

# News of North Dakota

## BISMARCK CARS WILL MAKE RUN

### About Fifty Automobiles Will Join National Parks Highway Tour.

Fargo, N. D., May 9.—Fully fifty automobiles will join the National Parks highway automobile tour in Bismarck, running from Bismarck to Medora, according to word received by J. P. Hardy of Fargo, secretary of the organization that is handling preliminary plans for the gigantic Twin Cities to Yellowstone Park automobile run the latter part of July.

The Bismarck Commercial club has determined to make the run from Bismarck to Medora a part of its trade extension program for this season. The Bismarck folks will only go as far as the Medora bridge—and will participate in the festivities that will be conducted there in connection with the dedication of the structure.

Bismarck also has laid special plans for the entertainment of the tourists who will participate in the main run. On the evening of the arrival of the party in Bismarck, there will be a boat ride on the Missouri river, to the Indian mounds and the old Fort Lincoln site. Other features in the way of entertainment also will be provided.

Glendive, Mont., has provided special entertainment for the tourists when they reach there, President C. A. Thurston extending to Mr. Hardy an invitation to all tourists to enjoy the privileges of the Dawson County club during their stay in Glendive.

If the number of entrants in the park run continues to increase rapidly, it probably will be necessary to arrange for a distribution of the motorists in the matter of entering the park, for it will be impossible to handle more than 75 cars in one day. If the party was divided, half of the tourists would make the rounds of the park one day apart.

## HANNA FILES HIS PETITION

Bismarck, N. D., May 9.—Gov. L. B. Hanna filed his petition today, whereby he entered the race for United States senator. Hanna is the first to file in the contest. His petition which was filed contained about 500 names, though they were signed by somewhere between 15,000 and 18,000, the complete count not having been completed at this writing.

The governor will make his formal announcement in a day or two, and will push his campaign vigorously from now until the primary.

## NEW FACTORY FOR CROSBY

### Cement Block Plant Will be Erected in the Near Future.

Crosby, N. D., May 9.—Through the efforts of Mr. C. E. Styer, manager of the Divide County Land and Investment company, Messrs. Wm. Wishart and F. W. Ecker have decided to start a cement factory here. They have purchased all of block 5 in Erickson's building operations. The new concern will be known as the "Crosby Cement Products company." The first building to be erected will be thirty by fifty feet. The necessary machinery is already at the station, and the firm expects to start operations within a week or so.

All the machinery to be installed will be operated by power. The machinery is of the latest manufacture. The plant will be able to put out 800 cement blocks per day. This is equivalent to 18,000 brick.

Cement products of all kinds will be manufactured. The chief products will be cement blocks, posts and tile. "Anchor Concrete Block," which will be manufactured by the concern, is an absolute frost and moisture proof block. By reason of the air space, it will be a great improvement over the old form of block.

## \$10,000 SCHOOL HOUSE DESTROYED

Edmunds, N. D., May 9.—The handsome \$10,000 school house burned to the ground shortly after noon Sunday. The building cost \$8,000 without the equipment. It was a four room building of modern construction and was completed and occupied only last Christmas.

This is the second school house burned here inside of a year. The old building was being overhauled a year ago and was just ready for the winter when it caught fire and burned to the ground.

Steps will be taken by the school officers to rebuild so that a structure may be in readiness for the opening of school in the fall.

## MANY FILINGS MADE ON LANDS

Minot, N. D., May 9.—An average of one in five of the holders of the first 400 numbers in the Fort Berthold land drawing, failed to take advantage of the opportunity to homestead government land, according to figures given out here today by James McPhaul, representative of the department of the interior in the land filings.

The filings have been in progress for the past week, and have been exceptionally active. In the first 100 names that were read, there were only eleven who failed to file on claims.

The homesteaders have ten days' time in which to complete the filings, and they have six months in which to establish residence on the land they have acquired.

Development of the reservation district during the past few years has been particularly satisfactory, and that fact was responsible, in a measure, for the very brisk demand for land at this time.

## INJURED MAN WALKS 20 MILES THEN DIES

Jamestown, N. D., May 9.—John Zwinger, southwest of Sykeston, was run over by a disc. He was taking the new machine home, when trouble started and he walked out on the tongue to get the line. He fell off and the disc badly cut his head. He walked back to Sykeston, then home a distance of nearly twenty miles. Shortly after reaching home he died.

**EX-SENATOR DIES.**  
Richard J. Burdges, prominent Wisconsin Man, Dead.  
Beloit, Wis., May 9.—Richard J. Burdges, 72, died yesterday at his home, after a week's serious illness. Mr. Burdges was formerly state senator and a member of the state assembly, and was prominent in politics and civic affairs in Beloit and throughout the state.

## THINK RUTLAND MAN MURDERED

### Note Found Beside his Body Not in His Own Handwriting.

Forman, N. D., May 9.—Doubt at the genuineness of note found at the side of the dead body of Fobie Parkes, a farmer residing near Rutland, this county, has resulted in a thorough investigation into the case, with the strong probability that instead of being a suicide, it will be found that Parkes was murdered.

