Daily Globe.

ST. PAUL

VOL. XII. ST. PAUL, MINN., WEDNESDAY MORNING, FEBRUARY 5, 1890. NO. 36.

The Boston
St. Paul
THIRD ST., COR. ROBERT.

A St. Paul Clothing House Exclusively Owned and Controlled by St. Paul Men.

B. O. P. C. H.

38th

SEMI-ANNUAL

Red Figure

Sale.

MAKING A LONG FACE.

Those men who do not take advantage of the opportunity we are now giving them to purchase Stylish and Reliable Suits and Overcoats for $10 that are worth from $12 to $25, will make a long face when they find that all these garments have been sold.

There certainly won't be many left in a few days at the rate they have been going in tho past day or two. As we said before, these are mostly Single Suits and Overcoats of a kind that formerly sold from $12 to $25, and in order to dispose of them rapidly we've marked them all to sell for $10.00.

There are many of these garments here at $10 for young men—genteel and fashionable young men's Suits and Overcoats they all are, too, and garments that were cheap at $20 or $25; but as there's only about one of a kind left, they all go for $10.

The only question with you should be: "Is my size among these Special Bargains at $10?"

38th

Semi-Annual

RED FIGURE SALE.

BOSTON ONE-PRICE CLOTHING HOUSE, THIRD STREET, ST. PAUL.

N. B.—Out-of-Town Orders solicited. Goods sent on approval to any part of the West. Price-List and Easy Rules for Self-Measurement mailed free upon application.

JOSEPH McKEY & Co.

BULWARK OF LIBERTY.

Centennial Celebration of the Organization of the Federal Judiciary.

A Co-ordinate and Permanent Part of the American Government.

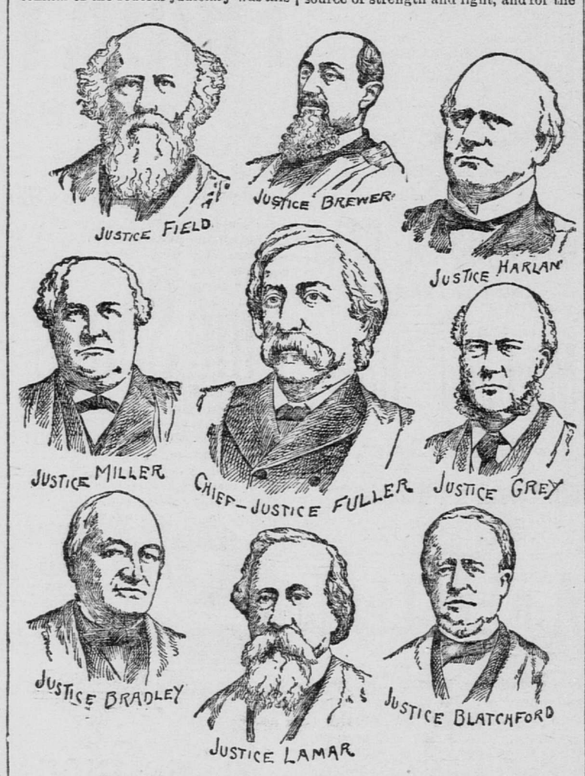
Jurists From Every State Gather in Honor of the Supreme Court.

The Tribunal That Firmly Enforces Every Guarantee of the Constitution.

NEW YORK, Feb. 4.—Dimmed considerably by the sad events of the past few days, the celebration of the centennial of the federal judiciary was this morning inaugurated. The weather seemed designed to cast a further gloom upon the affair, for a disagreeable rain set in shortly after 9 o'clock, which grew heavier as the hour for the exercises approached. All preparations had been perfected for the event, however, and neither the absence of the president and his cabinet nor the atmospheric influences were permitted to interfere with the celebration. At all the principal hotels early calls were made upon the distinguished guests from all over the Union, and every attention was shown them by the committee in charge. Carriages rolled up to the doors and the guests were escorted to the Metropolitan opera house, where they gathered in the waiting rooms and lobbies awaiting the formation of the processsion. At 10:30 the procession,

HEADED BY THE JUDGES

of the supreme court of the United States in their official robes, followed by the various judges of the federal district courts, the New York state court of appeals, the supreme, superior, common pleas and other courts, marched down the various aisles of the opera house, and assumed the various seats and boxes allotted them. The members of the supreme court of the United States occupied seats on the stage, along with ex-President Cleveland and many other legal dignitaries. The immense auditorium was crowded with national and state lawmakers, citizens and representatives of the profession. Many ladies were present also. At 10:30 a. m., when Mr. Cleveland took his place as president of the assemblage, there was loud and prolonged cheering, and it was several minutes before the honorable ex-president could be heard.



