

THIRTY-NINTH YEAR

BISMARCK, NORTH DAKOTA, SATURDAY, FEB. 5, 1921

PRICE FIVE CENTS

## HOUSE PROBING COMMITTEE IN ADJOURNMENT

### HOUSE PUSHES ANTI-SMOKING BILL ONWARD

Efforts to Defeat Measure Limiting "Privilege" to Men Is Voted Down

#### OTHER HOUSE MEASURES

Two Bills to Appropriate Money for Mr. Lemke Are Indefinitely Postponed

Whether to let persons smoke in dining rooms of hotels, in cafes and in dining cars where women are present was the big question before the house of representatives later yesterday afternoon.

The majority opined that house bill No. 51, designed to permit smoking in these places was all right, and the bill was advanced to third reading.

Representative Ness wanted to include "haymows and barns" but the house demurred.

Through clouds of smoke fiery oratory was hurled from one side of the hall to the other, and politics was forgotten by most members.

Bauer, of Sioux county, Independent, vehemently defended the bill, declaring he couldn't see why women should be required to submit to men smoking in dining rooms.

"Are you a smoker?" questioned Mr. Shipley.

"No, but I was."

Another wanted to know if Mr. Bauer opposed smoking.

"No, I don't care how much they smoke. They can go to haymows and barns if they want to."

Speaker Twitchell, on the floor, retorted with a suggestion for a bill regulating language on the floor.

Smokes in Self-Defense Representative Reichert was another who was strong for the bill.

"Gentlemen," he said, holding a half used cigar in his hand, "I've been smoking, not because I want to, but to keep from getting sick, because these men around me are smoking. And you can't be around where men are smoking without smoking your self."

Representative Ness, of Richland, was insistent that his motion to amend the bill to include "haymows and barns," because, he said, under present laws if the hired help on your farm want to smoke you can't help yourself.

Threw 'Em Out "I found two men smoking in my haymow last summer," he said, "and I asked them to stop and they said they didn't have to. I had to take one by the neck and throw him out."

Some others thought the Ness amendment was well taken but the majority didn't think so.

Shipley, of Stark, suggested an amendment making it illegal for any man to use tobacco in any form east of the Missouri river. It was ruled out of order.

Lemke Bills Defeated The house refused finally to pass any bill giving William Lemke, Attorney-General the appropriation asked for. Its disapproval of the efforts taken by Lemke's supporters was expressed in the vote, 57 to 56, to indefinitely postpone Senate Bill No. 2 and House Bill No. 6.

The house yesterday passed a bill transferring \$9,051 from the Governor's fund to the Attorney-General's fund and revoking the dual system of conducting legal affairs in the state which allows the Governor to name special assistant attorneys-general. Lemke men said the fund transferred was already exhausted.

There was little debate on the subject, Representative Walter Maddock, Nonpartisan, in explaining his vote declared that it would leave the Attorney-General without funds to defend the railroad rate and other cases.

Anti-Injunction Bill Two bills of importance went to the judiciary committee, one of them, amending the anti-injunction law, being introduced by that committee. The other was the bill to permit the sale of cigars under license from the Attorney-General's office.

The amendments to the anti-injunction law simply insert the word peacefully in two or three places in referring to assemblage of laborers in industrial dispute, making the law conform in all respects to the federal law on the same subject, according to Chairman Starke, of the Judiciary committee.

The anti-cigarette bill, in the opinion of many stands a good show of passage. It provides strict safeguards. Any dealer who would sell cigarettes must be licensed by the Attorney-General's office, paying a license fee of \$50 per year. The first \$20,000 collected would be given to the Attorney-General's office for the purpose of enforcement, the remainder to be given to the city or village or township board, prohibits minors from smoking cigarettes and makes it a misdemeanor for them to do so, and provides a fine of from \$100 to \$500 for any dealer violating the law.

TAKES FARGO POSITION. Fargo, Feb. 5.—C. J. Ranney, former editor of the Killdeer Tribune which suspended publication several weeks ago, has taken a position as deputy revenue collector for the North Dakota internal revenue office. It is expected that Mr. Ranney will make his headquarters at Valley City.

