

RULES ON PINK OLEO

LAW REQUIRING THE PRETTY TINT HELD NOT AN UNREASONABLE RESTRICTION.

DAIRY COMMISSION ELATED

AT THE RESULT OF A LONG-PENDING PROSECUTION OF THE ARMOURS.

BUT BEFORE CONFISCATION

OF THE MIMIC DAIRY PRODUCT THERE MUST BE A CONVICTION FOR VIOLATION OF THE LAW.

Officials of the state dairy and food commission are elated at the decision of the Judge in the so-called "pink law" decision, which involves the validity of the 1890 law, requiring oleomargarine to be colored pink.

The decision, copies of which were served on the attorney general and dairy commissioner yesterday, sustains the law.

In 1895 the employees of the dairy and food commissioner seized a quantity of butter, which has been shipped into the state of Minnesota, and which was then believed to have been offered for sale in violation of the laws of the state.

The Armour Packing company at once replenished the property in an action brought for that purpose in the United States circuit court for the district of Minnesota. It was admitted at the trial that the Armour Packing company in Kansas City, and shipped to Duluth by the way of the state of Wisconsin, and was offered for sale at Duluth in the original packages, which packages were marked, stamped and in every way distinguished as required by the laws of the United States and of this state, except that the butter itself was not of a bright pink color, but was of a yellow color, and, in fact, in imitation of the best dairy butter, so close in appearance and taste that few of any persons could distinguish it from that article.

The seizure was under chapter 11, General Laws of Minnesota for 1890, which forbids, under special penalties, the sale, exposure for sale, or having in possession with intent to sell, any article in imitation of butter not wholly made of milk or cream, and of any other color than bright pink, and provides that the dairy and food commissioner may seize such article, and upon the order of the court having jurisdiction under the act, sell the same for any purpose other than for food.

FIVE DRAW NOLLES

And Among the Lucky Ones Is John F. Baker.

Judge Lewis will preside at the session of the criminal branch of the district court at 9:30 this morning, for the purpose of disposing of the criminal cases against the defendants who will move to nolle the indictments in the following cases:

John F. Baker, grand larceny in the second degree; Austin Hoban, grand larceny, second degree; Adolph Schneider, assault, second degree; James Lynch and Michael Lynch, grand larceny, second degree.

A Marvelous Floral Exhibit.

The magnificent display of flowers, palms, lilies, azaleas, and thousands of other rare, ornamental and flowering plants being made by Messrs. L. May & Co., at their new quarters, 64 East Sixth street, is worth traveling hundreds of miles to see.

FOR PERSONAL INJURY.

Helen Lenihan has brought an action against the city to recover \$2,000 damages for personal injury. The plaintiff was walking on the sidewalk at the corner of Rice street, near Geranium street, when she stumbled over an obstruction and fell to the ground, breaking her arm.

USE THE LONG DISTANCE TELEPHONE TO MINNESOTA, NE. AND SO. DAKOTA CITIES AND TOWNS.

WOLFE

Is the name of the most beautiful piano made in America. They are renowned for tone and durability. They have been established for nearly fifty years, and are standard and reliable. We have received for Christmas a magnificent stock in beautiful Mahogany, Walnut and Oak.

SPECIAL.

For the holidays we are actually giving discounts of from

25 to 50 Per Cent

OFF REGULAR NET PRICES.

We have Pianos of various makes from \$115 upwards—\$10 per month.

Call or write to us for special prices.

S. W. RAUBENBUSH & CO.

No. 14 West Sixth Street.

KODAKS!

FOR CHRISTMAS GIFTS, AT ZIMMERMAN BROS., 375 Minnesota Street.