THE PRESENT SUPREME COURT.

OPENING OF THE EXERCISES.

Ex-President Cleveland's Eloquent Introductory Address.

Mr. Cleveland then, in a clear voice, delivered his introductory address. He said: "We are accustomed to express, on every fit occasion, our reverence for the virtue and patriotism in which the foundations of our republic were laid, and to rejoice in the blessings vouchsafed to us under free institutions. Thus we have lately celebrated with becoming enthusiasm, the centennials of the completion of our constitution and the inauguration of our first president. To-day we have assembled to commemorate an event connected with our beginning as a people, which more than any other gave safety and the promise of perpetuity to the American plan of government, and which more than any other, happily illustrated the wisdom and enlightened foresight of those who designed our national structure. In the work of creating our nation, the elements of a free government were supplied by concession of sovereign states, by surrender of accustomed rights, and by the inspiration of pure and disinterested patriotism. If from these elements there had not been evolved that feature in our federal system which is our theme today, the structure might have been fair to look upon, and might have presented a semblance of solidity and strength; but it would have been only a semblance; and the completed edifice would have had within its foundations the infirmity of decay and ruin. It must be admitted that it is hardly within the power of human language so to compass diverse interests and claims within the lines of a written constitution, as to free it entirely from disputes of construction; and certainly diverse constructions are apt to lurk in the

DICTION OF A CONSTITUTION.

declared by the president of the convention which formulated it to be "the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable." It is fairly plain and palpable, both from reason and a review of events in our history, that without an arbiter to determine finally and conclusively the rights and duties embraced in the language of the constitution, the union of states and the life of the American nation must have been precarious and disappointing. Indeed, there could hardly have been a well-grounded hope that they would long survive the interpretation of the national compact by every party upon whom it rested, and the insistence of each to the last extremity, upon such an interpretation as would secure coveted rights and benefits, and absolve from irksome duties and obligations. In the creation of the world, the earth was without form and void, and darkness was upon the face of the deep, until God said "Let there be light, and there was light." In the creation of the new nation, our free institutions were without the form and symmetry of strength, and the darkness of hopelessness brooded over the aspirations of our people, until a light in the temple of justice and law, gathered from the divine fountain of light, illumined the work of the fathers of the republic On this centennial day we will devoutly thank heaven for the revelation to those who formed our government, of this source of strength and light, and for the inspiration of disinterested patriotism and consecrated devotion which established the tribunal which we to-day commemorate. Our fathers had sacrificed much to be free. Above all things they desired freedom to be absolutely secured to themselves and their posterity. And yet with all their enthusiasm for that sentiment, they were willing to refer to the

TRIBUNAL WHICH THEY DEVISED,

all questions arising under their newly formed constitution, affecting the freedom and the protection and the safety of the citizen. Though bitter experience had taught them that the instrumentalities of government might trespass upon freedom, and though they had learned in a hard school the cost of the struggle to wrest liberty from the grasp of power, they refused, in the solemn work they had in hand, to take counsel of undue fear or distracting perturbation; and they calmly and deliberately established as a function of their government a check upon unauthorized freedom and a restraint upon dangerous liberty. Their attachment and allegiance to the sovereignty of their states were warm and unfaltering; but these did not prevent them from contributing a fraction of that sovereignty to the creation of a court which should guard and protect their new nation and save and perpetuate a government which should in all time to come bless an independent people. I deem myself highly honored by the part assigned to me in these commemorative exercises. As in eloquent and fitting terms we shall be led by those chosen to address us, to the contemplation of the history of that august tribunal organized 100 years ago; as the lives and services of those who, in the past, have presided over its councils are rehearsed to us; as our love and veneration for our fellow countrymen who now fill its high and sacred places are quickened; and as we are reminded of the manner in which our national court has at all times illustrated the strength and beneficence of free institutions, let us be glad in the possession of this rich heritage of American citizenship, and gratefully appreciate the wisdom and patriotism of those who gave to us the supreme court of the United States.

