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Williston Graphic

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WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, THURSDAY, DECEMBER 11, 1913.

\$1.00 PER YEAR IN ADVANCE

TEACHERS' FUND LAW CRITICIZED

TEACHERS' INSURANCE FUND CONSIDERABLY CRITICIZED BY INSURANCE MEN

Fargo, Dec. 6.—The North Dakota teachers' insurance and retirement fund, which on Jan. 1, 1914, goes into effect, has been the subject of severe criticism in Fargo insurance circles and by people generally.

The new law provides that "in becoming a teacher in the public schools after Jan. 1, 1914, he or she shall be conclusively deemed to join the fund and to undertake and agree to pay such assessments, and to have such assessments deducted from his or her salary as herein provided."

The North Dakota law is largely copied after the law now in effect in Wisconsin where annual levies are made upon all public school teachers for the general state teachers' retirement fund. The assessment amounts to about \$15 per year. A teacher paying into the fund for about twenty-five years would have paid altogether \$375 and after retirement would be entitled to receive that amount the rest of his or her life.

"Swindling the teachers of the country by compelling them to contribute to unsound schemes which can only pay a fraction of their obligations," said a prominent Fargo insurance man in discussing the new law today, "appears to be quite the rule rather than the exception. In Wisconsin the teachers' pension scheme is so bad that a bill has been introduced requiring the teachers' retirement insurance peeling it altogether and distributing among the contributors entitled thereto."

"The reckless disregard of insurance principles exemplified in this state-forced scheme is remarkable. A teacher paying into the fund for twenty-five years at the rate of \$15 per year would have paid altogether \$375, and she would then be entitled to receive an annuity of that amount for the rest of her life."

"A statement prepared by the actuary of the Wisconsin state department showed that sixty-two annuitants paid an average of \$868.71 into the fund, of a total of \$22,860, and have received therefor annuities of \$375.84. In order to have the fund on a self-supporting basis they should pay as much as \$4,962.25 each."

"Thus the besetting vice of assessment pension schemes the rude principle of 'first come first served and the devil take the hindmost' is embodied in the Wisconsin scheme and that in an intensified form. The disproportion between contributions charged and benefits promised is enormous and goes beyond all records of even assessment insolvency."

"The money of young teachers is taken and placed at interest for the purpose of paying annuities to older teachers on their retirement, but when those young teachers become old there will be little or nothing left in the fund for them."

"Another point of seeing unfairness about this law is that many of the young teachers may marry long before they have served the required length of time and retire from active service, thereby being forced to contribute to a fund which they can never enjoy themselves but simply help to build up for the benefit of somebody else."

"By all means a state should either establish a sound pension scheme for its servants or none at all, is the advice of The Life Insurance Independent on this subject, and it is pretty sound advice, too. If the state kept its hands off the problem private agencies would handle it and handle it satisfactorily. Annuities at adequate rates in reliable companies would by judicious canvassing be purchased by many teachers, but the fact that the teachers are to be assessed for a pension fund under state auspices and presumably reliable, does not dispose them to seek proper protection elsewhere. It is rather a peculiar position for a state enlightened enough to sell insurance to its citizens and yet negligent of the duty of guaranteeing a proper superannuation scheme to its teachers."

HOSPITAL ENTERTAINMENT
The Wittenberg Hospital Auxiliary will give an entertainment and serve refreshments in the Library Hall on December 17th 1913. The program follows:

- Program
- 1. Opening address.....John Bruegger
- 2. Music.....Prof. Onstad
- 3. Hosp. Report.....Rev. Johansen
- 4. Reading.....Miss Peterson
- 5. Address.....Rev. Monson
- 6. Vocal Solo.....Miss Baldwin
- 7. Music.....Prof. Onstad
- 8. Reading.....Mrs. E. L. Carter
- 9. Address.....Fev. Shaw
- 10. Vocal Solo.....Mrs. Wall
- 11. Address.....G. B. Metzger
- 12. Music.....Prof. Onstad
- 13. Closing remarks.....Rev. Wall

EXCELLENT SKATING
The lovers of skating in Williston are having the time of their lives this fall. The ice on the large slough west of the city is the best in years and there is hardly an hour of the day but what some one is skating. Saturdays and Sundays hundreds enjoy this very pleasant and healthful sport. The rink on the Black block in Marmon addition has been flooded and many are enjoying the skating there.

