

**THE WARD CO. INDEPENDENT**

PUBLISHED EVERY WEDNESDAY.  
**TRUAX & COLCORD.**  
 C. F. TRUAX, PUBLISHER.  
 G. D. COLCORD, EDITOR.

ENTERED JUNE 18, 1902, AS SECOND-CLASS MATTER, POST-OFFICE, MINOT, N. D., ACT OF CONGRESS OF MARCH 3, 1879.

The Official Paper for the City of Minot, and the Tax List for Ward County.

Wednesday, Sept. 2.

The following changes were made by the State Board of Equalization on personal property in Ward county.

	Reduced	Raised
1 y'r old horses	33 per ct.	
2 " " "	12 per ct.	
3 " " "	6 per ct.	
Stallions	111 per ct.	
1 y'r old cattle	3 per ct.	
2 " " "	9 per ct.	
Cows	2 per ct.	
All other cattle	1 per ct.	
1 y'r old mules	25 per ct.	
2 " " "	9 per ct.	
3 " " "	7 per ct.	
Sheep	7 per ct.	
Swine	2 per ct.	
Pianos	35 per ct.	
Separators	25 per ct.	
Engines	10 per ct.	

Dr. Crokat, the health officer, recently had printed a large number of burial permits, which must be filled out by the local physician in attendance or the corner, who must file it with the health officer after the burial of the body. The law has been in effect for sometime regarding the filling out of the burial permits, but it has not been lived up to closely in the state. It is believed that Dr. Crokat is responsible for having the first burial permits issued in the state.

**FLORA J. FROST  
 LOSES HER CASE.**

Judge Lauder Decides That it is Necessary for More than a Mental Operation for One to Establish a Residence—Says Bickford is not Elected However.

Judge Lauder has decided the case against Miss Flora J. Frost in which G. L. Bickford contested her election to the office of Superintendent of Schools of Ward county. The judge gives for his reason, that from the evidence given in the trial, Miss Frost was not a resident of the state of North Dakota for a period of one year prior to her election. Miss Frost received a majority of all the legal votes cast, 1604 while Bickford received only 1274. In this action, no action was taken as to the legality of the election, or the legality of any votes cast. Judge Lauder contends that every person has in law a residence. In determining the place of residence the following rules are to be observed: It is the place where one remains when not called elsewhere for labor or other special or temporary purposes, and to which he returns in seasons of repose. There can be only one residence.

In giving his decision, the judge reviewed her life in North Dakota. He thought that she came here not to make this her permanent home, but to gain a title to 160 acres of land and then return to Jackson county, Minn. In Aug. 1901 she filed on a claim but did nothing to establish her residence thereon. In October of the same year she caused to be built on the claim a small shack and in December with a party of friends drove out from Minot and slept in it one night, returning to Minnesota soon afterwards. In May she again returned and had 12 acres broken and a small garden put in. She went to Washington and filed on a timber claim, visiting San Francisco before returning. In the fall of 1901 she entered into contract to teach school for eight months in Jackson county, Minn., and that on September 4, 1902, she again returned into a contract to teach for nine months in Alpha, Minn. In January, 1902, she made final proof on her claim. She voted at the general election in Ward county and testified that when she selected her homestead she considered it her home. The Judge considers that she had not been a resident of Ward county but of Jackson county Minn. He says, "Residence requires something more than mere mental operation. To establish a home requires affirmative acts as well as purpose and intention." The Judge considers that the time she spent in Minot had nothing to do with the question of her residence. There is nothing to show that while she was

here, she was nothing more than a guest at a hotel. The fact that she made proof on her claim is not conclusive on the question of residence.

A residence cannot be lost until another is gained.

A residence can be changed only by the union of act and intent.

The Judge clearly stated that in his opinion, the fact that Miss Frost was not a resident of the state, had nothing to whatever with Bickford's holding the office. The question as to whether the contestant, being the present incumbent of that office, is entitled as a matter of law to continue in the office until a successor eligible to the office is elected and qualified, is not determined and cannot be determined in this action.

The case will be carried to the Supreme court.

**Geo. E. Hutchinson Married.**

Geo. E. Hutchinson and Miss Agnes O'Connell were married at the home of the bride's parents in Minneapolis, Wednesday Sept. 2, at 8 p. m. Rev. Father Cleary officiated. There were decorations profuse of bride's roses, palms and golden rods.

