THE UNIVERSITY BILL.

Consolidation and Segregation Had Their First Innings in the Senate Yesterday.

Fight on the Question of the Location of the University of Montana.

After Three Hours Debate the Friends of Segregation Score a Victory in Committee of the Whole.

For the first time since the balloting for United States senator began, there was a combination of circumstances yesterday that would have enabled the democrats, with the assistance of Hon. A. J. Davidson, to have elected their man, had they been united, without the aid of any of the populist members; or, with the addition of one of the populists, and without Davidson, to have accomplished the same result. Two of the republican members of the house were absent, one, C. H. Bray, being belated on a snow bound street car, and the other, Joseph Annear, being unaccounted for. Davidson being still sick and not in attendance, the total vote was even sixty-eight, so that it would have taken thirty-five to elect. Sanders, of course, got the votes of all the thirty-one republicans present. Clark had twenty-five votes, including that of Beecher, the Cascade county populist, who thus made good his statement of the day before that he had never said he wouldn't do anything of the kind. Clark's twenty-four other votes were given by democrats. Dixon got twelve votes, seven from democratic members of the house, two from populists in that body, and three from democratic members of the senate. In the latter classification was Senator Gibson, who, with Beecher, had left Collins. The ten democrats who voted for Dixon, the twenty-four who voted for Clark, and the absent Davidson, would have made the thirty-five necessary to elect had they all been together. The ten Dixon democrats and the twenty-five Clark votes, one of which was cast by a populist, would have brought about the same result.

Consolidation vs. segregation was on trial in the senate yesterday in committee of the whole, and the verdict was for segregation. The bill before the committee was that locating the state university at Missoula. Senator Gibson offered an amendment which meant if Missoula got the university she would have to give in return 160 acres of land and $40,000 in cash. The senator said that he fully believed the location of the state educational institutions were a valuable thing for any community by offering on behalf of Great Falls for the consolidated institutions 320 acres of land and $100,000 in cash. The committee however, did not look with favor on the amendment and rejected it. Then the fight came on the main question, and it lasted for three hours. The questions of consolidation and segregation were discussed from every standpoint, and the senators and the lobby spectators were treated to as fine a debate as ever occupied the attention of a legislative body in Montana. Senator Gibson was fortified with innumerable authorities in favor of consolidation, and though he made the fight single-handed and alone, he marshalled his forces in such a way and showed so clearly his sincerity on the position he had taken as to gain the respect and hold the attention, if he did not the votes of the opposition. He knew he was making a losing fight, but it did not seem to take a whit away from the earnestness with which he made his plea for consolidation.

Senator Matts led the forces for segregation. He was ably seconded by Senators Hoffman and McDermott, but on the Missoula senator devolved the burden of answering the arguments of the senator from Cascade. He, too, had prepared his authorities, and the way he scored the people who prepared the address on the state educational institutions was a caution. His argument was to show that the address was misleading in that it contained only the opinions of university presidents. He made a strong presentation of the advantages to be derived in separating the technical schools from the university. The bill was ordered favorably reported. The consolidation, agricultural, and school of mines bills are yet to be considered, but it is probable that they will not take as much time as the university bill. The fight for segregation was made on it, and as it won, it is probable that the other will be quietly acted upon in the senate, at least.

With a recess of a little over an hour for dinner, the house was in continuous session from 10 o'clock in the morning until a few minutes before six in the afternoon. The day's session was not wasted, either, when it is considered that one of the two bills which have always caused long discussions, was gotten out of the way, while the other was advanced to a stage where it will cause no further trouble. The one that was gotten out of the way was the bill establishing a bureau of agriculture, labor and industry, with an immigration attachment. It was passed with only four votes against it. It was discovered during the discussion preceding the passage of the bill, that there was no record on the house journal of its ever having been reported back from committee of the whole. The bill was favorably reported from committee of the whole on Friday last, and the omission of that fact from the official proceedings does not affect it in any way. The other bill that has been causing considerable discussion is that appropriating money for the world's fair exhibit. It was gotten through the committee of the whole with a $50,000 appropriation, and no more. During its discussion Representative Lockey made some comments on the fact that World's Fair Commissioner Bickford was present on the floor of the house and intimated that the commissioner was acting as a lobbyist when he ought to be out earning his $3,000 a year. When the house adjourned it is said Commissioner Bickford spoke a few lines to Representative Lockey which were not at all complimentary. The house got another new county bill, that for Bitter Root, through committee of the whole, and it will next come up on its final passage. The ways and means committee introduced a bill making the state tax levy two and one-half mills.

