

News of the Week

The Nevada Legislature to-day elected Jno. P. Jones, U. S. Senator. Ten "changers" in Oregon during the next month. Indiana included. General Frisbie formerly of California, is about establishing a bank in the city of Mexico. Paris, January 16.—A decree pardoning 2,245 communists will be gazetted to-morrow. Breaking of ice freezes on the Ohio river have done an immense amount of damage. The annual meeting of the Colorado Cattle Growers' Association was held at Denver on the 15th inst. It is intimated that the Senate will probably reject the New York Custom House nominations. A severe shock of earthquake was experienced at Jacksonville, Florida, on the night of the 12th inst. It is reported that the establishment of G. & Klein New York City, was destroyed by the fire of 15th inst. Washington, January 14.—The Senate confirmed L. B. Brace for Chief Justice of the Supreme Court of New Mexico. They had another big blaze in New York on the 17th inst. It originated at 62 Worth street. Loss, several millions. On the 15th inst. the bill passed the Senate appropriating \$250,000 for a fire-proof building for a national museum. Pottsville, January 16.—Martin Bergin was hanged this a. m., for the murder of Patrick Burns April 13th 1870. Ex-Governor Ramsey, of Minnesota, is favorably mentioned for the appointment to Berlin, in place of the late Bayard Taylor. Commodore Parker has informed the cables in the Naval Academy at Annapolis, Md., that hereafter they will be allowed to smoke. The Hague, January 13.—Prince Henry of the Netherlands, a brother of King William, died to-day. He was born June 13th, 1820. New York, January 15.—Thirty-five cases of scarlet fever reported to the Board of Health yesterday, against twenty-eight the day before. The Senatorial contest in Illinois promises to be an exciting one. Logan and Oglesby appear to be the most prominent candidates. New York, January 15.—The German societies of this city are to receive the remains of Bayard Taylor on its arrival with appropriate honors. The Governor has signed the C. P. R. R. Co. to recover \$100,000 to reimburse a statement of their business to the auditor of railroad accounts. Atchison, (Kan.) January 15.—Four engines and a passenger train of the Atchison & Nebraska railroad burned here this morning. Loss, \$100,000. New York, January 13.—Gen. Sigel met with a painful accident Sunday, near his residence at Morrisana. He slipped on the ice, fell and broke his leg. Berlin, January 15.—A majority of the powers have assented to the Porte's proposal for a prolongation of the mandate of the Eastern Roumelian committee. According to the annual report of the United States, being next to California. Panama January 6.—The revolution has ended in Panama by the peaceful retreat of Gen. C. J. R. Caserio succeeds him. Newark (N. J.) January 13.—Peter Hancock's extensive brewery burned this morning with the malt house, ice houses and other buildings. Loss \$100,000. Partly insured. Deer Lodge and Butte each have a special tax levy of one mill on a dollar of assessed valuation of taxable property in the respective towns for the maintenance of their fire departments. Madam Anderson completed her 2,700 quart mile in as many quarter hours in New York on the night of the 13th inst. amid great enthusiasm. The last quarter was made in 2:37:34. St. Johns, (N. B.) January 14.—Thos. Dowd was hanged at St. Andrews, Charlotte county, this morning for the murder of Thos. Edward Ward, at New River, on the 8th of September last. The funeral services of the late Representative Schleicher took place on the 13th. Congress will appropriate the remainder of the salary due him as member of the 45th Congress, on his bereaved family. New York, January 14.—James Cronin, a guest of the Stevens House registered at San Francisco, was found dead in his room to-day, having taken a large dose of morphine. He left a letter for his brother. Constantinople, January 15.—The signature of the Russo-Turkish treaty is expected Thursday. Russia, it is understood, is to receive the reduction of indemnity by one hundred million roubles and payment in paper roubles. New York, January 13.—The Military Court of Inquiry into the responsibility of Major Reno for the Custer massacre, convened here to-day with open doors, but reporters were not allowed to take notes of the proceedings. Liverpool, January 14.