

THIRTY-EIGHTH YEAR.

BISMARCK, NORTH DAKOTA SATURDAY, JAN. 4, 1919.

PRICE FIVE CENTS

## LEGISLATURE MUM ON EARLY SESSION WORK

League Solons Decline to Say  
What Effort Court Ac-  
tion May Have.

### PLENTY OUTSIDE PROGRAM

Miscellaneous Legislation will  
Occupy Opening Days  
of Assembly.

Predictions as to how far the sixteenth assembly will go toward carrying out the league program under the five league amendments now in litigation before the supreme court hands down its decision in the matter, some time after January 14, can be based on nothing stronger than the most gossamer conjecture. League legislators now at the capital are friendly and agreeable but not a bit talkative. This applies to even such an old-stager as Richard McCarty of Cosswell, who is next to Senator Gibbens of Towner the oldest member of the upper house in point of service. "I have some ideas on the subject," said Senator McCarty this morning, "but I am not making them public now. They will all come out in the course of the next sixty days."

William Lonke, chairman of the republican state central committee and sub-director of league policies, says nothing at all. He was kind enough to admit this morning that The Tribune's review of probable recommendations to be included in Governor Frazier's inaugural was "fair," but he would not be quoted as to the correctness of all the surmises. Nor would he say what he thought the legislature would do during the week which must elapse before the supreme court has an opportunity to pass on the league amendments.

**Court Will Uphold.**  
"Unless the supreme court wishes to reverse three former North Dakota supreme courts and to place the prohibition amendment to the constitution in jeopardy, it will uphold the opinion of Attorney General Langer under which the state canvassing board acted," said an old-time political manager now friendly to the league, this morning. "Beginning way back a year or two after statehood, when Judge Bartholomew was on the bench, he wrote an opinion which squares exactly with the intentions of Governor Frazier. At that time an effort was made to bring the amendment applied for a writ of habeas corpus, contending that North Dakota had no prohibition amendment, inasmuch as Article 29 had not been approved by a majority of all the votes cast at the constitutional election. Judge Bartholomew, who wrote the decision in which the first supreme court of North Dakota unanimously concurred, held that a majority of all the legal votes cast for and against the particular question, and no other votes could be considered in arriving at a majority. The opinion has stood ever since, and Judges Collins and Spalding in subsequent opinions, quoted by General Langer, have taken the same stand."

"Now, if the supreme court reverses its predecessors and declares that a majority of all the legal votes cast means exactly what the language would convey to the average layman, then we have had no prohibition amendment these 30 years, and North Dakota is not dry today. Efforts to carry the question of the constitutionality of our prohibition amendment to the United States supreme court have been blocked by some of the very people who now are reversing themselves in their attitude toward the league amendment vote."

"The supreme court of the United States never has ruled on the question of what is meant by a majority of all the legal votes cast at an election. The supreme court has held that only votes actually cast at such election may be used in arriving at a total and that we cannot go back to the poll lists and use their aggregate as the total of all the legal votes cast at an election."

**NOT LONG TO WAIT.**  
The legislature meets next Tuesday noon; the supreme court will hear the state canvassing board on a citation to show cause the following Tuesday, at 10 o'clock in the morning. It is probable that not more than a day or two will be consumed by the court in arriving at its decision. All of the remainder of next week will be utilized in completing the organization of the assembly, and there is an abundance of legislative grist not dependent in any way upon the fate of the league amendments to which the law-makers may devote any spare time which they may have before the court's decision comes down.

The legislators held an informal caucus last evening when a faction unfriendly to Secretary of State Hall injected criticism of his recent independence in declining to agree with the league majority on the canvassing board in its attitude toward the league amendments. An effort to frame up any general drive upon the secretary of state, however, will not be attempted, get very far, as much as some of his local enemies, long antagonistic toward him because of his political independence, would like to see him castigated.

**TO BUILD TERMINALS.**  
St. Paul, Jan. 4.—The Minnesota legislature will be asked to adopt a resolution calling upon congress to pass a legislation requiring railways to build terminal elevators at Atlantic seaboard points to remove congestion.

