

NEWS OF THE CITY

JUDGMENT DOESN'T TOUCH TWO FIRMS

Judge Brill Holds It Is Not Cause of Action Against Unnamed Party

A judgment against one person or corporation cannot, in itself, be made a cause of action against another person or corporation...

This opinion was expressed yesterday by Judge Brill, of the district court, in an order overruling the defendant's demurrer to the complaint in the case of Charles Casey against the American Bridge company...

In November, 1903, Casey secured at Kansas City a judgment against the Wrought Iron Bridge company for \$2,531.55 as damages for the personal injuries sustained at the time of the accident on the bridge.

Presumably, although the statement does not appear in the complaint, Casey was unable to collect this judgment. In any event, he has since brought in the Ramsey county district court the foregoing action against the American Bridge company...

The defendant's demurrer—that the complaint fails to state a cause of action—is overruled, and the defendant has leave to answer within ten days.

A similar order is filed in the case of John Casey against the American Bridge company. He was injured in the same accident and he recovered at Kansas City, a judgment against the Wrought Iron Bridge company for \$4,036.85.

CONTEST IS ASSURED

Recount of O'Brien and Hallam Votes Demanded

Papers in the O'Brien-Hallam contest for district judge have been prepared and signed, and at the latest will be filed Tuesday.

An appeal will be taken from the decision of the state canvassing board, which held that Hallam was elected district judge by a majority of 15 votes over O'Brien. The usual allegations of fraud will be made, based upon which a recount of the ballots will be demanded.

LANDLADY WINS SUIT FROM HER TENANT

Is Awarded Verdict Against Him for Four Month's Rent

Judgment for the plaintiff in the full amount sought—\$160—was awarded by the verdict obtained yesterday by Judge Kelly, of the district court, in the case of Nancy A. Danforth against J. T. Owens.

CONTRACT FOR METAL FILING CASES AWARDED

A contract for supplying metal filing cases to the probate court, the city engineer's office, the office of the clerk of courts and the abstract office, was awarded yesterday, at an adjourned meeting of the joint court house and city hall commission, to the Art Metal company. The amount of this company's bid was \$1,200.

Brown, Treacy & Sperry bid \$1,440, and McGill, Warner & Co. \$1,584.

Will Be Cared for at Home

GOLD WAVE COMING

Snow Is Also Billed to Arrive Before Christmas

St. Paul is directly in the path of a cold wave that has been sweeping over Canada for the past week and, according to the weather bureau, will strike the city today.

The weather has been bitterly cold in Canada for the last few days, the thermometer registering from 6 to 8 degrees below zero in many places, and in Winnipeg the mercury dropped to 26 below. Snow is also billed by the weather bureau to make its appearance before Christmas and there is a possibility there will be enough for sleighing.

The forerunner of the cold snap reached the city Thursday night, when a keen northwest swept the city, freezing the rain that was falling into sleet, and yesterday morning the streets resembled a skating rink. The condition of the down-town streets was such that, with the exception of the street cars, which grinded along on sandy tracks, travel was almost absolutely suspended. Horses slipped at every step and were unable to make any headway whatever. Even the pedestrians were seen floundering around on all fours, and to go beyond a snail's pace meant a certain fall.

The Humane society came to the aid of the horses by providing them with a sort of moccasin made of old carpet, which enabled the animals to maintain their balance and make fair headway towards noon. The water moderated slightly and the ice melted. Last evening, however, the wind shifted from the south to the northwest, and towards noon the water once more fell in small flurries but not enough to amount to anything.

BID NOT PROTESTED

Mayor Signs Resolution Granting Lighting Contract

Mayor Smith has signed the resolutions granting the contract for gasolene lighting and the care of gas lamps with the Patterson Street Lighting company for the present year, there having been no protest against such action.

