who are anxious to serve with the Boers in South Africa, and who want to know if Captain de Villiers can make any arrangements for their transportation there. Captain de Villiers replies that it is impossible to get the men to Africa, although he has received numerous offers of this kind.

CONVENTION HALL PROJECT.

Special to The Journal.

Marquette, Mich., Jan. 11.—Preliminary sketches have been asked from architects for a large convention hall, the down-stairs portion of which is to be utilized as a gymnasium and for indoor sports. A stock company is being organized to handle the project. It is proposed to have the structure erected before next June, when the biennial convention of the great camp of the Maccabees is to be held here.

SAVE WEST INDIES

Proposed Countervailing Duty on Sugar.

BRITISH CABINET TO DECIDE

Probably Will Not Impose a Duty for Fear of Secession in the Unionist Party.

London, Jan. 11.—There will be a cabinet meeting here Monday which bids fair to be most fateful in the history of the West Indies and may eventually affect the United States. Lord Salisbury and his colleagues will then decide whether Great Britain will put a countervailing duty on sugar. Colonial Secretary Chamberlain will submit a statement, made up on the unimpeachable evidence of the West Indian authorities that if this step is not taken the sugar industry in the West Indian islands will be dead within a year and the West Indies hopelessly bankrupt. The British delegates to the Brussels sugar conference also will report that there is no likelihood of the continental nations abolishing bounties unless Great Britain declares her intention of imposing countervailing duties, should the bounties be continued. The preliminary sessions of the Brussels sugar conference have convinced the British delegates that the continental powers desire at the most only to amend the bounty system, and that this is chiefly due to the hope of placating their own consumers.

The best informed opinion inclines to the belief that the cabinet will not consent to the imposition of countervailing duties for fear of raising a storm of international criticism from the old school of free traders, who constitute a formidable wing of the Unionist party. The memorandum which Mr. Chamberlain will present Monday is worded more in the nature of an ultimatum than any hitherto presented to the government; and while it does not openly threaten secession, that phase of the situation has been verbally communicated by the colonial secretary. It is almost needless to add that the decision of the cabinet will be kept a profound secret, at least until Jan. 20, when the British delegates return to the Brussels sugar conference. It is said that Mr. Chamberlain realizes the gravity of the crisis and favors imposing countervailing duties; but the personnel of the large cabine includes so many utterly differing economic views that it is doubtful whether Mr. Chamberlain will win the day.

MURDERED FOR HIS MONEY

Body of Matt Smette Found Near Quincy Mine Location.

Special to The Journal.

Calumet, Mich., Jan. 11.—Matt Smette, a resident of the Quincy mine location, was murdered a few feet from one of the mine buildings. The body was found about 6 o'clock the next morning. No arrests have been made, and the case is shrouded in mystery.

It is evident that robbery was the motive of the crime. Smette had about $65 when last seen. His body was found near the street railway track, at the foot of the embankment, and there were no signs of a struggle.

Smette has lived in the Lake Superior copper country for about sixteen years. He was recently employed by the Copper Range railroad and last summer worked at the Adventure stamp mill site. He was 44 years old and unmarried.

DRY DOCK AND SHIP YARD

Manitowoc May Get a Plant of Mammoth Proportions.

Special to The Journal.

Manitowoc, Wis., Jan. 11.—C. A. Macdonald, president of the Shipowners Dry Dock Company, of Chicago; John Rowlands, assistant land agent of the Wisconsin Central railroad, and Edward Gilien, of Racine, have been in this city investigating the possibility of a big dry dock and ship yard at this point, to be operated by the Shipowners Dry Dock company.

It is said the plans include the erection of a shipyard in connection with the dry dock, where lake ships of the largest size may be constructed. Other sites are to be looked over, but, it is believed, that Manitowoc has a better chance to be selected than Sheboygan, or any of the other cities.

BISSELL WILL UPHELD

Aversion to Secret Societies No Evidence of Unsound Mind.