The bride was beautifully dressed in white silk with lace trimming. Mrs. F. C. Batchelder the bride's sister, and Lynden Pierce Green of Minneapolis were the attendants. The bride was given away by her brother. About forty guests were present, those from out of town being Mr. and Mrs. F. C. Batchelder, of Newark, O., Mr. and Mrs. F. W. Galloway, of Spokane, Wash., Mr. and Mrs. Henry Greenblatt, of Oshkosh, Wis. The wedding supper was served by Schlenker. The groom has been a resident of Minot nearly two years during which time he has been a trusted employe of the Northwestern Telephone Co., having the management of the business here. He possesses far more than the ordinary capabilities. The bride is a lovely young woman who spent several months this year in Minot. Both have hundreds of friends here who join the Independent in bestowing upon the couple a profusion of good wishes.

**\$20 for Timber Wolves.**

The County Commissioners, John Wallin, A. V. Swanson, Samuel Richardson, Carl Torben-son and Wm. Black are in session this week. They met Monday. In the forenoon the question of raising the bounty for timber or buffalo wolves was brought up. The bounty was raised from fifteen to twenty dollars, the limit. It was necessary to do this as many of the ranchers have suffered great losses by the wolves in the western part of the county of late. One stockman reports a loss of about \$500. The wolves kill the calves and cause a stampede among the other cattle. Should the winter be a hard one, the wolves are even likely to attack human beings.

**Carpio Editor Married.**

Geo. Jacobson, editor of the Carpio News, was united in marriage at McKinney, Sunday, Aug. 30, to Miss Hattie B. Parkhill, one of the most popular young ladies in that part of the county. Rev. Hynes officiated. The bride for two years was principal of the school at Fairmount, N. D., and taught for some time at Carpio. Mr. Jacobson for nearly two years has resided at Carpio and has affiliated himself with the best interests of that thriving place. The Independent extends congratulations to Mr. and Mrs. Jacobson.

**Wanted Taxes Lowered.**

Jens Peterson from Bowbells appeared before the County Commissioners Monday and asked that the basis of his taxation, \$5000 be reduced. Peterson is on the board of equalization at Bowbells and assessed himself \$600. The commissioners at their last meeting raised this to \$5000 or about 60 per cent of the value of the stock. Peterson certainly was trying to take an advantage which he had no right to take.

**Harvest Carnival at Glenburn.**

A harvest carnival will take place at Glenburn next Saturday September 5. It will consist of ball games, horse racing and foot racing. There will be athletic contests of various kinds, purses to be given. A ball game will take place between Mohall and Glenburn. The entertainment will begin at 1 o'clock sharp.

**NOTICE FOR PUBLICATION.**

Land Office at Minot, N. D., Aug. 27, 1903.  
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the register and receiver at Minot, N. D., on Oct. 10, 1903, viz:  
 Des Lacs, N. D., H. E. No. 1500, for the sec. 4, tp. 154, r. 85.  
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:  
 Elisha S. Watterman, James Richeson, Franklin Davis, Martinus O. Larson, all of Des Lacs, N. D.  
 R. C. SANBORN, Register.  
 J. N. Murray, Attorney.

Department of the Interior, U. S. Land Office, Minot, N. D., Notice for publication Isolated Tract. Public land sale.  
 Notice is hereby given that in pursuance of instructions from the Commissioner of the General Land Office, under authority vested in him by section 2455, U. S. Rev. Stat., as amended by act of congress approved February 28, 1895, we will proceed to offer at public sale on the 17th day of September 1903 next, at this office the following tract of land, to-wit: Land, 2 in section one, township 154, north of range 84 west of the 5th Principal Meridian.  
 Any and all persons claiming adversely the above described lands are advised to file their claims in this office on or before the day above designated for the commencement of said sale, otherwise their rights will be forfeited.  
 Dated Aug. 5, 1903.  
 R. C. SANBORN, Register.  
 T. E. Fox Receiver.

**NOTICE FOR PUBLICATION.**

Land Office at Minot, N. D., Aug. 29, 1903.  
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver U. S. Land Office at Minot, N. D., on Oct. 10, 1903, viz:  
 William E. Peterson,  
 H. E. No. 10621, for the ne 1/4, sec. 29, tp. 157, r. 81.  
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:  
 Francis M. Watson, Erik K. Sagen, Ole Evensen, Perry L. Cline, all of Peebler, North Dakota.

