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## CRONE BROS.

## Madigan's Motion.

It was Argued Before Judge Webber on  
Saturday.

Proves to be a Case of Lawyer Against  
Lawyer.

Peck Answers Back in Language That is  
Plain and Oustic.

He refers to These Proceedings as the Cul-  
mination of Madigan's Villanies.

Among the many things that Judge Webber took up on Saturday was the motion of Michael M. Madigan to have the verdict against him, convicting him of perjury, set aside and annulled. Madigan, smooth-shaven and chipper as ever, appeared in person as well as through his partner and attorney, A. C. Dolliff. A long petition was read, setting forth that fraud had been practiced upon the court by S. L. Pierce, attorney for the state, and H. J. Peck, attorney for the defendant, and that these two attorneys had conspired and colluded together to accomplish Madigan's conviction, at the same time that they knew he was innocent.

Peck was charged with wilfully neglecting to bring out certain facts that were urged by the defendant and with suppressing the evidence of Geo. Houghmaster, who testified for the state that he had administered the oath to Madigan in certain attachment proceedings. He was also charged with allowing a large amount of evidence to be received that was incompetent, immaterial and pure hearsay, and with demanding that the defendant take the witness stand against his wishes. The charge, that Peck would get angry at Madigan's suggestions and threaten to withdraw from the case, was also brought out, as well as the claim that certain persons had practised fraud on the court by influencing jurors.

The petition wound up with a reference to the "perfidy and falsity of Peck" and the argument that the defendant was not aware of the full import of the conspiracy until after he had been released from Stillwater.

Then followed the reading of an affidavit by Geo. Houghmaster in which he swore that he had never taken Madigan's acknowledgment to the affidavit referred to above. An affidavit from Till Tibbets to the same purpose was also read and one from Dr. Flinn to the effect that Attorney Pierce had told him that if Madigan had had a good sharp attorney he never would have been convicted.

This was practically all there was to Madigan's evidence in favor of setting aside the verdict, and the matter was submitted after reading a number of authorities to show that the district court had exclusive jurisdiction in the matter.

Attorney Frank Clague followed for the state. He argued that inasmuch as the case had never been remanded from the Supreme Court, the district court could have no jurisdiction whatever. Then he went on to read the affidavits of S. L. Pierce and H. J. Peck.

Pierce refuted all the charges of conspiracy, and Peck, in the most positive language, stated that all of the petition charging him with colluding with Pierce to convict Madigan was false and malicious and that Madigan knew, when he made the same, that he was committing the crime of perjury.

Mr. Peck further said, that he never talked with Houghmaster before he went upon the stand as a witness for the state and never informed Madigan that he had talked with him. He also avers that he did not talk with any witness for the State during the trial, except upon the witness stand, but avers that he did before said trial, talk with Madigan as to what Houghmaster would testify to in regard to the administration of the oath to the affidavit of attachment, inasmuch as he considered this the important point in the case. Madigan informed him that Houghmaster would not testify that he did not swear to the affidavit of attachment, and it was by reason of this information, furnished by Madigan, that Peck did not examine Houghmaster, while on the stand. Peck then goes on to say that Madigan, himself testified at the trial in the following language: "I had the affidavit all written out and signed, and handed it to Houghmaster. I don't remember just exactly what remark I made or he made, but he asked me if it was my signature and I told him that it was.

Then he took the affidavit and I paid him a fee of \$3." Commenting on this Peck remarks that at no time during the trial or thereafter until the commencement of these proceedings has Madigan or any one for him claimed or intimated to him that Houghmaster would have testified any different than Madigan did; that Madigan never informed him that Houghmaster would testify that he had not sworn Madigan to the said affidavit of attachment; and that all of the petition wherein Madigan states that he requested his attorney to examine Houghmaster particularly in regard to said affidavit is false.

Mr. Peck adds that many things were done at the trial that would not have been done if he could have had his own wishes in the matter, but that Madigan claimed to be a lawyer and insisted many times in having his own way as to the introduction of evidence against the protestations of his attorney. When the Romnes receipt was offered for evidence, Peck says that he insisted for one whole evening with Madigan that it should not be offered and then informed Madigan that in his opinion it was a forgery so patent that it would be discovered at first glance and prejudice his case, but Madigan continued to insist on its being offered, and Peck finally yielded, with the result as he had expected.

Peck concludes his affidavit by saying that all the assertions made by Madigan charging him with fraud, misconduct or negligence in the trial or management of the case are false and without any foundation in fact; that he labored faithfully and honestly in the interest of the defendant from the commencement to the end of the trial, and that every point that could be of any avail to the defendant was presented to the supreme court, argued orally and specifically considered by said court as shown in the decision thereof; and finally, that after all the labor in this case for days and weeks, nights and days, for small compensation, to then be charged by the man he had labored so honestly to save from the penitentiary, with fraud and conspiracy, as the climax of all his villanies.

