

THE TRIBUNE

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LOCAL WEATHER BULLETIN. For the 24 hours ending at noon, April 5, 1917: Temperature at 7 a. m. 26 Temperature at noon 42 Highest yesterday 54 Lowest last night 24 Precipitation None Highest wind velocity 20-W Forecast: For North Dakota: Fair tonight and Friday; not much change in temperature.

Table with 2 columns: Location and Temperature. Locations include Amenla, Bismarck, Bottineau, Bowbells, Devils Lake, Dickinson, Fessenden, Grand Forks, Jamestown, Langdon, Larimore, Lisbon, Minot, Napoleon, Pembina, Wahpeton, Williston, Moorhead.

ORRIS W. ROBERTS, Meteorologist. I made all my money by never buying at the bottom and never selling at the top. -Lord Rothschild.

COLE'S DEFEAT.

There should be an exchange of condolences between W. J. Prater and Ed. Cole of Fargo, both of whom have found that the socialistic propaganda is not sufficiently disguised by its non-partisan label to carry city elections.

Mr. Cole of Fargo came to Bismarck with a cigarette bill in his inner pocket. This measure had behind it a strong lobby, plenty of loose change, and it bore Mr. Cole's name.

It may have been only a coincidence. But Mr. Cole upon his arrival became a pronounced friend of the Non-partisan league. His entire time was devoted to courting the leaders and pouring forth his florid oratory in its behalf.

People wondered. It was not the Ed Cole they knew. He swallowed every "ism" Townley and Coates fed him, even to the extent of delivering speeches rehearsed the evening before in the secret caucus.

All the time that cigarette bill was tucked away in his pocket. It was guarded, but as the day for its consideration approached, Mr. Cole became more and more a convert to the socialism of Coates and Townley.

Finally the cigarette bill made its appearance. Cole threw himself up on the league members, but they turned a cold shoulder and his pet measure went out the window.

People who wondered at Cole's sudden conversion to the league platform began to see light. Then came the other Cole bill, making public utilities the football of every ward politician. Cole evidently was looking ahead to the Fargo election when, as president of the commission, he would hold the destinies of the public utilities in the hollow of his hand.

It failed, too. His new political friends were helpless or indifferent.

Tuesday, at the Fargo city election, Mr. Cole sought the support of the constituents who sent him to Bismarck to represent them. How well he represented them is told in the returns. He was defeated by a vote of two to one.

Was it the cigarette bill? Was it his support of H. E. 44, or was it his bill to put the thumb screws on every public utility in North Dakota?

Mr. Cole's entry into the ranks of socialism may have been sincere, but he discovered last Tuesday that the rewards were anything but substantial.

Favorite pastime of Mr. N. Romanoff, ex-tsar, is shoveling snow. There's no wife so mean that she won't let hubby have a high old time that way.

VERMONT'S SHARE. So far as numbers go, Vermont is a small state—360,000 people. Only six states in the union have fewer.

more. In proportion to population, Vermont has far outclassed all the rest. "We always have done more than our share, you know," says the governor, with simple pride. The record says so, and it begins with Ethan Allen and some of Stark's men and runs straight, fine and true American all the way down.

"More than our share." That's a good word. "More than our share," says Vermont and makes no fuss about it, but starts in to do it. If all the rest of us had the same resolute, ungrudging, ready-to-serve spirit how long would the old beast of Prussian autocracy survive to curse the world? Sixty days?

Anyway, salute little old Vermont! Old and always young! The governor says it believes in action, not in words. Then salute it again! Salute anybody that holds such a doctrine and gets busy on it.

Carranza has not yet declared how he welcomed Wilhelm's proposition to take Texas, New Mexico and Arizona.

SOME MORE UNREST.

Meagre reports, through sources more or less reliable, strongly indicate that what is called "the spirit of unrest" is hotly boiling among the people of Spain.

In these times of volcanic action by peoples, it would not be surprising should the Spanish go in for revolution. They are near neighbors of republican France and of Portugal, whose king is a refugee, and they have the recent splendid example of the Russians. Again, they're awfully hungry, by reason of Germany's unrestricted submarine warfare, and they know that their own autocrats side with Germany.

