

THE DEVILS LAKE WORLD

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Boost, and THE WORLD Boosts With You;
Knock, and You Knock Alone.

JUDGE COWAN ACQUITTED.

By a practically unanimous vote Judge John F. Cowan has been acquitted of the charges preferred against him before the senate of the State of North Dakota and will return this week to his home in Devils Lake, with thousands of friends welcoming the verdict that cleared his name of the blot thrown upon it by the little clique of disgruntled politicians.

With the men, who by their venomous slurs have blackened the name of the city relegated to the "Tall and uncut timbers" Devils Lake once more has an opportunity to withdraw from the limelight and its citizens may now, if they will, devote their energies to the advancement of their town.

Incidents like the one just passed through hurt far more than can be realized at this time the name and progress of a town. The nasty, despicable means resorted to by those who were backing the persecution leaves a bad taste in the mouths of prospective citizens and undoubtedly deters many from investigating the opportunities of Devils Lake, which were just being so widely circulated.

This is in all probabilities the death knell of the small crowd of disgruntled politicians and idle office seekers who have for years proved the disturbing element in Devils Lake, and whether they at this time realize their position and gracefully retire, or whether they live up to their threats to "get the goat" of other officials by the same nasty blackmailing means, should matter little to the progressive element of the town. Devils Lake is too big and has too good prospects to be held back in its progress by such an aggregation.

It may be difficult to heal the old sores that have been reopened by the recent outrage, but sober thought should rule and with a vim and energy unequalled in years gone past the citizens should now bend every effort in making their home forge to the front in the ranks of North Dakota cities.

The Commercial Club has excellent plans laid out for the future. The Chautauqua demands the energy of every citizen and there is no small amount of work to be undertaken during the coming summer.

Let the dead remain dead, and though it might afford no little satisfaction to stir up their dust and in the limelight of publicity expose the rotteness of those who have posed with an "holier than thou" attitude for years, let that leniency be shown that makes out of the world a higher and nobler place in which to live and have our homes.

The situation demands concerted effort from every citizen. The wheel of progress waits for no town and delay but means that greater energy will have to be expended later if Devils

Lake would keep up with the advancement of the age.

"Vale" the factional fights.

BURKE'S VETO.

Despite the "indignation meetings" that have been held in the Cowan case there appears to have been a little time left in which the people of the state have held a few real rallies condemning the action of Governor Burke in vetoing the appropriation for the continuance and support of the Farmers' Institutes.

There is without a doubt no form of instruction ever started in the state which has been so beneficial in results as have these Farmers' Institutes and that this fall will witness the first of the benefits goes without question. To suddenly cut off the source of maintenance and leave the question of funds up to the people of the state is an unprecedented action, especially in the face of the immense cost of the Cowan trial, which has been so actively urged and assisted by Governor Burke.

The people of the state have shown themselves to be in favor of these Institutes and will undoubtedly provide ways and means whereby they may be continued.

WHERE IS THE FAULT?

The following editorial from the Minneapolis Journal, dealing with the defects in the law of today is an excellent one that might be perused carefully by every young lawyer. Too many of the modern law schools, especially those attempting to turn out a maximum number of graduates in the smallest possible time, overlook the fundamental principles of law and deal solely with its defects and technicalities.

The editorial is as follows:

What is the Matter With the Law?

One hears a great many complaints against the law—the law's delays, the law's technicalities. Among all these complaints none apparently is aimed at the body of substantive law, but all are directed at adjective law. Substantive law embraces the legal rights of men. In general, no one would take away any of the rights men have under the law, nor would one add thereto. The great fundamental principles of substantive law are above criticism. Adjective law includes the ways by which the law enforces remedial legal rights. It is also called procedure, and embraces pleading, evidence, and practice.

