

LITTLE FALLS HERALD

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HAVILL IS CONVICTED

Application for New Trial Will Be Heard March 11th

O. H. Havill, president of the First State Bank of Bowlus which closed its doors on August 4, last, was found guilty of having accepted a deposit of \$200 from Knuth H. Gunderson on that date when he had reason to believe the bank to be insolvent by the jury Tuesday evening at 9:15 o'clock, after it had deliberated on the case four hours and forty minutes. The case had occupied the attention of the district court during the past two weeks.

It is understood that the first ballot of the jury was 6 to 6, then 8 to 4 for conviction, 9 to 3 and 11 to 1, verdict being finally agreed on on the fifth ballot.

A large number of Mr. Havill's St. Cloud friends were assembled in the court room to hear the jury's verdict. The convicted banker appeared before Judge Taylor shortly after one o'clock Wednesday, and through his counsel, asked for a new trial. The arguments will be heard the second Monday in March, until which time the passing of sentence has been deferred. In the meantime Mr. Havill will be out on \$2,000 bonds.

The timing of evidence was completed Saturday morning shortly before noon, after which adjournment was taken to Tuesday morning, at which time court resumed session.

Upon motion of the defense that the considering of eight to nine notes, the value of which had been questioned by the prosecution, be taken from the jury on the grounds that they had been proven to be worth their face value, arguments were heard by the court on both sides of the question during the first part of the morning session, the court finally ruling that three of the notes, aggregating \$4,000, be withheld from the jury's consideration as follows: Note of Northern Securities & Investment company, \$1,500, on grounds that it was secured; note of M. H. Havill, \$1,500 on grounds that enough property had been shown to pay for it; and note of Henry Roos \$1,000 on the same grounds.

O. H. Havill, the defendant, was placed on the witness stand Thursday afternoon of last week and for nearly two entire days' session testified in his own behalf and received a grilling cross-examination at the hands of the state attorney, A. J. Edgerton.

After going over his history in business matters and especially in the banking business, defendant testified that all papers found in the Bowlus institution at the time of its closing, outside of the H. J. Schwartz and Jessie Schwartz notes, were perfectly good, and that the makers of these were also good but slightly slow in paying. He had not much to do with the Royalton bank or Armstrong implement company of Royalton, but that he had gone to the Bowlus branch of the implement company, and considered the company's paper good. He placed the value of his wife's summer cottage at from \$1,500 to \$1,800, and admitted that she had not got any of the money that had been raised on the note for \$1,500 and that her note instead of his own had been put in the Bowlus bank for the loan in order to avoid criticism on the part of the bank examiner's office. He gave no testimony as to his own note for \$1,000 found in the bank or as to the value of his own property.

Mr. Havill testified that the reason the Western Granite company of St. Cloud had closed down was because of the lack of water to run the engines of the granite works, due to the excessive drought.

Defendant gave the list of the different banks in which individual notes, secured by Western Granite company bonds had been put: \$40,000 had been sold and \$10,000 had been put up as collateral for loans of the company.

He testified that on the morning of August 3rd 1911, when he heard of the trouble at the Royalton bank and fearing a run on the Bowlus bank as a result, he had consulted his attorney, George W. Stewart, who told him that it would be nothing short of a crime to close the Bowlus bank if it was solvent; that he had then called up Cashier J. D. McDougall and told him to make a deposit that day special. The same afternoon he had gone to Bowlus and gone over the bank's books and ascertained its total assets and liabilities; then he told the cashier to go ahead and run all special deposits the next morning as he had found in his examination that the bank was perfectly solvent. He told of having on the morning of August 4th called state Bank Examiner Kelsey M. Chase, met him together with his assistant, Mr. Regan, at St. Cloud and journeyed with them to Royalton, where they were met by J. D. McDougall, cashier of the Bowlus bank. He testified that Mr. Chase refused to give him a letter to show the depositors that on time deposits the full time would be taken by the bank. Mr. Havill stated that he had told the state bank examiner that he had made arrangements to get \$10,000 to tide over the immediate danger of a run on the bank. Messrs. Chase and McDougall, he stated, had gone to Bowlus late that night. Chase had later got Bank Examiner Millard to come over from Alexandria to take charge of the bank until a receiver was appointed and took charge.

