New Ulm Review

Wednesday, December 5, 1894.

EAST		WEST	
No. 526	6:25 P. M.	No. 2‡	12:43 P. M.
No. 4‡	2:08 P. M.	No. 8‡	9:02 P. M.
No. 18‡	12:43 P. M.	No. 17‡	2:28 P. M.
No. 22‡	11:40 P. M.	No. 18‡	5:55 A. M.

No. 22 carries passengers only to New Ulm,

* Daily except
‡ Daily except Sunday.
† On Sunday only.

C. W. H. HEIDEMANN, Agent.

BAD BLAZE AT OMAHA

Exposition Hall, an Immense Structure, Burned to the Ground. Church Destroyed.

DYNAMITE KILLS FIVE.

One Accident Near Ottawa, Ont., and Another in the Vicinity of Huntington, Ind.

OMAHA, Dec. 5.—At 5 a. m. fire broke out in Exposition hall, covering three squares of a block on Thirteenth, Fourteenth and Capitol avenue, and totally destroyed it, together with the Presbyterian church corner, Fifteenth and Davenport. The Exposition building was partly occupied by the Fifteenth Street theatre. This is the theatre burned out two years ago on Farnam street. Hoyt's "Bunch of Keys" was playing an engagement ane their loss is heavy.

The fire was discovered in the rear of the store of John Lally at 5:15, and in a few minutes the whole exposition building was a mass of flames. It seemed but an instant from the time the flames reached the theatre before the whole interior was on fire. The flames quickly spread to the first Baptist church adjoining, and in an hour all that was left of the building was a bare brick wall. The firemen succeeded in saving the few residences on the northeast corner of the block, but they were badly damaged, as was also the Dellone hotel. The water pressure was very light and the firemen were badly handicapped. The flames spread so rapidly that not a thing was saved from any of the stores in the exposition building or the theatre. The total loss is estimated at $175,000, with insurance probably about one-half.

FIVE ARE DEAD.

Disastrous Results of a Dynamite Explosion Near Ottawa.

OTTAWA, Ont., Dec. 5.—A dynamite explosion occurred in Hull, Que., near Ottawa. Four men and a boy were killed and several were wounded.

Dynamite Exploded.

HUNTINGTON, Ind., Dec. 5.—A quantity of dynamite intended for use in the big sewer being constructed here exploded, resulting in the instant death of two men, and the serious injury to several others.

Drowned While Skating.

INDEPENDENCE, Ia., Dec. 5.—Two grandchildren of Christopher Cook of Littleton, aged 7 and 10, were drowned while skating at Otterville, six miles north of here. The bodies were recovered.

Cool Reception of Humbert.

ROME, Dec. 5.—Several newspapers agree that the dominant note in the king's reception in the streets Monday, on his passage to and from the houses of parliament, was the coolness of the people. In addition attention is called to the fact that the king's speech was only applauded twice, when his mejesty referred to the national desire to assist the victims of the earthquake, and when he touched upon the necessity of providing for the wants of the farmer.

Says the Attorneys Are Biased.

SAN FRANCISCO, Dec. 5—A sensation was created here in the United States court, in which Main and Cassidy, A. R. U. men, are on trial for conspiracy. Attorney Monteith, their attorney, formally moved to have United States District Attorney Carter and his assistant district attorney, Samuel Knight, relieved from their positions as prosecutors in the case on the ground of biases and undue friendliness for the Southern Pacific railroad.

Ex-Auditor Burns in Jail.

ST. PAUL, Dec. 5.—Ex-Auditor James H. Burns of Ramsey county is in jail, charged by his mother-in-law with appropriating money belonging to her to the amount of about $700. There was another charge against him on which he was out on bail when the new charge was brought. His former bondsmen desired to be released and he found it impossible to secure other bonds.

Found Oleo on the Range.

ST. PAUL, Dec. 5.—The agents of the dairy commission have returned from an inspection tour in the Iron Range. During this trip they confiscated 1,700 pounds of oleomargarine found in stores, restanrants and boarding houses. The commission will prosecute in all cases where it is possible, and the investigation will be continued.

Star and Steamboat Mail Service.

WASHINGTON, Dec. 5.—The opening of bids for contracts for star and steamboat mail service in Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa and Missouri will be commenced at the postoffice department in the morning. There are 5,000 routes in these states, covering 47,579 miles, and the number of bids submitted is estimated at 100,000.

Stock and Barns Burned.

PIPESTONE, Minn., Dec. 5.—The large barn and machine sheds on the Hausberg farm, five miles north of here, were burned to the ground during the night. Mike Teaburg, tenant, lost nine head of horses, several cows, hogs and all farm machinery, and from 1,500 to 2,000 bushels of grain. Losses estimated at about $5,000; insured for $1,700.

Coal Breaker Burned.

WILKESBARRE, Pa., Dec. 5.—The big coal breaker at the Laflin Coal company at Laflin, a small town a few miles above this city, was burned. The loss will probably reach $90,000. Three hundred men and boys will be thrown out of employment until the breaker is rebuilt.

INTERPRETING MINING LAW.

A Case of Great Importance in the Federal Supreme Court.