## DICKINSON GOLF CHAMPION POSES

Films Showing Reuter at Work  
for North Dakota Clubs.

John Reuter, Jr., North Dakota's champion golf player, was in from Dickinson this week displaying his favorite strokes, form and stance before the cameras of the Publicity Film Co., which will prepare several hundred feet of film to be distributed by Flickertail golf clubs during the coming season for the benefit of members who wish to improve their game.

## MADDOCK WILL BE SPEAKER IF VOTE PREVAILS

Attempt to Confer Honor on L.  
L. Stair May Result  
In Breach.

### INSURGENCY IN EVIDENCE

If the rank and file of the league majority have anything to say about it, Walter J. Maddock of Mountrail county and not L. L. Stair of Bottineau will be the speaker of the next house. Stair, hints dropped here and there, would indicate is the choice of the league organization, but interviews with league legislators already gathered here in considerable numbers prove that he very much is not the choice of any great majority of his associates in the house.

"Maddock is level-headed, has a good voice and is a diplomat and a parliamentarian," said one active league member of the house today. "Stair is one of these things. He loses his head easily, has had little experience in legislative matters, and certainly lacks any training that would prepare him in any way for the speakership. Maddock is a young fellow whom we could all be proud of in the speakership chair, and I believe that most of us feel he should have it."

Maddock is a loyal leaguer who served on important committees in the last two sessions. He has been a member of the house for two terms, and, while young in years, he is old in experience and is generally respected, irrespective of politics. Quiet, but the present boom has been launched to elevate him to the speakership, and should the organization oppose his election and seek to put Stair over there may be some fireworks.

The session promises to be not altogether free from insurgency in any event. Townley's big stick methods have displeased some of the more intelligent league members in both houses. They express no lack of admiration for him, but insist that he should give the legislators more of a voice in legislative matters. Some of the wounds opened at the last state convention still rankle. The nomination of John M. Baer for congress, in support of which President Townley made a 40 minutes' speech, was displeasing to some of the genuine "on-the-soil" farmers, who felt that a real agriculturist should have an opportunity of serving the First district in congress.

Townley seems to sense this situation. He has been here for a full week now, and he and Chairman Lath league leaders in the two houses and with members of the administration. "A little opposition is a good thing," said a league senator today. "It's a poor issue that won't stand discussion."

**BRAZILIANS ARE  
INVENTIVE RACE**  
To Share With U. S. in After-  
War Commerce.

**N. E. A. Special to The Tribune.**  
Rio De Janeiro, Jan. 4.—By reason of the fact that she cast her lot with the allies and was the only South American country to declare war on Germany, Brazil expects to share with the United States the after-war prestige which will come to the western hemisphere.

**JUNKERS TO ORGANIZE  
OWN MILITARY CASTE**  
N. E. A. Special to The Tribune.  
Berlin.—An organization to be composed of all Prussian officers, officers' wives and officers' widows for the discussion of the military caste is being formed under the leadership of Captain Erich von Salferman, who acted as military "expert" of the Vossische Zeitung. The appeal of their leader asserts that the military caste has lived up to its traditions, but having now the right, like other citizens to assert its political views, must organize for that purpose.

**SOCIALISTS CONTRL  
FILM PROPAGANDA**  
N. E. A. Special to The Tribune.  
Berne.—The German cinema trust, one of the institutions under the junker regime, has been taken over by the Ebert government. The managers, actors, actresses and musicians associated in this work have organized an "Artists' Council," and are negotiating with the authorities for continuance of their work on a co-operative basis.

## HOOVER FOOD DICTATOR OF ALLIED NATIONS

German Ships to Be Taken Over  
to Carry Supplies to  
Europe.

### PAY WITH SECURITIES

Central Powers' Credit Shattered  
But Seek Plan of Financ-  
ings Needs.