American law is defective on its procedural side. The purpose of the law is to stop wrongdoing and to redress injuries caused by wrongdoing. The lawyer as a counselor should know the law of legal rights, and as a practitioner should apply them. Instead of this, too often he knows only the law of procedure and applies it. Such a lawyer

is a mere craftsman, a bungler with the tools of the law. He may be a master of the rules of pleading, evidence and practice, and yet if he has forgotten the true purpose of the law, he has no business to be in the practice of the law.

There is a natural tendency for the law to run to procedure. As their lives go by many lawyers become less familiar with substantive law and more and more familiar with procedure. As a consequence procedure keeps looking larger and larger to them. They come to think of procedure for its own sake. They measure lawyers by their knowledge of procedure. They laugh at those who understand the fundamental principles, theories, and purpose of the law, but who are without skill in the game of practice. While they may have a right to laugh at the man who does not understand the fine points of practice, the latter, if the understand the fundamental principles of the law, have a right to look upon the former with scorn. The lawyer who makes the rules of law an end instead of a means, the lawyer who does not care for the right more than for winning, the lawyer who does not act as a servant of the public instead of selfishly for himself,—is preying upon the public, is a legal parasite. Instead of such lawyers begin agents to protect the public, the public needs protection from them.

How shall the law be reformed? If its principal defect is in its procedure, leave the substantive law, but wipe out adjective law so far as possible. This is in line with past legal reforms. The suggestions of such men as Judge Wilhard and Judge Amidon are pertinent. But the reform will then only have been begun.

One can only speculate as to what will have to be done before the reform is fully accomplished. It may necessitate placing the entire conduct of litigation in the hands of judges, increasing the number of judges, and denying lawyers the right to appear in court as advocates for clients. It may necessitate even the abolition of written pleadings. It may necessitate the abandonment of the rules of evidence, except as the judges may find it desirable to use them. It may necessitate the simplifying of the rules of practice.

What may be necessary, cannot be prophesied in advance. All that can be said is that the reform must take place in these branches of the law. A man's winning his lawsuit must depend more upon his having a good case than upon his having a good lawyer.

Who will work out these reforms? Not the lawyers actively engaged in practice, however competent. They would feel that to abolish procedure would be the next thing to abolishing all the law they know. They have more knowledge of pleading, evidence, and practice than of any other law, and the more skilled they are in pleading, evidence and practice the less reason they can see for reform along these lines. The responsibility for the coming law reforms will have to rest largely upon others than the active practitioners,—upon lawyers not interested so much in the procedural side of the law as in its substantive principles, upon judges, upon law teachers, and upon men outside of the legal profession. But we need not fear that the reformers will not be found if the people demand the reform.

Isn't it funny that all of the witnesses for the prosecution had "seen" Joe Kelly or "had been seen" by him?

THE Y. M. C. A.

The World is heartily in favor of the establishment of a Y. M. C. A. building in this city but at present it seems practically impossible to raise the funds which would be necessary. Any plan which can be devised would be hailed with delight by those who have been backing the movement. Until there is more certainty regarding the crops this fall it will be impractical to do anything further.

May 14th has been designated as Mother's Day throughout the United States and again the pretty custom of wearing a carnation in memory of the woman who has always proved our best friend and constant advisor will be in vogue. The observance of this day has been more general every year and there is hardly a city but what makes special efforts to see that the day is properly remembered.

There was a vast difference between the headlines in the Journal of this city in which Cuthbert was called all the names that the viperous mind of Editor Bloom could conceive and the other dailies of the state, including the Herald and the Fargo News, in which he was admitted to be one of the brightest attorneys in the state and an orator of more than passing ability.

Dan Brennan went on the stand and contradicted Norman Morrison's testimony and R. H. Bradford, of Minot, gave President Burdick the lie, by contradicting his testimony. We don't think that the senate will have any difficulty in picking out the real liar, when it gets down to the consideration of the case.—Rugby Optimist.

Editor Cushing, who has been condemning the friends who stood by Judge Cowan so nobly, must have forgotten his little militia episode when he and his family were saved from trouble by the intervention of friends.

