

The Bismarck Tribune

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SUNDAY, NOVEMBER 8, 1914

WHERE THE TRIBUNE CAN BE BOUGHT.

- Fargo, N. D. Gardner Hotel.
Grand Forks, N. D. Hotel Frederick.
Devils Lake, N. D. H. B. Rosenberg, News Agent.

The Weather

For the 24 hours ending at 7:00 p. m., Nov. 7, 1914:
Temperature at 7:00 a. m. 39
Temperature at 7:00 p. m. 23

Forecast

Bismarck, N. D., Saturday, November 7, 1914.
For North Dakota—Fair tonight and Sunday; warmer Sunday and in west portion tonight.

RURAL SCHOOL IMPROVEMENT.

Important Features in Rural School Improvement is the title of a booklet just issued by the federal Bureau of Education.

For my entire term of office, four and one-half years, I have been pushing the industrial contests among children.

This year we have added contests in bread and butter making. We are also holding an acre alfalfa contest for the larger boys.

"What do you think you're paid for? Get on with your job, if you don't want to get fired pretty sharp."

DRUG INTOXICATION.

More than 200,000 persons die in the United States every year from the so-called degenerative diseases.

The author asserts that the mortality from diseases of the heart, liver and blood vessels has increased more than 100 per cent during the past thirty years.

Among the many and varied causes of destructive changes, in the several organs of the body, intoxications, particularly by alcoholic beverages, tobacco and narcotic drugs, have long been recognized as playing an im-

portant part. Up to the present time, however, comparatively little attention has been given to the permanently harmful influences of other potent drugs, the consumption of which in this country, is increasing much more rapidly in proportion than is the population.

The harmful effect of a number of the widely used drugs has long been recognized, though the information is not common property or not generally appreciated by the consumer.

The rapid increase in mortality from degenerative diseases and the fact that this increase is greatest in persons who should be in the prime of life would warrant making a careful study of the problems involved.

The tragedy at Belfield should warn school authorities to protect their schools by efficient fire-breaks. Probably the lives of the children would have been saved if some attention had been paid to fire protection.

IT IS TO LAUGH

The new foreman was a hustler. Nothing escaped his eagle eye, and whenever he saw a workman suffering from a tired feeling he quickly woke him up.

"Father," said the Case student, "I want to talk to you about changing my course of study."

"Mother," said the son, "I made a mistake when I elected chemistry. But it is not too late to change even yet. I want to take astronomy instead."

"Does your wife ever grieve because she threw over a wealthy man in order to marry you?" queried Hall.

John Olsen of Lawton had his shoulder badly crushed when the team he was driving became frightened at a passing automobile, throwing Mr. Olsen to the ground.

Abner Davis of Mapleton was slightly injured and a valuable 4-year-old horse was killed, when the Northern Pacific passenger train No. 4 hit the rig in which Mr. Davis was riding.

There was considerable excitement at Hettinger when a gasoline lamp exploded in the Janitzen residence.

News of the State

Ellendale is restoring its artesian wells.
Velva is putting its telephone wires under ground.

Napoleon's grade school has been raised to first class.
Blanchard has dedicated its new Presbyterian church.

Dickinson is to have a wholesale grocery and fruit house.
The new Lyric theater at Ellendale is now open for business.

G. E. Ward is building a photograph gallery at Sentinel Butte.
The corn show and farm exhibits at Oakes was a big success.

More and more consolidated schools are being built in the state.
The Ellendale gas plant was sold under a mortgage foreclosure.

The cement crew is at work on the new G. N. depot at Ellendale.
Williston has a new creamery and is also to have a new hospital.

Stark county will have an exhibit at the Panama-Pacific exposition.
T. T. Konglie of Upham had his leg broken while unloading pay.

There have been 1,293 pupils enrolled in the public schools at Minot.
A new organ has been installed in the Synod Lutheran church at Velva.

The firemen of Kenmare are preparing a big dance on Thanksgiving.
The regular term of this district court opened at Newnam on Nov. 10.

Harry Laughlin, of Sheldon, nearly severed his finger with a hatchet.
Fourteen young people got marriage licenses at Fargo last Thursday.

A St. John farmer raised two crops of potatoes from the same patch this year.
The county superintendents will hold their April meeting in Sentinel Butte.

Work is being rushed on the brick walls of the new M. E. church at Edgeley.
The farmers of Stutsman county will hold a big exhibit at Jamestown on Nov. 21.

Bob Hinman raised a head of cabbage in McKenzie county that weighed 31-4 pounds.
Alden Lien of Omemee had his collarbone fractured through the roughness of some playmates.

Roy Squired of near Kenmare was adjudged insane and has been taken to a sanitarium at St. Paul.
The E. J. Thompson general store at Coulee was robbed of something like \$125 worth of merchandise.

