

**1999 SENATE HUMAN SERVICES**

**SB 2430**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2430

Senate Human Services Committee

Conference Committee

Hearing Date FEBRUARY 1, 1999

Tape Number	Side A	Side B	Meter #
2	X		1,900
2/3/99 2		X	2,010
Committee Clerk Signature <i>Baral Soladejchuk</i>			

Minutes:

The hearing on SB2430 was opened.

SENATOR WANZEK, sponsor, introduced the bill. Some constituents who are part of a horse club approached me on the possibility of buying this land called Homer Park to put an arena on to have some horse riding events. The people who are supporting this bill could not be here and will send me letters which I will distribute to the committee. There are also people who are opposed to the sale of this land. I have no strong feelings either way; simply out of the courtesy to the constituents, to give them a chance to discuss it. It is a small parcel of land that is owned by the State Hospital. The legal description in the bill is incorrect and I will try to get a complete, correct legal description of the land. SENATOR KILZER: How big a plot is it?

SENATOR WANZEK could not answer it. SENATOR DEMERS: Is Mr. Schweitzer going to testify? SENATOR WANZEK: Yes, he will tell you about the planning of the State Hospital grounds.

Dr. SCHWEITZER Supt of ND State Hospital, speaking in a neutral position. (written testimony) Legal description is incorrect and we are looking at small plot of land like 4.2 acres. It is located in Homer Township and is known as Homer Park. We have been advised by Attorney General's office to use caution in leasing property because of the liability. It has been an ongoing problem. In 1989, the people of Homer Township circulated a petition and delivered it to the administrator of the Hospital; essentially, they view Homer Park as an Historical site. Currently the property is of no use to the State Hospital and we have some concerns that kids are using it for motorcycles, 4-wheelers, etc.; we are concerned with the liability. It may be in conflict with the people of Homer Township. The fiscal note is dependent on an appraisal and intended usage. SENATOR THANE: No use for it as Hospital grounds; it is a liability. Dr. SCHWEITZER agreed. SENATOR THANE: the debate is between the Historical Park and the horse club. SENATOR KILZER: Is there anything coming out of the Jamestown planning commission. Dr. SCHWEITZER responded that there is nothing of that sort that he knows of. SENATOR DEMERS asked if the State hospital doesn't have a land use plan. Dr. SCHWEITZER replied that they have a land use plan, but with land around the hospital area. This is a ways from the hospital and not part of planning. SENATOR DEMERS: Why are we waiving the current law? Dr. SCHWEITZER: I don't know why that is in there, but we have always been told that it should be bid. SENATOR FISCHER: If the land is under \$1000, it doesn't have to be bid. Maybe we should ask the Jamestown planning commission about what

they see to be appropriate for that piece of land. SENATOR LEE asked about who had jurisdiction on this land. Stutsman County.

Opposition to SB2430.

VAL MAROSKI, citizen of Homer Township, opposes this bill. This land should not be sold at this time; it is an important part of ND, Jamestown, and township history. It was originally set aside as a park. In 1921 Homer Township established a park with the consent of the administrator of the State Hospital. It has been registered with the ND Historical Society. It has not been kept up like it should. She showed us articles from the Jamestown paper indicating the historical values of the land. The land on the North side of the River is our land. From that 4.2 acres is what Jamestown bought for the industrial park. Homer Township is zoned, but this land belongs to the State Hospital. SENATOR FISCHER: Who has the title here? The State Hospital owns it. SENATOR FISCHER: The liability goes with the title; so you'd like to get rid of the liability and the property. DR. SCHWEITZER: It is a concern for us because of the amount of usage over the last two summers by young people with motorcycles and 4-wheelers. SENATOR LEE: Is there a plan for the use of this park. MS. MAROSKI: At the present time, no, as there isn't any money in the township right now. We just hope to preserve it. SENATOR DEMERS: Who maintains it; mows it and keeps up the property. MS. MAROSKI: My husband. We keep it up. SENATOR DEMERS: What does registration with the ND Historical Society mean in terms of what can happen to the land. Ms. MAROSKI did not know. SENATOR LEE: The ND Historical Society can be restrictive. MS. MAROSKI said the area was zoned industrial so if it is sold we will lose control of it. MR. SCHWEITZER said there



Page 4

Senate Human Services Committee

Bill/Resolution Number SB2430

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was a possibility of it being Historical, but not enough time to check it out definitely.