—The steamer Bulgaria, from Boston, and the ship Thos. M. Reed, from San Francisco, for this port went ashore on the coast of Wales, and became total wrecks. Three of the crew were drowned. According to Gov. Rountz' recent message, Colorado will be out of debt by July 1st. Less than two years ago, State warrants sold at 75 cents, now they are worth one per cent. above par. An excellent outlook for a new state. Gen. Garfield's heritage for the Army U. S. provides that the army shall consist of 2,000 men of 34 regiments—20 infantry, 10 cavalry and 4 artillery—and the President is authorized to distribute men to complete the organization. Sharp and McDonnell, Mollie Maguire members, were executed at Mauch Chunk, Pa., on the 14th inst. A telegraphic review from the Governor was received one minute too late. The drop had just fallen and the culprits' necks were broken. Chicago, Jan. 15.—The Tribune's Washington special says Cannon, the Mormon delegate, is creating considerable feeling in Iowa in his campaign for the nomination of 1882, just declared constitutional by the Supreme Court. The testimony of Lieut. Wallace before the Reno court of inquiry, on the 15th and 16th inst., was decidedly favorable to Major Reno's conduct. In his opinion it was a wise act of Major Reno to retreat, and to have remained would have been to furnish the lives of the whole body. Major Reno's conduct was brave and praiseworthy. During the retreat 25 men were killed and 7 wounded.

Montana Legislature

Washington, January 14.—At a Cabinet meeting to-day Secretary Sherman again called attention to financial matters. He read letters from assistant treasurers stating that more gold is coming in than going out, and showing a preference by the people for greenbacks. It appears probable that the hostile Cheyennes, having thirty hours start of the troops, will make good their escape. Should they succeed in reaching the Sioux, it is the prevalent impression that they will be the means of stirring up the bad blood of those powerful nations and bringing about a bloody Indian war. Washington, January 16.—The feature of the Congressional proceedings to-day was the passage by the Senate of the House bill providing that all persons heretofore or hereafter granted an account of services during the war of the rebellion, shall date back to the day of death or discharge. New York city was visited with a large fire on the 14th inst. The fire broke out in the large building on the north side of Grand street, extending from Broadway to Crosby, which, with all the stocks and stores, were entirely consumed. Several firemen are reported killed and severely injured. The loss is estimated at from \$1,500,000 to \$2,000,000. SHALL WE HAVE THE BELL PUNCH? If we are not very much mistaken in our opinion of the sentiment of a large majority of our best citizens touching the Territorial and county revenues, it is decidedly in favor of the bell punch or some other equally just and effective financial measure. It would be well for our legislators to take the matter into serious consideration, at all events, and endeavor to originate and bring out something which would in some degree meet the desires and expectations of the people. We are not sufficiently informed in regard to the details or efficiency of the bell punch to venture an unqualified opinion in regard to its merits, but from a general idea of its operations and apparent results we feel warranted in saying that we have nothing to lose and almost everything to gain by giving it a fair and earnest trial. Under the peculiar conditions and circumstances of the communities of Montana, with the enormous expenses which are being constantly incurred and the system of revenue at present in force it is necessary to have a more equitable and just system of taxation, which would not only relieve, comparatively, from all burdens and responsibilities except those of creating or increasing expenses and indebtedness for the first class to pay. In other words, a very large portion of the enormous expense incurred by Gallatin county, for instance, each year, is clearly that of the first class, and is not fairly to be borne by the second class. The habits or occupations of a certain class of citizens who contribute a very insignificant amount toward its payment. For the sake of distinction, this class may be designated the "floating population" of the Territory. It is composed principally of men who own no real estate, have little, if any personal property, have no