A hen cackles after laying an egg to denote pleasure.



Albert E. Sheets, Jr. "When a man who was in five major operations on various fronts is turned out of the hospitals through technicalities, it is time something was done. North Dakota has one such case," said Albert E. Sheets, Jr., former assistant attorney general. "That is why I am going to urge the amalgamation of the bureau of war risk insurance, the vocational training and compensation bureau, all under one workable head."

Attorney Sheets left Bismarck last night for Washington, D. C., where he will represent the American Legion of North Dakota at the session of department national executive committee which has been called for February 7, 8, 9. He is taking the place of C. L. Dawson, former state commander, who is unable to attend the meeting, he being chief clerk of the house of representatives. Sheets will present before the national session the case of James L. Monahan, just one of the many wounded soldiers whom he asserts have suffered through the cumbersome working of the three distinct national bureaus having to do with veterans of the recent war.

### HUNTING HOG SUFFERS FROM NERVE STRAIN

Owner Much Worried Over Unusual Bird Animal, Says Report

Natchez, Miss., Feb. 5.—A hunting hog owned by Tucker Gibson, a widely known huntsman, has suffered a nervous breakdown, according to his owner.

Makes Record. The hog pointer has made excellent records and his owner brought him here to train him for the field contest at Springfield.

Mr. Gibson was intending to place the hog in the vaudeville following the field trials and he had purchased the birds to be used in the act.

Points for Hours. He then left for three days and during his absence the hog located the birds. On his return he found the hog still pointing at the birds, which he had been doing for three days and nights. The intense mental strain, together with the fact that hog had not eaten for this time brought on the attack, his owner declares.

### WHEAT TAKES SHARP UPTURN ON EXCHANGE

General Buying and Green Bug Talk Sends Grain up Four Cents

Chicago, Feb. 5.—Wheat took upturn later because of general buying and of green bug talk from Texas. The market closed strong, showing net advance of 3 to 4 1/4 cents a bushel.

### HARRISON SENDS HIS RESIGNATION

Manila, P. I., Feb. 5.—Francis Merton Harrison, governor-general of the Philippines today cabled his resignation with request that it be accepted March 4.

### HOUSE VOTES TO KILL \$200,000 APPROPRIATION FOR IMMIGRATION WORK

What is considered as the possible end of the immigration department headed by J. H. Worst and which has been the center of bitter attack by the Independents was reflected in the House vote today, by a majority of seven, to kill the appropriation of \$200,000 for the department.

The minority made an unsuccessful attempt to squeeze through a compromise bill appropriating \$100,000 for the biennial period.

The vote to kill the appropriation stood 59 to 52. It is believed that there is little or no chance of getting the appropriation through at this session.

### WILL PRINT RESOLUTION ON MONEY MEASURE

Senate Votes to Put Communication in Journal

#### CAUSES LIVELY DEBATE

Senator Church Suggests Less Heat Might Be Just as Well

After an extended and rather heated debate, the senate yesterday afternoon by a vote of 27 to 22 voted to print the journal of the Senate. Senator Liederbach's resolution criticizing Chairman Watt and the house appropriation committee for recommending to pass the bill which transferred the funds at the disposal of the governor for special attorneys' over to Mr. Lemke, in lieu of any direct appropriation.

Some of the league senators held that the fund had already been expended but that the warrants had not yet been drawn on it.

Holds N. P.'s Responsible Senator Mees of Morton, said that if anyone was responsible for the condition of the finances in the attorney general's office it was the nonpartisan majority which cut the appropriations two-thirds at the 1919 special session.

"I believe," he said, "that the attorney general ought to have more money but I am opposed to all this political horse play and having a lot of funds out of which attorneys may be paid."

Sent "Kids," He Says Senator Liederbach replied that the appropriation was cut in 1919 because they didn't believe that they had an efficient attorney general. Instead of acting himself he would send kids around to handle important cases.

