

TALKING OF THE TAX

The Lawyers Discuss Incomes and the Like.

IT IS VERY BADLY MIXED UP

Before the Supreme Court of the United States Yesterday Able Men Made Eloquent Arguments on the Subject.

WASHINGTON, March 11.—Assistant Attorney General Whitney resumed his argument in sustaining the income tax law before the supreme court to-day. Whitney addressed himself to the question of uniformity in taxation. He contended that the limit of \$4,000 fixed by law was not class legislation. If a subsequent congress had sought to amend the law by including those not previously exempted by the \$4,000 limit, this amendment would not doubt be class legislation, as it would apply to a distinct class. Mr. Whitney reviewed prior decisions in insurance and other cases, showing that the interpretation of this court on class legislation would not apply to the income tax. Concerning the exemptions allowed certain corporations, the assistant attorney general said it was most surprising that this was set up as a ground for invalidating the tax. He read from numerous federal tax laws, showing repeated exemptions in the cases of art societies, and many other corporations.

Mr. Whitney said that the supreme court had already overruled the contention that the taxation of land values and rents, as made by the income tax law, was invalid. The state taxes were against the land and not against the individual, but the income tax was not against the land but merely against the total income of the individual. As this income came in part from the land, it was merely an incident. The income tax is in no sense a land tax. It is not on gross income from the land and other sources, but on net income.

Mr. Whitney took up the claim that the federal government cannot tax municipal and local securities held by individuals, as for instance, bonds issued by New York city. He said it had been decided in the case of Bonaparte against the state of Maryland, that a state could tax the bonds of the city or state of New York. If the state could exercise this power, why could not the federal government do the same? Whitney concluded at 1:30 o'clock and was followed by Mr. Edmunds, counsel against the tax.

Edmunds read from the constitution as to private rights. These provisions, he said, were true and yet it seemed necessary in these days, with such legislation before us, to recall these constitutional bulwarks against an invasion of private rights. In a question of this gravity he would feel disposed to ask the court not only to pursue precedents and follow them in this matter, but to go back and rule upon the entire subject, so vital to sustaining private rights. The worst tyranny of history was that which came in the guise of a relief. He first spoke of the action of congress in endeavoring to take away from the courts the right to appeal for protection, as was the case in the income tax law. He did not think the time had come when there should be no longer an appeal to the courts from the acts of congress. It was beyond the function of congress to pass an act that would strip the courts of their rights, and this was just as true as to the rights of the citizen as to those of the courts. He referred to the provision that the tax payer was required to make his returns to deputy collectors. He said the deputy was not recognized as a legitimate officer under the constitution.

"I do not, however," he said, "mean to dwell on that, but merely to refer to it in passing as one of the points of the view which bloomed in the garden of the last congress." He criticized many other features of the law providing for the collection of the taxes; pointed out that it left no room for resort or appeal to the courts, but left to the revenue officers the adjustment, who, he said, were not only final judges, but inquisitors as well.

Mr. Edmunds then reviewed the case heretofore decided, which has been referred to in the previous argument, and discussed the points involved at length. He was referring to the Hilton case, involving a tax on carriages, when Chief Justice Fuller called his attention to the fact that Hilton had an unusual number of carriages, 125 as he remembered it.

"Unusual numbers, yes," Mr. Edmunds asserted, "but he possessed them as many persons possess virtue and grace." He asked the court to overrule its former decision on the income tax as given in the Springer case. He argued that the past congress had overstepped the limits of the constitution in imposing this tax, because, he said, it was short of money. He argued that under this law 35 per cent. of the tax would be paid by 2 per cent. of the taxable voters.

"It becomes," said Mr. Edmunds, "an interesting subject of speculation as to how long a government can last under a system which allows those who pay nothing to tax their fellow citizens."

Justice Harlan asked Mr. Edmunds if he had formulated a definition of the difference between a direct and indirect tax and he replied he had.