SENATOR THANE asked about the boundries which was supplied.

The hearing was closed on SB2430.

Discussion was resumed on 2/3/99. SENATOR LEE moved a DO NOT PASS. SENATOR

DEMERS seconded it. Discussion. Roll Call vote carried 5-0-1. SENATOR THANE will carry

the bill.

# FISCAL NOTE

(Return original and 14 copies)

Bill / Resolution No.: SB 2430

Amendment to: \_\_\_\_\_

Requested by Legislative Council

Date of Request: 01/27/99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative: SB2430 allows the department of human services to sell land (approximately 4.2 acres) owned by the State Hospital in Stutsman County. The land is located near future commercial development. Without an appropriate appraisal it is difficult to determine the value of the land. Thus, the fiscal impact is unknown at this time.

2. State fiscal effect in dollar amounts:

	1997-1999		1999-2001		2001-2003	
	<u>Biennium</u>		<u>Biennium</u>		<u>Biennium</u>	
	<u>General</u>	<u>Special</u>	<u>General</u>	<u>Special</u>	<u>General</u>	<u>Special</u>
	<u>Fund</u>	<u>Funds</u>	<u>Fund</u>	<u>Funds</u>	<u>Fund</u>	<u>Funds</u>
Revenues:						
Expenditures:	-0-		Unknown			

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: Unknown
- b. For the 1999-01 biennium: \_\_\_\_\_
- c. For the 2001-03 biennium: \_\_\_\_\_

4. County, City, and School District fiscal effect in dollar amounts:

	1997-1999			1999-2001			2001-2003		
	<u>Biennium</u>			<u>Biennium</u>			<u>Biennium</u>		
	<u>Counties</u>	<u>Cities</u>	<u>School Districts</u>	<u>Counties</u>	<u>Cities</u>	<u>School Districts</u>	<u>Counties</u>	<u>Cities</u>	<u>School Districts</u>
	-0-								

If additional space is needed, attach a supplemental sheet.

Signed

Brenda M. Weisz

Typed Name

Brenda M. Weisz

Date Prepared: January 29, 1999

Department

Human Services

Phone No.

328-2397

Date: 2/3/99  
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2430

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Not Pass

Motion Made By Sen Lee Seconded By Sen DeMers

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer					
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 5 (yes) 0 (no)

Absent 1

Floor Assignment Sen Thane

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 5, 1999 7:53 a.m.

Module No: SR-24-1981  
Carrier: Thane  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2430: Human Services Committee (Sen. Thane, Chairman) recommends DO NOT PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2430 was placed on the Eleventh order on the calendar.**

**1999 TESTIMONY**

**SB 2430**

**The Senate Human Services Committee**

**Senator Russell Thane, Chairman**

**Senate Bill 2430**

**February 1, 1999**

**Mr. Chairman and Members of the Human Services Committee, my name is Alex C. Schweitzer and I am the Superintendent of the North Dakota State Hospital. I appear today not in favor or opposition to Senate Bill 2430, but to provide the committee with the history of this tract of state owned land located on the grounds of the North Dakota State Hospital.**

**The land proposed for sale is known as Homer Park located in Homer Township of Stutsman County, North Dakota. Since, 1989 efforts have been made to lease this property for the purpose of a horse riding group. The hospital always was faced with legal issues in respect to leasing the property. These issues included statutory requirements to lease to the highest responsible bidder, concerns over adequate liability insurance to cover risks associated with the successful bidder's intended use of the land and state government lease payment requirements. The Attorney General's office advised the hospital to use caution in respect to leasing the property.**

**The people of Homer Township in 1989 circulated a petition to articulate a position on Homer Park and delivered it the administration of the State Hospital. The petition was circulated during the year of the centennial in Stutsman County and asked for the following;**

- 1. That Homer Park be reestablished as a state or township park. Based on their belief that this was the original intent of the early settlers.**

- 2. That no structures other than those identifying the area or promoting the history of Homer Township be built on the park area.**
- 3. That it be a park designated to memorialize the white/Indian conflict and the homesteaders of this township.**
- 4. The petitioners recognized that Homer Park was probably the only area in Stutsman County, where significant numbers of indians and whites clashed. Therefore they desired this tract of land be dedicated to that event during the year of the centennial.**