Cross-examined, defendant explained the manner in which the bonds of the Western Granite company had been floated; \$80,000 of them had been carried by his private bank at Royalton, but when it reorganized as a state bank in 1908, it was then prohibited from carrying them as assets of the bank. Thereupon \$18,500 of them were turned over to the Northern

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FARMERS' RALLY WEEK

To Open Short Course at Court House Next Monday

Monday is the opening of the Farmers' Short Course of six days and elaborate preparations have been made for the rally. It will be held at the court house and present indications point to a very large attendance at each of the days' sessions.

The committee was disappointed in not being able to secure President Elliott of the Northern Pacific to address the meeting on one of the days of the short course, but it is expected to have another good speaker instead.

Capable speakers will have charge of the course and will be assisted by several of the residents of the county.

By the program, telow given, it will be seen that very important subjects will be taken up on each of the six days. Fine prizes are also offered in the judging contest. All participants in the corn judging contest should bring ten ears of corn.

PROGRAM OF COURSE

Monday, Corn Day—Soils and soil fertility, cultivation of corn, preparation of seed-bed; noon hour—seed corn and seed testing, corn judging.

Tuesday, Dairying—Dairying for Morrison county, rations for dairy cows, value of testing cattle; noon hour—Importance of dairy sire, judging of dairy cattle.

Wednesday, Horses—Horse breeding, horse judging; noon hour—soundness of horses, breeds of hogs, management, feeding and judging.

Thursday, Potatoes—Section of seed potatoes, preparation of soil and cultivation, marketing of potatoes; noon hour—alfalfa and clovers, production and care of milk and cream, keeping up stock on farm.

Friday, Silos and Silage—The silo, filling of the silo, silage in the dairy ration; noon hour—visit farms.

Saturday—Poultry on the farm, hreed and breeding, housing of poultry; noon hour—agricultural organizations and education.

MARRIED.

Miss Aurora Plante, eldest daughter of Mr. and Mrs. Sam Plante of the town of Ripley, was united in marriage to Henry Chilling at the Church of the Holy Family, Belle Prairie at 9 o'clock Tuesday morning. Rev. Father Barras performing the ceremony. The wedding was celebrated in a very elaborate manner and was largely attended. Mr. and Mrs. Frank Heroux, Miss Odette Heroux and Eugene Heroux of this city were among the invited guests.

The newly wedded couple will make their home in this city. Mr. Chilling being employed as head cook on the rear drive of the Mississippi & Rum river Boom company.

THE JUNIOR RECEPTION.

All is in readiness at the high school for the junior reception to be given tomorrow evening for the Seniors, at which the faculty and the members of the board of education and their wives are among the invited guests. This is the first of the big social doings of the school year and the two higher classes of the school mean to make it a very enjoyable event. Dancing will be indulged in and light refreshments served.

BANK CASES COSTLY

Havill Jury Alone Cost \$1,157.70 and Two Cases About \$3,500

That the adjourned September term of the district court, which took up the H. J. Schwartz and O. H. Havill bank cases, has been a very expensive one, is a matter that is being apprehended by the tax-payers of the county. The Schwartz case cost the county something over \$1,000, but the Havill case promises to cost about twice as much. The cost of the jury alone was \$1,157.70 while the amount paid out so far in witness fees not taking into consideration fees of witnesses before the grand jury and outside of fees of special witnesses, is \$384.66. The state had more witnesses in this last case than in the first so it is safe to say that the cost of the Havill trial will be between \$3,000 and \$2,800, bringing the total cost of these two bank cases to approximately \$3,500.

G. E. Wilson was up from Royalton on a business visit yesterday.

The undertaking goods of the Swanson furniture store were received this week.

The Misses Clara and Margaret Michaels, Louise Lust and Margaret Leisner attended a dance at Swanville Wednesday evening.

The schools of the city were closed Monday for Lincoln's birthday. The banks and the postoffice were also closed on that day.

L. V. Tanner, local agent for the Ford cars, received four new cars yesterday, same being taken to the Central garage for spring delivery.

A wrecked passenger car was brought in from Glenwood yesterday being on its way to the Minneapolis repair shops.

