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Wm. D. Hooper

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CASTORIA

Perfect Remedy for Constipation, Sour Stomach, Diarrhoea, Worms, Convulsions, Feverishness and Loss of Sleep.

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ST. PAUL NEWS & NOTES

J. M. CHELLEW AGAIN ELECTED COMMANDER BY MACCABEES' STATE CONVENTION

AUSTRALIAN BALLOT IS USED

Ladies of the Maccabees Arranging for Elections—Closing Banquet and Dance Given Last Night.

MANKATO, Minn., June 4.—(Special.)—The state convention of Maccabees, which has been in session two days, closed tonight with a banquet and dance. J. M. Chellew, of St. Paul, was re-elected state commander, and J. B. Ogle, Mankato, and George McKay, St. Paul, were elected supreme representatives to the supreme hive. Brainerd was selected as the next meeting place of the convention. The banquet was given at the Hotel Mankato last night, after closing the session this afternoon, after electing the officers.

Other officers of the Maccabees are: Lieutenant commander, J. R. Moorhead; recorder, Joseph Earl C. Scott; St. Cloud; state finance keeper, Martin Mossell, Crookston; state physician, Dr. Richardson, Minneapolis; chaplain, Alexander Stewart, West Duluth; master-at-arms, George A. Hogboom, Two Harbors.

Among those present were Supreme Commander D. P. Markey and Supreme Medical Examiner, Dr. J. R. Moorhead, and Mrs. L. M. Hollister, supreme commander, and Miss Vina West, supreme record keeper of the Ladies, all of Huron, Minn. Reports of the officers show that there are 130 tents of Maccabees in the state, with 5,053 benefit and 1,559 social members.

MRS. M'KINLEY IS A VERY SICK WOMAN

"NO IMMEDIATE DANGER" IS BEST DOCTOR CAN SAY.

WASHINGTON, June 4.—Dr. Johnson, Sternberg and Rixey were in consultation over an hour at the White house this forenoon. At 11:30 o'clock Secretary Cortelyou gave out the following report: "Mrs. McKinley's physicians report that she had a comfortable night and that her condition has not materially changed from yesterday."

While Dr. Rixey was slightly more hopeful in his talk tonight, the patient's condition cannot be said to show any material change. It has been reported that unless a material change for the worse should occur and that the only bulletin to be issued shall be one following the usual forenoon consultation. Surgeon General Sternberg called at the White house during the evening. Among those who called to manifest their sympathy and make personal inquiries as to Mrs. McKinley's condition were: Count Cassini, the Russian ambassador; G. M. Miles, Miss Wilson, daughter of the secretary of agriculture, who spent some time with the president and Miss Barber; Postmaster General James Wilson; Pay Director and Mrs. Wand, of the navy; Miss Hittchock, daughter of the secretary of the interior; Mrs. A. W. Greely, A. B. White, of Kansas City, and Mrs. A. J. Stanley, of St. Paul. Mrs. Stanley admitted at the White house after 3 o'clock, an hour earlier than the usual time for closing the doors to personal friends. One of the president's visitors said it was a grave condition. There was some hope for the outcome, he said, but it was a very slender hope.

CITY'S ACQUISITION OF MARKET SITE LAND BY CONDEMNATION ILLEGAL

DECISION BY JUDGE KELLY

Summary Condemnation Violated the Constitution, and Long Delay Is Probable—Plan to Evade Decision.

As anticipated by the market site committee, Judge Kelly, in a district court, holds that the law permitting condemnation proceedings by which the market site on Jackson street was secured is unconstitutional. His decision was handed down yesterday and was given in response to the appeal of H. W. Bartol, of Philadelphia, who demurred from the proceedings taken to acquire the land. His objection was against the amount tendered by the city, \$9140, though his objections to the court were based entirely on the unconstitutionality of the law allowing such condemnation proceedings.

The act under which the proceedings were taken is one giving the common council the right to acquire the land by summary condemnation, and in 1892 amended what appears now as section 23 of article 4 of the constitution. By this section the legislature is among other things forbidden to pass any local or special law regulating the affairs of any city in the state. Ever since its adoption efforts have been made to evade this plain constitutional prohibition and to give the city the right to hold constitutional amendments, which clauses are too sweeping and drastic to give these repeated attempts to nullify them, but the remedy lies with the people and not with the courts. The mental law, national and state, contained in the constitution should be by the courts strictly and fearlessly enforced, without regard to the consequences.