**Currently this property is of no use to the State Hospital and actually its current use as a playground for recreational vehicles has been an enforcement and liability concern for the hospital. I am not sure if the use of the property for a horse riding group would be in conflict with the wishes of the people of Homer Township.**

**The fiscal note states that income from sale of the 4.2 acres of land in Homer Township depends on an appraisal. It is solely dependent on its intended usage.**

**Thank you for the opportunity to testify and I would gladly answer any questions the committee may have!**

Legal for Homer Duck

71.07 p... South of center of James River + East of  
R.R.W. Railway

STATSMAN OFF  
NOT TO SCALE

37

139-63

1937

3783

4

101

121

2

175

15

7

69

10

354

4566

STATE  
HOSPITAL

44.2

12

17.4

4570

102



From San Francisco, Cal. There he and his family have spent the winter. Mr. Nurnberg will return to California after attending to some business matters here.

Anyone who wants gardens plowed and put in first class soil or wants any kind of work done with a No. 1 team, Phone 1081; also have a few bushels of sweet potatoes for sale. Grant Richards.

Mrs. G. M. Springer left via the Midland this noon for Okmulgee, Okla., called by the illness of Mr. Springer, who is ill with pneumonia. Mr. Springer having gone to Oklahoma on a short business trip Tuesday.

**NOW IS THE TIME** to repair your plumbing or heating plant. Now heating plants of all kinds installed. Water fronts and coils cleaned. Soft water lifts sold, cleaned and repaired. All work Guaranteed. Phone 1132-W.—J. H. Komrs.

Carrington Independent: James Bellevue, who has spent most of the winter at the Hot Springs of Arkansas for his health, returned to Carrington the past week to spend the summer months. He is in better health than for years past.

## WHAT'S YOUR HEAD WORTH?

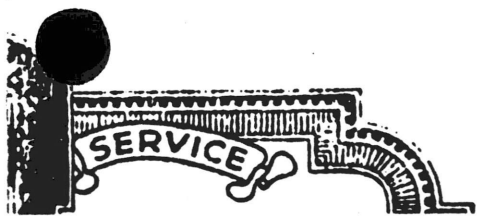
Says Rosalind in *As You Like It*—"Is he of God's making? Is his head worth a hat?"

What about *your* head? Is it worth a Gordon?

Among the many corking new shapes and colorings you're sure to find a Gordon for *your* head.

*Gordon Hats*

15, 1921 p5c03



old farm and where Fred Smith's house now stands and across the road west along the bluffs where the Midland Continental runs. In 1879 when we settled there, there were many rifle pits along the foot of the bluffs.

The Indians were secreted along the river and in the run that goes up thru the old McElroy farm into the big ravine known as the asylum gulch where the Indians had their camp. In breaking up our old place we often plowed up old guns, gun stocks, brass buttons, several human skulls, knives and other implements showing that at one time quite a battle had taken place there. Reinforcements were sent out from Ft. Rice but before they reached there the Indians had scattered and fled. In this battle nine soldiers were killed and many Indians, the soldiers were buried on top of a high bluff overlooking the river and valley.

The first summer we were there (1879) father and I used to tramp the hills trying to locate the place where it was said they were buried, but we were unable to find anything that looked like graves, time and the elements having obliterated all trace of them.

In the summer of 1880 there was a man by the name of Harker, who had some kind of a position with the railway company at Jamestown. This Harker was one of the soldiers and took part in the fight, he was at our house several Sundays and with him, father and I went over the ground, he pointing out just where the Indians lay—and just where the soldiers closed in on them. It was from him that we got most of the minute details of the battle. He helped bury the nine soldiers that were killed but could not locate just the exact spot, but it was somewhere near the Fisher sand pit, now on the asylum grounds, west of the Fred Smith house. What became of Harker I never knew as he was only in Jamestown a few months. Perhaps it was from him that A. McKechnie got his information of the battle.

**Investigations Being Made**  
It is known that Gen. Sibley was in the central part of the state in 1865 and further investigation is being made of the records of that year to get the names of the organizations that participated and to get farther details of the affair.

A few of the shallow rifle pits are still to be found along the flats east of the Midland tracks near the Fred Smith house, where the land had never been farmed.

