

THE WEATHER
Unsettled Tuesday and Wednesday; probably snow west of divide. Not much change in temperature.

THE GREAT FALLS TRIBUNE

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MONTANA'S BEST NEWS GATHERER

THIRTY-SECOND YEAR

GREAT FALLS, MONTANA, TUESDAY, JANUARY 25, 1921

PRICE FIVE CENTS

SENATE PASSES ANACONDA COMPANY LOSSES ALICE MINE SUIT BEFORE SUPREME COURT LEGISLATION NOW GOES TO HOUSE; BACKERS HOPEFUL

Anaconda Company Loses Alice Mine Suit Before Supreme Court

BOURQUIN'S DECISION PRICE INADEQUATE UPHELD WITH COSTS

O'CALLAGHAN'S LIFE IN GRAVE DANGER-PHELAN

Would Suffer Same Fate of Predecessors, Death, Protests California Senator.

Washington, Jan. 24.—Senator Phelan, Democrat, California, made public Monday a letter protesting against the deportation of Lord Mayor O'Callaghan written to Acting Secretary Davis of the state department. The California senator said he thought it "would be a blot upon our escutcheon if we deport the lord mayor of Cork, both of whose predecessors were victims of the English policy of extermination and reprisal, only whose life, I am told, is also in grave danger."

Issued Seaman's Certificate
Norfolk, Jan. 24.—Donal O'Callaghan, lord mayor of Cork, was surrendered Monday by his counsel, Judge Joseph Lawlor, to immigration authorities here. He immediately was issued a "seaman's certificate" and it was said that he could ship aboard a foreign bound vessel at his convenience.

The plans of the lord mayor, who arrived here as a stowaway without a passport, were said to be indefinite.

Protest Deportation
San Francisco, Jan. 24.—Deportation of Donal O'Callaghan, lord mayor of Cork, was protested in a resolution passed Monday by the county board of supervisors, charging violation of the principle of asylum for political refugees. Copies of the resolution were ordered sent to the secretaries of state and labor.

IRISH ATTACKS MORE FREQUENT Crown Forces Report No Casualties; One Civilian Dead.

Dublin, Jan. 24.—Civil attacks on the police and military in various sections of the country continued Monday. Early there was a simultaneous attack by 100 civilians on the police and military barracks, which adjoin each other in the center of the town of Bandon, county Cork.

There was severe fighting for nearly an hour, which resulted in the attacking party being beaten off. The crown forces suffered no casualties, but one civilian is known to have been killed.

There was a fierce battle Sunday when a large body of armed men attacked the Glenbevier police barracks near Clonmel. The civilians were beaten off as a result of the fighting.

One civilian was killed and one wounded when an attack was made upon a small body of police near Kells, county Meath. The attacking party, finally withdrew after having captured a motor car and arms.

Canada Suspends Gas and Oil Laws in the Northwest

Ottawa, Jan. 24.—An order in council has been passed suspending the regulations regarding petroleum and natural gas in the northwest territories. This action is taken pending the revision of the regulations in view of the recent discoveries of oil and gas.

The reason given for what is termed "this drastic policy" is that "the government considers the recent discovery of national significance" and that the whole situation is now the "subject of careful inquiry."

Veteran of Nile Expedition Dead
Dawson, Y.T. Jan. 24.—Andrew Hart, veteran of the Nile expedition of 1882, the South African war of 1898, the East Africa campaign and the great war, noted pioneer Yukon miner Monday morning died suddenly at the age of 60. He was a native of Cupar, Fife-shire, Scotland. Hart came to the Yukon 27 years ago, and he was the first man to talk the news over to the great Klondike gold strike in 1896 from Dawson, Circle City, then the metropolis of Yukon.

Decision Written by Justice Clark Is Concurred in by All. Accounting for Ores Extracted to Be Filed Soon by Attorneys.

Special to The Tribune. Washington, D. C., Jan. 24.—The supreme court reversed and remanded with costs the Alice Mine case of Butte Monday in which the minority stockholders of the Alice Gold & Silver Mining Co. are seeking to procure a decree annulling a deed of the company's property to the Anaconda Copper Co., made in consideration of the transfer by the latter company of 30,000 shares of its capital stock to the first named company.

The opinion of the supreme court reversed the district court of Montana and the ninth circuit court and upheld the contention of the minority stockholders on the ground that the consideration was inadequate. It was held that the lower court should have cancelled the sale when it found the compensation insufficient.