WASHINGTON, Dec. 5.—The action of the United States supreme court in granting the petition of the Last Chance Mining company, for a writ of certiorari in the case of the Last Chance company versus the Tyler Mining company, will have the effect of transferring to this court a litigation which has attracted much attention in the state of Idaho in the past five or six years. This case has not only become important because of the large values involved, but also because of the questions in mining law which it raises. Among these questions, the most consequential probably is as to the rights of mining claimants to follow their ledges beyond the lines of their claims into the claims of their neighbors. The Tyler company denied the right to follow its ledges beyond the vertical lines into the Last Chance territory, and brought suit to enjoin the latter company from taking out ore which, while within its territory, was in the ledge having its shape in the Tyler claim.

Tried in Many Courts.

The case has been tried in several state and federal courts. The last decision which was rendered was by the circuit court of appeals for the Ninth circuit, which court sustained the contention of the Tyler company. Ordinarily, the decisions of the circuit courts of appeals are final, but the supreme court has the option of reviewing, which it has now decided to do in the case, and it will be argued in that tribunal and still another decision made before all the mooted questions are decided. The Tyler company contends that of the ore extracted by the Last Chance company, $200,000 worth properly belonged to it, while the Last Chance company sets up that it has expended upwards of $700,000 in the development of the ore bodies which are now claimed by the Tyler company, before the trial of this case, and had expended upwards of $400,000 in their development work before any claim was ever made against them on the part of the Tyler company. The Last Chance company is represented by W. B. Heyburn and C. S. Voorhees, and the Tyler company by Senator Dolph and J. R. McBride.

RAILROAD LANDS.

The Northern Pacific Wants an Injunction Against the Tax Collector.

FARGO, N. D., Dec. 5.—The Northern Pacific railroad has applied to Judge Thomas for an order to restrain the sale of Northern Pacific lands in Stutsman, Burleigh, Wells, McLean, Morton, Stark and Mercer counties for taxes of 1893 on the ground that the lands are not taxable because no patents have been issued and their selection has not been approved by the interior department, and further because permission has not been granted by the court for the sale, the road being in the hands of a receiver.

MUST QUIT THE SCHOOL.

A Queer Case Decided by the District Court at Nebraska City.

OMAHA, Dec. 5.—A special to The Bee from Nebraska City says: The district court held that the students at the state institute for the blind must quit the school on being graduated. The decision was provoked by the refusal of last year's class to leave the school after finishing their course. They declared their intention of remaining there permanently. They were removed on a writ of ouster.

Carnegie & Phipps May Move.

NORWALK, O., Dec. 5.—For several days past a party of surveyors have been at work between the villages of Milan and Huron, sounding the Huron river and making a topographical map of the lands adjacent to the river from Lake Erie to the head of navigation. The people and property owners in the vicinity say that the surveyors are in the employ of the firm of Carnegie & Phipps of Pittsburg and that they are seeking a new location for their plant near Lake Erie.

Strangely Reunited.

MCARTHUR, O., Dec. 5.—K. A. Black and Rebecca Jarvis were married here Saturday night. It is learned that the same couple were married in 1850. When their only child was 6 months old Black went West. After three years' absence his wife was divorced and married James Gibbs, of Chillicothe, who died in the army. The widow after the war married Lymer Jarvis, who subsequently died. She has resided at Chillicothe for years. Black recently found her there, having previously written to her.

Dubuque Ministers on the Mulct Law.

DUBUQUE, Ia., Dec. 5.—At the regular meeting of the Ministerial association of Dubuque the question of the enforcement of the present state mulct law was discussed. After a thorough review it was determined that it can be enforced in this city as elsewhere, and the association will make an effort to do so.

Farmers' Institutes.

SIBLEY, Ia., Dec. 5.—The Osceola county farmers' institute arranged for sessions this winter at Sibley, Ashton and Ocheyedan. Professors of the state agricultural college will lecture. At the annual tax sale several townships stood clear on the treasurer's books, not a single farm in them being delinquent for taxes.

Nearly Cremated.

SAUK RAPIDS, Minn., Dec. 5.—Mrs. Farragolia was terribly burned by the explosion of a lamp and the house was set on fire. She would have been cremated but for the presence of mind of Attorney Bell, who pulled up the carpet and smothered the flames. Her clothing was burned off. Grave fears are entertained as to her recovery.

SUMMONS.

State of Minnesota, County of Brown | ss. District Court, Ninth Judicial District.

Jos. A. Eckstein, Plaintiff.

vs

Christian Probst, the unknown heirs of said Christian Probst, and also all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate described in the complaint herein.— Defendants.

The State of Minnesota, to the above named Defendants.

You and each of you are hereby summoned and required to answer the complaint of the Plaintiff in the above entitled action which is filed in the office of the Clerk of the District Court, of the Ninth Judicial District, in and for the County of Brown and State of Minnesota, and to serve a copy of your answer to the said complaint on the subscriber, at his office in the City of New Ulm in said county, within twenty days after the service of this Summons upon you exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid the Plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated November 23d, 1894.

JOS. A. ECKSTEIN, Attorney in Person, New Ulm, Minn.

