Seventh and Nicollet. **DAYTON'S** Seventh and Nicollet.

Let Us Make Your Glasses — *We have one of the most thoroughly equipped Optical Parlors to be found anywhere. You take no chances as all work is guaranteed.*—2d floor: new part.

LAST DAY

A Final Clean Sweep of Everything
—in—
Dayton's St. Louis Purchase Sale

Saturday is positively the last chance you will have to participate in this great sale. At 10 p.m. the sale will terminate. We cannot urge upon you too forcibly the advisability of securing at least a few of these great bargains before it is too late. It is all good, clean, new, dependable merchandise, and, through a fortunate purchase by us, offered to you at a third of original cost. A few items taken at random are quoted below:

Charge Purchases made Saturday will be entered on August account.

Wash Goods
Fine Sheer Lawns and Dimities
Dotted Embroidered Mousselines and
English Batistes, white grounds with black
and blue printings; values 10c and 12½c yard
5c a yard
5,000 yds Mill Ends of fine checked and striped
Ginghams, Toile du Nord, Seersuckers, etc.,
the same as regularly sell for 12½c
8½c a Yd.

Men's Furnishings — **Vests for Women**

Silks
19-inch Black Taffeta
39c Yard
36-inch Black Taffeta Silks,
69c Yard
Beautiful selection of Crepe de Chines, worth
fully up to $1.50 a yard,
69c a Yard

Toilets and Drugs — **Laces and Ribbons**

White Underwear
The bargain tables in this section
on the second floor are becoming more
popular every day. Saturday some of the
choicest bargains ever offered will be on sale.
25c Bargain Table.
50c Bargain Table. 79c Bargain Table.
$1.09 Bargain Table.

Hosiery — **Dress Goods**

Suits, Skirts, Waists
75c and 95c Shirt Waists now 50c.
$1.75 and $1.50 Shirtwaists reduced to $1.00.
Wash Dress Skirts, black and blue duck with small polka dots, very chic, you'll be delighted with them,
$1.25.
Fine Selection White Lawn Dresses—$4.95, $3.75 and $2.95.

The Tea Room will be open Saturday night until 9:30.

The Tea Room will be open Saturday night until 9:30.

Broken Lines Sorosis at **$2.75** (last day)

Oxfords and Boots in the lot, while most of them are small or narrow width, they are all good style and every pair a bargain.
New lot Sorosis Tan and Black Oxfords Just Received.
Clean sweep of all CHILDREN'S Slippers and Oxfords, every pair must go.
Canvas Slippers, HALF PRICE.
$1.50 Slippers go at 95c.

MILLINERY
A clean sweep of all Straw Hats, good line of shapes, worth to $2.50; choice, 39c, 69c and 98c
150 trimmed Hats, worth to $10.75; final clearance price $3.50
New styles of chiffon Hats, the regular $5 kind; now only $2.98
Great bargains in flowers, worth to $1.75; 10c, 19c and 39c
Second Floor—New Part.

Bright Basement Bargains *Outside Entrance Nicollet and Seventh St.*

Granite Tea and Coffee Pots — 5 sizes—

1-quart.....	25c
1½-quart.....	29c
2-quart.....	35c
3-quart.....	39c
4-quart.....	43c

Granite Kettles or Sauce Pans, with side handle—

3-quart.....	21c
4-quart.....	24c
5-quart.....	27c
6-quart.....	33c
8-quart.....	39c

Granite Seamless Water Pails — worth $1.25—

10-quart.....	49c
12-quart.....	65c
15-quart.....	75c

Granite Tea Kettles—

4-quart.....	49c
5-quart.....	59c
No. 8.....	69c
No. 9.....	79c

Silk Leaders of the N. W. **DAYTON'S** *Seventh and Nicollet.*

SUPREME COURT

THE STATE FAIR CAN'T BE SUED

RULING OF SUPREME COURT ON THE QUESTION.

Those Who Have Grievances for Alleged Wrongful Acts of the Agricultural Society Must Appeal to the Legislature for Relief—Other Decisions.

As a department of the state government, the Minnesota Agricultural society, operating the state fair, cannot be sued. This ruling is made in a supreme court decision handed down today. Samuel Berman, arrested last September for an alleged violation of the liquor law, sued the Agricultural society and appealed when he lost his case. The syllabus of the supreme court decision says:

Samuel Berman, appellant, vs. Minnesota State Agricultural society, respondent:

First—Under Chapter 126, Laws of 1903, wherein the state was given the title and entire control of the property and funds of the previous State Agricultural society, upon its acceptance, which must be presumed by its successor, the Minnesota State Agricultural society was clothed with public duties, became a department of the state and immune from suits brought for the wrongful conduct of its servants.

