

Devils Lake Inter-Ocean

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ADDING THE 4th STORY

NW OPERA HOUSE WILL BE PUT UP FOUR STORIES IN FRONT.

Contractor Gram has announced that they have received sufficient encouragement to warrant them building the front of the opera house block four stories high and accordingly the work is progressing with that object in view. In the meantime the interior of the opera house proper and the basement, which is to be used as a skating rink are being pushed to completion, so as to have them ready for the opening of the season on time.

The interior represents a very busy scene and the men are pushing the work forward with vigor. It has been to assume an aspect of the real thing and when finished Devils Lake will have one of the most up-to-date play houses in the west.

DIED AT ST. PAUL

GEORGE RUMBERG PASSES AWAY IN THAT CITY AFTER A FEW WEEKS' ILLNESS.

Although not unexpected the word received in this city Sunday that Geo. Rumberg passed away in that city was a great shock to his many friends here.

Mr. Rumberg was taken ill a few weeks ago, afflicted with an affection of the liver which is common among men who travel a great deal, he went to St. Paul and consulted specialists but no relief was found, as a last resort he visited the Mayros at Rochester Minn., where he was told that nothing could be done for him. He again went to St. Paul where it was his intention to rest until he was able to return to this city, but he continued to fail until the end came Sunday.

Mrs. Rumberg was with her husband constantly, and their little son Noel was also with the father when he passed away at the home of his sister.

The remains were sent to this city and the funeral services were held from the family residence in this city Tuesday afternoon at 3:00 o'clock.

TEACHERS' EXAMINATION

Teachers' examination will be held at the court house in Devils Lake, Oct. 29th and 30th, commencing at 8:30 a. m. All writing material will be furnished applicants.

—John A. Haig, Co. Supt. of Schools.

CAN BUILD NEW JAIL

JUDGE KNEESHAW HOLDS THAT COUNTY COMMISSIONERS DID NOT EXCEED AUTHORITY.

Judge Kneeshaw of the seventh judicial district, has handed down his decision in the matter of the letting of the contracts for the building in this city of a sheriff's residence and jail.

It will be remembered that the contract was let last July and that a few of the citizens at Edmore and Cray filed a request with the states attorney that he appeal from the action of the board of county commissioners, stating as a ground for such a request that the board had exceeded their authority in granting the contracts without first submitting the question to a vote of the taxpayers of the county.

States Attorney Duell was thus forced to make the appeal which was taken before Hon. J. F. Cowan, of this city, who, being a taxpayer in Ramsey county, ordered that the case be taken before Judge Kneeshaw at Grand Forks, which was done. The case was tried before Judge Kneeshaw a few weeks ago and the decision has been handed down that the commissioners did not exceed their authority and that the letting of the contracts is legal.

About the only thing accomplished by the kickers in the outlying districts is to delay the work on the building for several weeks.

The decision as handed down by Judge Kneeshaw follows: The County of Ramsey, State of North Dakota, by Dallis G. Duell, plaintiff.

vs. Board of County Commissioners of Ramsey County, North Dakota, defendants.

The above entitled matter being an appeal by Dallis G. Duell, as states attorney, from the action of the board of county commissioners of Ramsey county, North Dakota, in letting and award-

ing certain contracts on the 15th day of July, 1909, for the erection of a sheriff's residence and county jail for said county of Ramsey; upon the grounds and for the reason that the expenditures upon said contracts would exceed the annual revenues for the current year and that the said expenditures were not submitted to a vote to the people of Ramsey county.

And the said plaintiff and the said defendant having stipulated in writing that all matters involved and set forth in the petition of appeal, might be brought on for trial before Hon. John F. Cowan, judge of said district, on the 28th day of August, 1909 at the court house in the city of Devils Lake, North Dakota at the hour of 10 o'clock in the forenoon of said day; and if having been further stipulated by and between the said plaintiff and defendant that all of the matters relating to the letting of said contracts, and the proceedings had therein might be finally determined by the court upon said hearing, and the Hon. John F. Cowan, judge of the second judicial district, having requested in writing that Hon. W. J. Kneeshaw, judge of the Seventh judicial district of said state, try and determine the said cause, because of the disqualification of the said judge of the Second judicial district and the said matter having come on for hearing at the court house in the city of Grand Forks, Grand Forks county, North Dakota, before the Hon. W. J. Kneeshaw, judge of the Seventh judicial district on the 10th day of September, 1909, at the hour of two in the afternoon of said day, Dallis G. Duell appearing as attorney for above named plaintiff and P. J. McClory appearing as attorney for the above named defendant, and after the taking of testimony in said cause and the introduction of evidence upon the part of said plaintiff and upon the part of said defendant, and the court being fully advised in the matter makes the following findings of fact:

That the said defendant on the 15th day of July, 1909, after due notice, awarded contracts as follows for building a sheriff's residence and county jail in the county of Ramsey and state of North Dakota, to-wit:

- To Dinnie Bros., for building \$23,250.00
- To Diebold Sate & Lock Co., cells and steel work 8,476.00
- To Fargo Plumbing & Heating Co. 2,862.00
- To the Electrical Supply Co., of Fargo 467.50

That the amounts of the different contracts for the erection of said sheriff's residence and jail can be met and paid out of the annual revenue for the current year of said Ramsey county.

