

THE GLASGOW COURIER

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MILK RIVER RISES RAPIDLY

Flood Waters Reach City and Cause Rise of Four Feet.

MISSOURI RIVER IS OPEN

Ice Jam Reported at Wolf Point—Flood Danger Believed Passed If River Stays Open.

A rise of four feet by the Milk river at Glasgow Thursday night has alarmed the residents of the valley, and while there is no immediate danger of flood, the continued rising of the river may cause those who live on the flats to move to higher land. The continued melting of the snow and ice in the Milk river valley and the flood waters from Havre and the swollen creeks which flow into the Milk river have caused the rapid rise. The ice at this point is practically all out and there is little danger of an ice jam with the river in its present condition.

Opinions differ as to the dangers of a flood. Some claim that the waters will be carried into the Missouri as fast as they rise, now that the Missouri is open at the mouth of the Milk river, while others fear that if the warm weather and chinook winds continue, that the water from the benches will fill the creeks that flow into the Milk and cause it to overflow its banks. In making his observations this morning, City Engineer Severance thought that the rise was probably due to the backing up of the waters from the Missouri there being very little current, while usually the current is very swift with the coming of the flood waters.

An ice jam is reported in the Missouri river at Wolf Point and that river is reported to be rising rapidly and this may be partly responsible for the rise in the river at this point. If the Missouri river can be kept open and the ice jams broken, the dangers of a flood at Glasgow will be greatly lessened.

The last few nights have been exceptionally warm and the thaw was not checked by the customary night freezes. High water is reported at Chinook, Harlem and Malta. At Chinook the Milk river is over its banks and many of the stock men who had hay stacks in the valley are now running out of feed as they are unable to get to them. The river at Vandalia dam is also very high.

CITY COUNCIL MEETS.

The city council of the city of Glasgow, Montana, met in regular session in the office of the city clerk in the public library building at 8 o'clock p. m.

At roll-call the following answered present:—Alderman, Lezie Hurd, St. Clair and Markle. Mayor Kent present and presiding.

The minutes of the meeting of February 9, 1916, were read and upon motion of Alderman Lezie, seconded by Hurd were approved.

A renewal of the contract with the Continental Oil company to furnish oil for use at the light plant was presented, read and laid on the table pending more information regarding what the needs of the plant would be after the installation of the new power.

The Mayor's proclamation respecting the coming annual municipal election was read and the clerk was instructed to post copies in three conspicuous places in the city.

Resolution number 189, establishing voting places in the several precincts of the city of Glasgow, Montana, for the municipal election to be held on the third day of April 1916, appointing judges and clerks, for said election and fixing the compensation of such judges and clerks and repealing all ordinances and resolutions in conflict with this resolution was introduced and read.

It was moved by Alderman Lezie and seconded by Alderman Hurd, that resolution number 189 be passed.

Roll-call, voting yes, Aldermen, Lezie, Hurd, St. Clair and Markle.

Carried.

The mayor presented facts regarding the cities need of a pesthouse.

After discussion in which it developed that the county commissioners were open to a proposal to go in with the city on a pesthouse to be used in common by city and county, the Mayor appointed Aldermen Hurd and Markle to confer with the commissioners and to report at the next meeting of the council.

Mr. Alvord one of the committee

from the Commercial club spoke of the proposed fire Department and introduced Mr. Dug Hall as one who had had experience with volunteer fire departments and Mr. Hall made a speech in which he made many suggestions for the future, and told of the advantages of having an organized department.

After discussion, the Mayor appointed Mr. Dug Hall chief of the Glasgow Volunteer Fire Department.

This appointment was confirmed by the council on motion of Alderman Hurd seconded by Alderman Markle. Mr. S. C. Moore asked of the council that the schools be allowed to use the Ball park for their coming athletic meets in May; asked that the placing of a cinder track around the outfield be allowed and that the city

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BANKS SHOW INCREASE.

With the enormous increase in agricultural products in Montana in 1915, the record-breaking output of the mines; increased prices in wool and livestock, as well as a general uplift in all lines of business, Montana banks are bursting with ready cash, and have extended their resources \$16,898,252.27 in a single year.

This remarkable record, which cannot be duplicated in any other state in the union, is shown in a statement issued recently by Superintendent of Banks H. S. Magraw, who prepared figures to prove that the resources of 214 state banks and 21 private banks had increased 26 per cent from December 31, 1914 to December 31, 1915.

The total resources of banks December 31, 1914, amounted to \$60,969,011.17, while on a corresponding date in 1915 they had climbed to \$77,867.54.

Not the least important item of Mr. Magraw's statement is the fact that overdrafts have decreased 70 per cent during the same period. About a year ago Mr. Magraw made an appeal to the bankers of Montana urging them to co-operate with him to reduce overdrafts and that they have loyally assisted him is shown by the fact that overdrafts have been reduced from \$859,150.27 on December, 1914, to \$251,012.66, or a total decrease of \$608,137.61.