A note addressed to Parkes's brother is not in the dead man's handwriting, according to the brother, and the officials have caused a post mortem to be made of the remains to determine the cause of death.

The note, which it is claimed was left beside the body to disarm suspicion, was written: "Fobie Joe; I done it all myself. Take care of everything. Let rest know." It was not signed.

At the side of the body an empty bottle labeled strychnine and another bottle, half filled with water, were also found.

Parkes, a bachelor farmer, had been out his farm during the day and discussed with his brother, and had discussed with him plans for the season's work. He appeared cheerful, and was not in any way unwell, as he had been found. His accounts were in good shape, and he was not in ill health.

## MANY TELEGRAMS SENT OFFICIALS

Bismarck, N. D., May 9.—Between \$5,000 and \$8,000 was spent by the Germans of western North Dakota in sending telegrams to Congressman P. D. Norton and to United States Senator Porter J. McCumber protesting against the severance of diplomatic relations with Germany.

Congressman Norton and Senator McCumber received a total of about 5,000 telegrams, the bulk of which were sent from Hebron, and the average cost of the messages was \$1.14.

Southwestern North Dakota has an exceedingly heavy German population.

## VALLEY CITY WILL CELEBRATE

Valley City, N. D., May 9.—Valley City school children will participate in the general observance of the tercentenary of Shakespeare, the planting of an oak tree on the college campus, in honor of Shakespeare, being one of the striking features.

The exercises will be conducted tomorrow, and will be in three parts. The first takes place at the auditorium where a program of preliminary hearing with an address by Floyd T. Goodier on "The Significance of the Shakespeare Tercentenary," and with a program of Shakespearean readings and Elizabethan songs.

The second portion of the day's program will be conducted on the campus, including the planting of an oak tree in honor of Shakespeare, and a May pole dance, and other dances, also will be carried out.

The third portion of the day's festival, scenes from "As You Like It," and "A Midsummer Night's Dream" will be presented by normal students.

## COUPLE TO HAVE HEARING IN MINOT

Minot, N. D., May 9.—Margaret Keller and M. C. Williams, arrested here several days ago charged with violating the Mann white slave act, will have their preliminary hearing before a United States commissioner here tomorrow. Federal officials expect to bring Stella Elberts, a young girl, to this city as their principal witness.

It is claimed that Williams and Margaret Keller brought the Elberts girl to the city several weeks ago, the trio attracting the attention of local officials, with the result that they were arrested and the attention of federal officials was called to the case.

## NELSON WILL DELIVER ADDRESS

Fargo, N. D., May 9.—United States Senator Knute Nelson of Minnesota has accepted an invitation to deliver an address at the North Dakota state fair to be held in Fargo this year, Tuesday, July 18, being the date on which Senator Nelson will speak.

Senator Nelson's address in response to the joint invitation of the response of the University of North Dakota and the Old Settlers' association, Secretary H. J. Hagen of the latter organization, receiving the Minnesota senator's acceptance.

E. Y. Saries, former governor of North Dakota, will preside over the session, and in addition to Senator Nelson, President Franklin L. McVey of the University of North Dakota also will speak.

## ADVENTURISTS BUY HARVEY HOSPITAL

Harvey, N. D., May 9.—Local Seven Day Adventists have secured control of the Harvey hospital, and have purchased a majority of the capital stock. The new officers are Karl Leier, president; Ludwig Kattan, Christ J. Niemcha, Jr., and Alex Miller, directors. Aloys Wartner retains the office of secretary-treasurer.

## SHORT TERMS WILL BE HELD

Devils Lake, N. D., May 9.—Next Monday a term of court, without jury, will be opened at New Rockford by Judge C. W. Butts who will spend the week at the Eddy county capital clearing the record of matters for trial without jury.

The following week Judge Butts will make a complete swing through the district taking up naturalization matters at Minnewatan, Canado, Rolla and Devils Lake. Government representatives will attend these hearings, examining the applicants for citizenship in the federal requirements have been met.

**WOMAN IS FEEBLY MINDED.**  
Rosa, N. D., May 9.—County Commissioner Harry Hardy and Sheriff H. J. Slaughter, went to the World farm, near Mantou, and took Mrs. World, who is said to be feebly minded to Stanley. Mrs. World is a paroled patient of the institution for feeble minded at Gratton, and she will be left in custody of the sheriff, until word can be received from that institution.

## FARM BUILDINGS ARE DESTROYED

### Fine New Barn, Granary and Chicken House Totally Destroyed by Fire.

Jamestown, N. D., May 9.—The big new barn, the granary, and the chicken house on the farm of Joseph Kosack, living near Medina, were totally destroyed by fire during the high wind.

Kosack had burned a straw stack about a quarter of a mile west of his barn a few days before and it was still smoldering when the high wind arose and the straw stack fell into flames. Kosack discovered the fire creeping through the heavy layer of straw on the ground toward the barn and notified the neighboring farmers of the trouble. A crowd of men and boys gathered and they worked desperately to head off the fire, but as they would lift up a fork full of straw, the fire would jump to another spot and spread rapidly. The chemical engine from Medina was called out but the fire reached the barn and in less than twenty minutes the big building 60x100 feet collapsed in flames.

