

SAY EQUALIZERS EXCEEDED RIGHT IN MAKING CUT

Tax Body Declares that Reduction of More Than One Per Cent is Illegal.

COMMISSION CITES ONE 1913 STATUTE

Board Trimmed off \$27,500,000—Limit Said to be \$3,540,000.

(Herald Special Service.) Bismarck, N. D., Oct. 18.—Did the state board of equalization in making its recent flat ten per cent reduction in the valuation of farm lands, railroads and town and city lots exceed its authority?

The state tax commission holds that it did, and to sustain its contention it cites paragraph five of section 2141 of the compiled laws of 1913, which, referring to the duties of the state board of equalization, reads as follows:

"They shall not reduce the aggregate valuation of all the property of the state as returned by the several county auditors more than one percentum on the whole valuation thereof."

Was More Than One Percent. There is no question that the recent ten percent cut on three of the state's most important classes of property did exceed a reduction of one percent upon the aggregate value of all the property of the state as returned by the several county auditors. The reduction on farm lands totaled \$21,000,000; on railroads, \$5,000,000, and on town and city lots \$1,500,000, a grand total reduction of \$27,500,000 on a whole assessed valuation of approximately \$354,000,000. If the statute is to be strictly enforced, the tax commission claims that the total reduction which the board is authorized to make cannot upon this approximate whole valuation exceed \$3,540,000.

Statute Confusing. The tax commission has not to date formally called the attention of the board of equalization to its alleged oversight. Informally, however, the pending annual report submitted by State Auditor Carl O. Jorgenson, secretary of the board, Governor Hanna, its chairman, and Commissioner of Agriculture and Labor Flint, that state that their action was taken under the authority conveyed in subdivision four of section 2141 of the compiled laws of 1913, immediately preceding subdivision five, above quoted. Subdivision four provides:

"They shall deduct from the aggregate valuation of all the property of the state as returned by the state which they believe to be valued above its true and full value such percentum as will reduce the same to its true and full value in money."

Equalization, Not Reduction. The board's action at its last meeting was along the line of equalization rather than reduction, its members claim. There was no flat reduction affecting all property classes made in the three classes named, however, does result in a flat reduction of the assessed valuation of the entire state, somewhat exceeding seven per cent.

Flat Raise is Legal. The supreme court has held that a flat increase in the assessed valuation of the state is legal. Such was its decision in a test case brought to determine the legality of the 12 1/2 per cent raise ordered in 1909, in order to provide more funds. A similar flat increase of twenty per cent was ordered in 1916, and its legality has not been questioned. The board of equalization is inclined to believe that any authority given to make a flat increase in the valuation of the state must also extend to permission for a flat reduction.

No Action as Yet. The state tax commission had the matter brought to its attention only yesterday, and it has not determined to date on what action will be taken, if any, by that body. It is entirely probable that upon the error, if an error has been made, being formally brought to the attention of the board of equalization, it may be corrected without further process. If legal action is resorted to, it will be in the form of a petition to the supreme court for a writ of mandamus.

World Mean Much Work. A re-evaluation of the valuation placed on farm lands, railroads and town and city lots would mean a great deal of work for the county auditors whose returns already have been received from the state auditor. The tax commission suggests that some of the details might be simplified by determining the per cent of excess reduction, if any, and certifying the same to the county auditors to be spread pro rata over the several valuations affected.

TERRIFIC GALE SWEEPS SOUTH

98-mile Wind Blows at Fort Morgan, Ala.—Pensacola is Hit.

New Orleans, Oct. 18.—An east to southeast gale was blowing at 98 miles at Fort Morgan, Ala., at the entrance of Mobile Bay, early this morning, according to a radio message received here today. The wind averaged 90 miles with occasional gusts reaching 100. The storm struck Fort Morgan at 6 o'clock. A message from Mobile said a 90-mile wind was blowing there. All wires are down.

