

and above the heart, tearing its way through the left lung and producing internal hemorrhages. The shooting and the difficulty from the shock forbade any attempt at probing for the bullet and its location has not been determined, though it is thought to have taken a downward course and lodged in the lower part of the lung.

Prendergast was seen by a Globe reporter and asked to make a statement regarding the shooting and the difficulty between him and his wife that had led to her attempting her own life, but refused to say anything further than that he had intended to separate from her and that when he had informed her of his intentions she had signed the bullet into his breast.

The young man was married to his wife about a year ago. He is but twenty-three years of age, while Mrs. Prendergast is seven or eight years his senior, and had been married before. She was formerly a resident of Chicago, but was divorced from her first husband and was the mother of two children when she married young Prendergast.

Both Mrs. Sanders and her daughter speak highly of Mrs. Prendergast, and aside from his determination to divorce his wife, nothing is known of her husband's treatment of her while occupying apartments in the block which they owned. Said Mrs. Sanders, in speaking of the shooting, that she had seen Mrs. Prendergast rent the rooms where she shot herself last June. They lived together until about three weeks ago, when Mr. Prendergast left his wife and went to Chicago, but had nothing to do except what she received from friends. She has been taking her meals part of the time with his family and part of the time with her domestic troubles. She said her husband's family was trying to cause them to separate. Mrs. Prendergast often spoke of her love for her husband, but said he frequently abused her. I never knew of his striking her while they lived with us, but I have heard him abuse her frequently. She said Mr. Prendergast went away last night and she was talking of taking her life, and after he was here Monday night she came to our rooms in disconsolate spirit and said she had taken the revolver with which she shot herself today and had threatened to kill herself then, but that her husband took the weapon from her and told her not to do anything until he saw her today. She told us that if he persisted in leaving her she would kill herself, and I tried to get the revolver away from her during the morning. She would not allow me to touch it, saying Robert had placed it on the shelf where it should be and had promised her to take it away. She said she had visited her again.

When he came in today, he greeted her with a gay "Hello," as though nothing had happened, and in a few minutes, Mrs. Prendergast opened her door and asked my daughter to call her dog. Scarcely had our door closed, when we heard the pistol shot and rushed to the room to find the door locked, and when it was opened, Mr. Prendergast was bending over his wife begging her to forgive him and asking her not to shoot any more. She had been shot. She said she forgave him, but that it was all his fault. Mrs. Sanders further said Mrs. Prendergast had told her husband she was opposed to marrying her husband, because of the difference in their religions and the objections of his family. She had met young Prendergast in St. Paul, she told her friends, about a year ago, and went to visit him at Cable, Wis., where he was working as a railroad telegraph operator. At that time Mrs. Prendergast told Mrs. Sanders her husband had insisted upon getting married and she had consented. Afterwards she had joined the Catholic church to please her husband, and had left her children with her parents in Chicago, because he did not want them. Young Prendergast is a train dispatcher, by profession and has been employed at the depot near the corner of Milwaukee and other railroads at points in the vicinity of St. Paul.

DEMANDS FOR RELIEF

Increased by the Continued and Extreme Cold.

The extreme cold weather of the past five days has increased the number of applicants for relief at the board of control. The board has received nearly 300 orders for fuel and provisions.

LOCAL NEWS NOTES.

The Ivy Leaf dancing club will give their next dance next Wednesday evening, at Oxford hall, Fourth street, at 8 o'clock.

The next military drama, entitled "A Cuban Romance," will be presented at Conover hall Thursday evening by St. Paul talent.

Dr. P. Shields, of the St. Paul hospital, will give a lecture on the treatment of the members of the Fenton Reading circle, at 63 College avenue, next.

The Willford Mfg. Co., of Minneapolis, with a capital stock of \$25,000, filed articles of incorporation with the secretary of state yesterday. The incorporators are J. W. Willford, Okey K. Cole and Walter H. Nicol.

St. Paul Lodge No. 22, Brotherhood of U. W., temple this evening. Music will be furnished by Daniechich and the ladies' auxiliary will serve a hot supper.

The residence of Henry Kohn, No. 578 Sherman avenue, was damaged by fire to the extent of \$20,000, valued at \$10,000. The fire started from a smokebox operated in the cellar.

