VASA MAN HONORED

DR. E. NORELIUS CHOSEN PRESIDENT OF AUGUSTANA SWEDISH LUTHERAN SYNOD

ANNUAL MEETING BEGINS

Rev. P. J. Sward, of Omaha, the Retiring President, Submits His Report and Preaches the Synodical Sermon—Something About the Growth of the Church—Committees Are Appointed.

The annual meeting of the Augustana Swedish Lutheran synod of America opened yesterday morning at the First Swedish Lutheran church, at Woodward and John streets. Over 200 delegates were in attendance, and the church and pulpit were decorated for the occasion with a profusion of flowers and potted palms. The morning session was devoted to the annual sermon of the president, Rev. P. J. Sward, of Omaha, and in the afternoon the president submitted his annual report, and the election of officers was held, resulting as follows:

President, Dr. E. Norelius, of Vasa, Minn; vice president, Dr. C. E. Lindberg, of Augustana college; secretary, Theodore Kjelgren, Scandia, Minn.; treasurer, C. G. Thulin, of Moline, Ill.

In the evening there was a sermon by Rev. S. G. Youngert, of Ottumwa, Io. All of the sessions were very largely attended.

The annual synodical sermon, delivered in the morning by Rev. P. J. Sward, was listened to very atentively by a very large congregation. Dr. Sward is the eldest member of the synod, and the sercon was the last he will deliver in America, as he has resigned his pastorate at Omaha, and will leave shortly for Sweden. In the afternoon Dr. Sward read his annual report as president of the synod, detailing the growth of the church from a very few to 700 congrations with 300,000 communicants. A number of points were raised, among them the necessity of a change in the constitution of the clause prohibiting pastors from engaging in other vocations. It was also pointed out that the present system of calling the pastors by the churches is deficient. Of the 25-cent communicant fee $15,431.10 has been collected, and forwarded to the treasurer.

At the conclusion of the reading of the report a committee composed of one clerical and one lay member from each conference was appointed, to whom the report was referred. The report of the committee will be made today. The election of officers consumed the balance of the afternoon session.

In the evening Rev. S. G. Youngert, of Ottumwa, Io., preached on "Baptism, its Nature." He eloquently explained the beauties and solmenity of the sacrament. The service was largely attended, and the church choir rendered a number of fine selections.

The synod today will take up matters concerning Augustana college, the theological seminary of the church located at Rock Island, Ill., and routine matters will be considered. In the evening Rev. C. A. Lonnquist will preach.

LONDON'S TOWER.

Mr. C. W. Seymour Will Tell of Its Crimes and History.

Mr. Charles W. Seymour will lecture at the People's church tonight on "London's Tower; Its Crimes and History." Dramatic scenes in the reigns of nineteen of England's soyereigns are depicted in this lecture, a synopsis of which is as follows: Old Caesar's tower; the Norman masters; William lords it over Saxon London; Maud the Fair, the first woman victim; Henry III. and his troubles with architecture; Edward I. and the stone of Scone; Edward II.'s marital difficulties; Edward III. brings a king of France to the tower; Richard II., his crowning, battle with the rebels, tournament, abdication and death; the Lollards and Lord Cobham; the Duke of Orleans and his captor at Agincourt; the mysterious War of the Roses; the tower plays its part; murder of a good king; Richard III. and his crimes; did he kill Edward V. and Richard of York? the strange story of a fugitive prince; Henry VIII. and his women victims; Sir Thomas Moore; the end of a bad king; the sick boy, Edward VI., and his prisoners; the court of Jane Grey; Mary and Elizabeth, the latter's imprisonment; James I. and his famous prisoner; Sir Walter Raleigh, his life and death in the tower; Spain's vengeance; Guy Fawkes and Vinegar House; torture abolished, the last man brought to the block; the last prisoners carried from the tower; the kings and their judges.

This lecture was advertised to be given on the evening of Friday, June 2, and was postponed on account of the storm. Tickets may be purchased at Howard, Farwell & Co.'s, or at the door.

Victoria Getting Young.

In view of the fact of the Queen's approaching visit to the continent, Englishmen are especially interested in her majesty's health. It is announced that her hearing has grown acute and her eyesight keener. Youthful faculties in old age depend merely upon the health. The blood should be kept pure and the stomach sweet with Hostetter's Stomach Bitters. It cures indigestion, constipation, billousness, nervousness, liver and kidney troubles, as well as malaria and fever and ague. It keeps people young.