Judge Webber now has the matter under consideration and will not render his decision for a few days. It is not expected however, by those who have heard all the evidence and read all the affidavits, that his conclusions will be for the granting of the motion.

## A GYPSY MINSTREL.

How Edouard Remenyi Rose From the Lot  
of a Traveling Minstrel.

And Why He Is Today the Leading Violin-  
ist on This Great Universe.

In the winter of the year 1878, there appeared in the city of New York an artist whose splendid talents captured completely the musical portion of that critical and cosmopolitan city. Though he never had been heard before in concert on this side the ocean, he was not for that reason a stranger. The history of his brilliant tours through the capitols of Europe had been eagerly read, and they had fanned the public expectations to feverish height. To give less than an ideal performance, would be to destroy at one stroke all hope of a profitable tour, and an impairment of the reputation which he had wrought so long and earnestly to attain. But this triumph was as complete as it was sudden. Before he played a half-dozen bars of the opening concerto, it was evident by the indefinable signs by which all veterans of the concert room know how to read the success or the failure of the artist, that he had fascinated the whole house. The audience sat spell bound, and when he had finished and retired from the stage, he was followed by such a storm of applause as had never before been witnessed inside that theater. Even the veterans of the music hall joined in the enthusiasm, which would not be stilled till he had responded five times. It was such a reception as the great metropolis bestows on but few and one which, up to that time, was almost without precedent. Edouard Remenyi had cause to remember that night, and it stands today without doubt, as one of the few of the never to be forgotten days that come to us all.

Edouard Remenyi was born in Hungary, in the year 1830. He was a musician from his childhood, and as a lad became deeply imbued with the peculiar folks song that are inseparably connected with the people of his country. At the age of 12 years he was sent to the

conservatory in Vienna, where he remained till he was 15, studying the violin faithfully and persistently under the great Boehm, the teacher of Joachim. His progress was rapid, and it is recorded of him that he was one of the most diligent students ever at the conservatory. He attracted especial attention of the preceptor, to whom he became greatly attached, both on account of his rare ability, and for his studious habits. In the year 1848 an insurrection broke out in Hungary against the Austrian rule. Remenyi, then a mere boy, was among the first to espouse the cause of his countrymen, and during the war served on the staff of Gorgey. During the campaign, his violin was his inseparable companion, and many were the hours when his companions in arms forgot the fatigues of the day in listening to the weirdly beautiful strains of the wonderful violin. At the close of the war, which ended disastrously for the patriots, he was banished from the country, and became a wanderer over the face of the earth. He even reached America at that early day and attained some reputation as a boy artist. Returning to Europe, he made the acquaintance of Johannes Brahms and in company with whom he made a tour to Liszt at Weimar. The two young men were penniless and to pay the expenses of their trip, they gave concerts along the route, feeling themselves well repaid if their work netted them five or ten dollars a night. At Weimar his fortunes changed. The great maestro not only received him as a pupil, but took him into his home as well. It is hardly necessary to say that Remenyi accepted his offer gratefully and under Liszt's fostering care, he developed rapidly. The genial master speaks thus of his protegee in a little book entitled "The Gypsies and their Music" which he published at Paris a short time after Remenyi had entered his home.

"While the time seems to be near at hand when the national character of the different schools shall disappear and Bohemian music become a thing of the past. I have met with lively satisfaction a young Hungarian who has retained sufficient individuality and spontaneity to warrant that he will be written of some day in the same strain with Csefnak. Remenyi, though not a Romany, has become imbued with Bohemian feeling and art. \*\*\* In spite of the applause that invariably greets him, he appears to be one of the few artists who have other motives than to make for himself a name and amass a fortune, and who throughout their life are never done with progress but keep on steadily toward a supreme ideal. \*\*\* Remenyi is gifted with a vivacious, generous and rather mocking disposition, which rebels against monotony, and whose originality shines through everything and in spite of everything. This is a token of the vitality of his talent and insures him a special place in the gallery of men who have given new life to a deserving branch of art.

In 1874 Remenyi established himself in Paris, where he has found in the capitol and surrounding provinces an ample field for the exercise of his talent. Many accounts of the extraordinary effects of his playing of the Hungarian songs and dances are still extant and those who have heard him play a csardas will not hesitate to credit these exciting reports. But whatever his preference in former years, it is now his wish to be regarded as performer of classical music. Hungarian music is still found on his programs, but he has learned to like to see his wild genius move more decorously through the formal divisions of the concerto, capering gently in the allegro and sighing in the adante with only a brief outbreak in a daring cadenza or a dashing rondo. To the interpretation of such works as Beethoven's Concerto he brings a technical ability that is equal to every demand made upon it, a bright and penetrating tone, and a style that suggests poetic fancy rather than intellectual repose. He is best in works that allow free range to his impatient fancy. In Joachim's Hungarian Concerto in some of the brilliant transcriptions he never fails to create a sensation.

