

# New Ulm Review

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NEW ULM, BROWN COUNTY, MINNESOTA, WEDNESDAY, MAY 13, 1914.

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## Council Amends Gas Franchise

**Kennedy Gains Point and Has Objectionable Features Changed.**

**Paving Project Given Impetus. Reservoir Contract Awarded.**

Monday evening the council again met to consult with Mr. J. A. Kennedy in regard to the gas franchise passed April 15th. The gas company was not altogether satisfied with the franchise as worded and asked for some slight amendments. Mr. L. F. Blyler, the new business manager of the Minneapolis Gas & Light Company was also present acting for J. P. Smith. The first objection entered was that it would be unfair to the company to be held to the \$10,000 bond required in Section 6 for the construction of new mains. It would mean that the company would have to carry such a bond practically all the time as they will constantly be adding to the system. The council readily agreed that the proposition was unfair and this provision was removed. They then asked permission to change to a high-pressure system in case this proved advisable. As this would mean a better gas supply, the council agreed to this change.

The next change was in regard to the examination and inspection of the company's property. The franchise permits the inspection of all property but to insure the company from annoyance by the promiscuous examination of their books, it was deemed advisable to limit the inspection to all physical property unless the city was considering the buying of the plant, which right they have at five year intervals.

Another important change was in the clause which granted the franchise for twenty years and no longer. Mr. Kennedy pointed out that by this wording the company would find themselves without a franchise and with a useless plant on their hands at the expiration of the time. A compromise was finally effected which states, in substance, that the company shall at the expiration of the twenty years be given an additional fifteen years franchise with a maximum rate of \$1.40 per thousand cubic feet, ten cents lower than the former rate. With a few minor revisions the franchise was then accepted.

There now seems to be nothing in the way of New Ulm's getting the much needed improvements in short order. Mr. Kennedy declared that they would put a large force to work as soon as possible and get their mains in before the paving could interfere. The company hopes to be furnishing gas by October first.

There was some little discussion of the location of the gas works at the Monday night meeting but nothing definite was decided upon. It would seem that the lower the level which may be secured for the plant the better for the purposes of pressure and there was talk of locating near the foot of Center Street and also near the M. & St. L. Station. This is a matter to be settled later.

Acting upon the resolution adopted at the last regular meeting of the commercial club, Merriss, Wd. Eibner and A. J. Vogel appeared at the regular meeting of the city council held May 5th and urged upon the city fathers the necessity of pushing the paving project if the five blocks on Minnesota Street which were at a former meeting designated to be paved, are to be completed this year. This led to some discussion as to the material to be used. Although the most of the members are favorable to the paving with creosoted wood blocks, it was deemed advisable to have specifications prepared for brick paving also and City Engineer Minium was instructed to prepare the requisite plans and specifications at an early date. This will necessitate considerable work, but Mr. Minium expects to be able to have the required data in readiness for the council at the next regular meeting. Should they be adopted then it is barely possible that the bids for the work can be gotten in by the latter part of June and nothing would then stand in the way of having the paving completed this fall some time.

In connection with the paving project the proper committee reported that thirty waterworks and sewer connections would have to be made in the paving district before the paving could be done. The council went on record the following evening ordering the property owners to make the required connections

without delay and notices have been sent out to that effect.

For the erection of the 75,000 gallon concrete reservoir which the city proposes to erect in North German Park six bids were received as follows:—  
Circular Construction Co., Mpls. \$5,360  
Wm. Murphy & Son, St. Paul. 5,422  
August Puhlmann, New Ulm. 5,748  
McManis & Tarnoski. 6,300  
John G. Gronau, New Ulm. 7,842  
Johnson Construction Co., Mpls. 10,260  
Action on these proposals was deferred until the following Wednesday evening.

Christ Filzen's claim for damages in the sum of \$15.00 caused by fire which was started by Gustav Schroeder, the city's caretaker of the public dumping grounds was referred to the proper committee for investigation with power to settle the matter. It is claimed that Mr. Schroeder was careless and let the fire get away from him and it spread to the Filzen land and did the damage complained of.