It was expected that the American Lighting company, of Baltimore, would protest to the mayor against the signing of the contract, as their bid of \$12 per year for each light was rejected and the bid of the Patterson company at \$12.25 accepted. The ground assigned by the city council for such action was that the Baltimore company did not prove that it was financially able to carry out the contract and did not exhibit the lamp purposed to use.

JURORS DIFFER IN SUIT AGAINST CITY RAILWAY

Unable to Agree Last Night in Action of Charles M. Boorgren

The jury was still out long after midnight this morning that had tried the district court case of Charles M. Boorgren against the city railway company. The jurors went out at 4:30 o'clock yesterday afternoon.

Boorgren sued to recover \$10,300 for injuries sustained last July in a street car near Seventh street and Maria avenue. He says that because he pulled the signal rope to stop the car the conductor kicked him, inflicting injuries so serious that he was unable to walk or stand after leaving the car. He was picked up by passersby, who sent for an ambulance.

DIVORCE FIVE YEARS OLD IS MADE VALID

Clerk of Courts Signs Decree Granted to Mrs. Donahue, Now Dead

A decree of divorce granted by the Ramsey county district court in 1889 to a woman now dead, but never signed by the clerk of courts, will be signed by Clerk of Courts Rogers, in accordance with an order filed yesterday by Judge Jaggard.

VIOLENT DEATHS ON INCREASE IN ST. PAUL

Report for 11 Months Shows 83 Accidents and 40 Suicides

The number of violent deaths are increasing in St. Paul. During the past eleven months there have been 1,567 deaths, an increase of 78 over the corresponding period last year, and out of these 157 were from unnatural causes. Of these 83 resulted from accidents, 40 were suicides, 6 homicides and 7 cases of poisoning. For the same period of the past year there were but 126 deaths from unnatural causes, 88 from accidents, 28 suicides, 5 homicides and 7 from poison.

GIVE A HOP AT FORT ACCUSED OF HOLDUP

Officers and Ladies of Twenty-eighth Infantry Entertain

Philippine decorations uniquely decorated the post hall at Fort Snelling last night when the officers and ladies of the Twenty-eighth infantry gave a dance for the officers and ladies of the artillery and the medical corps. This returned the compliment conveyed in a similar dance some weeks ago when the social representatives of the artillery and medical corps, as the oldest members of the garrison, entertained for the twenty-eighth's arrival.

WILL ASSIST SANTA

Postoffice to Attempt Complete Mail Distribution

In view of the public's desire to get his Christmas presents, the postoffice will be kept open longer than usual tomorrow morning, and the carriers will make one or two extra trips than usual to the residence district.

PERSONAL INJURY SUIT TRIED A THIRD TIME

Case of Catherine M. Bow vs. Glove Company Before Judge Lochren

The third trial of the personal injury case of Catherine M. Bow against the Samossil Glove company was tried yesterday afternoon before Judge Lochren and a jury in the United States circuit court.

STILL FAVOR OHAGE'S SMOKE ORDINANCE

Letters Continue to Arrive Objecting to Any Amendment

Generally the writers hold that Dr. Ohage should insist upon the ordinance that no amendment be made to the ordinance as it stands. More than a hundred such letters are now on file at the health office and will be used as part of the argument against the O'Brien amendment.

WILL DECLARE THIRD DIVIDEND THIS YEAR

Creditors of St. Paul Trust Company to Receive Another Payment

The rapidity with which the Northwestern Trust company, as receiver of the St. Paul Trust company, is adjusting the affairs of the St. Paul company, is evident in the application made yesterday to Judge Orr, of the district court, for leave to declare another dividend of 20 per cent.

MONTANA COURT TAKES THE BEEF TRUST CASE

Arguments Heard by Supreme Tribunal on Defendant's Demurrer

HELENA, Mont., Dec. 23.—The beef trust case is now in the hands of the supreme court, in which tribunal several hours today were devoted to arguments on the demurrer filed by the defendants in each of the five suits brought by Attorney General Donovan. The defendant companies are Swift & Co., Armour & Co., Cudahy & Co. and the Hammond Packing company. There being two suits against the latter.