Ah! Ha! Army Mule is Vindicated at Last

Motor Trucks Fail In Great Sandy Waste

El Paso, Texas, Oct. 18.—In the big practice marches that the National Guard units along the border are put through with 18,000 men on the road at one time, the heavy test thrown upon transportation has vindicated in general it was learned that surprised the old timers. Motor trucks, with yellow prairie-coachers tops drawn over tons of supplies, make an impressive display on paved streets or macadam roads. In Europe, where the road systems are perfect, motors have naturally superseded the old kind of transport. But except in certain localities the deserts of the south west are not provided with roads built for automobiles. The division "bliss" out of El Paso form lines about fifteen miles long. For about ten miles stretch sections of infantry, cavalry and ar-

Telegraph Briefs

GERMAN AVIATOR WOUNDED. Paris, Oct. 18.—Newspapers here say that it has been learned from an authorized source that Captain Boelcke, the celebrated German aviator, was severely wounded by a shell from a French anti-air craft gun. On October 8 Boelcke brought down his thirteenth entente allied machine.

KILLED IN ACTION. New Haven, Conn., Oct. 18.—William Thayer, former Yale student, with the aviation corps of the French army since the outbreak of the war, was killed in action, a report to Yale associates today said. Details are lacking.

FAMOUS JESUITE DEAD. Milwaukee, Wis., Oct. 18.—Rev. Aloysius Boesche, 71, former pastor of Jesu church and one of the foremost Jesuite educators in the middle west, died last night after a long illness.

BUY YOUR AUTO LICENSE EARLY

Secretary Hall Urges Over 41,000 Owners Not to Hold Off.

(Herald Special Service.) Bismarck, N. D., Oct. 18.—More than 41,000 North Dakota automobile owners are being urged by Secretary of State Hall to do their Christmas shopping for license tags early. During the past two years, because of the possibility of a change in the license law, automobilists have held off until April, when the demand for tags has come in a rush. Last April 10,000 tags were issued, and the force was swamped. Eighteen thousand more applications were received for the months of May and June. "Why wait until April or May to get your tag?" asks the secretary of state in his circular letter. "The fee is the same whether you register in January or in November." The letter is accompanied by the regulation application blank, upon which the owner is expected to state the make of his car, the model or vintage, the horsepower, purpose for which the car is used, and other information, which goes on file at the capitol.

50,000 MEN MADE IDLE

Swiss Anti-Export Ruling Causes Much Discontent Among Laborers of Country.

Geneva, (via Paris), Oct. 18.—The Swiss government in consequence of the economic arrangement with Germany has prohibited Swiss factories to export ammunition to the Entente allies. It is impossible to predict whether trouble can be prevented throughout the night. The Greek government is fully alive to the consequences of this hangs on the prevention of further measures on the part of the French commander. Royalist Demonstration. Earlier in the day, a review by King Constantine of the sailors belonging to the vessels of the Greek navy, which were taken possession of by the entente allies, was made the occasion of an immense Royalist demonstration. Crowds of thousands of the sovereign and wildly cheering for the monarch.

NO STATEMENT ON SUBMARINES

United States Not Called Upon to Make any Official Stand.

Washington, Oct. 18.—The United States does not feel called upon to make public any statement on the raid of the U-53 or the submarine situation in general. It was learned authoritatively today as a consequence of the statement in parliament by Viscount Grey, British secretary of state for foreign affairs, that his government would make any official representations to this country until such announcement was made here.

NEW MARATHON RECORD

Sidney Hatch Shatters All Long-Distance Marks—90 Miles in 14 Hours, 50 Minutes, 30 Seconds.

Chicago, Ill., Oct. 18.—Sidney Hatch of Chicago, winner of a score of marathon races, shattered all records for long distance running today, finishing the ninety-mile run from Chicago to Milwaukee in fourteen hours, fifty minutes and thirty seconds.

THE WEATHER.

North Dakota: Partly cloudy tonight. Somewhat colder in east. Rising temperature in west and north central portion.

SITUATION IN ATHENS MORE QUIET TODAY

United States to Protect Austrian Interests in Case of War.

DEMONSTRATIONS STILL CONTINUE People Parade the Streets, Shouting for King Constantine.

Athens, Oct. 18.—On the initiative of the central empires Washington has been asked to permit the American legation here to take charge of Austrian-Bulgarian interests, in case of a declaration of war by Greece or other complications. Permission was given as regards Austria.

City of Excitement. Athens, Oct. 18.—Marines from the ships of the entente powers to the number of about a thousand have been landed at Piraeus and have occupied the railway station at Piraeus and several buildings in Athens. Immediately they became swarmed with Greeks frantically cheering King Constantine and chanting the Greek national anthem. Great crowds gathered in the streets, thousands gathering in the neighborhood of the postoffice square.

