

THE INDEPENDENT HAS THE LARGEST CIRCULATION OF ANY WEEKLY PAPER IN THE STATE.

Vol 13; No. 33.

Minot, Ward County, North Dakota, Thursday, December 3, 1914.

Subscription \$1 Per Annum

HABEAS CORPUS PROCEEDINGS ON

NELSON'S ATTORNEY WILL APPLY FOR WRIT IN UNITED STATES DISTRICT COURT.

Bismarck, N. D., Nov. 28.—F. O. Hellstrom of this city, retained as attorney by George L. Nelson, the Fargo journalist who was sentenced to serve ten days in the Burleigh county jail, charged with being in contempt of the supreme court, leaves for Fargo this morning for the purpose of filing application for a writ of habeas corpus.

The application will be made before Judge Charles F. Amidon in the United States district court at Fargo, at ten o'clock Monday morning. Nelson was sentenced by the supreme court last Monday, and at the time his attorneys are applying for a writ he will have served one week of his sentence.

"The serving of ten days in jail is no more punishment, of course, than just the mere formality of being sentenced to that confinement. But vindication before the courts will take away the sting of the punishment. We hold that the supreme court had no jurisdiction in that case."

These were the statements made by Mr. Hellstrom last night.

H. W. Montgomery Bereft of Father.

H. W. Montgomery, manager of the Minot Insurance Agency, was called to Davenport, Ia., by the sudden death of his father, F. F. Montgomery, a prominent salesman for a Chicago house. It is understood that death was due to heart disease. Many of this city remember Mr. Montgomery well, as he often visited Minot, and will sincerely regret his death. Mr. Montgomery lived in Chicago for years.

WARD COUNTY BOYS GROW FINE CORN

HARRY GRAY OF KENMARE HEADS THE LIST WITH YIELD OF 56.6 BUSHELS OF NICE DRY MATURE WHITE FLINT CORN—HARTLAND BOY SECOND.

A hundred and fifty Ward county boys entered the corn growing contest under the supervision of W. A. Peck, Ward County's Agricultural Agent, last spring and more than thirty finished with yields of from in the neighborhood of thirty to fifty-six bushels. The boys planted and tended the corn themselves and in most instances got better results than their "daddies" themselves.

Mr. Peck visited the various fields and did much of the husking and weighing himself, personally supervising all the work, so that his statement of yields is not exaggerated in the least. When the boys turned stock into the corn, or where it had been otherwise damaged, cut for fodder, or where the yields were apparently low, the fields were not judged.

The boys have secured an immense lot of good seed, which they can sell at a high figure.

Much of the corn will be shown in Minot during the Mid-winter fair. The boys will in addition to receiving prizes during the fair, have an opportunity to compete in the state corn contest, Mr. Peck having sent the list to Thomas Cooper, who is at the head of the Better Farming work in the state.

Next year the boys will grow pure seed wheat on the corn land, following the plan of rotation as laid down by Mr. Peck.

- The list of the yields follows: Harry Grey, Kenmare, white flint, 56.6 bu. Clarence Norgard, Hartland, yellow flint, 48.6 bu. Talmer Erickson, Carpio, yellow flint, 47.7 bu. E. D. and Paul Pingrey, Kenmare, yellow flint, 47 bu. Gilbert Oen, Minot, Minnesota 13, 45.4 bu. Tommy Etter, Lonetree, N. W. Dent, 42.6 bu. John Brand, Logan, Minnesota 13, 41.25 bu. Jacob Frank, Surrey, N. W. Dent, 40.4 bu. Bert Waldref, Logan, N. W. Dent, 38.1 bu. Geo. Forbes, Logan, N. W. Dent, 37.7 bu. Douglas Beighle, Sawyer, N. W. Dent, 37.5 bu. John G. Bradley, Minot, N. W. Dent, 37 bu. Bennie Brand, Logan, N. W. Dent, 36.6 bu. Stanley Zook, Minot, N. W. Dent, 35.6 bu. John Frank, Surrey, N. W. Dent, 35.5 bu. Eldo Renicher, Norwich, N. W. Dent, 34.7 bu. Raymond Stake, Surrey, 34.2 bu. Otto Lochthowe, Minot, N. W. Dent, 32.4 bu. Leonard Trudell, Deering, N. W. Dent, 31.3 bu. Guy Johnson, Kenmare, N. W. Dent, 31.3 bu. Dalton Engberg, Kenmare, N. W. Dent, 30.8 bu.

