

SAINT PAUL

HERE AND THERE.

The state library has received: Missouri Reports, vols. 120 and 121; Minnesota Annual Reports, vol. 57; North Dakota Reports, vol. 8.

Dr. J. P. Egbert will return today and take charge of the preparatory service this evening at the House of Hope Presbyterian church. Session meeting at the close of the service for the reception of members.

The state historical society has received: War Path and Bivouac; The Conquest of the Sioux, by Finerty; Wisconsin Under French Dominion, by Hilberd; Genealogy of Peter Montague, of Virginia, 1621-1894; Twenty-fourth Report of the Commissioners of Record, Boston—Births, 1700 to 1880; Dictionary of National Biography, vol. 41; Bulletin of the Public Library of the City of Boston—New Series, vol. 5, No. 4; Annual reports transmitted yesterday to state insurance commissioner by the following companies: Mutual Fire, New York; Agricultural, New York; London & Lancashire Fire, of Liverpool, Eng.; Manufacturers' Lloyd, of New York; Lloyd's Plate Glass, of New York; St. Paul Title Insurance and Trust company, of St. Paul; American Surety company, of New York; Metropolitan, of New York; Penn Mutual, of Philadelphia.

Mrs. Jenness-Miller will deliver two lectures at the People's church next week. The first will be on "The Artistic Care of the Body," Monday, Feb. 1, at 8 o'clock, and "Dress for Health and Beauty," Tuesday, Feb. 2, at the same hour. The admission to one lecture is 50 cents; for the two, 75 cents. Tickets can be obtained at the St. Paul Public Library, stationery company, Porter's book store, Getty's, Reiske's, Frost's, Lutz's and Heller's drug stores; Howard & Farwell's music store; and Mrs. St. Paul's art parlor in the Endicott Arcade.

"The tree is known by the fruit it bears," and so Dr. D. Jayne's medicine is known to the public today as a lung remedy, because, after over sixty years constant use, it is known to be fully worthy of that confidence.

IMPORTANT CONVENTION.

Arrangements for meeting of the Typothetae in Twin Cities.

The United Typothetae of America will hold its ninth annual meeting in St. Paul and Minneapolis on Aug. 5, 6, 7, 8 and 10. There will be in attendance upon this convention from 300 to 400 of the leading employing printers of the United States. The Typothetae of St. Paul and Minneapolis are already making arrangements for the proper entertainment of the visitors. A meeting of the joint and executive committees of the Typothetae of the two cities was held last evening at Minneapolis, with E. L. Smith, of Minneapolis, chairman, and David Kamaley, of St. Paul, secretary. H. D. Brown, of St. Paul, was elected president of the joint finance committee. Committees were also appointed on advertising, printing and lodgings, entertainment, excursions, etc., and this meeting will be followed by other meetings so that all arrangements may be completed as early a date as is possible. This convention will be a big thing for the Twin Cities, and when the co-operation of the citizens is asked for it is hoped that it will be forthcoming.

Declared a Dividend.

At the annual meeting of the Security Trust company on Saturday last, a semi-annual dividend of 3 per cent was declared. Hon. Robert A. Smith, H. D. Brown and H. F. Hoyt were elected directors for three years. Edward J. Hoffmann was secretary; C. E. Dickerman, vice president; S. W. Matson, secretary and treasurer, and W. E. Bramhall, attorney.

Another point that led to a sharp controversy was an attempt on the part of Mr. Munn to examine the witness with reference to the sending out by his attorney, Boyd, of a circular.

The circular is addressed to no one in particular, but was presumably intended for, if not sent to, the papers against which claims had been made. Mr. Palmer denied that he had any knowledge of the preparation or sending out of the circular, prior to the time the matter had been sent out, and when he learned of the action of his attorney he objected to it. Further attempts of Mr. Munn to go over the matter were objected to, and Judge Brill adjourned court until morning to think the matter over.

The legal sparring becomes so amusing at times that Judge Brill cannot refrain from smiling.

SHARP LEGAL WORK.

REBUKED BY A DECISION IN THE SUPREME COURT.