The war minister, General Dracos, ordered the Greek troops and marines to guard every approach to the square in order to prevent any clash between Greek civilians and the French, who occupied that section, and to prevent any disorderly conduct capable of starting a riot.

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Admiral Damianos, minister of marine, read an order of the day praising the loyalty of the sailors and commending them on their conduct under most trying circumstances.

After the ceremony the king assembled the officers about him and addressed them personally, expressing pride that they had scorned offers of money and honors and had remained faithful to their oath and their country. He gave his word that he would stand by them to the end against whatever consequences their loyalty might entail.

German Driven Back. Paris, Oct. 18.—Three times last night the Germans delivered attacks on French positions in Sully Salles on the Somme front. The war office announces that the French maintained all their positions, inflicting heavy losses on the Germans.

Near Berny en-Santerre, the Germans gained a footing in French first line trenches, but were driven out.

Rumanians Resume Offensive. Bucharest, Oct. 18.—via London.—Rumanian troops in the Predeal region, south of Kronstadt, have resumed the offensive forces are driving back the Teutonic forces on the Transylvania side of the border, says the official announcement.

Minor Actions. Sofia, via London, Oct. 18.—Only minor actions on all fronts are reported in the official statement of the Bulgarian war office today.

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Fort Berthold Missionary Says Intermarriage is Doing It.

Minneapolis, Minn., Oct. 18.—Speaking before the American Missionary association, Dr. C. L. Hall of North Dakota, for forty years a missionary on the Fort Berthold reservation, today declared that intermarriage "will in time completely merge the Indian and white races."

"The Indian race," he declared, "will disappear, so far as externals are concerned. Intermarriage of whites and Indians has been in process since the marriage of Pocahontas and John Smith."

The speaker declared that no such stigma attaches itself to intermarriage between whites and reds, as in cross-breeding with other races.

King Constantine's Lament; Still Sees Faint Ray of Hope

THANKS HIS SAILORS FOR SERVICE THEY HAVE GIVEN GOVERNMENT—"MAY OUR HOPES SOON BE REALIZED," HE SAYS.

Athens, Oct. 18.—During the stirring events in Athens, following the occupation of the city by entente forces, King Constantine issued the following order of the day: Officers and Sailors: In these hours when stricken and with bleeding hearts each new moment from new wounds deep in our souls, which so short a time ago were proud in a united and victorious Greece, my government has been obliged to order you to leave the ships upon which you brought the news of the freeing of our liberated brothers. You came with tortured hearts and eyes wet with tears, every man faithful to his oath, to the side of your king.

"I thank you and congratulate you, oh my faithful sailors. I thank you, not only as king and chief of the fleet, but as the representative of the fatherland, which is proud to which you have given so much, for which you are ready to give and suffer all."

"May our hopes soon be realized and may the hour soon come when you will be able to return to your ships. The holy icons that have protected you in the past will protect you in the future and the glorious flag, once more caught by the winds of the Greek seas, will bring hope and consolation wherever Greek hearts beat for nation and king."

FLOUR PRICES CLIMB AGAIN

Continued Rise in Wheat Causes Increase—Cotton Also Goes Up.

Minneapolis, Minn., Oct. 18.—Prices of best grades of flour rose 20 cents today as the result of the continued rise in wheat prices. Fancy patents are quoted at \$35.00 a barrel. The price of one of the largest milling firms said the advance is very conservative in view of prevailing wheat prices.

Big Cotton Increase. New Orleans, Oct. 18.—The most sensational advance of this extraordinary season in cotton occurred around the opening of market today as the result of the rumor that a tropical hurricane struck the cotton region near Mobile. The prices lifted from 65 to 89 points.

Famous Art Collection of the West to be Sold

San Francisco, Oct. 18.—Sale of the art collection of William M. Ladd, a Portland, Ore., banker for \$225,000 to an unnamed party, who will present it to the Minneapolis Museum of Art, became known here today through an art dealer who negotiated the transaction. The buyers are understood to be Minneapolis residents.

The Ladd transaction at present in the hands of the Minneapolis Museum of Art, which is the largest collection of its kind in the United States. Ladd was thirty years in making the collection.