Paris, (Friday), Jan. 3.—Herbert C. Hoover, who has been appointed allied food liberator, in a talk to the Associated Press today said that German ships of nearly 3,000,000 tons would be used to carry food to Europe. "Food worth one billion five hundred million dollars must be imported into Europe to provide the necessities between now and July 1. Liberated territories will be fed first, but much of this territory has no other government than that of scattered municipalities and it has no credit and is unable to pay for food. Most of the necessary food must come from the United States, and representatives of that government are conferring with the allied powers as to the means for paying for this food."

When asked how the United States will raise the money to meet the immediate demands of liberated territories, Mr. Hoover said the matter is now under consideration outside the domain of the food administration. "The problem of financing food supplies for neutrals, the central powers, and the entente nations is less difficult than that involved in feeding liberated territories. Although the credit of the central powers is shattered they have securities to pay for the food."

**LIBERATED COUNTRIES.**  
In liberated countries, alone, Mr. Hoover said, there are 125,000,000 persons to be fed, living chiefly in towns and cities. Rural populations generally have stored food and will be able to care for themselves.

In discussing the food situation in Germany, he said the United States has 38 officers traveling through the country conducting an investigation. He indicated Germany must wait until the other officers are fed. "In exchange for use of German shipping, Germany will be gradually allowed to have food," Mr. Hoover said. "Two shipments of food are now en route to Finland and that several cargoes are on the way to Rotterdam to be distributed by mail to Poland and Baltic provinces as soon as financial arrangements have been completed. Eight hundred tons of food have been consigned in Adriatic ports."

When asked how the committee would prevent the great drain on American foodstuffs from raising the prices in the United States, Mr. Hoover said the food would be taken gradually and only as it could be spared.

**"GRACIOUS LADY" IN DISREPUTE**  
Berlin.—(N. E. A.)—Domestic servants held a meeting recently in which they resolved to discontinue addressing their employers as "Gracious Lady," a reform especially commended by the Tagblatt.

**PERSECUTE ARMENIANS.**  
London, Jan. 4.—It is authoritative-ly announced that evidence has been received that the Turkish armies in withdrawing from the Caucasus region have committed outrages on the Armenians.

## FINANCIER ASKS AID FOR RUSSIA

Kokovosoff represents the wealthy  
and aristocratic circles of Russia  
which desire allied intervention to  
save them and their property from  
the Bolsheviks. He is in London  
pleading for this action on a large  
scale, but seems thus far to have got  
negative results. He was considered  
the greatest finance minister Russia  
ever had.



V. N. KOKOVOSOFF

## LIMIT TO DUTY CHILDREN OWE THEIR PARENTS

While a parent may naturally be  
presumed to be welcome in the home  
of a son or daughter, or a child en-  
titled to the hospitality of its parents'  
home, there is reason in all things  
rules Associate Justice J. E. Robinson  
in a concurring opinion upholding the  
judgment of the supreme court in af-  
firming a verdict for \$1,700 recovered  
in the Renville district court by Ma-  
tilda Bergerson for the care of her  
mother, Carrie Mattern, during the  
last years of the latter's life.

In reviewing the facts Judge Robinson finds that the evidence shows that for two years and four months Mrs. Bergerson gave her eighty-year-old mother the care of an infant, lifting her in and out of bed, clothing her and nursing her. Following her mother's death Mrs. Bergerson presented a claim of \$2,000 in payment for services against Mrs. Mattern's estate. The administrator, Ole Mattern, refused payment. Mrs. Bergerson brought suit in the Renville district court, and the jury awarded her a verdict for \$1,700. Mattern, as administrator, then appealed to the supreme court, contending there had been no express contract, and that Mrs. Mattern had received from her daughter only the care and hospital-ity which is due any parent from its child.

Judge Robinson finds from the evidence that the care given Mrs. Mattern was by no means the ordinary hospitality which a child would extend a parent, but that the services were such as "no trained nurse would have performed for less than \$10 or \$25 a day."

"Custom makes the law. Reason is the soul of the law, and when the reason of the law ceases, so does the law itself," says the associate justice in handing down his opinion.