TO THE FINAL ARBITER.

Rev. Dr. Morgan Dix Invokes Divine Blessings.

When Mr. Cleveland, who had been most enthusiastically received throughout, had finished speaking, Rev. J. Morgan Dix offered prayer, invoking a divine blessing on the vast assemblage and their doings throughout the meeting. He spoke feelingly of the sad bereavements in the families of Secretaries Blaine and Tracy, and moved many of the audience to tears by the touching manner in which he described the tragic deaths of Mrs. and Miss Tracy. Dr. Dix, in conclusion, prayed for the president and cabinet, and hoped that the absence of the magistrate and officials from their presence was only temporary.

WORDS OF WELCOME.

Judge Arnoux Speaks for the Hosts of the Occasion.

Judge William H. Arnoux, chairman of the judiciary centennial committee of the New York Bar association, followed in the address of welcome to the court. He said attention to the celebration of the centenary of the organization of the supreme court of the United States was first invited by President Harrison in his inaugural. After reviewing that part of the president's remarks concerning the celebration of the occasion, Judge Arnoux welcomed the guests in behalf of those assembled, representing the executive and legislative departments of the government, national and state, the bench and bar of the federal and state courts and the people of the United States. The occasion, the speaker declared, was a fitting one. One hundred years ago on this day, the first Tuesday in February, 1790, the supreme court of the United States held its first session at the Exchange in the city of New York, and installed in office the chief justice, two associate justices and attorney general. This action completed the organization of the three departments of the government. Judge Arnoux then reviewed at some length the high and independent character of the court and the labors and growth of the body from its inception up to the present time. Over 65,000,000 people of different races, religions, politics and interest, to-day, he said, cheerfully and loyally submitted to the decrees of the court. Judge Arnoux concluded by calling for the blessings of God upon the United States and the honorable supreme court. Mr. Arnoux was warmly applauded during his remarks and on concluding his speech was greeted with loud applause.

ORIGIN OF THE COURT.

William Allen Butler Sketches the Supreme American Tribunal.

The principal address of the day followed. It was on "The Origin of the Supreme Court of the United States and Its Place in the Constitution," and the delivery was by the veteran lawyer, William Allen Butler, LL.D. His remarks were frequently interrupted by generous applause. He said, in substance: This commemorative hour sets before our view, in the retrospect, and after the lapse of a century, the structure of our national government at the moment when, for the first time, it stood complete in all its parts. The new order of things established by the federal constitution, adopted by the convention Sept. 17, 1787, came very gradually into being. The ratification by eleven of the thirteen states was not completed until July, 1788. The first congress summoned to meet in New York, as the seat of government, on the 4th of March, 1789, did not convene until the brginning of April, when, after counting the votes of the electoral colleges, it declared Washington the president-elect. His inauguration followed, on April 30, but, as yet, there was no federal judge to administer the oath of office required by the constitution of the chief magistrate of the republic. This service was performed by Robert R. Livingston, the first chancellor of New York, under the constitution of that state of 1777. Congress, on the day after its organization, entered on the work of providing for the establishment of the judiciary by appointing a committee, of which Oliver Ellsworth, one of the framers of the constitution, and afterwards chief justice of the supreme court, was the chairman. And the Judiciary Act, approved by Washington, Sept. 23, 1789, substantially as it exists to-day, was largely the work of this eminent jurist. Washington promptly nominated, and the senate as promptly confirmed, John Jay, of New York, to be chief justice of the court; and as associate justices, John Rutledge, of South Carolina; William Cushing, of Massachusetts; Robert H. Harrison, of Maryland; James Wilson, of Pennsylvania, and John Blair, of Virginia. Of these, Jay, Cushing and Harrison had respectively served as chief justices in their own states; Rutledge, Wilson and Blair had been members of the convention which framed the constitution.