BAIL FIXED AT $1,500.

Frank Foster Is Held to Await the Grand Jury's Action.

The case of the state against Frank Foster, charged with the larceny of jewelry valued at $100 from Mrs. Louisa Hohman, who operates a boarding house on Goodhue street, came up for a hearing yesterday in the municipal court before Judge Hine. Foster went to Mrs. Hohman's house two weeks ago and was given board and room, but on the following day, when Mrs. Hohman was away, abstracted a quantity of jewelry, including a watch and several valuable rings, from her room and left. Foster was arrested in Minneapolis. In police court yesterday he waived examination and was held to the grand jury under $1,500 bond.

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PERFECT
Tooth Powder
AN ELEGANT TOILET LUXURY.
Used by people of refinement for over a quarter of a century.

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DR. A. L. COLE.

Cure the very worst cases of nervous Chronic and Private Diseases in less time than any other doctors by their new system of Creo treatment. Over 30 years in active practice. Diseases of men only.

If you are suffering from any disease, affection or derangement of your Genito-Urinary organs, call or write Dr. Cole and Council of Physicians, 24 Washington av. South, Minneapolis, Minn. Consultation free.

ANGRY WITH MAYOR KIEFER

WHITE BEAR DELEGATION EXASPERATED BY HIS ABSENCE FROM A MEETING

County Commissioners Fail to Get a Quorum, and a Number of Matters of Great Interest Were Therefore Not Acted Upon.

Mayor Kiefer sulked in his tent yesterday and failed to put in an appearance at the adjourned meeting of the board of county commissioners called for 4 o'clock. Commissioner Quehl, the mayor's henchman, also failed to put in an appearance, and consequently the meeting was compelled to adjourn until next Thursday afternoon because of the lack of a quorum, a proceeding that met with the loudly expressed disapproval of a large delegation of White Bear citizens, who have come in to talk over village matters.

Commissioners Gray, Wright and Powers, of the opposition, were the only members of the board who put in an appearance, and after waiting vainly for the appearance of the mayor to make up a quorum a messenger was sent up who returned with word that his honor was "busy."

Then W. R. Johnson, acting as secretary, called the board to order, and Wright was elected temporary chairman.

"I suppose I might see how the king's chair feels," he observed.

The point of no quorum was raised, and, on motion of Commissioner Powers, the board adjourned.

Former Deputy Sheriff Flandrake, who was at the head of a delegaton of a dozen White Bear villagers, was very emphatic in expressing his disapproval of the proceedings. "Its an outrage," he said. "This meeting was properly called, and these men have come all the way in here, and spent half a day to no purpose except to suit the whims of some of the commissioners, whose duty it was to be here, and who are paid to attend to business."

"Tell that to the man upstairs," observed Commissioner Gray.

"I'd be glad to if he were here," returned Mr. Flandrake fiercely.

Somebody proposed to go up and tell the mayor what the general opinion of him at White Bear is, but the motion was overruled after a good deal of loud talking. The delegation was armed with a petition for the macadamizing a portion of the old White Bear road in place of the Bald Eagle road. Other matters that would have come before the board were the proposed cycle path on Snelling avenue to Lake Johannah to New Brighton, and the delinquent personal property tax list.

ST. PAUL SELECTED.

Modern Woodmen Will Hold Their Next Meeting Here.

KANSAS CITY, June 9.—The Modern Woodmen of America today selected St. Paul as the next place of meeting.

The afternoon and evening sessions of the head camp were secret, the delegates meeting in a small hall, and declining to make public the results of their debates.

The latter part of the session this afternoon and tonight was given up to competitive drills among the Foster terms. The results among the fosters will be announced tomorrow.

Prizes were awarded to competitive brass bands as follows: First prize, $300, August Hagenew's band, Lincoln, Neb.; second, $100, Dubuque military band, Dubuque, Io.; third, $75, Grant Gillett's Cowboy band, Abilene, Kan.; fourth, $50, Seventh ward band, Omaha.

The Modern Woodmen of St. Paul are requested to meet at 6:30 p. m. this evening at the union depot to receive the delegation from Kansas City and escort them through the streets.

WOMAN WEDS INDIAN.

Miss Gertrude Smith, of Darlington, Wis., the Bride.