Second—In an action to recover for a wrongful arrest of a person visiting the fair grounds by the servants of the Minnesota State Agricultural society that association was not the subject of such an action for damages, but that the relief for such a wrong can only be redressed by the legislature.

Third—The question of the legality of the transfer of the original State Agricultural society and its acceptance by the state is not open to attack in a private action, but can only be inquired into by the original society or the state upon quo warranto.

Fourth—The act of 1903, chapter 126, is not subject to the objection that it is special or class legislation.

Order affirmed. —Lovely, J.

For Shipping Ducks.

Another important case, involving the illegal shipment of several thousand wild ducks out of the state, was included in today's decisions. Poole, the driver who hauled the ducks, fails to get relief, while Kerr, his employer, who was also convicted, secures a reversal. The syllabus:

The state of Minnesota, respondent, vs. Robert Poole, appellant; the state of Minnesota, respondent, vs. William Kerr, appellant:

The defendents were convicted of the offense of having in their possession wild ducks with intent to sell them, as defined and punished by section 45, chapter 336, Laws 1903. Held:

First—The statute is not unconstitutional for the alleged reason that it provides for the imposition of excessive fines and the infliction of cruel and unusual punishments.

Second—The court did not err by its refusal to instruct the jury to return a verdict of not guilty as to the defendant, P., for the evidence was sufficient to justify his conviction. It was otherwise as to the defendant, K.

Third—The court did not err in its rulings as to the admission of evidence nor in its instructions to the jury, except as to the defendant, K.

Judgment affirmed as to one of the defendants and reversed and a new trial granted as to the other. —Start, C. J.

An Attorney in Trouble.

Charges against John T. Byrnes, a Litchfield attorney, are sustained in the following:

In the matter of the application for the removal of John T. Byrnes, an attorney and counsellor of the state of Minnesota:

Respondent found guilty of the charge of misconduct in his office as an attorney and counsellor at law, in the respects stated in the opinion. —Per Curiam.

A Linseed Oil Decision.

A per curiam decision handed down by the supreme court today in the case of the state vs. M. D. Williams, upholds the law of 1897 requiring a standard of purity for linseed oil. Williams, who was arrested in Mower county, for selling boiled linseed oil below the legal test, attacked the validity of the law and also claimed that it only applied to raw linseed oil, and not to the boiled product. The court holds that it covers both kinds.

Another per curiam decision entitled the city of St. Paul vs. Robbins, follows the Hangbro case, upholding the smoke ordinance.

Other Decisions.

Town of Iosco, respondent, vs. the board of county commissioners of Waseca county, appellant:

First—Where a chairman of the town board of commissioners, upon information of the secretary of the state board of health, received information that an epidemic of smallpox was prevalent in his town, and incurred expenses to quarantine the persons afflicted therewith, but without receiving specific authority therefor from the town board of health, and the expenses were audited and paid by such board, the want of authority to order the quarantine was sufficiently ratified to authorize reimbursement from the county, under the statutes of this state in force at the time.

Second—Where a person in the town whose residence was quarantined under the health laws is responsible for expenses in attention to his personal affairs during the quarantine, the same is not a town charge nor the subject of reimbursement from the county.

Third—Evidence considered and held that the evidence sustains the findings of fact which support the conclusion of law, except in one particular instance, where personal services were rendered for an individual who was subjected to the quarantine.

Order modified. —Lovely, J.

M. W. McDonald, appellant, vs. Louise H. Boyhe et al., respondents:

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

Powers Mercantile company, respondent, vs. Wells-Fargo & Co., appellant:

Order affirmed. —Lovely, J.

Cheap Rates to Boston Via New York City and Boat.

$20.70 for the round trip from Chicago, via Nickel Plate Road, August 12th, 13th and 14th, with liberal stopover at New York city returning, and also stopover at Niagara Falls and Chautauqua Lake within final limit, if desired. Also rate of $17.75 from Chicago to Boston and return via direct lines. Tickets good on any train on above dates and also on special train from Chicago at 8 a.m., August 13th. Final return limit September 30th, by depositing ticket. Through sleepingcar service. Meals in Nickel Plate diningcars, on American Club meal plan, ranging in price from 35c to $1; also service a la carte. Write John Y. Calahan, General Agent, 113 Adams street, room 298, Chicago, for reservation of berths in through standard and tourist sleepingcars and full particulars.

