

# IN SEPTEMBER

The Minneapolis Journal Carried

## 177,308

more lines of advertising than any other newspaper in Minneapolis or St. Paul.

In September, 1906, The Journal showed a gain of

## 94,248

lines over September last year.

The Journal's average circulation for September was

## 77,512

a gain over September, 1905, of

## 9,469

### THE JOURNAL

VOLUME XXVIII—No. 385.

LUCIAN SWIFT, MANAGER. J. S. McCLAIN, EDITOR.

PUBLISHED EVERY DAY

SUBSCRIPTION RATES BY MAIL:  
Daily and Sunday, per month..... 40c  
Daily only, per month..... 25c  
Sunday only, per month..... 15c

BY CARRIER OUTSIDE THE CITY:  
Daily and Sunday, one month..... 50c

BY CARRIER IN MINNEAPOLIS AND SUBURBS:  
Daily and Sunday, one month..... 45c

as the United States was a sick child whose nurse had proposed to go out of the room.

#### Church Ownership Limited.

Voters who are still afraid of the church property exemption in the wide-open tax amendment should read section 3134 of the revised statutes. This section is an effectual bar to any scheme for accumulating property under church auspices and getting exemption from taxation. The section provides that the trustees of any church may acquire and hold the church building and its site, and "such trustees may hold other real or personal estate to an amount which will produce a yearly income of not more than \$3,000, and may demise, lease and improve the same."

Legal authority is almost unanimous in saying that the amendment will not change the present exemptions in the least, but if there is any lingering doubt on that proposition, the existence of the statute would do away with all danger of tax evasion by churches. This statute would not be affected in any way by the passage of the constitutional amendment.

The "church property" exemption scare is really too thin an excuse for opposition to the tax amendment. The interested opposition to the amendment is powerful financially, but does not cast many votes. It consists of foreign corporations that are afraid of a registry tax on mortgages and other devices to reach them for taxation in Minnesota, and home corporations that are now occupying their just share of the tax burden. These are the people who will be the beneficiaries if the amendment is beaten. The vast majority of Minnesota have nothing to fear from the adoption of the amendment. If they defeat it thru suspicion or prejudice, they will only perpetuate the present unjust and indefensible system of taxation, a system which by law declares taxes must be equal, and by practice places the heaviest burden on the honest, the public-spirited and the unfortunate.

Senator Long of Kansas classed La Follette and Bryan together as "fakers," and put them in the class with Hearst. Senator Long was thoroughly aroused by La Follette going down into Kansas and reading Mr. Long's official record to the people.

#### Political Sincerity.

This campaign is a test of political sincerity. Mr. Jones and Mr. Haynes are apparently on the same platform of law enforcement. Yet the campaign has shown that the forces which opposed the closing of the saloons by Mayor Jones are still opposed to Jones. It may be claimed that Mr. Haynes is entitled, as the opposition candidate, to all the opposition votes. Granted. But is he entitled to any of the law and order votes by virtue of his declaration for closing the Sunday saloons? Can he sincerely serve two masters, those who look upon him as the natural and logical rallying point of the opposition to law enforcement and those who look upon him as good a law-enforcement man as Jones? Whose candidate is he?

We may find some light on this subject in Mr. Haynes' speeches in the campaign. At the Auditorium he said he would keep the Sunday saloons closed and he was heartily applauded. But immediately he said Mayor Jones had made a great mistake in employing the police force to watch over the morals of the people. The paramount duty of a police force, he said, was to protect persons and property. Looking after the morals of the community interfered with that function to an extent which had produced an epidemic of crime. Assuming the correctness of Mr. Haynes' premises, would not like causes produce like results? If we have a burglary on Thursday because Jones closes the saloon on Sunday, would not we have the same thing if Haynes closed the saloon on Sunday? Is Mr. Haynes sincere as to Sunday closing? Is he any more sincere as to that than he is in his assertion that closing the saloon on Sunday has produced crime

A year and a half after the close of the war between Russia and Japan vessels are still being sunk, and hundreds drowned by the explosion of floating mines let loose by the combatants. This suggests that the regulation of war by sea has not kept pace with its regulation on land. That innocent people should be slain years after the conclusion of a war by the wanton sowing of the free waters of the ocean with explosives seems monstrous to civilized nations.