ONEIDA, Wis., June 9.—Chester P. Cornelius, an Indian of the Oneida reservation, and Miss L. Gertrude Smith, an accomplished white girl of Darlington, were married today at the Mission church. Cornelius is a full-blood Oneida Indian, and the one to whom the old chief Skinardore left valuable historial documents. He is the son of Adam P. Cornelius, one of the best educated and cultivated men of the reservation. One of his sisters was educated in Boston, and holds a good position in the government boarding school here. Another sister, Miss Miriam, graduated last year with high honors from Grafton Hall, Fond du Lac. Chester Cornelius holds a good position in the Indian service in Oklahoma.

LAKE SHORE PAVILION AND GARDEN,

White Bear Lake, on St. Paul & Duluth Railroad.

New management, new attractions, an up-to-date garden and pavilion where refreshments of all kinds are served in first-class manner. Open every day and evening. Frequent trains via Saint Paul & Duluth railroad. Fare on week days 35 cents round trip, on Sundays 25 cents round trip from Saint Paul or Minneapolis. Dancing parties every Wednesday and Saturday evening. Fare 50 cents round trip, which includes dancing privilege.

EXCURSION RATES TO EASTERN

One Fare Plus Five Dollars for the Round Trip.

From St. Paul or Minneapolis, via the Lake Shore and Michigan Southern railway (the fast mail line) from Chicago. Tickets on sale June 9, 10, 12, 16, 17, 19, good returning until September 4. Full particulars on application to local ticket agents, W. B. Hutter, N. W. P. A., 120 Endicott Arcade, St. Paul, or F. M. Byron, G. W. A., Chicago., A. J. Smith, G. P. A., Cleveland.

THREE SUSPECTS.

Officers Think They Have a Clue to U. P. Train Robbers.

CHEYENNE, Wyo., June 9.—A posse of Lander officers is after three men suspected of being implicated in the Union Pacific hold-up at Wilcox. Six were concerned in the hold-up, and the party separated, three making the Shoshone Indian reservation by way of Lander, and the others being the three now being hunted north of Casper.

MADAM OR MISS!!

THIS IS FOR YOU.

Beecham's Pills cure sour, sick or weak stomach, all liver troubles, neuralgias and all bilious and nervous disorders. Beecham's Pills stop the unnatural appetite of young girls for indigestible substances. They flush pale cheeks and purify sallow or pimply complexions. They quickly cure the sick or nervous headaches, the backaches, the flying pains, the irregular secretions, and the general debility of weak women. Beecham's Pills, by checking nausea and vomiting, strengthen the expectant mother. They enable women to pass the turn of life with ease and comfort. At all places, under all circumstances, Beecham's Pills are worth a guinea a box to every woman; and cost but a quarter a box.

NEWS FROM MANILA

FIRST SERGEANT SIMON, OF COMPANY C, RETURNS TO ST. PAUL

NEWS FROM THE BOYS ABROAD

There Has Been Much Sickness, Especially Among the Strong, Robust Men—Maj. Bean's Home Open to the Sick—Maj. Robinson Earns Honor and Praise—Boys Favor Mustering Out in California.

Edward R. Simons, the first sergeant of Company C, Thirteenth regiment, arrived in the city yesterday from Manila. Mr. Simon was given his discharge on account of disability, and left the Philippines March 25 on the steamship Grant. He recuperated his health during the voyage and is quite himself again. He gained forty pounds on the way over.

"When I left Manila," said Mr. Simon, "there was positive assurance that the regiment would embark for the United States June 1, and from what I learned at 'Frisco I think the chances for the regiment's early departure are very good. The transport Sherman, which will bring the boys home, will arrive in Manila within a few days, if, indeed, it has not already reached its destination. I was forty-five days on board the ship, but came by the way of Japan, which accounts for the unusually long passage.

"When I left there was from sixty to seventy fighting men in each company, but quite a number have been given their discharges since the recent ruling of the attorney general of the United States that all volunteers are entitled to discharge upon making personal application has been taken advantage of by quite a number. These boys are on their way home now, and quite a number will be due here within a very short time, on the next transport.

"I feel that I cannot say too much of the bravery of Maj. Robinson. After being wounded at Tonda on Feb. 22, his lip wound partially healed and he went into the field again. He was taken with malarial fever, and when I left he was alternating between a few days in the hospital and a week or more in the field, when he would be compelled to come in again. He is certainly a brave and gallant officer and deserves all the credit that is given him. During the engagement on the night of the 22d Maj. Robinson did not make known the fact that he was wounded until after the engagement, when the men were ordered out of the trenches. During the night the fate of the battalion rested upon him, and he brought the men victoriously through, with only four of our fellows being hit.