Prof. A. Ackermann appeared before the council and reminded the members thereof that the promise of the city made in the year 1909 to lay a cement sidewalk from Garden Street to Summit ave. had not as yet been redeemed. This matter was referred to the committee on streets as was also the request of John L. Hoffmann to lower the grade several feet from that now established on South Broadway opposite his place of residence. According to the present grade a fill of fully 8 feet is proposed at this point.

A request for the transfer of the liquor license from Lorenz Girg to Julius Berndt, Jr. was read and the clerk was directed to give the prescribed notice in the official paper. Assessor Hubert Berg's appointment of Charles Grussendorf as deputy was confirmed and the request of August Kuester, the Keeper of the Public Cemetery, to have a new water tank installed in the cemetery was referred to the proper committee with full power to act.

Building permits were granted to Christ Schueller, William Wendt and William Bierbaum and the request of August Puhlmann to be allowed to erect a second story on the Palace Livery property on South Minnesota Street was denied, because contrary to existing building regulations.

The City Clerk reported that all the appointive officers had qualified and their bonds were thereupon approved by the city council. Reports of various appointive officers and of the city clerk were read and ordered filed and after auditing and allowing the bills that had accumulated since the previous meeting, the council adjourned until the following evening.

At the adjourned meeting held Wednesday evening, the contract for the erection of the water reservoir was awarded to the lowest bidder, the Circular Construction Co. for the sum of \$5,300.00. The council reconsidered their action in refusing a building permit to August Puhlmann and granted him one provided the second story be finished in stucco. Howard Cooper, a member of the Seiter Electric Co., was granted an electrician's license.

### BIDS FOR BAND STAND

Last Thursday the Park Commission opened the bids received for the erection of the proposed concrete band stand for North German Park. The following three bids were received:

John Gronau	\$1430 00
Aug. Puhlmann	1435 00
F. Keute & Co.	1617 00

No action was taken in reference to awarding the contract, because it is not definitely known at this time whether sufficient funds will be available for this purpose. The matter of funds is in the hands of the finance committee. It is proposed to erect the band stand north of the refreshment stand on the right hand side of the gravel walk. The structure is to be about 30 feet square open on all sides, the roof to be supported by concrete pillars. It will be built so that it can be screened, thus protecting the band boys from mosquitoes and other insects.

At the state convention of the Modern Woodmen of America held at Stillwater last Wednesday, May 6th, the Sundeen faction was in absolute control and the federation and state camp followers known as regulars, 44 in number, bolted the convention and held a rump convention all by themselves. Major Albert Pfander who attended as the delegate from Brown County had an opportunity to go as a delegate to the national convention which is to be held in Cleveland, Ohio this year, but he declined to go. Modern Woodmen affairs, both state and national seemed to be quite badly muddled up at the present time on account of the insurance rates.

## Lawyer Offers \$100 in Prizes

**Rome G. Brown of Minneapolis Interested in Education.**

**Wants High School Pupils To Be Warned Against Recall.**

An unusually interesting prize contest has just been opened to the under graduate body of the Minnesota High Schools. Rome G. Brown, a well known Minneapolis lawyer, has offered \$100.00 to be given in prizes for the best essays in opposition to the recall of public officials. The subject is of unusual interest to high school students as the recall of judges has been the subject of the State High School Debate League during the past winter. It is hoped that some of the local high school debaters who are familiar with the arguments for and against the use of the recall measure will try for the prize.

The conditions governing the contest are as follows:

To Undergraduates of Minnesota High Schools.

