

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

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FIRST ACCIDENT OF HUNTING SEASON

ENOCH JOHNSON DROWNED IN RESERVOIR AT FLASHER ON THE OPENING DAY.

Enoch Johnson was drowned in the N. P. reservoir at Flasher early yesterday morning, while out hunting ducks.

Johnson, who was a young man, of about 21 years, and who has been working for John Pierson, got up early to be ready for the opening of the hunting season and went to the reservoir, just south of Flasher, where ducks are plentiful. It was about 5 o'clock, he had shot two ducks and was making an effort to get them and fell out of a small boat. Roy Chamberlain, a young boy who accompanied him on the trip and was still on shore, saw him try to swim to the bank, and had no doubts about his making it, but evidently his clothing and the weight of the shells he carried proved too great a handicap and he sank before the boy could summon help. Chamberlain immediately went for assistance and it was nearly 10 o'clock before the body was recovered.

The unfortunate man was single and so far as known has no relatives in this country, but has relatives in Norway. The body was buried this afternoon at Flasher.

COMMISSIONERS MUST MAKE BETTER FARMING LEVY

JUDGE LEIGHTON SAYS IT IS MANDATORY FOR THEM TO DO SO UNTIL STATUTE IS REPEALED.

Judge Leighton has decided that the commissioners of Ward county shall make the annual levy for Better Farming purposes. He construes the law to mean that it is mandatory for the commissioners upon application of the required percentage of voters to make the annual levy. His decision follows:

In re William Westlake, et al, vs. B. J. Anderson, et al:

The above matter came on for hearing on the 31st day of August, on a hearing upon an alternative writ of mandamus ordering the county commissioners to show cause why they should not levy a tax to devote to diversified farming.

The facts are conceded as pleaded and as set forth in the affidavit of the plaintiff.

The only question at issue in this action is the construction of the statute, and particularly of Section 2263 of the Compiled Laws of 1915. The particular question involved is whether or not it is mandatory upon the county commissioners, after a petition has been filed, to thereafter each year make the levy in the event the statute is not repealed and the question here to determine is what is

meant by the particular statute as it reads upon our statute books.

It is conceded, and rightly so, that the legislature has the right to pass a law which will make it incumbent upon the county commissioners to levy a tax for the purpose in dispute during each year until the law is repealed. The question is, have they done so in this case and was it their intention so to do. The statute, without the portion relating to the filing of the petition, leaves it with the discretion of the board to make the levy. Upon the filing of the required petition it becomes mandatory to make the levy. Was it the legislative intent that upon the filing of the petition it would become annually the duty of the commissioners to make the levy? In other words, by filing a petition, was it the intent that the law should continue and become self-acting without further action by anyone until the law had either been amended or repealed? I believe it will be conceded that the legislature would have a right to pass such a law—that is, a law which will become effective upon the filing of a certain petition by the taxpayers, or a certain portion thereof. Having such authority, was it their intention so to do, and if the law had been so set in motion by the required petition, could the duty be obviated except by a change in the law. By the use of the word, annually, as it is used in the law, it seems to me that it was their intention, otherwise the word annually, would have no use or meaning in the statute and would be mere surplusage. The legislature having seen fit to use this word, annually, in the statute, the courts will give the construction that is ordinarily placed upon this word. Annually can have only one meaning, that is, once a year or each year, and it has the same meaning that it has when used in drawing a promissory note, wherein it is stated that the note shall bear interest payable annually. Everyone is familiar with the meaning of the term as so used, and I am unable to see why a different construction should be placed upon the word as it is used in this statute.

The argument that there is no way to change the law can have no more application than it has to any other law passed by the legislature. The same body which passed it has the only authority so to do.

From the foregoing reasoning, I am of the opinion that the petition having been filed as set forth in the application for the writ, that the county commissioners are obliged to make the levy until there has been a change made in the law.

The writ is allowed.

K. E. LEIGHTON, Judge.

Pitchfork Tine Through Eye.

G. L. Cooper, a Deering farmer, while attempting to crawl up into a load of bundles Saturday, pushed one of his eyes right against a pitchfork tine, the sharp object going completely through the eye. The man was brought to the city right away, where a specialist reports that the sight will be saved, although the injury is exceedingly painful.

To Sell Fords Like Bananas.