Which Checks the Practice of Questionable Means for Serving Summons.

By the decision of the supreme court handed down yesterday by Chief Justice Start a commendable check is given to the practice frequently indulged in, even by officers of the law, of adopting all means, however distasteful, to effect a short of absolute force, to entice into one state parties from another upon whom it is desired to serve some legal process.

A dispute having arisen over certain machinery furnished by the dredge company, one or all of the respondents in these cases prepared, it is said, voluminous complaints against the company, a foreign corporation, and, by artfully addressed friendly letters to the company's manager, with the suggestion that he come up to Minneapolis and talk the matter over, the respondents managed to secure his presence in the Flour city long enough to serve him with a summons and complaint in each case. The trial court took no notice of the proceeding, but the higher tribunal has rebuked this piece of sharp practice and ordered the dismissal of all three cases. The syllabus is as follows:

Columbia Placer Company, respondent, vs. Bucyrus Steam Shovel and Dredge Company (an Ohio corporation), appellants; Robert J. Anderson, respondent, vs. same; Syllabus—1. Held, that service of summons upon a defendant who has been induced to come within the jurisdiction of the court for that purpose by fraud of the plaintiff confers no jurisdiction upon the court. 2. Evidence considered, and held to establish the fact that the defendant's general manager was induced to come into this state by the fraud of the plaintiffs in order that the summons might be served on him. Order reversed. START, C. J.

Other Decisions.

Other cases decided yesterday were as follows:

Amanda V. Green, respondent, vs. The St. Paul, Minneapolis & Manitoba Land company, appellant. Syllabus—Evidence considered and held to justify the verdict. Order affirmed.

The respondent sued the Manitoba company to recover the value of a

WHERE'S GEORGE?

Thompson, of the Daily Dispatch, is a Hard Man to Find

WHEN WANTED IN COURT.

Counsel Have Hard Work to Establish the Ownership of the Paper.

IT SEEMS ACEPHALOUS.

The Libel Suit Develops Into a Warm Legal Battle.

As a sharp fight between attorneys, the libel suit of Tindale Palmer against the St. Paul Dispatch, on trial in Judge Brill's court, is proving a game. Every bit of testimony offered on behalf of the plaintiff is objected to by the defense, and every question asked by the attorney for the defense on cross-examination is objected to by the plaintiff. Where the defense is getting in its strongest work, however, is in harassing the attorneys for the plaintiff in their attempts to prove George Thompson's relation to the Dispatch.

The suit is brought against Mr. Thompson individually as proprietor and manager of the paper. A subpoena was issued for Thompson to bring him into court and answer as to his connection with the paper, but the deputy sheriff was told at the office of the Dispatch that Mr. Thompson was in Chicago, though Attorney Munn stated in court that he was in the city. A subpoena for Attorney Munn on the stand as a witness, published in the Dispatch, was issued, but Mr. Young could not be found.

M. J. Costello was called, but he testified that, notwithstanding his connection as editorial writer on the paper for years, he was ignorant as to Mr. Thompson's relation to the paper. Attorney Munn, counsel for the Dispatch—a position he has held for years—then took the stand, but seemed to be as ignorant of the mysterious relation Mr. Thompson holds toward the paper as Mr. Costello. It was amusing to see Attorney Munn on the stand as a witness, and yet objecting to every question asked by the plaintiff's attorneys.

After Mr. Munn left the stand, the plaintiff called Harry Black, managing editor of the paper, but Mr. Munn objected to his being on the stand. Mr. Palmer, who has cross-examination had been postponed. Mr. Palmer then resumed the stand, and was subjected to a lengthy cross-examination.

Mr. Munn's attempts to draw out of the witness information as to the number of other papers against which claims were made in consequence of the publication of the same story as the one that appeared in the Dispatch, were objected to by Attorneys Rockwood and O'Brien for the plaintiff, and a great deal of legal sparring resulted. Judge Brill finally ruled that it was proper cross-examination, and the information was extracted piecemeal from the witness. In substance, it was to the effect that there were about 100 papers in all, there being eight in Minnesota.