CLEVE CULBERTSON GUILTY

MURDER IN FIRST DEGREE LIFE SENTENCE BY JURY

THE CASE WENT TO THE JURY AT THREE-FIVE IN THE AFTERNOON AND THE VERDICT WAS RETURNED AT NINE-FIVE, JUST SIX HOURS LATER. CULBERTSON SEEMED AS DIFFERENT OF THE SENTENCE AS HE HAD APPARENTLY BEEN OF THE ENTIRE TRIAL. HE WILL BE SENTENCED BY JUDGE FISK NEXT MONDAY.

THE JURY
Andrew Moline, Hans Hillestad, Halvor Bangs, Olaf Olson, J. T. Breen, James Walter Scott, H. V. Safford, Helmer Sundet, E. V. Coulter, C. E. Logan, A. J. Lambert.

JUDGE SMITH'S COURT
The records in Judge Smith's court for the past week show that one Ernest Carlson paid the customary fine and costs for indulging in the spirits that inebriates. Likewise John Thompson received a ten dollar fine and fifteen days, the fine being paid and sentence suspended on account of age and previous good conduct.

In the case of Robt. Wilson vs. Arthur W. Cascaden a verdict was given the complainant and the case carried to district court. Mary Frederickson, waitress at the Williston Hotel, had Bob Jean, chef, hailed before the court and substantiated her allegation that she had been unduly cussed and maltreated at the hands of Jean, and the Judge awarded her \$100 as a balm to soothe her lacerated feelings and charged the costs up to the defendant. The case was appealed.

JACK DUGAN SOME SCOUT

A TALE OF HOW THE UNDERSHERIFF BECAME FAMOUS OVER NIGHT

"Jack Dugan, the worthy Undersheriff of Peerless Sheridan county, succeeded in untangling the whereabouts of a certain thief that should almost warrant him a position with the Pinkerton or Burns detective agencies. About three weeks ago Jack received a notice from the mounted police of Canada that a reward of \$200 would be paid for information leading to the discovery of a man by the name of Walker, who had been working for C. H. Buck near Wilcox, Sask., and who on his departure stole a horse, buggy, harness and rifle. Mr. Dugan went quietly to work on the deal and after learning that the horse and buggy had been sold to a farmer living about ten miles north of this city, and later the rifle had been sold to L. G. Ziedler, one of our local hardware men, he continued on the path and in short time he found the man wanted was none other than Cleve Culbertson, who is being held at Williston on the charge of murdering the Dillon family near Ray, N. D., about a month ago."—Sheridan County News.

Yes, Dugan is some scout, all right. But it so happens that after Deputy Strom had notified the Canadian authorities that the man they were seeking was in custody here and had located the horse and buggy and rifle he met the worthy undersheriff of Peerless Sheridan in Plentywood and before he could convince him that the man wanted was safe in the Williams county jail he had to take him around to the hardware store and show him the rifle. Yes, Jack is some ferrit and no doubt a worthy member of the Boy Scouts of Peerless Sheridan.

FINE CLUB ROOM

Members of the Odd Fellows lodge in this city have decided to organize a club of members of the order, the club to be however separate entirely from the order, the only connection being the limiting of the members to members of the lodge. Arrangements have been made with the lodge for the use of the basement rooms and several of the boys are getting them cleaned up, painted, etc. The rooms are looking fine and will make the finest club rooms in the city.

GARDEN VALLEY CLUB

Farm Expert Hall was out in Garden Valley Monday evening where a farmers club was organized. The club will be known as the Garden Valley Farmers Club. The officers elected are O. C. Ekeberg, president; John Hamilton, vice president; Mrs. E. E. Ryal, secretary and treasurer. A club will be organized at Rose Hill school house at one o'clock on Saturday, December 13th.

