COMPTROLLER TO AUDIT

BREMER'S CLAIM

Kelly Says Surety Bonds Should

Not Be Paid For by Of-

ficeholder.

ommissioners.

the following interesting memorandum:

JUDGE KELLY'S MEMORANDUM.

THE DECISIVE POINT.

Black Bass for Everybody.

Something to Admire

Boots and Oxford Ties, in all the latest shapes. Our stock includes everything for Women, Misses and Children. and our prices are as attractive as our stock.

Women's Gloria and Mimosa Lace || Shoes-welt soles-perfect in fit, and material the very best. Comfortable yet stylish shapes. Price,

Women's patent leather vici kid and Russia calf Oxford Ties-welt soles, in all the newest shapes.

\$3.50

\$3.50

Misses' and Children's vici kid Lace Shoes-spring heels-

| Sizes 8½ to 11-

Sizes 11 1/2 to 2-

Misses' Tan vici kid Lace | Misses' and Children's black

Shoes - medium weight - sizes and tan Oxford Ties, turn soles, 11 to 2. Special for Satur- sizes 81/2 to 1. Special for Satur-

AT OAKLAND CEMETERY.

FORT SNELLING.

FOREST CEMETERY.

Bugle Call.

Benediction.

CALVARY CEMETERY.

Divine

SOUTH ST. PAUL. Music by Marine Band.

Invocation—
By Rev. Father P. O'Neill, of St. Michael's Parish.

By Gen. M. D. Flower, the Presiding Officer.

Welcome Address—

By Mayor George L. Lytle, of South St.
Paul.

No. 148.

Patriotle Song—
By South St. Paul School Children
Reading of President Lincoln's Gettysburg Address by Capt. James D. Wood,
of Gettysburg Post.

Music by the Marine Band.

Memorial Day Oration by Hon. William
J. Donahower, Assistant Attorney General for the State of Minnesota.

"America," by the South St. Paul School
Children, Audience and Band.
Benediction by Rev. Thomas Hambly,
Clinton Avenue M. E. Church,
GERMAN-LITTHERAN CEMETERY

Benediction.



Memorial day exercises, under the direction of Acker Post_No. 21, G. A. R., will be held at the Auditorium Thursday afternoon, May 30. Preceding the indoor programme, the veterans, escorted by the several companies of the national guard and a number of civic organizations, will make a short march through the streets. The parade will form at corner of Sixth and Exchange streets, and will move at 2 o'clock p. m. On Sixth to Sibley, thence to Seventh, on Seventh to Cedar, thence to the Audi-

torium, in the following order:

Platoon of Mounted Police.

Chief Marshal, Gen. J. W. Bishop.

Aids, J. J. McCardy, M. D. Flower, M.

S. Mead.

Minnesota State Band, M. C. Selling, Director

FIRST DIVISION.

W. H. Hart, Assistant Marshal.

Acker Post No. 21, G. A. R., J. P. Iarkin, Commander

Garfield Post No. 8, G. A. R., W. W.

Hills, Commander.

Gettysburg Post No. 148, G. A. R., E. H.

Wood, Commander.

Ord Post No. 20, G. A. R., J. P. Lyon,

Commander.

Gen. Merritt Garrison.
No. 58, Army and Navy Union, William
Budy, Commander.
St. Paul Camp No. 1, Sons of Veterans,
J. F. Devore, Commander. SECOND DIVISION.

E. C. Libby, Assistant Marshal,
Gen. M. D. Flower Drum Corps, Harry
Hawkins, Director.
Third Battalion, First Infantry, N. G.
S. M., Maj. C. T. Spear, Commander.
Company C, Capt. M. C. Robinson.
Company E, Capt. W. C. Montgomery.
Company D, Capt. H. W. Tenvoorde,
Company E, Third Infantry, Capt. H. L.
Tourtelotte.

THIRD DIVISION. M. N. Goss, Assistant Marshal. Great Western Band, George Seibert,



While they are accumulating knowledge on the profound sciences, are often so ignorant of their own natures that they allow local disease to fasten on them to the ruin of the general health. Backache, headache, nervousness, point to a disordered or diseased local condition which should have prompt attention.
Dr. Pierce's Favorite Prescription may

be relied upon as a perfect regulator. It stops enfeebling drains, heals inflamma-tion and ulceration, and cures female weakness. It makes weak women strong and sick women well.