### AMUSEMENTS

Metropolitan—Alberta Gallatin in "Dorothy Vernon of Haddon Hall."  
Charles E. Major in his historical novel and the play "The Lion and the Mouse" opens a host of tricks that would put to shame the most ingenious of the builders of old-fashioned romances. They always had a stern father insisting that his beautiful daughter must marry the man of his (and not her) choice. Mr. Major has the stern father all right, but permits him to pick out successfully three ineffectual alternatives for the daughter. The first is a villain, the second a fool, and the third an insincere courtier. This fickleness of the stern father destroys entirely any respect for or interest in the character. Meanwhile the daughter, who is remaining constant to father's enemy, who has won her love with ridiculous ease under false pretenses. She is imprisoned and lives on bread and water for his sake, only to betray him to certain death in a fit of jealousy. However, certain death in romances is seldom fatal, nor is it in this case. Queen Elizabeth is the instrument of mercy, and by the introduction of her character, romance at once becomes "historical." It may well be doubted whether the vain and erratic virgin queen would have so sternly forgiven the daughter's betrayal of Leicester made more than a lightly over an opportunity to behead a young man who had done a service for Mary Stuart. Mr. Major has found it necessary to have his queen do both of these things.

#### Hoch Gets It Again.

Brother Hoch of Kansas has gotten it again, and again from a woman. The governor and some political friends were in a railroad car when former Senator Burton and his wife came in. They were on their way to Ironton, where Mr. Burton was to begin serving a sentence of six months in jail. The ex-senator and governor shook hands and then Brother Hoch extended the horny hand with which he is not saluting the humble voter of Mrs. Burton. "No, Mr. Hoch," said she, withdrawing her hand from his proximity to the said welcomer of toil, "I will not shake hands with you. You were not our friend when you could have helped us, and I refuse to have anything to do with you now."

What was the matter? Mr. Burton had just shaken hands with Hoch, why should not his wife? Was Mrs. Burton unreasonable in expecting something which the governor could not perform, or did woman's intuition and woman's innate honesty compel her to make a distinction which the coarser sensibilities of her husband did not make?

Many men in politics shake hands with each other just as the pugilists do just before the battle. It seems to be necessary in politics to forget the little burs that attach themselves to one in a campaign and to overlook small personal grievances. No man who has not this capacity has ever gotten very far in politics. James G. Blaine, it will be remembered, refused to shake hands with George F. Edmunds at the Arthur funeral because of the hostile attitude of Edmunds in the presidential canvass of 1884. It was remarked at the time that Mr. Blaine had ill chosen the time to settle scores with Edmunds. Mr. Burton did not appear to have any score with Hoch, but his wife had. Probably she represented the real feeling of the family toward Hoch better than her husband.

But the incident raises a great question. Can woman go into politics? The Chicago wheat pit may show a little decadence when the public is not "in," because the art of skinning one another becomes rather fatal in the course of time.

George Bernard Shaw is denouncing some of the ten commandments. Mr. Shaw would doubtless favor a mayor who would not enforce them.

The people are beginning to demand we say it without fear of successful contradiction—are beginning to demand more bed covering.

Senator Foraker is taking up the race issue, doubtless feeling that any issue is better than that of the war on special privilege.

Chicago, having a glue factory or two and the packing plants, is talking of passing an anti-cigarette ordinance. This is a step.

The finding of \$13,000,000 in the Cuban treasury seems to show that the revolutionists had cause for moving on Havana.

### BOOKS

By W. P. K. THE LION AND THE MOUSE OF ITALY'S DAYS OF VIOLENCE.—The story of "The Lion and the Mouse" of the stage and fiction of today has had its prototype in every age, and has always been carried on the story of the city of Perugia, Italy, in the days of the fierce Gualtiero who did so much to make central Italy a hell from 1390 to 1395. The story bears the title "Ridofo," and the subtitle "The Coning of the Dawn," and is by Egerton R. Williams, Jr., author of "The Hill Towns of Italy."

"The Ridofo" of the story is not, the author tells us, the Ridofo of history. He is rather a figure of the past, a man of a very maniac of passion and cruelty when aroused. To carry on his war against his petty neighbors he needs a partner, and he gets that partner in a beautiful and gentle girl, who is married to him merely for the sake of her dowry. This maiden, Giacomina, is the mouse of the story, and with the aid of the good Fra Ridofo seeks to temper the cruelty of the lion, and to transform him from a relentless tyrant into a paternal signore. She is making progress; thru the gentle influence of the heart, when Malatesta, Ridofo's brother, who is a clever and devilish villain as fiction has disclosed for many a day, lays a plot to make himself ruler, and rouses the lion to revenge. The story is well constructed and well told thruout. The illustrations are in colors by Joseph C. Lyndecker.

