

"Dress Up Boys"

Why? Because company is coming "Dress Up." Thousands of people will visit Bismarck during the next 10 days—"Dress Up."

"Dress Up" is the slogan of Progressiveness which means a Bigger and Better Bismarck. "Dress Up" in a Hart-Schaffner & Marx Suit and Overcoat \$20 to \$40.

"Dress Up" in a pair of Nettleton or Walk-Over SHOES \$4 to \$8.

"DRESS UP" IN ANYTHING CARRIED AT BERGESON'S AND YOU WILL BE "DRESSED UP."

S. E. Bergeson & Son
Open Evenings. Closed Sundays All Day.

NOTARIES TO MEET SATURDAY NIGHT

A meeting of the notaries public of Burleigh county is called to meet at the Commercial club rooms at Bismarck on the evening of Saturday, October 9, 1915, to effect an organization for the purpose of taking care of the registration for the Fort Berthold Indian reservation lands. Registration starts October 18 and will continue until October 30, 1915.

What is the Best Remedy for Constipation?
This is a question asked us many times each day. The answer is **Wells' Peppermint Cure**. We guarantee them to be satisfactory to you. Sold only by us, 10 cents. Lenhart Drug Co.

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Send us 10c (in silver) and we will send you name to several hundred publishers, who will send you FREE SAMPLE copies of the leading magazines, Farm papers, Poultry journals, Household magazines, Fashion journals, etc. YOU WILL BE WELL PLEASED with the small investment. Address NATIONAL MAGAZINE CIRCULATING COMPANY, Box 5240, Boston, Mass.

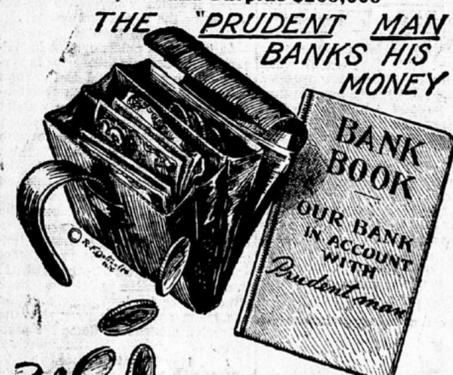
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BISMARCK, NORTH DAKOTA

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Money carried in the pocket slips away easily. Put yours in our BANK; it won't be so hard to refuse a loan to "friends" who will never pay you back. Nor will you foolishly SPEND your money when it is safe in our bank.

We refer those who have not banked with us to those who HAVE. Our vaults and locks are strong. The good names of men of high CHARACTER and known financial RESPONSIBILITY are also behind our bank.

We pay 4 per cent interest on time deposits.
Make OUR Bank YOUR BANK
IT IS A SAFE BANK

SUPREME COURT UPHOLDS TAX COMMISSION

Writ Issued By Court to Compel State Auditor to Pay Salaries
HELD THAT NEW LAW DOES NOT REPEAL OLD
Three Tax Commissioners Will Now Receive Long Awaited "Wages Due"

The state supreme court yesterday issued a writ of mandamus compelling State Auditor Carl O. Jorgenson to pay the salaries of the three state tax commissioners. Two members of the commission have not received any salary since the first of July.

The court sustained the tax commission in all its contentions. The facts leading up to the controversy, briefly state, are as follows: Chapter 303 Session Laws 1911 creates a permanent non-partisan tax commission, defines its powers and appropriates money for the maintenance thereof. Section 2 of said Chapter provides for the appointment by the Governor, with the advice and consent of the Senate of three persons, the term of one of whom should expire on the first Monday in May, 1915; another whose term should expire May, 1917, and one whose term should expire May, 1919, and upon the expiration of the term of each of said persons a successor be named for a period of six years. Section 5 provides that each of said commissioners shall receive an annual salary of \$3,000 payable in the same manner as the salaries of other state officers are paid. By Chapter 318 Session Laws 1913, amendments were made to Section 6, 7 and 8 of said Chapter 303 Session Laws 1911, the object of the amendment being to specifically appropriate money for the payment of the salaries and other expenses of said tax commission. The 1913 law, however, was vetoed.

