

Security In Life Insurance

The PROVIDENT INSURANCE COMPANY does business under the compulsory reserve deposit law of the State of North Dakota and maintains in the office of the Commissioner of Insurance in accordance with Section 2 of said law, a deposit in an amount in excess of the net cash value of all outstanding policies in stipulated and high grade securities, deposited for the protection of its policy holders.

Provident Insurance Company
"A Home Life Company"
Bismarck, No. Dak.

HEAT FOR WEEK SIX DEGREES ABOVE NORMAL

Roberts Says Rainfall and Temperature Were Un-usual.

The maximum temperature yesterday was 88, a drop of two degrees from Monday. The rain towards evening cooled the atmosphere and the night was one of the few comfortable ones since since July 1.

The thermometer registered six degrees above the normal for this period of the year for last week and the water fall was also abnormal, says Meteorologist Orris W. Roberts. His statement follows in full:

Another week of excellent crop weather has passed, and crops of all kinds made excellent progress. The temperature averaged six degrees above the normal at Bismarck and also for the state as a whole.

The total precipitation for the week at Bismarck was 1.83 inches, or nearly four times the normal. The heaviest precipitation occurred in the eastern part of the state, Larimore, Grand Forks county, reporting 2.87 inches, and Grand Forks, 1.48 inches.

The Missouri valley came next, Bismarck having the heaviest in that part of the state. All sections, however, received sufficient amounts for present needs. There were quite a number of severe thunderstorms, but as yet no reports of severe hail storms have been received.

While there have been more or less rumors of "black" rust in wheat, I have examined many fields and as yet have found not one field so infected. Practically all wheat is headed, most of it being in the milk stage. Oats also are mostly headed, some are in bloom and rye is beginning to turn.

Corn made exceptionally rapid growth, and although somewhat late, promises a good crop. Pastures and grass land were never in better condition at this season of the year.

PRES. CASTRO CAN ACT ON OWN INITIATIVE

Washington, July 18.—Freedom to enter the United States, once denied, was granted tonight to former President Castro of Venezuela and his wife, by order of Secretary Wilson of the department of labor, who overruled the decision of the special board of immigration officials at New York, denying them admission.

Under the secretary's ruling, the Castros are to go to Porto Rico, as they had planned, or to remain indefinitely in the United States.

OSTEOPATH SHOT THREE TIMES; MAY DIE

Boston, July 18.—Dr. W. S. Harris, president of the College of Osteopathy in this city since 1908, was shot three times and seriously wounded while in his office in the Westminster hotel late today. His assailant escaped. The police later announced an order had been issued for the arrest of

GLACIER LIMITED COLLIDES WITH LOCAL PASSENGER

Several Were Injured in Wreck on Great Northern, According to Wire

Several were injured in a head-on collision between the Glacier Limited and a local passenger train at Todd on the Great Northern railroad July 17, according to a message received yesterday by the railroad commission. The injured are:

- Harriet Carrier, head slightly bruised.
- Grave Refillo, head slightly cut.
- Mrs. R. E. Patterson, right hip injured.
- Mrs. A. Johnson, head bruised.
- W. A. Connellan, brakeman, right hip bruised.
- J. A. Decker, brakeman, right hip and back bruised.
- J. J. Peeble, mail clerk, right arm slightly injured.
- W. B. Walker, porter, head and back slightly injured.

NEW ROCKFORD ATTORNEYS ASSAIL RIGHT OF JUDICIARY TO DECIDE

(Continued from Page One)

The enactment of these laws. Members of this court who were on the bench when these measures were initiated by the legislature will remember that there were two distinct camps. One opposed bitterly the initiative and referendum as applied to the constitution. Chief among this class were the prohibitionists who feared that such an enactment might bring about a resubmission of the prohibition clause of the constitution. They feared that the initiative and referendum as applied to the constitution would jeopardize constitutional prohibition. And they had reasons to fear so.

Your honors will remember that the Ployhar-Blakemore resolution sought to apply the same provisions to amendment of the constitution by initiative and referendum.

The prohibitionists fought this bitterly. They sought to prevent any change in amending the constitution. When they saw that they could not prevent the application of the idea to both statutes and the constitution, they insisted on raising the percentage and eliminating the self-executing clause from the amendment providing for the initiating and referendum of constitutional amendments.

Powerful Lobby. Mr. Miller contended it was proper for the court to take judicial notice of facts surrounding legislative history.