Brigadier Swift, of the St. Paul army, will address the Minnesota branch of the Association of Collegiate Alumni next Saturday at the home of Mrs. Schickel, Cannon avenue. The hour has been changed from 3 p. m. to 10:30 a. m.

Mary S. Westmore, of Minneapolis, will give the address on "The Care of the Sick," in the lessons in life course low running Wednesdays at the People's church for women only. The meeting this week will be held at 4:30 p. m., instead of 3 p. m., as usual.

Emma Haas, the domestic accused of stealing \$300 from her former employer, Joseph Costello, was tried in the municipal court yesterday in the absence of the Costello family. The evidence in the case was the disappearance of the funds, and Judge Orr ordered her release.

Notice to Depositors and Others.

The next interest term of the Savings Bank of St. Paul commences Feb. 1, 1897. Money in the bank and upwards deposited on or before Feb. 27, will draw five months' interest July 1, '97, at 4 per cent per annum. 44 East Sixth street.

Preparing for Next Summer.

Chester W. Delvey, manager last summer of the Lake Park hotel, at Minneapolis, came up from Ashland yesterday to attend the preliminary arrangements for the coming season. Mr. Delvey will look the ground over, arm himself with literature about the general and Minnesota in particular and tie himself to the Southern water resorts. The season at the lake begins June 20.

HAD BETTER RESIGN

MAURICE AUERBACH ADVISES MR. BICKEL TO LAY DOWN THE ASSIGNMENT.

OF MINNESOTA SAVINGS BANK.

DOESN'T DOUBT HIS ABILITY OR HONESTY TO HANDLE THE MATTER.

SOME DEPOSITORS WANT A CHANGE

It Will Be a Greater Satisfaction When It's All Over to Have Another Do the Work.

If William Bickel follows the advice of Maurice Auerbach, the receiver of the Alleman bank, he will resign the assigneeship of the Minnesota Savings bank. Mr. Auerbach urged Mr. Bickel yesterday to take that course. "You know there is a feeling among a number of the depositors of the Minnesota Savings bank," said Mr. Auerbach to Mr. Bickel, "that some other man should have been chosen as assignee. There is a good deal of talk among the dissatisfied ones, and my advice to you would be to resign at once. I have no doubt the affairs of the institution will bear inspection, or that you could handle them as carefully as any man. But it will be a good deal better for you to have somebody else handle them, and when they have all been settled up I have no doubt they will show that everything was all right and that you conducted as it should have been. That would be better than for you to do it yourself."

Just what weight Mr. Auerbach's advice will have remains to be seen. Mr. Bickel was not inclined to follow the suggestion yesterday. The Alleman bank, of which Mr. Auerbach is receiver, is a creditor of the Minnesota Savings bank for several thousands, and Mr. Auerbach has placed himself among those who may ask the court to make a change unless Mr. Bickel resigns.

Mr. Silberman said yesterday that Mr. Auerbach had authorized him to sign the document now in his office which presumably represents those who want another assignee instead of Mr. Bickel. The committee of which Mr. Lambert is chairman will hold a meeting this afternoon at 5 o'clock. It is uncertain yet how long it will be before the committee has secured the information which it was appointed to obtain.

MONIES WERE MIXED.

Alleman Depositors of Jan. 4 May Have to Wait.

The petition of the depositors of the Alleman bank for the return of the money deposited by them in that bank on Jan. 4, the day the Alleman bank closed, was heard before Judge Bunn yesterday. The testimony yesterday revealed the following state of affairs: On the morning of Jan. 4, the day the bank closed, the paying teller had \$3,000 in cash on hand. During the day something over \$3,000 in cash was deposited in the bank. This was received at the paying teller, who also officiated as the receiving teller. When the bank closed the teller had about \$4,000, the depositors who put in the \$3,000, and the receiver of the bank should return it out of the balance on hand when the bank closed. It was admitted by the officers of the bank that the Alleman bank was insolvent on the 4th day of January. Judge Bunn did not render any formal decision, but intimated his doubt as to the right of the receiver to return the cash on hand to the depositors. He received on that day had been mingled with the other bank funds by the receiving teller, who drew from the cash on hand to pay out any money. This, in Judge Bunn's opinion, renders it impossible to identify or distinguish the money deposited on Jan. 4 from the general mass of money in the receiving teller's compartment. Judge Bunn said there was no question as to the duty of the receiver to return to the depositors all the cash on hand of the bank. The checks were plainly entitled to their checks. The check deposits amounted to about \$2,200.

