

A SURPRISE

Wouldn't It Be a Splendid Idea to Give that Old Alarm Clock a Vacation Christmas Eve and Call the Family Christmas Morning With a

GRAFONOLA?

COWAN'S DRUG STORE
206 Fourth Phone 102

INDUSTRIAL SITE TAX CASE MAY GO TO U.S. SUPREME COURT

(Continued from page 1)

taxes upon the same property and for the same years upon which it had previously paid taxes. The case was a test one, about 2,500 elevator sites and 260 oil tank station sites will be affected by the decision. The court found with the tax commission and sustained the taxes of which complaint is made.

Plaintiffs Statement of Claims.
"These lands are part of the plaintiffs right of way, granted by congress for an interstate, military, and post road, and are not subject to specific tax liens under general state revenue laws. The creation and enforcement of specific liens would constitute a violation of the commerce clause of the federal constitution, section 8, article 1, and of the act of congress, July 2, 1864, granting such right of way, the protection of which is now claimed.

"These tracts were regularly assessed by the state board of equalization for each of the years in question as parts of the plaintiffs right of way, and the tax so assessed was paid, and no authority is lodged in any other board or body to make assessments thereon.

"The alleged tax is attempted to be assessed by local taxing officers who have no authority of law to assess railroad right of way.

"These tracts having been assessed for each of the years in question by the state board, and the taxes having been paid, the present attempt of local taxing officers to assess the same property for the same years, constitutes double taxation and vio-

lates the law of uniformity guaranteed by the state constitution in force when the assessments were made, and also violates the fourteenth amendment to the federal constitution, the protection of which is now claimed.

"These tracts are part of the plaintiffs right of way, and under the constitution and statutes of this state, the tax therefor must be personal, and not against the land itself. "There is no authority of law for these alleged taxes. They purport to be extended under the right given by Sections 2291, 2292 and 2293, Compiled Laws of 1913, to assess property which has been omitted from the tax rolls, and has escaped taxation. "These tracts were not omitted from taxation, and did not escape taxation for any one of the years in question. They were assessed and taxed each year by the state board of equalization. The taxes thus assessed were paid. There is thus a total absence of statutory authority to make these alleged assessments. The right to make such assessments applies only to omitted property and these tracts were not omitted property.

"The state board of equalization was given exclusive jurisdiction over the assessing of railroad right of way by Section 179 of the state constitution. The authority of that board was, and is, quasi-judicial as to the subjects over which it has jurisdiction. Its action and decision in assessing these tracts as parts of the right of way, cannot be attacked collaterally, and the validity of the assessment made by the state board cannot be impeached in this action."

Inasmuch as the Russell Miller Milling Co. refuses to sell us bran and shorts, we are shipping it in. Expect car soon. Give us a call. Farmers Union Merc. Co.—Adv.

Tells Her Experience To Benefit Others

Mrs. Dunlap Sends a Letter Addressed to the Readers of the Paper.

A sense of duty to others who might suffer as she had impelled Mrs. R. C. Dunlap, of DeKalb, Mo., to send the following signed statement to the St. Joseph, Mo., News Press:

"The readers of the News-Press, especially those suffering from gallstones, stomach trouble and appendicitis, will find in Fruitola and Traxo a permanent cure. After suffering for three years the most excruciating pain from gallstones, I found this wonderful remedy and am now in perfect health and have been for almost four years. Never have any symptoms of the old trouble. I had been told by three doctors that nothing but an operation would save me. I know several who have undergone an operation but still have gallstones. This medicine is an oil which softens the stones and cures the liver. It can be bought at any drug store."



Mrs. R. C. Dunlap PHOTO BY GIST-SMILTZ

Fruitola is an intestinal lubricant that softens the congested masses, disintegrates the hardened particles that cause so much suffering, and expels the accumulation to the patient's great relief. Traxo is a tonic-alterative that acts on the liver and kidneys, stimulates the flow of gastric juices to aid digestion, and removes bile from the general circulation. Fruitola and Traxo are prepared in the Pflueger laboratories at Monticello, Ill., and arrangements have been made to supply them through representative druggists. In Bismarck they can be obtained at Cowan's Drug Store, 206 Fourth St.