The undersigned hereby offers and agrees to pay, upon the conditions herein specified, One Hundred Dollars in prizes for the best arguments to be written and submitted by undergraduates of Minnesota High Schools against the adoption by the people of Minnesota of the Amendment to Article Seven of the State Constitution providing for the recall of public officials, proposed by the Legislature of Minnesota, Chapter 593, General Laws of Minnesota for 1913. The winner of the first prize will receive \$40; of the second prize, \$25; of the third prize, \$20; of fourth prize, \$10; and of the fifth prize, \$5. The winners of the sixth to tenth prizes will each be awarded "Honorable Mention," but without participation in the prize fund.

### CONDITIONS OF CONTEST.

In this contest the following conditions shall govern:

1. The contest is open to any undergraduate, duly enrolled on April 1, 1914, in any high school located in Minnesota.
2. The argument may be directed against the general recall of public officials, including judges, or may be based on the claim that the inclusion of the recall of judges is alone reason for rejecting the amendment. The best argument, on whatever grounds, against the proposed amendment, will win; but particular consideration will be given to the presentation of reasons based upon opposition to the recall of judges.
3. Manuscripts must be typewritten, on one side of paper only; and must not exceed three thousand words exclusive of the title. The judges of the contest will be presumed to have in mind all terms of the legislative act proposing the amendment.
4. Accompanying each argument, but not a part thereof, shall be presented a summary or skeleton synopsis of the main argument stated in not to exceed five hundred words, the merits of which summary shall also be considered in making the award.
5. The award of prizes shall be made by such judge or judges as shall be selected by the undersigned for that purpose and such award shall be announced about the first day of October, 1914.
6. The argument awarded first prize shall, with credit to the author, be published simultaneously in the Minneapolis Daily Tribune and Minneapolis Daily Journal and in such other papers as may be selected. The right of publication of any argument submitted, or any part thereof, is reserved.
7. Any argument not complying precisely with the conditions of the contest may be rejected, or may be received, with lessened credit due to defective compliance with conditions; but no argument by other than the high school students herein specified will be considered in this contest.
8. A set of pamphlets containing arguments against the judicial recall will, upon request to the undersigned, be mailed to any address.

ROME G. BROWN.

The Western Conference of Congregational Churches of this District will be held at Winthrop during the first week in June.

Mr. and Mrs. Otto Marx of Le Sueur Center visited with friends over Sunday and Monday went to Sleepy Eye to attend the funeral of Frank Schnobrich.

## Minnesota Will Honor Norway

**Norwegians Laying Great Plans For Observance of May 17th.**

**100 Years Since Norway Asserted Its National Independence.**

May 17th is a proud day this year for our respected Norwegian citizens of whom there are thousands within the borders of the North Star State for it is the one hundredth anniversary of the signing of the Norwegian constitution and the 17th day of May is a sort of Fourth of July, with the added interest this year of the centennial. The chief celebration of the event will take place in Norway at Christiania and in this country there will be a three days' observance of the occasion at the Minnesota State Fair Grounds May 16th, 17th and 18th. Norwegians from all over the United States have, for several weeks been making preparations for the trip to Norway and those who can not go, without doubt will be present at the Minnesota celebration which will be the only general observance in the country.

From 1380 until 1814 Norway was united with Denmark under one king. When Napoleon was overrunning Europe the King of Denmark formed an alliance with him. Napoleon defeated and Denmark was forced by the powers that overthrew him to give up her claims on Norway which was ceded to Sweden. This high handed method of disregarding any claims of the citizens of Norway aroused them to action and a convention was called at Eidsvold in the spring of 1814.

The convention labored until they had produced a constitution which declared the Norwegians an independent people. This constitution was signed May 17th. From that time on, the under one king with Sweden, Norway had its own separate representative governing body.

The initiative in the celebration in America has been taken by the "Bygdelags," organizations of persons who trace their origin from some particular civic or geographical division of Norway, similar to our states or counties. There are now some thirty of these organizations representing practically every portion of Norway. Saturday the 16th will be devoted to meetings of the various "Bygdelags" concluding with a general meeting and a display of fireworks in the evening. On the 17th, Sunday, the exercises will be of a character befitting the day. A number of bishops of the Church of Norway will be present and will conduct religious services. In the evening a great concert will be held in one of the largest buildings on the fair grounds.

