

SIDLE-CLARK CASE IS BEFORE SUPREME COURT

Fight for Possession of Eight Year Old Herbert Clark to Open Soon

MANY WITNESSES WILL BE CALLED IN TRIAL

Considerable New Evidence to be Introduced by Attorneys on Both Sides

The legal battle for the possession of eight-year-old Herbert Clark will be opened in the supreme court one week from today, according to the calendar. The fight between Mr. and Mrs. C. F. Clark of Cedar Rapids, Iowa, and Mr. and Mrs. W. J. Sidle of Flasher has attracted great attention through out the state and is the first case of the kind to be heard by the supreme court. The interesting part of the case opened last May when Mr. and Mrs. Sidle got out a writ of Habeas corpus to secure possession of the child while Mr. and Mrs. Clark were temporarily in this city. The writ was quashed by District Judge Nussle, however, and the case was taken to the supreme court. The Sidles in applying for the writ alleged that they are the true parents of the child. A second writ issued by the supreme court was quashed by Chief Justice Fisk, and the Clark ordered to put up bond of \$10,000 to guarantee the appearance of the child here on the day set for the trial. The bond was furnished.

Case to Take Week. The hearing of the case will in all likelihood take at least a week. For the past several months the attorneys on both sides have been busy gathering evidence. Depositions have been taken in all parts of the country and any number of witnesses have been subpoenaed to appear at the trial. Depositions were taken in Massachusetts, Kansas, Iowa, Minnesota and North Dakota, and also in Washington. The prominence of the parties concerned has given the case more than usual interest. C. F. Clark is a prominent attorney in Cedar Rapids, and his wife is one of the social leaders in the city.

Story of Case. The story of the case is as follows: The Sidles who claim to be the real parents of the child, gave the child to a certain nurse to care for, while Mrs. Sidle was ill. This nurse was frequently called on for professional duties and frequently left the child with the Clarks to care for in her absence. The last time she so left the child with the Clarks she herself became ill and was gone for a considerable period of time. When she returned to claim the child the Clarks refused to give him up, claiming that they had already adopted him. Thereupon the nurse attempted to kidnap the child, failed in the attempt and was arrested on a charge of kidnaping. Later she attempted to obtain possession of the child through court orders but failed to do so. And then it is claimed the nurse came to Flasher and told the parents of the situation, whereupon action was started.

Clark Known Here. Attorney C. F. Clark is well known by many of the North Dakota lawyers, having been in the state a number of times on business trips. In the coming case Mr. Clark will be represented by Hyland and Madden of this city, and Attorney Aubrey Lawrence of Fargo. Attorney H. R. Bizling of Mandan and Robert F. Nash of Flasher will appear for the petitioners.

NEW PRIEST IN CATHOLIC CHURCH

Mott, N. D., Sept. 13.—The Reverend Father Maurus is the new pastor assigned to St. Vincent's Catholic church at Mott, succeeding Father Fichner. The new pastor has begun his duties.

Rev. Fr. Maurus was recently in Europe, located in the country of Belgium. For seven years he was in the far east in the islands of Hawaii, and has traveled extensively. It was owing to the present war conditions that he returned to this country. He succeeded in getting out of the war zone only after experiencing considerable difficulties, being several times suspected of being a spy. The American ambassador intervened for Father Maurus and procured his passports, giving him a change to get out of the country, he being an American citizen.

NEBRO ARRESTED FOR MURDER. (Mott, N. D., Sept. 13.—) Mack McGee, who said when under arrest at Grand Forks recently that he was a son of a former St. Paul colored attorney, is held here charged with murdering an unidentified negro. The shooting occurred at Mott, near here, in a card game. McGee was captured by the Reville county sheriff shortly after the shooting.

Mexicans Kill Two Soldiers of U.S. Army

Brownsville, Texas, Sept. 13.—Two American soldiers lost their lives in a carefully planned attack by Mexicans early today on a camp of a patrol of the Third Cavalry near Santa Maria, Texas. As a result American troops in the lower Rio Grande valley were held in readiness for instant action tonight.

Private Anthony Craft, of Detroit, Michigan, was shot through the head and died before the fight was over, and Trumpeter Harold T. Forney, of Watertown, New York, was shot through the abdomen and killed. Several hours later, Sargeant James J. Walsh was slightly wounded.