"Yes," retorted Senator Mees, "and it was those kids who are responsible for that more than million dollars which has just been turned over to the state treasury by the railroads."

Urges Calmness Senator Church said that he thought the senators were getting too much worked up over the matter and moved the previous question, which carried and the vote was taken.

Senator Bond of Ward, introduced a bill that gives the county commissioners power to designate depositories for county funds and provides safeguards therefor.

Fixes Safeguards The emergency is attached to the bill. At present there is no law giving this power to anyone, the confusion being due to the passage at the initiative law at the November election which relieved the counties from the obligation to deposit in the state bank but gave them no power to create other depositories.

The county under the bill must advertise and the banks must give surety bonds to protect the funds. The county treasurer cannot deposit more in any one bank than its capital and surplus. The interest rate is fixed at not more than four or less than two per cent. Two per cent is being paid now on checking balances by the state bank.

### WILSON VETOES ARMY DECREASE JOINT MEASURE

President Declares He Can See No Excuse for Reducing Army Personnel

Washington, Feb. 5.—President Wilson today vetoed the joint resolution directing the army department to stop recruiting until the army is reduced to 165,000 men.

The president said that he was unable to see in the condition of the world at large in the need of the United States any change that would justify a restriction on the minimum enlisted strength of 280,000 men, provided for in the recently enacted army reorganization bill.

### CONFESSES TO CHECK THEFT

Omaha, Feb. 5.—A man who gave his name as Fuller and his home as Toledo, Ohio, confessed here today to taking \$20,000 worth of checks from Michigan Central railroad station at Kalamazoo, Mich.

### FIGHTING IN CHILE FACTORY

Valparaiso, Chile, Feb. 5.—Troops have been sent to Antofagasta, where soldiers and workers in large munition plants have been engaged in fighting. Advances received late today stated that only six persons had been killed. Earlier dispatches stated twenty-three had met death. Daniel Jones, manager of the Gregoric plant, was killed.

### BISMARCK IN FOREFRONT IN RACE FOR TITLE

Capital City's High Scores Victory Jamestown Quinlet

#### HUMBLES VALLEY TOO

First Defeat to Eastern Team on Own Floor in Four Years

Jamestown, N. D., Feb. 5.—The Bismarck high school basketball quintet scored another smashing victory last night when it defeated Jamestown by a score of 17 to 7, immediately following its defeat of Valley City the night before by a score of 20 to 14.

Game Fast. Last night's game was exceedingly fast clean game of short shots. The Jamestown team was outplayed from the start.

In the first half Bismarck made four field baskets to none for Jamestown. In the second half the Capital City players made four more field baskets and one free throw. Jamestown made two field baskets and two field throws.

Beats Valley. The victory over Valley City Thursday night was the first time that that city's team has been humbled on its own floor for four years. Bismarck's work in that game was rapid and clean.

These victories have placed the Bismarck high in the front rank for the state honors. The boys have lost only two games, one to Mandan and one to Valley City, the latter on Bismarck's floor.

Mandan Next. The game next Friday night at Mandan has assumed new significance in the championship race because of these Bismarck victories.

### BOND'S MEASURE WOULD PROVIDE DEPOSITORIES

Senator Introduces Bill to Allow Designation of Banks by Commissioners

A bill introduced in the upper house yesterday afternoon by Senator Walter Bond of Minot would authorize county commissioners to designate official depositories. The bill provides that one or more national, or state banks, or trust companies, may be named in which all the funds of a county may be deposited.

Banks would submit bids as to what interest percentage might be paid, and such funds would be at all times subject to draft. If more than one bank submit an offer of the same rate of interest, such banks shall impartially be given a share of the county money.

The bill also calls for a penalty for violation of the law to be imposed upon any county treasurer, and a monthly statement by the depository bank is called for. The county treasurer is made custodian of the funds and all checks issued against deposits would be signed by him as treasurer. The measure was referred to the committee on banks and banking.