There is no alcohol in "Favorite Pre-

scription" and it is entirely free from opium, cocaine and all other narcotics. opium, cocaine and all other narcotics.

"Your letter just received," writes Miss Rose Kilfether, of 43 West Sharpnack St., Germantown, Philadelphia, Penna. "Words fall to express how thankful I am to you for your advice. I must confess that for the length of time I have been using your medicine I have found it to be the most wonderful and best remedy for female trouble that I ever have tried. Sorry I did not know of your 'Favorite Prescription' years ago."

Dr. Pierce's Common Sense Medical Adviser is sent free on receipt of 21 one-

Adviser is sent free on receipt of 21 onecent stamps to pay expense of mailing only. Address Dr. R. V. Pierce, Buf-

TIARY IS DRAWING \$4,000 PER ANNUM

Present Incumbent Assumed His Former Position With the Highest Salary Ever Paid for the Position.

Considerable inquiry has been made during the past few months, or in fact since the beginning of the new state administration, as to the amount of salaries raid some of the superintendents of the various state institutions, particularly the warden of the Stillwater penitentiary. It seems to have been the general impression that Warden Wolfer, who succeeded Gen. Reeves in March, is drawing the same salary as the latter, but this is

The official pay rolls in the state au-The official pay rolls in the state auditor's office show that Warden Wolfer receives \$33.34 more per month, or \$4.0 more in the year, than did his predecessor, Gen. Reeves, at the time the change was made. The salary paid Warden Wolfer at the present time is \$4,000 a year, the most that has ever been paid to any warden in the state.

When Warden Wolfer's first term of office began, prior to the appointment of Gen. Reeves, the maximum salary paid by law was \$250 a month, or \$3,000 a year. This, therefore, was his income. But in 1839 the legislature raised this amount title was misleading. Mr. McCardy also 1899 the legislature raised this amount of \$4,000, and at once Wolfer's salary was increased to at once Wolfer's salary was increased to before Judge Kelly both these contentions which he drew un'il he before Judge Kelly both these contentions. At this time Gen. Reeves was appointed warden of the state prison, and was placed on a salary of \$250 a month, which was less by \$600 a year than the state had just been paying Warden Wolfer. For some reason Reeves was not paid the \$300 a month until in the spring of 1900. It was in March when his salary was increased to \$3,600 a year, and he received this until the expiration of his term, which came about by his being removed by the present governor, wanted to make room for Wolfer.

REEVES WAS SLIGHTED.

Warden Reeves was never advanced to maximum which the law allowed, \$4,000. This salary was first paid by the state to Warden Wolfer when he began his present term of office in March of the present year.
The fixing of the salaries for the war-

den is, of course, within the province of the legislature, and it alone, but the board of prison managers has the right to say what part of the amount allowed by the legislature shall be paid. In other words it is the board of managers that raises or lowers the salaries of the war-dens. Of course this board has no power dens. Of course this board has no power to go beyond or below the maximum and minimum respectively fixed by law.

It is said, however, that the administration insisted upon the full amount, \$4,000, being paid Warden Wolfer, and that this was done in accordance with a definite understanding had between the interested parties before Mr. Wolfer consented to again accept the place he had sented to again accept the place he had once voluntarily resigned. There was never any cause assigned for Warden Reeve's being kept down below t maximum created by the legislature.

M'CARDY WRONG AGAIN

OESTINATE COMPTROLLER NOT SUPPORTED BY LEGAL DE-PARTMENT.

In two opinions given yesterday by the legal department, City Comptroller Mc-Cardy is held in error because of his re-fusal to audit certain warrants author-

legal department, City Comptroller McCardy is held in error because of his refusal to audit certain warrants authorized by the city council.