Fancy Dairy Butter

Fancy Dairy Butter, per lb. 18c

Choice Creamery Butter, per lb. 22c

10-lb. Java Choice Dairy Butter, per lb. 12c

Good Cooking Butter, per lb. 12c

Long cut Shoulders, fancy cured and smoked, per lb. 7c

Cottage Hams, per lb. 10c

Fat Pork, for basting, per lb. 6c

The Andrew Schoch Grocery Co

Seventh and Broadway.

seizure of oleomargarine under it must be made pursuant to some action or prosecution instituted by the state against the party offering or exposing the commodity for sale. The court, speaking of the statute, says: "It does not provide for nor seem to contemplate the seizure of the article disconnected with any prosecution for the penalty, and provides no other way of bringing the party in interest into court in the confiscation proceedings. Merely having the article in possession is not prohibited, but only the selling or having it in possession with the intent to sell. The bare possession being only prima facie evidence of the intent, it follows that the article can never be confiscated except when found in the hands of some one who is liable to the penalty and the matter of confiscation is therefore properly made incident to the result of the trial and one of the consequences of a conviction. There must be a conviction for violation of the statute before confiscation can be adjudged or ordered; and no proceeding purely in rem is contemplated."

BANHOIZER ESTATE.

Suit Brought by the Administrator Against the Widow.

Paul Hauser Jr., as administrator of the estate of William Banholzer, deceased, has filed a lawsuit against Louisa Banholzer, the widow, demanding that she make an accounting to the plaintiff of all the goods, chattels and effects that came into her possession belonging to said estate, and that the plaintiff recover such property or the value thereof.

The complaint alleges that at the time of Mr. Banholzer's death last July, he was indebted to various persons in at least the sum of \$10,000. It is further set forth that, at the time of his death, Mr. Banholzer owned and possessed at least 1,500 barrels of beer, and other goods, chattels and personal property, including machinery, appliances and supplies for the brewery, as well as a large amount of household goods, all of which personal property was worth at least \$6,000.

The complaint charges Mrs. Banholzer with wrongfully taking possession of the brewery business and all of the personal property described, and with conducting the said brewery business, and refusing to deliver or turn over to the administrator any of the brewery property in her possession or the moneys collected by her.

It is understood that Mrs. Banholzer claims the property under a bill of sale from her husband.

"THERE'LL COME A DAY SOME TIME."

After Jan. 1, When Dyer's Sacrificing Piano Sale Is Over.

That you will surely regret, if you do not take advantage of this, the greatest of all opportunities of getting a strictly high-grade instrument at a price that is making purchasers of all who see them. Such a list of well-known makes and high grades of pianos was never before offered at a price that is making purchasers of all who see them. They are beautiful to see, a delight to the ear, and thoroughly reliable pianos in every respect. Only \$25.00 per month. They will be had only at W. J. Dyer & Bro.'s, 21-23-25-27 West Fifth street, next postoffice.

TERRIEN CASE TO BE RETRIED.

Street Railway Company Secures a Reversal of a Verdict for Personal Injury Damages.

The claim of Joseph Waters against the estate of the late Mrs. Anna Mintzer, to whom Waters says he was married seven years ago, came up in the probate court yesterday forenoon. The hearing on the merits, however, was deferred until today.

Mr. Waters himself was in court, having arrived in St. Paul Sunday night from Moline, Ill. His appearance is that of a man about seventy years of age. His attire is neat, and suitable to a man of his years.

Mr. Waters was not in a very communicative mood. He said in response to the questions of a reporter that he lived in Moline, where he is engaged in business. Referring to his claim against the estate, Mr. Waters said that he was married to Mrs. Mintzer in the year 1890 by Justice of the Peace Burgess, who is now in an insane asylum, and that several people witnessed the marriage ceremony.

Asked if Justice Burgess made a record of the ceremony, Mr. Waters said he didn't know. That was Burgess' name, he said, and he had only one child, a girl named Anna. Mr. Waters said he had been in the city of Chicago, yesterday, while Harry Officer and C. N. Bell appeared in behalf of Mrs. Waters.

Mr. Officer and Bell opposed the application of Administrator Cole for an order of the court authorizing a partial distribution of the estate. They contended that such an order would be made in violation of the account of the administrator had been filed and approved. Then Mr. Waters would offer proofs of his marriage.

"We are willing to meet the issue," said Mr. Waters, "when the administrator files his account."

Judge Willrich did not agree with the position taken by Messrs. Officer and Bell. The probate court had the right, in his opinion, to order a partial distribution of the estate, before the administrator filed his final account. Proof of heirship should have been presented at the time letters of administration were granted. It was important that Mr. Waters should establish, as soon as possible, that he was the husband of the deceased, Mrs. Mintzer, as the court should know at once who had the right to object to the distribution of the estate.