GIGANTIC SCHEME TO INJURE GROWERS

Commissioner of Agriculture R. F. Flint Opposed to Bill Before Congress.

BILL WILL HURT ALL WHEAT-GROWING STATES

Prof. E. F. Ladd Is Also Opposed to Legislation From Pure Food Standpoint.

"That the wheat growers of this state are just now being threatened with the realization of a gigantic scheme to defraud the industry," says Commissioner of Agriculture R. F. Flint, "is evidenced by the introduction of a bill in the national congress, known as H. R. 21540, and fathered by Congressman Henry T. Rainey of Illinois. The proposition is apparently a desperate one, and on the market value of wheat flour of injecting an inferior grade of the product made from corn. "Briefly, this proposed legislation calls for the repeal of the present law which imposes an internal revenue tax upon flour composed of wheat flour mixed with corn or any other flour and which tends to cheapen the predominating product.

A Cheaper Flour.
"So far as known the millers of the country, as a body, are not asking for, nor desiring this change in the law. It appears to be sought by only a few persons who, no doubt, have a process for manufacturing cheaply a corn flour that mixes readily with wheat flour. Here is what Professor E. F. Ladd, food commissioner of the state, and probably the best posted man in the United States on this subject, has to say concerning this proposed legislation:

"At the present time any baker in the preparing of bread can mix all of the corn flour he desires with his wheat flour. Any private individual in the home or elsewhere can buy corn flour and wheat flour and mix in any proportion he desires. The millers of this country have not asked for the privilege of mixing corn flour with wheat flour. As nearly as I can figure out there are just six men in the combine who have started this agitation of giving the privilege of mixing corn flour, a cheaper flour, with wheat flour, a more expensive flour. This is a fraud, pure and simple, ingeniously devised by one possessed of devilish cunning to again dispose of adulterated food products to the detriment of the American people."

Will Hurt Wheat States.

"This combine of promoters referred to in Prof. Ladd's letter, are becoming extremely active through their representatives in congress. These men seek to influence assistance in the interest of legislation that would enact a national law granting to manufacturers the privilege of mixing corn flour with wheat flour. Anyone can readily perceive the damaging results to the wheat industry of this state, providing such a law is passed, and it behooves the people generally who are so vitally interested in maintaining the state's present high standard of reputation for producing the best grade of wheat in the world, to take concerted action at once to defeat this proposition and thus preserve the integrity of flour made from North Dakota wheat. "Show your interest in this important matter by writing Senators P. J. McCumber and A. J. Gronna at Washington, and also the congressman from your respective district, urging them to earnestly and forcefully oppose the passage of the bill known as H. R. 21540.

CROP VALUE NEARLY TOPS TEN MILLIONS

(Continued from page one)

permit. Elimination of common live stock diseases, from which losses are said to be enormous, would result in a material increase of the meat supply.

"It has been conservatively estimated," the report continues, "on the basis of data for 29 years, that the annual losses from animal diseases are approximately \$212,000,000. The indirect losses, which also are great, cannot be estimated at all. The direct loss ascribed to each disease is as follows:

Loss From Disease.
Hog cholera, \$75,000,000; Texas fever and cattle ticks, \$40,000,000; tuberculosis, \$25,000,000; contagious abortion, \$20,000,000; blackleg, \$6,000,000; anthrax, \$1,500,000; scabies of sheep and cattle, \$4,500,000; glanders, \$5,000,000; other livestock diseases, \$22,000,000; parasites, \$5,000,000; poultry diseases, \$8,750,000."

The citrus fruit industry of the Gulf states the report asserts, is seriously threatened by citrus canker, a highly infectious bacterial disease. While the greater number of infected centers in Texas, Mississippi and Alabama have been eliminated, complete eradication of the disease from Louisiana and Florida, the department believes, will require large expenditures for at least two years.

Potash Situation. The report states, continues serious. There is practically no potash available for fertilizer and indications are that the supply for that purpose will not be increased materially next year.

Recommendations for legislation made by Secretary Houston to congress include the following:

Legislation designed to promote better handling and storage of farm products and trading on the basis of fixed grades and standards, including a permissive warehouse act, a cotton

standards act, a grain grades act, and provision for a market-news service.