Minority Stockholders Given
The minority stockholders included Peter Geddes, Joseph R. Walker, Joseph S. Baert, Henry J. Everett, Margaret Ann Meehan, Eugene Blum, Isadore Baer, Alphonse Dreyfus, Leonard E. Freund and Alice Frey. The defendants were the Anaconda Copper Co., the majority stockholders of the Alice company, John D. Ryan, J. W. Allen, W. D. Thompson, A. C. Carson and E. S. Perry. The decision, written by Justice Clark, was agreed to by all members of the court. Justice McReynolds, who said the court was correct in reversing and remanding the case, did not concur in the manner which it reached the decision to reverse and remand.

Attorneys for the minority stockholders set up four reasons why the sale should be more vacated, but the court upheld only two as to inadequacy of compensation.

Prince Inadequate—Bourquin
The hearing on the case in Montana was before Judge George M. Bourquin. Judge Bourquin decided that the price paid for the Alice property was substantially inadequate for this reason as well as the method of sale, and of the dissent of the Alice minority stockholders, the plaintiffs were entitled to relief.

The method of relief chosen by Judge Bourquin was to order the property sold at public auction, that if such sale did not bring more than the value of the stock given by the Anaconda for it, which was \$1,500,000, the sale should stand, and that the dissenting stockholders should have their proportionate share of that amount of money if they elected to take it for their sale. He also said that the sale offered for the property, the sale attached should be set aside and the property awarded to the successful bidder.

High Court's Findings
The court based its decision on the findings in the lower courts that the price was inadequate and said that the fact that no bid was received at a public offering was not evidence that a sale could not have been made at a higher price.

"Evidence in this case," the court said, "renders it probable that the promoters of the Amalgamated Copper company when it was organized in 1890 entered into a conspiracy of controlling the supply and price of copper in the interstate markets of this country, and in the markets of the world, but we are dealing here with the Anaconda company as it was in 1911."

BRITISH-BOLSHEVİK TRADE AGREEMENT PUBLISHED IN LONDON

DIXON'S BILLS UPON TAXATION DUE IN HOUSE

Governor's Revenue Program Covered by 8 Measures Now Ready.

No Strictly Administration Proposals as Yet Before the Assembly.

By W. W. MOSES, Staff Correspondent. Helena, Jan. 24.—Governor Dixon's program of revenue and taxation has been completed and will make its appearance in the house of representatives Tuesday or Wednesday, according to notices given in that body Monday by E. H. Cooney of Cascade county, chairman of the committee on revenues and taxation.

The program relates only to revenues and is covered in eight bills, all of which have been completed or are being completed, although none was in the hands of Chairman Cooney on Monday.

The lines covered by the governor in his measures are principally those of the metal mines, coal mines, cement manufacturing plants and oil production together with an income tax, a tax on inheritances and a higher motor license tax.

The notices covered eight measures as follows:
What Measures Cover.
One imposing a license fee upon the operation of any mine from which is taken gold, silver, copper, lead or other metals, or precious or semi-precious gems, or stones.

One placing a license fee upon concerns engaged in manufacturing cement, cement plaster or gypsum plaster.

One putting a license fee upon concerns engaged in the mining of coal.

One for a license fee upon all persons or concerns engaged in the production of oil from wells within the state.

Another places a tax upon incomes, still another a tax upon inheritances, and the last one provides for an increased license upon motor vehicles.

The eighth measure acts to repeal certain sections of the existing mine tax law.

Tax Rates Unknown.
No information has been given out as to the rates of taxation which have been inserted in these bills, and Chairman Cooney states that none has yet been delivered to him by the governor.

Although a number of measures which appeared to be in line with recommendations made by Governor Dixon in his message to the seventeenth legislative assembly had been introduced, which some bore indications of being administration measures, none was a strictly administration measure, according to a statement made by Governor Dixon to The Tribune.

Russ Bolshevizing of Siberia Feared by Jap Statesman in Diet Questioning

Does Not Government Intend to Take Steps Against Menace, Asks Minister of Commerce.

Tokio, Jan. 24.—Kiyoshi Nakkashoji, former minister of agriculture and commerce, continued his interpellation in the diet Monday concerning the failure of Japan to obtain benefits from the war, and also concerning the situation in China and Siberia. He declares that the most important question was Siberia.