permanent homes, and are usually generally make, or handle and spend as much "loose change" as other citizens, yet contribute little or nothing toward the expensive machinery of the government under which they live and prosper. As a general rule the persons composing this class go along through life in a free and easy manner, and are usually good-bred and liberal to a fault. Hundreds of them no doubt will willingly pay a reasonably proportionate share of the necessary public revenues, if the laws required it, but under the present system of ad valorem taxation, they are considered wholly exempt, while the heavy burden of taxation must be borne almost exclusively by those who have, by more prudent management, economical living and judicious investments, secured permanent homes and collected a little property about them. We are not by any means in favor of class legislation, nor any system of taxing which would appear to be discriminating or unjust, but we are in favor of some system which would more nearly equalize the burdens than that of the present and could more nearly approach that principle of justice embodied in the old adage: "Those who dance must expect to pay the fiddler." It is a notorious fact that a very large portion of the present indebtedness of the Territory and of the several counties, has been incurred by the numerous criminal prosecutions and their results and which have so crowded the dockets of our district courts in almost every county and at nearly every session held since the Territory was organized. It is fair to presume, that, but for these expensive trials which have, in many instances, resulted in the fact that the Territory has been brought to the verge of bankruptcy with a debt of over \$1,000,000, while her handful of brave, industrious and law-abiding citizens are submitting themselves to the unprecedented levy and payment of fifty mills on the dollar on their assessable property, for the purpose of maintaining good faith with the creditors of the county. Intoxicating drinks could, by any rational deduction, be classed among the necessities of life we should be the last to advocate any system of special taxation against them, but seeing they are at best a dangerous, if not baneful, luxury, we can see nothing inconsequence nor injustice in requiring them, under the most stringent provisions of law, to pay some reasonable proportion, at least of the heavy expenses resulting from their habit of intemperance. Such a tax would not necessarily fall heavily, or be in any degree oppressive, on those engaged in the business. It would be paid by the actual consumer and in such a way that it could not be possible for liquor to be sold at a profit. It would have to pay a trifling more for the "luxury," while moderate drinkers—those who generally spend every dollar they can "rake or scrape" for the intoxicating draughts—would only get a little less liquor for their money, which would no doubt be advantageous both to themselves and the community. If the bell punch is not just what we need, then let our legislators, in their lucid moments, "put their heads together" and in their wisdom devise some other means which shall be less objectionable and more potent in securing those equitable, just and desirable ends which we have briefly but pointedly referred to and which are earnestly desired, we think, by all good citizens of Montana.

Synopsis of Proceedings of the Eleventh Session.

On Monday, the 13th inst., the eleventh Legislative Assembly convened in Helena in accordance with provisions of law. COUNCIL—First Day. At 12 M. the Council was called to order by Harry R. Conly, Chief Clerk of last session, and on calling of the roll the following answered to their names: W. O. P. Hays, Joseph A. Hyde, A. M. Holter, B. O. Hickman, W. G. Gillette, Frank C. Ives, R. T. Kennon, A. H. Mitchell, Wm. Farberly, J. G. Sanders, O. A. Sedman, Martin Barrett. W. O. P. Hays was elected President pro tem, by acclamation. Harry R. Conly Chief Clerk and D. W. Webber Sergeant-at-Arms. Ives, Farberly and Hickman were appointed Committee on Credentials. Council then took a recess until 3 p. m. Convened at 3 o'clock. Committee on Credentials reported the following members entitled to seats, which report was adopted: Madison county—R. O. Hickman, O. A. Sedman. Deer Lodge county—A. H. Mitchell, R. T. Kennon, Joseph A. Hyde. Missouri county—Frank C. Ives. Beaverhead county—Martin Barrett. Gallatin