CAUGHT HERE

The thirteen-year-old son of Geo. Kruse of Minot, packed his grip last Friday and started out to see the world, having purchased a ticket as far as Havre. He succeeded in eluding the parental vigilance at the depot at Minot, but a telegram put Lunceford on the job and when No. 1 arrived Frank hovered the "kiddie" under his wing until the father came to claim him.

BALDWIN CASE TO MINOT

Affidavits of prejudice against the Judge and the county were filed in the Chas. Baldwin case and it has been transferred to Minot for trial.

The first case taken up by the district court was that of Cleve Culbertson charged with the murder of the Dillon family on October 21st. They started getting the jury Monday afternoon at 2 o'clock and by 10 o'clock Tuesday morning the jury was complete and the first witness was called.

The testimony throughout the trial went to show the careful manner in which the officials had traced the defendant. They had almost a complete record of his actions from the time he left the Buck farm in Canada until arrested. They found he had been in Plentywood about October the 24th. He sold a rifle there and purchased a 32 Colts Automatic revolver and a box of shells. He hired out there to a farmer but only remained until the afternoon of the day following and left claiming that he was homesick. He was next seen near Crosby where he rode with a farmer, and from there he was traced down from farm to farm until 4 o'clock of the afternoon of the day of the shooting when he was seen going toward the Dillon place.

The defense in the case was insanity and in the arguments the attorney got up and talked about the shooting this man never moved. Later when everyone went out Culbertson hurried from the depot and went around behind the train and later was seen boarding the front end of number four. The states attorney claimed that all these actions tended to show that Culbertson realized what he had done and was in his right mind and planning his best to escape.

Attorney Spencer for the defense, made an able talk for the prisoner, claiming that while the evidence proved he was the guilty man it at the same time went to prove that there was absolutely no motive proven or shown for the shooting and that the prisoner's every action since then and during the trial went to prove that he was insane. Spencer's plea took up the time of the court until noon and at one-thirty the states attorney took up his closing address.

John Dillon was the first witness and he testified as to where he lived being eight miles north of Ray, and to his being a second cousin to Doc T. Dillon, the murdered man. He gave the location of the house and distance from the main road of the murdered man's house. He testified that on the 21st of October he had been at an auction sale

DILLON'S DYING STATEMENT

I, D. T. Dillon, believing that I am mortally wounded and near death, make the following dying declaration: That Cleve Culbertson who stood before me a few moments ago and whom I identified in the presence of friends and neighbors is the same person who shot me yesterday at about nine o'clock in the afternoon, Tuesday October 21st 1913. My first acquaintance with this man was about eight o'clock the day he shot me after my return from Emil Silks sale. He was at my home, remained in the house while I ate my supper, asked for work. I hired him for \$1.50 per day for a few days. After I ate my supper he went with me to the barn, as I thought to learn how I wanted the work done. I stepped into the oat bin ahead of this man, stooped down to pick up my cat pails—Instantly I heard shots, and I fell over. I know this man stood immediately back of me and within four or five feet of me when I was shot. I crawled out of the oat bin in the most excruciating pain trying to get to a stall and get on a horse but my legs were paralyzed and I was unable to get on a horse. I then crawled out of the barn and around to the other side of the barn under the most dreadful pain. I laid there till J. H. Drake came by and picked me up and took me to John Dillon's home. I know that this is the same man who shot me. Dated the 22nd day of October, 1913. D. T. DILLON

We the undersigned were present on the 22nd day of October 1913 when D. T. Dillon signed the foregoing dying declaration and in our presence and in his presence the same was read to him and he signed the same, and he said that the facts stated therein were true of his own knowledge. He also told us that he believed he was mortally wounded and that he would not recover, but would know fully what he was doing. Dated this 22nd day of October, 1913. Geo. H. Moelling, E. Distad, M. D., W. B. Scott, M. D., James Kilshaw, J. H. Drake.

ney for the defendant admitted that in his opinion Culbertson did the shooting but claimed that he was insane at the time and not responsible for his actions.