The Inter-Ocean, in mentioning those active in the Cowan proceedings, forgot to enumerate "Carbolic Acid Dan, the Sterilized Kid" and "Colorado John, No. 682."

The pussyfooted work of Joe Kelly, the "Dick Croker of North Dakota" was made evident by Attorney Cuthbert in his splendid oration last Monday.

It is going some when an editor will fake an interview with the president of a railroad in order to boost the business of his principal advertiser.

Rabbi Goldberg, who left recently for Brandon must have thought that there was too much conversation about former Colorado residents.

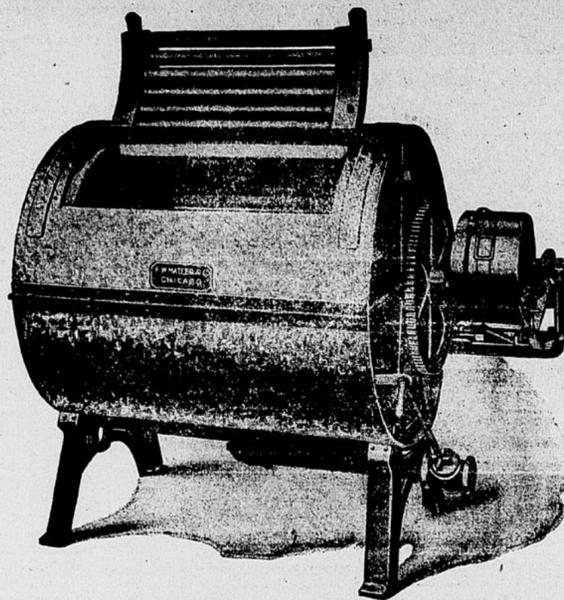
Judge Cowan not only seems to have his persecutors "on the run," but as the Irishman said "Begorra, he'll make them gallop a little."

There are several persons and one Mann who are more than sorry that they were dragged into the Cowan prosecution.

It is a safe guess that a dividend will not be paid on the Farmers' Road until after the fiddler is paid.

Next week the band will play "Has Anybody Here Seen Kelly?"

NO WONDER!



If It's Machinery Necessary for DRY CLEANING Turning Out.

There is no question We Have the Machinery. Our Metal Shell Dry Cleaning Washer with Round Maple Stave Inside Cylinder insures good work. Does not injure clothes. No wonder we turn out good work when others have failed. Get THE REASON from

THE EMPORIUM : WILENSKY & HJELLE
Fourth St. : Phone 497

There is no question now of Cowan's ability to "come back," despite Dan Brennan's assertion that he could not.

There may be some "ifs" and "ands" but there will be no more "buts" in the district court hereafter.

Watch Joe Kelly's pappets now and see what the next move is when "Croker" pulls the strings.

STAYED ON TRAIN WHILE IN THE CITY

PROFESSOR THOMAS SHAW GIVES REASON FOR HIS RETICENCE WITH A TOUCH OF HUMOR.

Only one man of the hundred and twenty five making the trip from the Twin Cities to Helena failed to alight at Devils Lake and accept of the hospitality offered them during their brief stay and that one claims he had good reasons. Prof. Thomas Shaw, agricultural expert for the Great Northern and noted throughout the entire Northwest, refused to accept any of the honors tendered him and remained during the entire hour securely ensconced in his seat in the Pullman on the opposite side from the station.

"Don't you care to make the auto trip?" Professor Shaw was asked by a representative of The World, who was being shown through the special train. "This is Devils Lake, isn't it?" asked the Professor as he took a hurried glance out of the window.