FRANK LAGERVALL, KENMARE, N. W. DENT, 30 BU. MARTIN LAZARUS, BURLINGTON, N. W. DENT, 30 BU. JOHN LINBAUGH, BERTHOLD, N. W. DENT, 30 BU. WM. AND GUST KAUFER, KENMARE, N. W. DENT, 26.6 BU. ROY CHRISTIANSON, KENMARE, N. W. DENT, 26.3 BU. DON J. CINNINGER, DONNYBROOK, WHITE FLINT, 22.2 BU.

Dr. Moeller May Be Pardoned.

The case of Dr. Thor. Moeller, who has spent three years of a ten year sentence in the penitentiary for manslaughter in connection with the death of Gina Lien, will be heard soon by the board of pardons. There are many who feel that the doctor has been punished enough. He has been of valuable help to the institution as he has been in charge of the prison hospital, doing excellent work. Upon his release, it is possible that he will again practice in Minot.

Strolling Along.

The Strolling Players, three very capable musicians, gave a good entertainment at the Roller skating rink Saturday night. They are the young men who started out from Vancouver, May 14, without money, to earn their way across the continent, and they are walking from town to town. One of their requirements was not to sleep in a bed, but they lay down the bars in North Dakota in the winter time. Mr. Blackburn, late of the Rosican Opera Co., is said to have one of the deepest bass voices on the American continent.

Tallest newspaper man in the State.

"Bill" Holbein of Lansford and Chas. Lano, of Mohall, were in the city Tuesday conferring with the railroad commissioners relative to the proposed change for the mixed service. "We might get along with a mixed train," they said, "but we expect a great many people from the east out in the spring and we don't like the idea of hauling them up the branch behind cattle and hog cars."

Mr. Lano is publisher of the Mohall News-Tribune and we believe we have discovered the tallest member of the newspaper fraternity in the state. He stands six feet four in his "sock" feet and Bro. Holbein looks like a mere child at his side. Mr. Lano has promised to put in his appearance at the winter press meeting at Fargo Jan. 8 and 9.

McDonald Praises Drady School.

N. C. Macdonald, consolidated school inspector for the state, visited the Drady consolidated school Wednesday, accompanied by Deputy County Supt. Wm. Wendt. "I gave a talk at Drady more than a year ago on consolidation and I was especially pleased to go back and find the plan working so well," Mr. Macdonald said to an Independent representative.

"I found 63 pupils enrolled and two of the old school houses have been moved together and the work in the grades is being carried on nicely. Next year a high school course will be installed. Some day a good building will be erected but I am glad to see the Drady people wait until they feel able to bear the expense."

Faulty Information.

The case against Chas. Dansby, colored, charged with bootlegging, was dismissed in district court, owing to the faulty construction of the information. The evidence showed that the liquor was sold on a lot instead of on the street.

HOLLY SHEPARD ANSWERS CALL

FAMOUS MINSTREL WHO APPEARED IN MINOT THREE TIMES WITH LOCAL ELKS, DIED SUDDENLY AT BAY CITY, MICH.

Holly Shepard, the famous minstrel man, who has put on three Elks minstrel entertainments in Minot, died suddenly at his home at Bay City, Mich., Friday, from heart failure. Mr. Shepard had been ill for some time.

Mr. Shepard appeared in Minot during the past three years. He was one of the best known minstrel men in the country and while here made a host of friends, who sincerely regret to learn of his demise.

Mr. Shepard was 47 years of age and leaves a wife, also well known here, to mourn.

Lycium Giving Good Attractions.