The testimony in the case was all in and the arguments taken up this morning. Attorney Burdick made a strong talk for conviction and as an argument against the plea of insanity mentioned how the defendant had acted after the shooting. How he went to Ray and registered at the hotel. How about twelve or twelve-thirty the news reached there and that everyone in the hotel where Culbertson had registered was excited but that Culbertson, who had only been in his room a few minutes did not show up. That after the crowd left the hotel he had come down stairs and no one being around had torn the leaf out of the register which bore his name and then had gone to the depot to wait for number four. He mentioned how, while there a number got talking about the shooting and how one man called attention to Culbertson who was lying on a bench with his hat over his eyes. How, while everyone else in the room

FOR PUBLIC ACCOUNTANT

An examination for the certificate of Public Accountant in North Dakota will be held at the State University in Grand Forks, N. D., on January 29, 1914. Applications for this examination should be made to the State Board of Accountancy, President Frank L. McVey, Chairman, University, N. D., and should be filed thirty days before the date of the examination.

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WILL ENFORCE LABELING LAW

STATE SEED COMMISSIONER GIVES THIS NOTICE REGARDING GRAIN SOLD FOR FEED

The North Dakota Pure Seed Law demands that: "Each and every package or lot of seeds, excepting only garden seeds in a packet or package of one pound or less whether in package or bulk, which is sold, offered or exposed for sale by any person, firm or corporation in the state of North Dakota shall be plainly, legibly and indelibly labeled in English on the exterior of the container with a written or printed label. Such label shall show:

- First. The commonly accepted name of the kind and variety of seed.
- Second. The full name and address of the person or persons, firm or corporation selling, offering or exposing the seeds for sale.
- In the case of mixed seeds the label should show the correct, common names of the kinds or varieties of seeds composing the mixture.
- Uncleaned seed sold as seed for sowing purposes must be labeled "Uncleaned seed" and must not be sold or delivered without the consent of the purchaser.

There has been a good deal of complaint this year that some of the persons who have sold seeds have neglected to comply with the law in respect to putting on the tag or label the name of the grain which is in the bag. As State Seed Commissioner I have aimed to give every person an opportunity to become acquainted with the requirements of the law in labeling the other matters which they have not been in the habit of carrying out previous to the enactment of the law.

There has, however, elapsed plenty of time for every one to become acquainted with this labeling feature. It is a necessary feature of proper seed inspection. It is necessary for the proper protection of both buyer and seller. Therefore, I ask that all parties, either buying or selling seeds, aid in enforcing this feature of the law.

The labeling requirements apply to all parties who sell seeds for sowing purposes and I will be glad to receive proper information regarding the neglect to carry out this necessary feature of the law. Let us put the seed business in North Dakota on a reliable, systematic basis. This year we shall attempt to rather rigidly enforce this clause of the law along with other features.

A copy of the law as amended and modified by the last legislature, will be sent to all parties interested. H. L. Zolle, Botanist and State Seed Commissioner. Agricultural College, P. O., N. Dak.

BIRTHDAY PARTY

A very pretty children's party was given at the home of Mrs. Powell Monday in honor of the eighth birthday of her son, Charles. About thirty of the little ones gathered at four o'clock when they were entertained with games and stories told by Mrs. Westergaard. The dining tables were decorated with a chimney center piece, from which Santa was just emerging. Red and green streamers extended to each place where a tiny toy was concealed in a snowball. Messrs Snyder, Dochterman and Westergaard and Misses Hildreth and McMillan assisted in serving the delicious lunch after which the children departed singing the "ah A very good time."

SHOOTING AT PLENTYWOOD

John Shaminski of Plentywood was shot there Saturday night and was brought here Sunday on a special and taken to the hospital. He was shot with a 32 caliber revolver and the bullet passed through the spinal column. The man died at eleven this morning. The party responsible for the shooting was arrested at Plentywood and placed in jail. He claims the gun went off accidentally.

THE VERDICT
State of North Dakota vs. Cleve Culbertson. We the Jury impanelled in the above entitled action find the defendant guilty of murder in the first degree and fix his punishment at imprisonment for life. H. V. Safford, foreman.

