

### SUPREME COURT ELDER STEWART LOSES APPEAL

#### SUPREME COURT UPHOLDS LOW- ER COURT IN TAX CASE.

#### Two Decisions Handed Down To-day— Written by Judge Collins—A Ramsey County Lease Case Order is Also Affirmed.

The supreme court handed down two decisions to-day written by Judge Collins. In a complicated tax title case appealed from Hennepin county, the lower court is sustained. The syllabus is as follows: *Stewart vs. Ramsey County*, appellant, vs. Frank M. Parcher and Louise Parcher, respondents. As the tenant of leased premises covenanted with N. his landlord among other things to pay all taxes thereon. N. subsequently mortgaged the premises to S. P. failed to pay the taxes for two years and thereupon S. paid the same, foreclosed his mortgage by advertisement and as there-in agreed included the amount paid on his notice of foreclosure. He purchased at the sale for the full sum due, including the amount paid for taxes. There was no redemption from the sale, but during the redemption period S. never took any action to recover the sums so paid. Judgment affirmed.—Collins, J.

#### Ramsey County Case.

The other decision is on a Ramsey county case, and is stated as follows: *John A. Steves, respondent, vs. F. W. Bergmeier, et al., defendants.* F. W. Bergmeier, doing business under the name and style of Volkseitung Job Printing company, applied for the termination of a lease a tenant is notified by his landlord that if he holds over he will be required to pay an additional amount and he will be bound by the terms of the notification and this is true even if the tenant objects to the new condition. Second—A notice of this nature was sent by registered letter addressed to the tenant at his usual place of business, on the leased premises. In the absence of the tenant who was confined to his house by sickness, it was received and opened by his bookkeeper in the customary discharge of his duties. Held, that the notice was properly served. Third—Law 1901, chapter 31, is not open to the objection that it is special legislation, forbidden by sections 33 and 34, article 4 of the constitution. Fourth—The lease was an urban in character and within the provisions of said chapter 31. The tenant on his recovery and return to his office remained in possession after his term had expired and rent by checks for six months at the rate fixed by the notice, which specifies the new term in one year, and then vacated the premises. Held, that the notice and the subsequent acts of the tenant together, that the "express contract" required by chapter 31, supra, had been entered into by the parties. —Collins, J. Order affirmed.

### "DREAM BOOK" FANCIES

#### Dirge Trouble Ahead for the Fine Old Year of 1904.

Signs of the times are being carefully scanned by astrologers, magicians, clairvoyants and trance mediums, who seem to see in the heavens, in the sea and on the earth signs of great horrors and universal sorrow in 1904. Among the dire prospects as predicted are attempts on the lives of many rulers, volcanic shocks in many climes, loss of prestige for England, panics, wars and anarchistic troubles. Astrologers, clairvoyants and others of their ilk really are of very little account in this world of wireless telegraphy, electricity and push. Life moves too rapidly to bother with sterile predictions. If people would only cheer up and look pleasant at themselves and their friends there would be no fear or wonder in the mere words of fakirs and dreamers. If common sense is a virtue to be proud of, if you are sick, tired, run down, worried, take something to brace yourself up and put you on your feet. You can look the whole world over and you will find nothing so good for a tickle tickle feeling as Waltham's Peptonized Port. It will set your stomach right, too. No fear of fatulency, biliousness, sour stomach, indigestion, if you will buy a bottle or two of Peptonized Port. Two sizes, 50 cents and \$1.00, on sale at Voegel Brothers' two stores, Washington and Hennepin; Nicollet and Seventh street.

### ANSWER TO INDICTMENTS

#### Newly Indicted Prisoners Make Numb- rous Pleas of "Not Guilty."

Several prisoners against whom indictments were returned yesterday, were arraigned before Judge Brooks this morning. James H. Norton appeared to answer to an indictment charging for- feiture in the second degree. He asked for time before entering his plea and was given until to-morrow morning. Ball was fixed at \$1,000. Roy Fehrman, indicted on the charge of stealing four diamond rings belonging to Stewart, appeared at Washington avenue S. was arraigned and pleaded not guilty. His case was set for Monday morning. The prisoner could not give bail and no amount was fixed. Harry Taylor, indicted for the alleged theft of \$15 in money from Nick Johnson, was arraigned and given until to-morrow to plead. Hans C. Gulbranson, indicted on the charge of grand larceny in the first degree, pleaded not guilty and his case was set for next Monday. No bail was fixed. The defendant is accused of stealing a gold watch from Charles Rice. Horace Lewis, indicted on the charge of stealing some jewelry from Gustave Johnson, pleaded guilty to grand larceny in the second degree, but upon the advice of the court withdrew this plea and pleaded not guilty, pending his consultation with an attorney appointed by the court.

### TRUST IS BROKEN

#### Codicil to Gillilan Will is Declared to Be Invalid.

Judge of Probate Bazille of St. Paul yesterday held the codicil of the late J. B. Gillilan's will creating a trust of more than a quarter of a million dollars to be void, and ordered that the estate be divided between Mrs. Gillilan and her two daughters. Mrs. Gillilan objected to the trustees named in the codicil, and took the matter into court to prove her rights.

### Sued Wrong Person.

Judge Elliott this morning directed a verdict for the defendant in the \$4,100 damage action brought by Frank Grano against L. S. Donaldson. The court held that the liability, if any existed, for driving into the plaintiff is upon A. Goseman who swore, as a witness, that he owned the team and carriage and that the driver was responsible to him.

### A Grand Jury.

Foreman S. H. Gregg of the grand jury was on the sick list this morning and accordingly the inquisitors adjourned to meet Monday morning.