Henry Dewey settled on the farm now owned by Ben Wells, southeast of Jamestown. In 1879, his son A. W. Dewey is now in Fargo in the Dewey studio. Mrs. J. H. Ross is a daughter of Henry Dewey.

**JAMESTOWN YEOMAN**

# The White Ch

The home of Hart Schaffner

Jamestown, North

## HOW THOUGHTLESS

Marion, Ind., April 13.—When Agnes Franco, colored, told her husband to go out and feed the chickens perhaps she forgot the chicken feed was under the bed. So testified, in his suit for divorce, that beside the chicken feed he found a riv. who shot him. The bullet wound was not serious, but it gave the husband a divorce today.

## CARD OF THANKS

We wish to thank the friends and relatives and especially the M. H. A. lodge for their help and kindness during the sickness and at the time of the death of our beloved daughter and sister.

- Mr. and Mrs. A. L. Demary.
- Mr. and Mrs. E. H. Demary.
- Mr. and Mrs. D. A. Demary.
- Mr. and Mrs. A. J. Barker.

## AT THE MOVIES

**Opera House (tonight):** Out of the Storm with Barbara Castleton and John Bowers in the leading roles. Miss Castleton has the role of Teddy, the owner of a Barbary Coast Cafe, known as Teddy's place, and a person whose word is law in the notorious activities of the dens of that section.

**Ruby Tonight:** The Iron Heart with Wm. Russell and Vera Vela. The picture deals with the methods used in reestablish law and order in a lawless town and its intensity is tempered by a very pretty love story. The story was written by the author of *The Miracle Man*, Frank Packard.

**ALL SORTS OF HARDWARE FOR BUILDERS AND BUILDING.**

**NEW THINGS TOO.**



**MARTHA WASHINGTON CANDIES**

Old Time Home-made.

the family candy of the nation.

At Popular Prices  
**\$1 Pound**  
**50c Half Pound**

we are Exclusive Agents

**WHITE DRUG CO.**  
 JAMESTOWN, N. D.

**CITY IN BRIEF**

Harren's for groceries, carpeting cleaning with elec. Phone 382.  
 I have a few dozen ladies and spring hats, which I will sell at greatly reduced prices. Mrs. J. Jones, 212 East Wisconsin street. Remember that your "Home" is the Midland Continental. I am glad to serve you in any manner possible. Call at general offices phone 12 for any rates or other information you want.

**THE HOME BEAUTIFUL**

Atkinson of the Luger Furniture Co. Fargo will be at the Gladstone Hotel, room 112 Thursday and Friday of this week with a full line of every material, nets and laces for decorating the home. We will be pleased to have the service. We will call at their homes. —adv.

**PROGRAM FOR TUESDAY LUNCHEON**

Chairman Wm. Hall of the next day noonday luncheon of the Jamestown chamber of commerce announced that Arthur W. Johnson will give a ten minute address

**PART OF ASYLUM PROPERTY MAY BE USED AS N. D. PARK**

**Old Indian Camping Ground Will Be Made Into State Park if No Legal Barriers Are Encountered — Scene of Indian Battle.**

A part of the property of the State Hospital for the Insane, about five acres in extent and located along the bank of the James river between the Midland Continental tracks and the road between sections five and six of Homer township, will be converted into a state park unless it is found that a transfer of this property to the Historical Society is legally impossible. The Board of Administration has asked Judge Birdzell for an opinion relative to this matter.

The effort to secure this tract of land for a state park is a part of a movement started in Homer township several months ago to preserve some of the points of interest by making them into state parks under the new state park law. One park has already been established, the park board being composed of Fred Smith, Edward Frey, Thomas Jennings, Carl Fisher and James Wright.

**Used As Camping Grounds**  
 Sheriff Dana Wright has been gathering data in regard to former camping grounds of the Indians in Stutsman county, and it is believed that this particular spot was the scene of a battle between a party of soldiers or ex-soldiers and the Indians. A number of rifle stocks, brass buttons, bridle pieces marked with the letters U. S., bullets and other things have been found there, indicating that a battle took place there many years ago. So far no record of such a fight has been found in any of the old military records, but it is thought a party of soldiers might have been on a hunting trip, or have gone out of their territory, got into trouble with the Indians and were afraid to report the matter for fear of punishment. Several clues are being followed and it is hoped that the story of the skirmish, if there was one, can be obtained and made part of the historical records of the county.