Mr. Officer said that Mr. Waters had but just arrived here, and he thought he should have time to consult his attorney. He would return at a continuance until after Christmas.

Mr. O'Brien urged that the motion for a continuance should be made in the usual form, disclosing what diligence they had used, and that proofs should be proposed to advance. Mr. Waters had not shown that he had any more interest in the estate than any random interloper. If these things could be proved, the man from the street might come in and delay the course of justice. He wanted an affidavit of merits, something under the oath and signature of Mr. Waters, so that he might be held responsible for his appearance as a claimant. Mr. Waters must have had some idea of the contest that would arise. He had not moved in the matter for a long time after the death of Mrs. Mintzer.

Mr. Officer, while of the opinion that he had a right to a short continuance, said that he would, if the court insisted, use diligence to bring his witnesses into court. He wished to time to serve some ten subpoenas on his witnesses. He proposed to prove the case of his client, and he would prove it. He thought he would be able to satisfy the court before Mr. O'Brien, delay, and announced that the case would be taken up at 10 a. m. today.

TERRIEN'S CLAIM STOPPED.

Street Railway Company Gets a New Trial.

Of the half a dozen decisions handed down by the supreme court yesterday, two were reversals of the orders of the lower court, Justice Terrien, respondent, against the street railway company, holds that when a pedestrian is crossing the tracks at street intersections, it is at his own risk.

It appears from the evidence that one evening in September, Terrien and company were visiting saloons on Wabasha street, near Fillmore avenue, on the West side. At the last place visited, Terrien stood in the sidewalk until his companions came by. He claims to have looked up and down the street and saw no car coming. While in the middle of the street, as they were crossing over, he was struck by a car and injured. He claims that he neither saw nor heard the car, nor did he hear a shout of his companion to look out, or the rattle of a lumber wagon near by.

The court holds that as the man had looked only from a point where he was not likely to be struck, and as he was not aware when he crossed the street, he was guilty of contributory negligence. The application of the

Mannheimer Bros. EXTRA.

Kid Glove Dept.

Just received by express, another lot of 1,000 pairs of two-stud Pique Kid Gloves, with embroidered backs—every shade, every size, and every pair guaranteed. Per pair Wednesday... 90c

They are well worth \$1.50.

LET WATERS SHOW

WHAT RIGHT HE HAS TO DELAY SETTLEMENT OF MRS. MINTZER'S ESTATE.

CASE WILL COME UP TODAY.

FURTHER CONTINUANCE IS DENIED UNTIL WATERS SHOWS COLOR OF TITLE.

TERRIEN CASE TO BE RETRIED.

Street Railway Company Secures a Reversal of a Verdict for Personal Injury Damages.

TERRIEN'S CLAIM STOPPED.

Street Railway Company Gets a New Trial.

For the Accommodation of Patrons, This Store Will Be Open Thursday and Friday Evenings, December 23 and 24, Until 9 O'Clock.

To avoid confusion during the Holiday Season—from now on—we will thank you for taking small parcels with you, and noticing that salespeople take your address correctly whenever delivery is desired.

Mannheimer Bros.

SIXTH AND ROBERT STS., ST. PAUL.

Sterling Silver Dept.

A constant crowd of pleased buyers through this part of the great store from store opening till closing time. The best argument possible that here is the place to buy.

Sterling Silver handle Manicure and Embroidery Scissors with best English steel blades, regular price \$1.50. Special, each... 79c

Sterling Silver Back Hair Brushes, neat and pretty patterns. Special, each... \$1.98

These are excellent Brushes.

Extra heavy Sterling Silver Tumbler, the regular 45c kind. Special, each... 25c

Desk Sets—Sterling Silver and Pearl Paper Cutters and Pen Holders. Special, per set... 79c

Sterling Silver Bible or Prayer Book Marks, woven ribbon and three Sterling Silver ornaments. Special, only... 39c

Sterling Silver Paper Cutters and Book Marks. Special, each... 19c

Sterling Silver Napkin Rings, gold lined, good value at \$1.50. Special, only... 89c

Cut Glass and Sterling Silver Top Tooth Powder Bottles. Special, each... \$1.25

Cut Glass and Sterling Silver Top Tooth Paste Pots. Special, each... 59c

FANCY GOODS SPECIALS.

