

ROLLING STOCK AND ROAD

ARE ONE PROPERTY IN FAVOR OF A MORTGAGE.

SEVEN CASES ARE AFFIRMED.

Supreme Court Decides That a Mortgage on Railroad Holds Rolling Stock and All Personal Property, and Creditors Cannot Levy on Any Part Separately.

The supreme court handed down decisions in six cases, all written by Chief Justice Gilfillan, yesterday.

The syllabi of the decisions read as follows:

Central Trust Company of New York, respondent, vs. John J. Moran, appellant. Order affirmed. GILFILLAN, C. J. Under Laws 1888, ch. 16, sec. 1, 2 and 3 (Gen. St. 1878, ch. 34, sec. 21, 22 and 23) a railroad, with its rolling stock and personal property belonging to the road and appertaining thereto, is, in favor of mortgages under mortgages or deeds of trust executed and recorded pursuant to those sections, one property, the several items of which cannot, as to such mortgages, be levied on separately.

The remedy of creditors in such a case, against the road, its rolling stock, and appertaining personal property, must be against it as an entity, and not against its several parts.

In such a case the mortgages may have injunction to restrain a levy on a part of the property.

Courts may in proper cases grant injunctions in substance mandatory, that is, requiring some act to be done.

A court may, under Laws 1878, ch. 6, title 11, grant, in a proper case, a temporary injunction mandatory in substance, but it ought not to be done except under peculiar circumstances, and where it is clear the plaintiff will have a final decree, and the court can impose such conditions as will protect the defendants shall sustain no detriment.

Execution on a judgment by the state court issued and was levied by the sheriff. Afterward the judgment was removed by a writ of error to the supreme court of the United States, and a stay bond was given.

Held, that an action the purpose of which is in effect to vacate the levy does not interfere with the jurisdiction of the federal court.

C. C. Washburn Flouring Mills Company, respondent, vs. Great Northern Railway Company et al., appellants. Order affirmed. GILFILLAN, C. J. Evidence held to justify the findings of fact.

In the matter of the receivership of the Educational Endowment Association of Minneapolis. Thomas K. Gray, applicant, vs. O. C. Merriman, receiver in default of judgment. Judgment affirmed. GILFILLAN, C. J.

When a mutual endowment association, whose policies are to be paid from a fund raised by assessment on the holders of policies, is dissolved, the proceeds of the fund, after the payment of the matured policies, are to be shared as members of the association in its assets after its liabilities are discharged.

Where policies are payable in the event that the beneficiaries arrive at a specified age, they do not mature so as to be debts of the association, but the beneficiaries reach that age, even though before then all dues and assessments that can be required of the holders have been paid.

Timothy A. Bowen, respondent, vs. J. E. Thwing, defendant, and Joseph E. Bennett, plaintiff. Order affirmed. GILFILLAN, C. J.

Where at the time of a loan, a note is to be secured by the note of B, with C as surety, whose signature B agrees to procure, the loan money is advanced and B signs and delivers the note to A, who subsequently hands it back to him to procure the signature of C, and the latter at B's request, signs and delivers it to A, C's signing is to be referred to the agreement of B with A, and there is a consideration to support C's undertaking as surety.

Case held not to consent to try an issue not made by the pleadings.

John Ferman, respondent, vs. Lombard Investment Company, appellant. Order affirmed. GILFILLAN, C. J.

A contract between mortgagor and mortgagee construed and held to put the mortgagee in possession of the mortgaged premises, so that the latter became "mortgagee in possession," and so that it might, after notice, be liable as the mortgagor.

Held, that the evidence in the case furnished means for the jury to determine the amount of damage accruing from a nuisance after notice to the continuance.

In re application of People's Live Stock Insurance Company, for its solution, etc., James Spillman, complainant, respondent, vs. R. J. Mendelhall, et al., appellants. Elias Moses, et al., respondents. Judgment affirmed. GILFILLAN, C. J.