One of these is the payment to the Barber Asphalt company of \$1,040, which he deducted from their bill for the paying of Arundel street. Under the charter work on improvements must not be commenced before the comptroller has countersigned the contract. In this respect it was held that Mr. McCardy was Decoration of the "Memorfal Cross," by
Commanders of Acker, Gen. Ord, Garfield and Gettysburg Posts, G. A. R.,
and Maj. N. C. Robinson, representing
Veterans of Spanish-American War.
MusicBy St. John's Church Choir
Memorial Service Prayer—
—W. H. Bratton. Chaplain of Acker
Post, G. A. R,
Reading of Lincoln's Gettysburg Address spect it was held that Mr. McCardy was dillatory and the company, anxious to get through, started work without his

The other was on the refusal of the dress—

MusicBy St. John's Church Choir Address...By Rev. M. D. Edwards, D. D "America". St. John's Choir and Audience Firing Salute—

—By detail from Camp No. 1, S. of V "Taps"..........Charles Casier, Bugler Benediction comptroller to audit certain warrants issued by the board of public works for improvements. He held that some of the assessments on the property had been abated by the board.

HURRY-UP ORDERS.

Suits Turned Out on Short Notice. Bugle call, assembly 9:45 a. m.
G. A. R. services for the occasion,
Decoration of graves by comrades,
Reading Lincoln's Gettysburg address,
Saiute to the dead by a detachment of
the Eighth United States infantry. We employ a large force of tailors, and can make you a suit in the shortest possible time, without slighting any detail of fine tailoring. The finest foreign and American fabrics and best workmanship. Prices very low for the kind of work we give. Duncan & Barry, 37 East Fourth street, the moderate priced tailors. Assembly—Bugle Call..........8:30 p. m. Reading of General Order from Department Headquarters.

Song.....Batle Hymn of the Republic Decoration of Graves by Comrades and Sons of Veterans, Assisted by Ladies and Children.

Refused Burial Certificates.

Health Commissioner Ohage has refused to Issue burial permits on death certificates issued by Dr. U. Branch, a physician having offices on West Seventh street. The commissioner contends that the doctor's name is not on the state register as a licensed physician. Dr. Eranch says that he will have it placed

WILL SEND \$2.50 FREE.

Franklin Miles, M. D., LL. D., the Celebrated Chicago Specialist, Willi Send \$2.50 Worth of His New Special Treatment Free to Each of Our Readers.

Response and Reading of Memorial Day Orders by Capt. E. H. Wood, Com-mander Gettysburg Post, G. A. R.,

Each of Our Readers.

When an experienced physician offers to give away \$40,000 worth of a New Treatment for diseases of the heart, nerves, stomach, or dropsy, it is conclusive evidence that he has great faith in it. And when hundreds of prominent men and women freely testify to his unusual skill and the superiority of his New Special Treatment his liberality is certainly worthy of serious consideration.

That Dr. Mills is one of the world's most successful physicians is proven by hundreds of testimonials from well-known people. One patient cured after failure of eleven Grand Rapids physicians, two after being given up by six, and seven Chicago physicians, another after nine of the leading doctors in New York city, Philadelphia and Chicago failed. Thousands of testimonials sent upon request.

The eminent Rev. W. Bell, D. D., of Dayton Ohio Geopeni Serreture of Fereign 1997.

WARDEN OF STATE PENITEN- WRIT OF MANDAMUS COMPELS ST. PAUL OFFICER TREATED PRE-CISELY AS WAS GEN.

MORE THAN REEVES EVER GOT JUDGE HOLDS BILL IS VALID JUNIOR RAISED ABOVE HIM

WADE

In a Lengthy Memorandum Judge Judge Advocate of the Department of the Dakotas Is Doomed to Retire With the Rank of Colonel.

Col. Hunter, judge advocate of the de-partment of the Dakotas, received yes-terday from Washington his commission Comptroller McCardy and County Auditor Johnson "have another guess coming." In the meantime Mr. McCarly, acting as a full colonel in the American army under an imperative writ of mandamus but under the peculiar circumstance surrounding the case it is scarcely prob able that he received it with the satisfaction that usually attends a well-earned promotion. In brief, Col. Hunter has recently been subjected to the humiliation council resolution paying to City Treasure. Bremer \$800 expense incurred by him in securing a surety bond of \$200,000. In the case of County Auditor Johnson a writ is not necessary. He has "tumbled," and in consequence County Treasurer Metzdorf is fondling a check of seeing an officer outranked by him-self raised over his head and placed at the head of the judge advocate depart-ment of the army.