Lincoln, Neb., Jan. 11.—The supreme court has handed down an opinion upholding the will of William C. Bissell who died four years ago, aged 80, leaving the bulk of his estate of $25,000 as a trust fund for the National Christian association of Chicago, a society which is said to have as its object the disruption of all secret societies. Mr. Bissell made provisions for his widow and gave small sums to nephews and nieces. The latter began a contest, asserting that he was incapable of properly devising his property. The court holds that Mr. Bissell's aversion to secret societies is not unnatural or uncommon, nor is it evidence of an unsound mind.

The Milwaukee's Calendar.

The Milwaukee road has just issued a handsome calendar of six sheets, each bearing a handsome colored picture of a leading actress. They are on sale at the city ticket office, Nicollet and Fourth street, for 25 cents each.

Realty in Minneapolis

Premonitory symptoms of a summer of activity in real estate are on every hand. Inquiries in regard to property are frequent. Not for years has the business opened up so early in Minneapolis. Yet transfers up to the first Saturday in January were not numerous. Though the deeds placed on file were very numerous, the activity was only fictitious. The initiated were able to point out scores of papers which represented transfers made six months or more ago. The seller was anxious to avoid the taxes and Saturday was the last day in which to shift the burden to the purchaser's shoulders.

In adidtion to a great many deeds which were filed making over individual property to two real estate companies just formed, instruments to a considerable number were registered showing that at least two investors had been making hay in due time by purchasing tracts of cheap property with a probably good future.

The Journal pointed iut the fact last summer that two capitalists of the city were due to realize on their faith in Minneapolis, which at that time seemed too rosy to the average man. To this number has been added a third gentleman who has made a considerable purchase of Flour City National bank property, much of it in Oak Park and north of Hennepin. A certain manufacturing firm has also been buying heavily. It is not necessaryessary to verify the above mentioned prediction referred to, but if two or three particular sales recently made were cited it could be shown that from $3,000 to $5,000 was made on each in less than a year. Since the first of the year one down town block has sold twice at a handsome gain say of $6,500.

Business of a Week.

The books of the register of deeds do not yet show the movement in real estate, but deals which have been in progrss since the fall are being closed every day. At least five which will average $50,000 are on tapis. The Journal's announcements for the present week will show the trend of the market. On Monday the purchase of the Wheaton Reynolds plant by J. T. Elwell, through T. A. Jamieson, for a furniture factory and the purchase of the former W. K. Morison building by John K. Wetherby, on Tuesday, the purchase of the old linen mills from Andersch Brothers by the Electric Machinery company, and the proposed development of St. Anthony Park property across the city line by Minneapolis men who have business in Minneapolis; on Wednesday the purchase of trackage by the Deere-Webber company, the sale of the Harmonia building on Third street, the purchase of three blocks running from Eighth avenue S between Fourth and Fifth to the Milwaukee right of way and the contemplated purchase of the St. James hotel site for a Mills hotel.

These sales mean much more than the amount which was paid for the land. The Elwell property will be run as a manufacturing plant by a furniture company, which will employ many hands. The Electric Machinery company will expend much money. The other deals mentioned mean the expenditure of large sums.

Activity in Factory Properties.

A feature of the market this week is the fact that while a short time ago it was impossible to find buildings already erected for the manufacturing industries which seek admission to the city or a change to larger quarters. When Mr. Elwell purchased the sash and door factory this week he shut out the two other companies which were figuring on the plant. A big concern is looking for 30,000 fete of floor space ready for occupancy. The scarcity of ready made factories will of course induce further building if the management o fthese concerns do not conclude to look further and fare worse in some other city.

It is impossible to make plain the pending activity in manufacturing circles as affecting real estate and building circles without delaying the closing of deals by premature publication. Funny stories are told in connection with the supposed Burlington, Cedar Rapids & Northern purchases in Southtown. When it developed by the premature exposure of the progress of the deal that it was probable that Mr. Benner was working for a right of way for the road, several who had sold at a reasonable price are said to have lost flesh to think that they had not demanded the price limit.