In proceedings under Ch. 1878, ch. 34, sec. 415 to 420 inclusive, the constitutional or statutory liability of stockholders for debts of the corporation cannot be enforced.

Under ch. 34, sec. 8 and 9, a stockholder's liability for unpaid subscription to the stock does not continue after the stock has been transferred, if the transferee was for the purpose of defrauding creditors.

The transferee of stock is liable for unpaid subscriptions to the stock transferred to and held by him.

In the proceedings referred to the court may bring in the stockholders and enforce their liability for unpaid subscriptions on the petition or complaint.

That's what the human race is doing—particularly the American part of it.

There are a few left who are satisfied with ancient history.

But most people are ready to apply modern progress and science to the human stomach—an organ that demands its rights whether or not; that resents the insults of worn-out methods.

All this is to emphasize the facts about

There was once a prejudice against Cottolene oil. But people who are alive, who investigate, who have no bigotry in their composition, have found that pure, refined cottonseed oil combined with selected beef suet is a better article in every conceivable way than hog's lard.

And so they wisely use it for cooking—and are correspondingly healthy and happy.

The sales of COTTOLENE are enormous and constantly increasing; a proof that it is appreciated by appreciative persons. Ask your grocer for it.

Sold in three and five pound packages. N. K. FAIRBANK & CO., CHICAGO.

Two Weeks at Hot Springs, Ark. A personally conducted excursion will leave St. Paul and Minneapolis January 23 via the Minneapolis & St. Louis Ry. for Hot Springs, Ark. for two weeks' trip.

All expenses paid before starting. Write for particulars as to rates, to any agent of the company. C. M. PRATT, G. T. & P. A., Minneapolis, Minn.

of a creditor of the corporation who has proved his debt.

Irregularities in practice or procedure in such a case held not prejudicial, and therefore to be disregarded.

PEISONAL MENTION.

H. S. Elwell, Milwaukee, was a Win a sor guest yesterday.

E. H. Kent, Lakota, N. D., was a Merchants' guest yesterday.

B. H. Whitney, Stuyton, registered yesterday at the Merchants.

C. P. Macrimis, Duluth, registered yesterday at the Merchants.

J. F. Johnson, Racine, Wis., was a Morley's guest yesterday.

H. F. Hunter, Mellette, S. D., registered yesterday at the Merchants.

E. C. Fosdyke and J. R. Canty, of Morley, were Merchants' transients yesterday.

George E. Archer and family left last night for the South to spend the winter, over the Albert Lea route.

Samuel E. Pumphrey left yesterday for Oseola Mills, Wis., where he is now engaged with Will Bros., general merchant.

At the Hotel Metropolitan—H. Nelson Smith, Mrs. B. Boynton, New York; E. H. Bancroft, Helena; E. J. Classen, Springfield, Mo.; George S. Egan and wife, Bay City, Io.; Miss Raymond, Chicago; E. M. Squires, Butte.

At the Sherman—H. Hancock, Grand Forks; W. T. Ismand and wife, Winmar; George A. Fay, Duluth; S. C. Jones, Mitchell, S. D.; L. G. Gwalt, Breckenridge, Mo.; E. Van Slyke, Blue Earth City; Charles E. Anderson, Kindred, N. D.; R. O. Philpot, Chicago.

At the Clarendon—E. H. Funk, White Earth; J. McGuire and wife, San Francisco; W. H. Riddell, Northfield; A. L. Brown, Brownstown; H. K. Rice, Jackson; J. C. Fisher, Owatonna; C. A. Dushett, Marsh; E. K. Pluke, Elm.

At the Windsor—E. A. Buck, New York; William Windom, Ashland, Wis.; P. M. Mosher, Red Wing; J. Martin, Bertha; W. A. Wallace, Warren; W. W. Jewell, Pine Island; L. O'Brien, Duluth; J. A. Duluth.