Charles W. Moore says: "The report that the 1916 Fords are all painted yellow, so that they can be sold in bunches like bananas, is without foundation, although we expect to see Fords the coming season more plentiful than bananas around the stem of the plant."

Manager McGuire of the Consumers Power Co. left over the Soo Wednesday for the Chicago office of the company.

NEW P. & L CAFETERIA IS OPEN

BEAUTIFUL PLACE THROWN OPEN TO THE PUBLIC FRIDAY EVENING—A CREDIT TO MI- NOT.

The P. & L. Cafeteria de Luxe, in the new Rode block, was thrown open to the public for their inspection Friday night. Hundreds visited the beautiful place and were served with grape juice punch, labeled "Shampain a la Bryan." Each woman was presented a beautiful gladiola, hundreds of the pretty flowers standing in huge urns.

The new Cafe is one of the finest this side of the Twin Cities and the equipment cost the proprietors, Phillips & Loomis, something like \$10,000.

The place has a seating capacity of a hundred. The tables have Sinoi glass tops and the counters are all done in Corara glass. The interior is finished in white enamel and the whole place looks neat and sanitary. Beautiful mirrors adorn the walls.

The dishes are all of the very best and the silverware high priced.

The equipment for the kitchen is perfect. Home baking will be done. The vegetables are all steamed and the coffee is made by the tricatorator system, the same as on dining cars. This takes all of the fat from the coffee grounds. The water cooler is the latest. No ice is allowed to touch the water, but is cooled by running thru a 75 foot coil surrounded by ice. Tray slides, the first of the kind used in the United States, have been installed. A clock work system for boiling eggs has been installed. The place is equipped with an ice cooler for milk and cream, a long steaming table, ice cream and buttermilk cooler and everything imaginable to make the place complete. The place is provided with wash and toilet rooms.

There is plenty of capable and accommodating waiters and waitresses, all of whom are attired in white uniforms.

The manager is J. L. Bell, who was formerly with Child's restaurant in Minneapolis. The chef is B. F. Price, formerly with the Hotel Dykeman, Minneapolis. The first week's business has been excellent and the success of the new Cafeteria is assured.

Mr. Phillips is preparing to open a jewelry store and pawn brokers shop next door and will install six bowling allies in the basement.

Samuel O'Dell, son of Mr. and Mrs. George O'Dell, prominent farmers living north of the city, died recently and the funeral was held Thursday. It seems the young man had been operated upon for appendicitis early this spring and upon recovery had engaged in farm work, doing the heaviest kind of labor in haying and harvesting, and his death is no doubt attributable to his labor having affected his physical condition in such a manner as to cause death.

The little four day old baby daughter of Mr. and Mrs. A. Wahl living at 420 Third Avenue N. W., was buried Thursday. The interment being private.

WARD COUNTY LAND RAISED 26 PER CENT

STRUCTURES AND TOWN AND CITY LOTS RAISED 20 PER CENT—LIVE STOCK BOOSTED UP SEVERAL NOTCHES.

The rate of taxation as fixed by the state board this year is four and three tenths mills on the dollar of assessed valuation. The county auditor is in possession of but a partial report from the state board of equalization as to the valuation placed by that body upon the real and personal property of Ward county as determined by the state authorities. The figures so far received gives the following:

Land values raised from \$3.55 to \$4.47, an increase of 26 per cent. The records for 1914 show a valuation of \$3.48 as fixed by the county board and these figures were raised to \$3.65 by the state. Structures on farm lands were raised this year 20 per cent.

Town and city lots 20 per cent raise.

Structures on town and city lots 20 per cent raise.

It may be a consoling thought to many Ward county realty owners to know that the following values are to obtain in some of the other counties of the state:

Trail county, \$9.60 per acre on farm lands.

Griggs county, \$7.99 per acre on farm lands.

Pembina county, \$7.11 per acre on farm lands.

Steele county, \$8.36 per acre on farm lands.

Cass county, \$9.55 per acre on farm lands.

While Billings county values are placed at \$2.24 per acre and Mountrail \$3.49.

The returns show that the following changes were made in the personal property assessments: Hogs were raised 20 per cent; Mules 20 per cent; Stallions 45 per cent; horses, three years old 10 per cent; cows three years old or over 20 per cent; wagons, carriages and all other wheeled vehicles 30 per cent; automobiles 50 per cent; elevators, class A, 32 per cent; Warehouses and flour mills 20 per cent; gas tractors, engines and separators, 20 per cent; household furniture, 20 per cent.