Remenyi will appear at Turner Hall on the evening of April 13th, when he will be greeted by the largest audience ever gathered together in this city to hear a single artist. On this occasion he will be assisted by such distinguished artists as Mlle. Roman, the pianist, Eugene Davis, a baritone of worth, and Miss Pauline Stein, a soprano with a wonderful voice.

## Death of Dr. Mueller.

The Veteran Physician Passes Away at  
Berne.

Word Received on Monday of His Death  
on the 12th.

A Life That Was Both Interesting and  
Useful.

On Monday Editor Strasser of the Post received word from Switzerland that Dr. Alfred Mueller, formerly of this city, had died at the home of his niece in Berne on the 12th of March. Death was caused by apoplexy and the deceased has been sick but a short time.

Dr. Mueller was born in Berne, Switzerland, on the 19th of December, 1855. His father was Abraham Mueller of Nidau. He was educated at the University of Berne and pursued his philosophical and medical studies in that institution, graduating in July of 1882. He remained in Berne for a short time and then emigrated to New York, where he lived for four years. He then removed to Stillwater, Minnesota, in 1886. At the outbreak of the rebellion he went to Ft. Ridgely and during the war and until 1867 he held the position of acting assistant surgeon of the U. S. Army. He was the only medical officer in charge of the hospital at the fort during the Indian outbreak and treated a large number of soldiers, besides men, women and children who had been wounded by the hostile Sioux. He was also first assistant surgeon of the Minnesota Volunteer Infantry and Surgeon to the Minnesota Mounted Rangers, but did not master in in either, preferring to retain his position at Ft. Ridgely. He had married in 1852 at Berne Miss Eliza Eichelberger, who died in 1876. To her memory, for nursing the sick and wounded soldiers and refugees during the outbreak and for other heroic and noble deeds the legislature of Minnesota, by an act passed in 1877, resolved to erect a tablet on her grave, inscribed as follows: The State of Minnesota to the memory of Mrs. Eliza Mueller.

Mr. Mueller came to New Ulm in 1867 and continued to practice medicine here until he removed to Switzerland some years ago. He was a member of the Minnesota State Medical Society and at various times contributed valuable articles and papers on professional subjects to the reports of said society and those of the Minnesota State Board of Health. He also contributed to the Medical and Surgical History of the Rebellion and to the Army Medical Museum at Washington.

He was a jovial, good-natured man, a good physician and among his old New Ulm friends the news of his death will be received with profound regret.

## THE MOULDERS OF YOUTH.

Points for Their Consideration at the Com-  
ing Teachers' Meeting.

At the morning session of the next Teachers' meeting, the following points will be discussed in connection with the reading of White's School Management:

1. Predominance of self control—self approval. Illustrations.
2. Future good; practical side: altruism.
3. Developing sense of honor; false code of honor: self-reporting system and teacher.
4. Sense of right and propriety—drill.
5. Duty; personality of teacher as a factor.
6. Expressions of affection as incentives; proper function of fear.
7. Consideration of penal rules; punishment in absence of rules; test of discipline. Natural punishment; comprehensive end of human punishment: a three-fold aspect.
8. Characteristics of most suitable punishment. Use of force and expulsion. Improper punishment. Commendable modes of punishment discussed.

There can be no friendship without virtue; for that intimacy, which amongst good men is called friendship, becomes faction when it subsists among the unprincipled.—Sallust.

In all ordinary cases we see intuitively at first view what is our duty, what is the honest part. In these cases doubt and deliberation is of itself dishonesty.—Bishop Butler.

## NEW GOODS AT OTTOMEYER'S New Wash Goods



Fine Dimity. But what is dimity? It is a variety of wash goods certainly, but that is not all. You don't buy them simply because they wash; calico will do that. If you want to learn just what genuine dimity is like, that dainty fashionable dimity that is just now the vogue, come here for it; we have it, and plenty of others—organdies, percale, etc., all the pretty, cheerful things, that will brighten the spring and temper the hot summer bye and bye.

## An Unusual Display of Hosiery.



This simple announcement means more than you think. You will remember that I stated in this paper that I had the largest line of Hosiery in the city. I want to emphasize this fact here now. Call and learn our prices.

## CHILDREN'S Hosiery a Specialty.



Summer Underwear. Ladies ribbed vests at 5 and 10 cts. Gentlemen's goods at 50 cts. and \$1.00 a suit. These goods are cheaper than last year. Also a nice line of children's goods.

## WAISTS.

A distinction and a difference. Our shirt waists are distinctly different from shirt waists as you commonly meet them—a trifle finer, a little neater, a slight difference in the form, sleeves hang a little better, collar fits a little better; all of these differences are in our favor. You will admit it when you see our goods.

## NOTIONS.

I have bargains in this Department. Towels at 22, 23, 24, 25, 26, 27 and 28 cts. each. These goods are worth 30 to 50 cts. each.

I have a well selected stock of seasonable goods. The Prices are within your means. I offer you in my Spring and Summer selection the best goods.

Call and see Our New Stock.

## C. A. OTTOMEYER.