He then proceeded to give it, saying a direct tax was a tax upon any kind of property and upon persons, not in respect of property in existence, acquired or to be acquired, while an indirect tax included all the rest, as referred to in the constitution under the head of duties, imports and excises, which would be heavy or light on each person, depending upon his will.

the race between the Aisla and Britannia. The Aisla did not appear. She may have to go to Marseilles for repairs. The race to-day was for a prize of 10,000 francs, offered by the president of France. The course was 20 miles. The Britannia, Corsair and Valkyrie entered. The Britannia won the race for yachts of her class, and the Dakota for smaller yachts.

GREAT FALLS NEWS.

GREAT FALLS, March 11.—Harry Beverly was arrested at Glasgow on 15 charges of petit larceny. Each accused him of stealing coal from the Great Northern railway. He pleaded guilty and was sentenced to pay a fine of \$5 for each offense or spend the equivalent time in the county jail. He had been in the employ of the road for some time and his arrest created something of a sensation in railroad circles at the county seat of Valley county.

The Choteau brass band is said to be improving rapidly in the musical line. The boys expect very soon to appear in brand new uniforms.

Reports from the thriving farming community settled upon the lands of the Burton tract in Teton county state that the farmers are making arrangements to sow a great deal of grain this spring. Considerable barley will be sowed to supply the Montana Brewing company of this city.

John Jackson, jr., has been appointed justice of the peace for Choteau by the commissioners of Teton county.

A. C. Warner of Choteau has been appointed deputy clerk and recorder of Teton county. He will also continue to look after the interests of Uncle Sam in the capacity of United States commissioner.

Julius Hirschberg and wife and Sol Cohen have returned to their homes in Choteau after their eastern trip.

C. W. Pomeroy has resigned as president of the school board to accept the position of judge of the Eleventh judicial district. Judge Pomeroy has received a number of applications for the position of court stenographer from all over the state. County Superintendent Swan to-day appointed J. B. Leslie attorney to succeed C. W. Pomeroy on school board. Appointment meets with general favor. Mr. Leslie will only hold office about a month but his friends hope to induce him to run for trustee at next school election.

J. E. Reynolds, chairman of the republican city committee, has called the committee to meet in the city council chamber to-morrow night to discuss the coming election and consider the advisability of at once issuing a call for the primaries.

Cal Williams was thrown from his horse near Glasgow and badly bruised, but no bones were broken.

At a recent meeting at Glasgow of the county commissioners they decided to dispense with the duties of jailer, thus allowing the sheriff and under sheriff the privilege of performing the duties of that office. Sheriff Willis, acting in accordance, will shortly remove to the jail with his family.

In a very few days work will be commenced on the two-story brick building, 50 by 100, which McKnight & Co. will erect on the north side of Central avenue, just east of the McKnight block. It will cost about \$20,000. The whole structure will be occupied by A. P. Curtin & Co. It is to be completed by July 1.

The statements of the three national banks of this city, which were published last Saturday, speak volumes for the sound condition of those concerns as well as the condition of times in these parts. The two state banks recently issued their combined reports of the five banks doing business here shows that the amount of loans is \$1,582,143.99; United States bonds, \$193,873; and other securities, \$193,874.73; real estate, \$79,101.53; redemption fund, \$6,738.57; cash, \$283,081.48; total assets, \$2,274,215.76. The liabilities are: Capital stock, \$85,000; surplus, \$149,000; undivided profits, \$50,911.55; circulation, \$131,050; deposits, \$1,798,154.21. In other words the banks of Great Falls have \$1,274,215.76 in the shape of assets to meet circulation and deposits of \$1,929,204.21. The total overdraft is only \$1,431.86.

Representatives Cunningham, of Silver Bow, Bagges, of Ravalli, and Senator Chandler, of Fergus, came in from Helena this evening. The last named is on route home while the other two are here for the first time to see something of the city.

County Attorney Freeman to-day filed a new information against Peter Pilgrim accused of illegally branding cattle, the previous information having been knocked out by a demurrer.