Spain may not yet be fully ripe for revolution, but she's another country whose masses are being reduced to starvation by the German autocracy. Germany is actually starving peoples into revolution, and if we were a Spanish autocrat, we surely would get down off the neutral fence. It certainly is better to get down while the getting's good than to have your head pulled off in being brought down.

Says the big black German autocrat to the little brown Russian revolution, "We're ready to deal with you, since you've kicked out your autocrats." And what the little Russian revolution says to autocracy is going to be listened to.

Von Bethmann-Hollweg: "Germany does not desire war against United States today." All right, say when.

Barnum said the American people liked to be humbugged. And yet thrice the American people refused to elect War Referendum Bryan president.

The rice supply should hold out despite its use as a substitute for the high-priced potato. Waste of rice at weddings has just come under the ban of the new food controller in London.

As war economy, Texas women's clubs declare for simplicity of dress. To save our lives, we can't help but think, occasionally, that war has its compensations.

Over 8,000 Germans and Austrians have applied for citizenship papers in Chicago since February 1. It makes the stork an also-ran in the matter of producing Americans.

Saith Bryan, in his Miami "appeal to congress": "The dispute with Germany has passed beyond the domain of diplomacy. . . . Let us try my treaty plan, which Germany refused to approve." Somebody down there in Florida has put something in Bill's grape juice.

We warn the kaiser that the fellows whose duty it is to see U-boats in the Pacific have been mobilized.

SUPREME COURT

FROM CASS COUNTY.

Howard Moody, as Executor, Petitioner.

vs.

Otto A. Hagen, Elina A. Skarderud, Amelia Mattison and All Other Per-Martin A. Hagen, Deceased, Respondents, and The Tax Commission of the State of North Dakota, Intervenor.

Syllabus: (1) Section 8977 of the Compiled Laws of 1913, which imposes a tax of 25 per cent on the inheritance of non-resident aliens as opposed to a tax of one and one-half per cent on the inheritances of citizens and resident aliens residing in the United States, is not in violation of Section 20 of Article I of the Constitution of North Dakota, which provides that "No citizen or class of citizens shall be granted privileges or immunities which upon the same terms shall not be granted to all citizens." Nor is it in violation of Section 11 of Article I, which provides that "Laws of a general nature shall have a uniform operation." Nor, where the decedent was a citizen of the United States and residing therein, is it in violation of Article 6 of the Treaty of Amity and Commerce between Norway and the United States and which provides that "The subjects of the contracting parties in the respective states, may fully dispose of their goods and effects either by testament, donation or otherwise, in favor of such persons as they think proper; and their heirs, in whatsoever place they shall reside, shall receive the succession, ab intestado, either

DOINGS OF THE DUFFS. By Allman

TOM AND WILBUR GET ALONG SO WELL TOGETHER



in person or by their attorney, without having occasion to take out letters of naturalization. These inheritances, as well as the capitals and effects, which the subjects of the two parties, in changing their dwelling shall be desirous of removing from the place of their abode, shall be exempt from the duties, called "droit de detraction" on the part of the governments of the two states, respectively.

(2) The right to inherit or to take by will and the right to devise and to bequeath are not natural and inalienable rights nor are they guaranteed by the state or federal constitutions in 1776.

(3) The alien, in the absence of permissive legislation, has never been allowed, as against the sovereign state, to take by descent or even by will.

(4) Statutes which change the common law and which allow aliens to take by will or to inherit are not to be looked upon in the light of a recognition of, extension of any previously existing right belonging to such aliens, but rather as a fresh grant or a right or a statute of grace which the state chooses to confer.

(5) There is a wide distinction between a tax on the right to export or to carry out of a state property after it has passed to their heir or legatee and has become his and a tax on the property before it passes to him, or a tax upon his right to receive or of the deceased to devise and bequeath.

(6) A citizen of a foreign country residing therein, has, in the absence of express treaty right, no reason to complain that his inheritance is taxed more than that of a fellow alien who resides in the United States, but not in the state where the deceased resided or of the probate of the will.