In several instances recently holders of city property who have weathered the financial storm, carrying a heavy load of lots, have been severely upbraided as delaying the prosperity of the city because they ask a small sum in addition to the accumulated taxes and interest as a sort of commission to themselves for cleverness in escaping the undertow which carried many to disaster.

Trackage Property in Demand.

Trackage property is very strong now. Unless comparatively worthless on account of being inaccessible, it is probable that nearly every foot of it in town has been looked over by some investor or would-be buyer.

Residence lots have not moved very rapidly of late, but inquiry as to prices and terms is in excess of last year. The market in this line is opening early.

Blaisdell Addition Popular.

Aside from sales to investors the Blaisdell addition has led with homeseekers sales. Walter L. Badger has just closed a bargan with Edson S. Woodworth, and is negotiating three or four other matters, which will culminate soon. Mr. Woodwotrh paid Mr. Badger $8,000 for two lots number 2 and 3, block 2, Dayton's subdivision of J. T. Blaisdell's Revised on Pillsbury avenue. Each lot is 60 by 165 feet. Mr. Woodworth intends to build a home. There are nine full blocks in this Dayton tract, which Mr. Badger controls. Twenty-two lots were sold last season in this section, and ten houses, ranging from $5,000 to $35,000 in cost, are under way of being planned. Mr. Dayton will this spring erect two houses for sale at about $5,000 each. Thomas Walston has bids in for a $25,000 house, which he will go ahead with in the spring. Mr. Badger will grade the blocks lying between Twenty-second and Twenty-fourth, Blaisdell and Pleasant, as soon as spring permit, sidewalks will be finished at the same time.

L. S. Gillette has purchased the Charles H. Hood residence, on Stevens avenue, near Franklin, for $15,000. Mr. Hood will continue to occupy the house. The property fronts fifty feet on Stevens avenue, and consists of lots 2 and 3, block 30, Jackson, Daniels & Whitney addition.

F. H. Wellcome has purchased from the First National Bank, of Brandon, Vt., property in Hillside addition on Groveland avenue for $5,000. A part of this he has sold to A. M. Woodward, and a part to Hiram H. Thayer, leaving 100 fet for ae residence. At some time in the future Dr. Wellcome intends to erect a home on this site.

St. Paul Building Record.

The St. Paul story to the effect that St. Paul is the record city of the country for increase in building for 1901 has reached the Construction News. Publication in that paper gives the fake a semblance of truth. The Journal last fall showed how the records were being padded on account of the desire of those who intended building within two years to avoid the new building law enacted by the St. Paul aldermen. Plans for months ahead, and it is said years ahead, were filed and included in the statistics. Not so in Minenapolis. Building Inspector Houghton admits that the figures show a gain of 259 per cent, but explains that they include the cost of all kinds of con- and 20 per cent is added officially to cover values propably withheld. The St. Paul total for 1901 was $4,488,335, but the figstruction, such as plumbing and wiring, ures show that the amount reached was $6,431,700. The Minneapolis figures, based on actual operations, were $6,022,787.

D. P. Jones' Re-election.

The real estate board showed its confidence in President D. P. Jones by reelecting him for the coming year. Mr. Jones had served for only six months, but was deemed worthy to succeed himself. There is no doubt that this board is the main spring of the market. One of the aims of the board is to do away with dishonorable, questionable and knifing methods now in vogue in a certain quarter.

Plans for 1902.

The executive committee has announced a preliminary line of work for 1902. One of its first good moves is to come to the rescue of the examiner of titles of Ramsey county under the Snyder law for the establishment of the Torrens system of land registration. In this move they cooperate with the St. Paul exchange. The battle comes off before the supreme court on Monday. Senator Snyder, author of the law, is pitted against Former Attorney General Childs, who represents a taxpayer of Ramsey county that believes the whole thing is a mere pretence not sustained by the constitution of Minnesota.

In Walton Park.