The outcome is for the reader to discover. It is enough to say that the story is true to a time when war and intrigue were the business of life, and daggers, swords and poison were the means by which the war and intrigue were carried on. The story is well constructed and well told thruout. The illustrations are in colors by Joseph C. Lyndecker.

MILD SATIRE AT THE EXPENSE OF "MOTHERHOOD."—Ellis Parker Butler, the author of that very funny story, "Pigs Is Pigs," has given another laugh, or several laughs, to his readers in "The Incubator Baby," which tells the story of a baby whom a tricky story in Paradise brings into this world too soon, necessitating the use of an incubator and the starting of the infant on a course of scientific mothering according to the latest and best "How To" books on the subject. Of course the infant smashes the rules of its over-regulated family, and she does it in a way that carries much amusement to the reader, and some hints to mothers, especially of the highly "scientific" kind.

"THE LITTLE KING OF ANGEL'S LANDING," by Elmore Elliott Peake, author of "The House of Hawley," is a pathetic, yet amusing and wholesome story of a boy in an Ohio river town. The boy was a cripple, having been injured and separated from his parents in a steamboat explosion. He was an original little chap; however, and the story tells his early life and final restoration to his father and mother in a well worth reading.

A GUIDE TO NEW BOOKS  
The Book of Spies. By "Ginger." A work specially written for "spies" who are tired of dipping their daily bread in the milk of human kindness and who desire a dash of human reasoning. The book intended to make the old a little younger, and the young a little older. Recklessly illustrated. John W. Luce & Co.

A History of the People of the United States. From the Revolution to the Civil War. By Mrs. M. C. McLintock. University of Pennsylvania Press. Boston: Houghton, Mifflin & Co. 1906. Pp. 250. \$2.50. To be published.

Nelson, the Adventurer. A story for boys. By Nora Archibald Smith, author of "Under the Arctic Flag." Boston: Houghton, Mifflin & Co. \$1.

The Flock. By Mary E. Austin, author of "The Old Mill." Boston: Houghton, Mifflin & Co. \$2 net.

Mrs. Austin begins with the early Spaniards who drove their flocks up from Vallecito. In the year when Daniel Boone moved into the then unknown west, the year also of the Boston massacre. She carries her description thru every phase of sheep herding, in the valleys, on the mountains, in rain and in drought, the life of the herders and of the shepherds, the Basque and the American; their ways and their rivalries; the shearing and the parting of the flocks; the long trails and how the day's work is accomplished; the open range, the country where there is no weather; the Sierra meadows. There are some fine passages about the dogs, and a chapter on the strife of the herders for control of the free pastures; the beasts of prey and their method of attacking the flock and the shepherd's defenses. It is need less to say almost that the book is well written.

The Silver Crown. Another book of fables for old and young. By Laura E. Richards, author of "The Old Mill." Boston: Little, Brown & Co. \$1.50.

Behind the Mask. By A. J. Fyfe, author of "Dear Daughter Dorothy." Boston: Little, Brown & Co. \$1.25.

Elmer's College Career. By Julia Schwartz. Boston: Little, Brown & Co. \$1.50.

The story of four girls who went thru the four years' course at one of the large colleges. The four girls are strongly portrayed and contrasted, and their college life is faithfully pictured thru freshman, sophomore, junior and senior year.

Literary By-Paths in Old England. By Henry C. Shelley, with illustrations from photographs by the author. Boston: Little, Brown & Co. \$2.

Brand's Ward. A sequel to "Amy in Acadia." By Helen Leah Reed, author of "The Brand's Ward." Boston: Little, Brown & Co. \$1.50.

Another volume in the popular "Brand's Ward" series, in which Martine, a bright, lovable western girl, is the leading character.

Buf. A Tale for the Thoughtful. By a Physiopath. Boston: Little, Brown & Co. \$1.

The book views life, medicine and practice from the standpoint of nature. It assumes that the methods of nature are so much superior to man's methods, as the Creator is wiser than man, that the teachings of nature should furnish the standard for the medical practice, as well as guide to right living.

THE MAGAZINES  
New York's Huge Bridge Adrift.—We are familiar with many different kinds of moving. Even office buildings are moved in these days. But when 40,000 tons of steel begins to move of its own accord, it is a very difficult matter to prevent it from going as far as it wishes, says Henry H. H. Technical World Magazine for November. He then describes the drifting of the big Williamsburg bridge that stretches across the East river, New York. This great bridge cost approximately \$50,000,000, and owing to an accident, it has started to drift down stream. Some of the most noted bridge engineers and constructors in the world have been called to make an examination of the bridge. It is a task to know what to do to prevent it from further shifting. Owing to the great strain on the bridge, it is impossible to use the bridge except for ordinary traffic and no railroad cars

# CHURCH EXEMPTION DOES NOT ALTER THE TAX LAW

## The Senator Who Drafted the Clause in the Proposed Tax Amendment Attacks a Popular Misconception.

By GENERAL GEORGE P. WILSON.

