

THIRTY-FIFTH YEAR, NO. 50

(NEWS OF THE WORLD)

BISMARCK, NORTH DAKOTA, SATURDAY MORNING, FEBRUARY 27, 1915

(BY ASSOCIATED PRESS.)

FIVE CENTS.

**Board of Control Backs
Up Its Acts In Brief
Filed by Andy Miller****POTENTIAL DOCUMENT RIDES ARGUMENTS OF THE KNAUF-SELLER-BUCK TRIMVIRATE WHICH IS NOW HOLDING UP BUILDING OPERATIONS AT ASYLUM.****MONEY WAS WELL SPENT**

Jamestown Attorneys Built up Their Case Through Hypothetical Questions.

Despite the fact that only ten days were necessary to complete the receiving ward at the Jamestown Asylum, injunction proceedings have delayed the buildings and the crowded conditions at the state hospital will not be relieved until this action is determined.

The tubercular hospital has not been entirely completed but sufficiently so as to enable the building to be partially occupied.

Considerable indignation is being expressed in Jamestown at the delay while the poor unfortunate who through no cause of their own are made to suffer are without proper accommodations.

As to the nasal insinuation of graft in the Knauf-Seller-Buck brief, the board does not consider it necessary to answer the veiled insinuation further than to suggest that greed was the basis, rancor and revenge contributed, anger and ambition joined in, fair or foul was the frame-up. Taking these total up, spells graft."

This is the closing paragraph of the brief filed by Miller & Zuger attorneys for the board of control in the recent investigation started under the Knauf-Buck-Seller charges.

Received Brief.

The joint house and senate committee received the brief yesterday and will hold a meeting soon to go over the arguments of both sides. A final report is expected probably by the latter part of this week or the early part of next.

The argument follows in part:

"Specification No. 9 charges the board of control with fraudulently compelling the counties of Grand Forks and Ward, and other counties, to pay a pro rata per capita allowance to the treasurer of said hospital, or the state treasurer for the maintenance of patients in such hospital long after such patients have been cured, and while they have been actually in the employment of the state of North Dakota on salaries ranging from \$10 per month up to \$32 per month, and then sets forth the names of six patients who they allege have been so retained in the hospital and paid salaries.

Work Beneficial.

"To this specification the board answers that the patients named were employed by the board and superintendent to do such labor as their physical and mental condition would warrant, the same not being detrimental but beneficial to the patients, and that for such services the patients received compensation substantially as alleged by complainants.

"On this point Dr. Hotchkiss testified that no patient was employed or permitted to perform labor for a compensation except when such employment was specifically approved by him, and with the knowledge and consent of the board, that in every instance the character of the labor to be performed by the patient, and the mental and physical condition of the patient was taken into consideration.

Claims Authority.

"The board claims that authority under section 243, compiled laws of 1913, to employ patients in this manner. Under the general power contained in said section, which gives full power to manage, control and govern the hospital for the insane, subject only to the limitations contained in the board of control's statute. No limitation in said statute has been called to our attention that prohibits the long established custom.

"Subdivision D of specification No. 2 charges overpayment of architect fees by the legislature for two years, \$8,000.

"This charge is predicted under the provisions of section 237 Compiled Laws of 1913, which provides that the board may, if deemed advisable and expedient for the best interests of the state, employ an architect to be known as State Architect, and limits his compensation to \$1,500 per annum. The board in its answer denies that it has violated any provisions of section 237.

"Compiled Laws of 1913. We agree that if the board had acted under the provisions of section 237, and under its provisions had employed Mr. Crabb as architect. That the board would be limited to the amount it could pay, to \$1,500, or \$8,000 for the two years, but the board did not act under the provisions of this section for various reasons.

Not Deemed Expedient.

First, because it did not deem it advisable or expedient or for the best interests of the state, to employ an architect.

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Conclusions of Board's Brief

Every act has been open and above board and through specific authorization of law.

Patients employed were under supervision of physician and work proved beneficial. A custom of long standing.

Knauf-Seller-Buck complainants seek to build up their case by problematical situations and hypothetical questions.

Records of emergency board show that all institutional boards have invoked the jurisdiction of the emergency board.

Only one-fifth of the \$100,000 was necessary to carry out intent of the legislature relative to a tuberculosis hospital.

If the legislative directions had been followed the state would have expended \$100,000 to provide for 86 tubercular patients.

Knauf-Seller-Buck prosecutors demand that more stringent regulations relative to food shipments be inaugurated.

London, Feb. 27.—Viscount James Bryce, in an article published tomorrow in the Daily Chronicle on the "Position of the United States in the War," says, "It is a complete error to assume that those bearing a German name, who own German blood, belong to Pro-German party."

"Children of Europeans who are born in America," it continues, "grow up normal American citizens for all practical purposes. Their loyalty is to the stars and stripes and their feelings for the land of their parents are comparatively weak."

When leaders try to use the so-called German vote as a means for applying political pressure in such cases as this, the native Americans resent such an attempt, for with them it is a fundamental principle that citizens must have no loyalty save to the United States. It points to the fact that both sides blamed America for its neutrality as being the best proof of its impartiality.

To Be In Accord.

France, Russia, England, Serbia and Belgium are said by English officials to be in accord as to reprisals to be made on Germany, Austria and submarine campaign. England in conference with her allies concerning reprisals before receipt of the last American note making informal representation looking to a discontinuance of submarine activities and to admission of food to Germany for her civilian population. There is every reason to believe England fully intends to make all foodstuffs for Ger-

OUTLOOK IS MORE CHEERFUL

AMBASSADOR BRYCE DISCUSSES ATTITUDE OF GERMAN-AMERICANS AS REGARDS PRESENT CONFLICT IN EUROPE.

ALLIES URGE REPRISALS

Demand That More Stringent Regulations Relative to Food Shipments be Instituted.

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GERMAN-AMERICANS WILL BE LOYAL TO U.S., SAYS BARTHOLDT



Richard Bartholdt.

Congressman Richard Bartholdt of St. Louis, member of the national house of representatives continuously for the past twenty-two years and who retires on March 4, in a speech in congress last week assured the house that German-Americans would be loyal to their adopted country no matter what nation it might go to war.

GOVERNOR TO SIGN BILL.

St. Paul, Feb. 26.—The county option bill passed the Minnesota legislature, goes to the governor tomorrow. It is virtually certain he will sign it.

THE WEATHER.

North Dakota—Fair Saturday

and Sunday.

(Continued on Page Two.)

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