

# New Ulm Review.

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## WEEKLY REVIEW

EDITED AND PUBLISHED EVERY  
WEDNESDAY

—BY—  
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**DOCUMENTS OF ALL KINDS EXECUTED & ACKNOWLEDGED.**

STATE OF MINNESOTA County of Brown, ss.  
On Probate Court, Special Term December 24,  
1891.  
In the matter of the estate of Henry A. Mix, de-  
ceased.  
On reading and filing the petition of George A.  
Mix of the city of Oregon, Ogle County, Illinois,  
representing among other things, that Henry A.  
Mix late of the town of Oregon, Ogle County, Illi-  
nois, died on the 2nd day of September A. D. 1891,  
at said town of Oregon, Ogle County, Illinois, in-  
testate, and being a resident of said Ogle County,  
Ill. at the time of his death, leaving goods,  
chattels and estate within Brown County, and that  
the said petitioner is a son of said deceased, and  
praying that administration of said estate be to  
him.  
It is ordered, that said petition be heard,  
by the Judge of this Court, on Thursday  
the 31st day of December A. D. 1891, at 10  
o'clock A. M., at the Probate Office in said county.  
And it is further ordered, that notice thereof be  
given to the heirs of said deceased and to all  
persons interested, by publishing a copy of  
this order once in each week for three suc-  
cessive weeks prior to said day of hearing in the  
New Ulm Review, a weekly newspaper, printed  
and published at the city of New Ulm in said  
County.  
Dated at New Ulm, Minn., the 4th day of Decem-  
ber A. D. 1891.  
By the Court,  
**ERNEST BRANDT**  
Judge of Probate.

## 'THOU SHALT NOT KILL.'

Hon. C. R. Davis of St. Peter Furnishes the  
Review with a Brilliant Article Anent  
the Death Penalty.

There is a Growing Sentiment, he says, in  
Favor of its Abolition.

"Thou Shalt not Kill," proclaimed from  
Sinai, applies alike to all.

Barbarism in law promotes barbarism in  
those subject to the law.

Editor Review: Recent executions within this state have apparently provoked discussion in many localities as to the merits of capital punishment, and it is gratifying to notice the growing sentiment in favor of its abolition. It is proverbial that reforms are of slow growth, and usually require long, well directed and incessant effort to accomplish the desired result, and society often hesitates to practically enforce views entertained until years after positive conviction. In this respect conservatism may be considered as the enemy of progress; it seldom objects to results, but invariably protests against the necessary action to achieve them. Governments by their laws having so long sanctioned the execution of criminals, it is hard to eradicate the ideas thus inculcated, and man being a creature of habit, is liable to become less mindful of the sacredness of human life when he sees it held so lightly by the law of the land. A reasonable deduction from our present penal code is, that the fabric of society can only be preserved by destroying part of its members who commit a certain crime. To admit this conclusion would, it seems to me, lead to another, viz: That by affixing the death penalty to more crimes would enhance civilization and the more effectually protect society. To thus conclude would be to falsify history, and maintain that a greater protection existed during the reign of Henry VIII. than we now enjoy, for during such reign seventy-two thousand persons were executed for various crimes, and under the protection and guidance of Queen Elizabeth nineteen thousand were devoured by the gallows. One hundred and fifty offenses were during those delightful (?) times treated as capital, where now only one remains. The comparison is odious. It is claimed by many that the state executes criminals in self defense. Can this be so after he is securely shackled and behind the bars? For such he must be before his execution can take place; and certainly there can be no repetition by this offender as long as the jailer remains true to duty. Charles Sumner says, "That the right to take human life stands only on the ground of self defense, in the state as in the individual, and if either can defend without it, they are bound to do so; and no combination of men can have greater rights in this respect than the individual; and no matter what the exigencies of other days the time has gone by when the life of a state can only be saved by hanging the criminals." Society is protected from the most dangerous maniac by confinement; this may be called self defense. If purely on this ground, (self defense) why make so great a distinction between the dangerous maniac and the murderer, for both are dangerous. Can it be that revenge has any place in the various treatment? And who will admit that in this age laws exist which tolerate revenge? To permit vengeance to enter into our system of punishment is to reduce us to the level of the offender. The Mosaic code embraces thirty three offenses punishable with death and yet the greatest law giver swept them all into oblivion when he said, "Resist not evil," and all his other teachings and commands concur therewith. There is no right in reason or warrant from religion to take the life of a fellow being. God did not demand the blood of Cain as an expiation but declared that "Whosoever slew Cain, His vengeance (not ours) should be taken on him seven fold." Thou shalt not kill proclaimed from Sinai, applies to all, citizen and ruler alike. But when the State, under the plea of necessity, breaks this commandment and calls it virtuous so to do, how can the individual be condemned for similar conduct? The wrongs of government permeate every vein of the individual and society. Like begets like, and the people become like the government. Cruel punishments by parents usually are reproduced by children when they become parents. When society treats human life as a thing to be lightly taken, people become familiar with its little value. You cannot illustrate the sacredness of human life by killing the criminal, any more