Inquiry among the brokers this week shows more confidence than ever in what the spring will bring forth. On Wednesday lots in Walton park were again offered for sale, having been withdrawn for some months. Mr. Walton reports sales of twenty-two lots already this week, of which seven were on Lyndale avenue N, four on Aldrich avenue, four on Bryant avenue and six on Freemont avenue. As houses will be built on all of these lots there will be a merry showing this summer, more especially as of the sixty lots sold last fall the majority will be improved and built upon. Among the buyers are: Frank Teply, W. A. Smith, Casper Richman, Mrs. Sheldon, H. W. Alexander, Joseph Doerfler, F. S. George, Edward C. Gerry, J. E. Bogk, W. M. Cowan. All are well-known North Side people.

Building Notes.

The Improvement Bulletin reports the following:

W. S. Hunt has plans for a $10,000 flat building to be erected by Anthony Ober at Second street and Seventeenth avenue NE. It will consist of two stores and flats.

Plans are on file at the Bulletin office for the Carnegie library building at Fargo, N. D. Bids will be received until 2 p. m., Jan. 17. The architests are Hancock Brothers, of Fargo.

W. S. Hunt, architect has plans for a dwelling and barn for Charles E. Peterson, on Pleasant avenue, between Twenty-seventh and Twenty-eighth streets. The house will be 30x34, two-story, frame. Cost, $5,000.

J. & W. A. Elliott have the contract for a frame dwelling for J. L. McCrea, at 1908 Fremont avenue S. It will be 28x34, two-story, frame. Cost, $5,000.

L. A. Lamoreux, architect, Lumber Exchange, has prepared plans for a residence to be erected by J. F. Hayden on Irving avenue S, near Nineteenth street. It will be two-story, frame, hardwood interior finish house. Cost, $3,500.

Harry W. Jones, architect, Lumber Exchange, has plans for a building for the First National Bank, to be erected at Lidgerwood, N. D. It will be 26x60, two-story, brick and stone, hot water heating, vaults and fixtures, gas and electric fixtures. Cost, $10,000.

W. O. Clarke, 3338 Park avenue, has the contract for the erection of a frame dwelling for Anna D. Peterson at 2122 Elliott avenue S. It will be two-story, frame, 26x39. Cost, $3,500.

The Butler-Ryan company has the contract for the additional work on the Wisconsin Central roundhouse at the lower end of Boom island. A large amount of electrical apparatus will be placed in this addition.

Leck & Prince have begun work on the third story of the J. L. Owens company warehouse, only twenty-one days after closing the contract. This includes a stone foundation which was put in during this period.

F. D. Orff, architect, Lumber Exchange, has plans for a school building to be erected at West Concord, Minn. It will be an eight-room brick building.

The Electric Machinery company has secured the contract for installing generators and switchboards in the buildinig owned by G. A. Booth & Co., at 205 Fifth street N. Cost, $2,500.

C. G. Carr has let the contract to F. H. Fall, 57 Twelfth street S, for the erection of a two-story frame dwelling, 24x30, at 2417 Garfield avenue.

David C. Bell, Prest. Walter A. Eggleston, Sec. James B. Sutherland, Treas.

David C. Bell Investment Co. No. III So. Fourth Street. Call for Our Catalog of Bargains.

$800—No. 1921 Jackson st. N. E., house of 5 rooms, cellar, well and cistren, large lot 43x185. Easy terms.

$950—No. 2429 S. 9th st. house of 8 rooms, rents for $10 per month; in good condition; stone walk.

$1000—No. 3209 18th av. S; house of seven rooms, with cellar and cistern; rents for $10.50 per month; lot, 35x122.

$750—No. 1629 Queen av. N; house of eight rooms; east front lot, 42x129; part cash; balance monthly.

$450—East front lot on 14th av. S, near 26th st; size 41x127; sewer, water, stone walk.

$525—Southeast front lot on Sheridan av. S, in Kenwood, size 50x150; city water, stone walk and gas.

$850—Beautiful lot on Emerson av. N, between 14th and 15th aves., size 47x154; sewer, water, stone walk and gas.

$75—Fine lot on Snelling av, one block from Minnehaha av, south of 35th street; size 40x150.

List your houses and lots with us for sale, and have them advertised without cost to you.

David P. Jones & Co.
ONEIDA BUILDING.