NOTICE OF LIS PENDENS.

State of Minnesota, County of Brown | ss. District Court, Ninth Judicial District.

Jos. A. Eckstein, Plaintiff.

vs

Christian Probst, the unknown heirs of said Christian Probst, and also all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate described in the complaint herein.— Defendants.

Notice is hereby given, that an action was been Commenced in this Court by the above named Plaintiff against the above named Defendants for the purpose of determining any adverse claim, estate, lien or interest in and to the real estate hereinafter and in the complaint herein described, claimed by said defendants, or either of them, and to have the same adjudged void; also to have said defendants and all persons or parties claiming under or through them forever barred from claiming and from any and all claims, right, title, estate, lien or interest in or to said real estate or any part thereof, adverse to this plaintiff; and to have said plaintiff adjudged to be the owner in fee simple and entitled to the possession of said premises and real estate and to have the title thereto forever quieted in the plaintiff, his heirs and assigns.

The premises affected by said action are situated in the County of Brown and State of Minnesota and are described as follows:

Lot No. (11) of Block No. one hundred and two [102] South of Centre Street, in the City of New Ulm, in said county, according to the plat of said city on file and of record in the office of the Register of Deeds in and for said county.

Dated November 23d, 1894.

Jos. A. Eckstein, Attorney in Person, New Ulm, Minn.

MORTGAGE SALE.

Default having been made in the payment of the sum of Four hundred twenty nine and fifty one-hundredths Dollars, ($429.50), which is claimed to be due and is due at the date of this notice upon a certain Mortgage, duly executed and delivered by George P. Dietz and Wilhelmimie Dietz, his wife, of Brown County, Minnesota, as Mortgagors, to Fr. Schubert and Lorenz Flor, as Mortgagees, bearing date the fourth day of October, A. D. 1893, which Mortgage with a power of sale therein contained, was given to secure the payment of the sum of $400.00 with interest according to the provisions of a certain promissory note in said mortgage more particularly described and provided, and was duly recorded in the office of the Register of Deeds in and for the County of Brown and State of Minnesota, on the fourth day of October A. D. 1893, at 4 o'clock P. M., in Book V of Mortgages on page 403, and whereas said note and mortgage is now due, and payable, and no part thereof has been paid and no action or proceeding having been instituted, at law or otherwise, to recover the debt secured by said Mortgage, or any part thereof:

Now therefore, notice is hereby given, that by virtue of the power of sale contained in said Mortgage, and pursuant to the Statute in such case made and provided, the said Mortgage, will be foreclosed by a sale of the premises described in and covered by said Mortgage, viz: The North East quarter of the South-East quarter and the East half of the North West quarter of the South East quarter of Section No. Ten (10), in Township No. One hundred and nine (109), North of Range No. thirty-one [31] West, containing sixty [60] acres of land, be the same more or less, in Brown County and State of Minnesota, with the hereditaments and appurtenances, will be sold at public auction to the highest bidder for cash, to pay said debt and interest, and the taxes, if any, on said premises, and twenty-five dollars attorney's fees as stipulated in and by said Mortgage in case of foreclosure, and the disbursements allowed by law; which sale will be made by the Sheriff of said Brown County, at the front door of the new Court House, in the City of New Ulm, in said County and State, on the Sixth day of December A. D. 1894, at 10 o'clock A.M. of that day, subject to redemption at any time within one year from the day of sale as provided by law.

Dated Oct. 22nd, A. D. 1894.

Fr. Schubert and Lorenz Flor, Mortgagees.

Lind & Hagberg, Attorneys for Mortgagees, New Ulm, Minn.

State of Minnesota, County of Brown | ss. District Court, Ninth Judicial District.

In the matter of the Assignment of Peter Moeger, Insolvent.

On reading and filing the petition and account and summary statement of the assignee herein. It is ordered that the creditors of the above named insolvent, who desire to participate in the distribution of said insolvent's estate, file in the office of the Clerk of this Court proper releases of their respective claims against said insolvent as prescribed by law and the rules of this Court, on or before the 5th day of December A. D. 1894.

Ordered further, that the account of said assignee be examined at my Chambers in the City of New Ulm, County and State aforesaid, on the 10th day of December, A. D. 1894, at 10 o'clock in the forenoon of said day; that the insolvent and his creditors then and there show cause, if any there be why the prayer of said petition should not be granted, and why said account should not be allowed and all his acts and doings as such assignee ratified and confirmed.

Let this order be served upon said insolvent and the creditors having filed their claims by publication thereof in the New Ulm Review, once in each week for three successive weeks, and by mailing a copy hereof, together with the summary statement of said assignee now on file to said solvent and creditors addressed and dited to them at there respective places esidence at least twenty days before day of said hearing.

ated Nov. 12th A. D. 1894.

B. F. WEBBER, Judge of District Court, Ninth Judicial District.

Summary Statement.

Receipts by Sale of Goods, Book accounts and from all sources. $700.15
Disbursements, preferred claims, attorney's fees and assignee's fees 219.65
Dated November 12th A. D. 1894.

ALBERT STEINHAUSER, Assignee.