Wherefore! The court finds as conclusions of law: That the said defendants have not exceeded their authority in entering into the contracts heretofore described, without submitting the question of such expenditures to a vote.

That the appeal of said plaintiff be dismissed.

Let judgment be entered accordingly.

By the Court, Dated this 15th day of October, A. D. 1909.

—W. J. Kneeshaw, Judge.

THE SCHOOL APPORTIONMENT

AMOUNTS APPORTIONED THE VARIOUS SCHOOL DISTRICTS IN RAMSEY COUNTY

County Superintendent Haig has announced the apportionment of the school funds for Ramsey county, and the following shows the amounts each of the various districts has been apportioned for this quarter:

Bartlett	\$294.94
Odesa	197.53
Wheatland	370.71
Minnewaukan	129.88
Lake	230.00
Bay	170.47
Freshwater	189.41
Degroat	173.18
Dry Lake	189.41
Webster	297.65
Morris	105.53
Cleveland	151.53
Bergen	140.70
Coulee	262.47
Graham Island	305.77
Irwin	56.92
Sullivan	64.94
Newman	135.29
Cato	148.11
Lillehoff	416.71
Oakland	213.76
Croo	146.11
Grove	67.64
Hope	116.25
Newland	182.12
Newbre	163.85
Fancher	170.47
Pleasant	27.06
Triumph	73.06
South Minnewaukan	127.18
Eastview	254.35
Royal	81.18
Prospect	178.59
Northfield	167.77
Victoria	146.13
Devils Lake	2806.02
Starkweather	354.47
Churchs Ferry	446.47
Edmore	921.41

WASHINGTON SCHOOL

CHILDREN ATTENDING NEW WARD SCHOOL VOTE ON NAME FOR IT.

Some time ago the children attending the new ward school were given an opportunity to vote on the name it should bear. The ballots were opened last week, and the name Washington had the predominance of the vote with Lincoln as a close second. There was a wide range of votes as will be seen by the following, which is the way the votes were cast:

Washington	114
Lincoln	111
McKinley	8
Roosevelt	6
Franklin	2
Abraham	2
Edison	2
Betsy Ross	2
Paul Revere	2
Longfellow	2
Creel	2
Jefferson	1
Clara Barton	1
Emerson	1
Shorridge	1
Whipple	1
Orr	1
Dakota	1
Dread-Scott	1
Madison	1
Tal	1
Superior	1
Napoleon	1
Red Wing	1
Gen. Grant	1
Flag	1
Central Ward School	1
Columbus	1
Abraham Ward School	1
Gen. Brent	1
D. L. International School	1
Lincoln-Washington	2

LAWYER GOT STUNG

INDIAN PASSES HIM A LARGE SIZED LEMON.

A good joke is out on one of our local attorneys. A few days ago as he was seated at his supper table he received a telephone message to the effect that a certain Indian, against whom he had for collection a note, was in town and wanted to pay it. Inasmuch as the note was for something over \$75.00 and the attorney had a nice commission coming out of it, he at once hastened down to the city and took the Indian to his office where he figured up what the note and interest amounted to, a matter of some \$90, and told the red man what it was. The debtor pulled some papers out of his pocket and began looking through them, and at last informed the attorney that he had lost a grain check he had for something like \$26.00 and that he only had 10c, and asked the attorney if he would loan him 15c more so that he could get his supper.

Feeble words are inadequate to properly express the feelings of the attorney, and we have not been informed whether he loaned the Indian the 15c or not.

400 NEW IRON BEDS

AN ENORMOUS NEW STOCK OF BEDS JUST RECEIVED BY GILBERTSON.

This week E. W. Gilbertson, the furniture man, received a large shipment of over 400 iron beds. This is said to be the largest shipment of its kind to be received by any dealer in the state. In buying direct from the manufacturer he is able to offer his customers goods at the very lowest prices as he is able to save the jobbers' profit.

Mr. Gilbertson will probably start a wholesale furniture store in connection with his retail business, in fact, arrangements are being made by which he will supply the small furniture dealers of this part of the state most of their stock. A wholesale furniture store is one of the things Devils Lake needs and would bring a lot of business here.