E. V. Debs was taken in charge early this morning by a committee of the trades council and escorted to the giant spring, B. & M. smelter, and other points worthy of interest. He was greatly pleased with what he saw of this city, and as he stepped on the west-bound passenger en route to Helena, where he speaks to-night, he said he would always cherish the memory of the hospitable treatment he received in the Cataract city.

Said by the Pope

ALBANY, N. Y., March 11.—In a letter written to the state officials, Gen. George S. Bachehall, formerly minister to Portugal, details a noteworthy interview with the pope. The pope expressed regret that certain newspapers and public men in America objected to his sending a delegate to Washington or sending out an encyclical as tending to meddle with the affairs of a foreign government. "This is an error," said the pope. "I do not seek to meddle with the governments except to admonish my people to obey civil law and conform to the authority of the land in which they dwell. I want a legation to America in order that I might be informed as to the character of American institutions, and the peculiarities of national and state governments, and above all, to reconcile any conflict, if there should be any, between the government of my church and the government of the land."

General Bachehall writes: "That his holiness had no criticism to make on our school system," he said: "I am informed that the liberal party controlling the state of New York chose one of our priests as a regent of the university, and I am told the two senators of the great state represent the two creeds, one a Protestant and one a Catholic. How, then, can I complain of the institutions of America? The more I study them, the more they please me. I have admonished all the people in America to refrain from strikes, and never resort to violence to redress a grievance, but to appeal to the law and the constitution."

WASHINGTON, March 11.—Assistant Attorney General Whitney argued before the supreme court to-day in support of the income tax law. The court room was crowded with distinguished members of the bar and public men.

LIKE RATS IN A TRAP

Nearly Twenty Miners Killed In a Mine at Rat Portage.

THE SHAFT CAUGHT FIRE

By This Accident the Air Supply Was Cut Off and the Poor Fellows Were Slowly Suffocated — A Terrible Fate.

MINNEAPOLIS, March 11.—A special to the Tribune from Winnipeg says: The shaft house at the famous Saulton Gould mine near Rat Portage caught fire this afternoon and before the flames were discovered they completely enveloped the building. This shut off the air supply to the mine, in which were working 20 or 25 miners. A messenger who arrived at Rat Portage from the mine at 8 o'clock says when he left only four men had been brought up. A number of doctors were working over them in the hope of resuscitating them, but with small chances of success. The other men in the mine were certainly suffocated and practically given up for lost.

SEVERAL RESCUED.

RAT PORTAGE, March 12.—Shortly after 2 o'clock the fire was extinguished in the shaft and the men descended and found six men on the first level, apparently all suffocated. On the lower level they found three more and these men were in better condition than the others. Efforts were begun to raise them. The first raised was revived after a short time. The fourth man, John Lagier, died after he reached the surface. The others were in a critical condition when brought out but all recovered except Dolph Erierson. The rescued are: Alex Neilson, Randolph Erierson, J. Erierson, P. Strand, W. Prinne, Charles Edstrom, C. C. Peterson, Charles Coon, Prinne was badly burned.

SAILORS' KICK.

They Have Been Ill-used by the Government They Think.

WASHINGTON, March 11.—The complaint that comes from Vallejo, Cal., of undue restrictions upon the commutation of rations of the sailors on the Monterey and Olympic, was ascribed by officials of the navy department to interested shopkeepers in the town, who profited largely by the sailors' trade. As explained at the navy department it has been customary to allow the commander of a vessel to use his discretion as to the number of rations. This led to trouble. In some cases the commanding officer was very severe in restricting a number of commutations, in others privileges were extended without restriction, so there was a complaint among the sailors of discrimination.

Again it has been found that when the ship was called upon suddenly to put to sea, the messes were not properly supplied with rations, owing to the number of commutations. In one case the entire marine guard of the ship was rationless owing to the defalcation of the caterer, who got drunk and spent the mess money placed in his care. The department officials came to the conclusion that some rule was necessary to regulate the commutation of rations, and an order was issued limiting the number which might be commuted to one in each four sailors. In an ordinary mess of 20 men, this would amount to \$16.50 per month, a sum sufficient, in the opinion of the department, to supplement the regular naval rations with luxuries. It is contended at the navy department that the present naval ration is the best in the world, and that American sailors receive as much food in one meal as a British sailor does in a whole day.