FIRST SESSION OF THE COURT.

On the first Monday of February, 1790, the day fixed for the opening session of the court, a quorum was not present. On the following day, the first Tuesday of February—109 years ago—the room in the exchange set apart for the court, the federal hall being occupied by congress, was, as we are informed by the United States Gazette in its issue of the next day, "uncommonly crowded." Numerous federal, state and municipal officers were present, and "a great number of the members of the bar." The chief justice and Associate Justices Cushing, Wilson and Blair took their seats on the bench, attended by the attorney general of the United States, Edmund Randolph, of Virginia. The letters patent commissioning all these officers were read by John McKesson, Esq., who acted as temporary clerk. Richard Wenman was appointed "cryer;" proclamation was made, and the supreme court of the United States was opened. By these acts, marked with true republican simplicity, the full breath of life was breathed into the government of the United States, and it became a living organism.

ADJOURNED FOR WANT OF BUSINESS.

In strange contrast with the proceedings of the present time, the court, after a few formal sessions, adjourned Jan. 10, for want of business. It was a court without suitors, its virgin docket unsullied by any entry of petitioners, plaintiffs in error or appellants, and its earliest session was unclouded by any portent of that vast avalanche of litigation which during the succeeding years of its first century has overwhelmed it with a silent but irresistible growth. Congress, which in 1789 gave its best thought and talent in aid of the establishment of the supreme court, has the power to-day to provide relief against the overtaxing of its powers. Is it too much to ask that in this centennial year something of the interest which Ellsworth and his compeers showed may now be accorded to provide the relief which the court needs, which the American bar solicits and which the rights of suitors demand?

DINING WITH GRAND JURY.

One interesting incident of the first session of the supreme court in this city may detain us for a moment longer. It established a precedent which is happily recognized and followed to-day. The court accepted an invitation to dinner. The host who entertained it was the grand jury of the city and county of New York. This body, representing the most ancient jurisdiction of the common law of England, and one of its chief conservators of private rights and liberties, was the first to extend a welcome to this newest court of highest and last resort, and in the interchange of patriotic greetings and sentiments to forecast its brilliant future.

GROUND WORK OF JUDICIAL POWER.

The fact is conspicuous that, as the leaders of American independence fastened upon the idea of substituting for the loose compact of the confederation a union of the states based on the absolute sovereignty of the people and the surrender by the separate states of all powers needed to constitute a national government without trenching on the rights reserved to the states, the root and ground-work of this complex idea was the establishment of some system by which the organic law of the United States and the statutes of their congress should be the supreme law of the land, binding everywhere and enforceable everywhere. To their minds it became clear that if justice is the basis of society it must be so administered as to control society by operating upon all its members, and where separate states should agree to carve out of their own sovereignity the powers needed to set up a government for all, the grant of powers must be ample to make their exercise effectual. While the power of each state to punish violations of its own laws and maintain all the ends of government within its own territory must be exercised by state courts and judges and officers, without interference, a like absolute power in the federal government must go hand in hand with the delegation by the state of the right to regulate all those matters which were to come within the circle of the enumerated powers of the United States. The national government must be as competent to punish crimes forbidden by its laws and to enforce the judgments declared by its courts as are the states within their separate boundaries in respect to their own local laws and the jurisdiction of their local courts. More than this, the true sphere of the national jurisdiction having been once established, no state should have power to make any law in conflict with the organic law, or with the statutes of the whole realm, and, still further, the national congress itself should have no power to invade the constitution by any enactment contravening its provisions.

THE CONSTITUTION A DEVELOPMENT.