An event in the history of Bottineau was the dedication of the town hall erected by Edsvold township.
"Back to the smokehouse" is the slogan of many N. D. farmers, who will hereafter cure their own meat.

A prairie fire west of Minot caused residents of the section to send in a fire call to the fire department at that time.
Albert Gunderson of Bowden, a boy of about 10 years of age, broke his collarbone by being thrown from a horse.

The farm house of Gunder Erickstad two miles from Grafton, was destroyed by fire. The loss is quite heavy.
Now that the election is over people of this state will have time to devote a part of their thoughts to something else.

W. C. Husband of Crystal had his automobile stolen from him at Harlowton, Mont. No trace of the car or the thieves have been found.
At Sentinel Butte a three-acre tract of land south of the railroad and opposite the Hart-Robinson elevator is being surveyed for business lots.

The annual county teachers' institute of Bowman county has been indefinitely postponed. November 16 had been set for the date of the meeting.
The manual training boys of the Mott school are putting a shower bath in the school building which is being paid for from the proceeds of basketball games.

E. B. Talmadge and George D. Elliott of Towner shipped a car load of yearling heifers to Devils Lake. The average price paid for the animals was \$55 a head.
John Olsen of Lawton had his shoulder badly crushed when the team he was driving became frightened at a passing automobile, throwing Mr. Olsen to the ground.

A special election is to be held in Mott in the near future for the purpose of getting an expression of the people on issuing bonds for water works for the town.
J. N. Horn was elected to fill the vacancy on the county board of commissioners from the Third commissioner's district to fill out the unexpired term of O. W. Hilde, resigned.

Abner Davis of Mapleton was slightly injured and a valuable 4-year-old horse was killed, when the Northern Pacific passenger train No. 4 hit the rig in which Mr. Davis was riding.
There was considerable excitement at Hettinger when a gasoline lamp exploded in the Janitzen residence. The fire resulting from the explosion was quickly extinguished but considerable damage was done to one room.

Supreme Court

St. Anthony & Dakota Elevator Co. vs. F. Martineau, Respondent.
The respondent moves to dismiss this appeal. The Court after trial prepared findings and order for judgment in July, 1912, which were not filed until January 7, 1913, or after the term in office of trial judge had expired.

Held, The findings and order were but voidable under direct attack and will not be held as void on this motion. The motion to dismiss the appeal is accordingly denied.
Syllabus by the Court.

Opinion by Goss, J.
William Bateson of Rolla and Middaugh, Cuthbert, Smythe & Hunt of Devils Lake, Attorneys for the motion.

H. E. Plymat of Rolla and Mercer, Swan & Stinchfield of Minneapolis, Minn., Attorneys in opposition to the motion.
FROM BARNES COUNTY.

James W. Hogg, Plaintiff and Respondent, vs. E. Christenson, Defendant, and L. S. E. Ritchie, as Trustee, Intervenor, Appellants.
The last day of the thirty day period for answer expired with Sunday, and the answer was served the following day, but before its service, plaintiff's attorney applied for default judgment, which was ordered the day later and immediately entered. The answer served on Monday was returned to defendant's attorney as served to late. Levy on execution was made. Before sale thereon defendant moved to vacate the judgment as one wrongfully taken by default over answer served in time. Before said motion was heard defendant's property was sold on execution sale to third parties and said judgment of \$358.50 and costs was satisfied in full. Plaintiff claims (1) that the answer was not served in time and (2) if served in time the Court lost jurisdiction to grant relief by motion, by the satisfaction of said judgment and that to secure relief, defendant must resort to an auction in equity for that purpose.

Held, Following Styles v. Dickey, 22 N. D. 515, that the answer was served in time. Sec. 7324 C. L. 1913 excludes Sunday the last day of the thirty-day period from being counted as a part of the thirty-day period for answer and that the answer served on Monday, the thirty-first day after service of summons, was served within time and defendant was not in default of answer when judgment was erroneously entered as by default.
(2) That defendant not having been in default was not prejudiced by the execution sale and on his motion was entitled to a vacation of the judgment, notwithstanding its wrongful satisfaction by execution sale. Both the order denying motion to vacate and judgment thus attacked will be set aside and a trial granted.

Syllabus by the Court.
From an order of the District Court of Barnes County, Coffey, J., denying an application to vacate a judgment taken by default, both defendant and intervenor appeal. Reversed.
Opinion of the Court by Goss, J.
Herman Winterer and David S. Ritchie, all of Valley City; and Todd & Kerr of Minneapolis, Attorneys for defendant and intervenor appellants.
Page & Engler of Valley City, Attorneys for plaintiff and respondent.

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Personnel of North Dakota's Fourteenth Legislative Session

Unofficial Returns Show That Nearly All Republican Nominees Were Returned, Although Contests in Some Districts Were Close.