**Bones Found Near Spot**  
 A. McKechnie who came to Jamestown in 1873 and who was sheriff of the county for several years in the seventies, located a homestead near

Mr. Muir, seconded by Mr. Cahill, that the transfer of the ground desired by the Historical Society be authorized, provided after legal opinion has been secured this Board finds it has power to make the transfer. Motion declared carried."

A letter from Melvin R. Gilmore, addressed to Mr. Wright, states: "Judge Birdzell thinks that the probable action will be a transfer of administration of this particular tract from the hospital, to the local historical park board under the Historical Society, as the title already rests in the state and for the purposes of a state park the title of the ground would also rest in the state. So it appears that it will be merely a matter of transfer of administration of the tract."

**ELECTION RETURNS FROM MANY CITIES IN NORTHWEST**

**Geary Wins at Fargo—Several Women Elected to High Offices—Daylight Saving For Milwaukee.**

Fargo, April 6.—H. W. Geary was elected president of the city commission with a majority of 1383 over his opponent, Dr. J. B. Ayles at the city election held yesterday. Mr. Geary received 3187 votes and his opponent, 1804.

August Hanson and Alex Bruce will succeed J. J. Jordan and O. M. Straub as members of the city commission, the latter men losing in their race for re-election.

**Snively in Duluth**  
 Duluth, Minn., April 5.—On the face of returns tabulated up to midnight, S. F. Snively, former city commissioner, had a 3 to 1 lead over Fred Ward, superintendent of the St. Louis county poor farm, in the race for Mayor in today's city election. Less than half of the precincts had been heard from—34 out of 72. P. G. Phillips, seeking re-election, and Leonidas Merritt appeared to have the advantage over E. C. Bush and W. D. Gatchell, their respective opponents, for city commissionerships.

**Claim Youngest Mayor**  
 Paribault, Minn., April 5.—Residents of this city tonight were claiming they had the youngest mayor in the United States following elec-

CAR C

April 15, 1921 p 5 col 3

ivery and taxi. Phone 886-

Dray A. E. Greenstein. Phone 449-W.

Game & Sou Inc. Grain, coal and wood. Phone 23-L.

Mrs. Wm. Casey has been called to Minot by the death of a brother.

For Signs, Banners and Show Cards.—See Berthold at Orady's Store.

Be safe, insure your grain, special rates.—James River Valley Mutual Fire and Lightning Insurance Company.

Anyone wishing gravel may have it for the hauling if taken at once. A. L. Hoffman, 506 4th ave. north. Phone 428.

One of the plate glass windows in the front of the Wonder store was broken this morning by a real North Dakota breeze.

Mr. and Mrs. C. A. Carlson and family and Mr. and Mrs. J. H. Carter and baby autoed to Medina for a few days visit with relatives.

All members of the Jamestown Music Club are urged to bring guests to the weekly meeting to be held at the Elks hall tomorrow at 3 p. m.

Modern house for sale near Jamestown College. Splendid location. Lawn, trees, two lots, garage, new. Best buy in city. Blewett & Severn.

H. J. Riesland, the optical specialist, well known for superior ability in fitting eyes and grinding glasses here, will be at Hotel Gladstone, Apr. 19, 20, and 21.—Adv't.

The Emanuel Lutheran Ladies Aid will have a bake sale at Harpers Meat Market tomorrow afternoon April 16, commencing at 2 o'clock. Your patronage will be appreciated.

The marriage of Toller Risky of Sinta, S. D. and Miss Myrtle Skatun of Montpelier occurred at the county judge's office Thursday April 14. Judge R. G. McFarland officiated.

Herman Nurnberg arrived last evening from San Francisco, Calif. where he and his family have spent the winter. Mr. Nurnberg will return to California after attending to some business matters here.

Anyone who wants gardens plowed, graded and put in first class condition or wants any kind of farm work done with a No. 1 team, Phone 1081; also have a few bushels of weeks potatoes for sale. Grant Richards.