"The prohibitionists maintained a powerful lobby," he continued. "This matter was thoroughly discussed and

it was the clear intent of the legislature in the one instance to make the amendment self-executing, while in the other the language is vague, indefinite and no machinery is prescribed. There was a purpose in this, your honors.

"It was the purpose of the prohibitionists to make constitutional amendments as difficult of realization as possible.

"The friends of the initiative and referendum had the Oregon constitution before them. They took it as a model because the courts had passed upon the various legal questions involved.

"But why, your honors, did the framers in one instance adopt virtually the same language as the Oregon constitution and in the next instance ignore and adopt something entirely different? Is not the intent plain?"

Cites Oklahoma Case. Mr. Miller then cited an Oklahoma case, involving the constitution, which that refused to accept because he objected to certain provisions for so-called popular government, such as recall of judges and judicial decisions.

The constitutional convention was re-assembled and some of the objectionable features eliminated. One amendment of that constitution resembles the amendment attacked in this case in that it is not self-executing. The court held that a phrase inserted leaving it to the legislature to provide the proper machinery rendered it non-self-executing.

In the amendment providing for amendment of the North Dakota constitution by the initiative route, it has been left specifically to the legislature to provide the procedure. The phrase which the Capital City attorneys maintain shows that the act is no self-executing is as follows:

When such petition has been properly filed, the proposed amendment or amendments shall be published as the legislature MAY PROVIDE.

No provision has yet been made. Mr. Miller also declared that no test has been proposed to determine what shall constitute 25 per cent of the legal voters.

Mr. Young and Aubrey Lawrence of Fargo for New Rockford spent all morning on the question of the jurisdiction of the court. Mr. Lawrence declared that the secretary of state was acting as an agent of the legislature in filing the petitions and preparing for an expression of the people and that the court could not interfere with him when in the performance of this duty.

He declared that in effect the secretary of state was acting purely in a legislative and not a ministerial capacity, and hence could not be enjoined.

McCue in Case. Thomas McCue of Carrington, who appeared with the counsel for New Rockford, made a brief argument on this point, but he differed somewhat from Mr. Lawrence. He declared that the secretary of state in carrying out the preliminary steps for the initiation of legislation or amendments to the constitution was acting in both a judicial and legislative capacity. He declared the court had no right to interfere in either instance.

He made the rather extreme contention that Bismarck's only relief lay in enjoining the persons presenting the petitions for filing. How this

Tom Terriss In "The Mystery of Edwin Drood"

5 Acts--A SHUBERT FEATURE--5 Acts

A Picturization of Charles Dickens' Last Novel

Today Only Wed., July 19

ORPHEUM THEATRE

Matinee 5 & 15c
Tonight 10 & 15c

Ruling of the Court Will Affect Three State Boards

ATTORNEY GENERAL IN BRIEF IN TAX COMMISSION CASE, HOLDS ACT CREATING IT UNCONSTITUTIONAL

The standing of several important boards of the state will depend upon the supreme court decision in the tax commission case which will be heard today.

The commission is asking for a writ to compel Carl Jorgenson, state auditor, to credit with the appropriations made by the legislature in 1911, instead of in the 1915 budget which was made up when it was believed that a law reducing membership in the commission from 3 to 1 would be passed. If the court does not sustain the com-

mission it will have no money for clerk hire.

Attorney General Linde in his brief has set forth the argument that the tax commission itself is not a legal body because the act creating it also carried an appropriation, contrary to the state constitution, that provides that appropriations must be made in a separate bill.

If the court sustains Mr. Linde the board of control, the immigration commission and the board of regents will be wiped out of existence.

COL. BRANDS RUMORS OF SICKNESS FALSE

Grafton Says Health of the Soldiers of Camp Lincoln Is Ideal

Reports that there is unusual sickness at Camp Lincoln are not true, declares Lieut. Col. Grafton of the First regiment.

"It is true," said Col. Grafton, "that we have one case of measles in camp, but rumors that large numbers are answering the sick call every morning are false. The case of measles has been isolated and is doing nicely."

The sanitary condition of the grounds is ideal. When the number of men here is considered, the fact that no serious sickness has appeared since we went into camp three weeks ago is remarkable.

Arrangements were made yesterday for mess tents and folding tables, but this does not indicate that the soldiers are going to remain here in camp for any length of time. The equipment will be needed at the border and it can be made better here and shipped south with the regiment.