than you can demonstrate the value of property by burning everything combustible. To quote from John Bright, "Barbarism in law promotes barbarism in those subject to the law, and if the law regards life as inviolable, the people would also so regard it." The results of capital punishment are irreparable, and the innocence of the victim counts for naught. The fallible tribunal that pronounces such judgment frequently bases its conclusion upon the most unreliable and perjured testimony often emanating from witnesses seeking revenge, and not infrequently from the actual criminal, to shield himself. So long as man is liable to err in judgment, would it not be far better to reserve the right of correcting possible mistakes? The community is shocked whenever an innocent person is executed, and none can be found who will admit that they are to blame; yet to a certain extent all are to blame in a greater or less degree, and all must be responsible until the laws are so changed as to prevent a recurrence. All laws teach that motive and intent are the essential elements of crime; hence sanity must not be wanting in the perpetrator in order to properly punish him. Every jury must of necessity pass judgment upon the mental condition of the accused, and determine where sanity ends and insanity begins. The workings of the human brain, that complex organism which even the most scientific cannot always fathom, the disorder of which frequently produces crime, must be analyzed by a jury of unscientific men, and their judgment in most cases is final. Therefore who will deny that often irreparable punishments are meted out to those already afflicted with the awful malady of insanity. A popular fallacy exists that the death penalty is absolutely essential to deter the criminally inclined from committing murder, and that without this menace society would be unprotected. While admitting its deterrent force, yet I feel confident that life imprisonment, persistently enforced, would be equally effective, if not more so. The sure and strict enforcement of law, with this mild form of punishment would strike greater terror to the vicious than the present uncertainty. The aversion of courts and juries to convict where irreparable punishment follows often shield the guilty, but with a law which permits the correction of mistakes, greater certainty of convictions would follow. Death is the common lot of all, and the menace thereof far in the future inspires no particular dread. The murderer thinks not of his own life at the time he commits the crime, and only fears death (if at all) when it is absolutely impending. Again a large percentage of the murderous class place little or no value upon their own lives, and often regard death as a blessing owing to the fact that their previous life had been largely made up of unhappiness. The great excess of suicides over homicides proves the statement that life is often a burden. To deter the vicious and desperate is the chief aim of the law; hence the idea of legislating men of this class out of existence to end their enjoyment is somewhat fallacious. The value of any threatened penalty depends largely upon the uniformity of its enforcement; and the repugnance of those whose duty it is to enforce the death penalty is often the avenue through which the guilty escape. A large portion of humanity being so averse to this penalty, they will seek many means to avert it, and frequently beseege the Chief Executive for clemency, and often with success. By the commission of crime man forfeits his civil rights, and this forfeiture gives society its right over him. Restraint should then follow for the purpose of protecting society, and if possible reform the offender. Many instances might be cited showing that the gallows instead of suppressing crime incites the commission of it, and hence modern civilization and legislative bodies have concluded that this exhibition of executing the criminal should not take place in public, owing to the exciting and bad effect upon the depraved. Does not the state in sanctioning secret executions thereby confess their pernicious effect upon the multitude? If not so, then at once repeal all laws which limit the number of spectators, and herald the event far and wide, bidding the populace draw nigh and witness this spectacle, for its moral and deterrent effects. Punishment for crime ought to be three fold in its nature: First, the reformation of the criminal; Second, for protection of society; and Third, restraint upon the criminally inclined. And the best authority asserts, that the death penalty fails in accomplishing either, for it destroys without reforming the criminal, and history proves that

in securing protection to society, or in destroying crime, its failure is marked and conspicuous. All penalties should contemplate the reformation of the criminal, as well as punishment, and failing in this, are but cruelties. It is often asserted that the deliberate murderer is not fit to live, and should be removed. If this be true, will those who venture thus to speak assert that he is fit to die.  
C. R. Davis.

## MR. LIND TO BE HEARD FROM.

The Minnesota Member will be in a Position to make Himself Useful in the Present Congress.

The Sunday papers were full of interesting congressional news from Washington, and among the names most prominently mentioned was that of Mr. Lind of our own Second District. The cyclone of last fall robbed the house of many of its leading Republican members and so Mr. Lind finds himself easily at the forefront of the majority. He will therefore secure a place on some of the most important committees of the house, where his ability and experience will enable him to do telling work. With the delegation of his own state too, all members of which are new, he will be a great help, and his acquaintance and knowledge of congressional legislation will give him an opportunity to get through matters for the state which even a man in the majority cannot always accomplish.

