

# RADICAL CHANGES IN PRESENT LAWS

Bills by Miller and Others as Introduced into the Montana Legislature.

## TAXPAYER MAY APPEAL IF HE THINKS HE IS DONE

Johnson's Measure Would Make the Notary Publics Do a Lot More Work—The House Joint Memorial by Bever, on the Advisability of Throwing the Crow Reservation Open to Settlers.

SPECIAL TO THE INTER MOUNTAIN.

Helena, Jan. 23.—House Bill No. 7, by Mr. Miller, providing for appeals from the decisions of county boards of equalization, proposes to make radical changes in the present law. It prescribes:

"That any taxpayer feeling himself aggrieved by the valuation placed upon his property by the county assessor for taxation purposes, and after he has made application to the county board of equalization and has been refused, in whole or in part, may appeal from the decision of the county board to the district court in the county in which the property is situated. "An appeal herein provided for shall be taken by causing a written notice to be served on the clerk of the county board, within 30 days after making its decision and executing a bond in double the amount of taxes assessed, conditioned to prosecute said appeal and binding the appellant to pay in case the decision of the court affirms that of the board."

House Bill No. 24, by Miller, providing for the repeal of the law creating the board of appraisers of real estate has been printed.

House Bill No. 27, by Vagg, amends the law relating to the serving of summons so as to require the certificate of the county clerk to the act of a justice of the peace, when such summons is to be served outside of the county in which it is issued, and when so attested it may be served by any male person over the age of 18 years or by publication under the provisions of the code now existing relating to the same.

### More Work for Notaries.

House Bill No. 51, by Johnson, imposes additional duties upon notary publics, requiring them, when requested, to demand acceptance and payment of foreign, domestic and inland bills of exchange, or promissory notes, protest the same for non-payment and to exercise such other powers and duties as fixed by the law of nations and commercial usages, or as by the laws of any other state, government or country, may be performed by notaries. Also, to take acknowledgments or proof of powers of attorney, mortgages, deeds, etc., and to give a certificate of such acknowledgments, to take depositions and affidavits, to administer oaths and affirmations in all matters incident to the duties of such office, or to be used before any court, judge, officer or state board.

This bill also requires the use of an official seal, with the name of the state and county, the surname and at least the "Christian" initials of the notary.

### On the Crow Reservation.

The house joint memorial, by Bever, asking congress to open the north half of the Crow Indian reservation, has been printed and placed on general orders. The memorial sets forth that:

"The cession of the northerly part of the Crow Indian reservation to the United States and the opening up of the same to settlement will be of especial advantage to the Crow Indians and will materially contribute to the growth and development of the eastern portion of the state."

The land proposed to be ceded is described in a bill passed by congress ratifying an agreement with the Indians of the Crow reservation in Montana, and aggregate about 1,000,000 acres, which are now practically unoccupied by Indians and wholly unnecessary for their use or accommodation.

A large portion of the proposed cession is made up of first-class agricultural land in the valleys of the Big Horn and Yellowstone rivers, which contain an ample flow of water for the successful reclamation of the bottom lands, and the memorial states that all the available agricultural land will be taken up by actual settlers with rapidity when thrown open for settlement.

## SAYS HIGH BUILDING AND THE WIND ARE DOING HIM

New York Merchant Declares Public Will Not Come His Way on Account of the Franks of Boreas.

BY ASSOCIATED PRESS.

New York, Jan. 23.—An action is to be brought in the courts here to declare the 18-story structure occupying the "V" formed by the crossing of Broadway and Fifth avenue and Twenty-third street, and known as the "Flatiron" building, declared a public and private nuisance. The complainant is the occupant of a store on Broadway opposite the high building, whose plate glass windows have been broken twice by the wind during the past three months. In his complaint he holds the building responsible for the antics of the wind, the currents striking the structure and being deflected to the streets and against his windows.

Among the witnesses will be experts on air currents, architects and people who in passing have been roughly handled by the wind, some being thrown to the sidewalk.

Mr. Vincent also asks damages for losses on stock and for loss of business, alleging that people avoid the vicinity since the building was erected and the wind commenced its pranks.