(7) The wealth and prosperity of California or of any other state in the Union is of vital importance to the people of North Dakota. A statute, therefore, which discriminates in the matter of the amount of an inheritance tax between a citizen and resident of Norway and a citizen of Norway residing in California or any other state of the Union, is not for that reason void on the ground of class legislation.

(8) Article 6 of the Treaty of Amity and Commerce between the United States and the Kingdom of Norway is only applicable to the estates of decedents who were citizens of Norway leaving property in the United States and citizens of the United States leaving property in Norway and those inheriting from them, and is not applicable to the estates of decedents who were citizens of the United States.

(9) The term, "droit de detraction," means a tax which is levied on the right of removal of property from one state to another and does not include an inheritance tax, which is merely a tax upon the right to devise and to inherit.

(10) The general rule, that treaties should be liberally construed so as to carry out the apparent intention of the parties to secure equality and reciprocity between them, does not justify a state court in judicially legislating as against the right of the state and its taxing power, and in adding words to a treaty so as to make it applicable to the estate of citizens of the United States in the United States, when by its terms it is only applicable to the estates of aliens or to the estates of citizens of the United States who reside in a foreign country.

Appeal from an order and judgment of the District Court of Cass County reversing an order of the County Court and fixing the amount of an inheritance tax. Pollock, J. Intervenor appeals.

Reversed. Opinion of the Court by Bruce, C. J. Robinson, J. Dissenting. Birdzell, J. being disqualified, did not participate, and Hon. A. G. Burr, Judge of the Ninth Judicial District, sat in his place.

George E. Wallace and F. E. Packard, Bismarck, Attorneys for Intervenor and Appellant. Fowler & Green, Fargo, Attorneys for Respondents.

READERS' COLUMN

AGAINST BRITISH DICTATION.

Dickinson, N. D., April 3, 1917. Editor Bismarck Tribune, Bismarck, N. D.

Gentlemen: Why is it that all you self-styled American patriots are so anxious about Great Britain? I believe there was a similar class in 1776.

Why is a man, who thinks much of his country and tries by all fair means to keep it out of a disgraceful war, called a traitor in your paper? If we must fight, can't we fight our own war? British dictation gives me a pain.

I always thought we Americans were good sports, but sneaking in behind "Johnny Bull" and "kicking the under dog in the ribs is not sports, nor anything to be proud of.

I always felt that I was a good American citizen, but since reading some of your late editorials I am very much in doubt about it.

Yours truly, W. R. VEIGEL. THINK FARMERS HELPED Editor, Bismarck Tribune, Bismarck, N. D.

Dear Sir: Sometime during the past week I noticed an interview with Townley or some other leader of the

"League" that they had purchased 100 Ford cars through the St. Paul agency for use in organizing Minnesota. This interview was reported in the St. Paul Daily News of Tuesday the 27th, as near as I can remember. In this interview Townley also stated that they had signed up but 16 members in Minnesota to date.

It struck me, if I read the interview correctly that 100 Ford cars for use in Minnesota would cost about \$36,000. That with the few members they had secured to date this money had to come from somewhere. The conclusion is that the farmers of North Dakota have sent \$36,000 down into Minnesota to aid Townley.