The colonel has, in fact, been given a

for \$60, which has been reposing in the auditor's inside pocket ever since the comptroller's contentions became public dose of the medicine administered to Gen. Wade, late the head of the depart-Gen. Wade, late the head of the department, only in the case of the judge advocate the drought has been stronger and more bitter. Recently the authorities at Washington raised Colonels Barr and Clous, of the judge advocate department, to the rank of brigadier general, and promptly retired them. This left Col. Hunter the senior officer in this department, and by the usual working of the seniority regulation he should have been property. Mr. Johnson turned it over to reasurer Metzdorf yesterday afternoon In refusing to reimburse the two financial custodians, as authorized by the common council and the county comm'swas unconstitutional in as much as its title was misleading. Mr. McCardy also held that the provision conflicted with seniority regulation he should have been seniority regulation he should have been made a brigadier general and placed at the head of the department when the late incumbent was retired a few cays ago. This, however, did not happen, and Col. George B. Davis, considerably the junior of Col. Hunter in point of age and service, was helsted into the present the property of the present service. tions were advanced by the city legal department, Mr. Bremer being represent-ed by C. D. O'Brien, Mr. Johnson simply and service, was hoisted into the pre-mier position, with the handle of briga-dier attached to his name. awaited developments and held on to the check voted Mr. Metzdorf by the county In his opinion yesterday ordering the fs-suance of an imperative writ of man-damus, which demands the payment of the \$500 to Mr. Bremer, Judge Kelly gives

It is understood that when the in-tention of the authorities at Washington on this point became known, Col. Hunter applied to be retired on the same terms as were Colonels Barr and Clous. This was refused, and the only thing the dense refused, and the only thing the department has offered as a sop to the outraged felings of Col Hunter has been a commission as a full colonel, which places him at the list of colonels, but which at the same time dooms him

JUDGE KELLY'S MEMORANDUM.

By sections 14 and 15, chapter III., of the charter of the city of St. Paul, the treasurer of the city is required before he enter into office to execute and deliver to the city a bond in \$200,000, with surety, conditioned to the faithful discharge of the duties of said office.

Section 16 requires (subject to the power of the common council with the mayor's approval, to accept a bond with personal surety), such surety to be a socalled bonding company or corporation, as provided for by section 56, chapter 175, General Laws 1895, of this state. The relator, on his election and induction into the office of city treasurer of St. Paul, about June, 1900, made such a bond with the American Bonding & Trüst company, a Maryland corporation duly authorized to do business in Minnesota, as surety. This bond was accepted and approved by the city, and in April, 1901, the common council, with the approval of the mayor, adopted a resolution allowing the relator's claim for \$800 premium paid said company for said bond for the year beginning June, 1900, and ordered the respondent comptroller "to transmit to the council an audited resolution for the payment thereof." This resolution, after publication, came to the respondent comptroller to transmit to the council's order. These proceedings are to compel the city comptroller to audit such claim.

The comproller, through his counsel, objects that the relator is entitled to no but which at the same time dooms him to retirement with the same rank.

Gen. Davis has seven years left to serve, while Col. Hunter has less than three, so that when the time comes for the latter to retire on account of age, he cannot be given the rank of brigadier because his senior officer has and will still have several years to serve, Col. Hunter has been in the service of his country for forty-one years and now Hunter has been in the service of his country for forty-one years, and now as his term of service is drawing to a close he finds himself almost hopelessly debarred from the recognition to which his long and honorable career has justly entitled him. His only chance for further preferment lies in the remote chance of Gen. Davis dying in the next two years, and he is not cold-blooded enough to calculate on this contingency.

HORRIGAN GETS A PERMIT.

Livery Stable Man Can Now Put Up His Stable.

The Dickerman Investment company yesterday secured a building permit for the erection of a two-story brick livery-stable to be located on Wacouta street, between Seventh and Eighth streets. It will cost \$10,000 and will be conducted

Such claim.