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On Promissory Notes.

St. Paul Title Insurance and Trust Company, trustee of Catherine Custing, respondent, vs. Wallace W. Thomas, appellant. Syllabus—1. Held, that where, by the terms of a promissory note, the principal becomes due and payable, at once, upon default in payment of the interest, the holder thereof, at the option of the legal holder thereof, the bringing of an action to recover the principal and interest is an efficient exercise of the option.

2. The owner of the legal title of such note may exercise such option and maintain the action in his own name, although he hold such title in trust for others.

3. Evidence considered and held to sustain the findings of the court. Judgment affirmed. START, C. J.

The above suit concerned the payment of two notes for \$2,000 each made by the appellant, Thomas, in favor of Thomas B. Scott, trustee, or order.

Proof Must Be Clear.

James H. Layman, appellant, vs. The Minneapolis Realty Company, respondent. Syllabus—1. Held, that in a case of a court of equity to reform a deed as to include therein land claimed to have been omitted therefrom, the burden of proof is on the party who claims that a mistake of the parties thereto, such mistake must be established by clear, satisfactory and convincing evidence, a mere preponderance is insufficient. It may, however, be established by evidence of the circumstances and nature of the transaction, and the conduct of the parties in relation thereto provided the natural and reasonable inference to be drawn therefrom clearly and decidedly indicates the alleged mistake.

2. Evidence considered and held to sustain the findings of the court within this rule.

3. Certain rulings of the court upon the reception and rejection of testimony considered and sustained. Order affirmed. START, C. J.

WILL DRAFT A BILL.

THAT STATE BAR ASSOCIATION WANTS STATUTES REVISED.

And Will Introduce a Bill in the Legislature to That End.

The bar of Minnesota will present a bill to the present legislature to provide for a revision of the statutes. The bill was decided upon at a meeting of the state bar held yesterday afternoon in the supreme court chamber at the capitol. Judge Fish, of Minneapolis, was chairman, and Oscar Hallam, of St. Paul, secretary. Letters were read from the judges of the supreme and district courts of the state, as well as from lawyers, all favoring "a good" revision, and the chairman was authorized to name a committee of five lawyers to draft a suitable bill and have it introduced in the legislature.

The committee will be named by Judge Fish after consultation with members of the bar.

Between forty and fifty members of the bar were present, and two solid hours were given to discussion of the question at issue. The sentiment was unanimous in favor of revision, and there was great difference of opinion as to what form the expression of the bar should take. Some of the lawyers declared that a simple revision of the statutes that the bar favors revision. Others strenuously insisted that they did not want a revision unless a large appropriation was made for the purpose. The best legal talent could be secured to do the work, and afterward have a book of the best legal talent in the state.

During the discussion ex-representative Cairns intimated very broadly that the West Publishing company is now preparing a revision of the statutes, whereas two years ago the same company labored very hard to have a bill passed to provide for the revision of the statutes. The change of front of the West Publishing company is explained by the fact that they have received a new compilation of the statutes.

Judges Kerr and Willis were present, and expressed their views as being in favor of revision, but they do not think that the task of revision is a delicate and arduous one, that can only be properly performed by men of the highest ability. For the reason the judges, as well as many of the lawyers, would prefer revision, if necessary, until a really high standard can be reached.

MRS. CORBETT'S GEMS.

The Champion's Wife a Slave to the Rare Coin Fad.