The 1898 amendment to the constitution, says Judge Kelly, "provided for general laws legislating for cities having certain specified extent of population, which classification based on population may be made arbitrarily in such general laws. The other conditions for a valid classification still exist under the decisions of our supreme court."

The vice of the act of 1899 is the attempt to limit its application to "any city of the state having at the last preceding state census, more than 50,000 inhabitants."

In view of the decision of the court it is hardly probable that anything further will be done this year. The city is now in possession of sufficient land to allow the construction of a market house and will defer further acquisition until some other year. The difficulty can be found. The ground in all probability will be condemned for street purposes. Mr. Davidson whose place is north of the market property, has signified his willingness to sell.

POLICY COVERED THE FISH

Insurance Company's Motion for Trial Is Denied.

Judge Bunn, of the district court, yesterday filed an order in the case of the Rock Fish company against the Manchester Fire Insurance company, in which the court denied the defendant's motion for judgment notwithstanding the verdict. The plaintiff secured a verdict for personal injuries, which the court holds was not warranted by the evidence.

United States Circuit Court.

The following attorneys were admitted to practice in the United States circuit court of appeals yesterday:

John H. King, Huron, S. D.; John D. Rivers, Chamberlain, S. D.

Orders were entered as follows:

John C. Teller vs. United States of America and L. J. Bruce vs. United States of America. Error to United States district court, district of Wyoming. Arguments concluded and case submitted.

Macomber Pharmaceutical Company vs. Denver Chemical Manufacturing Company. Appeal from United States circuit court, district of Colorado. Leave granted for supplemental transcript of record, and to furnish printed copies of same.

John C. Teller vs. United States of America. Appeal from United States circuit court, district of Colorado. Argued and submitted.

Bank of Humboldt et al. vs. National Surety Co. et al. Appeal from United States circuit court, district of Nebraska. Cause continued to December term, with leave to use printed record and briefs in this case on appeal when a final decree has been entered in the circuit court.

Central Coal and Coke company, et al. Appeal from United States circuit court, district of Iowa. Cause continued to December term, 1901, by stipulation.

Crown Point Mining Company vs. Ontario Silver Mining Company, et al. United States circuit court, district of Utah. Argued and submitted.

The City of Fort Madison vs. The Fort Madison Water Company. Error to United States circuit court, southern district of Iowa. Cause continued to December term, 1901, by stipulation.

St. Paul, Minneapolis & Manitoba Railway Co. vs. The Western Union Telegraph Co. et al. Appeal from United States circuit court, district of Minnesota. Cause continued to December term, 1901, by stipulation.

Charles Crockett et al. vs. Belle Miller. Error to United States circuit court, district of Nebraska. Submitted on briefs. Original, in re W. J. Hawk, petitioner. On petition for review. Submitted on December term, 1901, by agreement of counsel.

In re William A. Falconer. Trustee, petitioner. On petition for review. Submitted on briefs.

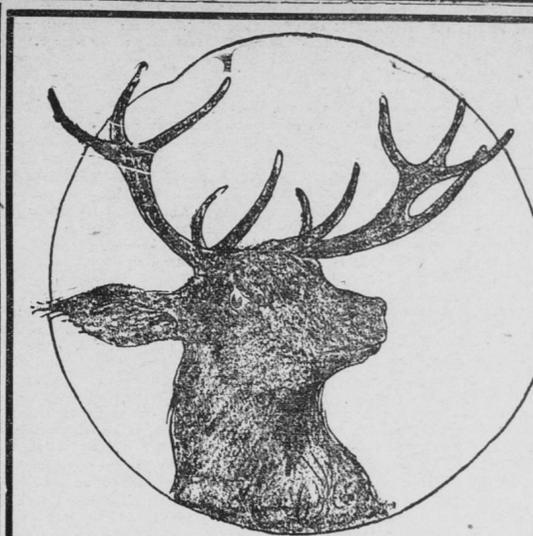
In re D. J. Young, petitioner. On petition for review. Submitted on briefs.

POLICE COURT BREVITIES.