Attorney General Donovan alleges that the companies named had formed a combine for the control of prices of live stock and packing house products.

ACCUSED OF HOLDUP

John Ryan and Dan Fenton Identified by Victim

John Ryan and Dan Fenton were arrested late Thursday night on the charge of highway robbery preferred by Joseph McNeil, of 870 Westminster street.

WOLABORERS HURT

They Fall From Ladder Forty Feet to Pavement

William Petrowski and John Klingler, laborers employed on the Stronge & Warner building, Seventh and Minnesota, had a terrible plunge through space yesterday afternoon, falling a distance of forty feet and striking on the icy pavement.

FRENCH GUILLOTINE SOUTH SEA ISLANDERS

Their Offense Was the Murder of Sailors of Trading Vessels

VICTORIA, B. C., Dec. 23.—H. M. S. Mutine, which has returned to Australia from a South sea cruise, reports that tribal wars were being carried on in the New Hebrides and many natives were being killed, especially on the island of Malakula. With the French warship Muerthe, the Mutine investigated the "cutting out" of two trading vessels, and the natives who murdered part of the vessel's crew were guillotined by the French.

FLAMES WIPE OUT S'OUX CITY BLOCKS

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point near the Tribune building, facing Pierce street, the firemen concentrated their efforts and managed to prevent the destruction of that structure, although it was considerably damaged.

WICHITA KICKS ON SOUTHERN SUGAR RATE

City Alleges Discrimination by Big Through Lines

WASHINGTON, D. C., Dec. 23.—Acting immediately on a complaint from shippers of Wichita, Kan., alleging that a number of large railroads threaten to advance the rates on sugar from New Orleans, and that these as well as the published tariff constitute a serious discrimination against Wichita in favor of Kansas City, St. Joseph, Omaha and Sioux City, the interstate commerce commission today set a hearing to be held at Chicago Dec. 29 to investigate the subject.

BELITTLES WORK OF PARIS COMMISSION

Continued From First Page

The man killed was a tenant in the Massachusetts building, who jumped from a fifth story.

JUSTICE SALE OF THE RANSOM & HORTON STOCK Still in Progress. Very Low Prices on Everything. MAURICE AUERBACH, TRUSTEE, 99 E. SIXTH STREET, ST. PAUL, MINN.

RAILROAD NEWS

ALTON LIMITED HITS VERY SAVAGE BLOW

Smith Daly, Railroad Man, Painfully Hurt in Accident at City Office

Smith Daly, assistant city passenger agent of the Great Western, was run over and badly cut and bruised by the Alton Limited yesterday morning at the city ticket office of the road, Fifth and Robert streets.

Mr. Daly was cut across the forehead and nose and was rendered unconscious for half an hour by the accident. Mr. Manchester, city ticket agent, was the first to reach the prostrate body, and as soon as he saw the extent of the injuries he called for the ambulance, by which conveyance Mr. Daly was hurried to St. Joseph's hospital.

The surgeons carefully examined the injuries and took eleven stitches in his scalp and head. Last night he was reported to be doing as well as could be expected.

MENU CARD SHOWS EXPOSITION BUILDINGS

Northern Pacific Dinner Bill for Christmas Issued to Public

The Northern Pacific has made a special effort to make its patrons comfortable Christmas day, and to this end has prepared a menu for Christmas dinner in the dining cars that is said to be the best put out by the road in its history.

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BIG DEPOT IS PASSING

Historic Grand Central of New York to Go

NEW YORK, Dec. 23.—Plans for a new railroad terminal to take the place of the present Grand Central station were submitted to a committee of the city board of estimates today by Ira A. Place, general counsel for the New York Central railroad and George B. Daniels, general passenger agent of the same company.