"The people at home will never know how sick some of the boys have been, as the ocean voyage home will do much to restore them to health. It was a peculiar circumstance that the big, robust men, who had the strong constitutions, were the ones that were the sickest. The small members of the regiment who never boasted of constitutional superiority were the ones who were continually on duty, and seldom on sick report. Mrs. Bean is at Manila and has been very kind to the men; indeed, I know of several cases where sick men have been taken to Maj. Bean's home for nursing, and she has since her arrival been ready to do anything in her power for the soldiers.

"I would not attempt to express an opinion as to what the decision of the regiment will be in regard to the muster out place. There must of necessity be some difference of opinion, but, for my own part, I would prefer to be mustered out at San Francisco and secure the additional travel pay and rations allowance. I know many of the men feel the same way.

"Yes, I am glad to get back to Minnesota, and the boys now at Manila are anxiously waiting for the time when they can see the islands sinking on the western horizon. However, not a man wants to come back until his full duty has been done and the islands left in charge of regular United States troops. I think when the regiment comes home as a body it will include about 700 men and officers. The regiment has been through a very hard campaign, and at times has been scattered along the railroad and through the brush for miles. We have lost some of our best officers and men and during certain periods of service were engaged in continuous skirmishes with the natives.

"I know nothing of the whereabouts of Col. Ames, except that it seems to be the general impression that he is now on his way to the United States. A great many promotions have been made from the ranks, and some of the men who went away as 'non-coms' will come back on the commissioned staff, and many that went away as privates have been advanced to corporals and sergeants."

BODY OF TAGGART.

War Department Orders Its Immediate Return to the United States.

WASHINGTON, June 9.—Assistant Secretary Meikeljohn today cabled Gen. Otis to ship at once the personal effects and body of Taggart, a private in Company F, Thirteenth Minnesota, to Mrs. Taggart, his mother, 118 Seventh street North Minneapolis. The case is a rather pathetic one, acording to reports received here, and the Post tomorrow will have a long article setting it forth in detail. The cablegram to Manila cost the government $45.

Young Taggart, it is understood, was the only support of his aged mother. He left home in high spirits, promising to distinguish himself and come home a hero. Immediately upon landing at Manila he began collecting curios, and at the time of his death had a large number of these. A number of letters were sent to his mother regarding them, and she is anxious to secure them. She has written several long letters to the secretary of war, telling of her troubles, her love for the dead boy, and how good he was always to her. Accustomed as the war department is to these things, and hardened as its officials become, Mrs. Taggart's letters touched everybody who read them, and Mr. Meikeljohn said the mother should have the body and all her son's personal effects if it took the whole arm of the government to bring it about.

PHILIPPINE RECRUITS.

An Unlimited Number to Be Enlisted in Chicago.

CHICAGO, June 9.—Capt. P. N. Bomus, of the army recruiting station, in this city, has received instructions from the war department to enlist an unlimited number of men for service in the Philippine islands. The order to Capt. Bomus reads as follows.

"Acting secrtary of war directs that you make your general efforts to secure as many suitable white recruits as possible for infantry, cavalry, light and heavy artillery in the Philippines. Men should be carefully selected, and upon enlistment sent to San Francisco. Telegraph this office promptly the number of each arm thus enlisted by you to June 10, and continue such enlistments until further orders."

Over sixty thousand recruits have been enlisted and sent West since Monday.

ACCIDENT TO MR. M'CARDY.

While at Annapolis He Slipped and Fractured a Rib.

WASHINGTON, June 9.—Capt. McCardy and his wife, who accompanies him, will arrive in St. Paul on June 13. While at Annapolis he met with an accident, slipping down, he fractured a rib, and while it has not interfered with his getting about, it has detracted somewhat from the enjoyment of his trip.

Mrs. Agnes Lahr, St. Paul, was notified today to take the census examination. Director Merriam today witnessed the testing of several tabulating machines.

Congressman Stevens today recommended E. B. Sperry as postmaster at St. Paul Park, to succeed William O'Brien, resigned.

HAGUE PEACE PLANS.

Drafting Committee Does Little in a Three Hours' Session.

THE HAGUE, June 9.—The drafting committee sat for three hours, although not a single conclsion was reached, with the exception of the acceptance of the British scheme as the basis upon which to discuss the establishment of a tribunal of arbitration.

