

## FOUR BLOCKS VACATED BY CAPITAL LINE

Rails Will be Removed from Main Street East of Fifth  
TO PAVE STRETCH  
ON FOURTH STREET

Chairman Lewis Says Board is Ready to Expend \$1,000 on Line Now

The Capital Street railway henceforth will terminate its run at Fifth street, on Main. At the request of the Bismarck city commission the board of control is removing the rails from the four blocks on Main street east of Fifth. There never has been any great amount of business beyond Fifth, and for several years the run to Ninth has been made with empty cars. Removing the rails from this section of Main will leave a better street and will relieve the state of the expense of paving an eight-foot strip through these four blocks.

At the request of the press, Chairman Lewis of the board of control, last evening made the following statement:

**Board Favors Paving.**  
"You ask what action the board of control will take with reference to paving that portion of the street car track provided for in the franchise under which the car line is operated. We are very glad of an opportunity to answer your question, as there seems to be an impression among some of the people interested that the board are not doing all they can to assist the enterprising citizens in carrying out a much needed improvement, which we are satisfied will add much to the growth and development of the Capital City."

**No Funds Available.**  
"The fact, however, as they actually exist, are that we have no funds which are available that can possibly be used to do any paving, and the proposition will necessarily have to be put up to the legislative assembly to make a sufficient appropriation to do the work. We have, however, \$1,000, which can be used to repair the track, and we are willing to use this to put the track to grade, if it will in any way assist the city commission in furthering the work of paving."

**Commission Without Power.**  
"Some of your good people have an erroneous impression that the board of control could secure financial assistance by making application to the emergency commission. In this connection, we wish to state that there are no funds available which the emergency commission could appropriate for this or any purpose, and under the provisions of the law enacted by the last legislative assembly, if there were funds, they could not be made available for the purpose of paving."

**Paving Will Proceed.**  
It is probable that paving will proceed on Fourth and Main streets without regard to the state's present lack of funds, inasmuch as the first assessment will not fall due until May 1, 1917, and it is not deemed probable that the state will forfeit its franchise and scrap a property in which it has a great amount of money invested. It is predicted that some provision will be made for meeting the assessments by the next legislative session.

### GOVERNOR TO AID IN WILLISTON'S BIG DAY

Governor L. B. Hanna has accepted an invitation from the Williston Commercial club to deliver the principal address at the upper Missouri metropolis Saturday, October 14, when "Williston Day" will be celebrated. The occasion is planned to commemorate the progress which Williston is making; the new "White Way" will be turned on during the course of the day; colt and potato shows will be featured, and there will be a great get-together supper in the evening.

### ADDITIONAL SEATS FOR GROWING CITY SCHOOLS

At a meeting of the board of education last evening in the high school building it was decided to purchase additional seats for the high school and grades to accommodate the increased attendance.

The board referred the matter of pupils eating lunches in the building to Supt. J. M. Martin. A number of routine matters were considered.

### IMPORTANT APPOINTMENTS.

Judge A. A. Bruce of the supreme court has received notice of appointment to a number of important national commissions, including the national commission on uniform state laws and the chairmanship of the committee on marriage and divorce of the Comparative Law bureau. The justice has also been made a member of the general council of the American Bar association.

## No Decision Reached on U-Boat Raid

Washington, Oct. 10.—Final decision on the policy of the United States toward the U-boat raid off the New England coast has narrowed down, in the view of the officials here, to a consideration of whether proper provision was made for the safety of the persons taken from the attacked vessels and left at sea in small boats.

## BRUEGGER CASH KEPT INTACT BY SUPREME BENCH

Prominent Democrat Not Compelled to Honor Note for Courier-News Stock

### SCHOOL FIGHT RECEIVES QUIETUS IN COURT

John Bruegger's bank roll is kept intact by a decision of the supreme court handed down yesterday afternoon, affirming the judgment of Judge Pollock in the district court of Cass county in the suit brought by the Northern Trust company of Fargo against the prominent Democrat for the recovery of \$5,000.

The action was brought on a promissory note for \$5,000 given by Bruegger to the News Printing company in May, 1910. The News Printing company was organized to take over the Fargo newspaper now known as the Courier-News. It was the understanding, Bruegger claimed, when he gave his note that \$5,000 worth of stock was to be sold, and that his note would be held in escrow until the full amount of stock was disposed of.