Mrs. G. M. Springer left via the Midland this noon for Okmulgee, Okla., called by the illness of Mr. Springer, who is ill with pneumonia. Mr. Springer having gone to Oklahoma on a short business trip Tues-

# STORY OF BATTLE WITH INDIANS AT JAMESTOWN, 1865

## A. W. Dewey of Fargo, Former Stutsman County Pioneer Resident, Gives Details of Affair in Letter to Dana Wright—Further Investigations.

Dana Wright of the state historical society has received some interesting information from A. W. Dewey of Fargo, in regard to the battle between the soldiers and Indians on the site of the state park on the asylum grounds.

Among other things he says: My father, Henry Dewey, was a member of the Thirtieth Wisconsin Volunteers and was stationed at Ft. Rice in 1864 and 1865, where they assisted in the building of the fort and maintaining it, they were constantly harassed by the Indians, several soldiers being killed while at work near the fort. It was in the spring of 1865 that the fight with the Indians occurred at Jamestown. I have heard him speak of it many times, as they were in touch with it by couriers who rode across country. As I recall his story, Gen. Sibley left Ft. Snelling with a detachment of soldiers to clean up the Indians lurking in the vicinity of Devils Lake, going from Snelling to what is now Abercrombie, to Ft. Ransom and on to Devils Lake, where they camped on what is now known as Sulloys Hill. As the Indians were troublesome to the south, it was from here that they turned south to the James river; meeting the Indians and giving battle on the flats about two miles southeast of Jamestown on our old farm and where Fred Smiths house now stands and across the road west along the bluffs where the Midland Continental runs. In 1879 when we settled there, there were many rifle pits along the foot of the bluffs.

The Indians were secreted along the river and in the run that goes up thru the old McElroy farm into the big ravine known as the asylum gulch where the Indians had their camp. In breaking up our old place we often plowed up old guns, gun stocks, brass buttons, several human skulls, knives and other implements showing that at one time quite a battle had taken place there.

# Merrily we roll and the boys suit keeps rolling in

We don't know how busy department....but at White

We don't know anything boys' suit values, but we're pricing our manufacture orders.

We don't know what other suits at \$15, but we do know better suits at this price or seen.

We don't know where your business—but we do know us up that you are missing

2-Pant Boys' Suits \$15

New Shirts, Blouses, Underwear

# The White Cloth

The home of Hart Schaffner & Marx  
Jamestown, North Dakota

HOW THOUGHTLESS

Marion, Ind., April 13. White Cloth Co. Agnes France, colored, told her friends that she had



Call at general offices  
12 for any rates or other  
information you want.

### HOW BEAUTIFUL

In the Luger Furni-  
ture will be at the Glad-  
stone 112 Thursday and  
the week with a full line  
material, nets and lace  
fitting the home.

be pleased to have the  
or will call at their homes  
ment.—adv.

### THE PROGRAM FOR TUESDAY LUNCHEON

In Wm. Hall of the next  
Monday luncheon of the  
chamber of commerce  
need that Arthur W. John-  
give a ten minute address  
ment in "Business" and  
other address will be by  
"Timer", whose name Mr.  
is to divulge, but who will  
" Astonishing Revelations  
next town Chamber of Com-  
One hundred nineteen  
attended the last luncheon  
rations are being made to  
even larger number next

### THE PROGRAM TO SENT BY G. F. HIGH SYMPHONY ORCHESTRA

The program which  
the first part of the even-  
performance of the Grand  
Symphony Orchestra to be  
the armory here next Fri-  
day, consists of the follow-  
ing: (1) "The Ragtime"  
city jazz band, doing the  
of producing "syncopa-  
ragtime that would make  
a hound. (2) Miss Mar-  
ette as the La Petite Dan-  
seuse, thoroughly charming. In  
tion of interpretive danc-  
ing. (3) The Yama-  
bit of song and dance,  
call for repeated encores.  
"Motism Exposed" will dis-  
tricks of the trade, and  
all the wiser. Many an  
trick will reduce itself  
when you've seen this  
"The Soap Scene" from  
a real burlesque, will wake  
ad. It is purely "squirrel  
everything from the sub-  
ridiculous in uncorked  
musical Extravaganza" ends  
ville part of the entertain-  
ing musicians and per-  
formance in this act, offer-  
of everything from Opera  
In making use of the  
"buff stuff" in many  
ways.

soldiers or ex-soldiers and the In-  
dians. A number of rifle stocks,  
brass buttons, bridle pieces marked  
with the letters U. S., bullets and  
other things have been found there,  
indicating that a battle took place  
there many years ago. So far no  
record of such a fight has been  
found in any of the old military rec-  
ords, but it is that a party of sol-  
diers might have been on a hunt-  
ing trip, or have gone out of their terri-  
tory, got into trouble with the In-  
dians and were afraid to report the  
matter for fear of punishment. Sev-  
eral clues are being followed and it  
is hoped that the story of the skir-  
mish, if there was one, can be ob-  
tained and made part of the histori-  
cal records of the county.