Yours truly, J. F. SELB

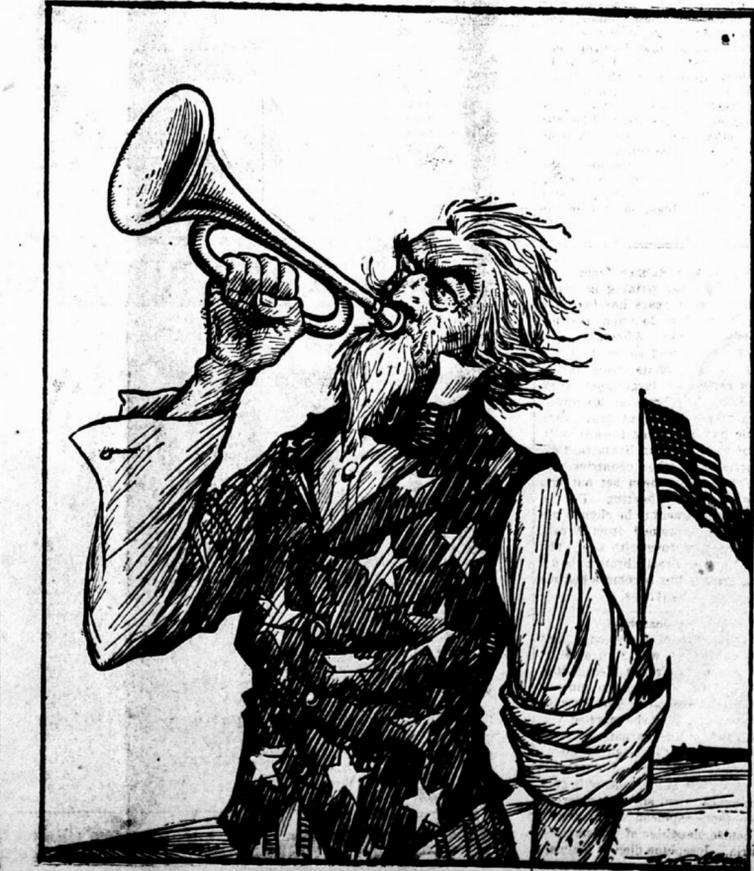
Not Much. The Romans' Thanksgiving was dedicated to Ceres, goddess of the harvest. It was a day of worship and rustic sports. Times haven't changed much! -New York Telegram.

Looking to the Future. "What are you whipping Hunt for?" asked Mrs. Johnson. "What has he been doing?" "Nothing, that I know of," replied Mr. Gap Johnson of Kumpus Ridge. "But I'm going to town this evening, and he's sure to cut up some devilment before I get back. So I'm just licking him now to have it over with." -Judge.

No Better Food Than Milk. Milk is an animal food. In nature its use is universal as food for the growing young. This means that milk makes growth, does more than merely maintain the body. Milk possesses the elements of growth, not only in the butterfat but also in the skim milk. There is no better food than milk.

You will find more of the leading people of North Dakota registered at the Radisson than at any other hotel in the Twin Cities.

TO ARMS!



TRAGEDY DUE TO TOOTHACHE

French Monarch Tormented by Agony When He Signed Revocation of Edict of Nantes.

That the failure of a king to take proper care of the teeth, with the resulting toothache, was the cause of a step that made torrents of blood drench the soil of France, seems to be an historical fact.

Louis XIV. who on October 17, 1685, signed the revocation of the Edict of Nantes, which action took from the Huguenots their right to freedom of worship, and provoked the uprising of the Camisards, who for nearly two decades withstood the armies of the king, had teeth so unsound that before middle age, all those in the upper jaw had been lost or reduced to scraggy stumps.

He naturally became a victim to severe dyspepsia, and during the memorable year of 1685 the royal dentist, we learn, was sometimes with him for a whole day. Inflammation once resulted from the removal of a root beneath which an abscess had formed.

This was said to be during the very time when he was apparently wavering between his conscience and pressure brought by the more radical of his advisers as to compliance with the latter's demand that the Huguenots be suppressed.

The two Colberts, Seignelard and Croissal, and even the young Dauphin, urged delay, but the king answered them in such a tone of irritation that they were silenced, one of them saying to the others: "His majesty is tormented by toothache; we may not intrude."

And so the edict of Nantes, which had been granted by Henry of Navarre, as Henry IV of France, and had assured peace and calm throughout France for more than two-thirds of a century, was abrogated, religious strife broke out again, and thousands of Huguenots were driven from their native land.

Boosting for the United States.

Miss Annie S. Peck, mountain climber, lecturer, author and expert on South America, has recently returned from her sixth visit to that continent.

Miss Peck's tour was of a unique character, as she is undoubtedly the only person who has visited South America for the purpose of promoting friendship and trade by means of illustrated lectures in Spanish and Portuguese on the United States and American Industries.

The lectures given by Miss Peck comprise a series of three, covering New York city, Washington, Niagara Falls and our national parks of the West—the Yosemite, the Yellowstone and the Grand Canyon of the Colorado, together with information as to some of our leading industries, such as petroleum, coal, cottonseed oil, with various also of some of our various important manufactures, of pianos, evaporated milk, sewing machines, kodaks and typewriters, as well as facts in regard to our great skyscrapers, docks, bridges, railway stations and our leading commercial organizations.—New York Telegram.