county—W. O. P. Hays. Jefferson county—J. G. Sanders. Chouteau county—W. G. Conrad. Lewis and Clarke county—A. M. Holter, W. C. Gillette. HOUSE—First Day. MORNING SESSION. The House of Representatives was called to order at 12 o'clock, M., by A. H. Barrett, Chief Clerk of the Tenth Legislature, who called the roll as follows: Word, Mood, Coombs, Boyer, Robinson, McCormick, Noyes, McElroy, Boardman, Forbis, Cornick, Marion, Sweeney, Stuart, Beach, Sanders, Steel, Ferguson, Wilson, Brooke, Harrington, Thorpe, Perkins, Edwards, Barbour, Hamilton, Conly. All present, except W. T. Boardman, of Deer Lodge. First order of business, election of Speaker pro tem. The oath of office was administered to the members present by Judge Blake. Grandly Stuart was elected Speaker pro tem, and A. H. Barrett Chief Clerk. Committee on Credentials—Brooke, Sanders, Forbis, Steel and Mood. Committee forthwith reported the persons included in roll called to seats. Adjourned until 2:30 o'clock. W. F. Sanders requested members to come forward and sign official oath during recess. AFTERNOON SESSION. Roll call—all present but four. Samuel Word, of Madison, elected Speaker, who, upon taking the Chair, made some very appropriate remarks, from which it is safe to infer that he will fill the Chairably and give general satisfaction. The following elections were made: William Harlenbrook, Sergeant-at-Arms and Door-keeper; J. E. Kanouse, Chief Clerk; J. W. Kemper, Enrolling and Engrossing Clerk; Ben. R. Roberts, Messenger; John Quirk, Watchman; Rev. M. N. Gilbert, Chaplain. The attaches of the House were requested to repair to the Governor's office for qualification. Committee on House Rules and Joint Rules—Mr. Speaker, Sanders, Robinson, Forbis and McCormick. Mood and Ferguson appointed to wait on Rev. Gilbert and inform him of his election. Adjourned. COUNCIL—Second Day. MORNING SESSION. A. H. Mitchell was duly elected President, and addressed the Council, returning thanks for the honor conferred, and reminding them of the high duties to be discharged, etc. [Lack of space prevents giving his address in full.—Ed. COURIER.] Harry B. Conly was elected Chief Clerk, J. G. Smith, Sergeant-at-Arms; Hayden E. Riddle, Enrolling and Engrossing Clerk; Michael Kelley, Fireman and Watchman; Master Richard Carr, Messenger; Rev. Jno. Armstrong, Chaplain. Chief clerk reported that all attaches had qualified except Rev. J. Armstrong, who was absent. HOUSE—Second Day. MORNING SESSION. Committee, Sanders, Cornick and Hamilton, waited on the Council and informed same that the House was organized and ready for business. Robinson, Brooke and Ferguson waited on the Governor and informed him of the organization of the House. Adjourned until 2 o'clock p. m. AFTERNOON SESSION. W. F. Sanders offered concurrent resolution No. 1, proposing adjournment at 12 noon on Jan. 15, without day. W. J. McCormick offered an amendment to strike out 15th and insert 18th. Accepted. Sanders, Robinson, Brook, Boardman and Beach spoke in favor of the resolution, and Perkins, Harrington and Forbis against it. COUNCIL—Third Day. MORNING SESSION. COUNCIL COMMITTEES. President Mitchell announced the standing committees as follows: Ways and Means—Kennon, Ives and Hickman. Judiciary—Farberly, Ives and Sanders. Internal Improvements—Conrad, Hickman and Barrett. Federal Relations—Ives, Hyde and Gillette. Education and Labor—Gillette, Kennon and Hays. Towns and Counties—Hyde, Sedman and Parberry. Public Lands—Sedman, Conrad and Hays. Military Affairs—Barrett, Sanders and Conrad. Grazing and Stock-growing—Barrett, Gillette and Parberry. Incorporations—Kennon, Hickman and Parberry. Agriculture and Manufactures—Hickman, Hays and Conrad. Elections—Sanders, Conrad and Farberly. Indian Affairs—Holter, Barrett and Conrad. Mines and Minerals—Sedman, Hyde and Kennon. Immigration—Sanders, Holter, Hyde. Roads and Highways—Hays, Hyde and Gillette. Engrossment—Hickman, Farberly and Ives. Printing—Ives, Gillette and Barrett. Grazing and Stock-growing—Barrett, Gillette and Parberry. The Governor's message referred to the Ways and Means committee for reference. The report of Supt. of Public Instruction referred to committee on Education. AFTERNOON SESSION. Communication received, and read, from publishers of Herald, also from pub-

Independent, offering to do the Territorial Legislative printing and look to the Government for compensation—relieving the Territory of all liability therefor.

