

WHAT HE FINDS IN THE LAW

OPINION REGARDING APPOINTMENT OF ELECTION JUDGES

It Has Been Handed City Clerk Jensen by Second Assistant Corporation Attorney Taylor—The Republican, Independent Democratic and Prohibition Parties Alone May Be Represented.

Second Assistant Corporation Attorney Taylor rendered an opinion yesterday in response to City Clerk Jensen's request asking for legal advice as to the rights of the various political parties in the matter of furnishing judges of election to serve at the coming spring election.

Mr. Taylor holds, as told in The Globe of Thursday, that the common council, under a strict interpretation and compliance with the law, must select the first judge for each election district from the list proposed by the local committee of the Republican party; the second judge from the list proposed by the local committee of the Independent Democratic party; the third judge from the list proposed by the local committee of the Prohibition party.

If his opinion prevails the Democratic-Citizens' party, the Populists and the Democrats will be without representation at each of the 114 polling places in the city.

The opinion which is addressed to City Clerk Jensen, reads as follows: Your recent communication to Mr. Markham, in which you ask for an opinion as to the rights of the several parties in regard to participating in the furnishing of judges of election for the coming spring election, has been received and I take pleasure in advising you as follows:

The determination of this matter requires a careful interpretation of several sections of our general election law, and for the better understanding of the law I shall quote somewhat at length from such sections of the law as bear upon this matter.

The method of selecting judges of election is particularly provided for by section 53 of chapter 4 of the General Laws, which section reads as follows:

Appointing the Judges. At least thirty days before any election in any city or in any incorporated village having two or more election districts, the local committee of the several parties participating at the last preceding election may furnish to the city council or other appointing authorities, a list of qualified electors for the various election districts to act as judges of election, which lists shall be certified to by several secretaries of such cities and incorporated villages, shall be received by the city council or other appointing authorities, then said council or other appointing authorities shall select one from the list, and shall certify the same to the city clerk or other appointing authorities, who shall then select the other remaining judges of election from the list, so that more than two of such judges belong to the same political party.

In case there are not three lists submitted to such appointing authorities, then said council or other appointing authorities shall select one from the list, and shall certify the same to the city clerk or other appointing authorities, who shall then select the other remaining judges of election from the list, so that more than two of such judges belong to the same political party.

It is further provided that, in what special qualifications must a political organization have to entitle it to participate in the furnishing of judges of election, if this right is denied by the appointing authority as its credentials?

Section 53. An assembly or convention of delegates within the meaning of this act, is an organized association of citizens representing a political party, who at the last general election before the holding of the election to be held, have cast at least 1 per cent of the entire vote cast in the state, or county or other division or district for which the nomination is made.

Defines a Party. Only candidates nominated by such a convention, or nominated by petition, as provided for by section 25, are entitled to go on the official ballot. While I do not find in the law any definition of a political party, yet it is clear from the language of sections 25 and 34, it was the intent of the legislature that an organization claiming to be entitled under the law to hold a convention, whose members are to be placed on the official ballot, should be able to show that at the last preceding general election it polled at least 1 per cent of the entire vote cast in the state, or county or other division or district for which the nomination is made.

Section 34. An assembly or convention of delegates within the meaning of this act, is an organized association of citizens representing a political party, who at the last general election before the holding of the election to be held, have cast at least 1 per cent of the entire vote cast in the state, or county or other division or district for which the nomination is made.

Section 34. An assembly or convention of delegates within the meaning of this act, is an organized association of citizens representing a political party, who at the last general election before the holding of the election to be held, have cast at least 1 per cent of the entire vote cast in the state, or county or other division or district for which the nomination is made.

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year on the first Tuesday after the first Monday in November.

The law does not specify whether the vote cast for the national, state or county or city ticket should be cast for the ticket in St. Paul, because it is not voted at the general election. The national ticket cast for St. Paul is considered as the general election. What governs, then, the state ticket, the county or other division or district ticket, or the ticket for the state or county or other division or district?

I am strongly of the opinion that both the vote cast for a state ticket and the vote cast for the county or other division or district ticket should be cast for the ticket in St. Paul. To ignore the vote cast for the county or other division or district ticket would be to ignore the vote cast for the state ticket, and vice versa.

Neither of these results could have been intended by the legislature. The conclusion is that the vote cast for the state or county or other division or district ticket should be cast for the ticket in St. Paul.

It is impossible to conceive of an association of persons as entitled to be regarded as a political party, whose chief object is to promote the election of persons to office who are selected from its ranks and are representatives of the political party, and which would not be entitled as such to participate in the election itself.

Proceeding now to the present situation in St. Paul, and understanding from your letter that it will be necessary for the appointing authorities to decide between several organizations contesting for the same rights in this matter, it now remains to inquire what political organizations participating at the last preceding general election are able to show that they cast within the city of St. Paul either the state or county or other division or district ticket which was cast for those tickets within the city of St. Paul.