The charge against Dr. Thomas S. Cook, arrested for drunkenness and disorderly conduct, was yesterday stricken from the police tab on motion of City Prosecutor Finheuer. Cook is at the city hospital recovering from too much liquor.

Salaries to Be Paid Quickly.

In order to obviate the necessity of county officials and employees waiting a month extra for their salaries, they will hereafter be paid by commissioner's warrants, which can be cashed the moment they are drawn. Public Examiner Pope and County Attorney Kane hold that such is legal.



TO THE HOUSE-WIVES OF ST. PAUL!

Do you know that we can do your family washing better and cheaper than you can?

Well, its so, and we will be glad to prove it to you if you will give us the chance. Your strength and time saved.

We have reduced the price on small

SHIRTS to 10c.

All work guaranteed to be satisfactory.

ELK LAUNDRY CO.

51 and 53 West Third Street.

H. GRUNHAGEN, Manager. Telephone Main 268.

TESTED IN THE COURTS

COUNCIL'S RIGHT TO ABATE PENALTIES IN PAYING CONTRACTS TO BE DETERMINED

J. J. M'CARDY IS WRONG AGAIN

Legal Department of the City instructs Comptroller to Audit Barber Asphalt Company's Bill.

The question of the right of the common council to abate penalties in paying contracts, when such are not provided for in the contracts, is to be tested in the courts. When the Barber Asphalt company last year paved several streets in the hill district they overstepped the time limit several weeks, the council finding a reduction of their bill to the extent of \$415. To all appearances the delay was unavoidable and the council favored the removal of the penalties. Comptroller M'Carthy, however, was obstructive and refused to audit the resolution and he was sustained by the legal department.

That the council might receive legal settlement, the board of aldermen at its meeting last evening, ordered its payment, thus enabling its transfer to the courts. Mr. M'Carthy will refuse to pay and mandamus proceedings will follow. In addition to docking the company for being behind with its work, Mr. M'Carthy touched it for \$100 for being too early, the latter contention being based on a charter provision which says that work not done before the contract has been countersigned shall not be paid for. In this matter the legal department ruled that the comptroller was wrong, and at the meeting last night he was instructed to audit the bill for its full amount.

If the recommendations of the engineering department are heeded, crushed stone that now costs the city about \$50 a cubic yard, will be reduced to 50 cents. The idea is to supplant the present fifteen-ton roller with a seven-ton machine and also a complete portable stone-crushing outfit. The outfit will cost about \$500 and at the meeting last night bids for the same were ordered for by the city clerk.

The action of the park board in acquiring about twenty acres for an addition to the Indian Mounds park was approved. The purchase represents an expenditure of about \$20,000, and will be further added to by condemnation proceedings which will follow later. The members of the park board announced that they have purchased all the ground they desire this year.

A preliminary order was introduced for the macadamizing of South Robert street, from the Great Western freight depot to Concord street.

From patriot H. Thornton, who has the contract for the grading of the new lot site on Jackson street, was received claim for \$20, he asking to be reimbursed because of a misarrangement of plans on the part of the city. When he took the contract he was expected to use the surplus of dirt in filling the new places on the Bartell and Davison sections, but since the courts have declared that the law under which they were obtained is unconstitutional, he has to haul it away. The matter was referred to the committee on streets.

THE FOREIGN WILL OF MARY S. OTTO

Deceased, was filed for probate yesterday. The estate in Ramsey county consists of real property valued at \$1,200.

The jury in the case of Charles Illavao against A. E. Katz and Charles Katz, an action to recover possession of a lot of shoes, and which has been on trial before Judge Brill for a number of days, yesterday returned a verdict awarding the possession of the property to Joseph Illavao and Franziska Illavao, who were intervenors. The jury placed the value of the goods sued for at \$120.

Judge Brill and a jury yesterday afternoon took up the case of Charles D. Kennedy against the Maryland Canning company, to recover \$5,257.33. Some time ago Mary Thiel, formerly employed in Mr. Kennedy's laundry, secured a verdict in the district court for damages in the above amount for personal injuries alleged to have been received while in the employ of Kennedy, and the plaintiff is suing the insurance company to recover the amount of the verdict.

Judge Lewis and a jury, in the district court, are trying the personal injury case of Robert Feyer against Retchow Bros., an action to recover \$2,648 damages. Plaintiff alleges that June 23 last he was riding a bicycle on Fourth street, near Robert, and that a team of the defendant ran into him, throwing him off from his wheel and injuring him.