## BOTH BONDS AND MONEY MISSING WHEN HE RETURNS

New Jersey Merchant Wanders Off With Value of \$11,000 in His Clothes and Came Back Penniless.

BY ASSOCIATED PRESS.

New York, Jan. 23.—Louis Dreyer, a wealthy Jersey City produce merchant, who disappeared mysteriously from his home Monday morning, has returned in a dazed condition. A physician stated that Dreyer was suffering from the effects of knock-out drops and refused to permit his family to interrogate him until he had entirely recovered.

When Dreyer disappeared he had in his possession \$4,000 in bills and bonds valued at \$7,000. He did not have either the money or bonds when he returned.

For the safe investment and rapid accumulation of your surplus, talk with Giles, 99 West Broadway, Butte.

# CHANGES MADE WILL EFFECT ALL THE BANKRUPTS

Important Clauses in the Law as Relating to Preferences Having Been Brought.

Considerable interest has been aroused in business and legal circles by the changes in the bankrupt law and their effect upon insolvents and their creditors. The Neer case, now in the hands of Referee Thompson Campbell, illustrates the working of the bankrupt law in some of its features. The provision requiring the surrender of preferences by creditors who have received the same in order to make them eligible to share in the bankrupt's proceeds, is the one feature of the law specially emphasized by the Neer case.

The provision of the new law on this subject reads as follows:

"Section 12. The sub-division g of Section 57 of said act shall be, and the same is hereby, amended so as to read as follows:

"g. The claims of creditors who have

# BILL TO INCREASE THE DISABILITY EXCHEQUER

Steps to Swell Fund by Which Disabled Fire-Fighters Are Enabled to Survive.

Steps will be taken at the present session of the legislature to secure the passage of a bill securing to the disability fund of the fire department of the various cities in Montana the amount of the tax levied on insurance companies in those municipalities.

At the last meeting of the association of fire chiefs of the state this matter was discussed at length. The insurance companies in Montana are already taxed, but the revenue thus raised does not reach the disability fund, where it usually goes under the laws of most of the states. A bill has been prepared at the instance of the association and is to be presented soon in the house by some Silver Bow county representative, probably Representative Stapleton.

Several days ago the matter was discussed in one of the papers of the state and a form

# WHITE LIGHT SAYS "LET 'ER COME ON"

But Death Lurks in Open Switch, as Express Dashes Around the Curve.

## DEED OF DASTARDS ENDS IN DEATH FOR TRAINMEN

Engineer and Fireman Badly Scalded and Will Die—Number of Others of the Crew Are Badly Injured—Passengers Escape With a Slight Shaking Up—Bad Wreck in Memphis Yards.

BY ASSOCIATED PRESS.

Memphis, Tenn., Jan. 23.—The Illinois Central-New Orleans special from Memphis for New Orleans, which left here at 12:25 this morning was derailed and wrecked by an open switch at a lumber company's side track in an industrial suburb of the southern part of the city. Seven of the cars were derailed and

## SCENES AT THE STATE CAPITAL—By the Inter Mountain Staff Photographer.



"A BUNCH OF BUTTES"—Pat Mullins, J. M. Denny and R. W. Farmer of Silver Bow talk things over with Andy Lohman of Chinook.

received preferences, voidable under Section 60, sub-division b, or to whom conveyances, transfers, assignments or incumbrances, void or voidable under Section 67, sub-division e, or Section 70, sub-division e, have been made or given, shall not be allowed unless such creditors shall surrender such preferences, conveyances, transfers, assignments or incumbrances."

Defining a Preference.

The section defining a preference is amended as follows:

"Section 13. That sub-divisions a and b of Section 60 of said act be, and the same is hereby, amended so as to read as follows:

"a. A person shall be deemed to have given a preference if, being insolvent, he has within four months before the filing of the petition, or after the filing of the petition and before the adjudication, procured or suffered a judgment to be entered against him in favor of any person, or made a transfer of any of his property, and the effect of the enforcement of such judgment or transfer will be to enable any one of his creditors to obtain a greater percentage of his debt than any other of such creditors of the same class. Where the preference consists in a transfer, such period of four months shall not expire until four months after the date of the recording or registering of the transfer, if by law such recording or registering is required or permitted or, if not, from the date when the beneficiary takes notorious, exclusive or continuous possession of the property transferred.