Friends of J. A. Viktor of Cedar Rapids, formerly head of the Viktor Bros. store in this city, are in receipt of a letter from him stating that a baby girl had recently been left at his home by the stork.

LENEN REGULATIONS

As Will be Read in Catholic Churches of Diocese Sunday

The Lenten regulations for the Catholics of the Diocese of St. Cloud has been given out by the Rt. Rev. James Trobec, bishop of the diocese. They are as follows:

Lent begins on Ash Wednesday. All the faithful, unless legitimately excused or dispensed, are bound in conscience, under the penalty of grievous sin, to observe the Lenten regulations.

THE LENTEN FAST

All the days of Lent, the Sundays excepted, are days of fast.

The precept of fast restrict the use of food to one full meal towards the middle of the day, and a collation in the evening not exceeding the fourth part of a full meal—custom, however, authorizing the taking in the morning of a cup of coffee, tea or chocolate, with a small piece of bread.

For the collation theologians allow solid food to the amount of eight ounces. The solid food taken in the morning should not exceed two ounces. When the full meal or principal repast cannot be taken without serious inconvenience towards the middle of the day, the order of repasts may be reversed, the full or principal repast being taken in the evening, and the collation at an earlier hour of the day.

THE LENTEN ABSTINENCE
The use of the flesh meat is allowed at all meals on Sunday, and at the principal meal on Mondays, Tuesdays, Thursdays and Saturdays, except the Saturday of Ember Week and the Saturday of Holy Week.

The use of flesh meat, therefore, is forbidden at all meals on Wednesdays, Fridays, the Saturday of Ember Week and the Saturday of Holy Week; and on other days, outside of Sundays, it is forbidden at other repasts, outside the one full meal.

The use of lard is permitted at all times in the preparation of food.

Both fish and flesh meat cannot be taken at the same meal, even on Sundays.

Persons legitimately excused or dispensed from the precept of fasting may use flesh meat at all meals on whatever day there is a general permission to use it at the principal meal.

EXEMPTIONS FROM THE PRECEPTS OF FAST AND ABSTINENCE.

From the precept of fast are excused: Those under the age of twenty-one years or over the age of sixty; the infirm and the convalescent; women bearing or nursing children; persons engaged in hard labor or other duties exhaustive of physical strength; persons who from poverty are unable to procure for the principal meal a sufficiency of nutritive food.

From the precept of abstinence are excused: the young under the age of seven years; the sick; persons who are so situated as not to be able to procure for themselves abstinence food.

SPECIAL EXEMPTION FOR "WORKING PEOPLE."

In virtue of the authority conceded to Bishops in the United States by a recent Pontifical Indult, permission is granted to "working people" to use meat on all days of Lent, with the exception of Fridays, Ash Wednesday, the Wednesday and the Saturday of Holy Week.

This dispensation from abstinence extends to all three meals in the day. The usual prohibition remains against using flesh meat and fish at the same meal.

Where the wage-earner, in virtue of the Indult, uses meat, all the members of his household may likewise use it. The church does not wish to impose upon the household the inconvenience of double cooking. But, in cases of this kind, the members of the household who are bound by the precept of fast, are allowed the use of meat only their principal meal.

The Sovereign Pontiff exhorts all who make use of the privileges of the Indult to be still mindful of their duty to practice self-denial; and he counsels that instead of the abstinence from meat some other sacrifice of bodily comfort be practiced, the Sovereign Pontiff himself suggesting as such sacrifice abstinence from intoxicating drink.

DAYS OF FAST AND ABSTINENCE OUTSIDE THE LENTEN SEASON.

The days of fast and abstinence occurring outside the Lenten Season during the year are the Ember days and the Vigils of Holy days. The Vigils will be: The Vigil of Pentecost, that of the Assumption, that of All Saints, and that of Christmas.

All Fridays are, of course, days of abstinence.

The Pontifical Indult, of which we have spoken, exempts "working people" from abstinence on Vigils and Ember days, except when such Vigils and Ember days fall on Friday; and on such days the Indult also exempt from abstinence, in the same conditions as for the Lenten Season, the members of the household of the wage-earner.

Pastors will make their flocks in the usual terms due announcements of approaching Ember days, and Vigils—adding to such announcements a statement of the privileges given by the Indult to "working people."