From unofficial sources the Tribune is able to give its readers the following list of newly elected members in the next legislature. Practically all of the Republican nominees were elected although in some of the districts the contests were very close.

Several aspirants for speaker loomed up. A. M. Thompson of Minot, Treadwell Twichell, Fargo; Frank E. Ployhar, Valley City, and Staale Hendrickson, Burke county.
This list follows:

FIRST DISTRICT (PEMBINA).
Senate.
A. J. McFadden.
House.
William N. Husband.
P. H. McMillan.
C. W. Moses.

SECOND (PART OF WARD).
Senate.
J. A. Englund.
House.
C. K. Christianson.

THIRD (PART OF WALSH).
Senate.
Hold-over.
House.
Peder L. Hjelmsa.
Nels T. Hedalen.

FOURTH (PART OF WALSH).
Senate.
P. J. Murphy.
House.
Silver Tallack.

FIFTH (PART GRAND FORKS).
Senate.
Hold-over.
House.
James Cooper.

SIXTH (PART GRAND FORKS).
Senate.
M. N. Nelson, dem.
House.
K. O. Keeffe, dem.

SEVENTH (PART GRAND FORKS).
Senate.
Hold-over.
House.
Wm. S. Dean.

EIGHTH (TRAILL).
Senate.
Pohn E. Parker.
House.
W. J. Burnett.
Mons Johnson.
A. Steenson.

NINTH (PART OF CASS).
Senate.
Hold-over.
House.
L. L. Twichell.
B. V. Moore.
J. T. Purcell.

TENTH (PART OF CASS).
Senate.
H. J. Rowe.
House.
Bernat N. Sundbeck.
Treadwell Twichell.

ELEVENTH (PART OF CASS).
Senate.
B. H. Mallough.
House.
William Watt.
Herman Boyce.

TWELFTH (PART OF RICHLAND).
Senate.
Edward M. Nelson.
House.
A. G. Divet.

THIRTEENTH (SARGENT).
Senate.
Hold-over.
House.
Nels Patterson.
A. M. Thompson.

FOURTEENTH (RANSOM).
Senate.
C. O. Heckle.
House.
J. S. Bixby.
Daniel Torfin.

FIFTEENTH (PART OF BARNES).
Senate.
Hold-over.
House.
Frank E. Ployhar.
George McClellan.

SIXTEENTH (STEELE & GRIGGS).
Senate.
Charles Ellingson.
House.
E. W. Everson.
R. A. Lathrop.
A. M. Baldwin.

SEVENTH (NELSON).
Senate.
R. J. Gardiner.
House.
A. V. A. Peterson.
H. T. Quanbeck.

EIGHTEENTH (PART CAVALIER).
Senate.
Henry McLean.
James Morgan.
Ole Axvig.
John Balsdon.

NINETEENTH (ROLLETTE).
Senate.
Hold-over.
House.
D. C. Barnard.
Charles W. Sibley.

TWENTIETH (BENSON).
Senate.
A. J. Kirkeide.
House.
John S. Aker.
Albert A. Ludahl.

TWENTY-FIRST (RAMSEY).
Senate.
Hold-over.
House.
Martin A. Hoghaug.
P. H. Kelly.
Norman Morrison.

TWENTY-SECOND (TOWNER).
Senate.
A. S. Gibbens.
W. L. Noyes, dem.
J. C. Eiple.

TWENTY-THIRD (STUTSMAN).
Senate.
Hold-over.
House.
S. O. Allen.
Adam Bollinger.
Thomas Pendroy.
Fred F. Wolfer.

TWENTY-FOURTH (LAMOURT).
Senate.
C. H. Porter.
House.
Ernest Engel.
Charles Gunthorp.

49TH (HETTINGER AND ADAMS). Senate.
Hold-over.
House.
J. L. Hjort.
H. J. Stinger.

TO RE-ENACT BATTLE FOUGHT IN 1812 WAR

Repulse of British by Jackson's Riflemen at New Orleans.
MARKS PEACE CENTENNIAL

Three-Day Celebration of American Victory Will Be Held in January, 1915.

New Orleans, Nov. 7.—On January 8, 1915, the descendants of the brave Creoles and other Americans who defended New Orleans against the British invasion one hundred years ago will re-enact the famous battle that gained for the United States the honors of the War of 1812.

On that date New Orleans will be the host of a great number of dignitaries of national and international prominence and on the identical spot where General Andrew Jackson, with his sure-shooting Tennessee and Kentucky riflemen and Creole inhabitants of the city, drove the red-coated invaders from the soil of Louisiana in one of the greatest battles known to history, will visualize the struggle exactly as it occurred.

