



# Biggest Political Sensation of the Year Sprung at Bismarck

## ANOTHER DRUNK LOSES VALUABLES

WHILE SLEEPING OFF THE EFFECTS OF A SPREE IN N. N. YARDS, THOMAS MASON WAS SEPARATED FROM \$65 AND OTHER VALUABLES.

The old, old story with a few variations, was repeated again last night while Thomas Mason was relieved of all his ready cash while sleeping off the effects of a spree in the Northern Pacific yards. While the victim lost \$64, a watch and a \$5 pair of eye glasses, he took the matter in a most philosophical manner and said that he hoped the money will do the thief more good than it would him.

Mason is a laborer and the money was what he had saved from a long summer of hard work. Wednesday afternoon he went to the Northern Pacific ticket office and inquired about the fare to Jamestown and after receiving the information went to Moorhead and took aboard a full cargo of booze. A short time before ten time he turned up at the depot again and purchased his ticket to the St. Paul county town and went out. It was then in a very intoxicated state. It is supposed that soon afterward he was very sleepy and he crossed the river going in the direction of the U. Light, Heat & Power Co's coal dock opposite the depot and went to sleep.

Late in his mind he awoke and after his mind has sufficiently cleared to take in his surroundings he found that while he slept in peace someone touched him. His wallet had been opened and \$64 in money had been taken but his ticket to Jamestown together with his personal check for a small amount had been replaced. Further investigation revealed the fact that his gold watch was gone and that the spectacles he wore were also missing.

No clues to the perpetrators of the robbery were found and he did not put the matter into the hands of the police not having much faith in the body of officers nor their ability to recover the stolen goods.

It seems evident that there is a body of human vultures hanging around looking for just such chances to relieve helpless people of their valuables.

## HEARST'S PROTEGE IN FARGO TODAY

THOMAS L. HISGEN, CANDIDATE ON INDEPENDENCE TICKET, HOEVR, DID NOT STOP LONG, BUT HURRIED ON TO ST. PAUL.

Thomas L. Hisgen, the presidential candidate of the Independence party, passed through the city this morning in the private car of William Randolph Hearst, en route for St. Paul, where he delivers an address this evening.

He was accompanied by Mrs. Hisgen and Clement Pollock, the political correspondent for the Hearst papers, and a few other newspaper men.

The private car of Mr. Hearst, which carried the party, is one of the most sumptuous in the United States and has every modern convenience available in these modern railway palaces. The name of the car is Constitution. It was attached to the rear of No. 2 of the Northern Pacific, and in spite of the early hour, the special car attracted quite a little attention. It was originally intended to have Mr. Hisgen and Mr. Hearst spend yesterday in Grand Forks, to deliver campaign speeches, but Mr. Hearst was called east from Seattle, to attend to business matters in Chicago and New York and will devote the balance of the campaign to Illinois, Indiana and New York, where the party expects to make a good showing.

Delays in the west compelled the Hisgen party to cancel its date in this city but the state committee is at present making an effort to have either Mr. Hisgen or John Temple Graves, the vice presidential candidate, deliver several addresses in this state before the campaign is over.

## JAP RECEPTION TO THE FLEET

Saturday, Oct. 17.—Arrival of fleet at Yokohama; exchange of official visits; dinner in the evening by the Japanese commander in chief.

Sunday.—The city of Yokohama gives a reception in the park to the officers and 500 men; dinner in the evening, followed by the mayor and representative citizens, followed by a reception by the governor of Kanagawa at his official residence.

Monday.—Admiral Sperry, accompanied by his flag officers and captains arrive at 9:40 in Tokyo; official visits; dinner by Ambassador O'Brien at the Imperial hotel.

Tuesday.—His majesty the emperor gives audience and luncheon to Admiral Sperry and thirty of the higher officers; dinner in the evening by the minister of marine at the Navy club.

Wednesday.—Luncheon by the minister of war at the Arsenal Garden; garden party in the afternoon by Admiral Togo in the Imperial gardens; dinner in the evening by the prime minister at his official residence.

Thursday.—Luncheon by the mayor of Tokyo; afternoon reception by the city of Tokyo in Hibiya park; dinner by the minister of foreign affairs at his official residence; performance later at the Kabuki theatre by the Banker's club.

Friday.—Forenoon and afternoon reserved for U. S. American fleet; Japanese dinner at the Maple club.

Saturday.—Departure of the fleet.