### When Voidable.

"b. If a bankrupt shall have given a preference, and the person receiving it, or to be benefited thereby, or his agent acting therein, shall have had reasonable cause to believe that it was intended thereby to give a preference, it shall be voidable by the trustee, and he may recover the property or its value from such person. And, for the purpose of such recovery, any court of bankruptcy, as hereinbefore defined, and any state court which would have had jurisdiction if bankruptcy had not intervened, shall have concurrent jurisdiction."

One of the pernicious practices stopped by the amendments to the federal bankrupt law was the fraud upon wholesalers practiced by banks in collusion with insolvent retailers, by which the bank and local creditors of the Western business man who became bankrupt got all his assets and left the Eastern wholesalers in the lurch after milking them by the credit system.

### Practice in the East.

It was the practice of Eastern banks, when they found a Western business man had overdrawn his account a couple of thousand dollars and was unable to liquidate with money, and did not have goods in his store with which to satisfy the debt, to advance him a credit of about \$5,000 and instruct him to buy \$10,000 or \$15,000 worth of goods with it, which was comparatively easy.

Then, as soon as the goods reached the retailer's town and were hauled to his store, the bank would pounce upon the business man and push him into insolvency, and under the old law the bank and the local creditors of the insolvent, getting their claims first would take everything the man had and leave the Eastern wholesaler, who was practically robbed by the deal, to wobble.

This is done away with now, the new law being so constructed as to prevent it.

### Don't Worry.

This is easier said than done, yet it may be of some help to consider the matter. If the cause is something over which you have no control it is obvious that worrying will not help the matter in the least. On the other hand, if within your control you have only to act. When you have a cold and fear an attack of pneumonia, buy a bottle of Chamberlain's Cough Remedy and use it judiciously and all cause for worry as to the outcome will quickly disappear. There is no danger of pneumonia when it is used. For sale by Faxon & Rockefeller, Newbro Drug Co., Christie & Leys, Newton Bros.

Meet me at the P&ster.

of bill was printed having in view much the same purpose. The form of bill, however, was in error, being a copy of the Washington state law and suitable only for those states where no previous insurance law prevailed. The form of bill agreed upon by the Montana association follows:

An act to amend Section 681 of the Civil Code of the State of Montana. Be it enacted by the Legislative Assembly of the State of Montana, That Section 681 of the Civil Code of the State of Montana be and the same is hereby amended to read as follows:

"Section 681—Each and every insurance corporation or company transacting business in this state must be taxed upon the excess of premiums received over losses and ordinary expenses incurred within the state during the year previous to the year of listing in the county where the agent conducts the business, properly proportioned by the corporation or company at the same rate that all other personal property is taxed and the agent

overturned and the locomotive was smashed. Not a single passenger was injured and none of the train crew killed outright, although the engineer and fireman were fatally injured and three other members of the train crew were seriously hurt.

Fatally injured: Harry Norton, engineer, Memphis; John McDaniel, fireman, Water Valley, Miss.

Seriously injured: J. P. Meyrick, baggagemaster, Fulton, Ky.; Frank Ethridge, mail clerk; Reuben Davis, mail clerk.

The switch at the siding was open, although the switch lamp showed a clear track.

### The Deed of Dastards.

It is believed it was deliberately opened and the lamp set with the white light showing by wreckers for the purpose of ditching the train.