That an extra session of the legislature was likely has been a matter of rumor for some time. In the course of his remarks on the agricultural bureau bill in the house yesterday, Judge Bach gave out the information that it had been informally decided to call an extra session for thirty days. The object, he stated, was the consideration of the new codes. It has been generally conceded by all who have given the matter any attention, that the legislature, even if it had begun work on the codes the first day, could not have given those bulky volumes the consideration they require in the sixty days of the regular session, and looked after other and necessary business at the same time. The proposed extra session of thirty days, now that the members are beginning to learn the ways of legislation, would give them time to properly digest the tomes, if there was nothing else to do. An extra session, it is estimated, will cost about $25,000.

THE SENATE.

The Bill Locating the State University at Missoula Favorably Recommended.

The senate held two sessions yesterday, and as a result one of the educational institution bills, that locating the state university at Missoula, went through the committee of the whole. It was at the afternoon session that the university bill came up, in committee of the whole, with Senator Hatch in the chair. The bill was read by sections, and there was no objection until the twelfth section was reached. This located the university at Missoula. Senator Gibson offered an amendment providing that it be located at Missoula if the citizens of that city would donate 160 acres of land for a site and give $40,000 as an endowment. The Cascade senator said he offered the amendment in the interest of the state of Montana. "It is not," said the senator, "an unusual thing in locating such institutions to put such a condition as I propose in the bill locating them. For two years Missoula has been trying to get the university. I believe there are gentlemen here who are more anxious to have the university located at Missoula than they are to advance the cause of higher education. There are other cities in the state equally as advantageous in every respect as Missoula that will gladly give to have such an institution located in their midst all I propose in the amendment I have offered. This idea of locating the state university at one place, the school of mines at another, the agricultural college at another, and the normal school at another, is not in the interest of higher education, but in the interest of these several cities." The senator then quoted from the report of the bureau of education at Washington statistics to show that in the states of Colorado, Arkansas, Nevada, Texas, Illinois, Indiana, Ohio, Maryland, Pennsylvania, Maine and Massachusetts donations of land and endowments of money had been made a condition precedent to the location of state institutions of learning. Continuing Senator Gibson said: "I want to say that I believe that there are other cities equally as beautiful, equally as healthful and equally as advantageously located as Missoula that are willing to accept the amendment I have offered and take the state university. I will go further and say for the city of Great Falls that if you will locate there the combined educational institutions the citizens of that city will donate 320 acres of land within two miles of the city limits and give an endowment of $100,000 and are prepared to give bonds to carry out this agreement. I have now in my possession papers that will satisfy any senator that the agreement will be kept on the part of the citizens of that city."

Senator Matts, speaking in behalf of his motion to indefinitely postpone consideration of Mr. Gibson's amendment, said: "I am not surprised at the position taken by the senator from Cascade. I regret, however, that he has pursued a mercenary course in regard to the location of the state institutions. This legislature has no right to sell to the highest bidder the educational institutions of the state. I submit that it is the duty of the legislature to locate these institutions on the merits of the towns of the state. I am here to offer Missoula as the place offering the best inducements for the location of the state university. If it is a question of sale, let Bozeman, Butte and Helena have the chance to bid. The university should be located where the conditions are fitted to it; the agricultural college should be located in the best agricultural section; the school of mines in the greatest mining district in the state. We have no right to barter our votes to the highest bidder.

"I am opposed," continued Mr. Matts, "to bartering off the institutions of the state. I am ready to discuss segregation and consolidation, but I did not believe such a proposition as that made by the senator from Cascade would be heard of at this session of the legislative assembly. The amendment of the senator is intended only to delay a settlement of the question. We are losing $80 every day we delay locating these institutions. I oppose the amendment because it throws out the red flag from the legislative assembly and offers to the highest bidder the educational institutions of the state."

Senator Folsom also spoke on the amendment, saying: "I did not expect to take any part in the discussion on consolidation or segregation of the state institutions. I have given the subject careful consideration and from first to last and all the time I have been in favor of consolidation and opposed to anything that looked to segregation. But the amendment of the senator from Cascade puts the question in a new phase. This offer of help and aid to the state institutions is legitimate and not mercenary. There is no disgrace in hauling out some flag, in this instance, if you please. Suppose Great Falls offers $100,000; some other town may go her one better, and make it $200,000. I am in favor of the amendment."

