

CREAMERY TAX INVALID, CLAIM OF CREAMERIES

Answer Suit Brought by State Commissioner to Enforce Payment of Tax

Declaring the state experimental creamery law to be unconstitutional and asserting that funds were squandered in the Werner creamery operated by the commissioner of agriculture and labor, the Northern Produce Company, of Bismarck, representing the creameries of the state subject to tax, has filed answer to the suit instituted by Commissioner of Agriculture and Labor J. A. Kitchin to compel them to pay the tax.

The creamery opposes the state's suit to collect the tax, which was levied by the legislature on butter for production to provide funds with which to operate an experimental creamery, on the following grounds:

That "while the said chapter 149 of said session laws is ostensibly for the purpose of managing and operating a state experimental creamery the primary purpose as specifically expressed in said chapter 149, is the buying, manufacturing, grading, storing and marketing of dairy products and by-products; that by reason thereof the said chapter 149 is unconstitutional."

That the law grants special privileges and immunity to the dairy industry of the state, makes unreasonable classifications which arbitrarily and oppressively discriminate against the business of the defendant and deprive the defendant of equal protection of the law.

It further opposes the collecting of the tax "for the reason and upon the ground that no experimental work has ever been or is now being conducted by the plaintiff; that for a short time prior to the last day of January, 1921, the commissioner of agriculture and labor did operate a creamery in the western part of this state but that the same was operated solely as a competitive private industry, was of no benefit to the dairy industry of this state or to the industry or business in which this defendant is engaged and that while the said creamery closes its doors long prior to the last day of July, 1921, after having fully demonstrated its inability to promote either of the said industries aforementioned, such funds as had theretofore been assessed and collected under and by virtue of said chapter 149 were squandered and wasted nearly the whole of said year 1921."

The case probably will be heard in the Burleigh county district court soon. The attorney general is prosecuting the action for the commissioner of agriculture and labor.

Forests of Florida contain 175 varieties of wood.

**For Dyspeptics
Who Side-Step**

Why Pass Up the Joy of Living When Stuart's Dyspepsia Tablets Can Be Had Wherever There's a Druggist.

Many a man wanders aimlessly at meal time because he has food-fright.



A Stuart's Dyspepsia Tablet would turn such a dyspeptic back to his old stride and lead him promptly and straight into where he knows he wants to go but fears the result. Eat what you like and as much as you want, avoid gas, belching, heartburn, drowsiness by just the simple process of following meals with Stuart's Dyspepsia Tablets. Get a 60 cent box today of any druggist and note the magic effect of a grill sign at meal time.

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Tailoring and Hat Works
Dry Cleaning, Pressing, Repairing, Remodelling, Dyeing of Ladies' and Men's Clothes. Prompt and courteous service. Call For and Deliver. Phone 58 313 Broadway Bismarck, N. D. We clean and reblock hats.

Farmers, Trappers—Attention
LET US TAN YOUR HIDES AND FURS into useful articles, such as robes, coats, rugs, mittens, caps, fur sets or any kind of leather. If you prefer selling, send your fur to us for full market value. WRITE TODAY for FREE price list, tanning price list and shipping tags.
The Bismarck Hide & Fur Co. Bismarck, N. D.

SAVE 50c A TON
Order Your Coal From
The New Salem Lignite Coal Co.
(Corner Front and Eighth St.)
CHAS. RIGLER, Manager.
Phone 738.
COAL \$5.00 PER TON DELIVERED

Report of the Condition of
THE FIRST GUARANTY BANK
At Bismarck, in the State of North Dakota, at the close of business March 10th, 1922.

RESOURCES

Loans and discounts	\$276,118.06
Overdrafts, secured and un-	95.94
Warrants, stocks, tax certifi-	57.45
cates, claims, etc.	16,294.42
Government issues	17,019.27
Banking house, furniture and	134.56
fixtures	17,019.27
Current expenses, taxes paid,	
over undivided profits	134.56
Checks and other	
cash items	\$1,067.43
Due to other banks	60,782.06
Other banks	61,850.49
Total	\$371,570.19

LIABILITIES

Capital stock paid in	\$50,000.00
Surplus fund	2,090.00
Individual deposits	
subject to check	\$103,196.15
Insurance fund	16,020.00
post	733.98
Savings bonds	16,020.00
Time certificates of	
deposit	123,468.15
Savings deposits	18,064.45
certified checks	100.00
Cashier's checks	
outstanding	2,727.38
Due to other banks	18,759.88
283,070.19	
Due War Finance Corporation	33,500.00
Total	\$371,570.19

State of North Dakota, County of Burleigh, ss.
I, J. P. WAGNER, cashier of the above named bank, do solemnly swear that the above statement is true, to the best of my knowledge and belief.
J. P. WAGNER, Cashier.