The Lycium Theatre, under the new management of L. E. Richardson, is forging right to the front and good houses enjoy the shows each evening. The pictures now given are the highest class and it is surprising what a really good entertainment one can enjoy for ten and fifteen cents. The Lycium maintains an excellent four-piece orchestra under the direction of C. W. Baker.

Rapist Convicted.

Elbert Baker, aged 18 years, charged with a statutory offense against the 14-year-old daughter of Mrs. Ivy Milotte, was convicted in district court before Judge Leighton. Baker's sentence has not been pronounced.

POWERS LAKE WANTS DAILY SERVICE

EDITOR GEE AND BANKER LEDENE APPEAR BEFORE THE RAILROAD COMMISSION—THE BANNER WHEAT SECTION OF THE STATE.

Geo. B. Gee, publisher of the Powers Lake Echo, and M. N. Ledene, vice president of the First State Bank, visited Minot Tuesday and appeared before the board of railroad commissioners in an effort to get that body to order the G. N. to install a daily train service instead of three times a week as it now is. Unlike the gentlemen from up the Sherwood branch, they are not asking for exclusive passenger service. They are glad to get any old kind, just so that they can get in and out of their town daily. To reach Minot Tuesday, they were compelled to drive to Stanley by auto.

Mr. Gee publishes a breezy paper and now that electricity is being installed in his town, is figuring on dispensing with his gasoline engine and installing motors for the presses.

Mr. Gee is doing well at Powers Lake. The farmers are all prospering in the part of the state, the average wheat crop this year being 24 bushels, he says. He tells of one farmer, Sam Enget, who bought a farm for \$1500, all on time, and breaking up 53 acres, sowed it to wheat. The proceeds this year paid for the farm and the interest.

Not as Young as He Used to Be.

"You can't tell me that a man past thirty-five can dance the Tango, the Turkey-trot and the Fox-trot until three in the morning and then feel like a fighting rooster," Atty. J. J. Coyle explained the next morning after the Thanksgiving ball, as he limped painfully down the street.

WM. FISCHBACH MEETS DEATH AT VOLTAIRE

WELL KNOWN MAIL CARRIER FELL FROM LOAD OF COAL AND WAS CRUSHED TO DEATH.

William Fischbach, aged 27 years, a prominent Voltaire mail carrier and extensive young farmer, met with a horrible death at the Joe Strong coal mine south of Velsa about noon Tuesday.

Mr. Fischbach had gone to the mine for a load of coal in company with his hired man, and was just preparing to start for home. He drove four horses, and taking the lines in his right hand, climbed up onto the double trees, to get onto the load, when the horses started down an incline. He grabbed for a support with his left hand, but managed to clutch only a blanket and fell beneath the wagon, which was loaded with fully three tons of coal. One of the wheels passed across his right hip and across his chest, crushing him horribly. He lived for just twenty minutes and was conscious until the last moment, bidding good-bye to his hired man and to Mr. Strong.

The body was taken to Velsa and Wednesday, the two brothers, Morris and Harry, prominent young farmers of that vicinity, brot the remains to this city where they are now resting in the Van Fleet undertaking parlors. Just where the interment will take place is not known at this writing. The parents, Mr. and Mrs. Samuel Fischbach of Spokane, Wash., will arrive in the city today when funeral arrangements will be made.

The deceased had lived at Voltaire since 1909, and was regarded very highly by all who knew him. He leaves to his wife, his death beside his father and mother, two brothers, Morris and Harry of Voltaire, and two brothers, Max and Robert, and four sisters, Elizabeth, Ethel and Sarah, all of Spokane, and Mrs. Lena Miller of Portland.

The young man had visited Minot the day before his death, and little did his friends dream that they were to see him for the last time.

Pipe Organ Recital Pleasued.

The pipe organ recital at the Presbyterian church Friday night was attended by a very large crowd. A. M. Stuey of Fargo, proved himself an organizer of unusual ability.

The large chorus under the leadership of Major E. S. Person made a great hit.