**WED IN CEMETERY TO STOP FLU.**  
Philadelphia, Pa.—Superintendent is fighting "flu."  
Harry Rosenberg and Fanny Jacobs were married in the Cobb's Creek cemetery the other day.  
There is a superstition in Russia that a marriage in a cemetery will stop an epidemic of disease.  
"Flu" is raging in the Russian Jewish colony in Philadelphia. So Rosenberg and Mrs. Jacobs, previously unknown to each other (that's the rule), were induced to sacrifice themselves for the good of the colony.  
"Flu" is still raging.

**SUFFRAGIST WIT.**  
London.—(N. E. A.)—Christabel Pankhurst has a ready wit. While she was campaigning for a parliament seat a man made himself particularly objectionable by his manner in questioning her. She bested him in the argument and he finally said, "Don't you wish you were a man?"  
"Yes," she replied. "Don't you?"

## PARIS AND ATHENS JOINED BY RAILROAD

Acropolis Express Will Be  
Achievement of Re-  
construction.

### BOLSHEVIKI NEAR VILNA

Naval Committee On Visit to  
Germany Find 170  
Submarines.

Paris, (Friday), Jan. 3.—Announcement that the Acropolis express, connecting Paris and Athens, will soon be established points to one of the most important steps of reconstruction after the war. It is the first connection between western Europe and the near east, and the first step of projecting the railroad further east to Constantinople.

The creation of the new Jugo-Slav state now permits the building of the entire line under allied influence. The name of the new express is the tribute to the greatest monument of ancient Greece.

**NEAR VILNA.**  
Warsaw, Jan. 4.—Bolshevik forces are reported in the outskirts of Vilna and Minsk and Brest-Litovsk are said to have been occupied by them.

**ACCEPT 60 PLANES.**  
Coblentz, Jan. 4.—Sixty more German aeroplanes were accepted today by the Americans.

**TO WITHDRAW TROOPS.**  
London, Jan. 4.—Announcement that 24,500 Japanese troops will be withdrawn from Siberia is reported by a Tokyo dispatch to the Daily Express.

**TO SURRENDER BADEN.**  
London, Jan. 4.—Germany's newest batallion Baden will surrender at a British port within a few days, in accordance with the terms of the armistice.

**FIGHTING AT LEMBERG.**  
Copenhagen, Jan. 4.—Fresh fighting has occurred during the last few days around Lemberg, where Ukrainian troops are guarding the city. The electrical works at Lemberg have been destroyed.

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## ADDITIONAL UNITS DESIGNATED FOR AN EARLY RETURN

Washington, Jan. 4.—Three combat divisions, the 30th, 37th and 91st have been designated by President Wilson have been designated for early return from France, General March said today.

The three entire divisions and second corps headquarters which operated with British army in Flanders under General Reed have been added to the priority list, and will be returned home as shipping becomes available. The three divisions and headquarters comprise about 83,000 men.

Additional units designated now total 292,000 men. Troops in the U. S. and abroad designated for demobilization, General March said, total 1,397,000.

**DAKOTA BOARD  
MAKES FORMAL  
RATE PROTEST**

Files Extensive Brief With Mc-  
Adoo Opposing New Sched-  
ule of Rates.

**WOULD CAUSE BIG WASTE**  
Jobbing from Distant Points  
Would Mean Loss of 60  
Per Cent in Cars.

"The 100 per cent scale of class rates applied to the traffic of North Dakota would unjustly discriminate against the small jobbers and manufacturers of the Twin Cities, Duluth, Superior, Chicago, etc., who have always been the beneficiaries of discrimination arising from the competitive system, and most of which now exist in violation of the act to regulate commerce and contrary to the proper theory of equal treatment of citizens of the United States at the hands of the railroad administration which we understand to be an important motive in the proposal now to establish uniform class rates," says the North Dakota railway commission in a formal protest which it has filed with Director General McAdoo, the Hon. C. A. Peony, director of the division of public service of the United States railway commission, and C. D. McGinty, secretary of the interstate commerce commission.