On Monday the great civic celebration will be held. Hon. H. Bryn, Norwegian minister to the United States, has been specially delegated to represent the Norwegian government at this meeting and will bring a message from Norway. An attempt is being made to induce President Wilson to attend the meeting and he has promised that if he is unable to be present he will send a representative of the government, probably Vice President Marshall.

Senator Knute Nelson of Minnesota, who was born in Norway, will probably act as chairman at the great celebration exercises and many other prominent men of the Northwest will take part.

K. B. Birkland, chairman of the citizens' committee, will give the address of welcome; Rev. H. K. Madison, Chicago will deliver a patriotic address in the mother tongue. James A. Peterson will deliver the address in English.

A large male chorus composed of the various Norwegian male choruses in the city will sing six of the best known Norwegian songs and hymns under the directions of Prof. E. Oulie. A chorus of 550 school children from the sixth and seventh grade under the direction of T. P. Giddings, will sing at intervals during the day. The children will wear red, white and blue capes arranged to represent the Norse flag.

Instrumental music will be offered by the locally celebrated St. Olaf College brass band of Northfield, Minn., under the leadership of Prof. M. F. Christianson, who last year visited Norway with the organization and won much renown.

The Hippodrome will be beautifully decorated for the event with flags, bunting, banners and emblems. The railroads are making special preparations to handle the people who will

attend the celebration and it is expected that from 10,000 to 15,000 men, women and children who are proud of their Norwegian blood will be present.

For those who can not attend either of the large celebrations, a celebration has been arranged at Fort Hill Park on Sunday, May 17. If the weather is ideal, no doubt, all will turn out to celebrate Norway's Independence.

### JUDGE OLSEN SUSTAINED.

Last Friday the Supreme Court filed an order sustaining Judge Olsen in the case of Etta M. Hutchings, Administratrix of the Estate of Chas. Hutchings vs. the Sleepy Eye Telephone Company which was tried at the May, 1913, term of the District Court of Brown County. Hutchings was killed October 30, 1911 while in the employment of the defendant telephone company. The administratrix started an action claiming that the telephone company was responsible for her husband's death and demanded damages. The case occupied the attention of the court and jury for 3 days, a verdict being returned May 29th for the sum of \$1800. After the defendant's motion for a new trial had been denied, they appealed to the Supreme Court with the result that the verdict will stand. The syllabus reads as follows:

In an action for death by wrongful act it is held:

1. That the evidence justified a finding that the plaintiff's intestate, while working for the defendant, came to his death as a result of electrocution.
2. That the evidence justified a finding that the plaintiff's intestate was not negligent.
3. That the evidence did not require a finding that the plaintiff's intestate was guilty of contributory negligence.

### WORKMAN IS INJURED

While employed on the sewer which is being constructed on South Broadway, Frank Walters of Waterloo, Iowa sustained injuries which will incapacitate him from work for several weeks. The Blackhawk Construction Co. has the contract for this sewer and is using a monstrous excavating machine for digging the trenches. At the time of the accident Walters was at the bottom of the trench about 12 feet below the surface directing the operations of the excavating caving machine. The usual precautions had been taken to prevent cave-ins, by placing planks on the sides and a timber across the opening to keep the planks in place. In some way some of the ground broke away from the sides and slid to the bottom of the trench. The next minute some more earth moved downward. Expecting a general cave-in Walters made for the surface and reached out and took hold of the cross-beam for the purpose of pulling himself up. This gave way and he fell backward onto the large excavating belt and would have sustained serious if not fatal injuries if Engineer Armstrong had not stopped the engine when he did. The injured man was removed from his perilous position and taken to the Merchants Hotel and from there conveyed to the Loretto Hospital where his injuries were attended to. In addition to a deep gash in the thigh, he was badly bruised and shaken up and suffered excruciating pain for some time after the accident.