Alfred Stoll of this city was one of the fifty-two to be initiated into the Knights of Columbus Lodge at St. Cloud last Sunday. Among the delegation from this city who took in the initiation were S. P. Brick, Raymond Brick, Alfred Stoll and Frank Kerich, who returned Monday morning. They say that they certainly had a good time.

NEW RATES TO STAY

Reasons for Change in Woodmen Society Effective Jan. 1, 1913

The following are abstracts of a circular mailed to J. W. Crossfield, clerk of the local camp, by the head clerk of the M. W. A. and fully explains the reasons for the society's new insurance rates:

The Modern Woodmen Society has the right, under the terms of the Mobile bill to give to its membership rates lower than those that can be given by any other society or insurance company, no matter where formed or how operated, from the very fact that the Mobile bill permits the Society to value its business, and logically, to grade rates to its own mortality standard, because it meets that requirement of the bill which permits societies having an experience covering not less than 100,000 lives and not less than 20 years, to do these things.

The lowest tables of mortality that any society, which can net use its own experience, is permitted to employ, is the National Fraternal Congress table, which table shows a mortality about 17 per cent in excess of that of the Modern Woodmen mortality table. As our table of mortality has been thoroughly tested by the actuaries of several insurance departments and has been declared to be safe, it will thus be understood that not only can no society give its members rates as low and as safe as those which the Modern Woodmen will give under its new tables adopted at Chicago, but it will also be kept in mind that if any Society offers lower rates and declares them to be adequate, any Neighbor may know at once that the declaration is not true; that the rates are not safe rates that no responsible actuary or state insurance official will give such representations official or professional endorsement and that, in short, if an society attempts to do these things, it is simply endeavoring to hand to its members and the insuring public a "gold brick". Moreover, let it be kept in mind that any society, the rates of which at this time are as low as or less than the rates adopted at the Chicago meeting of the Head Camp under the various plans, must by the terms of the Mobile bill, disclose its true condition by valuation annually, and when the truth is known, it logically follows that it must increase its rates or else fail to meet its benefit payments when they become due in future years.

Prospect camp of the M. W. A. of Minneapolis, having a membership of 1,500, has voted to send delegates to attend the National assembly of the Woodmen in that city on February 22nd at which to effect plans for a revision of the new insurance rates.

Born—To Mr. and Mrs. Irving Pedley Wednesday, February 14, a son.

Born—To Mr. and Mrs. Frank Ringwelski Monday February 12, a daughter.

Born—To Mr. and Mrs. Wm. Anderson Friday, February 9, a son.

Born—To Mr. and Mrs. Wm. Valley of Ripley, Thursday, Feb. 8, a son.

Born—To Mr. and Mrs. Chas. C. Wright of Minneapolis, Tuesday, February 13, a daughter. Mrs. Wright was formerly Miss Helen Lyon of this city.

H. Muncy, who with his family has been residing on Broadway west, has moved to rooms on First street north-east.

A sixty foot glass wall case is to be installed in the Hub Clothing company for the displaying of suits.

Chas. E. Vasily, member of the state board of control, was in the city Wednesday enroute to St. Paul from a business trip to Sauk Centre.

Owing to the many dances and other social doings, the baseball meeting which was to have been held this week has been postponed to next week.

Mrs. P. J. Vasily of the Herald and Ed. M. LaFond of the Transcript left Wednesday evening for Minneapolis to take in the State Editorial convention.

Drew Amo, a local boy who is a student at Highland Park college of Des Moines, Iowa, has been elected vice-president of the school's athletic association.

An interest in the Little Falls Plumbing & Cycle company has been purchased by M. M. Buckman who is at present clerk in the M. V. Wetzel drug store and on March 1st he will take up his work in the company's garage. Improvements are contemplated by Messrs. Schroeder and Buckman in their garage.

Rev. Luther C. Benson, who has been appointed to fill the vacancy in the M. E. church here, caused by the resignation of Rev. Walker, has been for the past two years the pastor of the Brooklyn Center M. E. church of Minneapolis, and will preach his first sermon here next Sunday. Mr. Benson is a graduate of McKandrie college and Hamline university.