$4500—2831 Portland av., thoroughly modern house, nicely finished on large lot. Fine neighborhood.

Fine Lowry Hill Sites.

$5500—Double lot on Mt. Curve and near Knox avenues, fronting south, dimensions 100 feet front by 400 deep to Kenwood Parkway.

$2750—Lot on Mt. Curve and James avenues, fronting south, dimensions 50 feet front by 400 feet deep to Kenwood Parkway.

200 FEET on Mt. Curve at corner of Groveland ave., which we can sell for less than $100 per front foot in tracts to suit buyer. This particular location affords a most commanding view of the city.

$850—Lot on Logan between Mt. Curve and Douglas avenues, 50x135 feet.

$900—Lot on Logan between Mt. Curve and Douglas avenues, 50x135 feet.

RIDGEWOOD LOT—Near Lyndale, south front, owner anxious to sell. Make offer.

$1100—Lot on Clinton, near 24th street—50x129 to alley—special improvements, including stone sidewalk in street and paid for.

5 per cent money on hand to loan in any amount on improved city realty. Terms easy, partial payments.

MRS. FRANKLIN IS DEAD

Wife of the Richest Man in the Black Hills.

Special to The Journal.

Deadwood, S. D., Jan. 11.—Mrs. Harris Franklin, wife of the president of the American National bank and general manager of the Golden Reward Mining company of Deadwood, died last night in Chicago after a long illness. She had been a resident of Deadwood twenty-five years. She had one son, N. E. Franklin, who was with her when she died. The remains will leave Chicago to-night for Deadwood.

WILL CUT 80,000,000 FEET.

Special to The Journal.

Calumet, Mich., Jan. 11.—The Nester estate of Baraga, a few miles south of this city, will be one of the heaviest loggers in the copper country this year. The Nesters will cut about 80,000,000 feet of logs, which will be transported over the Nester railroad and shipped to the estate's mills at Ashland and Baraga. It is reported that the Sturgeon River Lumber company of Chassell, in this county, will shortly sell its entire interests in timber lands.

THEIR HUNTING DOG A GOAT.

Indianapolis News.

Charles Hileman and William Cartwright, wire nail workers, started out before daybreak for a hunt. Hileman has a fine dog, and his son has a goat. The dog and the goat are about the same size and sleep in the barn. The barn was dark at the time a rig was got out for the hunting trip. After all was ready Hileman went into a dark corner to pick up the dog, which he supposed was asleep. He got the goat instead, and, not observing his mistake, put "Billy" into the rear of the wagon. After the wagon had bumped over the roads two miles from town, the goat gave a plaintive bleat, and the hunters hurried back to town, but too late to cover up the joke. The dog was still asleep in the barn.

A Phenominal Achievement of an American Industry.

The officer in charge of the Brewery's Revenue Department, upon expressing his New Year's congratulations to Mr. Adolphus Busch, President of the Anheuser-Busch Brewing Ass'n, submitted to him a carefully compiled statement of the brewery's last year's output, showing the enormous sales of 1,006,495 barrels of beer, which netted the Government an income of $1,801,818.

Considering that in the birthplace of King Gambrinus, Austria and Bavaria, there are breweries which have been in existence for centuries and some, even in this country, which have ben established more than a hundred years, whose output does not reach one-half of the above figure, the achievement is most remarkable, especially so since this record was made in less than 35 years and under the sole and continuous management of its present President.

EDMUND G. WALTON,
300 Hennepin Ave.

$500—30x78 feet on 12th av N, between Washington av and 3d st.

$500—25x80 feet on 3d st N, between 11th and 12th avs N. This lot is particularly valuable on account of its location; only a few blocks from the business center, it will be a constant income payer; a six-roomed cottage will rent readily for $15.

$600—Northeast, near the new malting plant, I have a corner, 66x165 feet, to sell at this ridiculously low figure. You can make five good lots, each 33x66, that will readily sell at $200 apiece. Look at the corner of 3d st and 16th av NE, being lot 6, block 23, Bottineau's second.