FARBULT OR SIBLEY?

Which House at Mendota is the Older?

The State Historical society has received from a gentleman named Faribault, now living at St. Louis, a fine architectural drawing of a house in that state for whom a city and a county in this state were named, a reproduction from a photograph of the old Faribault house at Mendota. The old house so much resembles the faribault house in its general style of architecture that the first impression is that it is the same house, but the fact is that the object of Mr. Faribault in sending the picture is to call attention to what he insists is the fact—that the Faribault homestead ante-dates the Mendota house. Mr. Faribault presents to the society with the request that it look up the dates referred to in the letter, and if they are found to be reliable, correct the misapprehension which exists to the effect that the Sibley house is the oldest architectural specimen extant in this vicinity.

SHERIFFS IN SESSION.

J. C. Nugent, Buffalo, Chosen President of the Association.

The Sheriff's Association of the State of Minnesota held its annual meeting at the court house. There were some thirty or more sheriffs in attendance. The principal business was the election of officers and the discussion of legislation that the sheriffs deem necessary. They desire to secure such legislation as will render the fees and sheriff's fees, as well as the other matters mentioned, will render the fees equitable. With this purpose in view, a committee on legislation was appointed, consisting of the following members: J. C. Nugent, of Buffalo; J. H. Block, of St. Peter; Charles N. Stewart, of Rochester; William C. Sargent, of Duluth; John Wagner, of Paul; Alonzo Phillips, of Minneapolis; James McElvey, of St. Cloud; and George W. Forsyth, of St. James.

FRANKIE RICHTER'S TOUR.

Promised a Gratifying Start by Tonight's Concert.

The opening concert in the tour of Frankie Richter, the blind St. Paul boy whose remarkable gift as a pianist has attracted so much attention among the people of this city, will be given this evening at Conover hall and last night was gratifyingly large. Yesterday the concert was given at the home of the boy's father, and the people who constitute his support, who heard at Conover hall the programme that is to be given this evening. The affair took the shape of a private recital and was given to a select group of more or less well known musical people in the concert company with Master Richter as Dr. H. D. Smith, later of Montreal and Henry Wagner, of St. Paul, and Miss Margaret, Miss Edna, Miss Seaman, tenor; Miss Edna, Miss Margaret, Miss Edna, Miss Seaman, tenor; Miss Edna, Miss Margaret, Miss Edna, Miss Seaman, tenor; Miss Edna, Miss Margaret, Miss Edna, Miss Seaman, tenor.

THE WOMEN'S SEWING CLUB OF THE PEOPLE'S CHURCH.

The Women's Sewing Club of the People's Church gave a most original and charming reception yesterday afternoon at the home of Mrs. Johnson, on Summit avenue. It was a delightful social gathering, and the ladies followed closely the leading characteristics of the personalities of the novel, Mrs. Shiloh, in meeting and in the Spanish lady "odds" dress. In the dimly lighted, delicately fragrant rooms groups of charmingly planned and arranged Indian dress were scattered about. The dinner room was vivid with daintily colored and fragrant flowers, and the Spanish menu was served to the guests. It consisted of Spanish cakes and chocolate and other delicacies. The lecture number of Spanish-Mexican views and the pieces of Spanish pottery which Mrs. Johnson possessed were shown. Between 200 and 300 guests called during the evening hours, which were from 2 to 8 p. m. Mrs. C. G. Child, Mrs. C. H. Palmer, Mrs. Frank Waters, Mrs. J. A. Swenson, Mrs. Keith, Mrs. Smith, Mrs. Partridge, Mrs. Minty, Miss Smith, Miss Liston, Miss Edna, Miss Smalley, Miss Knies, Miss Emery.

THE OFFICERS OF PORT SNELLING GAVE A STAG TOBACCO PARTY LAST EVENING.