Receipts were issued Wednesday by County Treasurer Frank Renick for a total of \$16,899.50 collections of personal property taxes. This is easily explained, however, when it is shown that of this amount \$15,641.49 was for personal property taxes of the Pine Tree Manufacturing Co. There remains but thirteen more days in which to pay your personal property tax before a penalty attaches.

FIREMEN'S BANQUET

Big Attendance—East Side Pumping Station—Fire Team Wanted

Monday evening, the firemen, numbering over one hundred, sat down to their annual banquet, held at the city hall which in every respect was a most pleasant occasion.

After partaking of a most appetizing menu, and everybody furnished with smokes, Toastmaster Frank W. Lyon in a few appropriate words opened up the talking part of the program.

L. W. Vasily spoke on the efficiency of the department and the harmony that existed among the different members and between them and the officers, tossed a bouquet at Chief Emdor for his untiring work, and at Toastmaster Lyon for having the welfare of the department at heart, as well as for the manner in which he has represented the local firemen at state meetings.

Justice Phil Randall made a decided hit with an original poem on the Little Falls fire department and a number of its members. Although in substance it was a gross libel, the occasion was considered, and the author got away with it in the style.

T. C. Gordon, speaking for the Water Power company, said that while there was liable to be some complaints on service, that the friction between the company and the department was at a minimum. He said that the company was always glad to improve the service, but that this was not as easily done with the water works, on a concrete of the pipes being a n d e r g r o u n d a s i t w a s i n the other service. One thing of special interest, especially to the East side, was spoken of by Mr. Gordon. He stated that at the last meeting of the directors of the company, the matter of installing an electric pumping station at the east approach of the Broadway bridge to be used in case something happened at the pumping station on the West side or on the bridge, was taken up, and that he believed such an improvement would be made within a year. He also thought that this was an opportune time to investigate the matter of securing horses for the fire department service.

Don M. Cameron spoke on "Anything" as a subject, and gave a talk on about everything, interspersed with a number of good stories. He included in his talk the matter of fire prevention as being as important as fire extinction. He also advocated the purchase of horses for the department.

E. A. Loscke, speaking for the ladies, said that the feminine part of the household thought that the firemen should be more considerate of them when the annual celebration drew around, and that although they might not be invited to attend the annual banquet, something in which the ladies were to be included should be taken up for a future date. He was also another advocate of securing a fire team.

The band which was gotten up at short notice, played some very good selections.

After the set program of the evening was finished, the firemen spent some time in conversation, and the younger element sang every song written since the advent of "My Old Kentucky Home."

VALENSKI WON MATCH

Threw Reicheveich Three Times in Ten and a Half Minutes Wrestling

About fifty of our local sportsmen assembled at the Milo here Wednesday night to witness the Reicheveich-Valenski wrestling match, in which the latter, a 207 pound Pole, made very short work of his lighter but versatile adversary who weighed about 180 pounds. Valenski had agreed to throw Reicheveich three times in an hour but was able to do it in a great deal less time than that.

The first fall he secured on a toe hold in one minute and fifty-five seconds, the second in three minutes and thirty seconds and the third in an even five minutes after toying with him a short time. The second fall came when Reicheveich who was under, attempted a scissors hold on the bellow, who straightened out and with his shoulders pressed Reicheveich's shoulders to the mat. The third fall was obtained in a similar manner when a half Nelson was being attempted on the Pole.

Arthur Reynolds officiated as referee.

Valenski is to meet Dompke of Pipestone and Carson, the terrible Swede, at the Milo on February 28th, at which time he agrees to throw the pipestone lad three times in sixty minutes and then take on Carson immediately afterwards and throw him also.

In the preliminaries Alex Smith won over Matty Newman with a half Nelson after about eight minutes of hard work on the part of both.

Peter Garney and Alex Smith sparred for couple rounds, after which Pete decided he could not "come back."

Ed. Tanner, however, furnished the genuine comedy on the stage from start to finish.

BOUND OVER TO GRAND JURY.

Fred Bachman of Swanville town was arraigned before Justice Gaudet Wednesday, charged with deserting his wife and children. He waived examination and was bound over to the grand jury. On failure to furnish \$200 bonds he was taken to the county jail. The man left his family on January 28th.