A land-mortgage banking act intended to inject business methods into handling farm finance and to place farm securities upon the market in a responsible way.

Assistance to communities near the national forests in road building and similar improvements through a plan involving the advancement of funds for these purposes to be charged against the state's future share of receipts from the forests.

Authority to grant water-power permits within the National forests for fixed periods.

More elective control over the production of hog-cholera serum. A plan involving the establishment by the federal government of a station for testing all serum intended for shipment in interstate commerce, is outlined.

J. J. Flanagan Is Appointed

J. J. Flanagan of Towner, whose career as a member of the University of North Dakota football team, in the "Olden Days" made him such a well known figure locally, has been appointed register of deeds of McHenry county.

Mr. Flanagan takes the position that was made vacant by the retirement of H. H. Bergh, who quit the office to become actively identified with a new bank.

LEAVE TO ATTEND BIG FARGO MEETING

Secretary George L. Price of the Bismarck Commercial club left on No. 2 last night for Fargo, where he will attend the annual meeting of the North Dakota Commercial clubs. Commissioner of Agriculture R. F. Flint left on No. 8 yesterday for Fargo to attend the meeting also. Theodore Koffel and President C. L. Young of the Bismarck club will leave today. Bismarck will be well

YOU MAY ENJOY YOUR MEALS

If You Will But Equip Your Stomach With the Right Means to Handle the Food.

If you go into a restaurant, cafe or hotel, where all your environments, the lights, dazzling linen, silver, cut glass, music, chatting and laughing women, seem to foretell of a pleasant meal, your stomach should not revolt when you read the menu card. Heavy steaks, soups, oysters, entrees, salads, etc., should hold no terrors for the healthy stomach and they do not.

A small box of Stuart's Dyspepsia Tablets placed in your vest pocket will be sufficient guard against the mad ravels of a worn-out stomach.

A tablet taken a few moments after a copious meal will remove any ill effects of food from your stomach and you may eat as generously as those about you.

One of these little tablets will itself settle all questions of indigestion for that meal and will place your stomach and digestive organs in a better condition for the next.

Your blood will be enriched, and the depleted gastric fluids will be rebuilt. Stuart's Dyspepsia Tablets are natural, active, digestive agents who give to the gastric juice the elements they lack, which ease the stomach, remove irritation and enrich and stimulate the blood.

All of these statements may be verified if you will take but a little of your time to prove them.

Every druggist carries Stuart's Dyspepsia Tablets in stock and will tell you of their merit. These tablets sell for 50c per box, or send us your name and address and we will send you a once by mail a trial package free. Address F. A. Stuart Co., 214 Stuart Bldg., Marshall, Mich.

TONIGHT ONLY **WILLIAM FOX** **WED., DEC. 15**

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and a distinguished cast of players in

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6 Acts 6 Acts

The greatest DETECTIVE STORY ever filmed. A powerful, startling drama filled with breathless thrills. A master story by a master of fiction, produced by a master director.

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Select Photo Plays

Good Music Clean Pictures

PERFORMANCES—

7:15 and 8:45

BISMARCK

THEATRE

of Bismarck, Jakob Leno of Arena, Alfred Hildor Thurs Johnson of Williston and Sam Black of Driscoll. T. S. Griffin, naturalization examiner, examined the applicants.

Court convened yesterday at 10 o'clock for the December term. A number of criminal cases were arraigned and will come up today.

The case of State of North Dakota vs. Frank Finlayson on a charge of

keeping and maintaining a common nuisance was dismissed. The case of State of North Dakota vs. Milo Gilleland, on a charge of unlawfully entering a building, entered a plea of not guilty. In the case of North Dakota vs. August Lehtola, on a charge of malicious mischief, the defendant entered a plea of not guilty. The cases were arraigned before Judge W. L. Nuesse.

DISTRICT COURT.
Four men received their naturalization papers at the court house yesterday. They were Christian Nilson

represented at the Fargo meeting and the members of the local club and Secretary Price will make a strenuous effort to have the next meeting held here. It has been a long time since Bismarck entertained representatives of the various Commercial clubs in the state, and the capital city is recognized as the best little convention city in North Dakota.

U. S. DEPOSITORY

The First National Bank

Capital and Surplus \$200,000.00

BISMARCK, N. D.

\$100

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