The reserve fund in state banks on December 31, 1914, was 28.6 per cent. On the corresponding date last year it was 43.0 per cent. The reserve in private banks was 26.6 per cent as compared with 37.7 last year. In the combined banks the reserve was 28.3 as compared with 39.9 at the close of last year. The law requires a reserve of 15 per cent in all banks and of 25 per cent in reserve banks.

Two other extremely gratifying items in the statement have to do with the checking and savings deposits, both of which have increased during that period to an enormous degree.

In all banks under state control, the checking deposits at the close of the year's business in 1914 amounted to \$28,965,234.16, and when the banks closed their business at the end of last year they had leaped to \$41,941,118.28, an increase in favor of 1915 of \$12,975,884.12. The percentage increase was 44.

Savings deposits in 1914 totaled \$15,759,393.37, while on a corresponding date last year they were \$17,093,248.39, an increase of \$1,333,855.22, or 8 per cent.

With reference to the item "bills payable," there has been a gratifying decrease during the past year, the statement showing \$1,254,647.76 in 1914, as compared with \$791,296.65, a decrease of \$463,351.11, or 36 per cent.

GETS 18 MONTHS.

Joseph J. Nowatney was sentenced to serve from one year to 18 months at hard labor in the state penitentiary at Deer Lodge when he pleaded guilty to the charge of forgery in the district court Wednesday afternoon. Nowatney forged a check on Elmer Johnson a few months ago and was caught last week at Libby. Sheriff C. W. Powell left on No. 1 Thursday morning with the prisoner for the state penitentiary.

NEW STORE OPENS MONDAY.

The new drug store of Vornholt & Smith in the Burke building on south Fifth street will open for business on Monday, February 28. This announcement was made yesterday by Mr. Vornholt, who has been laboring day and night with a crew of men to get the store in readiness.

TWO PRIMARIES MUST BE HELD

State Supreme Court Makes Ruling in Test Case.

FIRST PRIMARY IN APRIL

Will Nominate Electors and Elect Delegates to Presidential Convention—Second on August 29.

Montana will hold two primaries this year. One, April 21 to indicate presidential preferences, to nominate presidential electors, and to elect delegates to the national conventions. The other August 29, to nominate state and county tickets.

So ruled the supreme court today in a decision by Associate Justice Sidney Sanner. Here's the nub of it: "At the time our laws were enacted the Oregon law consisted of the general primary law relating to nominations for state and county officers as amended by a later enactment re-delegates to the national conventions—the whole, however, constituting one law, the effect of which is to require but one primary election in presidential years. Had it been the intention to so provide in this state, the Oregon law as a whole would doubtless have been enacted in one law. This was not done. . . . The apparently deliberate separation of the single Oregon law into the two Montana acts cannot be ignored." Secretary of State A. M. Alderson has estimated that the holding of these two primaries will cost the taxpayers \$100,000.

The matter was brought before the supreme court on a petition for a writ of mandamus by William Taylor to compel County Clerk A. J. Duncan to place his name on the ballot at the April primary as a candidate for the Democratic nomination of public administrator. The decision in full is as follows:

Mandamus to compel the respondent, as county clerk of Lewis and Clark county, to file the petition of the relator as candidate for the Democratic nomination to the office of public administrator of said county and to place his name as such candidate upon the official ballot to be used at the primary election to be held on April 21st, 1916. The theory upon which the relief is sought is that in virtue of the provisions of the laws passed by the initiative at the general election of 1912, relating to primary elections, it is required that in the years when a president and vice president of the United States are to be elected the primary election for all officers—state and county as well to indicate the presidential preference to nominate presidential electors and to elect delegates to the national conventions—shall be held on the forty-fifth day before the first Monday in June. As no dispute exists concerning the relator's right to be submitted as such candidate for nomination at such time as may be appropriate, the question presented is whether these initiated laws contemplate the holding of one primary or two in presidential years.

That these laws are an attempt by the people to enact in this state the general features of the primary law of Oregon cannot be open to doubt; and it must likewise be conceded that the effort to adapt the provisions of that law to the legislative and other conditions of this state, has been most unskillfully performed. Some things however, are obvious. At the time our laws were enacted the Oregon law consisted of the general primary law relating to nominations for state and county offices as amended by a later enactment relating to presidential electors and delegates to national conventions—the whole, however, constituting one law, the effect of which is to require but one primary election in presidential years. Had it been the intention to so provide in this state the Oregon law as a whole would doubtless have been enacted in one law. This was not done; instead the people of this state enacted two laws one establishing the primary for nominations to state and county offices, to be held on the seventieth day preceding the biennial general elections, the other providing for an election to be held on the forty-fifth day before the first Monday in June in presidential years, for the selection of delegates to the national party conventions and for the nomination of presidential electors. It is quite true the

latter act contains the phrase, "the primary nominating election shall be held, etc." but it cannot be supposed that this phrase has reference to any other election than the one therein prescribed. The apparently deliberate separation of the single Oregon law into the two Montana acts cannot be ignored.