The handsomest assortment of fine fitted Bags in the Northwest—all styles of leather, exclusive styles—Pocketbooks, Card Cases, Bill Books, Letter Books, Cigar Cases and Music Rolls, in all styles, mounted and unmounted, all kinds of leather.

Perfumery—Handsome boxed, all odors, at 25c, 35c, 50c, 75c and \$1.00 per box.

Genuine Ebony Hat or Velvet Brushes, 7-in. long. Our regular 85c Brush, for... 69c

Women's Silk Hosiery

For Holiday Gifts. Our annual reduction sale is on.

\$1.50 Silk Stockings for... 93c

\$1.75 Silk Stockings for... \$1.25

\$2.50 Silk Stockings for... \$1.67

In the lot are some beautiful Silk Scotch Plaids.

Women's Silk-Plated Hose, plain and fancy, for... 49c

Take Luncheon With Us.

Every Lady patron of this store is cordially invited to take luncheon with us. A skilled attendant in charge of the tables will be pleased to give valuable hints to those interested in improving the home menu. Tables spread from 11 a. m. till 4 p. m. Take elevator to third floor.

ORIENTAL RUGS. SPECIAL ANNOUNCEMENT

The only first-class collection in the city. We do the Oriental Rug trade of this section—and Oriental Rugs make a welcome and attractive Christmas Present. We make the following prices as long as they last:

50 small Antique pieces at \$2.00; 70 Antiques at \$4.00; 37 Antiques at \$6.00, and an immense line at \$8.00, \$10.00, \$15.00 and up. These are the best prices we have ever quoted.

Men's \$2.00 Neckwear for \$1.39

Holiday Special—Imported Puffs, Four-in-Hands, high-grade qualities, for three days... \$1.39

Art. Dept.—Extra Special.

1/4 Off. 1/4 Off. 1/4 Off.

In order to make the Xmas Sales in this Department the greatest in its history, we will offer for three days—Wednesday, Thursday and Friday—our entire stock of Rich Cut Glass at,

1/4 Off. 1/4 Off. 1/4 Off.

Our Annual Holiday Glove Sale.

Among the Wednesday specials you'll find these:

At \$1.00 The World's best Perrin's Peerless Pique, made from the best selected French Skins, with large clasp and new embroidery.

At \$1.25 Our great 2-stud Pique, made expressly for Mannheimer Bros.; also a 3-stud French Glove. These are the best Gloves in the United States for the money. Every pair guaranteed, and a new pair where the fault is with the glove.

At \$1.50 The Maggioni (formerly made under the name of P. Centemeri), with 3-stud fastenings and new embroidery. This glove is celebrated for perfection of fit.

At \$1.75 Perrin's Savoy, with 2 clasps and 2-oneed embroidery, an excellent quality of French Kid.

At \$2.00 The celebrated Rey-nier. The quality of the French Kid, the perfect workmanship, cutting, sewing and dyeing make this Glove absolutely the best—and it is made expressly for our trade with 4 clasps and new, stylish embroidery.

Gift Certificates issued for any amount—the recipient makes her own selection.

ORIENTAL RUGS. SPECIAL ANNOUNCEMENT

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Holiday Special—Imported Puffs, Four-in-Hands, high-grade qualities, for three days... \$1.39

Great Bargains in

Initial Handkerchiefs.

200 boxes containing six Ladies' Hemstitched Linen Handkerchiefs, narrow hems, assorted colored initials in a box, that usually sell at \$1.50 a box. The 75c Wednesday price just half...

300 dozen Ladies' Hemstitched Linen Handkerchiefs, quarter-inch hems, small hand-worked initials, regular 25c Handkerchiefs, for... 12 1/2c

For Men—Special, per box, \$1.50, \$1.75 and \$3.00.

Extra special for men—100 boxes containing six fine sheer French Handkerchiefs with small, hand-worked initials. Special price, per box... \$3.00

50c each. They are reduced from \$4.00 a box.

Special sale of fine Embroidered Handkerchiefs.