The officers of Port Snelling gave a stag tobacco party last evening. The Boston Caravan club were among those entertained. Mrs. Eugene Towle and her partner, Miss Kelly, of Collins street, gave a supper party last evening. Mrs. J. J. Hill gives a cotillion tonight for the Misses Moore, of New York. Mrs. Lucie Clark has cards out for a luncheon to be given today at 1:30 at her home, 100 East Broadway. A dancing party will be given tonight at Litt's hall by a number of the young men. Those in charge are Messrs. Seely, Wallace and Richardson. The Ladies' Atreoson Euchre club will play a number of games with the Bonum Tempus club will dance at Ox-

DYING OF SUSPENSE

SHERIFF SARGENT, OF DULUTH, SAYS YOUNG BOULDER IS WAITING AWAY.

SOMETHING OUGHT TO BE DONE

PITTABLE SIGHT TO SEE THE LAD CHANGING FROM DAY TO DAY.

THINKS GOVERNOR SHOULD ACT

And Settle the Matter One Way or Another—Boy "Cannot Live Much Longer as He Is.

Among the sheriffs who attended the annual meeting of state sheriffs yesterday was the newly elected sheriff of St. Louis county, William C. Sargent, whose predecessors have probably been called on to perform more actual duty of the state. This fact is, of course, due to the presence of so many employees on the west iron ranges, which are included in his shirelty district. Mr. Sargent, although he has been in his office but three weeks, is already deep in its responsibilities, and certainly betrayed no more the appearance of the novice than did some of his fellow officers who do not remember when they were not shirelty.

Sheriff Sargent spent some time last evening at the Ryan with the members of the Duluth delegation before returning home. Seen there by a reporter for the Globe, he expressed himself in regard to the two youthful prisoners now in his charge held for murder on one of the iron ranges. "I do not mind confessing that I am a good deal worried about those boys," said he, "and especially about Souler, the younger of the two, who is supposed to have been the worst of the two. The lad, who is scarcely seventeen, is literally wasting away, partially on account of his incarceration, but also on account of the uncertainty of his fate. I am not inclined to be soft-hearted, but it is a pitiable sight to watch the fellow, and after visiting him twice a day, since I took office, I'm beginning to think about it and whether if something ought not to be done. I'll, the elder, comes from a harder descent, his ancestors, for a generation or two back, having been tough characters, but this boy is absolutely undone, and it seems as if he could hardly live much longer in his present condition."

"I have been patiently waiting for the legislature to take some action on this pending matter, which, I understand, is pending. I am somewhat in doubt as to whether the governor has or has not the pardoning power. I have written asking one of our representatives regarding the matter, but it is not quite clear. I believe, however, that the board of pardons will not act until the measure now in the legislature has been passed."

ON TO WASHINGTON.

That is the Wishword of Revolutionary Daughters.

A meeting of the Daughters of the Revolution took place yesterday in the parlors of the Dayton Avenue Presbyterian church at 2:30 p. m. Mrs. R. M. Newell, delegate from St. Croix, and Mrs. S. J. P. Egan, delegate from St. Louis, were the principal business transacted was the election of delegates to the colonial congress, which is to be held in Washington, Feb. 22. The delegates and their names are: Mrs. George C. Squires, delegate, Mrs. E. R. Sanford, alternate; Mrs. W. J. Dwyer, delegate, Mrs. C. R. McKenny, alternate; Mrs. J. P. Egan, delegate, Mrs. J. P. Gibben, alternate for Mrs. Monfort.

THE SALE POSITIVELY CLOSING NEXT SATURDAY NIGHT.

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THE HANGAR CLUB WILL MEET TOMORROW EVENING.

An informal dancing party will be given by the Twentieth Century club tomorrow evening at Litt's hall.

The Hangar club will meet tomorrow evening at 8 o'clock at the home of Mrs. Philip Kelly, on Dayton avenue.

A reception will be given by Mrs. M. P. Patterson, Mrs. H. A. Coburn and Miss O'Brien, from 3 to 6 o'clock this afternoon, at the home of Mrs. Patterson, on Dayton avenue. Those that will assist in receiving are Messrs. S. C. Cook, E. J. Stillwell, Dennis F. O'Connell, Mrs. W. H. Harper, W. J. Hotschli, C. G. Titcomb, Dudley Finch, T. F. McCormick, Hines, R. C. Wright and W. J. Stillwell. The guests are Mrs. Patterson, Mrs. Coburn, Mrs. O'Brien, Mrs. Gallup, Stephenson, Wright, Mary Brown, Hughson, Weed, Loomis, Stillwell, Lanpher, Brundage and Conklin of Minneapolis.