Manifestly, recourse must be had to the official returns of the vote cast for the state and county tickets within the city of St. Paul in the election of November, 1896, in order to determine the facts. There is no other conclusive evidence of the vote, and must be the credentials of the political organizations participating at that election and now claiming to be entitled to furnish judges of election.

By referring to the returns for the state election, as found in the legislative manual for 1897, and the returns for the county election, as found in the county auditor's report for 1897, it is found that the highest number of votes cast within the city for both tickets was cast by the Republican party.

The next largest number of votes, on both tickets, were polled by a combination of Democratic and Populist votes, under the so-called fusion plan. The next highest number of votes were polled by the Independent Democratic party on the county ticket, while the next highest number of votes were polled by the Democratic party on the state ticket.

The said election returns are silent as to the number polled by the Independent Democratic party on the county ticket. The said election returns are silent as to the number polled by the Democratic party on the state ticket.

I now assume, what is undoubtedly the fact, that there is no such party as the Independent Democratic party, and that the Democratic and Populist organizations, if they exist, are separate and distinct organizations, and, as a general rule, nominating separate and distinct tickets to be voted for at the next election.

The Democratic and Populist organizations did not vote as parties at the last preceding general election, and voted for a set of candidates, in part selected by Populist and in part by Democratic conventions, and, as a general rule, nominating separate and distinct tickets to be voted for at the next election.

It is therefore, in my opinion, that the Independent Democratic party, if it exists, is a political organization, and, as a general rule, nominating separate and distinct tickets to be voted for at the next election.

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A SOLDIER AND EDUCATOR

GEN. GEORGE C. SMITH, OF MADISON SCHOOL

For Forty Years He Has Been Connected With the Public Schools of St. Paul—Has Endeavored Himself to Students and Parents Alike—A Collection of Carlos Gathered From All Parts of the Globe.

Gen. George C. Smith is about to enter the fourth decade of his labors in the educational field of St. Paul.

For nearly thirty years Gen. Smith has presided over two of the largest grammar schools in the state at different times, and in point of service he is the oldest principal in the city.

The general has endeavored himself to the people of St. Paul during his long official career. His name has during the last twenty years become a household word in the Madison school district.

Not only has the general's popularity prevailed in his own school district, but in all parts of the city, and in all walks of life, many are his personal friends. Many of St. Paul's most substantial business men went to school to the general in the '60s and '70s, at general received a hat, made from the paper of canceled greenbacks. It was estimated that \$4,000 worth of bills were required to make the hat.

"It isn't everybody who can wear a hat like that," said the general.

In his coral cabinet the general had about seventy-five specimens of all kinds and colors of coral from brain to pan coral, three varieties of which came from the Indian ocean. On this shelf were also many skulls of small animals.

He has also an excellent specimen of a toad fish. This fish is a very conceited variety of ocean fish. He goes around, but when ever any other conventional fish comes into his back yard he swells up about four times as large as he is when his wife is around.

The porcupine fish, with little sharp shoots growing along its back, was another quite rare variety of fish. Some very large razor clams were among the collection of sea urchins.

Sea urchins, sea dooks, with and without spines and bars, were several in number, and their presence certainly elevated the atmosphere around the purple finny case. There are different grades of society in the deep blue sea as well as in the affairs of life, and in this collection the various "sets" were not lacking.

Tree mosses and creeping mosses, African grasses, Starta bark, Papa bark and numerous other barks and tropical growths were among the interesting specimens in the collection.

One thousand shells, of all sizes, shapes, forms and colors, occupy a conspicuous place in the cabinets and are perhaps used nearly as much by the school as the mineral specimens. Some exceptionally rare specimens can be seen.

Specimens grown on rocks and trees are an interesting part of the collection. It was interesting to note the difference in color and shape of those formed on wood and rock.

Boa constrictors, blue snakes, water snakes, garter snakes and several other varieties comprised the pickled catalog of the snake kingdom, which were confined in glass bottles ranged along the upper shelves of the cabinets.

The general has sixteen fine specimens of buffalo horns, given him by friends in the West during the last twenty-five years.

A very complete collection of petrified wood and other petrified formations, such as moss and animals. The general had a petrified peach, which is perfect in shape.

The star fish form an interesting part of the collection. One big fellow is about the size of a large turkey. The general has about the size of a 10-cent fellow, each about the size of a 10-cent fellow. These especially delight the children in the kindergarten department.

Over 500 curios and oddities from the Yellowstone park are included in the cabinets. Some of them are quite rare.

The general has a dictionary which he secured in the East some years ago. It is so small that it could be readily put in a metallic stamp box. With the aid of glasses, almost any word can be found.

Nearly 1,000 specimens of ores from all parts of the world are located in a cabinet near the door of the office. Among this collection are many shell formations in the rocks, which were found up in the mountains high above the sea level. A huge barnacle was also found in the mountains, which affords the theory of a prehistoric age.

In this department are specimens of coal for every state in the Union, and many foreign coals.