Although surprised and surrounded the ten troopers of "A" troop, Third Cavalry, under Sargeant Walsh made a spectacular attempt and stood of three times their number of assailants. Major Edward F. Anderson, 12th Cavalry, said tonight he was positive many of the attacking party were Mexicans, living on the American side of the line.

Many old fire arms in possession of Mexican residents were seized and destroyed.

IMMIGRATION CASE COMES UP TODAY

State Board to Show Cause for Not Organizing—Separate Return by Hall

The state supreme court will be occupied today with the hearing of the immigration case, which has been awaited with much interest in all parts of the state.

On petition of Captain I. P. Baker, a writ of mandamus was issued by Chief Justice C. J. Fisk several weeks ago. The writ was returnable last Tuesday but the hearing was postponed until today. The action started by Baker against the state immigration board was to compel them to organize according to provisions made by the last legislature.

The board failed to organize because two referendum petitions, seeking to hold up the bill, were filed with the secretary of state previous to July 1. Attorney General Linds held that the petitions were invalid, and were not properly drawn up, also that neither petition had enough names attached to it to refer the immigration bill or the appropriation for the work. The immigration board will make a return to the court today and a separate return bill be made by the secretary of state. He will be represented by Attorneys Lempke and Helstrom, both of whom have been active opponents of the immigration bill from the start.

Captain Baker will be represented by Attorney Beaton Baker of this city. General sentiment throughout the state is very much in favor of the immigration bill, and people throughout the state are anxious to see the board formally organized and busily engaged in advertising the state.

The case is attracting state wide attention, and the final outcome will be awaited with interest in all quarters of the state.

Outlook in Arabic Case Is Much Brighter After Further Conferences

Washington, Sept. 13.—Conferences today between President Wilson and Secretary Lansing and between Secretary Lansing and Count von Bernstorff, the German ambassador, brought the situation growing out of the German submarine activities, to the following status: The German ambassador has been furnished with the evidence of officers and survivors of the Arabic, all agreeing that the liner was torpedoed without warning, and has been advised that the United States desires a disavowal of the attack and reparation for the American lives lost.

Evidence to Germany. The evidence will be sent by Count von Bernstorff to the Berlin foreign office, to which it has not been available before, and it will probably be ten days before Berlin is heard from. In some quarters it is believed to be possible that the foreign office, upon examining the evidence, may change its position and disavow the action of the submarine commander, who, it was claimed in the last note, sank the liner because he thought she was about to attack him. The United States has all information in the case as it now stands at hand, and is ready to decide upon its course, but action may be delayed until Count von Bernstorff has had time to exchange communications with his government. Will Not Arbitrate. While the United States will not consent to arbitration of a principle or a question involving the safety of American lives, it has accepted Germany's assurances that peaceful liners will not be torpedoed without warning, and if Germany desires to arbitrate the amount of indemnity, the question of whether the Arabic actually attempted to attack the submarine or whether her action justified the submarine commander in believing he was about to be attacked, that probably would be agreed to. The president and Secretary Lansing were in conference for nearly an hour, and later Count von Bernstorff spent half an hour with the secretary. (Continued on page two.)

COMMISSION TO FLOAT LOAN OF COOL BILLION

Straight French and British Bonds the Only Collateral They Will Give

AMERICAN BANKERS FAVOR COMMISSION

Will Pay in Gold for Everything Purchased if Loan Plans Fail

New York, Sept. 13.—The present plan of the joint Anglo-French financial commission, it was reported tonight, is to borrow one billion in the United States on straight British and French government bonds without any collateral whatever. If this vast sum of money is obtained, it was said, it is to be spent to the last cent in the United States in payment for wheat, cotton, meat and other commodities shipped, including munitions of war. It will, therefore, in the opinion of financial authorities be classified as a commercial loan. Question of Neutrality. Whether the neutrality of the United States would be questioned in case the bankers financing the mammoth loan should accept straight British and French government notes as their security has been given serious consideration. It was said that the financiers familiar with the plan have every reason to believe that the Washington administration would not interfere.

The foregoing was the unanimous opinion tonight of many scores of prominent bankers of New York and the chief cities of the country, who have visited the commission at its headquarters during its stay in the city. As to its correctness, the members of the commission decline positively to comment. It is to be a loan without collateral of any sort, or no loan at all—that is the present plan of the commission at least, so far as the American financiers visiting it has been able to learn.