In the light of the researches stimulated by the revival of interest in American ideas which marks this centennial epoch, we have come to see how largely the principle of growth and development which inheres in every onward movement of the race was at work in the unfolding of our organic law. The federal constitution was, in great part, the result of what had gone before in the making of the colonial local governments and of the states and of the confederacy. It was the crystallization of elements which needed only the agitation of a supreme crisis to set in a force-ordained and symmetrical shape. Much of the work of the convention was mere adaptation and adjustment of existing methods under well organized and familiar principles. But in the matter of the judicial power, what the framers of the constitution did was specially their own work, original and unique. The germ was doubtless in that sense of justice and of the preservation and enforcement of individual rights which had taken such firm root in the earliest American communities, but no local growth had ever been the equivalent in any separate sphere, or the type in any attempted organization, of the complex and far-reaching system set in order by the constitution. This work was not adaptation, but creation; the workmen were not only experts but inventors. They came together with full and long and complete preparation for a task which, as it grew on their hands, gave the stimulus and inspiration for an execution which outran their first intention, but was not beyond their wisdom.

LAWYERS PROMOTE INDEPENDENCE.

It was the standing sneer of British statesmen that so many of the leading colonists were lawyers, each one thinking himself competent to hold a brief against the crown and parliament and ready to join issue on every new assertion of their power and the colonists who were not lawyers, fancying themselves statesmen, crazed with what Shewsbury, Pitt's Irish viceroy, described to him as the "mania for statemaking." These colonial jurists and publicists had organized revolution on the basis of constitutional right; they had brought out of the chaos of revolt the order of the confederation, the first crude conception of the union of states; they had transformed the states of the confederation from communities in rebellion against a sovereign into sovereignties in their own right; they had waged a successful war and had made an honorable peace, and during all these years of struggle and vicissitude they had been profound students of the problem of liberty as secured by law, and of law as the conservator of liberty. Never since the Hebrew lawgiver pondered, on the plains of Midian and in the shadow of Horeb, the deliverance and leadership of an enslaved race, had there been such a period of preparation and of profound insight into human government and human rights. The Revolutionary leaders had explored all the theories of philosophers and all the annals of the race in the search for the pattern and ideal of free government, and above all they had sifted through the web and mesh of their own thought and experience the elements of the great constitutional system, "the mirror of free government," of what was still to them, in spite of its oppressions, the mother country. They meditated on these things in the night watches; while they were musing the fire burned; the inextinguishable fire of patriotism which, in those lofty souls, flashed from heart to heart and mind to mind, as from peak to peak in some beleaguered land the midnight sky is lighted with the rallying fires of freedom.

THE LIFE TENURE OF THE JUDGES.

Plato, in his ideal republic, had fixed the age of seventy as the limit of judicial service, but the framers of the constitution, with Franklin, at the age of four score and one, adding in their daily deliberations, were wiser than Plato. They agreed with Hamilton that "the mensuration of the faculties of the mind has no place in the catalogue of the known arts." Experience has justified their conclusions. The life tenure, with the wise provision permitting retirement at the age of seventy, after ten years of service, has worked well. It has kept on the supreme bench jurists whose long familiarity with its duties and whose ripened wisdom have made their services invaluable to the country; services not grudged to-day by the members of the court whose years outrun the three score and ten of scriptural limitation and of statutory privilege. During the century of its existence the court has, in the main, been singularly fortunate in exemption from accident, casualty or premature death, and the year just closed has been marked by a signal deliverence from the hand of violence.

POWERS OF THE COURT.

The most striking element in the powers granted is that which clothes the judiciary with the right to annul legislative enactments. Even as to this power it has been said that the supreme court "has no prototype in history. Judicial tribunals have existed as component parts of other federal systems, but the supreme court of the United States is the only court in history that has ever possessed the power to finally determine the validity of a national law." But in the clause next following the judicial power is extended "to controversies between two or more states." This brief but comprehensive waiver on the part of the thirteen sovereign states of exemption from judicial power and this mandate of the organic law that the judicial power created by the people shall be the arbiter between the states themselves, in all their controversies with each other, mark the highest level ever attained in the progress of representative government. They have justly excited the wonder and admiration of the most intelligent observers of our constitutional system.

REMEDIES AGAINST ABUSE OF POWER.