"The whole province," he said, "is fast being bolshevized. What will the government do?" Premier Hara answered that it was impossible to prevent the bolshevization of an alien land.

Again taking the rostrum, Mr. Nakkashoji asked: "Does not the government intend to take steps against the bolshevik menace if the peace of the far east is seriously jeopardized?"

Premier Hara responded that whatever the result of the bolshevik predominance there was no likelihood of the powers acting so long as the movement was confined to Russian territory. He explained that the Japanese troops were in Vladivostok and also shenmin as to protect Japanese interests. He contended that Japan had a fixed policy in Siberia which had never been altered.

Viscount Takasaki Kato, opposition leader, answered that no government policy had ever been so conspicuous for want of unity and lack of proper efforts for the attainment of justifiable claims as that of the present ministry.

MOB MEMBERS ELUDE POLICE Remainder of Negroes Are Taken to State Prison at Raleigh.

Warrenton, N. C., Jan. 24.—All efforts to apprehend members of the mob which Monday night broke into the jail, removed two negroes held there after an armed clash with whites early Sunday and shot them to death, were set aside Monday in the anxiety of authorities to forestall a recurrence of violence.

Seven of the nine negroes left in the jail by the mob were hurried to Raleigh for safe keeping and Monday afternoon five additional arrests were made and these prisoners also rushed to Raleigh. Four other negroes for whom warrants are held, have escaped.

The Warrenton home guards, ordered out by Governor Morrison Monday night, were under arms all day and the Henderson guard stood in readiness to respond any call. However, no further outbreak was thought probable.

The coroner's jury held an inquest Monday morning and quickly returned a verdict of "death at the hands of unknown persons."

SEARCH FOR THOMPSON
Little Rock, Ark., Jan. 24.—Police in several Arkansas cities Monday were endeavoring to intercept Sam Thompson, alias John Lowery, negro, charged with killing O. T. Craig, plaintiff, and his daughter, Mrs. C. C. Williamson at Wilson, Ark., a few weeks ago and who was arrested in El Paso recently and started to Arkansas in the custody of officers.

The effort to intercept him is being made to bring him to the penitentiary here instead of taking him to Wilson, where mob violence is feared.

PROPAGANDA, HOSTILE ACTS ARE TO CEASE

Nationals of Both Countries Are Permitted Ingress and Egress.

Imposition of Blockade, Trade Discrimination Will Not Be Allowed.

London, Jan. 24.—(By The Associated Press).—Terms of the British-Russian preliminary agreement, which Leonid Krassin, the soviet representative, has taken to Moscow for consideration officially, have been made public. They are:

Each party agrees to refrain from hostile action or propaganda outside its borders against the other's institutions.

Nationals' Rights
British subjects in Russia and Russians in Great Britain will be permitted to return to their homes if they so desire. Each agrees not to impose any form of blockade against the other or any discriminations against trade imposed on other foreign countries.

Ships in the other's harbors shall receive the treatment usually accorded foreign merchant ships by commercial nations.

The agreement provides for the clearance of mines from the Baltic sea and the approach to Russia and for the admission to both countries of persons appointed to carry out the agreement. A renewal of telegraphic and postal payments including parcel post will be arranged.

Affecting Gold Specie
Great Britain agrees to refrain from attaching any gold securities or commodities, not identifiable as British property, which may be exported from Russia as payment for imports or securities for payment, and to refrain, as well, from legislation against the importation of specie or bullion from Russia and from requisitioning such.

The agreement shall continue in force until a formal general treaty is arranged, except that either may after a year give six months' notice of its termination. In fringement by either government frees the other from its obligations.

The government recognizes in principle that it is liable to pay compensation to private persons who have supplied goods or services to Russia. All claims of either government or its nationals against the other in respect of obligations incurred by existing or former governments shall be equitably dealt with by the treaty.

Donlan to Revise Movie Censorship Bill Before Senate

Helena, Jan. 24.—Following a meeting held here Monday night, at which the movie censorship bill was discussed at length, Senator Ed Donlan, author of the senate bill, designed to censor moving picture films shown in the state, announced that he would shortly introduce a substitute for the bill.

The new bill will be drawn to conform to the ideas of others interested in the censorship of motion pictures and of theater owners who have offered suggestions in an effort to secure a bill which will be workable.