Original, in re William A. Falconer, trustee, petitioner. On petition for review. Submitted on briefs.

In re D. J. Young, petitioner. On petition for review. Submitted on briefs.

WEDNESDAY'S NEWS

WHITE EARTH AGENCY.

Simon Micheles Named as Agent by President McKinley.

WASHINGTON, June 4.—The president today made the following appointments: Treasury—Lincoln Avery, collector of customs, district of Huron, Mich. Interior—Simon Micheles, agent, White Earth Indian agency, Minnesota; Dupont G. Sampson, receiver of public monies, both at Ashland, Wis.

BOTH PRISONERS PLEAD GUILTY.

June Term of U. S. Court Opened at Winona.

WINONA, Minn., June 4.—The June term of the United States court opened here this morning. The grand jury was sworn and retired, and late this afternoon brought in two indictments, one against John A. Russell, of Austin, for murdering him with having passed an obscene and immoral letter through the mail, and one against O. B. Armstrong, charging

150 Styles of Vehicles

Are shown in our repository. We have all styles—late ones, of course—and the prices are very low. Visiting physicians are invited to inspect our handsome line of Stanhopes and Concords.

THOMSON & EGE CARRIAGE CO.

142 East Sixth Street, Opposite Hotel Ryan.

Stillwater News

The annual commencement exercises of the Stillwater high school were held in the Grand Opera house last evening, and thirty young ladies and gentlemen received their diplomas. Eight members of the class took part in the exercises last night, but the entire class, teachers and members of the board of education occupied seats on the stage. The opera house was filled with friends and relatives of the graduates.

The Eclipse and Everett cleared yesterday with a tow of logs for Lindsey & Phelps, Dayport, and the Ravenna and bow boat left with a large tow of logs for the South Muscatine Lumber company, Muscatine, and 20,000 feet of lumber for the Wabasha Lumber company, at Wabasha.

According to reports from Hudson the remains of Charles Evanson were badly decomposed when the body was found Monday morning, and the supposition that he hung himself nearly a week before. He was found in an old farm house near Hudson, and he was so close to the floor that it was necessary for him to bend his knees in order to get a strain on the rope. The remains were buried at Hudson.

Several cases of diphtheria have been reported to the city physician, and one death occurred Monday evening, namely, the eleven-year-old daughter of Mr. and Mrs. Victor Bergeron, residing on Anderson street.

The boom company is as yet unable to tell when work can be resumed at the boom. No logs have arrived in Nevers dam, and lumber is looking for rain, so that the situation can be improved upon.

The board of prison managers will meet at the prison tomorrow. A number of applications for parole have been filed.

him with having attempted to pass a false money order. Each pleaded guilty. Russell was fined \$15 and Armstrong \$20. The case of Russell Sage vs. The Town of Pepin, to recover on old bonds, was continued.

Thomas Fraser, of Rochester, was admitted to practice in the United States district and circuit courts.

John Seman is now on trial on the charge of having raised a \$1-bill to the denomination of \$10.

BANKERS AT SIOUX FALLS.

Tenth Annual Session Will Be Called to Order Today.

SIOUX FALLS, S. D., June 4.—(Special.)—The tenth annual convention of the National Bank of Sioux Falls will commence here tomorrow, for a session lasting two days. The membership is made up of the officers of national, state and private banks, savings banks and trust companies. It is believed the attendance will be the largest in the history of the organization. The convention will be called to order tomorrow by Porter P. Peck, of Sioux Falls, president of the association. The invocation will be delivered by Rev. D. B. Scott, pastor of the local Congregational church. Hon. H. N. Keith will deliver the address of welcome on behalf of the citizens of Sioux Falls. A response will be made by O. L. Branson, cashier of the First National bank of Sioux Falls, and will come the reports of the officers of the association, and of the executive committee.

On Thursday will occur the election of officers, appointment of committees and adjournment. The Teton hotel has been named as headquarters for the visiting bankers and their friends. The annual banquet of the association will be given at the Teton at 10 o'clock Thursday evening.

SMALLPOX EPIDEMIC ABATING.

Quarantine Will Soon Be Raised at Cheyenne River Reservation.