HUGHES TOURS MICHIGAN

Republican Nominee to Speak in Grand Rapids Tonight—In Chicago for Short Time.

Chicago, Ill., Oct. 18.—Charles E. Hughes will arrive in Grand Rapids, Mich., tonight, where he will speak late today and tonight.

He arrived here before noon, departing an hour later. He planned to deliver a 15-minute platform speech at Niles, Mich. He will speak at Grand Rapids tonight.

DOUBLE MURDER Baffles Police

Baltimore, Md., Oct. 18.—A double murder was discovered last yesterday when the mutilated bodies of Andrew Frey, 60 years old, and his sister, Marie Frey, 55, were found near their home at Rosedale, Baltimore. Apparently they had been lying in an out-of-the-way place for several days.

An effort had been made to destroy the man's body by pouring oil on it and setting it afire. Evidently the house had been robbed of everything of value.

INDIAN RACE DISAPPEARING

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REGENT STREET RAZED, 400 DEAD, GERMANY HEARS

Eye-witness of the Zeppelin Raid, Sept. 23, Report Terrible Fatalities.

Berlin, Oct. 18. (wireless Sayville)—Eye-witnesses of the Zeppelin attack on England on September 23 reported, according to the Overseas News Agency, that bombs hit Grimby barracks, killing over 400 soldiers, and about sixty men aboard a cruiser were hit by a bomb. It is reported that Regent street was laid in ruins.

NEW DREADNOUGHT PUT IN COMMISSION

New York, Oct. 18.—The super-dreadnought Arizona, one of the two most powerful ships in the United States navy, was put in commission at the navy yard here today under command of Captain John B. McDougal. The vessel is manned by sixty-seven marines and nine hundred sailors, said to be considerably short of her full complement. The men were assembled in the morning at the Pennsylvania, a sister ship of the New York navy yard. She has a displacement of 32,567 tons, is 60 feet long and designed for a cruising speed of twenty-one knots. She has twelve 14-inch guns and a secondary battery of twenty 5-inch guns and also carries two anti-aircraft guns.

JAPANESE FOR FRIENDLY RELATIONS WITH AMERICA

Feel That Best Interests of Country Will Be Served in That Manner, Says Episcopal Bishop.

St. Louis, Mo., Oct. 18.—Japanese people feel the best interests of their country depend on the preservation of friendly relations with the United States, Right Rev. H. St. George Tucker, bishop of Kyoto, told delegates to the general convention of the Protestant Episcopal church today.

Tucker spoke at a joint session of two houses, comprising the convention reviewing the scope and methods of the church's foreign mission work. He had large opportunities of meeting Japanese of all classes," he said, "and I have never heard the opinion that there was any essential conflict between the interests of Japan and America expressed."

CO. M. OFFICERS ARE FIRED UPON

Return Mexican Fire—No Casualties Are Reported.

(By Staff Correspondent.) Donna, Tex., Oct. 18.—Lieutenant Fred Moore, Sergeant Herbert Metzger of Company M, and Captain McLean of the Hospital corps, were fired upon last evening by Mexicans. The attack occurred one mile from Champion store. The North Dakota guards returned the fire. It is not known whether or not there were any casualties.

Company M. has been stationed at Champion store for some time. They have patrolled the border in this section for two weeks.

Lieutenant Moore's home is at Grafton. He was appointed when Lieut. Harley Hanson was discharged. Sergeant Metzger is from Williston. He is a law student at the university, but border duty precluded his return to school.

Ask Business Men to Give Clerks to Help Harvest Apple Crop

Hood River, Ore., Oct. 18.—The most acute labor shortage in the history of the Hood River apple district resulted today in a circular from a petition of growers among local business houses asking that as many of their clerks as possible be allowed to take part in the apple harvest. Farmers also have asked that the Hood River high school be closed in order that the students may help pick apples.

Booster Train to TOUR NORTH DAKOTA

Local Wholesale Interests Plan Excursion Through Northern Half of State.

Committees of the Grand Forks Commercial club and business men representing the wholesale interests of the city are making plans for a special booster train to tour northern North Dakota during the coming winter, according to a statement made today. Committees are now making the preliminary preparations and are taking the proposition up with railroads in an effort to get estimates on probable cost of the venture.