### GUN CLUB SCORES

Apparently without much effort J. H. Forster made 24 out of a possible 25 birds at the initial shoot of the season of the New Ulm Business Men's Gun Club held at the Gair Frouds last Thursday afternoon and walked off with some of the gold medal. Although the weather was very disagreeable 18 of the faithful put in an appearance at the first game and made the following scores:

J. H. Forster	24
Gust Becker	22
A. G. Bierbaum	21
Jess. Becker	18
L. G. Vogel	18
W. D. Edwards	17
Jos. Klaus	17
Math. Pedersen	17
Foster Fisher	17
Theo. Johnson	16
Frank Schlei	16
Alf. W. Mueller	15
Hy. J. Berg	14
A. J. Vogel	14
B. Esser	13
Aug. Dahl	10
J. P. Graff	10
Ant. Reinarts	10

Dr. L. A. Fritsche made a professional trip to Winthrop yesterday.

The family of Emil Lutz was made happy last Tuesday over the arrival of a son and heir.

Mr. and Mrs. George Dunn of Courtland mourn the loss of their little daughter who died Monday shortly after birth.

## District Court Next Tuesday

**Forty Cases Noticed For Trial. Only Sixteen New Actions.**

**At Least Four Cases To Be Brought Before The Grand Jury.**

Court convenes next Tuesday May 19th at 11 o'clock a. m. At that time the grand jury reports for duty. The petit jury will not meet until the following day at the same hour. Forty civil cases have been noticed for trial of which 24 cases were continued from the last term. The insurance cases, 14 in number, will go over the term. If tried at all, the road appeals will be tried together. Only 16 new civil cases are on the calendar and it looks now as tho the term would be of short duration unless the criminal business should amount to something. Although no criminal cases are pending at this time, four cases await the action of the grand jury. Martin Willinger, for carnal abuse; Louise Hetlinger, perjury; Otto Schreyer, assault; William Wenger, assault. Other matters may however be brought to the attention of the grand jury. The following cases have been noticed for trial:

In the matter of Proceedings to enforce collection of delinquent real estate taxes for 1907 in Brown County, Minn. State of Minnesota vs. Henry Steinhauer.

2. Carl Kehms, Plaintiff, vs. Auguste Kehms, Defendant.
3. John J. Schmidt, Joseph J. Schmidt and Katharina Schrimpf, Plaintiffs, vs. Anna Schmidt, Henry Schmidt, Wenzel Schmidt and Annie Schmidt, his wife, Defendants.
4. Gudman Anderson, Appellant, vs. The Board of County Commissioners of Brown County, Minn. Respondent.
5. Hans Ulen, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
6. Peter T. Ellanson, Appellant vs. The Board of County Commissioners of Brown County, Minn., Respondent.
7. Martin Sorbel, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
8. Tollef C. Strom, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
9. Ole Nilsen, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
10. Robert Olson, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
11. Anton O. Ouren, Appellant, vs. The Board of County Commissioners of Brown County, Minn., Respondent.
12. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. H. E. Wendt, Defendant.
13. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Albert Roggenbuck, Defendant.
14. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Henry Winkelmann, Defendant.
15. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Herman Zietlow, Defendant.
16. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Harry Trautmann, Defendant.
17. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Hermar Wendt, Defendant.
18. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Bernart Blomeke, Defendant.
19. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Hermar Kettner, Defendant.
20. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. George Sprink, Defendant.
21. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Carl G. Arndt, Defendant.
22. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Henry Luehmann, Defendant.
23. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Eric Kettner, Defendant.
24. Minnesota Farmers' Mutual Insurance Company, Plaintiff, vs. Paul A. Arndt, Defendant.
25. William Harris, Plaintiff, vs. A. Schiller, Defendant.
26. J. G. Feirer, Plaintiff, vs. Joseph Feirer, Defendant.

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