R. C. SANBORN, Register.  
 C. A. Johnson Atty. Minot, N. D. 9-2 10-7

**CONTEST NOTICE**

Department of the Interior, U. S. Land Office, Minot, N. D., August 28, 1903.  
 A sufficient contest affidavit having been filed in this office by John Granly, contestant, against Homestead entry No. 14002, made June 1, 1892, for ne 1/4 and sec. 25, tp. 82, r. 82, by Claude E. Roberts, contestee, in which it is alleged that said claimant has wholly abandoned said tract and for a period of more than six months just prior to the filing of this contest against the said land and the fact is he never did reside upon the said land and never did make any valuable improvements thereon, and that said alleged absence from the said land was not due to his employment in the army, navy or marine corps of the United States as a private soldier, officer, seaman or marine during the war with Spain or during any other war in which the United States may be engaged, and said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on Oct. 21, 1903, before the Register and Receiver at the United States Land Office in Minot, N. D. The said contestant having, in a proper affidavit, filed Aug. 21, 1903, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered that such notice be given by due and proper publication.  
 R. C. SANBORN, Register.  
 James Johnson, Atty for plaintiff. 9-2 10-7

**CONTEST NOTICE**

Department of the Interior, United States Land Office, Minot, N. Dak., August 28, 1903.  
 A sufficient contest affidavit having been filed in this office by Guy Henderson, contestant, against Homestead entry No. 16807, made July 9, 1892, for sec. 20, tp. 124, r. 81, by Leon Batuk, contestee, in which it is alleged that said claimant has wholly abandoned said tract of land for a period of more than six months just prior to the filing of this contest against the said land and the fact is he never did reside upon the said land, and never did make any valuable improvements thereon, and that said alleged absence was not due to military service in the army, navy or marine corps of the United States as a private soldier, officer, seaman or marine, during the war with Spain, or during any other war in which the United States may be engaged.  
 Said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on October 21, 1903, before the Register and Receiver at the United States Land Office in Minot, N. Dak.  
 The said contestant having, in a proper affidavit, filed July 2, 1903, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.  
 R. C. SANBORN, Register.  
 James Johnson Atty. for plaintiff, Minot, N. D.

**Contest Notice.**

Department of the Interior, U. S. Land Office, Minot, N. D., Aug. 27, 1903.  
 A sufficient contest affidavit having been filed in this office by John Brady, contestant, against Homestead entry No. 14002, made June 1, 1892, for ne 1/4, sec. 13, tp. 157, r. 82, by Paul Wolf, contestee, in which it is alleged that said claimant is holding the said land for speculation contrary to the homestead laws of the U. S., that there are no improvements upon the said land, except one small shack without any furniture of any kind, except a cot covered with hay, and no blankets or bedding, that there is no further improvements upon the said land except about one tenth of an acre broke, and that he, the said claimant, never did establish his actual residence upon the said land and that he has abandoned said tract of land and that said absence from the said land was not due to his employment in the army, navy or marine corps of the U. S., as a private soldier, officer, seaman or marine, during the war with Spain or during any other war in which the U. S. may be engaged, and said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on Oct. 21, 1903, before the Register and Receiver at the United States Land Office in Minot, N. D.  
 The said contestant having, in a proper affidavit, filed July 2, 1903, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.  
 R. C. SANBORN, Register.  
 James Johnson Atty. for plaintiff, Minot, N. D.

**CONTEST NOTICE**

Department of the Interior, U. S. Land Office, Minot, N. D., Aug. 25, 1903.  
 A sufficient contest affidavit having been filed in this office by Emory Horner, contestant, against Homestead entry No. 4411, made April 5, 1900, for the northwest quarter of section 20, township 154, Range 84, by Nellie Miller Condon, contestee, in which it is alleged that said entryman has wholly abandoned said land for a period of more than six months last past; and that she has never established her residence thereon nor improved or cultivated said tract according to the homestead laws and that said alleged absence was not due to her employment in the army, navy or marine corps of the United States as a private soldier, officer, seaman or marine, during the war with Spain or during any other in which the United States may be engaged.  
 Said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on October 19, 1903, before the Register and Receiver at the United States Land Office in Minot, North Dakota.  
 The said contestant having, in a proper affidavit, filed Aug. 25th, 1903, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.  
 R. C. SANBORN, Register.  
 Bird Sutton & Beede. 9-2 10-7

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