

DUTY OF THE OWNER

HIS LAND MUST BE FREE FROM SOURCES OF DANGER TO CHILDREN

OR HE MUST STAND THE RISK

FOR INJURIES SUSTAINED BY THEM, EVEN THOUGH AS TECHNICAL TRESPASSERS.

JUDGE KELLY IS OF THE BELIEF

That Clarence Stendal's Life Was Sacrificed to the Negligence of Allen P. Boyd.

Judge Kelly filed an order yesterday overruling a demurrer in a case of considerable interest to property owners, inasmuch as it involves a close and an important question as to the liability of owners for accidents caused by leaving their property in an unsafe condition.

In 1890-91 the defendant owned a lot on Canton street, and opened and operated a quarry, excavating a great pit five or six feet deep, seventy feet long and thirty-five to forty feet wide, and a portion of the pit extended under the walk on Canton street.

For a long time before the occurrence of the accident, by which the child, Clarence Eugene Stendal, lost his life, the pit had remained filled with water, and the banks were usually unguarded.

On May 3, 1895, the boy, four years old, with some other children, was walking along the walk and stepped off a ledge by the side of the water, where he played with his companions. He fell into the water where it was seven feet deep.

The demurrer admits all the material facts. Judge Kelly says in his memorandum: "It may be said that the complaint in the case at bar states facts sufficient to make this a nuisance and dangerous, not alone to the child, but to the public generally."

The child was not sui juris, being but 4 1/2 years old and unattended; and while the child did not fall from the sidewalk into the water, he was drowned in the O'Malley case the turn-table for an injury for which defendant was held liable.

The list of appointees is as follows: Dog Catchers—Rex Shane, Charles Adams, J. J. Roberts, M. Borenski, George G. Smith.

Helpers with Teams—John F. Snyder, Chas. Gorton, D. Leo, Charles Lemolman, John Konch.

This is July 10 And the last day to deposit in the Savings Bank of St. Paul to secure six months interest Jan'y 1, '97. Fifth and Jackson streets.

New Cases—63,204—Meynards' National Bank of St. Paul vs. George M. Linn, et al.; action to recover \$1,652 alleged to be due on note.

63,205—Jennie Reynolds vs. George Reynolds; note not paid from the sidewalk into the water.

Orders and Decisions—63,728—Louis V. Bell vs. Frank E. McIntire; 64,112—Olaf Stendal, as administrator, vs. Allen P. Boyd, overruling demurrer of defendant. Bril, J.

Says She's Been Deceived. Jennie Reynolds has begun suit in the district court for a divorce from George Reynolds.

Plenty of red and black raspberries, red currants, blackberries, and all kinds of fruits at a very low price today.

16 quart crate blueberries \$1.00. Fancy pineapples, each, 15 cents, per dozen, \$1.50.

White currants, per quart, 8 cents. Little Gem melons, each, 10 cents, per basket, 85 cents.

Large watermelons, 25 and 30 cents. Fancy large new potatoes, per bu., 35 cents.

FRESH VEGETABLES. There will be for your inspection this morning at the market vegetables of the season, and at moderate prices, too.

Fresh green onions, 6 bunches for 5c, or per bunch, 1 cent.

Nice long radishes, per bunch, 1 cent. Fresh green peas, per peck, 15 cents.

Extra fancy, large cauliflower, each, 10 cents. Fancy string and wax beans, per peck, 10 cents.

Fresh carrots, per bunch, 1 cent. Fancy new beets, per bunch, 2 cents.

DAIRY DEPARTMENT. A choice creamery butter, in 5-lb. jars, per lb. only, 16 cents.

A good dairy butter, in 5-lb. jars, per lb. only, 12 cents. A mild fancy creamery cheese, per lb. only, 10 cents.

Fine brick codfish—very nice—only, per lb., 5 cents. Pure leaf lard, per lb. only, 6 cents.

SUMMER DRINKS. Healy's Imperial Ginger Ale, large size bottle worth 50c, for this sale, 35 cents.

Best imported raspberry cordial put up in pint and quart bottles, price 35 and 65 cents. Towle's root beer, per bottle, 5 cents.

Also a full stock of all kinds of mineral waters and fruit juices for the summer season. If you enjoy a good cup of coffee try Michael Bros. fresh roasted coffee.

MICHAEL BROS. LEADING GROCERS, Seventh and Wabasha.

SHOWS FOR SILVER

ST. PAUL BELIEVERS IN SILVER. MONOMETALLISM HOLD A MASS MEETING.

ALL PARTIES REPRESENTED.

ONE OF THE MOST VOCI FEROUS AND DEMONSTRATIVE GATHERINGS OF THE YEAR.

SILVER DELEGATES AT CHICAGO

Come in for High Words of Praise Telegrams Sent to P. B. Winston.

The mayor has appointed the six dog catchers and their five helpers and they will probably begin gathering in the morning of tomorrow to-day. The appointments have not been made, however, exactly according to the terms of the resolution authorizing them.

Instead of appointing them to serve from the first of August to the first of September, they are appointed for 30 days only. The compensation of the six dog catchers is to be \$50 each for the single month of August.

The money is to be paid out of the general fund. After the men have completed their month's work, the mayor will appoint another batch of dog catchers and helpers, who will serve another month, and these in turn will be succeeded by a third batch, which will close the dog catching season with a third month's work.

The purpose of this arrangement is to toll. Its primary object is to reduce the temptation on the part of certain citizens to bribe the dog catchers to release their unlicensed dogs.

In the past, it is claimed, many owners who had been known to secure the release of their dogs by bribing a dog catcher with 50 cents or some similar sum rather than to expend \$2 for a license.

But with three months' dog catching the entire city during each month, the mayor figures that it would cost the owner of an unlicensed dog about as much to redeem him from the clutches of the dog catcher as it would to provide the city clerk's office and take out a license.

The secondary object of appointing new men for each of the three months is to divide the responsibility of the dog catching, many of whom appear to be in dire distress for want of work.

The entire force, numbering eleven men, is composed of representatives of every ward in the city, but in order that no collusion or frauds may be perpetrated, the men will not be assigned to duty in their own wards or in districts where they are too well acquainted.

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