A large number of entertainments for the warrant officers and men, extending through the week, have been arranged by the Japanese navy and by the municipal authorities of Tokyo and Yokohama.

## Fair Daughter of North Dakota Who Has Been Chosen to Christen the King of Uncle Sam's Armada



MISS MARY L. BENTON, Popular Fargo Girl who has been signally honored by being named sponsor for the battleship North Dakota, which will be launched on Nov. 10. Miss Benton is the charming and cultured daughter of Col. and Mrs. John D. Benton. Colonel Benton is one of the prominent pioneers of the state and is at the present time a member of Governor Burke's staff.

Miss Benton, after graduating from the Fargo high school, went to Lausanne, Switzerland, where she attended a school for young ladies for a year. She spent several months traveling on the continent, and when she returned to this country she took a three-year course in the Art Institute at Chicago.

## SENATOR CARTER CAN'T SPEAK HERE

HIS DATES HAVE ALL BEEN ARRANGED AND HE DECLINES THE INVITATION TO SPEAK IN NORTH DAKOTA.

Sen. Thomas H. Carter of Montana will not be able to fill any dates in North Dakota his full time having been arranged for in Montana, his home state.

A letter received from him at the republican headquarters in this city brings the information that he, together with the other Montana candidates, start a whirlwind campaign through the state which will take them right up to the election and as Senator Carter has been advertised to make this trip and the schedule is all arranged, he found it necessary to decline an invitation to speak in this state.

In telling of the Montana campaign he gives the following interesting account of the way they campaign in Montana:

"We start at Wibaux with all our state candidates or a couple of cars, accompanied by a band, with the intention of stopping at small towns throughout the day and putting up at places of some size every evening. This state is so large and the towns are becoming so numerous that we find it necessary to cover it in a sort of a wholesale way. In putting the figures up we find that it can be done more economically by taking the bunch of candidates together and doing the job up rapidly, running special."

## INDIAN UPRISING PARTLY EXPECTED

ATTEMPT TO MOVE BODIES OF CHIEFTAINS TO NATIONAL CEMETERY IS OPPOSED.

Minneapolis, Oct. 17.—As the result of an attempt to remove the bodies now lying in Indian graves at Fort Yates, N. D., by a St. Paul undertaker, there is danger of an uprising on the part of Sioux Indians. P. J. McCarthy, of the firm of McCarthy & Son, St. Paul undertaker, left Thursday evening with several men to move the bodies of 90 Indians and soldiers, including the body of Sitting Bull, the famous Indian, to the national military cemetery at Keokuk, Iowa.

The bodies are to be removed as the result of a government order abandoning the post at Fort Meade. The work has been delayed because the Indians objected. They think that if the bodies of their great chieftains are disturbed there will be no chance for the Indians' souls to get into the happy hunting grounds.

Following this she devoted three years to the study of miniature painting in the New York Art league.

Miss Benton is tall and slender, very graceful and attractive, and a leader in the exclusive social affairs of Fargo. She is to be chaperoned at the christening by Mrs. Alice Nelson Paige, a well known North Dakota newspaper writer and correspondent. They will probably go east early in November in advance of the rest of the christening party and spend some time with friends in New York and Boston prior to the christening exercises of the great dreadnaught which is to be named after this state.

## GUARANTY FUNDS PAY FOR WHISKY

OKLAHOMA DRAWS ON THE DEPOSIT INSURANCE RESERVE FOR STATE DISPENSARY.

Guthrie, Okla., Oct. 17.—If a state bank failure should occur, in Oklahoma would the depositors be willing to accept state whisky warrants instead of cash in being reimbursed from the bank guaranty fund?

This question was asked today when the statement was made that in buying the last carload of whisky for the state dispensary system the bank guaranty fund was checked on to pay for it. The assertion was made positively and is causing much speculative comment.

In using the bank guaranty fund with which to purchase state whisky it is understood warrants on the dispensary would be given as security, such warrants draw 6 per cent interest.

## POLITICS DRIVE JUDGE TO SUICIDE

CRIMINAL JURIST AT NEWARK SHOTS SELF IN CITY PARK WHILE COURT WAITS.

Newark, N. J., Oct. 17.—Judge Howell of the criminal court of this city shot himself in the head in one of the city parks today while his court was waiting for him to appear. He probably will not recover. Judge Howell was criticized in the political campaign and last night challenged his accusers to reply to the questions which he asked them.

## FARGO WINS BIG VICTORY

Preachers Defeat Macalester College Today 60 to 0.