The St. Louis Exposition.

The Chicago Great Western Railway will allow a ten-day stopover at either Chicago or Kansas City on through tickets to the World's Fair without extra charge. For rates and other information apply to L. C. Rains, General Agent, corner Nicollet avenue and Fifth street, Minneapolis.

W. V. WHIPPLE, 426 NICOLLET AV. CLOSING-OUT SALE.

W. V. WHIPPLE, 426 Nicollet Av., Men's Furnishings and Hats,

CLOSING-OUT ENTIRE STOCK

If You Want Bargains Attend This Sale.

You will get the greatest values you ever got at any sale in this city.

Sale Commences Tomorrow Morning, July 30.

THE FOLLOWING WILL SHOW YOU WHAT REAL BARGAINS ARE OFFERED:

Negligee Shirts
Fine Madras and Percales; $1.50 shirts..... **$1.15**
$2.00 shirts, imported novelties and neat patterns, cuffs attached and others.... **$1.40**
$3.00 shirts, silks and mohairs..... **$2.00**

Hats
$5.00 and $6.00 Panamas **$3.50**
All other Panamas *Half Price.*
Soft and stiff hats, popular colors and correct shapes, all bunched in one lot, at one price..... **$2.25**
Automobile Caps, $1.50 and up, to be sold on this sale at..... **$1.15**
Straw Hats, Split Braids, Sennits and novelty shapes, *Half Price.*

Neckwear
All 50c Ties, now..... **35c** 3 for $1.00
$1.00 and $1.50 four-in-hands and squares..... **75c**

Suspenders
All 50c Suspenders, now..... **35c** 3 for $1.00
Silk and Fancy Webs *Half Price.*

Hosiery
All 50c Hose, fancy and plain colors.... **35c** 3 for $1.00
$1.00 Hose, in French lisles and silk and lisles, now..... **75c** 3 pairs for $2.00
35c Hose, lace and lisles, *5 pairs* for..... **$1.00**
All Belts Half Price.

Underwear
$1.00 Balbriggan, Egytian ribbed and fancy underwear **75c**
$1.50 Mercerized and Silk and Lisles **$1.15**
$2.00 fine Imported Sea Island Cottons and fancy mercerized..... **$1.40**
Imported Silk Underwear, regular $10 per suit; at, per garment..... **$3.50**

Pajamas and Night Robes
$1 Night Robes—Fine Lawns and Light-weight Muslins... **75c**
$2 Pajamas in Madras and fancy Oxfords.... **$1.40**
All others in Silks and Mercerized Silk, at *one-third off.*

This means just what it says and all you have to do is come early and get the best bargains you have ever had. Store has been closed two days to mark down stock. Open Tomorrow Morning at 8 o'clock.

W. V. WHIPPLE, 426 Nicollet Av.

W. V. WHIPPLE, 426 NICOLLET AV. CLOSING-OUT SALE.

COURT NEWS

BROWERVILLE IS DARK

MINNEAPOLIS FIRM HAS TROUBLE IN FULFILLING A VILLAGE LIGHTING CONTRACT.

A legal tangle over the installation of an acetylene-gas plant in the village of Browerville, Todd county, Minn., has involved all of the officials of that place and some Minneapolis business men. While an attempt to straighten it out is being made in court, the village remains in darkness and the Minneapolitans are without their profits.

W. I. Stinson, president of the Acetylene Contracting company of this city, was served today with a copy of a complaint in which Lambert Irsfield and Harry Lee of Browerville seek to enjoin the village council and its officers from performing their part of a contract made with Mr. Stinson's company. The papers, issued at Long Prairie, the county seat of Todd county, include an order to show cause why a permanent injunction should not be issued against the defendants.

The story of the difficulty as told in the complaint is that some little time ago the village council and officers made a contract with the Minneapolis company for the installation of a gas plant at a cost of $4,200. The plaintiffs in the present action come now, as citizens and taxpayers of Browerville, and ask that the officials be enjoined from paying over any of the money to the company or carrying out any of the terms of the contract. They base their demand upon the allegations that there is no such amount of money in the village treasury and that no arrangement for such a tax has been or can be made. They assert that the proceedings of the council are insufficient to give that body any authority to make a contract such as the one made with the Minneapolis concern, and that the agreement is, therefore, illegal and should be nullified by the court.

Helena Goehringer Again.