At all times the general is surrounded by the pupils and the teachers of the schools, who utilize it daily in their pursuit of the studies of the school.

The general took pleasure one day last week in showing a Globe reporter some of the queer things in his cabinets.

"This," said the general, holding up a formidable bow-shaped arrangement, "is the jaw of a man-eating shark, and I would rather handle him than be handled by him."

The jaw was a perfect specimen, retaining all of the teeth in the seven rows, each one having an ugly little saw. The general stated that when he first received this shark's jaw it was very elastic and could be easily slipped over the head of a man.

"You see these pickled snakes up there," said the general, pointing to a lofty position of his cabinet, "I have been adding to it constantly."

The general then opened his wood specimen case. It contained several hundred varieties of domestic building wood, and thirty-three varieties of Chinese wood. It was a significant fact that nearly every specimen of the American wood was brighter and better looking than the best appearing of the Japanese wood. In some cases the Japanese wood was finer in texture and possibly more compact, but it did not equal the American wood.

All was characterized by its dark Oriental appearance.

The collection contained a number of polished specimens of the managrove wood. All stages of growth from the roots to the fully developed bough was included. A queer wood was the royal mahogany, which is said to be the maturity of the body of the tree decayed, leaving a stringy formation. It is found in Florida. Some excellent specimens of sweet elder were included in the collection.

Several sections of a palm tree were among the varieties of the collection, showing the compact formation of the tree.

Besides these the general had specimens of all kinds of wood from mahogany to pine. This department was very complete.

A bunch of sycamore berries of large size, fruits of the tree of zaccus, and a bunch of Caffa corn from Kormkhoron, which is the best appearing of the Japanese wood. In some cases the Japanese wood was finer in texture and possibly more compact, but it did not equal the American wood.

MUSICAL EVENTS OF A WEEK

WHAT IS BEING DONE FOR ST. PAUL'S ENTERTAINMENT

Frau Amanda Heitzman's Recital Monday Evening an Event of Interest—Selbert Orchestra Gives Its Last Concert in the Winter Series at the Metropolitan This Afternoon—"Piano" Thursday.

The coming musical recital of Frau Amanda Heitzman, under the auspices of the Mozart club, which occurs at Mozart hall tomorrow evening, promises to be one of the most interesting musical events of the season.

Mrs. Heitzman is pronounced in excellent voice and her appearance is positively assured. She will be assisted by the male chorus of the Mozart club, and the programme prepared will be rendered under the direction of Prof. William Meanner, who will also be the accompanist for Mrs. Heitzman.

P. V. Larsen will assist as one of the principals, and will appear in costume with Mrs. Heitzman in a rendition of a scene from "Walkure," by Wagner, entitled "Motan's Abscheid," or "Motan's Farewell."

The programme arranged for the recital is as follows: Part I.—"Die Elne Lind".....Forscher Mozart Male Chorus. "Die Post".....Schubert "Widmung".....Schumann "Ocean, Thou Mighty Monster".....Weber Scene from "Oberon".....Mozart Mrs. Amman Heitzman Jaeger "Stellan Folkong".....Jaeger Mozart Male Chorus.

Part II.—Scene from "Walkure" in Costume—by Motan's Abscheid, or "Motan's Farewell".....Mr. P. V. Larsen Wotan.....Mrs. A. Heitzman Brunhilda.....Mrs. A. Heitzman "Ho-to-lach".....Mrs. A. Heitzman "Walkure".....Mrs. A. Heitzman The tickets are now on sale at Dyer's music store, Giesler's masquerade parlors, and Hockstruck's jewelry store, on Seventh street.

The last concert of the Selbert orchestra winter series will be given at the Metropolitan this afternoon. The programme will be made up from the requests for different selections received by Director Selbert during the last two weeks.

The character of the numbers composing this programme indicates the excellence of the musical taste of St. Paul music lovers. The solo features will be Rossini's "Cajus Animam," by Gustave Zenius, a piano solo by George L. Selbert, and a violin solo by Concertmeister Daniel Muehlenbruch.

The season of winter concert just closing has been the most successful since their inauguration. The programme in detail is as follows: March "The Stars and Stripes, Forever".....Sousa Overture—"William Tell".....Rossini "Narcissus".....Nevin String Quartet.....Heitzman Tenor Solo—"Cajus Animam".....Rossini "Rigoletto".....Verdi-Liszt Piano Solo—"Paraphrase de Concert".....George L. Selbert Selection—"Il Trovatore".....Raffi "L'Arlesienne".....Bizet "War Songs—"The Boys in Blue".....Laurencia "The Stars and Stripes, Forever".....Sousa Violin Solo—by D. Muehlenbruch Piano Solo—"Paraphrase de Concert".....George L. Selbert Selection—"Il Trovatore".....Raffi "L'Arlesienne".....Bizet "War Songs—"The Boys in Blue".....Laurencia "The Stars and Stripes, Forever".....Sousa

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