No date has been set for the trip but it is probable that the tour will be made during the next two months. All of the important points in the northern part of the state will be visited and booster campaigns will be conducted.

MAY REDUCE RESERVATION.

Tucson, Ariz., Oct. 18.—A tentative agreement between government officials and local citizens was reported last night through which the Papago Indian reservation may be reduced over two million acres. The action, if taken, was one of the most important sections to a development now being held because of government restrictions, it is declared.

GERMANS HAMMER AT GATES TO RICH RUMANIAN RESOURCES; MAKE DRIVE AT HARD MOUNTAIN PASSES

It is well at this time that the western public should realize the extraordinary importance of Rumania to the entire cause. Apart from any question of territory, which are 12 miles from the summit range. The nature of the country is such that the Rumanians had to defend and facing an increasing number of the enemy, it was deemed wiser not to expose the advanced positions to sudden maneuvers.

In the retirement, the enemy was not even in touch with the Rumanian troops, the movement having been made quietly and entirely without panic or the slightest demoralization among the Rumanians. I have seen the Rumanians in the line of the summit range. The nature of the country is such that the Rumanians had to defend and facing an increasing number of the enemy, it was deemed wiser not to expose the advanced positions to sudden maneuvers.

STRONG GUARD AT JAIL

Officials Endeavor to Prevent Violence Against Mike Vaskse, Who Fatally Stabbed Man.

Chippewa Falls, Oct. 18.—A strong guard was thrown about the jail at Eau Claire, where Mike Vaskse, alleged strikebreaker from St. Paul, is being held for the fatal stabbing of William Novack, at a local shoe factory yesterday.

The blade of the dagger was buried in the abdomen of Novack, who formerly was foreman, and he died to death in five minutes.

Further outbreak of the part of the mob, which gathered about the jail here threatening to lynch Vaskse, causing the officers to spirit him to Eau Claire in an automobile, is not expected.

NORWAY DENIES WATERS TO ALL WARSUBMARINES

Replies to Entente Note—Order Issued on October 14.

London, Oct. 18.—Reuter's Christiania correspondent says that Norway has informed the entente allies that it is privileged to prohibit the passage through or sojourn in Norwegian waters by belligerent submarines. The Norwegian note is in response to the memorandum of the entente powers to neutrals, suggesting that belligerent submarines should be excluded from neutral waters.

The Norwegian government declares that it considers it has a right to prohibit submarines designed for war purposes and belonging to belligerents from passing through Norwegian territorial waters, saying that it made use of this right in issuing a royal decree on October 14, under which belligerent submarines are forbidden to traverse the waters except in emergency.

U. S. SHIP OFF BLACKLIST. London, Oct. 18.—The American steamship Sacramento has been removed from the British blacklist, according to the latest list issued by the trade division of the admiralty. Neutral ships on the blacklist represent 133,453 tons of shipping, which British ships are not allowed to charter without permission of the British government.

The additions to the list are chiefly from the European neutrals, but an unusual feature is provided by the inclusion of several Portuguese vessels. No additional American ships have been added to the list.

NEW SPEED BATTLESHIP

Italy Has Battleships Capable of Making Three Times as Much Speed as Atlantic Steamers.

Rome, via Paris, Oct. 18.—Italy now possesses a type of warship whose speed is three times as great as that of the greatest trans-Atlantic liner, according to an announcement by the G. F. journal today.

The sea trials of the first of these ships have been completed and they were witnessed by a correspondent of the paper. Three others are building.

BOOSTER TRAIN TO TOUR NORTH DAKOTA

Local Wholesale Interests Plan Excursion Through Northern Half of State.

Committees of the Grand Forks Commercial club and business men representing the wholesale interests of the city are making plans for a special booster train to tour northern North Dakota during the coming winter, according to a statement made today. Committees are now making the preliminary preparations and are taking the proposition up with railroads in an effort to get estimates on probable cost of the venture.

No date has been set for the trip but it is probable that the tour will be made during the next two months. All of the important points in the northern part of the state will be visited and booster campaigns will be conducted.