SIOUX FALLS, S. D., June 4.—(Special.)—Information is received here to the effect that smallpox is rapidly abating on the Cheyenne river reservation, and that the quarantine can be raised in the near future. This condition of affairs is due to the energetic quarantine which has been maintained on the reservation during the last three weeks. Of the thirty-seven Indians in the pest camp near Angel, at the mouth of the Cheyenne river, there has been only one death, an old man named One-Hand-Clear. One old man, Slow Eagle, is dangerously ill. All the others seem to be recovering. The Indians in the pest camp are receiving extra rations and are well cared for, but have a pretty hard time of it since the appearance of smallpox in Stanley county. There are now fifty Indian children in the pest camp, and the army is enforcing the quarantine against Stanley county and guarding the pest camps. Maj. Ira Hatch, United States Indian agent at Cheyenne river agency, and F. W. Lyons, agency farmer and chief of the Indian police, are nearly worn themselves out riding from camp to camp, eating with the Indians and sometimes sleeping in smallpox-infested houses. The earnest efforts of these two men have saved the lives of scores of Indians on the Cheyenne reservation, and no doubt to them is due the fact that the disease did not spread among the Indians of the entire Sioux nation.

ALDERMEN AND GAMBLING.

Claimed West Superior City Fathers Own Jointly.

WEST SUPERIOR, Wis., June 4.—(Special.)—Upon motion of Aid. Barry, the council tonight ordered the mayor and chief of police to report on the number of gambling and ill-fame houses running in the city, contrary to law. It is alleged that three aldermen control one gambling house, and that a fourth is owned and controlled by another alderman. There is said to be some kind of a deal behind the resolution calling for the report.

Hastings.

HASTINGS, Minn., June 4.—(Special.)—The marriage of Otto Ackerman and wife, Lena R. Heinen, was solemnized at St. Boniface church today at 10 a. m., by the Rev. Othmar Erren officiating.

Rudolph Latto, president of the German-American bank, and one of Hastings' most prominent citizens, died this morning from liver trouble after a protracted illness, aged seventy-four years. He had resided here since 1856. The funeral will be held from St. Luke's church on Thursday, at 3 p. m., the Rev. P. Finley officiating. Interment in Lakeland.

Rain at Larimore.

LARIMORE, N. D., June 4.—(Special.)—After much uneasiness all spring rain began last night continuing until noon today. An immense crowd of spectators is gathered along the board walk, viewing the unusual spectacle.

Letters Proving

Positively that there is No Medicine for Woman's Ills Equal to Lydia E. Pinkham's Vegetable Compound.

PROFUSE PERIODS.

"I commenced taking Lydia E. Pinkham's Vegetable Compound about three months ago, and cannot express the wonderful good it has done me. My menstruations were so profuse as to leave me very weak for some time after. I was also troubled with leucorrhoea, tired feeling, bearing-down sensation, pain across the back and thighs. I was as though there was a heavy weight in my stomach all the time. I have taken two bottles of the medicine, and now have better health than I have had for six years."

Mrs. Lizzie Dickerson Hodge, Avalon, Ohio.

CHANGE OF LIFE.

"I was taken sick five years ago with 'The Grippe,' and had a relapse and was given up by the doctor and my friends. Change of Life began to work on me. I flowed very badly until a year ago, then my stomach and lungs got so bad, I suffered terribly; the blood went up in my lungs and stomach, and I vomited it up. I could not eat scarcely anything. I cannot tell what I suffered with my head. My husband got me a bottle of Lydia E. Pinkham's Vegetable Compound, and before I had taken half of it I began to improve, and to-day I am another woman. The Pinkham's medicine has saved my life. I cannot praise it enough."

M. A. DEXSON, Millport, N. Y.

NOVELTY FOR RESORTERS.

British Steamer Ranalada Sinks Off Atlantic City, N. J.

ATLANTIC CITY, N. J., June 4.—The British steamer Ranalada, from Trinidad, for New York, and whose cargo of asphalt melted and caused the ship to heel so badly that she anchored off here yesterday, sank early this morning off shore about a mile from Young's pier. The ship lies easy in six fathoms of water. Her crew came ashore in row boats. An immense crowd of summer visitors is gathered along the board walk, viewing the unusual spectacle.

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