$1,600—Of course, the time to buy is when things are cheap and you will need to hurry if you want to buy this very charming and beautiful home. This house, No. 2531 Pleasant av, is situated in what is known as the Blaisdell property. There are few parts of town that are surging to the front like this. The last purchase was made by Mr. E. S. Woodworth, the grain man, who paid $80 a foot for the ground alone. This property has city water, sewer and sidewalk; its lot is 44x165 to alley. The house has seven or eight rooms; the stables and sheds are large and commodious; and the trees, they are best of all; the trees would cost to replace $500. This price is subject to change without notice after Monday night.

$300—We will take a balloon and fly across town and show you a wonderful winner, 46x78 feet, corner of Jewett place N and 8th av N; take 6th av N car. This lot is perfect and has city water, sewer and sidewalk.

$3,000—Modern house of 10 rooms, hardwood finish on first floor, full basement, furnace, full plumbing; some polished floors; mantels and grates; two parlors library, reception hall, dining-room and kitchen on first floor; five bedrooms and bathroom on second floor; house 2525 Hennepin av.

$1,000—Very comfortable eight-roomed house, with good lot, cistern and cellar; an exceptional bargain for this locality—1609 4th st N.

$650—Pretty six-roomed house, rented for $8 a month, on 6th st S, No. 2215, in South Minneapolis 6th st is the very best; nearly every one owns their own home and the houses are very good. Look this over and see if you would not like it.

$8,850—Just as it stands to-day, that very beautifully designed and finished house, newly built, corner of Portland av and Lake st. The lot is a corner and large. The house has a very large central hall, two parlors, dining-room and kitchen, all hardwood finish, panel work and floors, four bedrooms and bathroom, full basement, with commodious outside entrance; house is built and decorated to attract attention from the most fastidious; it is an artist's home, full of good ideas—good stuff. Walter Keith designed this house and says that properly furnished it will make the nobblest little place in the city.

$200—The smartest bargain in the city. I have three lots, each 42x116 feet, facing west on Park av, between 36th and 37th sts; each $200, with stone sidewalk laid and paid for; part has city water main in and paid for, and is as you know, one of the handsomest avenues in the city.

$100—How can any man take $100 and beat this purchase? 40x120 feet on 4th st NE, between 23d and 24th avs NE, in Lennon & Newell's addition. I will sell to encourage thrift for $10 down and $5 a month with 6 per cent interest. The lot lies perfectly and has a perfect title.

J. B. TABOUR,
REAL ESTATE, LOANS, INSURANCE AND RENTALS.
410 First Avenue South.

$2150—49x118, near Chicago and 34th st, with a first-class house of eight rooms, finished in hardwoods, with hardwood floors; modern except heat; open plumbing, nice decorations and barn.

$500—46x128, east front, on Dupont, between 31st and 32d sts.

$1200—A nice home of eight rooms and barn, in the vicinity of 15th av S and 9th st.

$1475—42x128, near Emerson and 27th avs N, with a first-class house of eight rooms, city water, fine cellar, good barn, stone walks, trees, etc.; almost your own terms.

$1000—Near University and 30th avs NE, we have some first-class houses of eight rooms each; they are in nice condition and we will sell them on almost any kind of terms. It is a fine chance for you to get a good home cheap on almost a rental basis.

$2700—40x165, in the vicinity of Pillsbury and 33d st, with a strictly first-class house in perfect condition of ten rooms, finished in hard woods; strictly modern; finely decorated; terms very easy.

$600—46x128, east front, on Dupont, between Lake and 31st st.

$1400—WITH AN OFFER ASKED FOR—For a complete home of six rooms, city water, etc., in the vicinity of 4th av S and 17th st.

$2000—A strictly first-class house of 10 rooms in the vicinity of 9th av S and 23d st.

$1700—Large lot on Nicollet and fine six-room house and barn, in the vicinity of 26th st.

GOLDS CURED IN ONE DAY

Head Colds

The kind that stop up the nose, make the eyes ache, and give you that suffocated feeling, are relieved in twenty minutes and cured in one day by simply inhaling HYOMEI.

Catarrhal Colds.