The monthly ball of the Sanflower Social club will be given this evening at Central hall. The farce "Bridges' Dilemma" will be presented.

The Capital City Cycle club gave a smoker and concert last evening in their club rooms on East Seventh street.

The Twin City Euchre club met with Miss Foster last evening at her home on Dayton avenue.

The Ladies' Auxiliary of the St. Vincent de Paul Society of St. Agnes' Convent gave a card party at Twin City hall last night. Refreshments were served.

The Ladies Aid Society of the First Universalist Church met yesterday at the residence of Mrs. A. F. Storey, of Western avenue.

The young people of the Goodrich Avenue church gave a sleigh ride to Minneapolis last evening.

Mrs. Vittum and Mrs. Conde Hamlin will give tea Feb. 4 and 5.

The Young Ladies' Euchre club will meet tomorrow afternoon with Miss Hubbell, of Laurel avenue.

The Misses Longfield, of Wabasha street, will entertain the Daffodil Social club this evening.

The Le Roy Whist club has discontinued its meetings for the present.

Mrs. Wilder Merriam gives an afternoon euchre next Monday.

A number of interesting papers will be read at the Thursday evening lecture at Central hall, "Italy's Liberator," and those contributing papers are Miss Ames, Miss Noyes and Miss Somers.

Miss Holbert, of Summit avenue, gives an informal luncheon this afternoon.

Dr. and Mrs. Borden, of Fort Snelling, will give a card party Tuesday evening, preceding the full dress hop.

A pretty home wedding took place this evening at the Keller residence at Central park. The bride was Miss Keller, daughter of Mr. and Mrs. W. H. Keller, and the groom, Joseph Brown. The bride party included the bride's sister, Miss Edna Keller, as maid of honor, and the Rev. Father O'Neil, of St. Michael's church, as officiant. The ceremony will be followed by a wedding dinner, after which the bride and groom will leave for a short Eastern trip.

Mrs. J. D. Lawler is in Washington, D. C. Mrs. Carrie C. Hoyt, of the Albion, has gone to Paris.

Mr. Randall is the guest of Capt. and Mrs. Byrne, of Fort Snelling.

Harry L. Davis will leave Monday for a month's shooting in Alabama.

Mr. Fowler, of this city, is visiting Mrs. Tarbox, of the Aberdeen.

Miss Nellie Arnold, of Milwaukee, is visiting Miss Irvine, of Markburn street.

Mrs. Charles S. Stewart is the guest of Mrs. W. B. Kellogg, of Farmington avenue.

Mr. and Mrs. W. P. Abbott, of North Dakota, have taken apartments at the Albion.

Mr. and Mrs. W. P. Abbott, of Summit avenue, will leave next week for Lake Charles, La.

Mrs. A. C. Warren and daughter, of Vine-land, will be the guests of Mrs. W. B. Warr, 597 Lincoln avenue.

Miss Lillian Bell, the well-known authoress, will be the guest of Mrs. W. B. Warr, 597 Lincoln avenue.

Mr. and Mrs. E. O. Mathison and daughter, Miss Marie, will be the guests of Mrs. W. B. Warr, 597 Lincoln avenue.

Anscl Oppenheim returned to St. Paul on Monday after a short trip to Europe.

FOUR MORE DAYS.

ONLY FORTY-EIGHT BUSINESS HOURS FOR PIANOS.

The sale positively closes next Saturday night. Only forty-eight business hours for pianos.

Only four more days of the Mungler assignee piano sale at 49 East Seventh street. That includes today. While the piano prices make a greater opportunity than any other time to get a piano, you should not let this chance pass. You can get a first-class new piano and save from \$100 to \$200 over the retail price. You can get those which have been slightly used, but are in first-class order, for a mere trifle and only have to pay from \$5 to \$10 more for the freight. More than 100 new hours is all the chance you have at this sale. I can sell you a Metropolitan square, carved legs, 7-1/2 octave, for \$40. Matheson square, all improvements, \$75. Bauer & Co. square, first tone, \$65. Weber square, latest design, \$75. Dobson upright, full size, fine tone, \$85. Benedict upright, mahogany finish, \$75. New England upright, full size, carved panels, \$115. C. A. Smith & Co. upright, English oak, largest size, \$125. Lindell upright, entirely new, beautiful instrument, \$125. Chase upright, new case, worth \$350, for \$170. Kranich & Bach, upright, largest size, mahogany, very fine, \$138. Stools, scarfs and covers included. Payments made in weekly installments. We also have a few organs left at proportionately low prices, on from \$3 to \$25 monthly payments.