Guggenheims Deny Mismanagement of A. S. & R. in Letter to Board Directors

Statement Charges Karl Eilers Seeking Proxies to Create Entirely New Firm Under His Rule.

New York, Jan. 24.—Denial of mismanagement of the affairs of the American Smelting & Refining Co. by the controlling Guggenheim interests, made recently by Karl Eilers, former director and vice president, is contained in a statement to stockholders signed by 21 directors and made public here Monday by Simon Guggenheim, president.

Mr. Eilers' charges were contained in a petition in December for a writ of mandamus to permit him to examine the stock books and take the name and addresses of stockholders and the amount their holdings. The writ later was denied in court and the petition was dismissed.

Among the charges made by Eilers were that the Guggenheims, as officers of the company, received large salaries; that by alleged gambling in copper, losses were sustained by the company and the Guggenheims prevented the company from acquiring a tin property in Bolivia because they desired it themselves.

The directors' statement charged that Eilers is seeking proxies from stockholders in order to "create an entirely new organization, subject to his whole dominion."

Replying to the charges, the statement declares Eilers' suggestion that some charges be made against large salaries "is utterly without foundation." Outside of the president, it asserts, no member of the family is receiving any salary.

The statement declares the falsity of the charges that the company was not permitted to acquire the Bolivian property is shown "by the simple fact that no tin or other property ever considered or examined by the company has been acquired by the Guggenheims."

Charges concerning the marketing of coppers are characterized as "incorrect, misleading and grossly unjust." Eilers charged losses resulted to the company from methods followed in marketing the product, but Mr. Guggenheim asserts that any losses "were not due to any change of policy, but were the inevitable outcome of the sales agency arrangements under the abnormal and unexpected conditions created by the war."

DENVER CUT OFF BY BIG BLIZZARD

Telegraph, Telephone Wire Down East, West, South.

Denver, Jan. 24.—A blanket of snow, eight inches deep, covered Denver and a large portion of eastern Colorado Monday, resulting in almost paralysis of telegraph and telephone communication east, south and north for several hours. Weather bureau officials declared it was the most severe snowstorm of the season.

Precipitation, largely rain, was reported in parts of New Mexico, Utah, Oklahoma, eastern Arizona, Colorado, Kansas and Wyoming.

American Shipping Moves to Compete to Far East Ports

Portland, Ore., Jan. 24.—A move to meet competition of ships of other nations operating between the Orient and the ports of New York and New Orleans via the Suez canal has been taken by trans-Pacific and coast to coast lines, according to information received from headquarters of the Atlantic, Gulf and Pacific Steamship company by G. W. Chilson, manager of the company's local office, Monday.

U. S. LEADS IN SHIPS.
New York, Jan. 24.—The United States led the world in the total of gross tons of merchant vessels launched in 1920, according to figures made public today by Lloyd's register of shipping.

LEGISLATION NOW GOES TO HOUSE; BACKERS HOPEFUL

Most Democrats Support Bill, Majority of Republicans Oppose.

Lineup Is 28 and 18, Respectively; Two Important Riders Carry.

Washington, Jan. 24.—By a margin of 13 votes, the senate late Monday passed the long fought bill for federal regulation of the meat packers and other agencies of the livestock industry. The vote was 46 to 33. The legislation now goes to the house with its supporters hopeful. A special rule to expedite house action is to be sought.

By a vote of 43 to 34, the senate refused to strike from the bill the plan for voluntary licensing and regulation of meat packers.

Against Trade Commission.
By the same vote, the senate defeated the plan of Senator Sterling, Republican, South Dakota, to turn over administration of the proposed law to the federal trade commission instead of the new livestock commission authorized in the bill. Most Democrats supported the bill, while a majority of the Republicans opposed it. The party lineup was 18 Republicans and 28 Democrats, with 23 Republicans and 10 Democrats against.

All fundamental features of the legislation as presented by the agricultural committee as a substitute for the original Keaton-Kendrick bill were retained by the senate.

Adopt Two Amendments.
Only two important amendments were adopted by the senate before passing the bill. One by Senator Wadsworth, Republican, New York, would include horses, mules and goats without the operations of the bill. Another by Senator Pittman, Democrat, Nevada, would exempt all persons whose chief business is livestock growing or producing from agricultural products from the bill's provisions.

Other amendments adopted include one by Senator Borah, Republican, Idaho, providing that all proceedings of the livestock commission should be open to the public and an amendment by Senator Pomerene, Democrat, Ohio, declaring that upon enactment of the bill all supervisory of the federal trade commission over the livestock industry should be terminated and transferred to the livestock commission.