Senator Goddard opposed the amendment, saying it was not his purpose to discuss segregation or consolidation at this time. But that he was opposed to the amendment because it simply leaves the location of the university to the highest bidder. "I do not," he continued, "in any way question the sincerity of the proposition made by the gentleman from Cascade, but I am surprised at the gentleman making such a proposition. I have always understood he was in favor of consolidation, but he has made a proposition looking to the sale of his institution to the highest bidder."

Senator Gibson closed the debate on the amendment for his side of the question, saying he did not see any objection to hauling out the red flag on this proposition. "When you say," he concluded, "that Missoula is the only place in the state for the university, I beg to differ with the gentleman. Great Falls is just as good a location; Bozeman is as good, and Helena is a grand town for it. In many ways she is far ahead of other cities in the state and owing to her central location offers many advantages. If Helena should offer $200,000 as an endowment for the location of the state institutions I would throw up my hands and say give them to her."

After a another short talk by Matts the amendment was put to a vote and the motion to indefinitely postpone was carried. Then the Missoula senator moved that when the committee rise it report the bill back with the recommendation that it do pass. Gibson again led the forces in favor of consolidation, saying that two years ago he was opposed to the segregation of the state educational institutions. Since he had given much careful thought to the subject, and now he was more convinced than ever of the necessity, both from motives of utility and economy, of locating these institutions at one place. "The bill to locate these institutions in this and that town are got up in the interest of the towns and not in the interest of higher education. We might as well speak out. Parcel them out in the manner proposed and we will have three starveling institutions. To have a great university we must have the money to employ the best talent. It will be years before our endowment will amount to anything like a decent sum. I believe we are about to commit, I might say, a great crime. The senator from Missoula is doing all in his power for his town; the senator from Silver Bow is working for his city, while my friend from Gallatin will nail up the coffin in which will be buried the educational institutions of Montana."

The Cascade senator then read extracts from letters and other documents from leading educators of America in favor of consolidation, closing with a strong plea for the senate to take that view of the subject.

Senator Hoffman replied, arguing in favor of segregation. He said: "I claim that the United States government made the appropriation for schools for the different states for the benefit of the industrial classes—for the sons of farmers and the sons of working men—not for the rich man's son—not to bolster up a university. I had no idea the bill in which I am interested would come up for discussion to-day, but I am prepared to say that the address gotten out by the friends of consolidation and directed to the members of the legislature, is misleading. There is one name signed to that address, that of W. W. Wylie, which that gentleman tells me is there without his authority or knowledge. How many more there may be I do not know whose names have thus been attached to that address. I am in favor of the motion of the senator from Missoula."

Senator McDermott said he was surprised to hear the senator from Cascade say Butte was not a fit place for the school of mines. "If it is located there," he said, "I believe it will soon be self-sustaining. Locate it a hundred miles from there, and the miners and sons of miners who would attend it there, will, rather than go to such a distance within the state, attend some school outside the limits of Montana. I am in favor of segregation."

Senator Matts concluded the discussion, talking for an hour and ten minutes. He said: "I concede that the senator from Cascade sincerely believes in consolidation. But the circular that has been placed upon our desks as emanating from the state teachers association, does not come from the source from which it is supposed to come. W. W. Wylie and Prof. Hamilton, of Missoula, deny that they signed such an address. The fight is between a general university and separate technical institutions. This address is a biased thing throughout. It contains, with only one exception, the opinion of university presidents. There are no opinions from presidents of agricultural colleges or schools of mines. Montana has lost by her failure to locate these schools two years ago $61,000 she would have received from the general government." The senator then read an editorial from an Great Falls paper attacking the champions of segregation, and on the conclusion of the reading said: "We are here to make a fair fight for the university and for segregation. In this pamphlet the members of the State Teachers association have been guilty of trickery and chicanery. I have been trying for a week or more to get a letter they received from ex-President Bascom of the University of Wisconsin, but which they would not publish in this pamphlet. President Bascom was once my instructor and I wrote him for his opinion. Yesterday I received his reply, and I take it that it contains the same views as does the suppressed letter. He is in favor of consolidation on certain lines and under certain circumstances." The senator then read Mr. Bascom's letter, and concluded his address with an earnest plea for the location of the agricultural college at Bozeman or Miles City, the school of mines at Butte and the university at Missoula.

Chairman Hatch then put the motion to report the bill favorably, and it carried, and at 5:45 the committee rose and the senate adjourned.