After the session most of the members of the committee telegraphed to their respective governments, indicating that the discussion showed the necessity of having their instructions amplified. It is understood that several of the delegates of the smaller powers expressed a wish that the permanence of the tribunal might be made more effective, and even moved amendments in this sense. The great powers, however, think it is impossible, it is said, to go beyond Sir Julian Pauncefote's proposals. Nevertheless, a determined effort is being made to secure the institution of a permanent tribunal. The American and Russion projects have not been abandoned. Sir Julian Pauncefote's will merely be taken as a basis of discussion, and the American delegates assure the correspondents of the Associated Press that the chief points in the American and Russian proposals will be incorporated in the amendments.

WILL NOT MEDIATE.

Little Probability of American Interference in Transvaal Troubles.

LONDON, June 9.—The Westminster Gazette this afternoon says that a rumor is current from a well informed source that it has been proposed in a responsible quarter that the United States mediate between Great Britain and the Transvaal. It is added that the suggestion is being considered, and "it is even not improbable that such mediation may be undertaken."

WASHINGTON, June 9.—The president, it is said here, under no circumstances would consent to extend an offer of mediation between Great Britain and the Transvaal save upon request of both parties to the pending dispute. It is believed that President Krueger would not willingly seek our good offices owing to the well recognized fact that in many points concerning the welfare of the uitlanders the interests of the United States are identical with those of Great Britain. Americans took part in the ill-starred Jamison raid, and we are interested in maintaining a large measure of freedom in the entrance of mining machinery, dynamite and such imports into the Transvaal.

MINISTER STORER.

He Is Expected to Arrive in Madrid This Evening.

MADRID, June 9.—Mr. Bellamy Storer, United States minister to Spain, will arrive here tomorrow evening, from Sebastian, the summer residence of the Spanish court, whither Mr. Stanton Sickles secretary of the legation, has gone to accompany him to Madrid. His delay has no political significance whatever. He simply desired to find a residence for his use when the court goes to San Sebastian, and it is now expected that he will present his credentials to the queen regent next Monday.

During Mr. Storer's sojourn in San Sebastian there have been no popular demonstrations, and there is not long to indicate that he will be received here otherwise than courteously. It is quite improbable that there will be any annoyance or demonstration in connection with his arrival. Mr. Storer has wired asking that apartments be prepared at the United States legation for himself, his wife and their servants, but as the legation building is very small he will probably be obliged to have recourse to a hotel until a larger house can be chosen for the legation.

CORNER STONE LAYING.

Minnesota Odd Fellows' Home and Orphans' Asylum, Northfield, Minn., June 16, 1899.

For above occasion the Chicago Great Western Railway will sell round-trip tickets to Northfield, Minn., on June 15th and 16th at very low rates. Tickets limited for return June 17th. For full information call at City Ticket Office, Fifth and Robert Sts., St. Paul, Minn.

HOLGUIN LYNCHING.

Antonio Garcia, Bandit Chief, Hanged by Indignant Cubans.

SANTIAGO DE CUBA, June 9.—An official report from Holguin today describes the lynching of Antonio Garcia, a bandit chief, who was taken from the gendarmerie by indignant citizens, and hanged. Holguin is one of the most lawless districts in the island, and this summary punishment, under all conditions, is regarded a favorable symptom. Several of Garcia's accomplices have offered to surrender to the American commander at Holguin, who cabled Gen. Leonard Wood for instructions. Gen. Wood's answer was:

"Make no terms with them. Arrest them as criminals."

RIGHT TO TAKE LIFE.

Judge in South Carolina to a Jury in the Crawford-Stuart Case.

COLUMBIA, S. C., June 9.—Liquor Constable W. R. Crawford, who killed Mrs. Elizabeth Stuart while searching her home in this city two months ago, was acquitted today by a jury. The judge charged that a constable had a right to take life if necessary in making a legal search of premises.

Mr. Folds' Excursion.

Mr. C. W. Folds, of the Northwestern Bank of Minneapolis, has arranged an excursion for visiting bankers to Toronto, Niagara Falls and the Thousand Islands. All expenses paid for $55.00. Any one wishing to join this party, communicate at once with Mr. Folds.

STATION NOT NEEDED

SUPREME COURT REVERSES ORDER OF RAILROAD AND WAREHOUSE COMMISSION

EMMONS FOLK GET NO DEPOT

They Will Still Have to Go to Norman or Twin Lakes to Board Passenger Trains—Big Batch of Decisions Handed Down Yesterday by the State's Highest Judicial Tribunal.