New Bill Introduced.
With the legislation and litigation in this condition, the legislature of 1915 met. February 8, 1915, Senate Bill No. 261 was introduced under a title stating that its object was to amend and re-enact Chapter 303 Session Laws 1911. The principal changes proposed were that a tax commissioner should be appointed by the Governor by and with the advice and consent of the Senate for a term of two years to begin on the first day of March in each odd-numbered year. This bill was finally passed in the Senate, February 23, and was sent to the House where it came to a vote and was finally defeated March 4, 1915, the last day but one of the Session. In the meantime, there had been introduced the Budget House Bill No. 488 (now Chapter 43 Session Laws) entitled: "An Act to appropriate money for the expenses of the Executive, Legislative and Judicial departments of the state, and for Public schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 141, 155, 632 and 654, Subdivision 9 of Sections 5146 and 5146A of the Compiled Laws of 1913, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting herewith, or to appropriations for the same matters or purposes provided for herein." This passed the House, February 24, 1915; was amended and passed in the Senate, March 4, 1915, went to a conference committee and was finally passed by both the

Eat Less and Take Salts for Kidneys

Take a glass of salts before breakfast if your Back-hurts or Bladder bothers you.

The American men and women must guard constantly against Kidney trouble, because we eat too much and all our food is rich. Our blood is filled with uric acid which the kidneys strive to filter out, they weaken from overwork, become sluggish, the eliminative tissues clog and the result is kidney trouble, bladder weakness and a general decline in health.

When your kidneys feel like lumps of lead; your back hurts or the urine is cloudy, full of sediment or you are obliged to seek relief two or three times during the night; if you suffer with sick headache or dizzy, nervous spells, acid stomach, or you have rheumatism when the weather is bad, get from your pharmacist about four ounces of Jad Salts; take a tablespoonful in a glass of water before breakfast for a few days and your kidneys will then act fine. This famous salts is made from the acid of grapes and lemon juice, combined with lithia, and has been used for generations to flush and stimulate clogged kidneys; to neutralize the acids in the urine so it no longer is a source of irritation, thus ending bladder disorders.

Jad Salts is inexpensive; cannot injure, makes a delightful effervescent lithia-water beverage, and belongs in every home, because nobody can make a mistake by having a good kidney flushing any time.

Advertisement

House and Senate, March 5, the last day of the Session. Subdivision 18 of said Chapter 43, Session Laws 1915, reads:

Tax Commission.
Salary, Tax Commissioner, \$3,000; per annum \$6,000.

The State Auditor, believing that no appropriation had been made for the salaries of two of the tax commissioners, refused to issue warrants therefor, but offers to issue salary warrant to one commissioner if said commission designate which member shall receive the same.

Opinion of the Court.
First, it is unreasonable to believe the Legislature intended two of the Commissioners to perform the duties of their office, enjoined upon them by law, without compensation, while the third, doing exactly the same work, should be paid.

Second, the Budget Bill nowhere specifically mentions the repeal of the salary of the Tax Commissioners.

Third, the Budget Bill does not mention the subject in its title and it will be presumed that the Legislature intended to enact only constitutional measures.

Fourth, at about the time of the introduction of the Budget Bill, Senate Bill No. 261 was introduced providing the Legislature ample opportunity to openly and directly repeal the salary clauses are now claimed to have been repealed indirectly.

Fifth, it is apparent that the defeat of Senate Bill No. 261 was followed so closely by the passage of the Budget Bill that no time was given for consideration of this item and that it was voted for and passed by inadvertence.

Sixth, the Budget Bill does not purport to carry appropriations for all purposes and an examination of the Session Laws of 1915 shows that from Chapter 5 to Chapter 59 something like forty other bills were enacted carrying appropriations: For instance, Chapter 9, approved March 5, 1915, provides money for a field officer for the penitentiary, salary \$2,400. Chapter 21, appropriates salary for the State Examiner, approved March 3, 1915; Chapter 27, approved March 2, appropriates money for the Fish Commissioner's salary, \$1,500; Chapter 38 appropriates money for the Public Accountant; Chapter 42, approved March 11, 1915, appropriates money for a High School Inspector. If respondent's contention is correct, the Budget Bill, which was not approved until March 13 would have repealed all those prior appropriations enacted but a few days earlier by the same Legislature.