It seems from the journals of the senate and house proceedings of the legislative session of 1906, I proposed the constitutional amendment relating to taxation, or at least that portion of it relating to exemptions. It was adopted by the senate, and upon being reported to the house it refused to concur. Thereupon committees of conference were appointed consisting of three attorneys on the part of the senate and three on the part of the house. The question was discussed in conference as to what effect the omission of the words "used for religious purposes" following "church property" would have in defining the exemption, and it was agreed that those words were unnecessary, and that, if the question ever arose, the constitution would give exactly the same construction whether the words were in or out of the amendment. It was reported back for approval and was passed by almost a unanimous vote of both branches.

If it could have been reasonably anticipated that the omission of those words would have "thrown a scare into the people," it would have been better to have included them.

Exemption Not a Right.  
Exemption from taxation is a privilege and not a right, and for this reason constitutions and statutes granting them are always construed strictly. Our supreme court, as early as the second Minnesota, held that statutes of this nature were in derogation of the common right and must be construed strictly. Our supreme court has frequently reiterated this doctrine of strict construction, and it has become the universal rule. Moreover, the constitution or statute must be given a practical construction, one that will give effect to the manifest purpose of the lawmakers, but at the same time any doubt must be resolved in favor of the state.

Under these well-established rules of construction there is not one chance in a million that our supreme court, nor any nisi prius judge, would construe the constitution as opening the door for religious corporations to hold real estate exempt from taxation not actually used for religious purposes in places of worship. The attorney general has recently said that it is the use and not the fact of ownership which determines the right of exemption. I go one step farther and say that the ownership and use must concur. This is the necessary inference from the decisions in Hennepin County

vs. Bell, 43 Minn. 344, and Ramsey County vs. Stryker, 52 Minn. 144.

Two Seminary Cases.  
The Bennett seminary (then at the corner of Tenth street and Park avenue in this city) was a seminary of learning and was being used as such, and for no other purpose. It clearly came under the exemption clause, "all seminaries of learning," but the defendant owned the property and leased it to whoever was at that time running the seminary. The court held that defendant was not entitled to the exemption.

In the Stryker seminary case, Stryker both owned and used the property as a seminary of learning, and he claimed and was allowed the exemption, but in that case the court said that only so much ground as was reasonably necessary to the use of the property as a seminary would be exempt.

Many cases might be cited wherein our court has refused to exempt property used in connection with churches, such as parsonages, because their use was not exclusively nor principally religious. But suppose the amendment be given the liberal construction contended for by those who seem to be greatly alarmed about so much church property being exempt, what will it amount to? Most church organizations, in fact 75 per cent of them, are so poor that they are unable to pay their property taxes, even one lot. This is a matter of common knowledge. The holdings of religious corporations, outside of their houses of worship, are exempt under various clauses in the constitution, to-wit: as educational or charitable institutions.

Church Holdings Restricted.  
Then again, the amount of property that religious corporations may hold is limited by statute. They cannot hold property the income from which shall exceed \$5,000.

The legislature may still further limit their holdings. It could, if so disposed, limit them to a single lot.

So that all this cry about enormous exemptions being permissible under the proposed amendment is nothing more than a substantial foundation and amounts to little more than the warning: "Look out or the bugaboo will catch you."

No one who has given the matter any attention will claim that the adoption of this amendment will disturb the present inheritance tax law, and it is therefore unnecessary to discuss it.

Supreme Court  
Frederick Lockwood, respondent, vs. F. M. Geler et al., appellants.  
Syllabus: On reargument. Held that the controlling facts made by the trial court are sustained by the evidence and that they support its conclusion of law that the contract of the parties was not void, and that the contract, as so reformed, is valid.

Prizer-Painter Store & Heater company, appellant, vs. M. M. Peswice, respondent.  
Syllabus: First—The definite and specific assignment in a motion for a new trial of a ruling or decision of the trial court constitutes a sufficient exception, under chapter 115, G. S. 1901.

Second—It is unnecessary to follow an assignment made with a formal exception to the ruling.

Third—In an action to recover the value of goods sold, the defendant pleads in defense a breach of warranty, but in refusing to do so, defense is upon defendant. Plaintiff need not negative the defense in his case in chief.