Ward county seems to have fared very well in comparison with the other counties of the state.

The reports on railways, telegraph and telephone lines have not been received to date, but no doubt will be in the last of the week. The work of computing the values of the descriptions of real and personal property of Ward county will be begun at once, and additional help employed by the auditor in completing the records.

Teachers Passed Examination.

Of the 106 applicants for teachers' certificates at the examination for teachers held in this city August 12, the following were the only ones successfully passing the requirements demanded for certificates:

Nellie Henninger, Denbeigh.
Lois Farr, Aurelia.
Edna Brown, Epping.
John P. Minor, Kenmare.

Harold Francis, Minot.
Joy A. Clark, Ryder.
Dorothy Darling, Berthold.
Floy Hartzell, Berthold.
Lee F. C. Patton, Minot.
Morna Leavitt, Mohall.
Margaret Hartigan, Minot.
Ethel Hungate, Ryder.
Selma, Fedje, Makoti.
Charlotte Fairles, Tarsus.
Olga Lee, Kenmare.
Esther Kenney, Minot.
Mrs. Edna B. Wilson, Minot.
Rose McDonnell, Deering.
Minnie A. Allers, Tagus.
Juanita McCormack, Minot.
Minnie Cole, Glenburn.
Gladys Russell, Minot.
Ethel Jewell, Carpio.
Etta Pendleton, Epping.
Annie L. Peck, Drady.
Belle Elton, Deering.
Gail Whitted, Minot.
Alice Gunderson, Benedict.
Etta Cornelison, Glenwood City, Wis.

J. P. Berghaven, Bottineau.
John A. Christenson, Shafer.
Grace M. Spacht, Norwich.
Florence Hall, Kenmare.
Vera E. Bennett, Deering.
Willis C. Fuller, Deering.
Mrs. Charles Turner, McClusky.
Mrs. Mildred Martin, Sawyer.
Mabel Wang, Grelland.
Margarete M. Christensen, Flaxton.

The following were granted certificates because of having completed the specified work in higher institutions of learning:

Stella Amundson, Menominee, Wis.
Sarah Lawrey, Dennybrook.
H. E. West, Lone Tree.
Samuel W. H. Shuss, Sawyer.
Ethel Swenson, Minot.

One of the elevators of Ryder, known as the Atlantic, burned to the ground and a new one is built to replace the burned structure. The contract calls for the completion of the new building in time to care for this season's crop. The elevator had been purchased only last month by Messrs. Aafedt, Dickinson and Miller, three of Ryder's most prominent citizens. J. H. Billion, one of Ryder's leading merchants, lost \$2,000 worth of merchandise, which had been stored in the burned structure. The loss on the elevator was covered by insurance but Mr. Billion's loss was entire.

Mrs. John H. Lewis returned the first of the week from her old home in Boston, Mass., where she had been called three weeks ago by the sudden death of her father.

There is an excellent opportunity just now for young ladies to work for their board and attend school. Many are doing this and they are to be commended for having the good sense in desiring to pay their own way rather than to have their parents, who, in many instances are not really able to afford the expense of paying their board for them. Many of our most worthy citizens secured an education, supporting themselves by working for their board and keep.

Rev. Guy P. Fudge, pastor of the Baptist church of this city, has tendered his resignation to take effect at the pleasure of his congregation. Rev. Fudge is very popular in the religious circles of the city, and many expressions of regret are heard among the members of his congregation upon learning of his determination to sever his connection with the church here.

Mrs. Shirley Field, of Des Lacs, who for several weeks has been seriously ill at St. Joseph's hospital, has so far recovered that it is hoped she may be able to return home the latter part of this week.

RUMELY COMPANY IS REORGANIZED

NEWLY ORGANIZED CONCERN IN BETTER SHAPE THAN EVER TO TAKE CARE OF BUSINESS.

John Underdahl, popular representative of the Rumely Products Co., is in receipt of information to the effect that a complete reorganization of the Rumely company has been effected and that within the course of the next sixty days the company will be placed upon a strong financial basis, having at a conservative valuation, \$13,000,000 of assets and over \$1,000,000 in cash, and no matured liabilities. All holders of matured Rumely certificates are assured that they will be paid in full in cash, on or before December 31. The new company assumes all commission certificate obligations of the old company.