One of the exhibits by the North Dakota rail board in support of its protest against the establishment of the proposed schedule of class rates shows that the 100 per cent scale applied to North Dakota traffic would destroy the rate relationships formerly existing between the North Dakota jobber and manufacturer and his competitor at outside jobbing and manufacturing points such as the Twin Cities and Duluth. Prior to June 25, 1918, the rate from Bismarck to Dickinson, a distance of 115.5 miles was 65 cents per hundred and from St. Paul to Dickinson, approximately 500 miles, 70 cents. Since June 25 the rates have been \$1.5 and \$7.5 cents respectively. Under the proposed 100 per cent scale the rate from Bismarck to Dickinson would be 89.5 cents, or two cents greater than the through haul from St. Paul to Dickinson.

"Instead of encouraging the decentralization of commerce and industry," says the North Dakota railway commission, "the new rate adjustment would tend to bring about a greater concentration in the large cities outside of this state. While we feel that the government ought to consider the sociological reasons for encouraging decentralization, we do not rely upon such considerations to condemn further concentration. It is only necessary to surround the terminals now necessary to handle the business at the Twin Cities, Duluth, Chicago, etc.; the desirability of avoiding still further concentration, and last, but not least, important, the tremendous waste of car space and inefficient car mileage resulting from unduly long less than carload hauls as compared with solid carlots to jobbing points in consuming territory and short hauls of L. C. L. freight to final destinations.

Having in mind the facts shown on exhibit 1 and taking a minimum car of canned goods at 36,000 pounds, and assuming a merchandise car loading of 9,000 pounds, from both St. Paul and Bismarck, the railroad administration offers the Twin City jobber 2,242 car miles of service to deliver 36,000 pounds of freight between Bismarck and Dickinson at a less freight cost than it offers a Bismarck jobber 907 car miles to deliver a like quantity of freight to the same destination. Supplying this territory from Bismarck would save 60 per cent of the car mileage necessary to handle the traffic from the Twin Cities. Based on the carload minimum of 60,000 pounds fixed by the food administration for canned goods jobbing at Bismarck would save approximately 80 per cent of the car miles necessary to make delivery from the Twin Cities. We cannot believe that any scale of rates which places a premium on such a waste of transportation facilities will be approved by either the railroad administration or the interstate commerce commission."

This statement is accompanied by a table showing that jobbing at Bismarck one car of 56,000 pounds, St. Paul to Bismarck, 445 car miles, and four merchandise cars of 9,000 pounds each, Bismarck to Dickinson, 115.5 miles, would total but 907 car miles, while jobbing at St. Paul four cars of 9,000 pounds each, St. Paul to Dickinson, four times 505.5 miles, would equal 2,022 car miles.

**BOY CHARGED  
WITH PILFERING**

Moorhead, Minn., Jan. 4.—Clifford Elstad, 17 years old, is in the Clay county jail here today charged with stealing packages from the United States mail. Elstad, who was helping an older brother employed by the Northern Pacific to carry mail between the station and the postoffice, was arrested last night after two de-coy packages had disappeared. The loss of packages, principally of cigarettes and snuff, has been going on some time, and it is believed that the stolen goods will reach a value of \$200.

**EBERT IN "GAS" BY KAISER.**  
(By N. E. A.)  
Berlin.—No, the heading over this story doesn't involve the man it seems to involve; neither has it anything to do with war.  
"Gas" is the title of the latest German play, presented for the first time last week in Frankfurt. The author is the name of the author—but the author is NOT THE KAISER. Ebert is the leading man, but another Ebert than the one who stands at the head of the present German government.

"Gas" deals with a nation's passion for social reform and labor's insistence on sharing the fruits of industry, instead of producing for capital. The author makes gas the motive power for his business activities, then brings society down to ruins in a universal explosion.

## POPE BENEDICT WILL RECEIVE WILSON TODAY

Rome Program Calls Out Vast  
Crowds for Gala  
Day.

### TO DECORATE GRAVES

Representatives of American  
Episcopal College to Be  
Received.

Rome, (Friday), Jan. 3.—President Wilson's program for tomorrow will be arduous. In the morning he will go to the Pantheon, where he will lay wreaths on the tombs of King Victor Emmanuel I and King Humbert. He will then go to the Luceum academy and afterwards visit the Forum.