Committee was appointed to accept the proposition of the Independent to do the necessary printing of this session. HOUSE—Third Day. MORNING SESSION. The Speaker announced the following standing House committees: Ways and Means—McCormick, Sweeney, Mood, Steele and Edwards. Judiciary—Robinson, McCormick, Sanders, Forbis and Boardman. Territorial Affairs—Sweeney, Marion, Barbour, Boyer and Ferguson. Internal Improvements—Sanders, Brooke, Hamilton, Coombs and Cornick. Roads and Highways—Wilson, Noyes and Beach. Public Lands—Marion, Harrington and Stuart. Grazing and Stock-growing—Brooke, Perkins, Thorpe, Boyer and Ferguson. Federal Relations—Stuart, McElroy, Barbour, Edwards and Coombs. Education and Labor—Thorpe, Hamilton and Boardman. Towns and Counties—Forbis, Leach, Mood, Steele and Wilson. Military Affairs—Perkins, Sanders and Noyes. Incorporations—Robinson, Barbour and Stuart. Agriculture and Manufacture—Mood, Cornick and Edwards. Elections—Beach, Harrington, Brooke, Coombs and Steele. Indian Affairs—Hamilton, Marion, Perkins, Boyer and Ferguson. Mines and Minerals—Barbour, McElroy, Cornick, Wilson and Boyer. Engrossment—Harrington, Hamilton and Boardman. Enrollment—Forbis, Marion and Thorpe. Printing—Harrington, Perkins and Boyer. McCormick, Robinson, Sanders, Forbis and McCormick. Secretary Mills, in response to request, made the following statement: TENTH SESSION EXPENSES FOR PRINTING. For incidental printing \$1,025 00 For printing House Journals 1,248 00 For printing Council Journals 1,248 00 All printed except W. T. Boardman, of Deer Lodge. Total \$3,521 00 H. J. R. No. 1, provides for legalizing the action of the Governor in appointing officers for Custer county, and the late election in said county; referred to the Judiciary Committee. The Chief Clerk read the Governor's Message. COUNCIL—Fourth Day. MORNING SESSION. The chief clerk read the confirmations of Notaries Public, among which are Peter Koch and Michael Harley, Gallatin county; Alex. Carmichael, G. N. Smith and A. P. Warren, Custer county. Notice of various bills passed finally: H. J. R. Legalizing the action of the Governor in appointing officers for Custer county, and legalizing the late election held there. Passed. AFTERNOON SESSION. After transacting business of minor importance, adjourned. HOUSE—Fourth Day. MORNING SESSION. Consideration of special order H. C. R. No. 1, for adjournment without delay. Robinson moved the adoption of the resolution. Put to vote. Ayes 8, noes 18. Committee on printing reported in favor of the adoption of C. C. R. No. 2. Notice of bills, in relation to fees of County Treasurers, County Clerks and County Assessors. By Perkins—A bill to enable Gallatin county to provide for its fire debt. Robinson introduced H. J. M. No. 1, requesting Congress to appropriate \$100,000 to meet the deficiencies for printing and engraving. The Governor's Message was postponed until 3 p. m. AFTERNOON SESSION. Motion carried authorizing the Judiciary and Ways and Means Committees of each House to employ two clerks to each House, to assist Committees. The House went into Committee of the Whole on the Governor's Message, which was considered in detail, and its several heads referred to appropriate committees. COUNCIL—Fifth Day. AFTERNOON SESSION. The Indian situation in the Territory upon adjournment of your predecessors has been very unsatisfactory. The raids of the Nez Perce and Bannack Indians were very destructive of life and property, and has greatly discouraged immigration and growth of a country as continual trouble and depredations from their homes in the midst of the busy season of harvest and the hard labor of a season lost, and they left, probably, penniless, to brave the cold and storms of our winters without food or shelter for themselves and families. The absence of any law of the Territory for the organization of the militia and the employment of the same to assist the brave handful of United States troops against the hostile Nez Perces in 1877, left the Territorial authorities and the people helpless to protect those of our citizens who were so unfortunate as to be found in the section through which the hostiles passed. The pathetic appeal to the Executive from citizens in exposed localities could only be answered by saying that the Territorial Government was powerless to render them any protection. No Government is entitled to the respect or support of the people that is incapable or unwilling to protect the lives and property of its citizens. In view of the experience of the past two years it appears to be the duty of the Legislature to place the people in a condition to defend themselves and their property from Indian incursions. The most intelligent estimate made by the United States authorities, places the number of