SPECIAL RATES ON WIRES. The Western Union Telegraph Co. has announced that until further notice, it will make telegraph transfers of money to members of the national

guard, who have been mustered into the federal service, at the Mexican border, at one-half the usual charge for such service. It is understood in the hurry of departure many of the guards men failed to reckon on the high cost at the border of some of the conveniences and comforts which are not included in the provisions that Uncle Sam gives his soldiers. The relatives and friends may thus transfer funds by telegraph at low cost. Messages of affection, cheer and good will may be incorporated in the transfers at a small added charge for the extra words involved.

CRAIGHEAD BOILING DOWN EDUCATIONAL SURVEY REPORT. Dr. E. E. Craighead, commissioner of education, is boiling down the educational survey report, which will soon be issued by the United States government. President L. F. Crawford and Frank White of the board of regents were appointed as members of a committee to work with him. At the same time that the report is printed a digest of it will be made public.

DIES IN LOCAL HOSPITAL. Mat. Meier of St. Anthony died in one of the local hospitals last evening where he had been undergoing treatment for a short time. The body was taken to the Lucas funeral parlors in Main street, and will later be shipped to his home for funeral services and interment.

"You will find the Hotel Dyckman a most convenient stopping place when shopping in Minneapolis. Sixth street near Nicollet."



SPEED DEMONS TO MAKE RACING HISTORY AT FARGO

North Dakota Will See Work of Such Men as Rainey and Endicott at Fargo July 22.

"They're off" will be the cry from the throats of twenty-five thousand automobile racing fans when at 2 o'clock Saturday afternoon July 22, the big automobile racing program of the North Dakota State Fair at Fargo July 17-22, will be started and eight of the greatest speed kings and maniac racing drivers of the world will start burning holes in the very atmosphere with their specially constructed, hundred horse power machines with the determination to set new North Dakota records and win their share of the big prize money which will be hung up at this greatest speed carnival ever staged in North Dakota.

The "Famous Fargo Track" after being showered with tons of calcium chloride will be in perfect condition for the unequalled speed trials it will witness that afternoon and it is almost certain that many records will be shattered when the checkered flag is waved for the last time. "Speed we must have" say the officials and speed they are determined to get. Purse money will not be the only incentive for the drivers for they will have several old scores to settle amongst themselves and will go for blood. Last year at the races Johnny Rainey and "Wild Bill" Endicott raced neck and neck for the one mile record of 1:12 flat which

was finally captured by Rainey in a thrilling finish. On this account only the management have gone to considerable expense to bring these two drivers to North Dakota again for the big meet and a great afternoon of sport will be the result.

Close on the trail of these two international pilots came the entries of Joe Cleary the brilliant pupil of Ralph dePalma; Eddie Hearnie the millionaire speedway star, Fred Horey who will drive a Fiat Cyclone and a twin car to Barney Oldfield's Fiat Tornado and word has also been received that "Little Judy" Kilpatrick, the smallest professional driver in the world today will be on hand with a new car of foreign make. Kilpatrick never weighed over 105 pounds in his life and was born and raised in New York City. In his meteoric career he has won over 150 races.

The feature event of the afternoon will be the nerve racking, death defying fifty lap race which on a half mile track and called the "Half Century Grind" is considered the hardest and most trying event, which dirt track drivers can attempt. But they are going to do it right in North Dakota at the State Fair in Fargo. Several additional drivers are expected.

A WISE MAN PUTS HIS RENT PAYMENTS ON HIS HOUSE

Then he has something to show for it. Instead of paying rent, we not buy a house and pay for it on easy terms. Consult us about loans on city properties, short or long time with easy payments. We have properties in Bismarck.

D. T. OWENS & CO.
Bismarck, N. D.

The Perfect Corn Flakes



NEW POST TOASTIES are not only inexpensive but they bear a new deliciousness, produced by a new process of cookery—the first to produce corn flakes with the self-developed true corn flavor.

So fine is this flavor that NEW POST TOASTIES are wondrous good eaten dry. Unlike common corn flakes, they do not require cream and sugar to make them palatable. Try some that way—you'll appreciate the point, though they're even better when served with cream or good milk.

These NEW POST TOASTIES don't mush down in cream, and they are not "chaffy" in the package, like common flakes. They're new in form, new in flavor, and new in appearance. Note the tiny bubbles on each flake—an identifying feature.

Put up in wax-sealed packages, NEW POST TOASTIES retain their oven-crispness and flavor until served at your table.

Have your grocer deliver a package for tomorrow's breakfast.

NEW POST TOASTIES

Sold by Grocers everywhere.