65c fine Embroidered Handkerchiefs for... 38c

85c fine Embroidered Handkerchiefs for... 48c

\$1.00 fine Embroidered Handkerchiefs for... 68c

\$1.75 and \$2.00 fine embroidered Handkerchiefs for... 88c

A box containing six fine embroidered scalloped edged Handkerchiefs, six different patterns, all hand embroidered, sold regularly at \$6.00 a box. Wednesday special... \$4.00

Fancy boxes for Children, containing one-quarter and one-half dozen Handkerchiefs, at 25c, 30c, 50c, 75c, 85c, \$1.00 and \$1.25 a box.

Muslin Underwear Dept.

What 25 cents will buy:

A large white apron.

A dainty tea apron.

Something new in a gingham apron.

A pair of hand-made wool booties.

A pretty doll.

A maid's cap.

What 50 cents will buy:

A Lady's night dress.

A pretty corset cover.

Ladies' Trimmed Drawers.

Nurses' aprons, hemstitched aprons, dainty tea aprons.

Paper Mache Wash Basins.

Outing Flannel Night Drawers.

Baby Bonnets.

Reduction sale of Children's Cloaks and Caps.

Silk Skirts—Changeable effects in all the leading shades, two flounces, feather

boned, at... \$10.00

An A 1 Silk Skirt, wide flounce, 5 cords, worth \$10

for... \$8.50

MARRIAGES, BIRTHS, DEATHS.

MARRIAGE LICENSES.

Ernest Middlewick.....Agnes Hiltes Nelson Weller.....Mary Setchel

Dave H. McLean.....Clara M. Allison William C. Ribman.....Gertrude Berry

And Mrs. J. Jensen.....Cecilia Jensen Avra F. Cleveland.....Sarah A. Spurr

BIRTHS.

Mr. and Mrs. Chas. Johnson.....Boy

Mr. and Mrs. Edwin Olsen.....Boy

Mr. and Mrs. Gust Halverson.....Boy

Mr. and Mrs. Joseph Dahlgren.....Girl

Mr. and Mrs. Abraham Mark.....Girl

Mr. and Mrs. Anton Wibell.....Girl

Mr. and Mrs. Joseph Heberlein.....Girl

Mr. and Mrs. John H. K... Boy

DEATHS.

Chas. S. Lucas, 1314 Edgerton, 43 years

Mrs. C. Lomire, 934 Woodbridge, 43 years

Mother St. John, Nelson avenue, 53 years

John Wolf, 1073 W. Seventh street, 62 years

AMUSEMENTS.

METROPOLITAN. L. S. SCOTT, Manager.

TUATINE. 25 & 50c. Tonight, Christmas Eve—A MATINEE.

A BOAR OF CONTINUOUS LAUGHTER

THE MAN FROM MEXICO. The Quaint Comedian

FROM MEXICO. MR. WILLIE COLLIER

Sunday Afternoon—Selfert's Concert, Dec. 26—Lost, Strayed or Stolen.

GRAND BLACK PATT'S TROUBADOURS.

BETTER THAN EVER. Matinee today at 2:30. Next Week—Hoyt's "A Black Sheep."

CAMBRIDGE HALL.

Seventh St., bet. Robert and Jackson sts. Unrivaled Accommodations for Social Entertainments, LECTURES AND CONCERTS.

FOR TERMS APPLY TO J. J. WATSON, Germania Life Bldg.

..KODAKS..

\$5, \$8, \$10, \$12, \$15, \$25.

BARNEY & BERRY SKATES.

Ekis, Toboggans, Moccasins, Guns and Sporting Goods.

COLUMBIA BICYCLES.

KENNEDY'S.

Cor. Robert and Third Sts., St. Paul. OPEN EVENINGS.

SCHOOLS AND COLLEGES.

ST. AGATHA'S CONSERVATORY OF Music and Art.

28 East Exchange St., St. Paul. Piano, violin, guitar, banjo and mandolin taught. Lessons given in drawing and painting. Call or send for prospectus.

Useful Christmas Presents.

You are not under any circumstances justified in buying elsewhere anything we keep without becoming familiar with our assortment and prices. This is a duty you owe yourself.