Commission's Attitude. Here is the attitude of the reported commission as gathered by bankers who have talked with the commissioners during their stay here: the credit of great Britain and France has never been questioned. They are able to pay for anything they promise to pay for. Their bonds are the standard of world investments.

These countries require only one thing from the United States—munitions of war. True, they would like to have a great many other things—wheat, cotton, corn, meats manufactured goods, a thousand and one different articles—but they can exist without some of them, and the others they can buy elsewhere, if necessary. But for the one thing, these countries need war munitions, they are prepared to pay in gold, if they have to. And they will pay in gold rather than submit to terms that they think are onerous in establishing a credit here.

Means Prosperity. Four hundred million bushels of wheat from the harvest fields would choke American granaries, some of the financiers said, if the commission should fail in accomplishing its mission here. One authority ventured that it would be better to dump two hundred million bushels of American wheat into Lake Michigan tomorrow than to send the commission back to Europe empty handed.

THE WEATHER. North Dakota: Showers Tuesday and probably Wednesday; continued cool.

Villa Victory Reported. Nogales, Ariz., Sept. 13.—Governor Matorena, Villa commander at Nogales, Sonora, reports tonight that his troops were victorious in a fight to day six miles southeast of Nogales.

No word was received from General Calles, the Carranza commander. The Villa forces captured 100 prisoners, killed 50, and drove the troops under Calles back several miles, according to Governor Matorena, who said that casualties among his soldiers were 30 killed or captured.

RANCHER ESCAPES. El Paso, Texas, Sept. 13.—John Lowenbruck, the American cattle man held for ransom by supposed Salazar man south of Hachita, N. M., last week, and who escaped from his guard, arrived here today.

He escaped on foot, walking twenty miles before he came upon a posse of Americans searching for him.

MAYOR ON TRIAL ON CORRUPTION CHARGE



Mayor Joseph E. Bell of Indianapolis is on trial in that city, charged with conspiring with Thomas T. Hart, head of the Indiana Democratic organization, and 126 others to corrupt the Marion county election.

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FURTHER EFFORTS TO RESTORE PEACE

Pan American Conference Will Hold Third Meeting Tomorrow

Washington, Sept. 13.—Further steps in the Pan-American effort to restore peace in Mexico will be considered at a third meeting here, Wednesday, of Secretary Lansing and six Latin-American diplomats participating in the movement. Mr. Lansing announced the call for the meeting today after a conference with President Wilson.

Before the conference will be the responses from the principal Mexican leaders to the appeal for a peace convention on neutralized Mexican territory, to set up a provisional government.

BAR ALL MEXICANS. Eagle Pass, Texas, Sept. 13.—As a result of an order issued today by the Texas state health code department cooperating with the United States health authorities, that no more persons be permitted to enter Texas from Mexico, except with the express permission of the United States health authorities at El Paso. Texas has instituted retaliatory measures.

Follow U. S. Action. The Mexican authorities at El Paso, Texas, while not desiring to enter Texas, positively refused to allow Americans or other foreigners to re-enter Mexico at this point.

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SENATOR ALLEN PLEASED WITH DAKOTA'S EXHIBIT

Senator H. W. Allen, Braddock who is attending the Panama Exposition, writes that he is greatly impressed with the showing made by North Dakota at the Panama Exposition. He states that the exhibit will result in great benefit to North Dakota.

Not a dollar of the appropriation that was made, he writes, should be lamented.

GERMAN DRIVE CUTS RAILROAD TO PETROGRAD

Von Hindenberg's Army Makes Great Drive at Cost of Many Lives

GERMANY'S ARTILLERY TOO MUCH FOR RUSS

German and Russian Troops Now Fighting in Great Russian Marshes

London, Sept. 13.—One of those battering offensives which, although costly in men and munitions, have invariably been successful, Field Marshal von Hindenberg's army has at last set foot on the Rovno-Petrograd railway between Vilna and Vinsk. The whole Austro-German force have been striving to gain this railway since the fall of the Polish fortresses. The offensive, which began toward the end of last week, was carried on from three directions upon Vinsk and the railway on either side of the town, while further south the invaders advanced toward Vilna. The Russians, before superior forces, supplied with the usual van of artillery, were yesterday forced back to the lake district, which the railway penetrates, and are now making a stand there.