We came at last to a small shack that blocked the road. The colonel dismounted, greeted the officer in charge of the station, and let me take a look round. I saw a couple of heavy motors with cables. My eye followed those cables, however, and they kept going across the valley and up the side of the opposite mountain until the eye, dazzled by the snow, could follow no longer. "Well," remarked the colonel, as he cheerily knocked the snow from his thick, hobbled boots, "suppose we go up."

We climbed into the basket, four feet long by two wide, with side rails not more than six inches high. Wheels began to whirl, and our car ran smoothly out into space.

I held on for dear life to those low sides and fervently hoped the colonel would not rock the boat. "This thing wouldn't pay in peace times," I said.

The car ran up a 30-degree incline for a couple of minutes and stopped, for we had completed the first teleferica section of the three that would take us to our destination. In seven minutes we had traversed a distance that on foot required an hour.

Rats in the Trenches. As rat catchers in the trenches no animal, not even the ferret, can compete with the terriers and spaniels that have been taken to the front in large numbers by the French. Some months ago an army order announced that each soldier fetching a rat-catching dog to the trenches would be entitled to two extra days' leave on his next permission, and since then nearly every man going back to the front has taken a dog of some description with him. Besides the two days' leave the owner of the dog is entitled to five centimes of one sou for each rat that his dog kills and it is said that some soldiers have made a good thing out of this as a "side line."

Graves of European Soldiers. In the first months of the war a man was commonly buried close to the place where he fell. Wherever there has been hard fighting there are many low crosses sticking out of the ground—in the fields, in cottage gardens, in corners of farmyards and orchards, even on roadside strips of grass. Where the ground has changed hands a good deal you may see, quite close the gabled cross of the Germans, with "Hier ruht in Gott" (Here rests in God), and the beaded wire wreath of the French with "Mort pour la France" (Died for France), and the plain lined cross of the English "in loving memory" of one or more officers and men.

A Warning. "You limit your conversation to an occasional 'oo,'" commented the eagle. The dove acquitted the fact.

"Well, you'll have to talk a great deal more than that if you hope to keep up your reputation as a peace promoter."

Natural Result. "The car I was traveling in was telescoped in the collision." "What happened then?" "I saw stars."

Beat Out the Others. The world generally gives its admiration, not to the man who does what nobody else ever attempts to do, but to the man who does, but what multitudes do well.

System of Cable Railways Has Proved Invaluable for the Transportation of Troops and Ammunition During War. The teleferica, or cable railway, that the Italians have contrived to supply their mountain troops quickly and easily with ammunition and provisions, is one of the most interesting inventions that the war has brought forth between high mountain and low mountain.

The steam railways, says a writer in the Railway Age Gazette, run in the valleys at the foot of the Alps. The freight, however, has to be picked up and distributed by wagon or automobile truck, and it must go up the higher mountains on mule and man's back, and finally on man's back alone, bit by bit. But here the teleferica steps in and says, "Let me do it. I'm quicker and surer. I can go in all weathers. Avalanches can't stop me."

Along the 400-mile front the teleferica daily does the work of an army of at least 240,000 men—or 120,000 mules. The last figure is interesting when it is considered that there are only 175,000 mules and horses used for transportation purposes in this entire army that the Italians have organized to fight the Austrians.

According to the official statistics there are 125 miles of teleferica scattered along the front, with a total daily carrying power of 3,000 tons. Each teleferica built can carry roughly 30 tons. There are some 120 different stations, each with a line a mile or so in length. The one I saw reached a height of 11,000 feet on the side of Monte Adamello, in the central Alps; it did the work of 2,000 men every day.

The operation of the teleferica is not much more difficult than that of an electric elevator in a "skyscraper." Once the heavy motors and machinery are got up the mountain sides and the three-quarter-inch steel cables strung across deep valleys and chasms and rivers, the mounting of the car upon the overhead cable and the attaching of the pulley cable are simple enough.

We had been coming up all morning by burro from the valley, the Alpinist colonel and I, riding along narrow roads built on the side of a huge mountain.