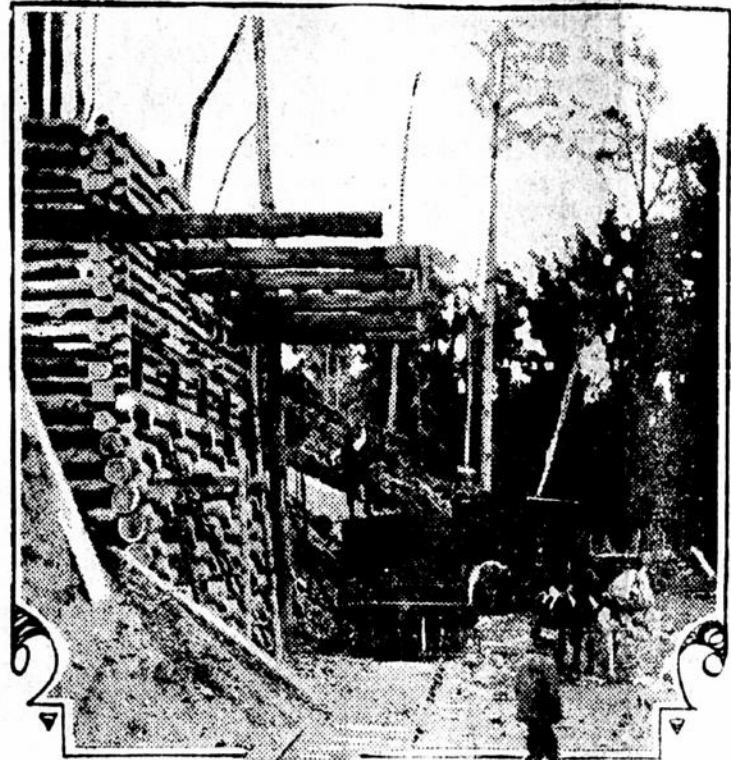
The note, it was held, "was delivered to one Hollister, managing officer of both the payee and plaintiff corporations, and the delivery to the payee and the holder in escrow was made in disregard of and contrary to and without compliance with the terms of the escrow agreement. A delivery so made constitutes in law no delivery of the instrument."

## LITIGATION INVOLVES THOUSANDS IN TAXES

Question of Recovering Levies on N. P. Mineral Reserves Now in Court

A case involving the recovery of thousands of dollars in current and delinquent taxes alleged to be due Oliver county from the mineral rights underlying 27,000 acres of Northern Pacific Railway land, argued by Attorney George R. Wallace for the state tax commission, now awaits decision at the hands of Judge Nuesse of the Burleigh county district court.

## TWO SECTIONS OF UNCLE SAM'S ALASKA RAILWAY IN OPERATION!



Loading Station at Matanuska Coal Fields.

By FREDERICK M. KERBY.  
Washington, Oct. 10.—The new government Alaskan railroad, which is to link up Seward, at the head of Resurrection bay, with Fairbanks, 466 miles in the interior, is nearly one-third completed.

After less than 15 months of actual construction work, the link connecting the townsite of Anchorage, on Knik arm, with the edge of the Matanuska coal fields, is completed and in actual operation.

In addition, the government has purchased and rehabilitated the Alaska Northern railroad, running out of Seward northward, and is now operating trains over this section as far as Kern creek, 71 miles.

From Kern creek northward to Anchorage, parties are clearing and grading, and five miles of track has been laid. Commissioner Riggs, with working parties, has been doing preliminary work on the extreme northern end of the line, working out of Fairbanks southward toward the Matanuska coal fields.

Aug. 1, 1916, the first carload of coal from the rich Matanuska coal fields was taken out by Doherty's hauler on Moose creek and shipped down the line to Anchorage. The Alaska railroad commission has contracted for as much coal as he can produce.

## HUGHES GIVES GREAT SPEECH AT BALTIMORE

Wilson's Policy Toward Promotion of American Trade Abroad Discussed  
AMERICAN PROPERTY MUST BE PROTECTED  
Adequate Protection of Interests of This Country Are Essential

Baltimore, Oct. 10.—Charles E. Hughes, speaking in the great armory here where Woodrow Wilson first was nominated for the presidency, tonight assailed Mr. Wilson's policy as president toward the promotion of American trade abroad, and replied to published statements of Dr. Charles W. Elliott, president emeritus, of Harvard, endorsing the president's policy.