Big Failure in Buffalo.

BUFFALO, March 11.—John B. Manning made an assignment to-day to John A. Kennel of the Niagara bank. The assignment is ascribed to the failure of the Standard Brewing company, which owed John B. Manning and Manning has been mayor, and possesses large property interests upon which he has been unable to realize cash. It is said that the assets will exceed the liabilities. The total liabilities are not definitely known. The preferences amount to \$50,000.

TANGIERS, Morocco, March 11.—A violent storm prevailed here last night. Thirty fishing boats and other crafts were wrecked. The piers were nearly destroyed. Snow fell for the first time in many years.



Tired, Weak, Nervous Could Not Sleep.

Prof. L. D. Edwards, of Preston, Idaho, says: "I was all run down, weak, nervous and irritable through overwork. I suffered from brain fatigue, mental depression, etc. I became so weak and nervous that I could not sleep. I would arise tired, discouraged and blue. I began taking Dr. Miles' Nervine and now everything is changed. I sleep soundly, I feel bright, active and ambitious. I can do more in one day now than I used to do in a week. For this great good I give Dr. Miles' Restorative Nervine the sole credit. It Cures."

Dr. Miles' Nervine is sold on a positive guarantee that the first bottle will benefit. All druggists sell it at 25c bottles for \$5. It will be sent prepaid on receipt of price by the Dr. Miles Medical Co., Elkhart, Ind.

Sick Or Bilious Headache Cured by Taking

AYER'S Cathartic Pills

Awarded Medal and Diploma At World's Fair.

Ask your Druggist for Ayer's Sarsaparilla.

Weinstein's

HELENA, Sixth Ave. & Main. NEW YORK, 165 Sixth Ave.

Careful comparison with anybody else's dry goods prices is all we ask—we'll get the order. The prices below are lower than you have ever bought similar goods for, but may be on our goods there's a greater difference. Write us for samples and prices on anything you may need.

WANT ADS.

ADVERTISEMENTS under the head of Employment Wanted, and Room to Rent, 1 cent a word each insertion; under all other headings, 2 cents a word for the first insertion and 1 cent a word for each subsequent insertion. No ads. taken for less than 25 cents. Classified Ads. per line per month \$1.25 (Count 7 words to the line)

WANTED—HELP.

PEOPLES Employment Agency—We need all the good housework girls and women cooks we can secure. Dining girls and girls for general work, when you want a position see the Peoples' office, Owsley block, Butte.

WANTED—A girl to do general house work, a German girl preferred. Apply 305 West Broadway, Butte.

A GOOD RESTAURANT MAN with small experience to take charge of any kind of home. Consideration given for monthly irregularities. Miss Kestner, 27 West Park street, Butte.

TO THE LADIES OF BUTTE—A specialist of Salt Lake City is now located in Butte and will be pleased to meet the ladies at her home, general work, when you want a position see the Peoples' office, Owsley block, Butte.

WANTED—SITUATIONS.

WANTED—Situation by man with 12 years' experience to take charge of any kind of construction, best class of buildings a specialty. Best of references. Address box 49, Butte, Mont.

FOR SALE.

FOR SALE—A first-class stock ranch, good location. Address Cor Allen, 85 North Montana street, Butte.

FOR SALE—Two miles west of Anaconda, a dairy ranch of 100 acres; also 100 dairy cows. Address D. C. Gray, Anaconda.

FOR RENT.

FOR RENT—A suite of nicely furnished rooms. Inquire at Standard, Butte.

FOR RENT—Three nicely furnished rooms for housekeeping. 515 West 3rd St., Anaconda.

FOR RENT—One store room, 117 Main St. Also one or two furnished rooms in brick building in best business location. Inquire of address to J. V. Peretz, Anaconda.

TO RENT—A barn. Inquire at R. & M. office of 401 West Park street, Butte.