The fire soon spread to the granary and chicken house which were also totally destroyed and the chemical engine standing near the barn struck by fire and was completely destroyed.

## PONTOON BRIDGE IS LAID OUT

Williston, N. D., May 9.—That Williston and McKenzie counties may be joined by a pontoon bridge before the June rise of the Missouri river, is the assertion of President Gilderwood of the Missouri River Bridge company, who is completing final arrangements before beginning actual work on the construction. The Mondak and Wolf Point pontoon bridges are cited as successful undertakings of the kind.

## Supreme Court Decision

Carl J. Swanstrom, plaintiff and respondent, vs. Minneapolis St. Paul & Sault Ste. Marie Railway company, defendant and appellant.  
Syllabus:  
(1) In an action to recover damages for the destruction by fire of a grove of trees, which fire was negligently caused by sparks from defendant's locomotive, the specifications of error merely challenge the correctness of the trial court's order denying defendant's motion for a new trial. The sole ground of such motion was that the damages awarded by the jury are excessive and appear to have been given under the influence of passion and prejudice.  
Evidence examined and held that the specifications are without merit.  
(2) In determining whether the verdict was the result of passion and prejudice it is not the province of this court to weigh the evidence further than to satisfy itself, as a matter of law, whether the jury must have been thus actuated in assessing the damages, and unless the verdict is so grossly and palpably excessive as to shock the conscience of the court, and to raise a reasonable presumption that the jury must have been influenced by passion or prejudice, an appellate court will not set aside the verdict.  
Appeal from the district court of Bottineau county; A. G. Burr, J.  
From a judgment in plaintiff's favor and from the denial of defendant's motion for a new trial, the latter appeals.  
Affirmed. Opinion of the court by Chief Justice J. J. Bergeson, J. being disqualified, did not participate, Hon. W. L. Nuesse, judge of sixth judicial district, sitting in his stead.

## From Mercer County

P. J. Costello, plaintiff and appellant, vs. Farmers Bank of Golden Valley, a corporation, defendant and respondent.  
Syllabus: (1) To constitute negligence of a property owner in leaving an excavation on his premises unguarded, it must appear that the owner owed a legal duty to the plaintiff to thus guard it and that he is guilty of a breach of such duty.  
(2) A property owner owes no duty to a trespasser or a mere licensee on his premises to protect him from injury, other than to refrain from willfully and wantonly inflicting injuries to such persons.  
(3) Defendant causes a basement to be excavated on its lot bounded on the north and east side by public streets. Such excavation was adequately guarded by a fence across the north and a row or pile of building rock along the east side.  
Held, that defendant exercised due care to protect persons from injuries and that it owed plaintiff no duty to place a guard along the south end, no implied invitation having been extended to the public to travel across the lot where the plaintiff was injured.  
(4) Under the undisputed facts it is held that plaintiff, as a matter of law, was guilty of negligence which directly contributed to his injuries. Hence, the trial court properly directed a verdict against him.  
Appeal from the district court of Mercer county; S. T. Macpherson, J.  
From a judgment in defendant's favor, plaintiff appeals.  
Affirmed. Opinion of the court by F. E. McCurdy of Bismarck, attorney for plaintiff and appellant.  
Newton, Dullam & Young of Bismarck, attorneys for defendant and respondent.

## SHRINERS TO HOLD BUFFALO

### City Preparing to Give Mystic Order a Real Welcome.

Buffalo, N. Y., May 9.—Arrangements are being made for the holding of the annual convention of the Imperial Council of the Ancient Order of the Mystic Shrine in this city July 11, 12 and 13, and it is announced that unusual efforts are being made to set a new record this year for assemblages of this character. It is estimated that the convention will bring to Buffalo close to a hundred thousand persons.

J. Putnam Stevens, imperial potentate, of Portland, Me., has just completed a tour of the southern and Pacific states and the Hawaiian Islands, devoted to urging the temples he visited to send large delegations to the 1916 Mecca. Buffalo has pledged \$100,000 for the entertainment of the visitors. Many of the special trains in which the nobles will make the pilgrimage will be luxuriously fitted out. One California temple is spending \$75,000 on its trip. The Chicago Shriners have engaged the largest passenger steamer on the Great Lakes for the water trip to Buffalo and are putting \$40,000 into their excursion.

Among the amusement features planned is a national aeroplane race scheduled to open here July 15. Negotiations are under way to remove, if possible, the Canadian government's objections to visitors at the Fort Niagara camp, so that the Shriners may be accorded the privilege of seeing the overseas regiments at training.

## MAN ARRESTED ON ASSAULT CHARGE

Ross, N. D., May 9.—Solomon Ross, an American living near Ross



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**MAN ARRESTED ON ASSAULT CHARGE**

Ross, N. D., May 9.—Solomon Ross, an American living near Ross

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