Upon the application of Helena Bruhn, Judge C. B. Elliott this morning issued an order changing that lady's name to Helena Goehringer. The petitioner was formerly the wife of John Goehringer, but after his death she married Mr. Bruhn, from whom she was divorced in 1898. Her two children are known by the name of Goehringer, and her friends know her by the name which she has now made legally hers.

EACH WANTS A DIVORCE

Hard Question for the Court in Berry vs. Berry.

To get a divorce or to be divorced? That is the question which must be decided by the district court when the case of John C. Berry against Emma J. Berry comes up for trial in the September term. The husband and wife each want a divorce, but neither wants to be divorced, and "there's the rub."

The plaintiff alleges adultery, and in a cross bill the defendant sets up cruel and inhuman treatment. Each denies the charges of the other and each asserts the other has money. Mrs. Berry declares that her husband is worth $20,000 and the "worser half," in turn, alleges that his wife has property valued at $10,000 and is in no need of temporary or permanent alimony.

Judge C. B. Elliott has listened to the claims and counter claims advanced in arguments for and against the defendant's motion for temporary alimony and attorney's fees. He finally settled the dispute by ordering the plaintiff to pay $25 attorney's fees, $25 costs and $5 a month for his wife's incidental expenses pending the settlement of the case. Mr. Berry is also compelled, by order of court, to provide board, lodging and clothes for the defendant until after the trial.

Correcting Dan Cupid's Errors.

Members of matrimonial partnerships dissatisfied with their condition are getting ready to air their troubles during the September term of the district court. Complaints in divorce actions are already coming into the clerk of the court's office, and from this time on there will be more and more. This morning Jennie F. Dyer began an action for a divorce from Bryant M. Dyer, alleging desertion, and Lucy Jackson seeks a legal separation from Andrew Jackson on the same ground.

STATE CAPITOL.

MORE DRAINAGE WORK

Bids Opened Today for Two New State Ditches.

The state drainage commission met yesterday and opened bids for the construction of two ditches, which were put over from the last meeting because of lack of competition in the bids. The work is to be started as soon as possible. One is the Shortly brook ditch in Beltrami county, to be dug thru a tamarack swamp at a cost of $4,000, and the other is the Morken ditch in Clay county.

IS NOW A JACKY

Boy Wanted for Larceny Found on Receiving Ship.

Governor Van Sant has issued a requisition on the Pennsylvania authorities for the return of Alfred Wicklund, who is wanted in Steele county on a charge of larceny. Since the offense Wicklund has enlisted in the navy and was found on board the receiving ship Lancaster, in the Delaware river.

Increases Capital.

The Hutchinson Telephone Exchange company has filed an amendment to its articles of incorporation, increasing the capital stock to $50,000.

Not an Expensive Trip.

Get rid of the idea that the Yellowstone National Park is too expensive for you to make this season. The park trip can be made for less money than a trip to New York or Boston. Get the Yellowstone Park folder at the Northern Pacific city ticket office. Don't decide that you will do this next summer, but do it now. On account of the counter attractions at the world's fair, the rates are cheaper for the park trip than they ever have been.

Biennial Encampment Knights of Pythias, Louisville, Ky., August 16-29.

The Chicago Great Western Railway will on August 12th to 15th inclusive sell tickets to Louisville at very low rates for the round trip. Good to return until August 31st. For full information apply to L. C. Rains, Gen'l. Agent, Cor. Nicollet Ave., and 5th St., Minneapolis.

A GOOD THING

MINARD'S "KING OF PAIN" LINIMENT
RUB IT IN.
LYMAN-ELLIEL DRUG COMPANY
Minneapolis, Minn.

THE GREAT NORTHERN

UNION STATION.
Office, 300 Nic. Av. Phones—Main 860.—T. C. 1758

Leave	*Daily. †Ex. Sunday.	Arrive
† 9:00am	St. Cloud, Fergus Falls, Fargo	† 4:55pm
† 10:00am	Willmar, Su. Falls, Su. City Watertown, Brown's Valley, Aberdeen, Fargo.	† 5:40pm
*11:01am	FLYER TO PACIFIC COAST	* 2:15pm
† 6:10pm	..Wayzata and Hutchinson..	† 8:55am
*5:32pm	PUGET SOUND EXPRESS	*10:10pm
*8:20pm	WINNIPEG FAST EXPRESS	*7:35am
* 8:25pm	Willmar, Fargo, Grand Forks, Winnipeg, Sioux Falls, Yankton, Sioux City.	† 7:35am
	TO DULUTH	
*9:30am	GOPHER STATE EXPRESS	*8:01pm
† 3:05pm	..Princeton, Milaca, Duluth..	†12:40pm
†11:47pm	...Night Express to Duluth...	* 5:55am

Night Express sleeping car open 9:00 p. m.