The collection of works of art, rare books, bric-a-brac and curios is quite a fad with a great many women, and Mrs. James J. Corbett is no exception. Mrs. Corbett has achieved quite a reputation as a collector of old coins, and is said to have the largest and most unique collection in the country. Nothing gives her more pleasure than the tracing of some rare specimen, and she desires to add to her collection, and she will travel hundreds of miles to obtain possession of the rarity. There are many interesting stories connected with the gathering of her collection, one in particular being a rather remarkable coincidence. Mrs. Corbett, who lives in a party of friends a visit to the old mission ruins near San Antonio was suggested by the collector. On the ruins, so reminiscent of the Mexican massacre, one of the ladies of the party picked up a coin, and her delight was almost unbounded when a little further on she herself found a second coin which, upon inspection, was found to bear the same date as the first. In relation to the value as rare specimens, the coincidence has enhanced their value in the eyes of the collector, and she has shown them to her friends, and they call them her "Twins of Mission Ruins." She has named another of her treasures "The Child of the Sea," and prizes it highly for the fact that it was given her by an old sea captain, who in earlier life had been a diver and had fished this particular coin in United States waters, picked from the bottom of the sea, and with sailor superstition had worn it around his neck for twenty years. When Corbett was traveling at Asbury Park for the Sullivan fight he lost one of Mrs. Corbett's rarest coins that he was carrying as a pocket piece, and though he offered a large reward for their return he finally had to give it up for lost. An enterprising Chicago program was given in the parlors from 3 to 4, by Mrs. Corbett, who was assisted by Miss Nellie Hope, Miss Edith Cline Ford, Miss Humphrey and Misses Hale, Farber, Hundley and Higbee.

Three Made Happy.

The following additional state officials were yesterday made happy by a reappointment from Gov. Nelson: L. G. Powers, secretary of the labor commission; Bernard Anderson, dairy inspector; and S. G. Constock, of Moorhead, trustee of the state normal school board.

Deposits made on or before Feb. 3 at our State Savings Bank, Germania Life Bldg., 4th and Minn. sts., will be entitled to 5 most interest July 1, 1915.

LENDING ITS CREDIT.

What the Government Means by Passing the Canal Bill.

AGAINST PUBLIC POLICY.

In the Eyes of the St. Paul Commercial Club, which Protests.

AND WIRES SENATOR DAVIS, Strongly Disapproving the Bill as Passed by the Senate.

A special and largely attended meeting of the board of directors of the Commercial club was held yesterday at the club rooms to discuss the Nicaragua canal bill recently passed by the United States senate, and now pending before the house of representatives. For some time past the Commercial club has been closely watching the course of legislation upon this subject, and the meeting yesterday the report on the bill was made to the board. The Maritime Canal Company of Nicaragua is the name of the corporation which the senate bill pledges the nation to a guarantee of interest upon \$75,000,000 of bonds which the company claims is insufficient to construct the canal, but which Maj. Dutton, of the government engineers, claims is entirely insufficient for that purpose.

The Maritime Canal company has organized a construction company composed largely of its own members, with which it has made a contract to construct the canal for \$200,000,000 in bonds and \$75,000,000 in stock, which the opposing members of the senate claim will still be in force if the bill passes both houses of congress. The construction company receives a total of \$11,500,000 per year already done in surveys and construction in the canal, which leaves them a net divy of \$8,850,000 as a nest egg to begin with. This concession from Nicaragua costs the United States \$100,000. The company sold to its construction company, composed largely of its own members, for \$12,000,000, paid for in stock, and listed in the senate bill for that amount. The opponents of the bill claim that the mortgage on the government's credit for anything so large as \$75,000,000 is a concession granted by Nicaragua to the canal company specifies that the concession is transferable in no case to governments of foreign countries, and that the company's stock is not to be sold or mortgaged. The bill provides that one half of the directors must be taken from the projectors, who retain their character as such. As the governments of Nicaragua and Costa Rica are entitled to one director each, this will make a total of eight directors, and the government's directors. After a full discussion of the matter President Footner offered the following resolution, which was adopted: Resolved, That it is the sense of the Commercial Club of St. Paul that it is a grave and important error to have the contract has not abrogated this article. The opponents to the bill in the senate also claim that while the bill does not give the company any ten out of the fifteen directors, that in reality it would be entitled to only seven, or one less than a majority, and that the company's organization provides that one half of the directors must be taken from the projectors, who retain their character as such. As the governments of Nicaragua and Costa Rica are entitled to one director each, this will make a total of eight directors, and the government's directors. After a full discussion of the matter President Footner offered the following resolution, which was adopted: Resolved, That it is the sense of the Commercial Club of St. Paul that it is a grave and important error to have the contract has not abrogated this article. 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