If you want to rent a cabin, dwelling, store or office, call on Lewis, 35 South Main, Butte, upstairs, room 31.

LOST.

LOST—\$10 reward for the return of my black pocket-spring dog, wears a red collar and answers to the name of Eustus. D. D. Twoby, City Drug Store.

SOCIETIES.

LAUREL Encampment, No. 11, I. O. O. F., meets first and third Saturday each month in Mattie block hall.

MISCELLANEOUS.

NOTICE TO THE PUBLIC—All saloonkeepers or liquor dealers are hereby warned against selling to John T. Lewis, a very spurious liquor. ALICE TOUGHELL.

WANTED—To exchange a vacant lot for a house and lot, will pay difference in cash. Address L. Standard, Butte.

MRS. J. HELLD, clairvoyant and life reader, 115 S. E. 1st Park street, Butte.

RETURNED—Miscellaneous. Short time only. P. N. Main, Butte.

J. J. R. De Mill, with comm. 4-1 with G. W. Dougherty of Corvallis, Ravalli county, Mont., will hear of something to his advantage.

MME BOSS, formerly of Walker Bros. of Anaconda, has opened a first class salooning parlors at rooms 30 and 31 Owsley block, Butte. Sewing repairing a specialty.

LADIES—Dr. Vernal's French female pills never fail, safe and sure. 8-14-95. P. Parthenius & Co., S. Aurora Medicine Co., 55 State St., Chicago, Ill.

MISS J. SMITH, dressmaker, has moved to 1 Kingsbury block, 401 North Main, Butte.

NOTICE TO CREDITORS—Estate of Job A. Alexander, deceased. Notice is hereby given by the undersigned executor of the last will of Job Alexander, deceased, to the creditors of, and all persons having claims against, the said deceased, to file with the undersigned within four months after the first publication of this notice to the creditors of the estate of Job A. Alexander, in the county of Deer Lodge, Montana, a list of said claims, and the name of the creditor or claimant. ALBERT C. MACCARTHY, Executor of Estate of Job A. Alexander, deceased. Date of the first publication, Feb. 25, 1895.

JUST A FEW

Of those sets of SHAKESPEARE and BYRON are left. These books are handsome—just right for a place in your home.

The Anaconda Standard

Is the best paper in the State by long odds. You think so, and you hear every one else say so, therefore you are taking no chance in paying \$10 for a year's subscription, and on those terms you obtain the

PREMIUM BOOKS FREE.

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ANACONDA. BUTTE. GREAT FALLS.

TRAVELERS' GUIDE.

ANACONDA TIME CARDS.

Butte, Anaconda & Pacific Railway.

(Time Schedule.)

All trains arrive and depart from Butte, Anaconda & Pacific Depot.

ARRIVE IN ANACONDA.

No. 1, Helena & Butte express, daily, 12:05 p. m.

No. 1, Butte Express, arrives daily, 6:00 p. m.

DEPART FROM ANACONDA.

No. 2, Butte Express for St. Paul, Chicago and all Eastern points, departs daily, 8:00 a. m.

No. 1, Helena and Helena Express, for Helena and intermediate points, departs daily, 2:15 p. m.

BUTTE TIME CARDS.

Butte, Anaconda & Pacific Railway.

(Time Schedule.)

All trains arrive and depart from Great Northern Depot at Butte.

ARRIVE IN BUTTE.

No. 2, Anaconda Express, arrives daily, 9:00 a. m.

No. 4, Anaconda Express, arrives daily, 8:25 p. m.

DEPART FROM BUTTE.

No. 3, Anaconda Express, from Helena and intermediate points, leaves daily, 10:45 a. m.

No. 1, Anaconda Express, leaves daily, 5:00 p. m.

MONTANA UNION TIME TABLE.

(Trains Arrive at Anaconda)

No. 9 From Garrison and all points west on the N. P., 9:45 p. m.

No. 101 Butte Express, 11:40 a. m.

No. 102 Butte Express, 6:00 p. m.