It is our conclusion that Chapter 303 Session Laws 1911 is still in full force and effect, except as amended in 1913, as held in Birdzell vs. Jorgenson. Section 5 of said Chapter provides that "each of said Commissioners shall receive an annual salary of \$3,000 payable in the same manner as the salaries of other state officers are paid." That the Legislature of 1915 neither directly nor indirectly effected a repeal of this subdivision and it is as much the law now as the provisions of the Budget Bill. That the subdivision of the Budget Bill relied upon by respondent, appropriating money for one Tax Commissioner, was enacted through an inadvertence and is a nullity.

Bruce J., being disqualified, did not participate. Hon. W. L. Nuessle, Judge of the Sixth Judicial District, sitting in his stead.

ATTEMPT TO BLOW UP POWDER WORKS

Emporia, Pa., Oct. 7.—Fearing that a plot existed to wreck the plant of Aetna Explosive company, where an explosion late tonight of 285,000 pounds of smokeless powder destined for the Allies, killed four men and injured several seriously, between 500 and 600 employees refused to return to work today.

Mystery regarding the cause of the explosion was increased early today with the finding of two burning bales of cotton beneath the tower and engineering plant. Later a search revealed oil soaked waste in the buildings.

JARDINE PRESIDENT
Denver, Colo., Oct. 7.—William Jardine of Manhattan, Kan., was elected president of the International Dry Farming Congress at the closing session of the annual convention here. Vice-presidents including Frank M. Wyrne, South Dakota.

THE College Widow

from the famous play of the same name by GEORGEAIDE

at the Grand & Bismarck TONIGHT ONLY

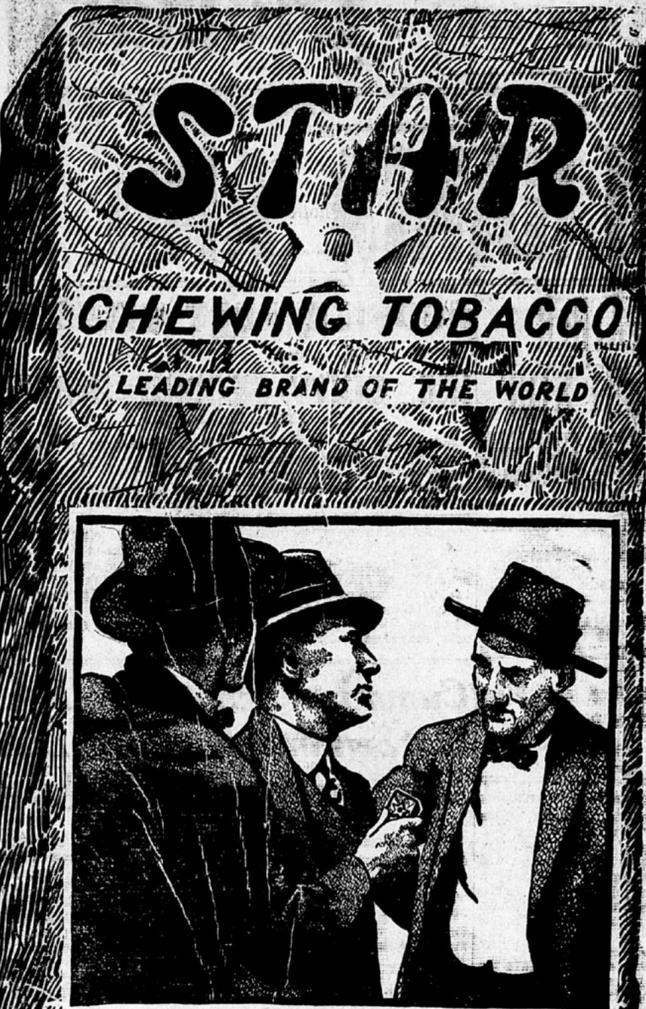
"Can't afford it" is no longer an excuse. You can now get a

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LEADING BRAND OF THE WORLD



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THEY'LL never "get your goat" if you have a chew of STAR in your cheek. You "forget it" the minute you set your teeth on the juicy STAR plug.

The naturally sweet leaf in STAR is developed to an even deliciousness throughout. This is retained to the last chew by the three-quarter inch thickness that can't dry out like a thin plug. And every STAR plug is always a full 16 ounce pound.

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If your work keeps you from smoking—chew STAR. If you're smoking too much or chewing too strong a tobacco—change off to mild, mellow STAR.

16 oz. Plugs 10c Cuts

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STAR was awarded the Grand Prize at the San Francisco Exposition, and is the only chewing tobacco that has ever received this highest possible award.