#### Bones Found Near Spot

A. McKechnie who came to Jamestown in 1873 and who was sheriff of the county for several years in the seventies, located a homestead near this place and when excavating for his cellar, uncovered the remains of several Indians. A party of Indians were camped in the vicinity at the time and some of them said that they had been camped in the valley of the James River hunting when a party of soldiers came from the east and south and drove them west and north, several men being killed on each side. These Indians declared the bones uncovered by Mr. McKechnie were those of the Indians buried there at that time.

Another clue which is also handed down by Mr. McKechnie is that in the late seventies while at the station, he heard a man on the train say, as he pointed to the bluff at the Asylum, "There's where we chased the Indians over the hill when I was up here in the service". Still another bit of evidence was the fact that the first N. P. agent in Jamestown was an ex-soldier and told several of the old timers that he was here and participated in the skirmish. This man's name is known to the Homer park board but they have been thus far unable to get in touch with him or any of his relatives.

It is definitely known that the spot was used by the Indians and half-breeds for the drying of buffalo meat, the holes where the fires were built being still discernible.

#### Action of Board of Administration

The transfer of this property to the State Historical Society was recommended by Dr. A. W. Guest, superintendent of the state hospital. The minutes of the board of administration, dated March 23rd, show the following action:

"Superintendent Guest having reported the request by the State Historical Society, through Mr. Dana Wright of Jamestown, one of its directors, for the transfer to its charge of approximately five acres of institutional ground, it was moved by

mission, the latter men losing in their race for re-election.

#### Snively in Duluth

Duluth, Minn., April 5.—On the face of returns tabulated up to midnight, S. F. Snively, former city commissioner, had a 3 to 1 lead over Fred Ward, superintendent of the St. Louis county poor farm, in the race for Mayor in today's city election. Less than half of the precincts had been heard from—34 out of 72.

P. G. Phillips, seeking re-election, and Leonidas Merritt appeared to have the advantage over E. G. Bush and W. D. Gatchell, their respective opponents, for city commissionerships.

#### Claim Youngest Mayor

Faribault, Minn., April 5.—Residents of this city tonight were claiming they had the youngest mayor in the United States following election today of Thomas H. Quinn, 22, an attorney. He defeated his opponent, R. A. Pomadt, by a majority of 183 votes.

#### To Keep Old Form

Eau Claire, Wis., April 5.—This city, at an election today, decided to adhere to the present form of municipal government by a two to one majority. Eau Claire is governed by a mayor and two councilmen and the substitution of a mayor and one alderman from each of the ten wards was sought.

On the question of purchasing the plant of the Wisconsin-Minnesota light and power company, 2,886 votes were cast against it and 1,431 for it.

#### Daylight Saving

Milwaukee, Wis., April 5.—Early returns indicate that the daylight saving plan for the city of Milwaukee will carry by a good majority. Scattering precinct figures up to 9:45 tonight are about two to one in its favor.

#### One Big Vote

Greenbay, Wis., April 5.—Wenzel Wisner, president of the Federated Trades Council here, was elected mayor of Greenbay today by a majority of one thousand over D. F. Collignon. The total vote was nearly one thousand more than that cast at the presidential election last fall.

#### Against Municipal Light Plant

Oshkosh, Wis., April 5.—Oshkosh voted today 3,943 to 1,126 against a proposal to purchase the gas and electric light plants of the Oshkosh gas and electric company.

#### Lady Mayor

St. James, Mo., April 5.—Mrs. Mays Ousley was elected mayor of St. James today by a majority of 61 votes over her opponent, Roger S. Hall.

Mrs. Ousley will be the first woman in the state to hold the mayor-

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