Again, the title to the act last referred to is significant. While we are not required to hold that a law passed by the people upon the initiative is subject in all respects to the constitutional provisions and restrictions touching the title to acts passed by the legislative assembly, yet the title may be fairly accepted as notice to the people of the general contents of a bill presented for their acceptance or rejection, and as some indication of their intent in passing it. Now the title in question contains no intimation that state and county nominations are involved in the act, but expressly shows that its purpose is to "provide for the expression by the people of the state of their preference for party candidates for president and vice president of the United States, the election of delegates to presidential conventions and the nomination of presidential electors."

The relator invokes the rule which requires us to avoid a construction leading to absurdity or mischief, and asserts that the duplication of primaries is both of these. Whether this is so depends somewhat on the point of view, and we are not prepared to say that no sound reason whatever can be assigned for the separation of the two events. These considerations have to do, therefore, not with the construction or validity of the law relating to presidential primaries, but with its wisdom, and of that this court is not the arbiter. If, as appears here it was the apparent intention of the people for reasons satisfactory to themselves, to segregate the primary election for presidential preference from that for state and county offices, we know of no legal obstacle to the accomplishment of that intention. We see nothing in the provisions of the presidential primary law, either within itself or in collation with other statutory provisions to warrant any other construction, and we are satisfied that the county clerk of Lewis and Clark county is under no legal duty to submit the relator's candidacy at the primary election in April.

The motion to quash is therefore sustained and the proceedings dismissed.

SECRET INQUEST HELD.

After many delays the inquest on the body of Bud Secrest, the victim of the Cow Creek murder, was concluded last week. The inquest was held at Malta before the Phillips county coroner, and it was about two weeks before it could be brought to an end. As fast as a witness was secured his testimony was taken and then adjournment taken until another witness was secured. No new testimony was disclosed and few of the eye witnesses were secured because of the weather conditions.

It was reported from Malta that the coroner found it impossible to put Secrest's body in any coffin that was in stock there, and a box had to be used because of the man's unusual size and broad shoulders.

Another report tells of the time of the killing when a deputy was holding the witnesses for the officers to arrive. It is reported that the body was put in a shed with a guard to keep the dogs away, and the dance went on most of the time for the three days that intervened.

BUYS BOTTLING WORKS.

John O. Hauge has purchased the pop factory from Alfred Ostrom and will take over the active management within a short time. Since Mr. Ostrom came here from Williston, last April, he has worked up a good business and Mr. Hauge intends to keep him temporarily, at least, to assist in the manufacture of bottled goods. Mr. Ostrom is an experienced pop maker and the high quality of his products is attested by the big sale they have been having in the city. The factory will remain, at least for a year, at the present location, one door north of the new steam laundry.

MARRIAGE LICENSES.

Charles Immonen and Hilga Palo, both of Vandalia; D. J. Kliebe of Tango and Ella Combs of Opeheim.

WILL ORGANIZE FIRE COMPANY

Council Takes Up Matter and Appoints Dug Hall, Chief.

TO PURCHASE EQUIPMENT

Efficient Organization is Plan of Chief Who Sees the Way to Lower Insurance Rates.

Definite plans are now being made for the organization of a volunteer fire department for Glasgow.

At the meeting of the city council Wednesday night, a committee from the Commercial club appeared before that body and took up the matter of better fire protection and the proposition of getting a local organization that would in time tend to decrease the insurance rates of the city and give the property owners protection. The city fathers were in hearty accord with the suggestions offered, and after a discussion the mayor appointed Dug Hall to the position of chief of the Glasgow Volunteer Fire department. Mr. Hall was then called upon for a few remarks and he briefly outlined his plan for getting a fire fighting organization in Glasgow that would have no superior in the state. He related his experience with fire departments in other cities with which he has been associated for the last twenty years, and he showed conclusively where the city would be money ahead by maintaining and operating a well equipped, efficient fire department. Mr. Hall's remarks met with hearty approval by every member of the council and the new organization will have the support and backing of the city dads.

The plan as outlined by Chief Hall was that a permanent organization be affected, with about 20 members. The members will be selected by the chief and his assistants. Every member of the department will be paid for his attendance at fires and it is the plan of the chief that, as the department gets on its feet, that a relief association be formed to assist members who become injured in the performance of their duties or otherwise.

While the present fire equipment has proved adequate in previous fires, the new fire department will probably be given another truck and more hose and it will be up to the members to see that all the equipment is kept in first-class shape and ready in any emergency for an alarm. A fire barn will be rented or constructed, located centrally and the equipment will be kept there, looked after by members of the department.