Mr. Wilson will have lunch at the American embassy with King Victor Emmanuel, Queen Helena, and the ambassador. He will be received later by Pope Benedict.

President Wilson today was received at the Vatican by Pope Benedict.

The president's arrival was announced by the master of the chamber to the pope, who was preceded by the pontifical chamberlain. The guard were drawn up to receive him.

On his way to the throne room the president was accompanied by a procession of vatican servants through halls filled with antique pictures and precious tapestry. As the president entered the anti chamber to the papal apartments, he was preceded by the pontifical chamberlain. The guard were drawn up to receive him.

He will go to the American Episcopal church and meet the representatives of the protestant church in Rome. Before his departure in the evening he will attend a dinner given the Queen Mother.

Rome was notified early this morning. Suddenly the entire population streamed toward the station where President Wilson was to be welcomed by King Victor Emmanuel. The day being a national holiday everyone was free to take part in the reception given to the president. From the furthest corners of the city the crowds poured into the main thoroughfares over which Mr. Wilson was to drive. Hours before the arrival of the presidential train, crowds, packed the Via Nazionale, which was lined with double rows of soldiers.

When his train stopped, President Wilson was the first to alight. He shook hands with King Victor Emmanuel.

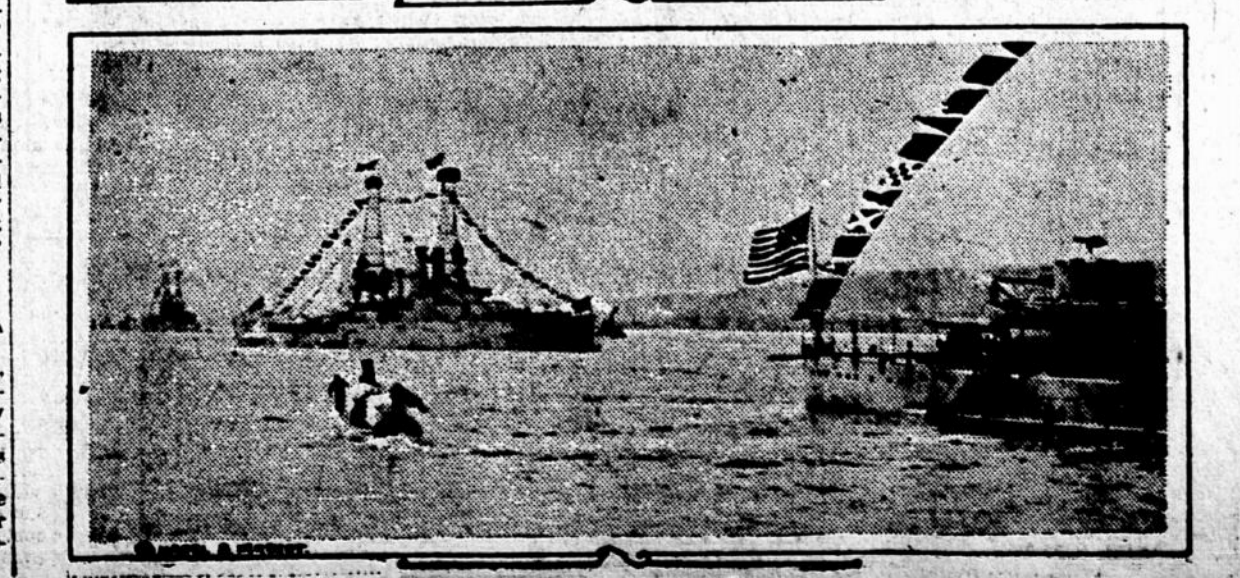
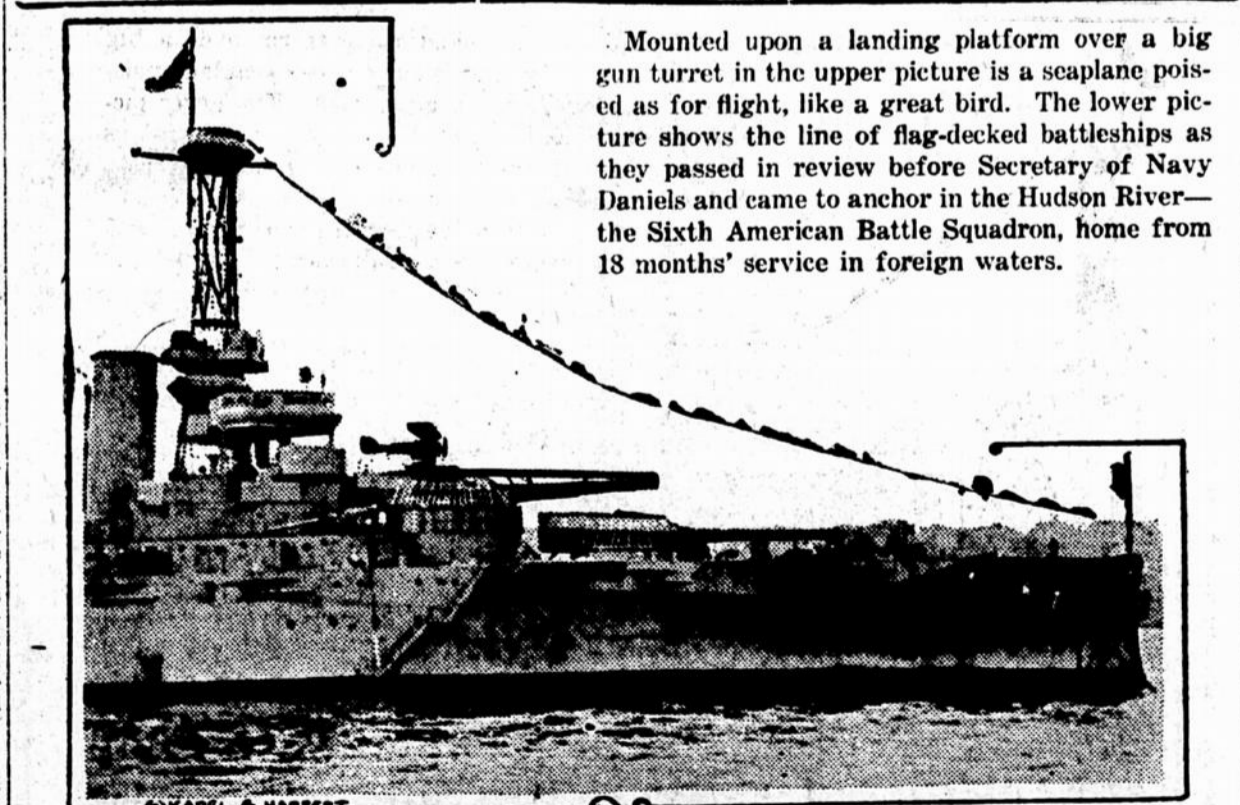
The king welcomed Mr. Wilson to the Italian capital and introduced members of the official party. The king said to Mr. Wilson: "I hope you will feel at home here. To be in Rome is one of my greatest pleasures," answered Mr. Wilson. "The hand played 'The Star Spangled Banner.'"

At the Plaza Esedra, Prince Colonna, the mayor of Rome, welcomed the president in the name of the eternal city and expressed the gratitude of Rome and Italy for all America did to win the war.

The procession turned down the Via Nazionale a long straight thoroughfare, leading almost directly to the Quirinal. The smile of the president created an ovation, which grew more and more as he drove along. Flowers were showered on Mr. and Mrs. Wilson.

President Wilson became a citizen of Rome last night. It took place in the historical academy in Rome.

## WHEN AMERICA'S SHIPS COME IN



Mounted upon a landing platform over a big gun turret in the upper picture is a seaplane poised as for flight, like a great bird. The lower picture shows the line of flag-decked battleships as they passed in review before Secretary of Navy Daniels and came to anchor in the Hudson River—the Sixth American Battle Squadron, home from 18 months' service in foreign waters.