(Trains Leave Anaconda)

No. 104 Butte Express, 9:45 p. m.

No. 105 Butte Express, 10:40 a. m.

No. 102 Butte Express, 6:00 p. m.

Train No. 10 connects at Butte with N. P. east bound overland train.

No. 102 connects at Silver Bow with U. P. east mail.

Montana Union.

TRAINS ARRIVE IN BUTTE.

No. 2, Garrison Express, 10:45 p. m.

No. 109 Anaconda Express, 10:40 a. m.

No. 100 U. P. Express, 6:00 p. m.

No. 607 U. P. East Mail, 9:25 a. m.

TRAINS LEAVE BUTTE.

No. 1, Garrison Express, 8:50 a. m.

No. 101 Anaconda Express, 10:40 a. m.

No. 102 U. P. East Mail, 9:25 a. m.

Connects at Silver Bow with train from Deer Lodge and Garrison.

Northern Pacific.

TRAINS ARRIVE AT BUTTE.

No. 7 From St. Paul, Chicago and all Eastern points, arrives Northern Pacific Depot, Butte, daily, 8:40 a. m.

M. U. No. 2 From Spokane, Tacoma, Seattle, Portland and all Coast points, arrives Northern Pacific Depot, daily, 10:45 p. m.

TRAINS LEAVE BUTTE.

M. U. No. 1 For Spokane, Tacoma, Seattle, Portland and all Coast and California points, leave Montana Union Depot, daily, 8:50 a. m.

No. 8 For St. Paul, Chicago and all Eastern, Southern and Canadian points, leaves Northern Pacific Depot, daily, 10:25 p. m.

Great Northern.

BUTTE. Leave. Arrive.

Train No. 24 Atlantic Express, Eastbound, for St. Paul, Chicago, New York, and all Eastern points, 9:00 a. m.

Train No. 25, Pacific Express, Westbound, from St. Paul, Chicago and all Eastern points, 6:00 p. m.

Train No. 3, Helena and Butte Express, 10:40 a. m.

Train No. 7, Butte and Helena Express, 8:30 p. m.

NOTICE TO STOCKHOLDERS—Office of the Red Lion Mining Company, Anaconda, Mont., March 4, 1895. There is contingent upon the following described stock, on account of assessment levied on Jan. 12, 1895, the several amounts set opposite the names of the respective shareholders as follows:

Table with columns: Name, Shares, Amount. Includes James H. Boyer, Green Malpas, etc.

And in accordance with law and an order made by the board of trustees on the 12th day of January, 1895, so many shares of each person or said shares as may be necessary will be sold at the office of the secretary of the Red Lion Mining Company, No. 235 East Commercial street, Anaconda, Mont., on Friday, the 12th day of March, A. D. 1895, at 10 o'clock a. m., to pay said delinquent assessment thereon, together with costs of advertising and expenses of the same. M. J. FITZPATRICK, Secretary.

235 E. Commercial Ave., Anaconda, Mont.



Cables to All the World. Patronize Home Industry. Reaches All Principal Cities. Prompt and Reliable Service.

NOTICE OF REGISTRATION.

NOTICE to the legal voters of the city of Anaconda, Montana: A notice is hereby notified that the great register for the registration of voters of the city of Anaconda, Deer Lodge county, Montana, will be opened on Thursday, the 15th day of March, 1895, from the hours of 9 o'clock a. m. to 12 m., from 2 o'clock p. m. to 5 p. m., and from 7 p. m. to 9 p. m. and will remain open at these hours until Friday, March 17th, inclusive. The register will also be open on Saturday, April 6, 1895, for corrections, between the same hours as above.

All persons desiring to vote at the city election will see that their names are on the register.

It will be necessary for all naturalized citizens to show their full citizenship papers.

The place of registration will be in the office of the city clerk, on Commercial avenue.

One Alderman from the Third Ward.

H. I. MABAN, Registry Agents.

Dated, Anaconda, March 8, 1895.

NOTICE OF CITY ELECTION.

NOTICE to the qualified electors of the city of Anaconda, Montana: