

THE BEMIDJI DAILY PIONEER.

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BEMIDJI, MINNESOTA, SATURDAY EVENING, FEBRUARY 4, 1911.

TEN CENTS PER WEEK.

JUDGE'S ERROR MAY COST MINNESOTA \$900

Because McClenahan Held Two Days Illegal Term of Court Cass County Seeks Reimbursement.

HOSPITAL FOR INSANE PROPOSED

Boyle of Eveleth Fathers Bill Which Provides New Institution Ultimately Big Enough for 3,000

(By F. A. Wilson)
Bemidji Pioneer Legislative Bureau

St. Paul, Feb. 4.—Because Judge W. S. McClenahan made the most natural mistake in the world, Cass county, in the spring of 1909, held a two days' illegal term of court which cost \$900. Senator Gunn, in a bill introduced Friday, calls upon the state to refund the \$900.

Accompanying the Gunn bill is a "statement of fact" signed by Judge McClenahan, I. P. Byhre, auditor of Cass county, and Richard M. Funck, a Cass county attorney.

At the request of judges from this judicial district, the terms of court were changed by the legislature to be held the fourth Tuesdays in April and June. The bill passed the senate and the house and was signed by the governor. Quoting from the Gunn "statement of facts": Judge McClenahan, believing this bill involved little or no politics and having been advised by members of the legislature that the bill had passed, he issued an order for a call of the grand jury in the spring of 1909.

Court convened but on the second day newspapers containing the laws passed by the legislature were received by accident it was discovered that the law changing the date for holding court in Cass county did not contain the usual enacting clause,—"this act shall take effect and be in force from and after its passage," but that, instead, it should take effect July 1, 1909.

Judge McClenahan immediately adjourned court but despite the fact that only two days had been taken up, the cost of setting the mills of justice to grinding had amounted to \$450 a day or a total of \$900. This amount was paid by the county and the Gunn bill now asks that the state reimburse Cass county. The bill was referred to the judiciary committee.

A fourth state hospital for the insane—one large enough to care for 3,000 patients—is provided for in a bill introduced in the senate by Senator Boyle of Eveleth. The measure says: "There is hereby created and established a fourth hospital for the insane to be located at some point within the state not conveniently situated with respect to any of the present state hospitals for the insane." The board of control is authorized to obtain a suitable site of 640 acres and that when such a site is obtained the board shall come a "survey to be made of such part thereof as will be needed for buildings and other improvements necessary for the proper care of not to exceed 3,000 patients and the necessary officers and employees," and that building plans be prepared to properly house 500 patients. An appropriation of \$50,000 is made to cover the first expense and a report to the legislature of 1913 is provided.

The unique proposition by A. Kaiser of Bagley at the recent convention of the Northern Minnesota Development Association at Brainerd, that the raising of mink for commercial purposes be encouraged, has born fruit. Senator Cheadle has a bill in the senate making such an industry possible. The bill provides that any person may go into the business of raising mink "for the purpose of marketing its fur," by obtaining information from the state game and fish commission. The would-be mink raiser must give his name and address and describe the

premises on which he is to conduct the mink farm.

Public drinking cups are to be abolished if a bill in the senate by Senator Marden becomes a law, as it probably will. The measure prohibits the use of public cups in schools, hotels, restaurants, stores, shops, factories, office buildings or on railroad trains. Teachers, owners, and officials who permit a violation are made guilty of a misdemeanor.

The senate, in a committee of the whole, yesterday acted favorably on the D. P. O'Neil bill, which passed the house last week, which has for its purpose precautionary measures against forest fires by compelling master mechanics in round houses to inspect spark arresters before a locomotive leaves the round house. This means that the bill will become a law, although the final vote in the senate will not be taken until it is reached on the calendar.

The senate is slowly but surely crawling out of its shell. For the first time during the present session it is to meet on Monday, but not until 8 o'clock in the evening. Some of the sturdy senators even got the "bug" to work on Saturday but this was too much for the majority.

ANDERSON LOSES CASE

Action for Recovery of Money Lost While Gambling Denied.

In the municipal court yesterday afternoon before Judge Pendergast, George Anderson asked the court that he be returned an amount of about \$300 dollars which he alleges he lost recently while gambling in the saloon of E. E. Gerald's, 209 Third street, this city.

Judge Pendergast decided in favor of the defendant. This morning a warrant was sworn out against Gerald by Anderson for running a gambling house, and when arraigned before Judge Simons, court commissioner, this morning the case was continued until February 11 at 2 o'clock p. m.

METROPOLITAN CLUB MEETS

Proposed Consolidation With Commercial Club to be Discussed.

At the regular monthly meeting of the Metropolitan club which is to be held next Tuesday evening, in the club rooms, the matter of the proposed consolidation of the Bemidji Commercial Club and the Metropolitan Club will be fully discussed and decided.

The purpose of the consolidation, is to strengthen the membership of the Commercial Club and to give them a more suitable home for social and entertaining purposes.

It seems to be the general opinion of the members of the Metropolitan club that the proposition will be agreed to and that a favorable answer will be rendered to the Commercial Club.

Judge Simons Marries Couple.

Judge H. A. Simons last evening united in marriage Frank E. Peterson, of Minneapolis, and Sophia Howard, of this city. The couple left this morning for Minneapolis, where they will make their home.

The usual 6 o'clock dinner at the Rex Sunday.

When you feel rotten, take Tubbs Biliious Man's Friend, two teaspoonfuls to a dose for six doses, taken before meals. It drives the cold out of your system and starts you right, gets your liver working and your kidneys on the job again. 50c and \$1.00.

BEMIDJI QUINTET SWAMPS WALKER

Boys from Cass County are Outplayed in all Departments of Game—Score 49 to 0.

BAILY AND LARSON STAR.

Wearers of the Blue and White Have Improved Wonderfully Since Bagley Contest.

By defeating the Walker basket ball quint last evening the Bemidji five place themselves again in the running for the championship of northern Minnesota, as Walker has met and defeated two of the best fives in the part of the state, in Akeley and Deer River.

The game was played in the Armory and resulted in a 49 to 2 victory for the Bemidji team. Although the score seems to be very one-sided, the contest was in reality one of the best games played in Bemidji for some time, being entirely void of roughness, and being fast at all times.

The Walker boys who are fast were inclined to be rather lost in playing on the big Armory floor, they at times when gaining possession of the ball took it half the length of the field, only to lose it to a Bemidji guard before a throw for a basket could be made.

The team work of the Bemidji team showed marked improvement over that displayed in the Bagley contest of a week ago.

Captain Larson, captain and center of the Bemidji quint and "Rabbit" Baily, the Bemidji forward, were easily the stars of the contest, each securing nine field baskets, and following the ball all during the game.

Both of Walker's points were from fouls. Walker was represented by a splendid looking five of athletes, but they lacked team work, and claimed that the slippery floor had a lot to do with their poor showing.

Although the Bemidji boys played hard at all times during the contest, they were at no time pushed and did not play the game of which they seem capable.

The lineup of the teams last night was as follows: Bemidji—Captain Larson Center; Baily and Moritz, forwards and Spencer and Peck, guards. Walker: B. Oliver, center; E. E. Oliver and Bright, guards and Parks and Johnson, forwards.

Baskets: Larson 9, Baily 9, Spencer 2 and Moritz 4. Fouls, B. Oliver 1, Johnson 1, Larson 1, Peck 2, Spencer 1, Baily 1. Fouls thrown, Ben Oliver 2, Spencer 1. Scorer, Baily; timekeepers, Stewart and Heffron. Referee, Stanton. Umpire, Bright.

On next Saturday evening the Fosston high school basket ball team will play Bemidji here. As Fosston has defeated Bemidji on the Fosston floor this season Bemidji is determined to win this game.

Six o'clock dinner will be served at the Markham hotel tomorrow night. Masten's orchestra will play.

SHOW AT ARMORY TONIGHT

Cowboy and Indian To Be Given in Moving Pictures.

This evening in the Armory Theatre a moving picture show of the Frontier Celebration, held at Cheyenne, Wyoming, and reviewed and participated in by Colonel Roosevelt, will be given. These pictures are of the wild glories of the vanished western border.

Over 3,000 feet of the greatest motion picture in the world, showing "the West as it was."

HELD TO GRAND JURY

Judge Simons Holds that Rachui May Be Guilty of Crime.

Gust Rachui, was arraigned before Court Commissioner, this morning to answer to a charge of carnal knowledge with a girl under the age of consent.

After listening to the testimony Judge Simons held that in his opinion the defendant should be held to the grand jury and set his bond at \$1,000, which at this time Rachui has been unable to secure.

It is very probable that should Rachui secure the amount of the bond, that he would be again arrested on another charge.

DIVISION OF STATE BEING DISCUSSED

St. Paul, Feb. 4.—(Daily Pioneer Special Wire Service).—The division of the state of Minnesota along the line just south of Brainerd is being discussed by men from the northern part of the state, as the result of the apparent opposition to reappointment of the senate.

"If we do not get an unselfish re-appointment law, one based on the last census, a law providing for the taxation of state lands or schools, road and bridge purposes and other legislation we demand, the Northern Minnesota Development Association will at once take steps to divide the state, on the line just south of Brainerd," declared Francis J. McPartlin, county attorney of Koochiching county, International Falls, and a leading figure in the Development Association today.

"Then we will permit lower Minnesota to divide the \$20,000,000 school fund with us; we will take the state ore lands and its timber holdings, most of its great mineral resources remaining undeveloped, and we will let the senators and representatives of the southern agricultural district continue as mulish in the rejection of our demands as they wish to."

Mr. McPartlin, with about fifty members of the Northern Minnesota Development Association, has been lobbying for the measure desired by Northern Minnesota during the past three weeks. Many of them have been paying their own expenses, but the needs of Koochiching county are so imperative that the county commissioners are trying a way to legally pay Mr. McPartlin.

"This matter of state division is not a step made to coerce anyone, it is simply an understanding Northern Minnesota has reached as the only recourse it has in the event of the continued hostile attitude of the southern part of the state," added Mr. McPartlin.

BIBLE CONFERENCE IN JULY

Bemidji Churches Will Hold Meetings—Dr. Gaebelein to Speak.

At a meeting of the Bible Conference committee it was decided that the annual Bible Conference of this year should be held July 23 to 30.

This will be the seventh annual conference for this city.

S. E. P. White, pastor of the Presbyterian church announced this morning that he has secured the services of the most prominent bible conference speakers, including Dr. A. C. Gaebelein, editor of the "Our Hope," New York, and who was present at the conference last year; Dr. H. C. Swearingen, of St. Paul and Dr. George N. Lucecock of Oak Park, Ill. Dr. Lucecock has been present at all bible conferences ever held in Bemidji with the exception of the one last year, on account of his being in Europe.

Dinner at the Markham hotel Sunday evening. Masten's orchestra will play.

DES MOINES MEN FAVOR COMMISSION

Lucius Wilson Says, Was the Best Move City Ever Did for Welfare of All People.

BANK PRESIDENT LIKES PLAN.

Lecturer, Author and Economist, Who at First Opposed Form, Now Earnestly Advocates it.

At Des Moines where the commission form of municipal government has been in operation for some time, the business men all feel that the plan is a good one and that it has been a great thing for the city. The following quotations are from prominent Des Moines men:

Lucius Wilson, secretary greater Des Moines committee.—Greater Des Moines does things, but the best thing ever for welfare of all people was the adoption of the Commission Form of Government. No sensible man in the city of Des Moines wants to go back to the old system with its wasteful and unbusinesslike methods. The very future of the city depends upon keeping the Commission Form of Government.