Subscribed and sworn to before me this 15th day of March, 1922.
E. V. LAHR, Notary Public.
My commission expires June 16, 1923.
Correct. Attest:
L. V. SPERRY, J. P. WAGNER, Directors.

AT THE THEATERS

The Capitol

Betty Ross Clarke, who is rapidly forging her way to the front rank of screen notables, plays opposite Earle Williams in "Lucky Carson," which will be shown at the Capitol Theater tonight.

The production is based on "Salvage," a widely read novel by Aquila Kempster and has its action mostly out of doors. It was filmed under the direction of Wilfrid North.

Mr. Williams and his supporting company spent considerable time in the mountains of Northern California and picturesque points along the Pacific Coast.

SANTAL MIDY
Easy to Take—Back to Nature
CATARRRH BLADDER
Safe, Successful
Each Capsule Contains 50 Mils. of Santal Midy
Bevers of counterfeiters!

The early scenes take place in England and show London streets and the river Thames. The wharfs and docks at Liverpool have faithfully been reproduced so that Englishmen, who have viewed the production, have been deceived into thinking they were actually filmed on the British Isles.

A London fog effect is another of the marvels of the camera reproduced in this film.

The story is laid mainly in the United States, and contains an atmosphere of the race track, the stock exchange and society life. A queer little twist places the hero first as a down-and-outer ready to end existence and later makes him a favorite of fortune. An interesting love story is interwoven into the plot, and the end comes as a surprise to the average spectator.

The Eltinge

Agnes Ayres proved herself a capable star in her first stellar Paramount vehicle, "The Lane That Had No Turning," which was displayed with success at the Eltinge Theater last night. The scenes of the story are laid in Canada and the heroine is a young bride who sacrifices her career as a singer to remain with her husband who is suddenly deformed. There is an abundance of thrills in the development of this story by Sir Gilbert Parker. Miss Ayres was artistic in her portrayal of an exacting role, while Theodore Kosloff, Mahlon Hamilton and Frank Campeau rendered efficient support. The picture is being shown for the last time today and will be followed by "Molly Q," Mack Sennett's great picture featuring Mabel Normand, which shows Thursday and Friday.

MEN BLIND TO WOMAN'S SUFFERING

How many men, think you, have any idea of the pain endured by women in their own households, and often without a murmur? They have no patience when the overworked wife and mother begins to get pale, have headaches, backaches, faint spells, or is melan-

CASCARETS 10¢

For Constipated Bowels—Bilious Liver

The nicest cathartic-laxative to physic your bowels when you have

Headache	Biliousness
Colds	Indigestion
Dizziness	Sour Stomach

tonight will empty your bowels completely by morning and you will feel splendid. "They work while you sleep." Cascarets never stir you up or gripe like Salts, Pills, Calomel, or Oil and they cost only ten cents a box. Children love Cascarets too. Adv

I. WESTERMAN, McLEAN COUNTY PIONEER, DIES

Underwood, N. D., March 15.—The funeral of Isaac Westman, one of the pioneers of McLean county, was held last Friday at Underwood, and the body was laid to rest in the cemetery near the Dave Carlson farm.

Isaac Westman was born in Sweden 74 years ago and came to America in the late 70's. He located in Goodhue county, Minn., for a time, and later came on to Dakota territory. In the summer of 1882 he worked for John Satterlund during the haying season at Dry Point, about 13 miles up the river from Bismarck. That fall he came to Washburn and a little later homesteaded on land which is now a part of the Clarence Paul farm near Underwood. Mr. Westman had since that time constantly resided in McLean county and by hard work and economy had acquired somewhat of an estate. During the past number of years he has resided in Underwood. In his early life in the old country he was efficient as a telegrapher and always wore the button of the order.

NOTICE

G. Gustafson purchased the Transfer Line of Geo. Robidou and is now doing business under the name of Bismarck Dray & Transfer Co.

Stove Wood For Sale.

We haul Ashes and move Trunks.
We also Plow Gardens.
Phone 253
No. 8 Broadway.
Give us a trial.