George W. Winship, editor of the Grand Forks Herald, was at the Merchants' yesterday. He said that the people here "were all doing well, that everybody had a good enough to eat, which was more than could be said for many sections, he thought. He came to the city on private business.

At the Ryan—Hugh D. Bowker, Holvake, Mass.; L. L. Faham, Milwaukee; G. M. Hyams, Boston; L. C. Cooke, New York; H. S. Anderson, Chicago; E. L. Wing, Boston; A. H. B. Hendin, Hamilton, Ont.; J. M. Wood, New York; N. W. T.; James O'Neill, Philadelphia; S. O. Brooks, Detroit; P. Lowe Riegan, Baltimore, Md.; Frank Schlegel, Chicago.

At the Merchants—John M. Rapelye, Glendive, Mont.; B. F. Shanley, Duluth; H. B. Laughlin, Fisher; J. B. Copp, W. N. T.; J. M. McGregory, New York; R. Martin, McGregor; W. C. Hegelmyer and wife, Waterson; Samuel McArthur, H. C. Ritter, New Orleans, La.; H. T. Nelson, St. C. Oleson, H. Anderson, Racine, Wis.; D. W. Cowan, Hinckley; A. C. Probert, Washburn, Wis.

THE ALASKA FASHION.

White Men Indicted for Buying Native Wives.

PORT TOWNSEND, Wash., Jan. 12.—United States Marshal Orville T. Porter, of the Alaska district, has set several communities in that territory by the ears. The number of white men lawfully married to women of their own race in Alaska is confined principally to a handful of government officials and naval men stationed there.

Nearly all of the male population has purchased native wives. Their union with whom is not recognized in law. Nearly every grand jury which convenes in Alaska is instructed from the bench to inquire into this alleged evil.

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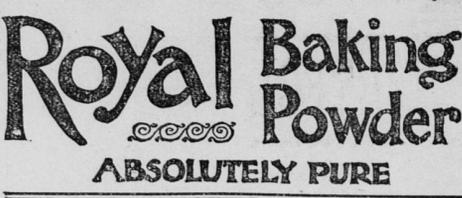
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Highest of all in Leavening Power.—Latest U. S. Gov't Report



ABSOLUTELY PURE

An Alleged Murderer Nabbed by the St. Louis Authorities.

St. Louis, Jan. 12.—Sheriff Garrett, of St. Louis county, was notified today by Constable Charles T. Edder, of Big Springs, Montgomery county, that he had "Dude" Charley Williams, the alleged murderer of James and Edward Murray, now in jail at Clayton, charged with the murder of Street Car Motorman Fitzwilliams, whom they robbed, and who is suspected of the murder, nearly a year ago, of Banker Benjamin McCulloch.

Constable Edder states that he arrested the negro enemy in November for burglary; that he had him sent to the penitentiary for three years for burglary, and then proceeded to trace his connection with the McCulloch murder.

The prisoner answers the description of "Dude Charley," and in addition Edder states that he confessed to him completely in the McCulloch murder, and gave details which were not an accomplice could do.

Included in the confession was a statement that Edward Murray shot McCulloch. If this proves true, and there seems no reason to doubt that it will, the five men accused of one or the other of the two murders mentioned, are not to be judged, viz: Will Henstley in here, Jim and Ed Murray in jail at Clayton, and George Kirby and Charles Williams in the state prison on ordinary sentences.

The developments now show that the McCulloch and Fitzwilliams murders were committed by members of one and the same band of negro criminals.

COUGHLIN'S CASE.

The Weary Testimony Continues to Be Taken.

CHICAGO, Jan. 12.—Mrs. T. T. Conklin, the wife of the liquor dealer with whom Dr. Cronin boarded, was today expected to a searching cross-examination. The questioning, however, was apparently productive of little result.

Considerable comment has been caused by the transferring of Bailiff Newland, who has had charge of the trial, to the court officials say the man was transferred at his own request from his place in the jury duty and another jury, but many stories of attempts to tamper with the jurors have been set in circulation by the action.