An area of more than nineteen city blocks will be taken up by the new terminal, which will extend from Forty-second to Fifty-seventh streets and from Madison to Lexington avenues. The station proper with the postoffice and express buildings will cover the blocks between Vanderbilt and Lexington avenues from Forty-third to Forty-ninth streets inclusive, and the block on Forty-second street between Depew place and Vanderbilt avenue.

Wide, generous approaches will be afforded by the buildings being placed well back from the street.

CHILDREN USE A CARTRIDGE FOR RATTLE

Plaything That Killed Mrs. Barnes Was Supposed to Be Empty

DETROIT, Dec. 23.—Thomas E. Barnes, whose wife was instantly killed in their home yesterday by the explosion of a "one-pounder" shell, told a remarkable story of the history of the shell. It had been in his wife's family, he said, for years before her marriage, her brother William Mahu, having brought it home as a curio when he was an apprentice in the navy. When Miss Mahu was married to Barnes she brought the shell to her new home with her other possessions.

FILIPINOS AMBUSH AND KILL SCOUTS

Lieutenant and Thirty-seven Men Die and a Town Is Threatened

MANILA, Dec. 23.—The Pulajanes have ambushed and killed at Dolores, on the island of Samar, a lieutenant and thirty-seven enlisted men of the Thirty-eighth company of native scouts. Two thousand Pulajanes, it is reported, threatened the town of Dolores and the situation is said to be critical. First Lieutenant George Abbot, in command of the scouts, has requested that aid be sent him.

Low Rates for Holidays

For Christmas and New Year holidays round-trip tickets will be sold at greatly reduced rates between all stations on the Chicago, Milwaukee & St. Paul Railway

On sale Dec. 24, 25, 26 and 31, 1904, and January 1 and 2, 1905. Good returning until January 4, inclusive. Splendid opportunity to visit your home or friends.

AWAIT DR. CHADWICK

Bail Will Be Furnished When He Arrives

CLEVELAND, Ohio, Dec. 23.—Arrangements are being made to secure bail, when he arrives here, for Dr. LeRoy S. Chadwick, who, with his wife, Mrs. Cassie L. Chadwick, was yesterday indicted by the county grand jury, charged with forging and uttering a \$5,000,000 note signed "Andrew Carnegie." Dr. Chadwick is on his way to New York from Paris and extradition papers are to be requested. It was said by a person interested in the case that the necessary sum would be furnished. County Prosecutor Keeler said today that the bond would probably be \$10,000 or \$15,000.

J. P. Dawley, counsel for Mrs. Chadwick, said he believed no attempt would be made by Dr. Chadwick to resist extradition.

It was planned that Emil Hoover, Mrs. Chadwick's son, should go to New York with Sheriff Barry to meet Dr. Chadwick on his arrival. Sheriff Barry offered no objection, but when Emil told his mother of his intention she opposed it.

Prosecutor Keeler said he expected to go to New York next week to investigate some phases of the case. The requisition papers for Dr. Chadwick were this evening received from Columbus.

CASTORIA

The Kind You Have Always Bought

THE STATE SAVINGS BANK 4th and Minnesota Sts. Wishes its friends a Merry Christmas and a Happy New Year.

Edison Phonographs

\$1.00 Down \$1.00 Per Week

Minnesota Phonograph Co., 37 East Seventh Street.

15c LUNCH

GET THE HABIT. YORK'S BUFFET, ERMST. BLDG.

PROVISIONS SATURDAY SPECIALS Hens, good lot... 7c Turkeys, little ones 12c Fancy Fowl... 8c Geese... 11c Fresh Bacon... 9c Spring Chix, good lot 9c Ducks, small lot... 10c Turkeys, special... 15c Fresh Hams... 9c Sparerib, neck bones... 2c This Great Sale Begins This Morning at 8 o'clock Four Extra Salesmen Wanted—Apply Today

MELLIN'S FOOD FOR INFANTS AND INVALIDS