The Rumely Company, with its constituent companies covering almost eighty years of business, has never betrayed the confidence of the trade, or failed to meet its obligations—all rumors to the contrary notwithstanding.

The main thing now is, that the reorganized company will be stronger and better than ever—will continue to manufacture goods of the same sterling qualities, and will place Service first.

The new Company will confine its operations to the manufacture of its heavy machinery only—threshing machinery and tractors—all made in the Rumely factories.

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Stella Amundson, Menominee, Wis.
Sarah Lawrey, Dennybrook.
H. E. West, Lone Tree.
Samuel W. H. Shuss, Sawyer.
Ethel Swenson, Minot.

NEW FIRST INTER- NATIONAL BANK PROGRESSIVE

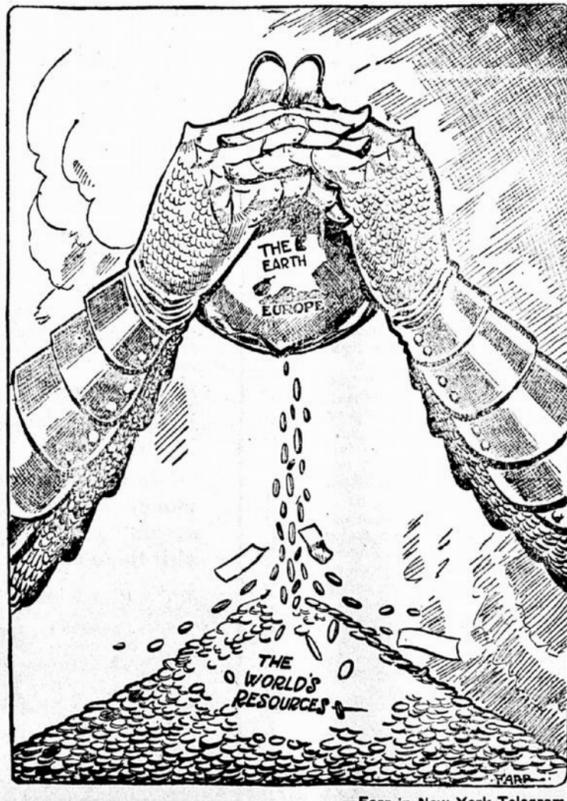
NOVEL AND UNIQUE WAY OF ADVERTISING PRODUCTS OF WARD COUNTY AMONG CHICA- GO BANKERS WHEN THEY STOPPED HERE.

When the Chicago Bankers' Special train, enroute to the San Francisco fair, stopped at Minot Friday morning for the purpose of viewing our city and inspecting our bumper crops, the First International Bank of this city presented the visiting bankers with a sample of each and every kind of grain raised in this county, each sample being artistically arranged with North Dakota grown flowers from Walker's Green House, neatly tied with ribbons bearing the name of the new bank.

The bank had also prepared a beautiful bouquet of wheat and flowers for each table in the dining car, which presented a very beautiful effect.

The visiting bankers were very favorably impressed with the wonderful grain samples, as well as the novel and interesting way in which they were displayed before them, and a great deal of credit is due to this newest of Minot's banking institutions for its progressiveness and originality.

DRAINING IT.



—Farr in New York Telegram.

Rare
Ornaments
for
Evening-Wear

When seeking for some "novelty" in jewelry come to the up-to-date jewelry store—our store.

We keep abreast of the times; when something new is created we get it and have it for our customers.

Come in and see our new goods for this season, whether or not you are ready to buy your holiday goods and gifts. We make "quality" right; then the price right.

HART SWALSTEAD
Soo Line Watch Inspector Jeweler MINOT, NORTH DAK.

Stylish Shoes
for Stout Women

Why wear shoes not built for your foot, which are bound to stretch and lose their shape?

Here is one of "AUNT POLLY'S OUT SIZE" boots which has made a host of friends.

By a clever idea in shoe making these shoes give extra room at the ankle, top, and the broadest part of the foot, and still appear smaller than the shoes which you have previously found it necessary to content yourself with.

\$3.00 to \$5.00

R. D. Halvorson & Co.
Exclusive Shoe Dealers Minot, North Dakota