ORGANIZED CLUB

Supt. Schollander of the experimental farm and Farm Expert Hall, attended the meeting in the Palmer school house Tuesday evening and organized a farmers club. There was a fine large and enthusiastic crowd present and an organization was soon perfected. The club will be known as the Muddy Valley Farmers Club and they start out with about twenty members. The following officers were elected: W. H. Posey, president; Larkin Hart, vice president; John Fagen, secretary; Mrs. L. C. Hollar, treasurer.

The executive committee is composed of the following members: W. A. Palmer, C. O. Hanna and Mrs. Myrtle Jeffrey. The first meeting of the new organization will be held on December 29th beginning at ten o'clock in the morning and an excellent program is being prepared.

REARRIED ON CHRISTMAS DAY

MRS. JOHN A. JOHNSON, WIDOW OF LATE MINNESOTA GOVERNOR TO BE MARRIED

St. Paul, Minn., Dec. 6.—Mrs. John A. Johnson, widow of the late Governor Johnson, will be married to Christmas day to William Alley Smith of Pittsburgh, Pa. Mr. Smith, who has resided in Minneapolis the past two years, is manager of the Bonner's Ferry Lumber company. He will return to Pittsburgh after January 1, where Mr. and Mrs. Smith will make their home. The wedding will take place in the evening at the home of Mr. and Mrs. George F. Van Slyck, Summit avenue, intimate friends of Mrs. Johnson. Mr. Smith and his bride will remain in St. Paul until the first of the year.

BELL-PERRY WEDDING

One of the prettiest events of the season took place on Sunday afternoon at 2:30 o'clock, December 7, at the home of Mr. and Mrs. Perry, 4th Avenue West, when their only daughter, Marie Margaret, was united in marriage to Arlie Edward Bell, Rev. E. Lewis Wall of the Methodist Episcopal church was the officiating clergyman—using the ring service. After the ceremony the guests were invited to the dining hall where they indulged in a most delectable repast. The couple was attended by Tom Howard and Miss Katherine Schumacher. The bride was elegantly gowned in white silk. Mr. and Mrs. Bell left Sunday evening for his farm one mile out from the city where their home was in readiness for them. The young people are deservedly popular in this city.

THOSE PRESENT WERE:—

Mr. and Mrs. Perry, parents of the bride, Mrs. Bell, mother of the groom, Mrs. Perry's mother, Tom Howard, Katherine Schumacher, Mrs. E. Lewis Wall, and Master Ralph Perry.

SCADS OF MONEY—NIT

About the busiest thing in the world is an idle rumor. One day last week it was reported that A. C. Miller, the East Fork farmer, rancher and coal miner, was seen to pick up some money in front of the Williston postoffice. The next day it was two five-dollar bills, and a couple of days afterwards it was "a big roll"—enough to choke an ox. A reporter for the Graphic undertook to run the rumor down but before he had gone five blocks Gus' roll had grown so large that it took a four-horse team to haul it out to the mine, where he is supposed to have it planted. We met Miller in town yesterday and ventured to inquire what he was going to do with his recently acquired wealth, and this is what he handed us: "Part of it I'm going to use to build a rest-room for imaginations that work overtime and with the balance I'll erect an insane asylum for people who ask fool questions."

DEATH FROM APPENDICITIS

Henry Jorgenson, the little 14-year old boy of Eden Jorgenson of Marmon died at the city hospital Wednesday morning from appendicitis. The little boy was taken down with an attack Friday and the doctor was not called until Monday when he found that the appendix was ruptured. The father was sent for and an operation performed as soon as possible but the boy was too far gone and passed away.

OYSTER SUPPER AND SALE

Oyster supper and sale at Hauges Lutheran church, 4th Street and 4th Ave. West, Friday the 12th. The supper will be served from 5 p. m. until the sale of the Ladies' Aid society articles which begins at 8 p. m. The price of supper will be adults 35 cents, children 20 cents. Come and bring your friends.

THE PARIS CANDY KITCHEN WANTS STRICTLY FRESH EGGS. BRING THEM IN. ADV. 23.

On the last page of this issue will be found the particulars of the greatest voting contest ever held in North Dakota. Over \$6,000.00 in prizes given.