One of the committees to which he will most likely be assigned is that on commerce. The powers of this body have been enlarged so that now it is one of the most important under the control of the speaker. Mr. Lind was one of its most active members in the last congress, and as there was only one other Republican member re-elected, his prospects for continuing on the committee are very good. Both interstate and foreign commerce are now under its supervision, and the second district representation has given each sufficient study to make him a valuable member. Mr. Lind is being spoken of as chairman of the committee.

## ELL'S SIMPLE VERSION.

Ell Perkins has a very simple and clear method of stating his ideas, and he has lately added a contribution to tariff literature, which, while applying to but one article, can be easily made use of in illustrating the effects of similar tariff legislation. The story will be found very interesting by those who saw its last fall to ridicule the "acorn," "straw" and other features of the McKinley bill. The story is as follows:

I want to tell our little children a story about chicory. I suppose you don't know what chicory is. Well it is a vegetable like a parsnip which the French and Germans are raising, drying, browning, grinding and using instead of coffee. We have been sending out about \$8,000,000 to Germany every year for this little article. It tastes like coffee, is good wholesome food, but it has no nerve stimulant like coffee. Children can drink chicory as they can milk.

To get to the story: When they were putting the tariff on different things last year and got down to "C" they came right on to chicory.

"What's chicory?" asked Major McKinley.

No one was able to tell anything about it except that we paid Europe \$8,000,000 every year for what was used.

"Well, what shall we do with it?" asked several Congressmen.

"Why, if we can't raise it," said McKinley, and the people want it, we will let raw chicory come in free, but we will put a Protective Tariff on manufactured chicory. We will try and bring the manufacturers to America if we can't raise the stuff." So the tariff went on to manufactured chicory.

Suddenly I noticed a great stir among the chicory importers. "Why this McKinley bill has raised the Dickens," they said. "We can't import ground chicory any more from France and Germany. We must make it here."

So they wrote and telegraphed the foreign chicory manufacturers that they must hurry up and bring their chicory factories over here. And sure enough there was stamped from Europe, and chicory factories began to go up in Jersey City, Hoboken, Williamsburg, Newark and Brooklyn. Then Philadelphia and Detroit started chicory factories till we had 14 factories and 900 chicory makers at work in America. They got their raw chicory from France and Germany where it is grown with very cheap labor. This worked well in New York, but out in Detroit they said:

"We are too far away. We must raise our own chicory."

So they got chicory seeds from Germany and put in a small crop in Michigan last spring. The farmers made more money than they made out of wheat. It set them crazy. Everyone wanted to raise more of it. Well, this fall the Detroit factory is doubling its capacity and all the farmers are getting seed through the factory and Jerry Rusk and preparing to plant chicory next year.

What is the result? Why after paying out to France and Germany over \$70,000,000 for chicory we are finally going to make it here, at home, and save our money—keep it in this country.

The history of this industry and how we got it is like that of a dozen other industries which have come through this wise Tariff measure.

Last spring I visited Baron Babant's 4000-acre chicory farm in Whitewood, Manitoba, on the Canadian Pacific. He proposes to supply all Canada with chicory and send his surplus raw chicory over to be manufactured in the United States without paying any duty. His fall crop is now coming to be manufactured.

It is funny about the price of chicory too. It used to sell for 12 cents per pound wholesale. Competition brought it down to 10 cents, then to 8 cents, then to 4 cents, and now it is offered wholesale at 3½ cents. Our retail grocers are keeping the news from the people and still selling chicory at 12 cts. per pound, when they could sell it at 5 cents.

By and by, if we get a Tariff on raw chicory, every farmer can raise a substitute which will improve his coffee. One-half chicory gives a delightful flavor to coffee. Good coffee costs 80 cents a pound. It is one of the burdens of our farmers and mechanics to buy it, for we all drink coffee. But soon chicory will be one of our crops and \$8,000,000 will be saved to our country every year.

## MILLS FEELS SORRY.

That was a very interesting as well as amusing answer that Mr. Mills returned to Speaker Crisp when offered a second place on the Ways and Means committee of the House. Mr. Mills had by the grace of a former congress been permitted to hold first place on the same committee and this fact came in very handy in politely informing Mr. Crisp that he was in the habit of taking only the best that the Speaker could afford. This short but pointed reply leaves the speaker in a very peculiar position. The place which Mills wants has no doubt been promised to Springer, and not for any particular fitness that Illinois man may possess over Mills or because he is a Northern man, but simply to pay off a debt to which he owes his present power. Mills, knowing this, is determined to sulk, and unless he gets what he wants we may expect to find the Democratic majority, or rather the ruling faction, in the house in some very sorrowful straits before the session is over. With Mills holding back on one side, the Cleveland men all disgruntled and Tom Reed and the Republican minority tripping them up at every chance, that overwhelming majority will not have the easy sailing that it looked for. Legislation as a result will make very slow progress.