The comptroller, through his counsel, objects that the relator is entitled to no relief, but expressly waived any technical objection to the petition. His argument in brief is: (1) the treasurer takes his office with its burdens; (2) one of these burdens is that he execute and deliver this bond and at his personal expense; (3) the law, sections 56 and 57, chapter 175, Laws of 1895, is void because the subject matter thereof is not expressed in the title of the act; (4) this infirmity in the original law is not cured by chapter 145, General Laws 1901, amending section 57. Supra. Mil. 2021 319,000 and will be conducted by John Horrigan.

Mr. Horrigan attempted to secure the erection of his stable near the Valentine block, but was opposed by the owner of that building, who carried the matter to the courts. Here a decision was given tayarship to Horrigan but in the en favorable to Horrigan, but in the meantime the city council rescinded the order giving him a permit.

This time the council was not asked for a permit, the legal department hold-ing that such was not necessary if the building contemplated was a fireproof structure. Acting on this suggestion, the council building committee eliminated

VICTIM OF A MAD DOG.

Horse Belonging to J. Kachel Has to Be Shot.

of his preference.

But the charter requires the surety of a bond company, with a possible exception not applicable in this case. Indeed, it seems to be the intent of the law-maker to at least try the experiment of this sort of security for official good conduct in offices generally. These companies charge what is called a premium for their guaranty, and this premium is regulated by the amount of bond rather than by the integrity or trustworthiness of the official bonded. So that an officer who, by reason of his probity and high standing can readily furnish unquestioned personal security in any reasonable amount, is thus called to incur the expense of a corporation bond. It does not seem just to ask him to pay that expense from his own private fund, even if the law were silent on the subject. The mad dog which created such exthe mad dog which created such excitement on the West side a few weeks ago is credited with another victim. Yesterday a horse belonging to J. Kachel, living at Robie and Ada streets, showed signs of rables, and was shot by Veterinarian Pomeroy, of the health department.

The horse was one of several bitten cumb. Happily a close watch was kept on the animal, and no one was bitten by it. The brain of the horse was taken to the health laboratory to undergo

SOFT SHIRTS You'd probably appreciate more thoroughly the beautiful shirtings we show if we charged you a fancy price for them. Men who've been paying custom makers' big prices find it hard to believe that we can sell such desirable goods for so little money. We invite you to come in and let us demonstrate that we can show a greater variety of exclusive patterns than any custon maker in town and at about one-third less than the custom makers' price. Our shirts are guaranteed to fit perfectly and to give

complete satisfaction. All lengths of sleeve:

cuffs attached or detached; collars that fit. \$1.00

to \$4.00.

INDERWEAR The more particular you are about your undergarments the better pleased we are to see you. Our stock is so complete and well selected that we can please all tastes. If you want the richest makes in pure silk, lisle or silk and wool, you'll find them here. If you prefer moderate-priced balbriggans, you'll find them here. We suit your purse as well as your taste. The foremost makes in two-piece or union suits.

CANCY HOSE Fancy Hose are to be "the thing" this season. Oxford shoes demand handsome hose, and every one will wear Oxfords. We can show you beautiful effects that will open your eyes. Novelties that are being sold today by Budd, of New York, at double our price. You can pay anywhere from 35c to \$4.50.

JECKWEAR It is enough to say that we have the finest that the world produces. This is no idle boast, but the actual truth. All the new shapes and patterns. The kind that can't be imitated in cheap goods.

CHOES Our celebrated Bench-Made Shoe at \$5.00 is worth all of 500 cents and a few more. All leathers. High or Oxford styles. We have others for less money.

Well, there's "The Bowlby," and that's saying all the good things that one can say of hats. The Bowlby Special and the Gordon aren't so bad.



conduct unbecoming a minister, and mis ed.

Dr. Astwood gave out a long statement today denying the charges and claiming that they were instigated by the friends of Bishop Smith, whose election he opposed at the last session of the he opposed at the last session of the pany, 106 East Seventh street. Dr. Astwood gave out a long statement

conference.
Dr. Astwood was for seven years Read Kavanagh Bros.' Ad. in want column.

United States consul at San Domingo
and is one of the most prominent colored men in the country. Dr. Astwood's
street.