The supreme court yesterday did something unusual in reversing an order of the railroad and warehouse commission on the ground that it was unreasonable, although Justice Buck dissents from the opinion of the majority of the bench, which is signed by Justice Mitchell.

The commission ordered the Minneapolis & St. Louis road to put in a station at Emmons, just this side of the Iowa line in Freeborn county. The people petitioned for it on the ground that they either had to go five or six miles to Twin Lakes, Minn., or go to Norman, just over the line in Iowa, about a mile from Emmons. Emmons is not an incorporated village, and Justice Buck dissents from the court in its ruling in this regard. The majority holds that the term village as in the law it is used in connection with the term borough, which is always used to designate a corporate body. Justice Buck, however, cites Webster's unabridged and Andersonn's dictionary of law to show that a "village" need not be incorporated to entitle it to the protection of the law.

Justice Buck thinks that the people of Emmons are therefore entitled to their station, without crossing the state line, but the court holds in the majority opinion that it would be unjust to require railroad companies to build double stations wherever they cross state lines. The argument that people are compelled to go across the state line to board trains the court disposes of with little consideration. "We have been led to assume," it remarks, "that Iowa is a civilized community, and that people who go there are accorded the protection of laws equally beneficent with our own." The syllabus of the decision is as follows:

State of Minnesota, ex rel. Railroad and Warehouse Commission, respondent, vs. Minneapolis & St. Louis Railroad Company, appellant.

Syllabus—Laws 1897, chapter 94, provides that all railroad companies shall provide "at all villages and boroughs" on their respective roads, depots with suitable waiting rooms for the protection and accommodation of passengers and freight rooms for the storage and portection of freight.

Held, that the word "village" must be construed as referring only to incorporated villages.

The facts considered and held not to justify an order of the railroad and warehouse commissioners requiring the defendant to build and maintain a passenger station at an unincorporated village of 100 inhabitants situated in a strictly rural and agricultural part of the state and within seven-tenths of a mile of an existing passenger and freight station. The fact that the existing station is situated across the state line in another state is, in and of itself, no reason for requiring the defendant to build and maintain another station. Judgment reversed. —Mitchell, J.

Two of the other decisions of yesterday are also of importance to railroad companies. The syllabi are:

N. I. Burnett, respondent, vs. Great Northern Railway Company, appellant.

Syllabus—1. Evidence held to sustain the verdict in this case to the effect that the defendant by means of its ditches negligently diverted the water of a natural water course and discharged them upon the land of the plaintiff to his injury.

2. Witnesses whose competency has been shown may state the result of their actual knowledge and observation.

3. Requests for instructions to the jury, which are an incomplete statement of the law and misleading, or which assume as true disputed facts are erroneous. Certain requests in this case considered and held that the trial court rightly refused them.

4. The measure of damages for the loss of growing crops is their value at the time the loss occurred, to be determined by facts then existing.

Held, that the damages awarded in this case are not excessive. Order affirmed. —Start C. J.

George Walters, respondent, vs. Minneapolis, St. Paul & Salt Ste. Marie Railway Company, appellant.

1. In determining the obligations and liabilities of the defendant herein under a contract for the construction and maintenance of a farm crossing, the practical construction of the contract by the parties held to be controlling.

2. Held, that the evidence in this case does not justify a verdict to the effect that the defendant was guilty of negligence in maintaining the farm crossing in question. Judgment reversed. —Start, C. J.

Other decisions handed down, all by Judge Mitchell, were:

Andrew Stelin, respondent, vs. Brita Helin et al., defendants; Brita Helin appellant. Judgment affirmed.

A. F. Smith et al., etc., appellants, vs. George T. Barr et al., defendants. Judgment reversed.

The Fidelity and Casualty Company of New York, appellant, vs. Elvira M. Greys, as administratrix of the estate of E. W. Greys, deceased, respondent. Order affirmed.

John T. Watt, respondent, vs. First National Bank of Lake Benton, Minn., appellant. Order affirmed.

Peter Fairweather, respondent, vs. Ole Nelson et al., defendants; Fred Fiedt, appellant. Order reversed.

Cornish, Curtis & Greene Company, plaintiff, respondent, vs. Fred Marty et al., defendants; Fred Marty, appellant; Pioneer Pasteurizing Company, defendant, respondent. Order affirmed

Edward J. Cleary, appellant, vs. Dakota Packing Company, respondent. Order affirmed.