At the morning session Senator Power introduced a bill to require railroad corporations, when they fence their right of way, or when they have already fenced it, to leave or make certain openings therein. The openings are to be not less than sixty feet in width and the company operating any railroad is required to place cattle guards on either side of the openings. The provisions of the bill are only to refer to grazing counties. Violations of the law are to be considered misdemeanors, to be punished by a fine of not less than $100 nor more than $500. The same senator also introduced a bill authorizing cities and towns to incur indebtedness. The bill provides that any city or town, heretofore or hereafter organized under a general or special law may incur indebtedness not exceeding in the aggregate three per cent of the value of taxable property in the city or town, except where indebtedness is to be incurred for the purpose of constructing a sewerage system or procuring a supply of water, then a debt not exceeding five per cent of the taxable value of property may be incurred. All indebtedness under the law must be sanctioned by a vote of the people.

Hoffman introduced, without previous notice, a bill to increase the number of justices of the supreme court to five. The bill makes it the duty of the governor to appoint the two additional justices, who are to hold office until the general election of 1894. Then one of the additional justices shall be elected to serve until 1898, and the other until 1900.

Senator Gibson introduced a bill providing for the transfer of the miscellaneous division of the Montana state library to the library of the Historical society. The same senator also introduced a bill making appropriations for the support and maintenance of the library of the Historical society for 1893 and 1894. The bill appropriates $1,000 for contingent expenses, $1,000 for clerk hire in transcribing old diaries, letters, etc., $1,000 for the purchase of Indian relics, and $1,800 a year for the salary of the librarian.

Hoffman, as a special committee, reported with an amendment to the bill, providing for a private secretary for the governor, and it was ordered engrossed. The senate concurred in the house bill appropriating $24,821.40 to Conley and McTague for the care of convicts. The senate bill to provide for the appointment of a deputy state auditor was passed by a vote of twelve ayes to four noes; that to provide for the appointment of a deputy state treasurer, by ayes 11, noes 5; to create the Eleventh judicial district, consisting of Meagher county, by ayes 15, noes 1.

Cullen gave notice of the introduction of a bill to regulate the sale and redemption of transportation tickets by common carriers.

THE HOUSE.

Agricultural Bureau Bill Passed, World's Fair, Bitter Root County, Etc.

The senate bill creating the bureau of agriculture, labor and industry occupied part of the morning session and part of the afternoon session of the house yesterday. Judge Bach opposed the passage of the bill, not because of any objections to its provisions, but in the general line of opposition to the creation of any more offices on account of the condition of the state's finances. He said Gov. Richards had stated that he had underestimated the needs of the state government. The estimates would have to be increased at least $100,000. The largest possible revenue, and all the debt the state was allowed to contract, would amount to but $682,000, which would be just $1,000 less than would be needed for the support of the government, the deficiencies, the World's fair, the increased appropriations for the insane and the care of convicts, the cost of enlarging the state prison, etc. Lockey followed in the same line. Speaker Pro Tem Bray was in the chair, and Speaker Matthews on the floor. The speaker made a short speech in favor of the bill. The state was in excellent financial condition, he thought. The same gentlemen who were opposing this bill would very likely be asking to have the office of mineral land commissioner continued, that

Continued on Seventh Page.

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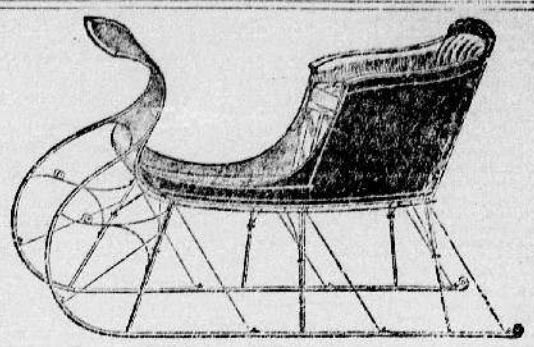
NOTICE TO CREDITORS.—ESTATE OF Patrick Power, deceased.
Notice is hereby given to the undersigned, administrator of the estate of Patrick Power, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the first publication of this notice, to the said administrator at room 13, Merchants National Bank building, in the city of Helena, the same being the place for the transaction of the business of said estate, in the county of Lewis and Clarke.
WM. MUTH,
Administrator of the estate of Patrick Power, deceased.
Dated Jan. 12, 1893.
First publication Jan. 13, 1893.

STOCKHOLDERS' MEETING—THE ANnual meeting of the stockholders of the Pioneer cattle company will be held in the parlors of the First National bank, in this city, for the purpose of electing officers and the transaction of such other business as may properly come before them, on Monday, February 6, 1893, at two o'clock p. m.
A. G. SELIGMAN, Secretary.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