S. A. Burns on Trial for His Life.

S. A. Burns, charged with the murder of Henry Sexse, a McKenzie county homesteader, is being tried this week in district court in Minot. He has for his defense, D. C. Greenleaf of this city and Atty. Craven of Williston. State's Attorney C. C. Converse of Williston is prosecuting the case, which appears rather gloomy for Burns.

It is said that after the disappearance of Sexse, Burns produced a forged deed to Sexse's property and claimed the same. It is said that he pawned Sexse's watch with a Mondak, Mont., saloonkeeper.

SECOND LANSFORD MURDERER GETS LIFE

MILLER IS FOUND GUILTY OF KILLING H. M. SEISL WITH A BIG ROCK—COMPANION MUST HANG IN SIX MONTHS.

Bottineau, N. D., Oct. 30.—John Miller, the companion in crime of Joe Milo, was given a life sentence by the jury, after that body had deliberated two hours over the case. The verdict was brought in today. Milo was recently sentenced to die by hanging for the murder of J. N. Karst of Breckenridge, Minn., by stoning him to death at Lansford, Bottineau county. Miller was convicted of killing H. M. Seisl, Karst's companion, in the robbery of the two men near Lansford.

Trial Took a Week.

The trial of John Miller, whose alias is Janko Kuzata, consumed a week; over thirty witnesses being heard. Joe Milo, his pal, and the confessed murderer of Karst, the victim from Breckenridge, testified that Miller killed Seisl, their other victim. Miller on the stand denied Milo's story, though Milo's story of the affair was badly shot to pieces by the state.

Both Bad Characters.

The jury gave Miller the benefit of the doubt and after two hours gave him a life sentence. They are both tough characters and with the noise already about Milo's neck, he curses and swears continuously and seems entirely indifferent to his fate. After he was given the death sentence he swore that he would see that Miller got the same dose because Miller peached when captured at Fargo and besides he had refused to split the money which was taken from the victims.

The men will soon be taken to Bismarck. Milo must hang within six months and Miller will be set to making twine.

SPECIAL AND STAMP TAXES IN EFFECT

GENERAL PUBLIC INTERESTED IN THE FOLLOWING SCHEDULE CUT THIS OUT FOR FUTURE REFERENCE.

Believing that the general public will be interested in the special and stamp taxes, the Independent publishes herewith a list of them in abbreviated form. Cut this out for future reference:

Special taxes in effect at once, since October 24, 1914: Beer—\$1.50 per barrel. Wines—Domestic and Imported; graduated as to size of bottles. In other containers, 8c per gallon. Champagne—Graduated up to 20c per quart.

Wines used for fortification, 55c per gallon. Special taxes in effect November 1, 1914:

Banks or Bankers—\$1.00 per thousand on Capital, Surplus and undivided profits. Brokers, Bond Note and Stock, \$30.00. Brokers, Pawn, \$50.00. Bowling Alleys and Billiard Halls, \$5.00 for each alley or table. Circuses, \$100.00. Commission Merchants, \$20.00. Concert Halls, Museums and Theatres, according to seating capacity, \$25.00 to \$100.00. Public Exhibitions, \$10.00. Tobacco, Dealers in leaf, \$6.00 to \$2,496.00. Tobacco, Manufacturers, \$6.00 to \$2,496.00. Tobacco, Manufacturers of cigars, \$3.00 to \$2,496.00. Tobacco, Manufacturers of cigarettes, \$12.00 to \$2,496.00. Tobacco, dealers not specially provided for, whose annual receipts exceed \$200.00, shall pay \$4.80 for each store, shop or other place in which tobacco in any form is sold. Special taxes in effect December 1, 1914:

Telephone and Telegraph messages if in excess of 15c, one cent per message, to be paid by person paying for message. Stamp taxes in effect December 1, 1914:

Bonds, debentures or certificates of indebtedness, etc., for each \$100.00, 5 cents. Certificates of Stock, original issue, for each \$100.00, 5 cents. Certificates of stock transfers, for each \$100, 2 cents. Sales of products at exchange, for each \$100, 1 cent. Promissory notes, for each \$100, 2 cents. Express receipts, 1 cent. Freight receipts or domestic bills of lading, 1 cent. Bonds of indemnity and bonds not otherwise specified, 50 cents. Certificates of profit, for each \$100, 2 cents. Certificates of damage, 25 cents. Certificates not otherwise specified, 10 cents. Broker's contract, 10 cents. Conveyances exceeding \$100, for each \$500, 50 cents.

Entry of goods at custom house (according to value), 25c to \$1. Entry for withdrawal of goods from customs bonded warehouse, 50 cents. Insurance, marine, fire and inland, on each \$1.00 of premium charged, 1-2 mill. Casualty, fidelity and guarantee, on each \$1.00 of premium charged, 1-2 mill. Passage ticket (according to value), \$1 to \$5. Power of Attorney to vote, 10 cents. Power of Attorney, 25 cents. Protest of note, check, etc., 25 cents. Sleeping or parlor car tickets, 1 cent. Perfumery and cosmetics and other similar articles, graduated as to retail value, from one-eighth of one cent to five-eighths of one cent for each 25c value. Chewing gum or substitutes, 4c for \$1.00 retail value or fraction thereof. Stamps to be attached to package, carton or phial. All stamps must be stamped or initialed and dated by party affixing, to avoid future use. \$50.00 penalty for handling or selling any article liable to tax without a stamp. All foreign instruments negotiable in the United States must be stamped. All these taxes, stamp and special, with the exception of those which went into effect Oct. 24, expire January 1, 1916.

Colored Preacher Got Drunk.

"Rev." Robt. Fulton, known to the police as "Tricky Sam," preached to a fair sized crowd at the corner of Main St. and Central avenue Sunday evening and then took up a collection for a fund to build a church for the colored people of Minot, he said. He had collected 75 cents when Officer Bakeman stopped the exhortations and Sam then proceeded to get drunk on Jamaica ginger. He was taken to the city bastille where he was given a fine of \$5 and \$4 costs. Being minus the funds, he is serving five days in jail. Sam admits that he played a low-down sneaking trick.

Chapter Election.

The following officers of Tyran Chapter, No. 14, R. A. M., were elected Wednesday night. Fred L. Meservey, High Priest. W. H. Reighart, Scribe. Frank W. Youngman, King. H. E. Byorum, Treasurer. Alex. D. Hagenstein, Secretary. The installation will be held a week from Wednesday night, when the Royal Arch degrees will be conferred on a set of candidates.

Chart Barton a Merchant.

Chart Barton, who made such a good run for sheriff of Ward county in the November election, bought the Lonetree store from Tofflemire Bros.

Members of Jury Explain.

Three members of the jury which acquitted Morgan Rhoades, colored, of the charge of murdering Griffen Skinner, called at the Independent office and explained their reasons for so doing. They claim that according to the evidence given, Skinner had been "totting" a gun for Rhoades, and the slaying a learning of this, got a gun for self protection. Entering the Webb restaurant, he saw Skinner sitting on a stool eating his supper and as the man turned around, Rhoades ordered him to throw up his hands. Instead, Skinner grabbed his own gun and attempted to use it and had it in his hands as he fell. Skinner, before he died, handed his gun to another negro and told him to "get" Rhoades, that the latter had killed him.

R. R. COMMISSIONERS HEARD CASES

LARGE NUMBER FROM UP THE BRANCH PROTEST AGAINST INSTALLATION OF MIXED SERVICE.

The board of railroad commissioners consisting of Messrs. Stutsman, Mann and Anderson, with Secretary Walt. Cushing, visited Minot Tuesday and listened to the arguments pro and con concerning the proposed change from a regular to a mixed train service on the Minot-Sherwood branch.

A large number of businessmen from up the branch were in the city to make objections. The railway company hoped to install a daily mixed train to run between Sherwood and Granville, connecting with Nos. 3 and 4. The train into Minot would be thus eliminated. Many from Minot entered a protest thru the Association of Commerce. It is likely that the commission will not grant the request of the Great Northern.