John Cotter, as guardian of the person and estate of Will T. Egan, respondent, vs. The Royal Neighbors of America, appellants. Judgment reversed.

Julius A. Storch and F. Storch, appellant, vs. Reinheldt E. Duhnke et al., respondents. Order affirmed.

Ferdinand F. Fritz, appellant, vs. Julia Ramspett, respondent. Order modified.

Armour Packing Company, appellant, vs. George H. Brown, doing business as the Meat and Provision Company, defendant; Louis A. Hubachek, garnishee, respondent. Order affirmed.

C. Ida Roberts, respondent, vs. Village of St. James, appellant. Order affirmed.

CABINET SESSION.

Force for the Philippines Was Under Discussion.

WASHINGTON, June 9.—The cabinet, in connection with the possible necessity of enlisting a force of volunteers today, discussed a plan for the enlistment of several skeleton regiments in Manila, from among the volunteers who desire to remain in the service, and the subsequent filling out of these regiments with recruits enlisted in the country. Gen. Otis, according to the plan, will be given authority to select the officers who are to be mustered out. The plan, which commends itself to the favor of the members of the cabinet generally, would form a nucleus of veteran officers and men, seasoned to the climate and familiar with the work to be done. Such a force, leavened with veterans, doubtless would be immeasurably superior to a force of raw recruits, undisciplined and unacclimated. The plan was only discussed in connection with future contingencies, and did not reach the stage of completion.

The president announced the names of the Nicaraguan canal commission, and there was unanimous concurrance in the selection.

To North Pacific Coast Points.

One June 20th the Soo Line's round trip will be $32.00. Ticket office, 398 Robert street.

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WEAK, NERVOUS MEN—Lost vigor and vitality; weak and shrunken organs; shattered nervous system caused by overwork, excesses and self-abuse, resulting in weaknes of body and brain, night emissions, losses in the urine, dizziness, failing memory, lack of confidence and ambition, pains in the back, loins and kidneys, and other distressing symptoms, unfitting one for business or pleasure. Our special system of treatment will cure YOU. Restore your physical and sexual health and make you once more a man among men—no matter who or what has failed.

STOMACH—Catarrh, ulceration and dyspepsia, indigestion, weakness, pain and fullness after eating, heartburn, etc.

RUPTURE—Cured by their new method without knife, truss or detention from work—a painless, sure and permanent cure.

VARICOCELE—Hydrocele, swelling and tenderness of the organs and glands treated with unfailing success.

CONTAGIOUS BLOOD POISON Syphilis, and all diseases of the blood promptly and thoroughly cured and every trace of the poison eradicated from the system forever, restoring health and purity.

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IS THE VETO VALID?

QUESTION AS TO WHETHER MAYOR KIEFER DIDN'T HOLD THE ORDINANCE

ONE DAY OVER THE TIME SET

One Part of the Charter Says Five Days, Sundays Excepted, the Other Puts on the Five Days' Limit, but Says Nothing About Sundays—May Be Passed Over the Veto, Anyway.

The point is now made by those interested in the Cedar street interurban loop ordinance that the measure has become effective and operative by the failure of the mayor to return the same to the city clerk within five days after it was presented to him for approval. In this event the ordinance lacks only official publication and acceptance by the company to make it a contract with the city. If, as it is claimed, the ordinance has become a valid one owing to the mayor not returning it with his veto within five days then it is all on account of the hodge-podge compilation of the present city charter.

Chapter 3 of the charter, section 2, page 19, relating to the duties of the mayor, says:

All ordiances and resolutions shall, before they take effect, be presented to the mayor, and if he approves thereof he shall sign the same; and such as he shall not sign he shall return to the common council, with his objections thereto, by depositing the same with the city clerk to be presented to the common council at the next meeting thereafter. * * * If any ordinance or resolution shall not be returned by the mayor within five days (Sundays excepted) after it shall have been presented to him, the same shall have the same effect as if approved by him.

The ordinance was sent to the mayor June 2, at 3:30 p. m., and as stated in the Globe yesterday, was returnd to the city clerk with a veto message Thursday afternoon shortly before 5 o'clock. Some question was raised as to whether the five days were not up at the exact hour of 3:30 on Thursday, but Corporation Attorney Markham quotes the general statutes of the state on the point, the law providing that in the computing of time within which an act is to be done the first day shall be excluded and the last day included.