Vast and far-reaching as are the powers thus granted, the same organic law which confers them provides against their abuse by declaring the liability of the judges to impeachment for bad behavior, and by the reserved right of the people to amend the constitution—a right exercised in the restraint of jurisdiction imposed by the eleventh amendment—and, further, by the power of congress to regulate the appellate jurisdiction. Finally, beyond and above all written boundaries and limitations of the judicial power, is the ever-present scrutiny of the people, whose instrument it is—the collective wisdom of the whole nation, that which James Wilson, of Pennsylvania, one of the ablest members of the convention, and one of the first associate justices of the supreme court, called "the mind or sense of the people at large," another name for organized public opinion. Such is, in brief and imperfect outline, the origin of the supreme court of the United States, and of the grant of its judicial powers. On this centenary of its organization; in the city where its earliest jurisdiction was exercised; in the presence of the chief executive, of the heads of our national legislature, of our highest state courts and officers, of citizens representing all the activities of the country, and in the face of the world, we make profert of this high tribunal as a proof of the stability and abiding strength of our free, constitutional government. As members of the bar, and as citizens of this state and of the United States, we bring to it and bespeak for it the homage of national gratitude and of universal respect, not so much because it has added illustrious names to the roll of the world's great jurists and magistrates, or even because it has so well upheld, in its own sphere, the honor and dignity of the nation, as because through all these hundred years of time it has, with strict fidelity, without fear and without favor, with clean hands and with a pure purpose, served the people in the wise and patient execution of its high trust to maintain inviolate the absolute supremacy of justice.

CHIEFS OF THE SUPREME COURT.

HEAD OF THE BAR.

President Hitchcock Parallels the Court and Constitution.

Hon. Henry Hitchcock, of St. Louis, then delivered an address upon "The Supreme Court and the Constitution." He referred to the exercise of the power of the courts in organization, and said that the vast reach of its power springs from the great political fact that the government of the Union is one which in all its departments operates directly upon individuals. To the supreme court, "the living voice of the constitution," belongs the ultimate development of the powers which that instrument confers. It represented the conscience of the people. The speaker alluded to numerous important cases in which the court has declined to take jurisdiction of political questions, or those involving the exercise of legislative or executive discretion. In the exercise of its powers, the chief, said the speaker, is that of interpreting the supreme law of the land. A summary was then given of the powers of the court in expounding the constitution since the civil war. In an eloquent peroration the speaker declared that the true power of the court has resided and must ever dwell in the sincere respect and unbought confidence of the people of the United States.

Continued on Fifth Page.

TO SUCCEED SUTPHIN.

M. J. Davis, the Bolting Republican, Is Elected Mayor of Duluth.

Democracy's Choice Ran Well But the Republican Candidate Was Distanced.

North Dakota Divines Declare Themselves Opposed to the Lottery Scheme.

Canadian Freighters Supposed to Have Perished On the Prairies.

Special to the Globe.

DULUTH, Minn., Feb. 4.—M. J. Davis, the bolting Republican and fusion candidate for mayor, downed John K. Shaw, the Democratic nominee, in a fair and square contest with ballots. The regular Republican nominee, M. O. Hall, was nowhere, and didn't carry a single precinct in the city, his heaviest vote in any place being fifty-four. The voting was the heaviest ever known in Duluth, 4,732 votes being polled. Davis' total vote was 2,458, Shaw's was 1,979, and Hall's 242. Davis carried seven out of twelve precincts, and his victory is to-night counted as a death blow to saloons, varieties and a virtual purification of the purlieus of St. Croix avenue. Following is the vote by wards:

Wards.	Hall.	Shaw.	Davis
First	25	227	157
Second	27	102	127
Third	91	601	569
Fourth	75	692	596
Fifth	19	233	664
Sixth	5	124	345
Totals	242	1,979	2,458

The aldermen-elect are as follows: First ward, Martin Sorenson (Fusion, Labor and Republican); James Dingwall, (Republican); Second ward, D. J. Sinclair (Rep.); Third ward, George F. Ash (Rep.); Fourth ward, T. W. Hugo, (Rep.); Fifth ward, C. O. Nelson (Rep.); Sixth ward, T. B. Perry (Ind.) The mayor-elect has a clear record in all his public life, and is severely down on a wide open policy. John K. Shaw was the first to congratulate Mayor Aleck Davis on his success, and a grand ratification meeting is being arranged for to-morrow night. The traitorous action of the Republican committee is responsible alike for the slaughtering of Hall and the election of Davis. Some very sweeping changes in the board of public works, the police force and other city offices will follow.