At the meeting of the Republican Central Committee in St. Paul last week, the following congressional committee for this district was appointed:

A. Blanchard, New Ulm, Brown county, chairman; C. L. Bendict, Mankato, Blue Earth; R. H. Jefferson, Windom, Cottonwood; J. H. Sprout, Blue Earth City, Faribault; H. A. Funk, Lakeville, Jackson; J. F. Jacobson, Madison, Lac qui Parle; John McKenzie, Lake Benton, Lincoln; F. S. Brown, Tracy, Lyon; John Peterson, St. Peter, Nicollet; J. R. Jones, Worthington, Nobles; J. W. Miricle, Fairmont, Martin; B. E. Whitney, Slayton, Murray; F. L. James, Pipestone City, Pipestone; John Kelly, Luverne, Rock; J. W. Segur, St. James, Watonwan; John Swenson, Canby, Yellow Medicine; Dr. W. D. Flinn, Redwood Falls.

Minnesota fared exceedingly well in the arrangement of senate committees for the present term of congress. The senior member, Mr. Davis, is made chairman of the pension committee and is also given a place on the committee on foreign relations, military affairs, territories, and the president's message transmitting report of the Pacific Railway Commission. Washburn, the junior representative, gets the chairmanship of the committee on Mississippi river improvements, as well as places on the committees on civil service and reclamation, commerce, education and labor, pensions and roads and the establishment of a national university.

## OUT OF POLITICS ALTOGETHER.

Such is the Substance of a Washington Dispatch Regarding Mr. Lind.

The Present Representative does not Even Want the Governorship

Dissatisfied With the Treatment Given his section of the state by the Administration.

A Washington special to the Pioneer Press of Sunday has the following regarding Mr. Lind's determination to withdraw from politics and his complaints against the treatment given by the administration to the section which he represents in the matter of federal office-holding:

Representative Lind of Minnesota has declared several times, and with such emphasis that there can be no mistaking his intentions, that he will not be a candidate for re-election in the Second district. This district will lose a valuable member and Minnesota a congressman who has been very watchful of her interest. A great many Republicans of the state hoped Mr. Lind would reconsider his determination, and before the next convention meets would conclude to again take the nomination, which is of course, equivalent to an election, but in conference with the Pioneer Press correspondent the other day he reasserted his determination to stay out, and positively declined to allow his name to be used before the convention.

Since this determination there has been more or less talk of making him the Republican nominee for governor next fall; but in this connection he is as fully determined as in the matter of the congressional nomination, and would not be a candidate for governor under any circumstances. He says that should he prefer to remain in politics in the active sense, such as holding office, the house of representatives would suit him better than any other position.

It is evident from what he said that Mr. Lind does not like the way matters have run in this administration regarding federal office-holding in Minnesota, and that he feels as if his part of the state had been ignored by the present administration. He talked somewhat of the political centralizing in and around St. Paul and Minneapolis, and especially the latter city. A great many people of the West, and especially in the present administration, seem to think that a small knot of politicians in Minneapolis is the Republican party of Minnesota. He is not prepared to be of that opinion, and thinks that other sections of the state are as truly Republican and entitled to as much consideration as that city, which has secured so many of the important appointments given to Minnesota.

Not only is his complaint on account of federal appointments resident in Minnesota, put in those appointments of honor and profit which were given to citizens of Minneapolis where the duties carried them to Washington or to other places remote from their residence at the time of their appointment. He will continue to take an active interest in politics, and he says he will probably take a hand in affairs relating to the Republican party, but he is not looking for his own advancement, being satisfied, he says, to see others share the responsibility of office-holding. He will devote his time almost exclusively to the practice of his profession, and says that Minnesota affords him a very satisfactory home, and one which he prefers to any other part of the country.

Genuine Meerschaum Goods, pipes, cigarholders and ornaments at cost from now until Christmas at T. Mueller's. Fine quality of goods and just the thing for Christmas gifts.

Croup, Whooping Cough and Bronchitis immediately relieved by Shiloh's Cure. Sold by Henningsen & Kiesel.

At Eckstein's drug store you will be more than satisfied that you can suit your friends if you but look over the elegant and beautiful line of leather and plush photograph holders, French plate and bevel edged mirrors in plush, figured wood and metal frames and other fancy articles too numerous to mention.

In looking for your Christmas gifts you would commit a great error if you didn't visit the store of Andrew J. Eckstein. He has restocked his store with everything new and takes pleasure in calling attention to the many attractive articles with which his counters and show cases are now loaded. Among them will be found Bröms and Silver Stanzas, Horn Goods, Celluloid Souvenirs and Wall Ornaments, Christmas Cards, Christmas Souvenirs and Christmas Trees and Christmas Tree Trimmings. Remember that a rush always comes before Christmas and that it pays to select early.