TICKET OFFICE — NORTHERN PACIFIC — 19 Nicollet Block

	Leave	Arrive
Fargo and Leech Lake Local	† 9.10AM	†5.20PM
NORTH COAST LIMITED Via Butte	*10.45AM	*1.50PM
Fergus Falls, Dakota and Manitoba Express	* 8.35PM	*6.50AM
Pacific Express via Helena	*10.45PM	*7.05AM
Duluth and Superior	† 8:15AM	*7:00AM
	* 2:00PM	†3:30PM
	*10:30PM	*7:00PM

*Daily. † Ex. Sunday. Phones N. W. 1184. T. C. 11

Minneapolis & St. Louis R. R.
424 Nicollet Avenue.
Phone No. 225. St. Louis Depot.

aEx. Sunday. Others Daily.	Leave.	Arrive.
Watertown and Storm Lake Express	a 8:57 am	a 5:15 pm
Omaha, Des Moines, Kansas City, Mason City and Marshalltown	a 9:35 am	a 7:10 pm
Estherville and Madison	6:15 pm	10:00 am
"NORTH STAR LIMITED" Chicago and St. Louis.		
Peoria Limited	7:45 pm	8:15 am
Omaha and Des Moines Limited	8:35 pm	7:25 am

C. St. P. M. & O. Ry.
Ticket Office, 600 Nicollet Av. Phone, 240 Main.

*Ex. Sunday. Others daily.	Leave.	Arrive.
Chicago, Mil., Madison	7:50 am	10:20 pm
Chicago "Fast Mail"	6:00 pm	10:10 am
North-Western Limited	8:00 pm	7:55 am
Chi., "Atlantic Express"	10:20 pm	5:20 pm
Duluth, Superior, Ashland	*7:35 am	*5:00 pm
Twilight Limited	4:00 pm	9:35 pm
Elmore, Algona, Des Moines	7:30 pm	8:30 am
Su City, Omaha, Kan. Cy	9:05 am	8:10 pm
Mitchell, Sioux Falls	8:30 pm	8:30 am
Omaha Limited	8:00 pm	8:10 am
Su City, Omaha, Kan. City	8:30 pm	8:10 am

CHICAGO GREAT WESTERN RY.
CITY OFFICE: Fifth and Nicollet. DEPOT: Washington and Tenth Ave. South. — PHONE: Main 264.

*Ex. Sunday. Others Daily.	Lv. Mpls	Ar. Mpls
Chicago and East, Dubuque	7 40 am	10 20 pm
Chicago, Kansas City, Omaha	5 00 pm	8 00 am
Chicago, Des Moines, Kansas City	10 45 pm	1 15 pm
Kansas City, St. Joseph, Des Moines	10 20 am	8 10 pm
Omaha, Ft. Dodge, Austin	7 40 am	8 10 pm
Rochester, Red Wing	*7 55 am	*7 20 pm
Mankato, Faribault, Northfield	4 55 pm	10 55 am
Dodge Center, Hayfield	4 35 pm	11 20 am

WISCONSIN CENTRAL RY.
TRAINS FOR **MILWAUKEE and CHICAGO**
Leave 8 a. m. and 7:05 p. m. daily.
Arrive 8:50 a. m. and 5:10 p. m. daily.

DIAMOND JO LINE STEAMERS — **Steamer Sidney** Will leave **St. Paul for St. Louis** and intermediate points, Sunday, July 31. 8 p.m.
For full information regarding passenger and freight rates address HARRY CLARK, General Agent, office, foot of Sibley street, opposite Union depot, St. Paul. Both telephones, No. 93.

The **Plymouth Clothing House** Established 1882.

1882 1904 — **46th Semi-Annual** — 1882 1904

Reduction Sale

Choice lots of Fine Seasonable Wearing Apparel, together with all Odds and Ends, Remnants and Broken Lots, to be **Sold Regardless of Profit or Loss.** Every section of our great Clothing House contributes its quota of remarkable reductions to make this tremendous and unusual Reduction Sale the most extraordinary value-giving event in the annuals of Retail Clothing trade.

The **Great Plymouth Clothing House, Sixth and Nicollet**

Defective Page