hostile Indians, with Sitting Bull's camp near the northern line of the Territory, at between fourteen and fifteen hundred fighting men. Between this large and threatening force of hostile Indians, and our settlers in Chouteau county, there is interposed one small company of United States soldiers. It is no longer wise for the people to look to the General Government for sole protection from depredations by Indians. The people, capable of bearing arms, should be organized, drilled and disciplined, ready for any emergency that may arise. The Indians have in the last ten years destroyed enough property for the people to have paid the expenses of well organized military force that would have punished the Indians and made the destruction of life and property improbable, if not impossible. The present situation of this Territory appears to warrant the consolidation of the two Military Districts into a Department, and the public sentiment of the people points with entire unanimity to respect Major General Nelson A. Miles, Colonel of the 5th Infantry, as the proper officer to

H. B. No. 8, in relation to Canadian money. Read first time, then by title. Referred to Judiciary.

H. B. No. 9, in relation to estray horses, requires members of School Boards to look after and secure all stray horses in their several districts once a year; and provides a penalty of \$25.00 for each failure to discharge any duty devolving upon them by this or the Montana School law. Read first time, then by title. Referred to Judiciary. GOVERNOR'S MESSAGE. [CONCLUDED FROM FIRST PAGE.] be required to examine him under oath as to the grounds of such opinion and if it has been founded upon reading newspaper statements, comments, or reports, or upon rumor or hearsay and not upon conversation with witnesses of the transaction, or reading reports of their testimony, or hearing his oath that he feels able to withhold such opinion, to render an impartial verdict upon the law and the evidence; and if the Court be satisfied that the juror is impartial and will render such a verdict, it may admit such juror as competent to serve in such case. It will greatly reduce the expenses of jury trials if we will reduce the number of pecuniary challenges of jurors in both civil and criminal cases, and I believe no injustice will result to litigants. The cattle interest of the Territory has become so important that it should receive such recognition from the Legislature as its importance demands. The cattle disease that has recently appeared in the Territory should be investigated by a competent commission so that a remedy may be discovered and the destruction of the herds, if possible, prevented. It is suggested that the driving cattle from the Territory should be compelled to have their herds branded with a brand known among cattle men as a "road brand," that their cattle may be distinguished from the cattle on a range through which the outgoing herd may pass. Cattle stealing and branding cattle belonging to others have been carried on to such an extent as to appear to require additional and special legislation for the protection of cattle occupying the common range; and the question of affording cattle owners further protection for their property is respectfully commended to your careful consideration. To enable the Secretary of the Territory to certify to the official character of county officers, the certificate of the County Board of Canvassers should be filed in the Secretary's office and each officer should be commissioned by the Governor and a record of the same made by the Secretary in his office. The operation of the Attachment Law works great injustice to the debtor class, because of the summary manner in which it may be invoked. No attachment should be issued against the property of a citizen without an affidavit of the plaintiff being first filed, setting forth the existence of some one of the following grounds: That the claim of the plaintiff is just and due and he is entitled to recover; that the defendant is a non-resident of the county, or has absconded with the intent to defraud his creditors, or has left the county of his residence to avoid the service of a sum of money, or has so concealed himself that a summons cannot be served on him, or is about to remove his property out of the county with intent to defraud his creditors, or is about to convert his property into money for the purpose of placing it beyond the reach of his creditors, or has rights in action which he has left the county of his residence to avoid the service of a sum of money, or has so concealed himself that a summons cannot be served on him, or is about to remove his property out of the county with intent to defraud his creditors, or 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