"Dr. Elliott pierces the heart of the matter," Mr. Hughes said, "and he finds that the record of the administration means this: 'No intervention by force of arms to protect on American soil American commercial and manufacturing adventures, who, of their own free will, have invested their money or risked their lives in foreign parts under alien jurisdiction.'"

"Think of the import of that, you who represent the best genius of the world, and are thinking of using it abroad," Mr. Hughes added. "Think of that, you who, it is suggested, are to be asked to finance the chief undertaking of the world. Think of that, merchants, salesmen, tellers, clerks and dealers, who, in serving the world take your place remote from your friends and safeguards, in communities where revolutions are frequent and only the respect for your flag and the power it symbolizes may stand between you and ruin or even death!"

"We now hear fine words as to our duties to the world. 'But what avails such words when we do not protect American lives and American property abroad? The adequate protection of American citizens and their interests abroad, according to their rights under international law, is the corner stone of a policy to promote American enterprise throughout the world. This protection has been deliberately and deplorably refused by this administration.'"

"A self-respecting policy, worthy of an American name, maintaining American honor, assuring protection to the known rights of American citizens under international law is absolutely necessary. That does not mean war. It means the security of a self-respecting peace. It means that regard will be paid to our just demands."

Mr. Hughes left at 11:30 o'clock tonight for points in West Virginia.

### CANADIAN PENALIZED FOR STORY IN BISMARCK PAPER

Ludwig Giesinger, a young farmer residing at Holdfast, Sask., has been found guilty in the Saskatchewan supreme court at Regina of seditious libel as a result of an article which he wrote for the Staats Anzeiger, published in Bismarck, in which he said, among other things, "it is my belief that if these people (Canadian volunteers) only in their dream at night saw a German soldier, they would die of fright before morning." It becomes evident that Canada is maintaining a strict censorship, and that American papers are being closely watched.

### HOME FROM MEDINA.

A. C. Olson of the secretary of state's office is back from a visit with home folk at Medina.

### RECEIVED NO MESSAGE.

Charlesston, S. C., Oct. 10.—Captain Benjamin C. Bryan, commandant of the navy yard here, said tonight no radio messages had been received reporting a foreign submarine in these waters. Shipping men say they have not been advised of a submersible in South Atlantic waters.

## NEW PRIME MINISTER OF JAPAN CLAIMS HIS COUNTRY WILL NOT BE AGGRESSIVE TOWARD AMERICA

FRENCH MAKE BIG GAINS ON SOMME FRONT

Allied Powers Advised as to Stand of U. S. on Submarine Question

### RUSSIANS FORCED TO RETREAT BY TEUTONS

Two German Submersibles Sunk By Russian Torpedo Boats

London, Oct. 10.—Submarines of belligerent powers visiting American waters will be accorded the treatment which is their due as warships under international law.

This fact has been made known to the Entente allied powers by the state department at Washington in answer to an identical memorandum from Great Britain, France, Russia and Japan, asking that submarines of every character be prevented from availing themselves of the use of neutral waters and that such vessels entering neutral harbors be interned.

President Wilson and Secretary Lansing have discussed at length the visit of the German submarine in waters adjacent to the coast of the United States and continue their conference Wednesday. The German undersea craft, which played havoc with enemy and neutral steamers off Nantucket Sunday has not been heard of since the last steamer was sent to the bottom Sunday night.

### French Score Big Gains.

The French troops, fighting south of the Somme region in France, have bent back the German lines considerably over a front of about two and a half miles from the village of Boven to the Chalmes wood, capturing the village of Boven, the north and west outskirts of Abtaincourt, and most of the Chalmes wood. Little activity was shown on the British front north of the Somme.

### Russians Still Retreating.

In Transylvania, the Germans are closely pressing the retreating Russians, who continue to fall back all along the line.

### German Storm Herbutow.

The Galician village of Herbutow has been stormed by the Germans and to the north in Volhynia, the Russians have been driven out of advance positions northwest of Lutsk.

Along the Struma river, in Greek Macedonia, the forces of the Teutonic powers have evacuated the towns of Chavdar Mah, Ormanli and Hatzmar.

### German Submarines Sunk.

Christiania advises that two German submarines, operating in the Arctic ocean, have been sunk by a Russian torpedo boat while they were attacking a wireless station on the Murman coast.

