

News of North Dakota

WANTS \$5,000 FOR CHAMBERS' DEATH

Action Brought Against the City of Devils Lake—Soo Won Similar Case.

Devils Lake, N. D., Dec. 8.—With Judge C. M. Cooley of Grand Forks sitting at request of Judge C. W. Buttz, the case of Mrs. George Chambers against the city of Devils Lake was started yesterday afternoon. A verdict of \$5,000 is asked for the death of Editor George Chambers of the Church Ferry Sun, who was killed when the auto of Charles Doyon went into a ditch just at the city limits of Devils Lake. A like action against the Soo railway, tried a year ago before Judge C. F. Amidon, resulted in a directed verdict for the defense.

RUGBY DECISION NOT TURNED OVER

Bismarck, N. D., Dec. 8.—The Citizens' State bank of Grand Forks and Harold Thorsen failed to overturn the district court's verdict in their suit against J. H. Lockwood and A. M. Iverson, the action involving notes to the value of \$6,000. The supreme court yesterday affirmed the district court's decision in favor of the defendants.

The supreme court holds that a guaranty of payment by the defendants for a \$6,000 balance remaining on unsecured and unpaid commercial paper, was not in reality to a guaranty to pay, but a guaranty to collect. Two justices dissented from the latter ruling, Justice Christman, dissented from the opinion.

The syllabus follows: The Citizens' State bank of Ruby, N. D., a corporation, and Harold Thorsen, plaintiffs and appellants, vs. J. H. Lockwood and A. M. Iverson, defendants and respondents.

Syllabus: In a contract for the purchase of plaintiff bank by Thorsen from defendants it was stipulated that defendants "agree to have all bills receivable now in said bank which are past due or payable on demand, either renewed and secured or paid."

Suit is brought upon a guaranty of payment by defendants for a \$6,000 balance remaining on unsecured and unpaid commercial paper. Held: 1. That the guaranty was not a guaranty of payment but constitutes in effect a guaranty of collection.

2. Defendants are responsible only to the amount of the actual damage occasioned by their breach of contract in failing to procure any remaining portion of said notes to be renewed and secured or paid.

3. Such damage would be measured by the difference between the actual value of the notes and the amount due upon them together with the necessary expense of endeavoring to enforce their payment.

Appeal from the district court of Erbe county, Buttz, special judge. Affirmed. Opinion of the court by Goss, J.; Christman, J. dissented. Cooley, district judge, participating. Dissents: Bruce, J., also dissents.

HIGHWAY ROBBERY CASE DISMISSED

Carrington, N. D., Dec. 8.—The cases against Frank Murrell and Harry Ray, charged with highway robbery, were dismissed in the district court when the complaining witness failed to appear.

Dan Willoughby, accused of beating up E. R. Bradley of Grace City, was found not guilty.

Harry Woodworth, arrested at Mankato, Minn., recently, pleaded guilty, and will be sentenced this week. He was charged with forgery.

M'HUGH CASE TO BE CALLED FOR TRIAL

Mandan, N. D., Dec. 8.—The case of J. McHugh, a former Mandan, banker, will be called for trial in the district court at Dickinson, which opened yesterday. He is accused of irregularities in connection with his banking business here. He was arrested about a year ago.

THREE HELD FOR SELLING LIQUOR

Mott, N. D., Dec. 8.—Three men were arrested in this city by Adams county officials, charged with the sale of liquor.

Several days ago, three men drove into Heeder, Adams county, departing several hours later. At the time of their departure, several drunken men appeared on the streets, and an investigation led to the conclusion that the visiting trio had brought the liquor in.

HAS TO SEND FLOUR BY DIFFERENT WAY

Carrington, N. D., Dec. 8.—Bernhard Kesselheim, who has been sending ten pound sacks of white flour to his parents in Germany since the outbreak of the war and the scarcity of flour there, has been cut off from the practice by the recent notice sent out by the United States postoffice department that it would not accept parcel post packages for delivery to Germany. Mr. Kesselheim has found a way out, however, and through a house that has offices in New York city and also in Holland, he remits to New York and the company has its Holland branch send the flour from there. A ten pound sack there costs \$2.50 delivered in Germany. The expense of the flour and postage from Carrington was \$1.75.

MAN IS HELD ON \$1,000 BONDS

Kenmare, N. D., Dec. 8.—Robert Wilson, a transient, was arrested and charged with larceny, having relieved Mr. Manke of \$48. At the preliminary hearing he was bound over to district court and placed under \$1,000 bonds, which he could not furnish, and was taken to Minot.