Senator L. R. Baird introduced Bill No. 116 giving the court power to appoint district juvenile commissioners, guardians and to make rules prescribing the duties of such officers and fixing their compensation.

Senator Ferguson of Burke county, leaver introduced S. B. 115, regulating the exchange of reciprocal or insurance contracts among individuals, partnerships and corporations.

### NO AGREEMENTS MADE REGARDING FINANCIAL PLANS

United States Not Bound by Any Proposals, Says Secretary Houston

Washington, Feb. 5.—A letter from Secretary Houston of the treasury department, saying that during the rest of his term he would not enter into negotiations with any foreign country regarding financial plans.

There has not been any official proposals on the part of the government, either that of the agreement of the foreign countries regarding demand obligations.



SHOWS BOSS HIS NEW FAMILY—Rear Admiral Newton McCully is so proud of his adopted family of seven Russian children that he totes them around Washington introducing them to his friends. Here he is presenting the youngest trio to his boss, Secretary of the Navy Daniels. McCully is a bachelor. He adopted the children while stationed in Siberia and brought them back with him recently.

### WHEAT SHOWS LITTLE CHANGE

Chicago—Opening prices of wheat were one-quarter cent lower to one-half cent higher, were, followed by a slight setback.

### MANY LIVES MAY BE LOST IN SEA WRECK

Passenger Steamer Aground on Rocks in Stormy Ocean

(Bulletin) The passengers and crew of the schooner Klamath, driven ashore near Point Arena early today, have been landed safely, according to a wireless message received by the San Francisco Call from Capt. Hall.

According to the weather bureau here there was an 85-mile an hour northwesterly gale blowing at Point Arena, a few miles from the rock where the vessel went aground. There are 19 passengers on board the Klamath.

San Francisco, Feb. 5.—The passenger steamer Klamath bound for Portland went aground on rocks about ninety miles north, according to advices received here. The steamer Curacao, was reported proceeding to the Klamath's assistance.

The marine exchange received a wireless report from Captain Hall of the Curacao, that he was two miles from the Klamath and could see no signs of life aboard. The seas were too heavy to admit his going closer, he said.

### BANDITS GET BIG HAUL AT ST. CHARLES

Hold-Up Men Kidnap Messenger and Steal Mail Sacks Full of Bonds

St. Louis, Feb. 5.—Postal authorities and police today were continuing investigation into the mail robbery at St. Charles last night when a registered pouch said to contain \$100,000 in cash and Liberty bonds was reported stolen by five armed men from a mail wagon, who kidnaped the messenger, Willard Thornfield.

Details of the robbery were related here by Thornfield. He said he was waiting at the railroad station at St. Charles to put the pouch on a train for St. Louis when the men came by in an auto and after forcing him to lie down in the bottom of the car, took the pouch and kept him prisoner until they reached St. Louis, releasing him in the outskirts.

### STATE BONDS OFFERED BY BROKER; NO AUTHORITY, ASSERTS CATHRO

Bonds of the Bank of North Dakota, bank series, are being offered by a Chicago bond house at 96.5 and 95.1.

The bond house is R. E. Qittle Company, formerly engaged in a bank in Castleton that became defunct.

F. W. Cathro, director-general of the Bank of North Dakota, declares the bond house has no authority from the bank to offer the bonds.

One of the members of the firm is understood to have been in Bismarck a month ago. The creditor purporting to offer about \$1,950,000 of bonds of the bank series of the Bank of North Dakota and purporting to be issued by this firm was received in Bismarck.

Mr. Cathro asserted that the Bank of North Dakota had named no fiscal agent for the disposal of these securities and had made only an announcement in a bond mens magazine and had answered inquiries.

### LLOYD-GEORGE SPEAKS ON TERMS OF PEACE TREATY

Germany, Says Premier, Should Pay All She Can of Indemnity

Birmingham, Eng., Feb. 5.—Lloyd George in a speech here today dealing with the recent treaty of the allies said that before the last election he laid it down that Germany was morally bound to pay for the wanton damage that she had inflicted by the war, but that one could only get from a debtor what he was capable of paying.