When the nose runs, the eyes weep, and the hearing becomes impaired, HYOMEI gives relief in an hour's time, allays the irritation, stops the secretion and makes a complete cure in twenty-four hours.

HYOMEI is not an expectorant, morphine mixture, or a stomach medicine, but a dry-air germicide taken in the air you breathe, and which destroys at once the germs causing coughs, colds, catarrh, bronchitis and pneumonia.

You can carry the HYOMEI Inhaler in your vest pocket or use a few drops on your handkerchief—it does not matter which—all you have to do is to breathe naturally and HYOMEI will do the rest.

HYOMEI is sold by all druggists or sent by mail. Price, $1.00. Send to the R. T. Booth Co., Ithaca, N. Y., for a five days' treatment free and you will never use stomach medicines for these diseases

WHY YOU SHOULD BUY TEXAS FUEL OIL STOCK

While it is Selling at 25c Par Value $1.00.

BECAUSE The Texas Fuel Oil Company owns in fee simple two tracts of land on Spindletop Heights at Beaumont, which is the richest oil producing locality in the world. The tract on which this company's first well is now drilling is surrounded on all sides by gushers, like the Great Heywood No. 2 on the east, and the Spindletop on the south, each of which has a capacity of nearly 100,000 barrels per day.

BECAUSE The Texas Fuel Oil Company owns and controls by perpetual lease over 5,000 acres of the best oil lands in Jefferson, Harden, Starr and Liberty counties. The company does not hold a single tract upon which there are not surface oil indications. Several tracts are near Saratoga, where wells are now producing from 100 to 500 barrels of oil daily. In California a well producing 100 barrels per day recently sold for $1,000,000. At Sour Lake, where this company also owns land, the Guffey Petroleum Company has recently produced a big gusher and the indications are that this district will prove a second Spindle Top.

BECAUSE Investment in Texas Fuel Oil stock is not a speculation. That this company will strike with the well now drilling is not a matter of doubt, but an absolute certainty as all land on Spindle Top has already proven gusher property. It is only a matter of a short time until the necessary depth is reached to secure a good gusher. The market for Texas oil is at present far ahead of the supply and experts claim that it will continue so for years. It is practically limitless, for there are few places on the globe where oil is not constantly in demand.

BECAUSE The officers of the Texas Fuel Oil Company, in whose hands is entrusted the business management, are conservative, reliable men. Note what are their business connections. Their names are given below. Men like these can not afford to be connected with a business enterprise that is not perfectly clean, honorable, business-like and profitable. They have put their money into this company and ask you to join them. Your stock is as good as theirs. Your chance for profit is quite as good. The capitalization, 1,000,000 shares (par value $1) is moderate and reasonable.

BECAUSE The Texas Fuel Oil Company is not trusting to luck to sell oil after they get it. The property on Spindle Top Heights, alone is sufficiently extensive to admit of the drilling of several wells and the company is preparing in advance to handle this enormous output. The directors have arranged for the building of tanks both on the field and at the sea coast, 15 miles distant, also for a pumping station and a pipe line to tide water. Negotiations are also pending which will secure to the company the use of a number of tank cars, at present very scarce.

OFFICERS AND DIRECTORS:

Officers and Directors:

PRESIDENT—Dr. I. D. Webster, Mankato, Director National Citizens' Bank; Director Citizens' Telephone Co.
VICE-PRESIDENT—Robt. Lamm, Mankato, Wholesale and Retail Druggist.
SECRETARY—A. E. Clark, Mankato, Counselor at Law.
TREASURER—J. R. Brandrup, Mankato, President Mankato Commercial College, the largest commercial college in Minnesota.

Directors:

W. L. HIXON, Mankato—President Mankato Mills Co., Director Hixon & Co., of La Crosse, Wis.
EDWARD WEAVER, Mankato—Former president Minnesota State Agricultural Society, member of Minnesota State Capitol Commission, County Auditor Blue Earth County.
COL. GUS WIDELL, Mankato—Director Citizens' National Bank and proprietor of the famous Mankato Stone Quarries.

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