The engine collided with a cut of heavily loaded box cars on the side track and the entire forward section of the train left the rails. The mail car was



As usual Colonel Tom Marshall of Missoula is a prominent figure in the hotel corridors this session.

shall render the list, and be personally liable for the tax; and if he refuse to render the list or make affidavit that the same is correct, to the best of his knowledge and belief, the amount may be assessed according to the best knowledge and discretion of the assessor. Insurance companies and corporations are subject to no other taxation under the laws of this state, except taxes on real estate and the fees imposed by law; and all moneys received from such insurance companies in payment of taxes, as provided for in this section, shall be applied to the maintenance of the volunteer fire department of the city or town where such business shall be carried on; if there be a paid fire department established, then all moneys received from such insurance companies shall be paid into the Disability fund of said fire department; if there be no fire department established in the town or city where such business shall be carried on, then such moneys shall be paid into the general fund of such county.

crushed and the combination buffet and baggage coach was cut squarely in half. One of the Pullman sleepers was thrown at right angles on the track, but remained upright. The rear sleepers did not leave a slight shaking up. There were about 65 passengers on the train. The engineer and fireman were caught in the ruins of the engine and were scalded and burned. Both will die.

The train is the fastest and handsomest on the south lines of the Illinois Central. It consisted of a mail coach, combination buffet and baggage coach, two day coaches and three Pullman sleeping cars.

The engineer and fireman were frightfully scalded.

### Preacher Gets Ten Years.

New Orleans, La., Jan. 23.—Rev. Jean Skyles, convicted of bigamy at Fort Gibson, Miss., was sentenced yesterday to serve 10 years in the penitentiary. The case will be appealed.

**FOR RENT**

12-room modern brick, South Arizona, \$28.50.  
10-room frame, 12 W. Porphyry, \$30.00.  
10-room modern frame, 304 W. Granite, \$40.00.  
7-room modern brick, W. Broadway, \$20.00.  
5-room modern brick flat, W. Park, \$40.00.  
6-room frame, 310 So. Idaho, \$12.00.  
5-room frame, near Star West mine, \$12.50.  
5-room brick, 942 So. Wyoming, \$15.00.  
4-room frame, So. Wyoming, \$15.00.  
4-room modern brick, So. Wyo., \$25.00.

4-room frame, 221 1/2 So. Wyo., \$16.00.  
4-room brick, 1123 So. Arizona, \$15.00.  
3-room modern brick, 925 South Main, \$18.00.  
3-room modern brick, 438 So. Wyoming, \$18.00.  
3-room modern frame, 203 N. Crystal, \$17.50.  
3-room modern frame, Iowa st., \$14.00.  
3-room frame, 91 E. Front, \$12.00.  
2-room modern, including electric light, West Granite, \$25.00.  
1 store, So. Arizona street, \$10.00.  
1 store, East Park, \$20.00.  
1 store, W. Granite, steam heat, \$35.00.  
1 store, South Main, \$25.00.

We make a specialty of managing property for non-residents.

**THE THOMPSON CO.**  
FIRE INSURANCE, LOANS, REAL ESTATE. 15 WEST BROADWAY, BUTTE

**Pufahl's**

A number of articles remain unsold. Any article in the house can be had for the next two days at half price. Respectfully

**Pufahl's.**

## AT TILLMAN'S HANDS

### Coroner's Jury Finds How Gonzales Came to His Death.

Columbia, S. C., Jan. 23.—The inquest in the Gonzales tragedy was conducted by Coroner Green in the county court last night and the verdict found in less than five minutes after the jury returned was a plain statement that "the deceased, N. G. Gonzales, came to his death from a gunshot wound inflicted by the hand of James H. Tillman, on the 15th of January, 1903."

## REVIVAL MEETINGS ARE AROUSING THE INTEREST

Services Commenced by Rev. Crouch at the Walkerville Church Are Drawing a Number of Souls to the Lord.

The revival services which were commenced last Sunday night by the Rev. C. D. Crouch at Walkerville, are proving as successful as those which he recently held in Meaderville, at which time 42 new members were added to his congregation. Despite the fact that the meetings have been in progress only four nights 13 persons have already declared their intention to lead better lives. The meetings will continue during this week and next week, and on Sunday, February 1, the revivals will be closed with a large meeting.

## ABOUT THE TREASURE STATE

Read This Column if You Wish to Learn All the News of Montana.

### Fear Sheep Invasion.

Dillon, Jan. 23.—The stockmen of Centennial valley are wrought up over the creation of the Madison reserve which they fear will cause sheepmen to come into this section with their herds. Cattlemen declare they will not allow a sheep invasion and trouble will result if they come.

