# THE HERALD.

DOWNIE & NEILL, - Publishers

**$2 A Year in Advance.**

BIG STONE CITY, - DAKOTA

FRIDAY, JUNE 26, 1885.


For Delegates to Constitutional Convention.

N. I. LOWTHIAN.
HENRY NEILL.

Election day, next Tuesday, June 30th.

IN OUR travels through the northern part of this county we see much wild mustard in the fields, and would call the attention of farmers and township boards to the law requiring its extermination. No pains should be spared to root out this pest, before it spreads farther. Grain is not yet headed out and this perennial pest is easily seen in full bloom. Children can be utilized in pulling it up and much ground gone over in a short time. Where people owning the farms fail to do their duty in regard to weeding it out, the town boards are authorized to do so at their expense. Enforce the law against this weed.

GENERAL apathy in this section of the Territory in the Constitutional Convention movement, made our county convention last Saturday rather a happy affair. A few of the towns did not send any delegates at all, several more did not hold regularly called caucuses, but were represented by delegations on the endorsement of the respective township committes, while Milbank had one delegation thus endorsed and another of its own choosing. The convention, once organized, commenced ridding itself of all irregularly chosen delegates. The result was that the delegates claiming admission from Milbank, Big Stone City and Big Stone township were thrown out and the regularly chosen delegates of the rural districts had things all their own way, besides teaching the others a wholesome lesson in the way of doing things up in the proper order.

While there was much animated discussion and lively changes, all passed off pleasantly and engendered no bad blood. The farmers of this county are adepts in the management of political conventions and generally get what they want. Personal reasons restrain us from extended remarks on the candidates made by the convention, safe in the case of Mr. Lowthian, who ably and faithfully represented this county in the Constitutional Convention two years ago, and it was nothing more than reasonable to expect that he should be the first man to be chosen by the farmers again to represent them in drafting the foundation principles of the new State. His experience in the previous convention and his active work in behalf of agricultural interests since a resident of this county, make him a fitting representative of the farming classes.

As for the editor of this paper, his nomination was as unexpected as it was unsolicited, and if elected his one aim will be to guard the rights and interests of the whole people to the best of his ability.

### CITY GOVERNMENT.

**Official Report of Council Proceedings.**

Regular meeting of city council June 11, 1885, at 8 p. m. at council rooms. Present, the Mayor, Aldermen Baker, Schafer, Von Eschen, and the city clerk.

Meeting called to order and minutes of last meeting read and approved.

The following resolution was presented to-wit: (See resolution headed 'City Notice' in another column.)

Moved by Ald. Schafer that the resolution be adopted, passed and published. Ayes, Baker, Von Eshen and Schafer. Noes, none. So the motion prevailed.

The following accounts were audited and clerk ordered to issue warrants for same, to-wit:

| | |
|---|---|
| E. Martin, livery for council | $ 3.00 |
| C. F. Weldh, lumber | 3.24 |
| Downie & Neill, printing ordinances | 49.00 |
| L. V. Thomas, Klines account | 2.00 |
| Clerk, express on books | 3.10 |
| Bratberg orders to Stevenson & Towers | 21.00 |

Mr. Bratberg stated to the council that he would not be able to complete the road work for the amount contracted on the extention of Lake St. and would discontinue his working the same.

On motion the street commissioner was instructed to work on the road to park grounds, until otherwise instructed by the council.

On motion council adjourned to meet Monday evening June 15th.

F. A. ELDREDGE, Clerk.

### The Sale of Holstein-Friesian Cattle.

The first sale of Holstein-Friesian cattle ever held this side of Chicago, came off June 4th, at Minneapolis Fair Grounds and was a success in every respect. Buyers were satisfied because the cattle were a superb lot and worth the price paid, and as the prices were fair the sellers were satisfied. The cattle were a draft from the well-known herd of the Northwestern Importers and Breeders Association, Benson, Minn. It was undoubtedly the finest lot of Holstein-Friesian cattle ever offered at public sale in the United States, and its success is a proof of the good judgement of this enterprising association in buying and selling only the very best cattle of the breed. Many eastern dealers suppose that anything is good enough for the west, and send their culls here to be sold, but cull are not what we want. We of the Northwest want the best and most profitable stock, believing that the best is the cheapest in the long run. We are glad to note that the handsome two year old bull "Valentine," weight 1840 pounds, and the finely bred heifer, "Wietske 5th," with several other fine specimens of the breed, were bought for the University Farm, where they are to be tested, side by side with other breeds, and the result noted. The average price of these cattle was: cows, $317.17, bulls, $303, and calves $139.

### City Notice.

Resolved that the Mayor and City Clerk be and they are hereby authorized and empowered to issue the bonds of the city, to the amount of $1,500 in the denomination of $500 each, running for the period of 15 years from date of issue, with interest at 7 per cent per annum, payable annually, for the purpose of purchasing and providing a boat to be operated as a ferry boat on Big Stone lake.

Adopted, passed and approved this 22d day of June, A. D. 1885.

WM. W. DOWNIE, Mayor.

Attest: FRANK A. ELDREDGE.



### Ordinance No. 5.

An ordinance to restrain the running at large of horses, cattle, swine and other animals.