OPPOSED TO LOTTERIES.

Fargo Divines Score North Dakota Legislators.

Special to the Globe

FARGO, N. D., Feb. 4.—The pastors of the city held a meeting this afternoon to protest against the lottery scheme now being considered by the legislature of North Dakota. Scathing resolutions were adopted setting forth the many curses which, in their opinion, would result from the passage of the scheme, and winding up with an appeal to the public to assist them in preventing its adoption. A committee of five was appointed to go to Bismarck tomorrow morning, and labor against the passage of such a bill.

SENTIMENT DIVIDED AT GRAND FORKS.

Special to the Globe.

GRAND FORKS, N. D., Feb. 4.—There has been a great deal of excitement in this city to-day over the announcement from Bismarck that there was a probability that the legislature would pass the lottery bill, which in effect authorizes any foreign lottery company to make this state its headquarters in consideration of the payment of $100,000 a year for forty years. Public sentiment is divided, one class viewing the proposition with the greatest alarm, and the other believing it would be a bonanza for the state. There is a general belief that Grand Forks would be made headquarters. Numerous protests against the adoption of the bill and many indorsing it.

SEARCHERS SENT OUT.

Freighters Believed to Have Perished on Canadian Prairies.

Special to the Globe.

SASKATOON, N. W. T., Feb. 4.—Two freighters, Peter McCallum and Wesley Clark, with their outfit, left Moose Jaw Jan. 10 with a consignment of goods for merchants of this place. Nothing has since been heard of them. The distance is 120 miles, over an open prairie, and the time usually occupied in making the distance with loads is from a week to ten days. There have been some severe storms since their departure, and it is feared they have perished. A searching party has been started out.

READ THE RIOT ACT.

Speaker Young Roasts South Dakota Statesmen for Laziness.

Special to the Globe.

PIERRE, S. D., Feb. 4.—The only measure of importance that was passed by the house to-day was a bill providing for the appointment of a mine inspector, which was dragged through by the Black Hills members after a hard fight. Legislation has seemed to drag, and after the house adjourned Speaker Young called the chairmen of the different standing committees together and proceeded to read the riot act to them. He stated that the session presumably was half gone and many questions the constitution called for to be settled at this session had not been touched. There were important measures affecting the constitution on which even bills had not been introduced, and the legislature could not adjourn within the time limited by the constitution until these questions had been settled in some manner. He warned the members that there was no time to spare hereafter, and the house would have to get down to hard substantial work from now on if the members wished to fulfill the duties required explicitly by the constitution and due to the state.

An Old Settler Gone.

Special to the Globe.

PRESCOTT, Wis., Feb. 4.—William Aikins died of old age last night at 5 o'clock, aged eighty-eight years. The deceased had been in feeble health, both mentally and bodily, for some time. He was one of the oldest Masons and also one of the oldest of the Lodge of Odd Fellows, and was one of the first settlers, having been here between thirty-five and forty years. He leaves a widow. The funeral services will be conducted by the I. O. O. F. and the A. F. & A. M. Lodges.

WILLING TO COMPROMISE.

Hawkeye Democrats Submit a Proposition.

DES MOINES, Io., Feb. 4.—At the opening of the house session this morning more members were present. Holbrook, Democrat, on behalf of the opposition to the Republicans in the house, presented a proposition asking the Republicans to formulate an alternative proposition, and the opposition would bind themselves to accept one or the other condition of it. A few quiet speeches were made from both sides, and then the roll call on the speakership was taken up. The vote stood: Hamilton, 36; Wilson, 36. After taking four ballots the house adjourned till tomorrow. Caucuses will again be set to work on a proposition, and some prospects of breaking the deadlock are seen.

DES MOINES, Io., Feb. 4.—At the Republican joint caucus this evening no result was reached till the eighteenth ballot of the caucus, making the thirty-first in all. It stood Townsend 30, Jarvis 7, McMillan 41. The nomination of McMillan was made unanimous and the caucus adjourned.

LUCKLESS RAILROADERS.

Three Section Men Run Down and Killed.

Special to the Globe.