FOR RENT—Strictly modern rooms, 300 9th St. Phone 377-J. 3-15-1W

FOR RENT—One good size room, kitchenette and closet, furnished for light housekeeping, 218 1st St. Phone 386-J. 3-15-31

TAKEN UP—Black 3-year-old gelding, with white star on forehead. Owner or may have same by paying for damages. Frank Gress, Bismarck, N. D. 3-15-31

WANTED—Good, competent girl for general housework, Mrs. Sam Clark, 36 Avenue A. Phone 587. 3-15-1W

Dance every Tuesday, Thursday and Saturday evenings at 8:30 at The Coliseum, formerly Baker's Hall, newly redecorated. 10c per dance.

E. S. ENGE, D. C. Ph. C. Chiropractor
Consultation Free
Suite 2-11—Lucas Block—Phone 28

FOR RENT—Strictly modern rooms, 300 9th St. Phone 377-J. 3-15-1W

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Pay as You Ride

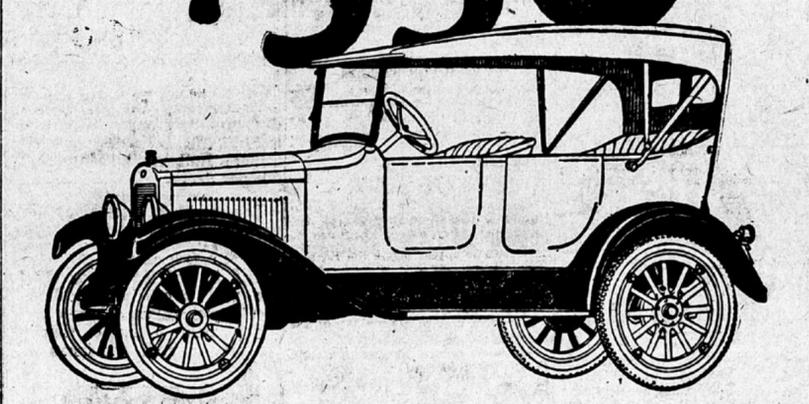
Touring Car, Regular.	\$195.80
Down Payment	
10 Monthly Payments	\$29.27

These prices include Fire and Theft Insurance for one year and all interest charges.

We have a payment plan for all models.

Copelin Motor Co.
Phone 318 Bismarck, N. D.

DOWN to \$550



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in Overland history has true engineering been so perfectly expressed. Never before, we believe, has care in automobile workmanship been more painstakingly maintained.

130-inch spring base provides the comfort of heavy, expensive cars.
Triplex springs of vanadium steel increase tire mileage.
Powerful, economical motor delivers 25 miles and more per gallon. All-steel body used elsewhere only on much more expensive cars. Hard-baked enamel finish maintains good appearance under hard usage.
Electric Auto-Lite starter and lights. Electric horn, demountable rims, three-speed transmission.

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Now the Greatest Automobile Value in America

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\$550
Touring Car . \$550 Coupe . \$850
Roadster . . . \$550 Sedan . \$895
F. O. B. Toledo

Announcing
Our Three Days Special Sale
Thursday-Friday-Saturday

This event will long be remembered by those who visit our store Thursday, Friday and Saturday. We have placed several items on sale at prices that will appeal to both to men and women. The special prices which will rule on these items will make it well worth your while to take advantage of this three day sale. Note the special items and the low prices listed on each.

Low Priced Covered Dust Pans What is more inconvenient than a half-worn-out dust pan? Sale price 13c	10-Qt. Gray Enamel Water Pail Suitable for any number of purposes. Priced for this sale 49c
Handy Oil Cans 1-gallon size galvanized oil can. Priced during the sale at 29c	Acme Steel Fry Pan The popular size with the housewife. During sale, only 23c
Fruit Presses or Vegetable Ricers	12-Qt. Galvanized Pail
 Especially well made. Strong japan steel frame. Especially good value at 30c	 The kind every family can use from two to three at all times. Priced during sale at 25c
Carpenter's Wrecking Bars 3/4"x24". Tool steel, beveled at one end and curved claw on other end. Our price during sale 33c	Kitchen Knife Set
Victor Washboards	 One 7" butcher knife, one regular paring knife. Fine tempered steel blades. Per set 39c
 Rubbing surface 7"x10", suitable for washing out small garments. Exceptional good value at 25c	White Enamel Cabinets 10-qt. size. White enamel cover. Good value at \$2.00. Our special price \$1.39
Clothes Baskets	Crescent Combination Pliers
 Excellent quality willow basket. Just what you have been wanting for quite a while and priced within the reach of all. 28" size 93c 30" size \$1.19	 6". N. P. finish. A plier of good quality at a popular price. During the next three days 23c

Lomas Hardware Company