A CONSTITUTIONAL CONVENTION.

The amendment of the constitution of the United States, which has hitherto been regarded as a distant if not impossible fact, is in reality so close at hand that the situation warrants the most serious consideration. The fifth article of the constitution provides that when the legislatures of two-thirds of the state shall signify their desire to congress, the latter body shall assemble.

the purpose of proposing amendments to our national charter. The records of the United States disclose the practically unknown fact that thirty legislatures have already, by resolutions formally adopted, petitioned congress to call a constitutional convention. The moving spirit behind each resolution is the desire to elect United States senators by direct vote of the people.

Inasmuch as there are only forty-six states the action of the thirty legislatures brings up to the verge of the requisite two-thirds, and if, as is reported, the legislature of Alabama last August adopted a resolution similar to that enacted in other states, which resolution will reach congress in December, it is evident that the question of assembling a constitutional convention must soon receive serious considerations. Two important questions are involved in the situation. The first is whether there is a time limit upon the period in which the legislature can act. No such limitation is imposed by the constitution, and it will unquestionably be insisted by the advocates of the system of popular election of senators that when a legislature has spoken, its action cannot be questioned until it has been rescinded. In the case now under discussion, no legislature has yet revoked its previous affirmative resolution. The record is clear and unimpeached. The opponents of the new scheme may point to the fact that the first resolution was adopted by the Idaho legislature in 1895, but it is also true that there is nothing in the constitution to outlaw this action.

There also seems to be some uncertainty whether the convention, when it assembles, can restrict itself to the consideration of the one proposition which inspired its origin. The best constitutional authorities agree that any and all subjects may be laid before the convention. The constitution declares that when the legislatures of two-thirds of the states shall have made petition, the congress "shall call a convention for proposing amendments." The plural character of the phrase makes it certain that the score or more of subjects which have been suggested as topics, a constitutional amendment will be offered for consideration. The federal marriage and divorce law, the federal liquor law, the federal regulation of trusts, and every other phase of legislation now restricted to the states by a strict construction of the constitu-

tion. It is beyond the mind of man to prophesy what will be done with the constitution the moment that its mantle of inviolability is laid aside. It is this fact which gives a profound and almost anxious significance to the fact that under the very terms of the constitution itself the congress of the United States may soon be compelled to call a constitutional convention.—Grand Forks Times.

BALLINGER'S CHANCE.

The government has spent five or six years in the prosecution of land frauds, the investigation of timber thefts and unlawful fencing of the public domain. And with what results?

There was the case of Senator Warren, the "cattle king" of Wyoming. A survey of the land he had run his wire fences around disclosed that hundreds upon hundreds of acres had been gobbled up without the payment of one single solitary cent to the United States treasury. Ethan Allen Hitchcock put the case up to the department of justice. An opinion handed down by one Purdy, was to the effect that no crime had been committed since the fences all had gates. The fences came down shortly after. The name of Land Commissioner Richards became involved in deals in the Big Horn basin. He was permitted to resign. The Union Pacific coal seizures, land obtained, it was charged, by the employment of dummy entrymen were forgiven after the return of a small fraction of the property. An indictment has been brought against Governor Haskell for alleged thefts of lots in Muskogee, belonging to the Creek Indians. The case has been pending many months. The prosecutions of timber thieves in Colorado have not materialized, though the news about them came out two years ago.

Secretary Ballinger has been active in sifting sections of the forest reserves. He felicitates himself upon bringing the reclamation service under the strict construction of the law. The president, himself, has complimented the secretary upon his enthusiastic policy toward the conservation of public resources. Having progressed so far in the reformation of his office, and being, moreover, a shrewd and able lawyer, is he not fitted, above all others, to make these cases of land thefts stick, catch the real principals behind the dummy entrymen? Few men have better opportunity to acquire fame. We await with impatience the sign that the secretary has such an ambition.

Doctor Cook and Commander Peary's

Own Stories of How They Reached the North Pole

will be told later—told doubtless at great length. Our story of how we reached the will of perfection in the putting up of Physician's Prescriptions we purpose telling briefly here to-day.

We lay no claim to being the first white man to put up prescriptions correctly. We lay no claim to priority whatever, but we do claim to put up prescriptions by a system in which all mistakes are avoided and in which only the good points of our long experience in the Drug business are embodied.

Ramsey Drug Co.

Kelly Avenue

The Snaps

You Snap

Those you have already snapped and those you intend to snap should have expert treatment if you desire the best negatives that can be made from them.

We do developing and printing

and guarantee the best work possible for anybody to do. Send your films by mail if you cannot bring them. We'll attend to them promptly.

Reasonable Prices

Devils Lake Drug Company

Successors to A. E. Hodgkinson