The purchase of two chemical engines, a ladder truck and the necessary salvage equipment is being considered by the city council. Some of this material will be secured at once, but the rest will be procured as the department grows.

It is the plan of Chief Hall to make the department self sustaining, and extreme care will be exerted in selecting the members, so as to have an organization that will work well together and will be a credit to the city.

It will take some time to get the organization perfected, and it will require the support of every citizen of Glasgow to help the council and the department in the undertaking.

TELLS OF "WILD" WEST.

It's an old saying, "Go away from home to get the news." And to nothing or no place does it apply more strongly than to Montana. Herewith are the startling headlines on a two-column-wide article in the Republican of Birmingham, N. Y., of date February 12.

"On with the dance. Man shot by wife's admirer in Montana, but dancers won't stop, and authorities of two counties can't decide which has jurisdiction."

And here is the article from the Birmingham Republican:

"Whether Bret Harte wrote before his time or all that is wild and woolly is not confined to the movies; that's the conclusion to which Frederick W. Welsh has come after reading a letter from an old friend, Oscar J. Underwood of Hancock, who is well known in Birmingham. Underwood now lives in Malta, Montana, and here's the story substantially as he writes it:

"In the beautiful little village of Cow Creek, 40 miles from Malta, the proprietor of a boarding house was shot by an admirer of his wife at a town dance. They stopped the dance for a moment, carried the body out-

side and started dancing again.

"In the meantime the authorities of Blaine county swooped down upon the town hall, but refused to act on the ground that the hall was situated in Phillips county. Then came the sheriff of Phillips county, who arrested all of the 34 dancers and sent for surveyors to run the boundary line between the two counties and find out who was responsible.

"For four days and nights the surveyors worked. For four days and nights the dance continued. The sheriff danced with the woman over whom the murder had been done. The woman danced with the man who had killed her husband. A steer was killed and there was plenty to eat. Folks took turns at sleeping on the floor.

"In the meantime the fiddlers grew tired and the body of the murdered in an outhouse froze stiff. But everybody had a good time. At the end of the fourth day the surveyors announced that the hall was right square on top of the county line and that they didn't know where the murder happened.

"The Blaine County Leader printed this editorial comment: 'Neither Phillips nor Blaine county want a murder trial. The shooter doesn't want to be tried at all; and the shotee doesn't care a whoop about the matter. So why all the fuss?'

"Said the Malta Star of the funeral: 'The body of Bud Secrest, the victim of the shooting affair out on Cow Creek in Blaine county, was buried in the Malta cemetery Wednesday morning. There were no funeral services of any kind held, none of the relatives of the deceased being present.

Four men, under the direction of Coroner Tucker, took the body to the cemetery, where it was interred without further ceremony.'

And thus grows the fame of the Treasure state.

CIVIL SERVICE EXAMINATION.

The United States civil service commission announces that the male clerk-carrier examination announced to be held at Glasgow, Montana, on February 26, 1916, has been postponed to March 11, 1916, because of an insufficient number of applicants. The age limits are 19 to 45 years. Men only will be admitted to this examination.

The entrance salary for clerk or carrier, postoffice service, is \$800 per annum, with annual promotions up to \$1000 per annum, for efficient service.

Application blank and pamphlet of instructions may be secured from the local secretary, board of civil service examiners, at the Glasgow, Montana, postoffice, or from the secretary, Eleventh Civil Service District, 303 Postoffice Building, Seattle, Washington.

ASKING FOR BIDS.

The reclamation service is asking for proposals for earthwork and structures, Bowdoin canal, Milk river irrigation project, Montana. The work involves a bout 68,000 cubic yards of excavation, 390 cubic yards of reinforced concrete, 720 square yards of paving, the placing of 17,000 pounds of reinforced steel and the placing in wooden structures of about 60,000 feet B. M. of lumber. The work is located about seven miles east of Malta, near the Strater and Bowdoin stations on the Great Northern railway. The bids will be opened at the office of the United States reclamation service at Malta on March 15.

ATTORNEY LOCATES HERE.

G. A. McFarlane, an attorney from Portland, Oregon, has been in the city the past week and has decided to locate here. After visiting many cities in the western and northern part of the state, Mr. McFarlane decided that he thought that Glasgow had better prospects for growth and advancement than any city that he had visited and his decision to open an office here only came after careful investigation. He has rented an office in the First National Bank building and has wired for his office furniture and equipment.

BASEBALL BUGS MEET.

At the meeting of the baseball fans of the city, held in the Commercial club rooms Wednesday night, Chairman J. L. Truscott appointed J. P. McIntyre, Fred Fischl and T. J. Hocking as a committee to take up the matter of getting a manager and organizing a team for the coming season and submit their plans before the directors of the Commercial club at their next meeting.