A Bald Head Only Indicates that the scalp has been neglected. You recommend that you use **Revell Hair Tonic**. Kills the germ that causes the hair to fall out and will keep the scalp healthy. **Revell Hair Tonic**. Discont. Pharmacy.

COUPLE MARRIED IN COURT ROOM

Jury Selected to Try Case of Breach of Promise is not Needed.

Devils Lake, N. D., Dec. 8.—In the presence of the jury which had been drawn to try the case, with Judge C. W. Buttz and Judge C. M. Cooley as witnesses and the court room filled with spectators, Anna Reed and Ernest Johnson were married. The breach of promise case ended in a wedding.

SAME NUMBER OF EACH SEX HERE

Minot, N. D., Dec. 8.—There is exactly the same number of boys as there are girls in the Minot public schools, that of showing being made in the report of Superintendent Francis. The report shows 724 of each sex, the total enrollment being 1,468, of which 211 are in the high school and 1,257 are in the grades.

During the past month, one room in the public schools had a 99 per cent perfect attendance record.

KENMARE PLANT CHANGES HANDS

Kenmare, N. D., Dec. 8.—The Kenmare Light and Power company in this city has disposed of its holdings to the National Briquetting company, announcement of the transfer just being made.

The change carries with it a reorganization of the new holders. It is understood that the National company will combine the electric and power industry with the manufacture of briquettes, the concentration of the two industries making it possible to operate each on a more satisfactory basis.

FARMERS AROUND WATFORD MEET

Watford, N. D., Dec. 8.—Farmers of this section of McKenzie county held a meeting here for the purpose of considering the organization of a club, the plan of which will be the study of agricultural problems and of the development of rural interests. A rural telephone line, and greater co-operation in promoting other schemes, will be foremost among the club's work.

Another meeting will be held shortly to further perfect the organization.

KENNEDY OFFICE IS DISCONTINUED

New England, N. D., Dec. 8.—The Kennedy postoffice near this city, established ten years ago, has been discontinued by order of the postal department. The office has served about a hundred patrons.

ALEXANDER FLOUR MILL BEING BUILT

Alexander, N. D., Dec. 8.—Ground has been broken for Alexander's new flour mill and some of the building material is on the ground. Messrs. Green and Engh plan on putting a force of men to work on the structure as soon as the foundation work is done. They expect to complete the building and install the machinery within a few months.

STATE BUTCHERS MEET AT LAKE

Devils Lake, N. D., Dec. 8.—A meeting of the North Dakota Butchers' association opened here today. The representative attendance of members, especially from the seven counties of the Lake Region, the organization having originally formed by these members. An iron clad rule will be passed to discourage the patronizing of wholesale meat firms who sell to restaurants, hotels and general stores.

SWEETSER WILL SPEAK AT MEET OF STATE CONFERENCE

Building of Bridge over Missouri River Will be Talked at Convention.

Mandan, N. D., Dec. 8.—Cl. H. Sweetser, senior highway engineer, will be sent from Washington by G. W. Page, director of the office of public roads and survey engineering, to address the Morton County Good Roads convention to be held here December 17.

In this movement, city and county commissioners, at the automobile clubs of the district, the National Parks Highway association, backers of the Red Trail, the Commercial clubs and Trade Booster association will take active parts. Newspaper men are also co-operating.

County commissioners of other counties adjoining, road overseers and township supervisors of the district will receive special invitations and the convention, it is believed, will prove the greatest gathering ever held in western North Dakota.

It is believed that talk of bonding Morton and Burleigh counties to build a wagon bridge over the Missouri river between Mandan and Bismarck, and the opening of the county for improvement of roads in all sections, will prove a drawing card.

A banquet for 1,000 delegates will be served free by the Commercial club. The invitations will be mailed out today.

COMPANIES MUST PAY HAIL LOSSES

Mandan, N. D., Dec. 8.—A meeting was arranged to take place at Fargo, between the officials of the Des Moines Mutual Hall and Cyclone association of Des Moines, Ia., and State Insurance Commissioner W. C. Taylor and Attorney General H. J. Lind, at which time the financial difficulties of the company were probed and it is understood adjustment of losses will be made or suit will be started by the state to compel the company to pay its losses.