### TRAFFIC MANAGER IN CITY.

E. K. Bennett, traffic manager for the Northern Express company, and Mrs. Bennett were in the city yesterday, enroute home to St. Paul from a trip to the coast for Mr. Bennett's health, he having been a sufferer from rheumatism for the past two months. Mr. Bennett is well known in the city and his friends will be glad to know of his entire recovery.

## Investigation of Submarine Attacks Disclose No Cause For Drastic Action by U. S.

Long Branch, N. J., Oct. 10.—President Wilson and Secretary of State Lansing discussed in detail at Shadow Lawn tonight German submarine attacks on merchantmen Sunday off the New England coast. The conference lasted late tonight and will continue tomorrow morning.

It was indicated by officials today that facts, so far collected through governmental agencies, have disclosed no grounds for drastic action by the United States because of the attacks themselves.

Administration officials took the position that the transferring of submarine warfare so close to America's shores was fraught with grave danger because of the possibility of mistakes being made by submarine commanders. Reports that strong sentiments exist in Germany for the resumption of submarine warfare on a broader scale, caused some alarm among officials.

## TELLS OF HIS POLICY

Fears That New Power Will Be Hostile to United States Discredited

WILL TRY TO PROMOTE MOST FRIENDLY TIES

Premier Count Seiki Terauchi Gives Concise Statement of His Ideas

Tokio, Japan, Oct. 10.—Fears of a section of the Japanese public, which have found an echo in the United States and China, that the coming in to power of the new ministry may be tantamount to war, were discussed frankly today by Premier Count Seiki Terauchi, in giving to the Associated Press the first statement he has made in regard to the foreign policy of his administration. The premier gave expression in a sentence to the spirit which he declared would animate his dealings with other nations. It was the assertion that Japan would not take any aggressive steps toward the United States or any other country "so long as Japan's vital interests and dignity are not infringed."

"Will Not 'Wave the Sword.'"  
"Any idea that I shall 'wave the sword' while I am prime minister of Japan is based on a false comprehension of my career and a complete misconception of the Japanese Empire, its tasks and its hope and ideals for the future," he said.

The dramatic summons to the premier of Field Marshal Terauchi, Japan's dominating military figure, has excited a discussion overshadowed by no single event in modern Japanese history.

In view of the world-wide interest in the significance of his appointment and the misgivings it apparently has caused, the premier, who has long had the reputation of taciturnity, consented to break his silence and give to the world, through the Associated Press, a general idea of his purposes and policies. His rugged face, stern in repose, relaxed with a smile as he said:

**Will Promote Friendly Ties.**  
"Tell the American people that my earnest and constant endeavor shall be to promote the friendly ties which have bound Japan and America for half a century."

"Your people know my administrative record in Korea. Because I am a successful soldier, shall that prevent my being a prudent minister of state. Say it, repeat it, that I come as a statesman, who is seeking the lasting interest of my people, not as a militarist, seeking glorification by the sword."

The premier disclaimed responsibility for the interview in New York with Baron Sakatani, who was quoted as saying the repeal of the American laws regarded by the Japanese as discriminatory against them was a matter of "justice and necessity." He declared emphatically that as premier he would undertake no new steps in regard to the so-called American problems, including immigration. In this respect, he said, he would follow closely the policies of the outgoing cabinet.

### American Interests Safe.

Though he was unable to dwell on a detailed program, the premier continued, he could affirm that America's interests in China would be harmed in no wise by Japan, which has no intention of violating China's sovereignty or preventing interested nations from having equal opportunities.

"People talk of closing the door," he said. "That is a complete non-sensum."

"So long as Japan's vital interest and dignity are not infringed, Japan will take no aggressive steps against any nation, especially America."

**Ridicules Circulated Rumor.**  
The premier said he saw no likelihood of active participation in the war by Japan. He ridiculed the rumor that Japan has designs in regard to the Philippines, saying that if any power were to be there, he was glad it should be America.

"My appointment is in exact accordance with the provisions of the Japanese constitution."

"Not revolutionary, not aggressive, not militaristic, but constructive—that is my program," declared the premier in conclusion.

### APPLICATIONS FROM WOULD-BE AIRMEN ARE COMING IN

Anticipating the establishing of an aviation school in connection with the reserve corps which the United States military department has been authorized to form, several North Dakota would-be airmen have filed applications for positions in the corps with Adjutant General Tharaldson. Conditions are not yet ripe for action and none of the applications has been favorably acted upon.