ST. CLOUD, Minn., Feb. 4.—Charles Larson, Ole Olson and Magnus Falk, three section hands employed on the Northern Pacific railroad, were instantly killed two miles below Clear Lake by being run over by a passenger train on that road. At the place where the accident occurred, the tracks of the Manitoba and Northern Pacific run parallel. A freight train was passing on the Manitoba track, and the men who were working on the Northern Pacific road bed were hidden from view by the smoke from the passing engine. It was just time for the Northern Pacific passenger to pass, and that train overtook the Manitoba freight at the place where the men were working, and before the unfortunate men became aware of their perilous position, they were run down and instantly killed.

LAKE CITY'S FERRY.

John Howard Will Build a Boat and Operate It.

Special to the Globe.

LAKE CITY, Feb. 4.—At a meeting of the common council of this city two propositions for running a ferry were offered, one by Capt. O. Murray and the other by John Howard. Capt. Murray's was, in substance, that he will build and run a ferry for ten years, according to plans accepted by the ferry committee, provided that the city will pay him $1,500, and will give bonds for that amount, to be reduced at the end of five years to $750. John Howard made two propositions, one that he will build and operate a ferry for ten years, according to plans to be accepted by the ferry committee, the city to pay him an annual sum of $250, or the city to pay him $1,400 and take a mortgage on the boat to secure the amount, which will be reduced each year $140. Mr. Howard's bid being $100 less than Mr. Murray's he was given the right to build a boat and operate it. He will commence to build the ferry in a short time.

Gradually Becoming Extinct.

Special to the Globe.

WINNIPEG, Feb. 4.—Officials of the Indian department who have lately visited the reserve say that the Sarcee tribe, located south of Calgary, N. W. T., is gradually becoming extinct. Within the last seven years the number on that reserve has decreased at least 50 per cent. Of the older Indians about two-thirds are females. This disparity is accounted for by many braves having lost their lives in wars with the Crees.

South Dakota's Supreme Court.

Special to the Globe.

PIERRE, S. D., Feb. 4.—The first session of the supreme court of South Dakota was held here to-day, and after organization the time until adjournment was occupied by the swearing in of attorneys from this and other states who will practice before it. Except the argument of two unimportant motions, the calendar does not contain any very important cases, but the term will doubtless occupy from two to three weeks. Judge Dighton Corson presided, his colleagues being Judges A. G. Kellam and J. E. Bennett.

Hawkeyes Will Tackle Zinc Ore.

DUBUQUE, Io., Feb. 4.—Arrangements have been concluded for the formation of a stock company in this city for the reduction of zinc ore. This ore, in the shape of dry bone, is found in the hills surrounding Dubuque in large quantities. The company, which starts out with a capital stock of $100,000, will build a zinc rolling mill to employ 300 men.

Blew Out His Own Brains.

Special to the Globe.

ALEXANDRIA, Minn., Feb. 4.—Theo Hermes, a farmer of Belle River, committed suicide last Saturday night by shooting himself. He was forty-eight years old and leaves a widow and one child. About five years ago he had his leg amputated because it was affected with a fever sore. This had never got well, hence his suicide.

Dickering for a Transfer.

Special to the Globe.

CHAMBERLAIN, S. D., Feb. 4.—A representative of the Chicago, Milwaukee & St. Paul railway is here making arrangements for securing the steamer Last Chance to be used as a transfer boat between here and the Sioux reservation as soon as the land is opened to settlement.

Headed for Washington.

Special to the Globe.

HELENA, Mont., Feb. 4.—W. F. Sanders, Republican senatorial contestant from Montana, left for Washington tonight. T. C. Power, the other Republican contestant, will follow in about a week.

Quashed the Writ.

Special to the Globe.

SHAKOPEE, Minn., Feb. 4.—Judge Edson to-day quashed the writ of mandamus issued against the county commissioners in the county seat contest.

Price of Glass Advanced.

PITTSBURG, Pa., Feb. 4.—A convention of Western window glass manufacturers was held in this city to-day. It was decided to advance the price 5 and 10 per cent on single and double lots respectively. The prospects are that prices will be further advanced in a short time. The market is good while the stock is small.