THE TAX COMMISSION

Third Article of Series—The General Property Tax

The main reliance of the minor divisions of the state and, to a less extent, of the state itself, is upon what is termed the general property tax levied directly upon the real and personal property in the state. The theory of this tax is that every person should bear his just share of the public expenses, and that his ability to bear it is proportioned to the value of his real and personal property. This has been the theory upon which this kind of taxation has been based since the state was organized.

In the table given in the report of the tax commission for 1910 is the following statement of the taxes raised in 1909 and the uses to which they were applied:

State taxes: For revenue and other purposes there was levied \$1,732,748.19; schools and universities, \$1,364,286.34; interest and principal on state loans \$589,658.71; making a total of \$3,686,693.24. County taxes: For revenue, \$3,451,650.20; roads and bridges, \$869,940.75; poor, \$357,826.28; bonds and interest, \$550,088.73; other special taxes, \$594,462.95; making a total of \$5,623,969.89.

City and village taxes: For revenue, \$4,970,153.92; roads and bridges, \$434,786.08; poor, \$247,584.52; bonds and interest, \$1,477,280.93; local assessments, \$1,461,826.49; other special taxes, \$1,146,324.51; making a total of \$9,737,405.45.

Township taxes: For revenue, \$687,981.68; roads and bridges, \$1,394,313.65; poor, \$62,184.07; bonds and interest, \$92,667.14; delinquent road taxes, \$305,461.77; other special taxes, \$167,473.62; making a total of \$2,770,012.53.

For school district taxes: local one mill tax, \$1,105,026.98; bonds and interest, \$180,200.37; other special taxes, \$7,550,402.69; making a total of \$8,835,630.04.

The grand total of taxes on land and personal property was \$30,813,670.15. In addition, the municipalities derived revenue from indirect sources, such as liquor licenses, not included in the above. It may be worth noting that approximately 10 per cent of this total was used to pay interest and principal

DIED

John Piekarski, who was formerly in the grocery business on the West side, died of blood poison in his arm at the home of A. B. Trzebistowski Sunday morning at 9 o'clock. He was 34 years of age and is survived by a wife, mother and several brothers and sisters. The remains were taken to the home of his mother, Mrs. Annie Piekarski, Pike Creek, and the funeral was held Tuesday morning at 11 o'clock from the Swan River Catholic church.

LOCAL HIGH PLAY AT AITKIN

TONIGHT

The local High quintet leaves this noon for Aitkin, where they will play a return game with the high school basket ball team of that city. Although beaten on the local floor earlier in the season, Aitkin has a strong quintet, and playing on their home floor will give the home boys a very hard rub. Of course the Little Falls boys expect to carry off the honors in their tonight's contest.

William H. Ereaux and Miss Maude Valley were granted a marriage license Wednesday.

A party of the school faculty found the weather so pleasant Monday that they picnicked on Hole-in-the-Day's bluff and cooked their dinner there Monday.

Judge M. D. Taylor and Attorney Ripley B. Brower went to St. Cloud Wednesday afternoon at the close of the adjourned session of the district court on that day.

Marriage licenses issued: G. A. Fritz and Sophia Bollig; Philip Gendro and Lizzie Heiseck; Joseph Zarowski and Ursula Olk; Henry Chilling and Aurora Plant.

H. J. Schwartz, convicted in the Royalton bank case, and sentenced for an indeterminate time in the reformatory, was taken to that institution at St. Cloud by Sheriff Armstrong Monday.

The fire department was called to the home of George Cornwell on Bay street Wednesday morning shortly after 9 o'clock, fire having been discovered in the attic of the building. Little damage was done.

A large number of the business college pupils were the guests of T. B. Millard, principal of the school, at the Wednesday evening number of the Star lecture course, at which time the Bellhars entertainers delighted a large audience at the Congregational church.

Supt. H. E. White stated yesterday that this had been a very fortunate school year so far, as no resignations were received from a one member of the local teaching corps, none had been ill more than a day at a time, thereby making it unnecessary to have substitutes, and none of the teachers had changed their board and lodging places.

A leap year ball was given at Elks hall last Friday evening. Messdames Maining, Moyer, Holt, Weasel and Barlow having charge of the arrangements for it. The ball was beautifully decorated for the occasion, and the ball proved a decided success, being largely attended. It is said that there were no wall flowers, but the picking out of the balls of the ball would be a difficult task.