FINAL SCORE.  
Macalester 0, Fargo college 60.

St. Paul, Oct. 17.—Fargo college met Macalester college on the Macalester gridiron today and clearly outplayed Macalester in the first half of the game. The score at the end of the first half was 30 to 0 in favor of Fargo.

## DICKEY COUNTY SOLID REPUBLICAN

"From Taft to the county constables, Dickey county will go republican this year," said George Rose, chairman of the Dickey county republican central committee, who is in Fargo today.

"We have got our county thoroughly organized," continued Mr. Rose, "and we know just what the county will do and I am satisfied that we will have one of the most sweeping republican victories in our county that was ever polled."

"We are not backing down any on our predictions for a big majority for C. A. Johnson for governor, either, although the democrats are putting in their strongest work for Burke. Our people like what they have heard of the Mott candidate. We like his record and we like his stand on every issue of the campaign and if every county in the state goes as strong for Johnson as Dickey county will go, he will get a splendid majority."

Mr. Rose is spending the day at the republican state headquarters here and is getting literature to use in the campaign just to give up a still bigger majority. He is one of the most enthusiastic republicans that has visited the state headquarters this year.

## 300 KILLED IN TYPHOON

Amoy, Oct. 17.—Native records received here from Changchow are to the effect that more than 300 lives were lost in this city as the result of Thursday's typhoon.

## WANT INSURANCE AGAINST BRYAN

CHICAGO WOOL DEALERS OFFER \$10,000 PREMIUM FOR \$100,000 POLICY.

Chicago, Oct. 17.—Insurance against the election of William Jennings Bryan.

This is the latest step in the Chicago business world to obtain protection against the adversity which is expected to follow if the Nebraskan is successful at the polls in November. It developed last night that the big wool firm of Silberman Brothers, 122 Michigan street, was offering to take a \$100,000 policy, payable upon a victory for Bryan and give a check for \$10,000 as a premium in return.

This plan was not decided on upon the spur of the moment, members of the firm say, but was agreed to only after mature deliberation.

It is in line with a sentiment that has been prevalent for some time, but is the first proposition of its kind, so far as is known, that has been offered to risk companies in Chicago.

Silberman Brothers handle 25,000,000 pounds of wool annually, and the concern anticipates that in the event that the democratic national standard bearer defeats William Howard Taft there will be a slump in the wool market to the extent probably of 4 or 5 cents a pound.

Taft the "Prosperity Agent."

New York, Oct. 17.—That an increase in business throughout the country depends upon the election of William Howard Taft is the opinion among the 3,000 members of the National Association of Manufacturers, reflected in an article to be published Saturday in American Industries, the magazine of that organization.

American Industries has been making a canvass among members of the association with a view of obtaining information concerning present trade conditions and the outlook for the future. A large number of the replies received placed particular stress upon the political situation as the dominant factor which controls the return of prosperity.

The magazine contains a resume of trade conditions covering the entire country, and the results show that the present conditions of trade in the majority of industries are fair and that the possibilities of an increase during the coming year are good. The industries scheduled are iron and steel, machinery, tools and hardware, agricultural implements, textiles, paper and printing, leather, lumber, vehicles, food, products and cement and clay products.

## SECTION OF PRIMARY LAW RELATING TO ELECTION OF U. S. SENATORS ATTACKED

Private Citizens of Mott, Commences Action in Supreme Court to Determine Validity of Important Provisions of Primary Act—Law as a Whole Is Not Affected by Proceedings.

## SEN. CANDIDATES TAKE NO HAND IN ACTION STARTED

Section of Law in Question Is Alleged to Be in Violation of the Constitution of the U. S. Declaring That Legislatures Alone Can Select Senators, Allegations of the Petitioners.

Bismarck, N. D., Oct. 17.—The biggest political sensation of the year was pulled off here today when the question of the constitutionality of selecting United States senators under the North Dakota primary election law was brought before the state supreme court.

The legal phases of the case are in charge of the firm of Ball, Watson, Young & Lawrence of Fargo. The petitioner is Herchel James, a resident of Mott, Hottinger county.

BROUGHT BY PRIVATE CITIZENS.

The action appears to have been brought as a result of the decision of certain private citizens to determine the validity of the provisions of the primary election law as it relates to the selection of United States senators.

DEFEATED CANDIDATES WOULD NOT ASSIST.