If this section of the charter is of force then Mayor Kiefer's veto is all right, but there is some question as to whether the act passed by the legislature in 1891 codifying the charter did not repeal the section above quoted. In passing what is known as the Bell charter that portion of the charter relating to the duties of the mayor were amended and on page 33, of the compilation of 1893, is the following:

If any order, resolution or ordinance shall not be returned by said mayor with his signature to said city clerk's office within five days after it it has been presented to him, or shall not be returned to the body in which it originated, as aforesaid, or to said clerk, with the objections of said mayor for said body, the same shall become operative in like manner as if he (said mayor) had signed and approved the same.

This last amendment, it is held, repeals the section of 1874, in which Sundays are excepted from the five days in which the mayor had to approve resolutions or ordinances, and, if this point is sustained, then the mayor's veto was one day too late, and the ordinance became operative without his signature Wednesday night.

M. D. Munn, attorney for the street railway company, refused to discuss the matter last evening, saying that he had not conferred with either President Lowry or Vice President Goodrich in regard to the ordinance.

Several members of the council stated that the street railway officials had canvassed the council and had received assurances that the section providing that the track be laid five feet west of the center line of the street had practically been nullified in the ordinance by the amendment which gave the council the right, by a three-fouths vote, to order the track removed from the street whenever it was deemed necessary.

If, as it is claimed, the ordinance became operative by reason of the mayor having allowed the five days to elapse without affixing his signature or vetoing it, then the company is in duty bound to locate and construct the track as provided for in the ordinance, and this will necessitate the track which has been laid being taken up.

From one of the street railway officials it is learned that the only reason the track was not laid as provided in the ordinance was that the property owners on the west side of Cedar street objected to the track being laid except in the center of the street, and threatened injunction proceedings if an attempt was made to place it anywhere else.

In certain quarters it is claimed that the veto of the mayor was nothing more or less than a grandstand play to catch votes, and a number of the politicians who are opposed to the administration will listen to no other explanation. The business men, it is said, will at once commence an agitation and bring pressure to bear on the members of the council to force the ordinance over the veto of the mayor, on the ground that unless the company can use the street the grade expected from the new line will not materialize. Usually it takes but a two-thirds vote to pass a measure over a veto, but Corporation Attorney Markham holds that in this case it will require the same number of votes to override the veto as it did to pass the ordinance, which was a three-fourths vote of each body.

STILLWATER.

Street Railway Differences Settled—Prisoner From Porto Rico.

The differences existing between owners of the Seymour street property and the Twin City Rapid Transit company, relative to the North Third street line, were amicably adjusted yesterday, and there is no hindrance in the company's way.

First Sergeant John Harris, of Company B, Eeleventh United States regulars, and Private Henry Brady, of Company E, of the same regiment, arrived yesterday morning from San Juan, Porto Rico, having in custody Rafael Ortiz, the native Porto Rican, sentenced to the Stillwater prison for life for the murder of Private Burke, of the Forty-seventh New York volunteers. They arrived over the Milwaukee road, having made the trip from Porto Rico in eleven days. Sergeant Harris said they had no trouble with the prisoner. They allowed him as many privileges as possible while en route, but his inability to speak English made it almost impossible for them to ascertain his desires. In speaking of his case, Sergeant Harris said that it was generally understood from press accounts that the murder was committed because Burke had alienated the affections of Oritz's sweetheart, but he says this is a mistake, Oritz claiming that the woman was his wife. Ortiz is of small stature and very dark, but has an intelligent looking face and is not homely. He was given permission to rest at the prison yesterday after his long journey, and today will be assigned to work for the state. Sergeant Harris said they made the trip on the United States transport McPherson, and landed at New York on June 7, having spent one day at San Diego en route.

Sergeant Harris left last eveing for New York and will spend a four months furlough with his parents and other relatives in New York, Philadelphia, Washington and other Eastern cities. Private Brady will rejoin his regiment as soon as possible, going by way of New York.

The hearing of B. A. Wallace on a charge of having assaulted Eddie Swain, has been continued until next Thursday, owing to the absence of witnesses.

The junior class of the Stillwater high school tendered a reception to the graduating class at the high school last evening, and a large number of people were present. An orchestra was also present and rendered an excellent musical programme.

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Portland and return	32.50
Toronto and return	24.40
Halifax and return	44.00
Quebec and return	33.00
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Springfield, Mass., and return	30.00
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Other points at proportionate prices. "Soo Line" ticket office, 398 Robert street.

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