Bargains in unredeemed pledges at
Conen's Loan Bank, 93 East Seventh

ASTWOOD TO START CHURCH. dismissal and the repudiation of Booker T. Washington by the conference has excited public interest in its proceedings. The Washington incident was brought HARRISBURG, Pa., May 25.—Rev. H.

Astwood, the deposed pastor of the ridge Street A. M. E. church of Proceedings. C. Astwood, the deposed pastor of the Bridge Street A. M. E. church, of Brook- lyn, N. Y., issued a call today for a lyn, N. Y., issued a call today for a tion to this and offered a resolution that the reference to Mr. Washington be conference of regularly ordained clergymen to be held at Brooklyn, Sept. 22, for the formation of the colored Protestant Episcopal church. Dr. Astwood has decided not to bring suit to revoke the action of the Philadelphia conference in expelling him from membership. He will, however, bring a suit for damages in Brooklyn against the trustees of the Bridge street church, who preferred charges against him of insubordination, conduct unbecoming a minister, and mis-

HON. E. J. PICKETT'S PUBLIC STATEMENT.

"I Have Found Benefit and Help from the Use of Dr. Greene's Nervura, and Freely and Publicly Recommend Its Use to Any Others Who May Be Suffering from the Same Troubles."

As Commander of the Clinton G.A.R. Post for 10 years, and President of the Clinton Co. Veteran Association; as Representative of his district in the State Legislature, and holding other public offices in the gift of the people of his section, the Hon. Mr. Pickett has a wide acquaintance. He is trusted, respected, and looked up to by all. His word is "as good as his bond." Everyone who knows him or his reputation, will understand how thoroughly he has

been convinced, before making a public statement. Dr. Greene's Nervura blood and nerve remedy cured him of rheumatism and insomnia. Read

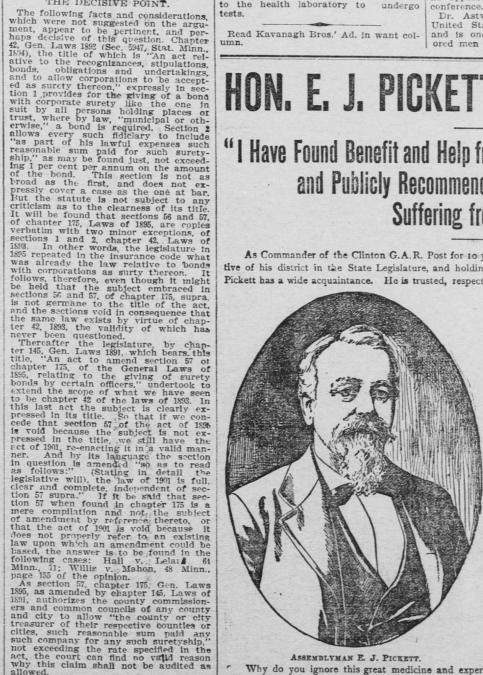
Hon. E. J. Pickett, Pickett's Corners, Saranac, N.Y., says:

"It gives me pleasure to thus address you, giving some account of my opinion of DR. GREENE'S NERVURA BLOOD AND NERVE REMEDY. I have used Nervura for some time back. I have been troubled with rheumatism and insomnia for a considerable time. I am pleased to state that I have found benefit and help from the use of Dr. Greene's Nervura in a large degree, and freely and publicly recommend its use to any others who may be suffering from the same troubles. The report of the benefit conferred on my friends has come to me often, and I feel sure that Dr. Greene's Nervura stands high with them, as it justly deserves. You have my permission to publish this letter and my photograph, hoping it may do good to others also."

Rheumatism, insomnia, and all blood and nerve troubles are cured by Dr. Greene's Nervura blood and nerve remedy. No one can doubt this who reads the testimony of the men and women printed in this newspaper nearly every day.

Why do you ignore this great medicine and experiment in ways that never cure? Stop making the mistake of forcing Nature and begin the use of the medicine that works in harmony with natural laws. Dr. Greene's Nervura always helps and always cures. Test its virtues in your own case now.

Dr. Greene's free advice is at the disposal of all who are alling and weak. Write to him, or call at his office, Get one at Soo Line ticket office, 3.9 Robert street. 25 W. 14th St., New York City. No charge in either case.



ASSEMBLYMAN E. J. PICKETT.