RAILWAY WORKERS NOT FOR 8-HOUR DAY LAW

Chicago, Oct. 18.—The Railway Workers' National Association, which is said to have 16,000 members, yesterday announced its opposition to the Adamson eight-hour law. Though its national chairman, W. J. Pinkerton, also has announced his opposition to a development now being held because of government restrictions, it is declared.

WOMAN, DEFENDANT IN DIVORCE CASE, SHOTS ALLEGED CO-RESPONDENT.

Chicago, Ill., Oct. 18.—Carrying a baby in her arms, Mrs. Catharine Marak fired three shots in a crowded court room when Judge Powell was presiding today, probably fatally wounding Jacob Klaus, who has been named by her husband as co-respondent in a divorce suit. Klaus, brother of the alderman, was shot in the head and back. The woman declared Klaus ruined her home and then married her.

PERSHING FORCE RECALLED, SAYS MEXICAN PAPER

Quotes Official Coahuilla Dispatch Anent Atlantic City Meeting.

El Paso, Tex., Oct. 18.—Under the heading, "Forces of Punitive Expedition Will Leave Mexican Territory," La Reforma of Saltillo, Coahuilla, publishes a telegram from the private secretary of Governor Espinosa Mirales, dated Piedra Negra, Coahuilla, October 11, to this effect: "I have the honor of informing you that the international conference at Atlantic City has been completely successful, and the withdrawal of the Pershing punitive expedition from our territory was agreed upon."

CHIHUAHUA CITY IS MORE QUIET

More Troops Sent in Search of Villa—Latter Moves Quarters.

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Below it is printed a message from Mexico City, dated October 12, which, after mentioning the border patrol scheme under discussion, adds: "It was said, nevertheless, in the afternoon sessions that it was agreed that the troops of the punitive expedition would leave the Mexican republic, and the conference will proceed on this basis until all existing difficulties are solved."

El Paso, Tex., Oct. 18.—Martial law has been relaxed in Chihuahua City to the extent of allowing citizens the freedom of the streets until midnight, according to copies of El Democrata arriving here. In a proclamation published in this paper, General Trevino declared he made this concession because conditions were again normal. Following the attack on the city by Villa a month ago a stringent curfew law was enforced.

Illustrative of the reign of terror Villa has established in the parts he controls, El Democrata reproduced a pass written in misapprehension issued by Villa to a Mexican subject September 30. It gave the Mexican ten days in which to return to Villa territory on the penalty of being declared an enemy and his family seized and burned to death.

Carranza organs make much of the order of General Trevino punishing the corporal and seven American soldiers who, without permission, crossed the Mexican territory near Presidio, Tex., September 27.

"By this act," one of the papers comments, "the United States has shown acquiescence to the request of the first General Trevino of the punitive expedition should not move except in the direction of their own country."

Preparations are being made for a general movement of Carranza troops west from Chihuahua City in pursuit of Villa. A train load of ammunition has reached Chihuahua City from the coast, a shortage of ammunition having delayed the campaign, reports received here state.

Villa Moves Headquarters. Chihuahua City, Mex., Oct. 18.—The latest reports received at military headquarters here say that Villa has moved his personal headquarters to San Jairo a point on the Mexican Northwestern railway about 80 miles west of Chihuahua City and nearly twice that distance south of the main American base at Casas Grandes.

The vanguard of the troops of General Santos, composed of 600 men and 300 horses, have arrived here to take part in the coming campaign against Villa.

General Trevino is completely recovered from his wound received during Villa's attack upon Chihuahua City.

Indians Against Villa. El Paso, Tex., Oct. 18.—Yaqui Indians are to be sent against Villa and his bands in western Chihuahua, a report from Senora brought here today states. The Yaquis are being recruited from among General Obregon's veterans of the association campaign, and it is expected that 1,000 or more Indians will be sent through the pass in the Sauripa district into western Chihuahua.

MAN SHOT WHILE ATTENDING COURT

Woman, Defendant in Divorce Case, Shoots Alleged Co-respondent.

Chicago, Ill., Oct. 18.—Carrying a baby in her arms, Mrs. Catharine Marak fired three shots in a crowded court room when Judge Powell was presiding today, probably fatally wounding Jacob Klaus, who has been named by her husband as co-respondent in a divorce suit. Klaus, brother of the alderman, was shot in the head and back. The woman declared Klaus ruined her home and then married her.