100 Years of Peace.
The celebration will mark the end of the "one hundred years of peace between English-speaking nations" series of celebrations and the one given in New Orleans will eclipse all others in point of general interest. A three-day celebration will be under the jurisdiction of the Louisiana Historical Society, and as the State has appropriated several thousand dollars for the series of events it is expected that thousands of visitors will be attracted to the Southern city during these balmy days of a semi-tropical mid-winter.

Not only will the battle itself be reproduced, but all of the events leading up to the deciding conflict will be enacted by descendants of the heroes of a hundred years ago. All of these pictures of a bygone day will be re-enacted on the identical spots and the historic St. Louis Cathedral, the Cabildo, the Spanish arsenal (built in 1770), Maspéro's and Tremoulet's exchanges, where the defenses of the city were planned by "Old Hickory" and the citizens' committee of defense; the famous "Oak Alley" on the old de la Ronde plantation (said to be the handsomest double row of oak trees in the world, now over 200 years old), the Villere and the LaCoste plantation homes.

Heroes' Descendants.
Grandsons and daughters of the historic characters long known as the best families of Louisiana, will be the actors in these scenes and in the costumes used many priceless heirlooms will be worn. Not only will the different buildings, whose ages have long since topped the century mark, be used, but relics whose value runs to the thousands will be taken from the famous Louisiana State Museum. Among these will be genuine letters and battlefield orders signed by Jackson, the battle drum used by General Jackson's free boy of color; General Pakenham's field glass, dropped by this brave commander when mortally wounded as he cheered his men to the attack on the American mud-splattered sword wielded by both the American and British officers, and flintlock muskets and squirrel rifles that stopped the British advance.

MEN'S BIBLE CLASS
Meets at the Presbyterian church at 12:00 m., today. Churchmen and non-churchmen invited. Discussion open to everyone. His own opening and closing exercises. Meets at the time of the Sunday school, but separate from it. Lesson for today, "Sowing and Reaping." Topics for discussion introduced by various members of the class.

A Law of the Farm—Gardiner.
In Business Life—Wright.
Exemplified in State Institutions—Grady.

In History—Bell.
Cause of European War—Andrews.
In Religious Life and Work—Johnson.

CRITICAL MOMENTS.
What the War Teaches.
Every life has its critical moments. There are times when a man's health is staked upon the care he gives to it within a few hours. His system may be run down, blood laden with bilious poison and lungs or skin affected.

Twenty-four hours after you start to take Dr. Pierce's Golden Medical Discovery, poisonous matter and blood impurities begin to leave your body through the liver, bowels, kidneys and skin.
So powerfully penetrating is this purely vegetable remedy that through the circulation of the blood it reaches every fiber, muscle and joint, dissolves the poisonous secretions and drives them out of the body.

It brings new activity to the liver, stomach and bowels in a short time, thus causing salowness, indigestion and constipation to disappear.
It enters the tiny blood vessels of the skin, bringing with it fresh vitalized blood, and abiding faith in its wonderful cleansing power has come to thousands, when pimples, boils, carbuncles, rash, eczema, acne and other skin troubles dry up and disappear.

Good blood means good health; good health means strong men and women, full of vigor and ambition, with minds alert and muscles ever willing. Any medicine dealer will supply you with Dr. Pierce's Golden Medical Discovery in either liquid or tablet form. Remember it is purely vegetable, and free from alcohol, narcotics and is not a secret remedy, for all its ingredients are published on its wrapper.—Adv.

Bismarck Rialto

ORPHEUS.

Babies Capture the Popular Street Kaiser Wilhelm has nothing on Mr. R. R. Doubleday, when it comes to making an attack on the enemy.

General Doubleday with his army of babies, had little trouble in capturing the Orpheum Tuesday night, and since that time the war in Europe has been holding second place in the attention of the people of Bismarck, as compared with the Army of Babies.

General Doubleday informs us that the decisive battle will be in a full swing this week, as he will be using his rapid firing guns at the Holmboe Studio, on all the babies having a hundred or more votes.

Howard & Day will appear in a refined Singing and Musical Act Monday and Tuesday.
McCConnell & Austin will appear in a Circle Novelty Act Wednesday and Thursday.

The Orpheum will have an exceptional strong offering for Friday and Saturday Art Elmore & Co., appearing in a Comedy Dramatic playlet.

PRIVATE INSTRUCTIONS.
... PRIVATE INSTRUCTION in Penn Pitman shorthand and Touch Typewriting, by experienced writer. Very reasonable tuition. Write or phone Stutsman district to fill out the unexpired term of O. W. Hilde, resigned.

SEE AMERICA FIRST.
Over 100 of the most beautiful hand-colored views you ever saw—Rocky Mountain scenery, Indians, Wild Animals,—at the Grand, Monday night.

At the Presbyterian church tonight Dr. Harris will discuss "the topic, 'What England Has at Stake.'" In a former lecture he has treated the war from the German standpoint. Tonight he will tell the English view. The sermon will be illustrated. Hour 7:30.