He asserted that Germany must not be allowed to pay in a way that would injure her chances of paying the entire amount.

Mr. Lloyd-George said that his advice to Germany would be to accept the bill and not to allow herself to be misled by persons and repeat the folly of 1914.

Q. Now just what does that mean—reposit of public funds? A. This was money that was carried in local banks throughout the state of North Dakota in the name of the Bank of North Dakota.

Q. Let me see if I understand this correctly. These public funds of course, constitute the bulk of the deposits in the Bank of North Dakota, do they not? A. Yes.

Q. The Bank of North Dakota then reposit a portion of these funds in different banks throughout the state of North Dakota in its name—that is the Bank of North Dakota becomes a depositor in various banks throughout the state? A. When the Bank of North Dakota was organized a large proportion of these funds were in these banks, and the Bank of North Dakota adopted a policy of repositing in these same banks. In other words a check by a local treasurer was sent to the Bank of North Dakota, and that identical check was returned to those banks for deposit in place of being retained by the Bank of North Dakota. These banks at that time were unable to pay the money to the Bank of North Dakota. They had it at that time, but they couldn't let go of it. They couldn't meet their obligations, and pay it to the bank. Consequently in order not to embarrass these banks it has been there ever since in a good many cases, and we have been unable to get it out.

Percent Paid. Q. As far as the books are concerned the public funds actually belong in the Bank of North Dakota, but they are trying to have it reposit in the fashion you have indicated? A. Yes.

Q. Now of course upon these funds you pay two percent to the counties or cities or public institutions do you not? A. We do.

Q. And you charge the repositary bank four percent? A. Yes.

Q. Now as I understand you, you say that was your policy throughout that you reposit the exact amount in the bank as was taken out of it and deposited with you? A. No, not the exact amount.

Q. Well, a similar amount? A. Our position always was in the main now we never assumed that we could sustain an exact balance—but in the main we would try to retain reposit in local banks, about in proportion to the amount that came from these localities.

Q. So that the distribution would be substantially the same as it was before the organization of the Bank of North Dakota? A. Yes.

Q. You think that is a correct statement? A. Approximately so, that is the general plan we tried to follow.

Q. Is that true as to counties or districts or localities, or has there been some change in the distribution of public funds since the organization of the bank and the adoption of this method of repositing, substantially, I mean? A. Well, portions of the state that were not in urgent need of money—from those portions we withdrew some of their funds and put

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### STATE'S POLICY ON RECORDS NOT YET ANNOUNCED

Committee to Take Up Investigation of Industries Again on Monday

#### TOWNLEY STIRS THINGS?

Cathro Says New Withdrawals Will Be Made From Banks in State

The investigation of the house of representatives committee into the conduct of the state industries was halted today until Monday.

The adjournment of the committee was taken shortly after the committee was called to order in the court-house this morning, without objection from counsel.

Attorney-General Lemke suggested that the committee take the adjournment, after a conference between a representative of Mr. Lemke and attorneys for the committee had been held.

The senate committee was to begin its hearing late this afternoon in the state bank. The senate agreed to meet at 1 p. m. daily and adjourn at 4 p. m., for the purpose of conducting its inquiry.

The status of the inquiry remained the same as it was when adjournment was taken yesterday, after F. W. Cathro, director-general of the Bank of North Dakota, had declined to go into details of the deposits of the Scandinavian-American bank, saying that this would open up the whole question of publicity on relations between banks of the state and the Bank of North Dakota which might result disastrously.

Mr. Cathro was present with a number of records, but the answer of the Industrial Commission on the question of producing the records will not be given until Monday, it is understood.

Complete Friday Transcript. Following is a complete transcript of the testimony given Friday by F. W. Cathro, manager of the Bank of North Dakota, regarding the reposit of funds in the banks of the state.

Q. By Mr. Murphy: Now, calling your attention to the question of reposit of public funds, there is an item of reposit of public funds of \$4,040,899.19. See if I am reading this correctly. A. Yes.

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