Take Many Towns. Simultaneously the Germans rushed their way eastward toward Slonin and Pinsk, both of which are on roads which join the main railway line, many German units, with whom are many German units, are fighting hard to reach Rovno, the southern terminus of the line. With this railway partly in the hands of the Germans, it is probable that the Russians will be compelled to make a further retirement, although their offensive in Galicia, which continues, might save them by compelling the Germans to send reinforcements to this region.

The conditions under which the troops are fighting in the marshy country in the center and southern end of the line are described by German correspondents as most horrible. The country is virtually all under water, through which the Austro-Germans have to advance against well prepared Russian positions.

West Front Active. The operations in the west are marked by the continuance of the great artillery battle from Belgium to the Argonne.

At several points the German infantry, after a heavy bombardment, attempted to storm the advance trenches of the Allies, but the French repulsed a somewhat similar character is proceeding along the Austro-Italian front.

Parliament to Meet. The session of the British parliament which opens Tuesday will be chiefly occupied with arranging to finance the war. This will include the levy of new taxes. However, under the British system, whereby ministers can be questioned and the case raised, many other matters will be discussed. Compulsory service is certain to come in for consideration, and on this the cabinet is said to be divided.

SINK RELIEF BOAT. London, Sept. 13.—A dispatch to Reuter's Telegram company from Muiden, Holland, says: "The steamer Pomona, that at ten o'clock yesterday morning it witnessed the sinking of a British steamer which was flying the signals of the Belgian relief committee. Ten of the crew were rescued."

(Continued on page two.)

Bulgaria Is Not Aligned With Turkey

Sofia, Bulgaria, Sept. 13.—Premier Radoslavoff continues in touch with the Ministers of the Triple Entente Powers. He has informed them that Bulgaria has assumed no political obligations with Turkey or the neutral powers as a result of the secession by Turkey of territory to Bulgaria. Denial is given here to the report that the Ministers of the Triple Entente Powers have made new proposals to Bulgaria. It is stated that the Entente Governments are still working with Serbia for the purpose of obtaining from her a satisfactory answer to their demands that Serbia cede to Bulgaria the territory desired by the latter country.

The German military attache here, Major Baron Von der Grolz, is leaving his post. He will be replaced by General Von Lossow, who formerly was attached to the legation. It is stated that Baron der Grolz is leaving voluntarily.

GOVERNOR'S SPECIAL THROUGH TOMORROW

Governor Hanna and State Officials to Pay Respects to Gov. Brumbaugh

A special train, bearing Governor Brumbaugh of Pennsylvania, a number of the Keystone state officials, and their party, will pass through this city tomorrow afternoon.

Governor Hanna and a number of the state officials from here will pay an official call on the visiting executive, at Mandan, and the party from here, which will be composed of members of the Bismarck Commercial club and state officials, will leave for Mandan on No. 3. Governor Brumbaugh's special will stop there for about 15 minutes, and the party from here will return on the special with the Keystone state party.

The Mandan Commercial club will also have a party at the train to greet the visitors. In addition to the official party, a number of eastern newspaper representatives are making the trip on the special. The party took in both the California fairs and are now on their way home. The visitors will be given a warm welcome, both here and at Mandan, and if they don't have a warm spot in their hearts for North Dakota when they leave it, it won't be the fault of the local reception force.

SEEK TO LYNCH GIRL ASSAILANT

Nowata, Okla., Sept. 13.—A mob of several hundred armed men stormed the county jail here tonight, in search of H. L. Harkins, who is charged with assaulting a 12-year-old girl. It was feared the officials would be overcome and forced to surrender their prisoner.

A common view is that the evil is accounted for by the residue of German influence which still exists in the various departments of the government. It was a spirit of revolt against this persistent German element in Russia that caused the terrible Moscow riot of two months ago.

Officials Corrupt. The allegation was made that the Russian officials who superintend the purchase of war materials were primarily interested in seizing the opportunity which the war offers them of amassing a fortune at the expense of the government and insisting on large commissions on the contracts that the business of buying war materials waited occasionally a matter of months, while the purchasing commissions adjusted satisfactorily the amount of commission which they were to obtain.

It is well known that a large amount of shrapnel was offered Russia by American manufacturers six months ago, but for some reason or other was not accepted. Since that time Russia has been forced to buy the same shrapnel at almost double the first price quoted.