### Kitchen Mix Up.

Great Falls, Jan. 23.—While a drunken woman was being put out of the Globe restaurant her; this morning, the cook and the water became involved in a fight in which the cook was badly stabbed. The water is in jail.

### Important Witness Gone.

Missoula, Jan. 23.—Mrs. Lockhart, an important witness in the Mott murder case, has left the city. She has gone to Idaho and it is feared that she may not be here for the trial.

### Wins College Honors.

Great Falls, Jan. 23.—Howard Lewis of this city, who is attending Stanford University, has been selected to act as one of the debaters in the debate which will shortly be held in San Francisco with the debaters of the University of California.

### Insane Man Makes Row.

Missoula, Jan. 23.—While taking Antoine Dillren, a Blackfoot lumber jack, to the insane asylum last night, Sheriff Thompson had all that he could do to retain control over the man. The fellow thought that he was to be killed and many times during the trip indulged in struggles with the sheriff. He was exhausted when delivered at the asylum.

**Dr. German**  
THE DENTIST,  
Has Resumed Practice.  
114 1-2 NORTH MAIN.

## LITTLE BITS BY TELEGRAPH

Tiny Items of News of the World Boiled Down for Busy Readers.

### With Mazatlan Plague.

Mazatlan, Jan. 23.—There were four deaths from plague yesterday. The number of houses burned to date is 165.

### J. H. M. Knox Dead.

Baltimore, Md., Jan. 23.—Rev. Dr. James Hale Mason Knox, ex-president of Lafayette college, Easton, Pa., is dead in this city.

### Will Be General Hayes.

Washington, Jan. 23.—The president nominated Col. Edward M. Hayes, Thirtieth cavalry, to be brigadier general, yesterday.

### To Stand by Geer.

Salem, Ore., Jan. 23.—The supporters of ex-Governor T. T. Geer held a meeting last night and decided to stand firmly by their candidate in the race for senatorial honors.

### Let Us Hope So.

Toronto, Jan. 23.—Confidential negotiations are afoot for the resumption of the sessions of the joint high commission to settle the differences between the United States and Canada.

### Grau Will Rest.

New York, Jan. 23.—Maurice Grau has announced that he has decided to take a rest for a year and will retire from operating fields. The lease of the Grand Opera House May 1 next will not be renewed.

### Policeman Heir to \$50,000.

New York, Jan. 23.—Patrolman William Burton has resigned from the police department and will leave shortly for Texas, where he will take possession of an estate valued at \$50,000 left him by an uncle.

### In Honor of Edward.

New York, Jan. 23.—The Peruvian and foreign warships in port at Callao dressed ship and fired royal salutes at noon yesterday in honor of the second anniversary of King Edward's accession to the British throne.

### May Want to Come In.

London, Jan. 23.—The Prussian government has addressed a series of questions to Oxford university as to how many and under what regulations the Rhodes scholars who are to be nominated by Emperor William, can be received.

### Joseph Barton's Job.

St. Joseph, Mo., Jan. 23.—Joseph Barton of St. Joseph has been appointed assistant to W. Van Bunt, recently of this city, who last week was elected president of the St. Joseph and Grand Island railway. Mr. Barton will go to New York.

### J. R. Dunn to Washington.

San Francisco, Jan. 23.—James R. Dunn, chief inspector in the local Chinese immigration bureau, has been ordered to proceed to Washington. It is probable that he will be assigned to the New York office.

### Want to Be in It.

San Juan, P. R., Jan. 23.—The legislature has passed a resolution to memorialize the senate of the United States to insert in Cuban reciprocity treaty a clause to permit the free entry of Porto Rico coffee into Cuba.

### On Phlippine Coinage.

Washington, Jan. 23.—The house leaders went down to signal defeat today when the house by a vote of 146 to 128 rejected the Philippine coinage bill, reported by the insular affairs committee, and adopted the substitute offered by the minority, for the introduction of American currency and the American coinage system in the islands.