The commission met at Devils Lake Wednesday to hear similar cases. F. Stuart White's Versatiles, a musical comedy company, appeared at the Grand Monday and Tuesday nights, in "Scotty in Japan" and "A Honey-moon Express." This is an unusually strong company and those who heard the English artists were well pleased.

Small Blaze in Tompkins Block.

A small blaze in a pile of refuse located in the basement of the Tompkins block, called out the fire department Tuesday night. The clothing stock of Bader & Rozen was damaged slightly by the smoke.

SECRETARY HALL URGES AMENDMENT

WOULD HAVE CHANGES IN THE METHOD OF HANDLING THE STATE'S PUBLICITY PAMPHLET.

Secretary of State Thomas Hall would bring about several changes in the law governing the publication of the so-called state publicity pamphlet, which is provided for under the corrupt practices act of the state. Mr. Hall, in his biennial report, points out several features of the present laws that are in conflict.

Under the present law there is a fixed price for the space used in the pamphlet. Mr. Hall would base the price on the circulation as it affects the several candidates. At present, the candidate for governor or other state office, pays the same price for space as does the candidate for congress, although the state candidate gets triple the circulation the congressional candidate does. That is, circulation beneficial to the congressional candidate is restricted to only one district.

Another feature is that relative to providing the secretary of state with the names of voters. The present law says the county auditors must supply the secretary of state with a list of voters according to party preference. The latter feature, Secretary Hall says, should be eliminated, being unnecessary. Also, insufficient time is given. The assessors need not report their enrollment of voters till 30 days before the election, while on the same day, the county auditor is supposed to have the list in the hands of the state secretary. The condition is one that it is impossible for the auditor to comply with, the result being that the mailing of the pamphlet is delayed.

THE BRANCH WILL QUIT BUSINESS

THE MANAGER, BEN GLAZIER, WILL LOCATE IN COUNCIL BLUFFS, IA.—STORE WILL CLOSE XMAS EVE.—BIG CLOSING OUT SALE.

It will be somewhat of a surprise to our readers to learn that the well known Branch store will quit business. The manager for the past two years, Ben Glazier, has accepted a position in Council Bluffs, Ia., and must be in that city by the first of the year. The entire stock will be offered for sale at closing out prices, beginning Saturday, and the various lines of women's and misses' garments must be closed out by Christmas eve. A big advertisement of this sale appears in this issue.

Mr. Glazier, the manager, has made a host of friends during the time he has had charge of the store, who will be exceedingly sorry to learn that he is to leave the city. He is a young man of exceptional ability and wherever he is, the best wishes of his friends will go with him. It is not known what concern will occupy the room to be vacated by the Branch.

Sick Headache. Sick headache is nearly always caused by disorders of the stomach. Correct them and the periodic attacks of sick headache will disappear. Mrs. John Bishop of Roseville, Ohio, writes: "About a year ago I was troubled with indigestion and had sick headache that lasted for two or three days at a time. I doctored and tried a number of remedies but nothing helped me until during one of those sick spells a friend advised me to take Chamberlain's Tablets. This medicine relieved me in a short time." For sale by all dealers.

Mrs. McClain's Experience With Croup. "When my boy, Ray, was small he was subject to croup, and I was always alarmed at such times. Chamberlain's Cough Remedy proved far better than any other for this trouble. It always relieved him quickly. I am never without it in the house for I know it is a positive cure for croup," writes Mrs. W. R. McClain, Blairsville, Pa. For sale by all dealers.

Five to the Pen. Sheriff Kelley and deputies left for Bismarck this morning with five bootleggers who will spend a year each at hard labor in the penitentiary. They are: Halsten H. Wing, John Smith, Chas. Davis, Lem Turner, colored, and Joe Reed, colored.

Leonard Price, a Kenmare youth, who was implicated in a hold-up with one Messner, was taken to the reform school. Messner got a county jail sentence.

Sick Two Years With Indigestion. "Two years ago I was greatly benefited through using two or three bottles of Chamberlain's Tablets," writes Mrs. S. A. Keller, Elida, Ohio. "Before taking them I was sick for two years with indigestion." Sold by all dealers.