Upon being told that it was Prof. Shaw laughingly cringed in his seat and remarked: "The home of Governor Burke. No thanks. I am afraid I would be mobbed for daring to remonstrate with that worthy politician regarding his attitude towards the Farmers' Institutes." Prof. Shaw was assured that though Devils Lake people felt a worthy pride in their city being the home of the chief executive of the state they did not agree with him in all of his work and that the memory of the good done in this community by the past Farmers' Institutes was too fresh to warrant anything but unadulterated friendship and respect for the man who had done so much towards their success. Mr. Shaw then briefly outlined his reasons for reproving the Governor in a written communication published in another part of this paper. "Being as close to the work as I am," he said, "I naturally feel competent to talk regarding the benefit that is being obtained from the Farmers' Institutes. The vetoing of the bill which provided for their continuance was rightly condemned, not only by me but by every person in the state interested in its agricultural welfare. In order to counteract the bad effects of the veto, the Fargo meeting was called and Gov. Burke, uninvited and unattended, came there and proceeded to take up almost the whole evening in a tiresome

Cut Flowers Flowering Plants

Remember your parents, brothers, sisters and departed friends, as it shows plainly the love and respect we have for them by decorating their last resting place in the cold grave yard with flowers and flowering plants.

We have about five hundred dozen pansy plants ready to bloom, also geraniums, daisies, fever fews, and all kinds of plants and flowers for Memorial Day and other purposes. Come and look them over and leave your orders early at the Devils Lake Greenhouse.

We also have all kinds of garden plants, such as tomatoes, cabbage, cauliflower and celery and any plants you may need for the garden.

P. J. KERSTEN : Proprietor

New Shipment of Ladies' Coats!

THE SWELLEST GARMENTS RECEIVED IN THE CITY THIS SPRING ARRIVED AT OUR STORE THIS WEEK!



35 Latest Patterns All in New Colors and New Styles. Our Coats are the kind that look well and wear well and our books show that they sell well.

Automobile Coats for Ladies The nobbiest style shown this year

The New York Cash Store. N. Lambert, Manager

trade against a few of the leaders in the work. It was undignified and unbecoming in your chief executive. I want to see the institutes continue. They are growing in favor and are accomplishing something. They are of real benefit to the farmers and the death of the old helping them hurts every farmer in the state."

Prof. Shaw is scheduled to make two addresses at Helena and was busy preparing his notes when passing through the city. He is usually the center of an admiring group on the train, who light in his frank witticisms and his unflinching knowledge of the value of the country through which they are passing.

GAVE FINE LECTURES LOCAL DOCTORS DELIVER LECTURES BEFORE CHURCH CONGREGATIONS SUNDAY.

In observance of Tuberculosis Sunday the congregations of the Methodist and Episcopal churches had an opportunity to listen to two excellent addresses by local physicians.

In the morning Dr. Cuthbert addressed the congregation at the Methodist church, giving interesting facts and statistics regarding the growth of the plague, outlining the means by which it could be transmitted and dealing for a few moments with the necessity of following out the old adage "swat the fly."

the Episcopal church Sunday evening and thoroughly discussed the causes of the dread disease as well as the proper methods to be used in preventing its spread. The necessity of cleanliness in civic and public life was particularly emphasized. Proper ventilation and plenty of sunshine were excellent preventatives. The fly also came in for its swat.

Interested Here. Naturally the citizens of Devils Lake were deeply anxious over the decision of yesterday afternoon and after it was rumored around that the voting had commenced The World was deluged with telephone messages asking for particulars. Fifteen minute bulletins were received by this office from Bismarck and all inquiries were promptly and satisfactorily answered. The news was received with uniform delight and with the exception of a small crowd that gathered in our competitor's office there was general rejoicing.

Left the City. Rabbi Goldberg, who has been in charge of the Jewish church in Devils Lake the past year, left the first of the week without warning and is now in charge of a new church in Canada. Mr. Goldberg came here a year ago from Denver, Colo.

Gilbertson, the furniture man, is the one to do picture framing.

Another lot of home-cured hams at 15 cents a pound at F. T. Fox's.

Dr. Jones addressed the members of