The city council of the city of Big Stone City do ordain as follows:

Sec. 1. No horse, mule, goat, sheep, swine or any cattle, shall be permitted to run at large in the city at any time, and if found running at large, each and every one of such animals may be impounded in any common or public pound of the city; from where they shall not be released until the owner or owners or some other person, shall pay to the city Marshal the fees and penalties hereinafter provided.

Sec. 2. Any owner or owners, or person or persons, having charge of any such animals, who shall permit the same to run at large, contrary to the provisions of the last preceding section, shall upon conviction thereof be punished by a fine of five dollars for each and every offence with costs.

Marshal to Impound Animals.

Sec. 3. It shall be the duty of the City Marshal to take up and impound any such animal known to him to be running at large, contrary to the provisions of this ordinance, and for each refusal or neglect so to do, he shall forfeit and pay a penalty of five dollars and costs.

Sec. 4. It shall be lawful for any person to take up any animal running at large contrary to the provisions of this ordinance, and take the same to any public pound of said city, and for so doing he shall receive from the City Marshal when collected, one half of the fees collected on account of such animal running at large.

DUTIES OF THE MARSHAL.

Sec. 5. It shall be the duty of the City Marshal to receive into the city pound, all animals brought there in pursuance of any of the provisions of this ordinance; to take proper care of and provide sustenance for all animals impounded, and he shall forthwith give notice to the owner of said animal or animals, if known, of said impounding; and to deliver to the owner or owners or other propper person all such animals as may be redeemed before sale thereof; and if such animals are not redeemed within twenty-four hours after same are impounded, then forthwith—Sundays excepted—after the expiration of said twenty four hours, to post three notices: One at the post office, one at the pound where such animals are impounded, and the other at some public place in said city, in substance as follows:

Pound Notice.

Taken up and impounded in the city pound at—(insert location of pound)—on the —(insert date, and description of animal or animals)—which will, if not redeemed before sale, be sold at public auction to the highest bidder for cash, at said pound at the hour of 2 o'clock in the afternoon on the—(insert dates.)

City Marshal.

The day of sale fixed in such notice shall be not more than the tenth, and not less than the fifth after the animal or animals therein mentioned shall be impounded, and shall not fall upon a Sunday, or any territorial or national holiday or holidays, or any election day, and if said animal or animals are not redeemed, authority is hereby given the City Marshal to sell in accordance with such notice, and to adjourn said sale for not more than three additional days for good and sufficient cause.

Sec. 6. The City Marshal shall be entitled to the following fees for his services under this ordinance,

For each and every horse, mule or animal of the horse or mule kind impounded, the sum of one dollar and fifteen cents for each, and every other animal impounded the sum of one dollar. For providing sustenance for each animal impounded for each day or part of a day the same may be kept, as follows: For each and every horse, mule or animal of the horse or mule kind, seventy-five cents; for each and every other animal, fifty cents. For making sale of each and every animal sold by him, the sum of fifty cents; for making and posting notices twenty-five cents each notice; for every redemption certificate, twenty-five cents.

Proceeds of Sale:

Sec 7. The proceeds of the sale of animals sold under the provisions of this ordinance, shall be applied: first, to the City Marshal, such sum as he may be entitled to receive for fees and sustanance, under the provisions of the last section; next to the payment of penalties received by the owner or owners, or person having charge of such animals, and the surplus to be paid to the person entitled thereto, as hereinafter provided.

Owner May Redeem:

Sec. 8. At any time before the sale of such animal or animals, the owner thereof, or other proper person may redeem the same by paying to the City Marshal, such sum as he may be entitled to receive for fees and sustenance under this ordinance, and also the fine and penalty provided in section two.

Sec. 9. No person shall purchase or be interested directly or indirectly in the purchase of any animal taken up, impounded or sold by him under the provisions of this ordinance, under a penalty of ten dollars.

Penalty for breaking open pound:

Sec. 10. Any person or persons who shall break open or in any manner, directly or indirectly, aid, assist in or counsel or advise the breaking open of any city pound, shall on conviction thereof, be punished by a fine of not more than ten dollars, with costs.

Sec. 11. Any person who shall hinder, delay or obstruct any person or persons engaged in driving to any city pound any animal or animals liable to be impounded in the city pound, shall for each and every hinderance, delay or obstruction, on conviction thereof be punished by a fine of not more than ten dollars, and costs.

Sec 12. The City Marshal, shall render to the city council on the 1st days of May and November, a statement under oath of all moneys received by him either for penalties or for animals sold by him: and shall pay to the city treasurer all penalties and all surplus of proceeds of sales as mentioned in section seven, and present to the city council, with the statement aforesaid, and the City Treasurer's receipt therefor.

Sec. 13. Whenever any animal shall be sold under the provisions of this ordinance, and shall not bring enough to pay the fees, sustenance and penalties, the deficiency shall be received of the owner or person having charge of such animal, by suit in the name of the incorporation of the city of Big Stone City.

Sec. 14. When the surplus proceeds of the sale of any animal which may be sold under the provisions of this ordinance, shall have been paid to the City Treasurer, the owner of such animal, upon satisfactory evidence of his right thereto presented to the city council, may have a warrant on the Treasurer for such excess.