It was also rumored today that the new state witness named Bartie, who was expected to testify, has gone back on the prosecution, and will not give the expected testimony. The attorney for the state refused to deny or confirm the story.

During the afternoon Detective Flynn identified two knives as being the same he had taken from Coughlin at the time of his arrest. T. T. Conklin then swore that two knives, or other articles, like them, had been carried by Dr. Cronin just before his death. One knife, Conklin said, he had carried for many years before giving it to Dr. Cronin; the other he had picked up in the street, and given it to Dr. Cronin because the doctor had taken a fancy to it.

TOOK HER HUSBY.

Why a Pretty Country Lass Sues Her Father-in-Law.

HUNTINGTON, Ind., Jan. 12.—Mrs. Roy Gibler has filed a sensational suit against her father-in-law, John Gibler, a wealthy banker, for \$15,000 damages.

The plaintiff is a pretty country girl, and Roy Gibler, aged twenty, eloped from this city and were married in Toledo, O. Then they went to Denver, Col., where they lived about two months.

One day in December the young husband disappeared, and the deserted bride has not seen him since. Mrs. Gibler alleges that the boy's father went to Denver as soon as he heard of her whereabouts and induced her husband to abandon her. She alleges that he used threats of disinheritance to the Robinson sisters yesterday of attempting to murder them, has had additional interest lent to the charge by Detective Marshall today of murder made against the two accused men.

The authorities claim to have evidence to show that last night's double murder and adjacent riot, which showed and suicide by a jealous paramour. The woman's right name, it is said, is Mrs. Joseph Henker, her husband, Lewis Henker, living in Nevada. She separated from him to become the companion of J. T. Stevenson, who left a family to go with him. They soon separated, and since then the woman's life has been an uncertain one. She is allegedly the wife of John Emerson, of Burnham, Mo.; the other man, Mason, cannot be located.

Charged With Murder.

NEWCASTLE, Pa., Jan. 12.—The sensational case of Prof. Hartshorn and H. Campbell, who were accused by the Robinson sisters yesterday of attempting to murder them, has had additional interest lent to the charge by Detective Marshall today of murder made against the two accused men.

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Curtis' Case Dropped.

SAN FRANCISCO, Jan. 12.—It is understood that the grand jury has dropped Curtis' bribery case, owing to the inability to obtain sufficient evidence to warrant finding an indictment. Charges were made that the jury which acquitted Actor M. Curtis of the murder of F. O. Schuchert, was bribed and the grand jury has been investigating it for some time. Curtis is somewhere in the East at present.

Cooked a New-Born Babe.

LA GRANGE, Ky., Jan. 12.—Ben Bryson, who lives near Westport, came here today and related a horrible story to Detective Hitt. He claims that after a short absence he returned home yesterday and found his wife and child been confined only six days ago, missing. He instituted a search, and found the body of the child in a cradle. Bryson claims the woman eloped with James Evans, a showman, and says the last seen of them was at Twelve-Mile island, making their way for Louisville.

STRUCK BY A GALE.

Several Sailors Lose Their Lives in Baltimore Harbor.

BALTIMORE, Jan. 12.—This morning's strong gale has cost certainly, and probably five lives, and gave the crew of the police boat Lannan a chance to make one of the bravest rescues in the annals of Baltimore harbor.

While the whipsaws were running so high that the steamer could hardly stem them, a signal of distress was heard, and the searchlight revealed three men struggling in the freezing water. They were all who were left of a party of eight, sailing from the city on a ferryman, left the foot of Broadway to cross over to Locust Point. Their boat was swamped before they had gone 50 yards, and the men were all drowned.

It is supposed the ferryman sank before the Lannan could reach them. The other three were taken to the city hospital, where the doctors, after several hours, succeeded in restoring animation. The names of the five lost men are: Neal Finlayson, William H. Nelson, Robert J. Wilson, John Hughes, Peter Sfranski. One of the sailors' names has not yet been learned.