It is understood that certain citizens of the state became dissatisfied with this provision, believing it to be in violation of the constitutions of both the state and the United States. It is said they presented the matter to the defeated candidates for the senatorship but neither Colonel Little of this city nor Senator Hansbrough would consent, in any way, to be a party to the action because they had gone into the primaries and felt they should abide by the results.

WERE TOO MUCH INTERESTED.

The question of the presentation of the plan to Marshall and Johnson was taken up but from the attitude of the supporters of each man, all of whom feel confident their favorite candidate will win, it has decided there could be no co-operation from that source and the citizen determined to take the matter up on their own responsibility.

NO ATTACK ON OTHER PRIMARY FEATURES.

The primary law, as a whole, is in no way attacked. The petitioner declares himself a believer in the general principles of the primary law and that his application, in no way, raises the question of the validity of other phases of the primary law. No attack whatever is made on the constitutionality of the nominations of state, county and legislative candidates under the primary provisions.

NATURE OF THE PROCEEDINGS.

There are three proceedings contemplated in the proceedings instituted today.

One provides for an action against the county auditors to prevent the delivery of the special senatorial ballots.

Another is against the secretary of state to prevent the certification of the senatorial candidates to the county auditors, or if this has been done, to have the secretary recall the certificates already made.

Another is in the nature of a writ of certiorari to review the statement and the declaration of the state canvassing board as to the senatorial candidates on the theory the same was not in the jurisdiction of the board, as the provision is unconstitutional.

The application in each instance is for an order to show cause.

VOID AND UNCONSTITUTIONAL.

Many grounds are alleged that the senatorial provision is void and unconstitutional.

It is contended that the pledge required of candidates for the legislature to vote for the man receiving the so-called nomination at the primaries, or subsequently at the general election, is an additional qualification not provided for under the constitution of the state.

The broad ground is taken that the entire senatorial features are in violation of the constitution of the United States.

The action was brought directly before the supreme court of the state because it affects the rights of every voter of the state.

ALLEGATIONS OF THE PETITIONER.

The petition alleges that he is over 21, a resident of the state a qualified elector; that he is a member of the republican party; that he has enjoyed the full rights and privileges as an elector in the selection of candidates for office, including members of the legislature to whom is delegated, under the laws of the state and of the United States, the power to select and elect men as United

(Continued on Page Five.)

## BURGLAR CAUGHT WHILE AT WORK

TOUGH LOOKING DESPERADO IS CAUGHT RED-HANDED THIS MORNING BY THE FARGO POLICE—ATTEMPTING TO UNLOCK GROCERY STORE DOOR.

Chief Gabriel Grant and Captain Louis Dahlgren captured a would-be burglar this morning about 2:30 o'clock while the desperado was in the act of trying to unlock the rear door of the Harris grocery store with a bunch of skeleton keys which the fellow had filed out for himself from flat pieces of steel.

The people who room in the second story of the Webster block over the Harris store were awakened during the night by suspicious noises and a quiet reconnoiter was made with the result that the man was found at work on the rear door of the building. Without disturbing him or letting him know that he had been discovered the man who made the discovery at once phoned to the police station and Chief Grant and Captain Dahlgren were soon on the scene.

Just as the police arrived the man turned to leave the building, having been unsuccessful in making his keys work, and he walked right into the arms of the waiting officers.

About six of the home made keys, evidently made to turn the old-fashion-

ioned store locks, were found in the man's possession, also a small flat file which had evidently been used on the keys but a few minutes previously as one of the keys was warm from the friction and showed the fresh file marks. The man who discovered the burglar at work said that from the time he first heard him until the man was captured was almost an hour and the man had continued to work at the lock on the Harris store during almost all of that time. He had evidently filed the keys while at work on the door in the endeavor to make them fit the lock.

The man gave the name of Tom King when arrested. He is a man about 25 years of age. About medium height and walks with a slouch. Police officers recognized him at the police station this morning as a man who has been hanging about Front street for about a month. He is a tough looking character and is evidently an old hand at crime.

A warrant charging him with attempted burglary was issued today and he will be arraigned late this afternoon and will undoubtedly be bound over to the district court.

HE COULDN'T SAVE SELF.

SCREEN THE WINDOWS.

Hundreds of Persons Fall to Death in New York Yearly.

Chicago, Oct. 17.—That annually hundreds of people are killed by falling out of windows and that in the year ending last July in New York City alone 141 persons were so killed or injured, was presented here as an argument for the passage of an ordinance to compel the use of screens before all low-stilled windows in office buildings.