Sec. 15. This ordinance shall take effect and be in force from and after its publication in the HERALD for two consecutive weeks.

Passed and approved this 15th day of June, 1885.

W. W. DOWNIE, Mayor.

Attest: FRANK A. ELDREDGE, City Clerk

OLD PAPERS FOR SALE AT THE HERALD OFFICE.

### Mortgage Sale.

Whereas, Alonzo Butler and Mary A Butler, his wife of Grant county, Dakota, mortgagors, did on the 13th day of December, 1880 executed and deliver to William F. Leonard, mortgagee, their certain mortgage upon the land thereinafter described to secure a certain principal note for $350.00 and five interest coupon notes of $28.00 each executed by said Alonzo and Mary A. Butler to the said William F. Leonard which said mortgage was duly filed in the office of the Register of Deeds in and for Grant county, Dakota, on the 16th day of December, 1880, at 7 o'clock p. m. and recorded in book one on pages 406, 407, 408 and 409.

And, whereas, said mortgage was afterwards on the 22nd day of May, 1885, duly assigned by said William F. Leonard for a valuable consideration to Richard weller, and said assignment was duly recorded in said office of the Register of Deeds of said Grant county on the 26th day of May, 1885, in Book 11 of mortgages, page 636, and,

Whereas, it is provided in and by said mortgage, that if any one of said coupon interest notes shall remain due and unpaid for the period of ten days after it shall become due and payable, and if any tax or assessment levied upon said mortgaged property be not paid when the same becomes due, that in either of said cases the lawful owner of said notes and mortgage shall have the right to declare the principle note and the interest accrued thereon immediately due and collectable and shall have the right to foreclose said mortgage and enter upon and take possession of said premises and sell the same in the manner provided by law; and,

Whereas, default has been made in the payment of one of said coupon interest notes which was due and payable on the first day of January, 1885; and,

Whereas, the taxes which were levied upon said mortgaged premises for the years 1883 and in 1884, were not paid when due and the same have since been paid by the present owner of said note and mortgage accounting with interest as provided by law in the sum of ninety dollars and ninety-one cents; and,

Whereas, no action or proceeding at law or otherwise have been instituted to recover the debt secured by said mortgage or any part thereof.

Now, thereof, I, the undersigned owner of said notes and mortgage by reason of said default as above stated do hereby declare the principal note of $350.00 described in said mortgage due and by virtue of the power of sale in said mortgage contained, said mortgage will be foreclosed by a sale of the mortgaged premises described as follows, to-wit:

The southwest quarter of section three (3) township one hundred and twenty-one (121) north, range forty eight (48) west of fifth principal meridian, containing one hundred and sixty (160) acres more or less, situated in the county of Grant and Territory of Dakota.

Said sale will be made by A. H Nash, sheriff of said Grant county, or his deputy, at public auction to the highest bidder for cash at the front door of the Grant County Bank in Big Stone City, Grant county, D. T., on the 7th day of July, 1885, at one o'clock p. m. of said day to satisfy the amount then due upon said mortgage and also the taxes paid by the undersigned upon said mortgaged premises as above stated and interest thereon together with all the costs of sale and an attorney's fee of thirty-five dollars as provided in said mortgage in case of foreclosure.

The amount due upon said mortgage at the date of this notice is three hundred and ninety-one ($391) dollars.

Dated at Big Stone City, D. T. this May 2, 1885.

RICHARD WELLER,
Assignee of said mortgage.

D. W. Fountain, Big Stone City, D. T.
Attorney for said Richard Weller.

### Ordinance No. 6.

An ordinance regulating pedlers and hawkers.

The city Council of the City Big Stone City do ordain as follows:

Sec. 1. It shall be unlawful for any person to hawk, peddle or offer for sale in any street, lane or alley, market place, public landing or elsewhere, in said city of Big Stone City, any goods, wares or merchandise without having first obtained a license for that purpose.

Sec. 2. Any person upon paying the City Treasurer such sum as the Mayor shall in his discretion direct, not less than three dollars or more than one hundred dollars, shall receive the Treasurer's receipt therefor, specifying the purpose for which the same is paid, and upon filing said receipt with the City Clerk, shall receive a written license signed by said Clerk to sell goods, wares or merchandise as a hawker or peddler, within said city for such length of time as shall be fixed by said Mayor, not exceeding one year.

Sec. 3. Nothing in this ordinance or in the license granted, shall be construed as to entitle any person to the privilege of occupying a stand in any street, alley, market place public landing, common or sidewalk, with tables, benches or other-wise, and every person offending against the provisions of this ordinance shall upon conviction thereof, forfeit and pay for each offence, a sum not less than five and not more than twenty-five dollars.

Sec. 4. This ordinance shall not apply to person who may offer for sale the growth of the farm or garden.

Sec. 5. This ordinace shall take effect and be in force from and after its publication in HERALD for two consecutive weeks.

WM. W. DOWNIE, Mayor.

Attest: FRANK A. ELDREDGE, City Clerk.

Passed and approved June 15th, 1885.