Minnesota Politics  
Twin Cities Will Be Center During the Closing Week—Legislative Candidates Getting in Line on Shippers' Program.

Speeches today—Republican: A. L. Cole at Moorhead; Knute Nelson at Albert Lea; Moses E. Clapp at White Earth; J. F. Jacobson at Ellsworth; Frank M. Eddy at Pequot; S. R. Van Sant at Amboy; W. H. Eustis at Spring Valley; A. O. Eberhart at St. Vincent; E. T. Young and S. G. Iverson at Appleton; James A. Taylor at Grand Rapids; Halvor Steenerson at Middle River; A. J. Volstead at Hector and Bird Island; C. A. Lindberg and James A. Larson at Eagle Bend; D. F. Reese at Henderson.

Democratic: John A. Johnson at Grand Rapids; P. M. Magnusson and D. H. Evans at Milaca; Anton Schaefer and Fred E. Wheaton at Janesville; Edward Peterson at Hudson; M. C. Brown at Grand Meadow; E. J. Winje at Pelican Rapids.

Prohibitionist: The Tallyho, C. W. Duggert and Oliver W. Stewart at Milton; Carlos at Alexandria; W. J. Arnold and Pathfinder quartet at Freeborn county points; James H. Woertendyke at Lake Elizabeth; Joseph Hogg at Winthrop.

Governor Johnson speaks in four Minneapolis wards Saturday night, and his dates at Blooming Prairie and Fairbault have been deferred till Monday. He will also be in Minneapolis on Tuesday next week. A. L. Cole is winding up his tour of the outside districts, and will devote nearly all of next week to the twin cities, giving three evenings to Minneapolis.

A good many candidates for the legislature were a little slow to wake up to the importance of the little postal card with the seven questions addressed to the Minnesota Shippers' and Receivers' association. Those who have neglected the card have begun to hear from the business men of their district; however, and the responses are coming in now at a rapid rate. It begins to look as though the men pledged to 2-cent fare, anti-pass legislation, reciprocal demurrage and other things desired by the civic organizations of the state would be in sufficient numbers to put the program right thru both houses. The hardest road will be in the senate, of course. A determined stand will probably be made there against a 2-cent fare bill and a reciprocal demurrage bill. The shippers are not going to remit their efforts, however, and just now, before election, they are working hard to get elected. The little cards are in the hands of business men in the small towns all over the state, and they are getting after legislative candidates in their respective districts.

The Austin Herald wants to know why A. L. Cole does not make a signed statement denying that he "played double" with the reciprocal demurrage bill. No one is in a position to know has accused Cole of such a thing. He voted for the bill and conducted himself to the entire satisfaction of its supporters, expressed by George S. Lortz, the St. Paul business man who was in charge of the measure. The man cited by the democratic press bureau as saying that Mr. Cole talked to him against the bill, denies any such conversation. The accusation rests on nothing and a response is invited to ask a decent man to affirm his honesty when it is not in question.

Texas and Louisiana \$2750.  
Tickets sale via the Minneapolis & St. Louis railroad to Galveston, Houston, San Antonio, Beaumont and Port Arthur, Tex., New Orleans and Lake Charles, La. Dates of sale, first and third Tuesday of each month. Limited to thirty days. Liberal stop-over privileges. Rates equally low to points in the west and southwest. For full particulars call on J. G. Rickel, G. P. and T. A., 434 Nicollet avenue.

Mr. Housekeeper: Your grocer will give you one of our cook books free. Ask him or write to us. Rival's Perfect Baking Powder Co., Minneapolis, Minn.

### THIS DATE IN HISTORY

- 1774—First American congress adjourned.
- 1775—Battle of Hampton, Va.
- 1795—Moreau crossed the Rhine.
- 1804—Robert Emmet, the Irish patriot, arrived in America.
- 1823—Steam vessel made first voyage from Dublin to Bordeaux.
- 1854—Two additional asteroids discovered and named Polymnia and Pomona.
- 1871—General Robert Anderson died. Born June 14, 1805.
- 1893—Battleship Oregon launched at San Francisco.
- 1898—Dewey released the Spanish sailors captured at Manila.
- 1899—Sword presented by state of Georgia to Lieutenant Brumby.
- 1901—Prince Albert paced mile in 2:00.4.
- 1902—Elizabeth Cady Stanton, pioneer woman suffragist, died. Born 1815.
- 1894—Earl of Dartmouth laid cornerstone of hall at Dartmouth college.
- 1862—President Roosevelt received at New Orleans.