House Votes \$360,000 to Buy Free Seeds for Constituents

Washington, Jan. 24.—The house voted Monday to appropriate \$360,000 for the free distribution of seeds by members of congress. This is \$120,000 more than was appropriated for the current fiscal year.

The vote was 83 to 72. This was the first time in years that the annual agricultural appropriation bill provided no funds for seed distribution. Representative Langley, Republican, of Kentucky, introduced an amendment embodying the appropriation which was accepted after the federal trade commission had made an unsuccessful attempt to have it ruled out on a point of order. He described seed distribution as a graft.

Undersea Volcano or Whale School Cripple This Ship

New York, Jan. 24.—Add to the mysteries of the sea the tale of the steamer Calamare, which limped into New York Monday from Central America with one of her propeller blades missing.

Captain, officers and passengers agreed that it was a rough day on the ocean when last Wednesday the ship began rolling so violently that passengers were thrown out of their deck chairs.

The skipper held to the theory of a submerged volcano, but his passengers cling to the more imaginative guess of the ship bumping over a school of whales. Anyway, the propeller blade was carried away during the rumpus.

KEEP TRIBAL INDIANS AS GOVERNMENT WORDS

Washington, Jan. 24.—Tribal Indians will be wards of the federal government until "fully emancipated," the supreme court held today in a case affecting more than 25,000 acres of Osage grazing lands.

German Condemned to Die for Slaying Yankee on Rhine
Coblentz, Jan. 24.—Engelbert Manns, a German citizen, has been sentenced by a German court here to be hanged for the murder of an American soldier last April.

PREMIERS TALK DISARMAMENT, REPARATIONS

Military Experts Asked to Make Recommendation to Insure Warning of Germany.

Paris, Jan. 24.—(By the Associated Press).—The supreme council, composed of representatives of Great Britain, Italy, France, Belgium and Japan, Monday heard the military experts and later conferred regarding the failure of Germany to disarm as provided by the treaty of Versailles.

The experts were asked to make recommendations to insure the disarmament. Tuesday the council will take up the situation of Austria, instead of reparations. Lloyd George and Aristide Briand, it is understood, desire an opportunity to talk over the reparations question before the subject comes up before the full council.

In this connection the premiers are said to be considering having the German representative sit with the council before the final decision on reparations. The British delegates are believed to favor inviting the Germans to take part in the discussion after the allies come to an understanding among themselves.

The deliberations which at the outset dealt solely with the question of German disarmament, but later were to include the highly important issue of German reparations, the form and manner of their payment were conducted in the strictest secrecy.

GERMAN PEACE IS G. O. P. AIM

Present Foreign Policy of U. S. Flayed by Minnesotan.

New York, Jan. 24.—One of the first acts of the incoming national administration, Harold Knutson, Republican representative from Minnesota, said here tonight, will be to conclude peace with Germany and Austria.

He characterized the present foreign policy of the United States as indefensible, saying it was depriving America of a market containing 75,000,000 people. It will take years to regain ground which is daily being lost, he said, adding that America's failure to participate in the world wide commerce is largely responsible for the present economic depression.

Airplane Passengers to Pay by Weight, Is Plan of New Firm

Milwaukee, Jan. 24.—The Lawson airplane company, when it begins its Chicago-New York passenger and mail service some time in May, will charge passengers according to their weight.

Alfred M. Lawson, president of the company, announced Monday.

Provision has been made for carrying passengers to the approximate weight of two tons, or 4,000 pounds. Mr. Lawson said, and in explaining the charge for weight, he said that it would be unreasonable to expect to carry a man weighing 250 pounds at the same fare of one weighing not more than 125 pounds.

Chiropractor Jailed Plans Hunger Strike to Protest Sentence

Los Angeles, Jan. 24.—Health Eogmark, a chiropractor, sentenced Monday to 90 days imprisonment in the city jail here for alleged illegal practice of methods of treating the sick, announced he would start a hunger strike.

Eogmark was found guilty by a jury Saturday and was released on \$1,000 bail, until Monday, when he appeared for sentence. Police Judge Frederickson gave him the option of paying a fine of \$200 or going to jail for 90 days. Eogmark said he would take the jail sentence and as he was leaving the court room, announced his "strike."