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ALONG A NEW LINE

IS JUDGE WILLIS' DECISION IN THE CASE OF THE BERG ESTATE.

MAKES AN EQUAL DIVISION

AMONG THE SURVIVING NEPHEWS AND NIECES, FORSAKING THE OLD PER STIPES RULE.

NO PRECEDENT CAN BE FOUND

And It Is Possible That the Supreme Court May Be Asked About It.

A decision was handed down by Judge Willis yesterday which is of importance in that it involves the construction of the law of descent, and to this time is without precedent, the point involved never having been adjudicated.

Mary C. Berg died in St. Paul, April 3, 1895, intestate, leaving an estate valued at \$120,000. The heirs were six nephews and nieces, five living in Germany and one in this city. Two of the heirs were children of a deceased brother, and the other two were the children of another deceased brother.

When the estate came up in the probate court for settlement, George C. Lambert, who was the administrator, raised the question as to whether the six heirs should share per capita by right of representation, or per stirpes. In other words whether the four children of one of the deceased brothers should have one-half of the estate and the other two children of the other deceased brother the other half, or whether each of the heirs should get one-sixth of the estate. Attorney Lambert raised the question that there being no living representation each of the heirs should take one-sixth of the estate. It has been usually held in the distribution of estates of this kind that the heirs should take as their share the part of the estate which they respectively fathers, if alive, would be entitled to. The point raised by Mr. Lambert was a new one, and there were no authorities which could be presented to sustain the point raised. Judge Willis, however, after careful consideration of the point raised decided that the estate should be divided equally among the six heirs. The two heirs who, under previous rulings on the division of estates of this kind, would have been entitled to one-fourth each of the estate, were not satisfied with the ruling of Judge Willis, and appealed the case to the district court.

These two heirs, Theodore Staubitz and Mary C. Mackel, who live in Germany, through their attorneys, J. P. Fitzpatrick and Ernst Schrader, took the case to the district court on an appeal. The same trouble as to the titation of authorities was found in the hearing before Judge Willis in the district court, the point at issue so far as the attorneys could discover, not having been raised before in any case of record. The decision of Judge Willis affirmed the decision of Judge Willis, with the effect that the estate should be divided among the six heirs share and share alike.

Attorney Lambert, seen last evening, said the decision had the effect of establishing the principle that the right of representation per stirpes could only be enforced in cases where there is a living representation to warrant its application.

It is possible that the case will be appealed to the supreme court, but that the question may be passed upon by that court.

PLEADED FOR LIBERTY.

But Judge Orr Turned a Deaf Ear to the Pleas of John O'Brien.

John O'Brien begged Judge Orr not to send him to the workhouse when he was arraigned in the police court on an appeal from the charge of disorderly conduct, James Finney and Robert J. Darling asked Judge Orr to allow them to appear in court by getting married, but the court could not hear them. The young men were sentenced to the workhouse for over six feet. The excitation was excellent, and shows remarkable talent.

DRAWING OF NORTHWESTERN LIMITED.

Lewis H. Keith, a 17-year-old lad attending Minneapolis high school, has proven himself an adept at mechanical drawing. Keith recently asked General Passenger Agent J. W. L. Corning, of the Northwestern limited a picture of the road to draw for approval. The consent was given and the young man drew a drawing of the entire train, the length of the scroll being over six feet. The excitation was excellent, and shows remarkable talent.

MARRIAGE WOULD SQUARE IT.

When the six prisoners arrested as a result of a raid of the police upon the "Forty Lights" block, at Seven Corners, last Saturday night, were arraigned in the municipal court yesterday on the charge of disorderly conduct, James Finney and Robert J. Darling asked Judge Orr to allow them to appear in court by getting married, but the court could not hear them. The young men were sentenced to the workhouse for over six feet. The excitation was excellent, and shows remarkable talent.

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