BOY IS INJURED WHILE COASTING

Granville, N. D., Dec. 8.—Little Lyle Jorgenson, son of Mr. and Mrs. Boaz Jorgenson, suffered a severe scalp wound. He was coasting down hill and when at the bottom of the hill ran into a wagon being driven along the road. His head struck one of the wheels and he was knocked unconscious.

LARGE AMOUNT IS PAID FOR STOCK

Bantry, N. D., Dec. 8.—Geo. A. Keller, proprietor of Northside Dairy Farm, has sold to Bantry, who buys and ships stock, has paid to farmers in this neighborhood \$23,000 for stock and shipped, since late in the past two months he has paid out to stock raisers nearly \$13,000.

In addition to this, other stock buyers from Bantry have paid fifty thousands of dollars among our farmers during the past few months for horses, cattle and hogs—not to mention individual shipments that have spread considerable additional money over this community.

MAN RUN OVER AND KILLED BY WAGON

Mandan, N. D., Dec. 8.—Gustaf Irtich, one of the best known farmers of the New Salem district sustaining injuries which he died an hour and a half later.

He had driven into New Salem with a full load of grain from his farm two and a half miles from place, had stopped at a store to purchase various articles and was mounting to his seat on the wagon when the team became frightened.

When the horses started to run, Irtich was thrown under the wagon both the front and rear wheels passing over him. He called for help and pedestrians picked him up, carrying him to the office of Dr. Fischer. However medical aid was unavailing.

All of his ribs were broken, his breast bone and collar bone crushed one of his lungs punctured, his lower jawbone broken. He lived about an hour and a half after the accident.

Gustaf Irtich came to New Salem nearly 22 years ago and has practically all of the time since, been engaged in farming. He owned a splendid place just a short distance from New Salem.

Four sons, three daughters and his wife survive him. He was 60 years of age.

BOYS AND GIRLS OF STATE CONFERENCE

North Dakota Gathering Under Way in Fargo is Real Successful.

Fargo, N. D., Dec. 8.—The Boys and Girls' institute opened yesterday at 9 o'clock. After a few remarks Miss Sullivan introduced Mr. Cooper of the North Dakota experiment station. He congratulated the boys and girls on the good work that they had done in the contests and that it had been quite a factor in the improvement in corn, alfalfa and potato growing and in pork production. The boy or girl going into these contests interested the parents. He was sure that the boys who had been in the pork production contests are the ones that will in five or ten years be the leading hog producers in the state. That those who have won in the corn contest will be the prominent corn growers and that the girls who have won in their various contests, will be leaders in their work. He urged the delegates to take home as much as they can of what they learn that they may pass it on to their less fortunate neighbors who did not win so high a place and so did not secure the trip.

President Worst Welcomes Delegates. President Worst of the agricultural college welcomed the delegates and gave them full possession of the campus for the days when they are here. He said that he was glad to meet the winners and he called attention to the fact that it took the same qualities to win in these contests that it takes to enable men and women to do the work that is so important to the world as to make them famous. He hoped that they would keep on making even greater efforts and being painstaking.

He said that he was then devoted to introducing the delegations and the different ones present.

Canning Demonstration. George E. Farrel of the United States department of agriculture then proceeded to make a demonstration in canning. He had a stove, pots and pans, and was dressed up in an apron. Apple was the fruit that he canned, and he explained the processes and explaining the value of each step.

After lunch the boys went to the armory where they were given practice in driving, learning how to act in unison and in response of orders. The girls were given similar exercises in the gymnasium in Ceres hall. The next was an illustrated lecture on the life of animals of North Dakota. Mr. Miller used both live animals and stuffed ones to illustrate the different kinds. The buildings were inspected through all the processes and explaining the value of each step.

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Farrel Lectures This Morning. The first exercises this morning will be at 9 o'clock. Mr. Farrel will deliver a lecture. The next will be a demonstration lecture on livestock by Prof. Shepherd. The girls will then go to Ceres hall where Miss Stoner will give lectures on preparation of vegetables and bread-making. The boys will at the same time be given a demonstration lecture on trees and grafting by Prof. Waldron, and another lecture on grading, dockage and marketing of grain by Prof. Churchill. One of his attention exercises will be at 9 o'clock. Mr. Farrel will deliver a lecture. The next will be a demonstration lecture on livestock by Prof. Shepherd. The girls will then go to Ceres hall where Miss Stoner will give lectures on preparation of vegetables and bread-making. The boys will at the same time be given a demonstration lecture on trees and grafting by Prof. Waldron, and another lecture on grading, dockage and marketing of grain by Prof. Churchill. 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