The rescuers say the coast was a small one, and that the gale men loaded her down until the gales were almost even with the water.

DO YOU WANT A PORTFOLIO BINDER

FOR

'Sights and Scenes of the World?' THE GLOBE HAS THEM.

They are made of the Best English Silk Cloth, handsomely bound and embossed in Black, Blue and Gold, the design being artistic and attractive, making it handsome

Ornament for the Center Table.

It will keep all the parts free from dust, and can be utilized for that purpose, beginning with Part 1.

There is no need to wait until the whole series of Parts are issued, when, as a rule, they are so soiled and worn as to render them unfit for binding, but you can begin now and keep each part in good condition.

It Is Therefore the Best, Most Handsome, Most Durable and Cheapest

Portfolio Binder ever made. Now is the time to obtain one. There is nothing gained by waiting.

SO COME AT ONCE, AND SEE THE BINDER. TO SEE IS TO BUY.

In order that it may come within the reach of all, and to give our readers the benefits of the Binder, we will furnish them for

Seventy-Five Cents Each

And mail them without extra charge. Address all orders to the Binder Department of the Globe, St. Paul.

FACTS AND FANCIES.

DO YOU KNOW THAT the favorite route to Florida, the Gulf Coast and other Winter Resorts of the South, South-east and Southwest, is via the Louisville & Nashville Railroad?

That system of through cars, Pullman, Tourist, Sleeper, and Parlor from Northern cities to New Orleans, Shreveport, Jacksonville, Tampa, etc. Write for folders, descriptive and "Secure-Active" of Florida or the Gulf Coast, to C. P. Atmore, General Passenger Agent, Louisville, Ky.

ANNOUNCEMENTS.

PEOPLE'S CHURCH, PLEASANT AV. Services at 10:30 a. m. and 8 p. m. At the morning service Dr. Smith will speak on "Palliative and Character," a sermon suggested by the state conference of churches, Sunday school at 12 m. All are invited. Christian ed school at 7 p. m. All are invited.

DIED.

BURBANK—Died, at Thomasville, Ga., on Jan. 12, Mrs. E. S. Burbank, widow of the late J. C. Burbank, of St. Paul.

WILLIAM J. NEEPY, Funeral Director. Undertaking Rooms, 59 and 61 So. 3rd St. MacArthur. Residence, 515 Davton avenue, next to Freshwater building. Telephone call 527.

Poultry. Turkeys, Chickens, Geese and Ducks, Spring Broilers, Little Pig, Just received. ST. PAUL PROVISION CO., 417 Wabasha St.

Mothers, "Be sure and use Mrs. Winslow's Soothing Syrup for your children"

Grain Elevators Burned. CHICAGO, Jan. 12.—Three grain elevators and two malt houses, belonging to the firm of Curtis & Bemis, were totally destroyed by fire tonight. The buildings, with 300,000 bushels of grain they contained, represent a loss of \$300,000, which is fully covered by insurance. The origin of the fire is not known, but it is supposed to have been spontaneous combustion.

Personally Conducted. Excursion to Hot Springs, Ark., will be run by the Minneapolis & St. Louis Ry. via St. Louis and the Iron Mountain Route January 22, 1894, on which all expenses of the party will be paid in advance, including tickets, sleeper, dining car and two weeks' sojourn at Hot Springs. The arrangements will afford the best accommodations and save tourists about \$25. Inquire for rate of any agent of the M. & St. L. Ry., or C. M. PRATT, G. T. & P. A., Minneapolis, Minn.

AMUSEMENTS.

METROPOLITAN. LAST 2 TIMES TODAY Matinee...2:30 Tonight...8:15

Frank Daniels' Little Puck. In his great farce-comedy.

SUNDAY NIGHT, JAN. 14th, 12th Subscription Performance, BOLLMANN'S GERMAN COMPY In a Double Bill, "INVITE THE MAJOR," and "Happy Father of a Family," Theodora Bollmann's Benefit.