—Lucius Wilson.

A. B. Elliot, furniture dealer and president of Capital City Bank.—As president of the East Des Moines Commercial League I am voicing the sentiment of every member of this body when I say that the Commission Form of Government in the City of Des Moines has proven an unqualified success. The people of this city are fully satisfied that the new system will eventually solve the municipal problem.

—A. B. Elliot.

C. H. Botsford, secretary Des Moines Commercial Club.—People may tell you that if the right men are elected to office any system will be a success. This in my judgment is not true. It is not so much a question of men as of system, as clearly demonstrated here in this city. At the adoption of the plan over two years ago, four men were elected who were former city officials, three of these being in office at the time of adoption of the plan. It was a matter of common comment that the services of the men under the new plan were of a higher standard of efficiency than that which characterized their work under the old system, when they were handicapped by cumbersome and antique methods.

We have not attained perfection by any means, but are satisfied with the progress made. Conditions as you will find them in Des Moines speak more eloquently than words.

—C. H. Botsford.

Paul Van Dyke, grocer and meat dealer.—I am pleased with the results obtained through the Commission Form of Government in Des Moines. We're certainly getting more for our money than ever before, and the wants of our people better supplied. We don't want to go back to the "spoils system."

—Paul Van Dyke.

A. J. Mathis, ex-mayor and a prominent real estate dealer.—I am glad to join testimony with the testimony of almost every citizen of Des Moines in their praise of the Commission Form of Government. After an experiment of active service as the first mayor under the new plan for a term of two years, I am more than ever convinced that it is a sensible and businesslike solution of the problems that confront every city. I am no longer an official, but cheerfully testify to the efficiency of the system and the excellence of the work of the present commission.

—A. J. Mathis.

Rev. Father J. F. Nugent, lecturer, author and economist.—I opposed the Commission Form of Government and during the campaign preceding the special election I spoke at a number of public meetings in opposition to its adoption, on the broad democratic ground that it would centralize power

in the hands of a few men. After an experience of over two years I am happy to say that my fears proved groundless. I am sure that the new system has been a success and I earnestly advocate its retention.

—J. F. Nugent.

D. D. MILLER OPENS OFFICE

Pronounced as Best Posted Insurance Man of His Years.

Dwight D. Miller, who has recently returned from St. Paul where he has spent a number of weeks in careful study regarding the finer points of insurance, under one of the oldest and ablest insurance men in the business, has opened temporary quarters in the Geo. T. Baker Jewelry store, 116 Third street.

During Mr. Miller's stay in the Twin Cities, he has gained a wide acquaintanceship among the insurance fraternity, and was pronounced by what is known "The Old Guard" as the best posted insurance man of his years.

Mr. Miller is but 26 years of age and has devoted the past six years of his life in the insurance business, having been connected with the T. J. Miller Company of this city for that length of time. His office will be known as the Dwight D. Miller Company and he will handle insurance in all its branches, representing twenty-four different kinds of insurance, which is perhaps the largest variety sold by one representative in the state.

To say that he will be successful in putting it mildly, as his ability to sell insurance places him in a class with few peers. His friends would not be satisfied to see him just merely "make good," but they want him to lead in the entire northwest in his line.

Sunday Sermons in Bemidji

Methodist.

Services at 10:45 and 7:30. Sunday school at 12. Epworth League 6:30. Topic: "A Winning Start." S. E. Lerlocker, leader. Prayer meeting, Thursday evening at the home of W. H. Schmitt, 1015 Minnesota avenue. Everybody welcome.

Chas. H. Fleisher, pastor.

Baptist.