MAY DIE OF KNIFE WOUNDS. Woodson Says His Victim First Stole His Money. Grano, N. D., Sept. 13.—In an effort to recover \$2 which he says Paul Chudob robbed him of, J. W. Woodson cut Chudob in a horrible manner last night and surrendered to the authorities today.

Chudob is in such a serious condition he may die. He received deep wounds about the abdomen and the head.

Woodson says he attacked Chudob just after he had been robbed.

RUSSIANS SEE SIGNS OF BIG REVOLUTION

People Protest in Loud Terms—Officials Charged With Sacrificing County

FORTUNES AMASSED IN PURCHASE OF MUNITIONS

Spirit of Revolt is Seen on All Sides in Kingdom of "Little Father"

Stockholm, August 16.—Correspondence of the Associated Press—The fall of Warsaw and the failure of the Russians' defensive campaign to prevent the German invasion of Poland have had a much more profound effect upon Russia's national feeling than is admitted in dispatches from Petrograd. The feeling which has shaken this constitutionally stolid and unemotional country from one end to the other, is not one of discouragement or submission.

Government Blamed. It has not moved anyone to talk of ultimate defeat, or the possibility of Russia's undertaking peace negotiations with Germany. Russia's reaction is one of intense indignation at the government officials, who have been responsible for her tragic shortage of ammunition.

The full tragedy of this shortage has only been observed by the men at the front, who with empty gun caissons, have helplessly faced the concentrated artillery attacks of the enemy, and have watched the assured progress of the German and Austrian trench builders, under their various positions, without the possibility of stopping them.

The most rigidly censored press in the world and a national and inherent inhibition to free comment of any sort has failed to check the avalanche of criticism and the accusations which have been made against the government officials, who are held responsible. For once, expression of opinion in Russia has become free and unimpeded.

Nation Aroused. No attempt is made to conceal this reproach against the methods of the bureaucrats, who are accused of having crippled Russia's fighting strength and materially delayed the ending of the war. It is not expressed alone by men of revolutionary inclinations or opposition tendencies, nor is it centered in hushed voices or secret places, but is loudly and clamorously current everywhere, among men and parties of all classes.

See General Awakening. A prominent member of the Duma said to an American correspondent in Petrograd a few days ago: "In my opinion in this present general awakening of the army and the people to the criminal neglect and corruption of our officials, there are the germs of the most serious revolution Russia has ever known—a revolution supported by the army. This revolution will come as soon as the war is over."

In this protest which is being so bitterly expressed in Russia there is not an atom of disloyalty. It is, in fact, a very high expression of a loyalty which is mindful that the purpose of the nation is being frustrated and the chances of victory weakened by some of its officials.

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City Fathers Provide for Public Scavenger and Continue Milk Inspection

Two measures of importance to the sanitary and health conditions of Bismarck were passed upon favorably by the city commission at its regular meeting last evening. One provides for a public scavenger and the other action secures for Bismarck continued milk inspection and bacteriological work.

The commission placed on its second and final reading the ordinance creating a city scavenger. He is to be selected by the city commission, but the citizens desiring this service are to pay for it directly. The scavenger is to report monthly to the city health officer and work under his general direction. This ordinance was proposed by Commissioner Battey and should pave the way for a cleaner and more sanitary city.

It was decided to continue the service of the state bacteriologist for milk inspection and other work connected with the health of the city. J. C. Winslow has been appointed to the state laboratory here. The city is to pay him \$37.50 for his work on municipal matters. Upon motion of Commissioner Best, it was decided to require monthly reports from him upon

his work. Commissioner Battey also suggested that in order to protect the milk supply of the city that each month his report upon its supply should be published in the official paper.

A tentative draft of the appropriation ordinance for the ensuing fiscal year was introduced and referred to a special committee. It calls for approximately \$6,000. Just what the levy will be of course is undecided as certain items will be trimmed. The assessed valuation of the city for taxation purposes this year probably will run about \$2,500,000 although no definite figures have been compiled as yet.

The city auditor's annual statement was rendered for the fiscal year ending August 31, 1915, showing the net liabilities of the city to be \$66,632.61. A detailed statement of the city's finances will be published in the Tribune tomorrow.

A petition signed by O. W. Roberts and others for a sidewalk extension was granted. The city auditor was directed to advertise for a special sewer on First street between Avenues A and B.