METROPOLITAN—EXTRA NEXT MONDAY NIGHT and All Week! Eugene Tompkins' Enormous Ballet Spectacle, THE

BLACK CROOK One Year in New York. 150 Performances in Chicago. IDENTICALLY THE SAME HERE. Reserved Seats now selling.

GRAND SPIDER AND FLY

Health Is Wealth.

Dr. E. C. West's Nerve and Brain Tonic is a guaranteed specific for all nervous diseases, Convulsions, St. Vitus' Dance, Headache, Nervous Prostration caused by use of alcohol or tobacco, Wakefulness, Mental Depression, Softening of the Brain resulting in insanity and leading to misery, disability and death, Premature Old Age, Barrenness, Loss of Power in either sex, Leucorrhoea and Spermatorrhoea, caused by over-indulgence of the brain, self-abuse or profligacy. Each box contains 50 pills. Price, 50 cents. Write for circular and full particulars to Dr. E. C. West, 111 N. 3rd St., St. Paul, Minn.

MANNHEIMER BROTHERS

AN ATTRACTIVE ARRAY OF BARGAINS FOR TODAY

VALUES IN CLOAKS

that have never been equaled in these cities, and there are no old or passe styles among them. The entire stock of a mammoth manufacturing firm at less than

FIFTY CENTS ON THE DOLLAR

Every garment in the lot is new. They were all made within the last ten weeks. We include in this last grand effort of the season the balance of our own stock at prices equally low.

SILK, CLOTH and VELVET CLOAKS, SKIRT COATS, REEFERS, CAPES and MANTLES of the most stylish kind, all at less than manufacturer's first cost.

Furs are equally cheap. The values we are offering in Furs of all kinds have never been rivalled in these cities.

DRESS FINDINGS.

Pure Rubber Dress Shields, the regular price of which is 10c, for..... 10c A PAIR

Sateen-Covered Dress Stays, assorted sizes, 1 dozen to the set, for..... 10c A SET

Patent Hooks and Eyes, a card of two dozen for..... 5 Cents

FRENCH HORN 7 and 8-inch Lengths for..... 6 Cents a Dozen

BONES. 9 and 10-inch Lengths for..... 8 Cents a Dozen

Good American Plus for..... 3 Cents a Paper

OUR SILK SALE! Annual Linen Sale

seems to gather strength as it goes. Recent additions to the stock have largely increased its attractiveness. These Silks are entirely different in character from the Powers Silks. They are of a much higher grade, having been originally selected for the stock of a house supplying patrons of the best class, but the prices are quite as low as the first sale prices. We are always on the outlook for good things, and that these are particularly good the continued throngs of buyers attest. We are selling 50-cent Printed Silks for 25c a yard.

Pure White Japanese Silks, worth 50c, for 25c a yard.

3,000 yards of lovely and eminently stylish Printed Silks, in dainty little figures, a good 75c quality, for 39c a yard.

25 pieces Extra Heavy White Japanese Silks, 21 inches wide, sold all over America at 50c, will be on sale here today at 39c.

25 pieces of Brocade and Plain Pure Habutai Silks, white and colors, for gowns, underwear and waists, 24 and 28 inches wide, sold all over the land at \$1.00, on sale here today at 69c a yard.

Extraordinary Specials in UNDERWEAR!

Broken line of Underwear for Women and Children at less than Half-Price.

Nearly all of our Children's Winter Underwear is divided into three lots, regardless of former prices, and will be sold at 39c, 50c and 65c.

All on Table 1 at.....39 cents Have sold up to \$1.00.

All on Table 2 at.....50 cents Have sold up to \$1.50.

All on Table 3 at.....65 cents Have sold as high as \$2.00.

FINE KID GLOVES in Fancy Colors, at prices that involve a great loss to us.

First quality Trefosse Suedes, with four long fingers and embroidered cuffs, regular \$2.00 quality, for \$1.25.