Men's Bible class, 10. Morning service, 11. Subject: "The Essentiality of Christ's Death." Sunday School 12:15. B. Y. P. U. 7. Topic: "Why do you believe in Young People's Union?" Evening service, 8. Short address and Communion service. Strangers are always made welcome to our services. Come!

Episcopal.

There will be no service Sunday. Sunday school at 10:00.

Presbyterian.

Morning worship at 11. Third discourse on "The Bible the Word of God." Sunday school 12:15. Young People's prayer meeting 7. Evening Gospel Service 8 o'clock.

Scandinavian Lutheran.

There will be services in the morning at 10:30; Sunday school at noon and services in the evening at 8 o'clock. Both these services will be conducted by Emmissaries Gelan and Stennes of the so-called Bemidji district.

Announcement.

Believing it to be the desire of the majority of the banking public, and believing also that it is for the mutual interests of the merchants and business men and the Banks, that they remain closed except during the regular banking hours; the Northern National Bank and the Security State Bank wish to announce that they will not open for business Saturday evenings, unless it seems desirable to their customers whose interests they are always anxious to serve.

MACKENZIE TELLS WHY WON'T BE SECRETARY

Feels Services Have Not Been Fully Appreciated and Now Proposes to Attend to Private Business.

DECLARES DECISION ABSOLUTE

Also Calls Attention to Fact That Reports of Fair Association Are on File with Register of Deeds.

(By F. A. Wilson)
Bemidji Pioneer Legislative Bureau

St. Paul, Feb. 4.—W. R. Mackenzie positively refuses to continue as secretary of the Beltrami County Fair Association.

Mr. Mackenzie feels that his past labors have not always been appreciated as much as they should have been, but despite this fact, he might be persuaded to continue as secretary of the county fair, were it not for the fact that at the present time he is daily at the Capitol, working hard in the preparation of a reappointment bill, and his labor in connection with this vastly important measure to Northern Minnesota will keep him busy until late in the spring.

The public suggestion of Former Representative J. J. Opsahl, that an assistant be given Mr. Mackenzie, does not meet with the approval of the retiring secretary.

Mr. Mackenzie dictated the following statement:

"My decision to resign as Secretary of the Beltrami County Agricultural Association is irrevocable.

"When I return to Bemidji I shall attend strictly to my business, which I have neglected for matters of public concern.

"In reply to the Bemidji Sentinel's request that I publish a statement of my stewardship covering the County Fairs of 1908, 1909 and 1910, the Law of Minnesota exacts a sworn statement of the receipts and expenditures of all County Fairs and anyone interested in the Beltrami County Fair for these years can find these annual reports on record in the office of J. O. Harris, Register of Deeds, Beltrami County, signed by and sworn to by the President, Treasurer and Secretary of the Association.

"The aid given my work in these years by many of the business interests in Bemidji is deeply appreciated by me, but the support given to the Northern Minnesota Development Association, considering the good words which this organization has brought to Bemidji and Beltrami County, is very disappointing.

"There hasn't been a day of the past thirty days and possibly won't be in the next ninety days when my time won't be in part occupied by Beltrami County matters, and I still cheerfully give my time on this, but my time after returning home will be for my own business."

This leaves the question of a secretary of the fair association up to the association, itself, as there is no possibility of Mr. Mackenzie reconsidering his determination to relinquish the work which he has carried on with such pronounced success.

Fire Department Called Out.

At about 11:30 this morning a fire alarm was sent into the fire department headquarters to the effect that the house owned by Mrs. Jessie E. Clark, on Mississippi avenue on fire. At arriving at the scene of the supposed fire the firemen found that the fire was out, and that there had been only a small blaze, caused from an overheated stove pipe. It should be remembered that to cause the fire department a run costs the city of Bemidji from \$30 to \$40. The fire this morning is the third one during the past month to which the department has been unnecessarily called.

Eat your dinner at the Rex Sunday evening at 6 o'clock.