### Chicago, St. Louis and Kansas City

Are reached most comfortably via C. M. & St. P. Ry. All Chicago trains pass through Milwaukee. Berths in sleepers on celebrated Pioneer Limited (the famous train of the world) longer, higher and wider than those in any other cars in America. Lowest rates to all points. Inquire at the Milwaukee offices.

### \$6.00 on the Dakotas

Via the Soo Line, every Tuesday in March and April. Ticket office, 119 Third street S., Minneapolis.

### RIIS' PERSISTENCE

#### Chief Characteristic of Lecturer Apparent in His Manner.

"The moment Jacob A. Riis grasps you firmly by the arm, looks deep into your eyes and begins to talk, you see why he succeeds in what he undertakes. In his every look and word and act you see his chief characteristic, persistence. And when you have heard him talk ten minutes you know he is a man of great ability and individuality." This is the way a Kansas City Star reporter "sizes up" Jacob Riis, who lectures on "Tony's Hardships" March 1, at Plymouth church in the Y. M. C. A. popular entertainment course. Mr. Riis' talk on the street arab is very interesting because he believes that good cell-frocks are the best way good work with the class which has engaged his attention for twenty years. "Tony" has many hardships to contend with, however, and Mr. Riis will tell all about them in his lecture.

### NOT ASSIGNED TO ANOKA

#### Franklin Avenue Pastor Still Has Work to Do Here.

Rev. A. A. Graves, pastor of the Franklin Avenue Methodist church, has not been assigned to the Anoka church. He has yet duties to perform with the Franklin Avenue church, which has not disbanded and will not until the return of the resident bishop. It is believed that the difficulty resulting from the appointment of Rev. Dr. William Love to the Anoka church in place of Rev. C. W. Parsons, assigned to the First church, Minneapolis, has been amicably settled.

### Bishop Fitzgerald, who made the original appointment which resulted in the lookout of Mr. Love, was in Minneapolis last week and appointed Mr. Love to the Herman and Norcross churches in the Litchfield district. This leaves the Anoka church without an appointment, al- tho the contention of that church was that it had no personal objection to Dr. Love, but wanted its old pastor returned.

### Greatly Reduced Rates to the West.

Every day in March and April the Chicago Great Western railway will sell tickets at very low rates for Idaho, Utah and California. For full particulars apply to L. C. Rains, Gen. Agent, Nicollet avenue and Fifth street, Minneapolis.

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#### Forty Prize Trips to St. Louis World's Fair to 40 Most Popu- lar Journal Subscribers. All Expenses Paid by THE JOURNAL.

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This Coupon good for ONE VOTE if sent to the Circulation  
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ONE VOTE FOR  
Name.....  
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City.....  
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I wish to contest for one of the 40 free trips to World's Fair,  
St. Louis, offered by The Minneapolis Journal.

Name..... City or Town.....  
Street..... State.....  
Fill out the above yourself and have two well-known people in your county fill out the  
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We know the above person to be of good character and standing.  
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Name..... Address.....

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### WANT Pages 22 and 23

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AT THE TOWN MARKET, FOR TEN DAYS,  
You will receive with every cash purchase of  
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samples in our window.

#### NOTICE TO KEEP YOUR FRAMEMAKERS busy will frame pictures and sell pictures cheap, ornate, portrait, frames, oil paintings, unclaimed pictures. Zeschau, 11 1/2 S. 3d S.

#### CAES OF HOUSEHOLD GOODS MADE UP FOR Pacific coast; frequent shipments and big sav- ing in freight; see us before shipping. Boyd Transfer and Storage Co., 46 3d S.

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#### GREAT EASTERN CASUALTY & INDEMNITY COMPANY, Principal office: New York, N. Y. (Organized in 1862.) Cornelius Van Cort- landt, President; Louis H. Fibel, Secretary. Attorney to accept service in Minnesota: Insurance Com- missioner, Cash capital, \$2,000,000.

Accident premiums received	\$169,982.63
Health premiums received	17,839.50
Total premium income	\$184,786.15
From interest, dividends and rents	1,823.47
From all other sources	1,537.82
Total income	\$194,147.44
Accident claims paid (net)	\$61,099.81
Health claims paid (net)	2,081.06
Net paid policy holders	63,180.87
Commissions	50,480.49
Salaries of officers, agents, em- ployes, examiners and inspec- tors	24,656.34
All other disbursements	21,628.12
Total disbursements	\$179,975.67
Excess of income over disbur- sements	15,171.77

#### ASSETS DEC. 31, 1903.

Cash in office and in bank	\$4,333.31
Bonds and stocks owned	\$202,195.00
Real estate	62,781.42
Accrued interest and rents	1,772.56
Premiums in course of collection	18,242.05
Total admitted assets	\$292,344.32
Assets not admitted	\$2,000.00

#### LIABILITIES.

Claims in process of adjustment and unpaid claims	\$3,688.67
Claims resisted	2,625.00
Aggregate of unpaid claims	\$5,713.67
Reinsurance reserve	\$4,017.21
Dividends in arrears	6,635.03
Capital stock paid up	125,000.00
Total liabilities, including cap- ital stock	\$229,386.01

#### BUSINESS IN MINNESOTA IN 1903.

Premiums	Losses	
Received	Incurred	
Accident	\$5,540	\$1,821
Health	357	43
Totals	\$5,878	\$1,864

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WE ARE NORTHWESTERN AGENTS FOR  
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FOR SALE—KNOX 1903 AUTOMOBILE, ex-  
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WEAR, RAZORS AND KNIVES SHARPENED  
We find everything that requires an edge.  
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15 lessons, 15 Informals, 5 private lessons, \$5;  
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