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TAKE UP ARMY BILL

Senator Bacon Says People Have Not Awakened to Enormity of Discretionary Power of President.

PROTESTS FOR HARBOR BILL

ARGUMENTS IN PORTO RICO PILOT CASE—LINDSAY'S ARGUMENT THAT CONSTITUTION IS IN FORCE IN THE ISLAND.

Washington, Jan. 14.—At the opening of today's session of the senate, a bill with reference to the employment of clerical assistance in the district of Alaska was passed.

Mr. Wolcott presented the final report of the postal commission. He explained that the report would have been presented earlier had illness not prevented.

Mr. Allison reported favorably from the finance committee, a bill concerning the distilling of brandy from fruits, the idea being to add cherries and figs to the list of fruits included in the present law. He asked consideration for the bill today.

In response to a question from Mr. Pettigrew, Mr. Perkins explained that the bill was to enable the horticulturalists of California to make temperance drinks from cherries and syrup of figs. (Laughter.)

Mr. Pettigrew objected "because there is no proof that the brandy to be made is a temperance drink."

The bill went over.

Consideration was then resumed of the army reorganization bill, the pending question being an amendment offered by Mr. Bacon, of Georgia, striking out that provision of the bill authorizing the president to increase the number of non-commissioned officers and privates in any troop of cavalry.

In response to a question by Mr. Hawley, Mr. Bacon declared that both of the letter and spirit of the constitution were opposed to the idea of the conferring upon the president the discretionary authority to increase the army. Such power is vested only in congress, and the transfer of such authority was a departure from the principles fixed by a hundred years of American history.

"This question is not going to be decided by the passage of this bill," exclaimed Mr. Bacon. "The people have not waked up and realized the enormity of this proposition. They will, however, and they will correct the evil."

SHALL STATES PAY THE BILLS?

Great Improvements the Duty of the Nation.

Washington, Jan. 14.—When the house met today, Mr. Loud of California presented the report of the joint postal commission which has been investigating the question of railway mail pay and other matters affecting postal affairs. This was District of Columbia day under the rules, but the district committee yielded to the river and harbor bill with the understanding that the district should have next Monday instead of today. The debate on the river and harbor bill was then resumed.

Mr. Lawrence of Massachusetts, a member of the committee, protested against the appropriation in the bill for great national projects being charged to the states in which they happened to be located. He cited the case of Boston, which received several millions in that bill. The improvement, he contended, would benefit all sections of the country as well as 10 per cent of the ships entered and leaving Boston were chargeable to Massachusetts.

Mr. Grosvenor, who was formerly chairman of the committee on rivers and harbors, replied to some remarks made by Cushman, (Washington) on Thursday relative to the appropriations in the past for the Columbia river.

Mr. Morris (Minn.), another member of the river and harbor committee, also defended the bill, arguing along the lines followed by Mr. Lawrence, that appro-

riations for big national projects could not properly be chargeable to the states in which they happened to be located.

PORTO RICO PILOTS.

Lindsay's Argument in Constitutional Case Before Supreme Court.

Washington, Jan. 14.—The United States supreme court today resumed its hearing in the case of Charles Huus vs. the New York and Porto Rico Steamship company and Senator Lindsay continued the argument he began Friday. The action involves the question of pilotage, the owner of the steamship claiming exception on the ground that Porto Rican ports had ceased to be foreign.

Senator Lindsay, in the course of his argument, said:

"Should it be decided that Porto Rican ports are not foreign ports in the ordinary sense of the word, it would be a violent construction to interpret the language of the statute of the state of New York passed in 1884, so as to exempt from pilotage vessels from a land then foreign but since brought under the domination of the United States. It is a fundamental rule of construction that laws are to be construed as at the time of their enactment.

"And it would not be reasonable to assume that the legislature of the state proposed to exempt from pilotage vessels belonging to after-acquired and far-distant territory of the United States, even though the subject of such territory foresaw the subject of such territory. It is doubtless within the power of congress to exempt from pilotage vessels bound to or from Australia and the Philippine Islands. Likewise the state of New York could exempt from pilotage or could entirely abrogate compulsory pilotage. This, however, is not to be implied from the general language in an act of congress relating to subjects of an entirely different nature which cannot be construed to affect the statutes of New York regulating pilotage."

Senator Lindsay quoted from decisions of the court to establish his contention that the term "foreign port" could be used in its broadest sense, and that in early acts the trade between the Atlantic and Pacific coasts was so considered as between foreign ports. Also that the trade did consider a port foreign unless the clearance of the vessel coming to this country was given by an officer in customs collection district established by congress and exercising his functions under the law of the United States. San Juan, he argued, was never made a domestic port until congress included it in one of the collection districts of the United States. Following this line, he argued that vessels trading between New York and Porto Rican ports were not in the coasting trade. It was further argued that congress did not intend to make the trade coasting trade, for trade was discussed as between Porto Rico and the United States which would not have been the case had it been considered that the Porto Rican ports were domestic ports. None of the provisions of the act to govern Porto Rico, Mr. Lindsay argued, mentioned pilotage and could be interpreted as affecting the point at issue.

RAILROAD WASHOUTS.

Portland, Ore., Jan. 14.—The heavy rains of the past two days have caused many streams to rise, and railroad traffic in the northwest has been somewhat delayed by washouts. All the main lines have been cleared, however, and today trains are running close to schedule time.

NEELY WILL BE EXTRADITED.

Washington, Jan. 13.—The United States supreme court today rendered a decision in the Neely extradition case. The court held that Neely was subject to extradition and must be surrendered to the Cuban authorities.

The court held that Cuba is foreign territory, our only purpose in the war with Spain being to free the Cubans from Spanish dominion. The decision was based upon the act of June 6, 1890, which act was held to be constitutional.

TO KILL CZAR WANTED ALL

CHIEF NIHILIST CONSPIRATOR ARRESTED—HELPED MURDER ALEXANDER III. BUT THE PHILIPPINE COMMISSION COULD NOT AGREE TO CATHOLIC DEMANDS.

Nice, Jan. 14.—The police have arrested Prince Victor Nakhadchivez, a Russian, on the charge of plotting to take the life of the czar on the latter's approaching visit here. Prince Nakhadchivez, who is a nihilist, was condemned to death in Russia as an accomplice in the conspiracy in 1886 against the life of Alexander III., grandfather of the present czar. He was also convicted in Paris of being illegally in the possession of explosive machines.

PRaises THE GREAT FAIR.

New Governor of Missouri Says It Will Be a Daisy.

Jefferson City, Mo., Jan. 14.—Governor Dockery in his inaugural address to the members of the senate and house of representatives of Missouri general assembly, spoke at some length of needed legislation and touched briefly upon the World's Fair, to be held at St. Louis in 1904 to commemorate the 100th anniversary of the Louisiana purchase.

He said:

"We may confidently announce that this exposition, in the variety and magnitude of its display, will be unsurpassed in all time, and will bring to our state and metropolis the representatives of all the nations of the earth."

The governor then said:

"We are the agents of the people and it should be our constant effort to prove ourselves worthy of the exalted trust imposed in us. To promote the public good should be our aim, and ceaseless endeavor. All sinister efforts to estrange our people by attempting to array one class against another should be shunned as the pestilence that walketh in darkness. It is an occasion of real pleasure that I am able to enter upon the duties of the chief magistracy without having one ignoble appeal to class prejudice. I have not posed as the special exponent or champion of any one class, however worthy it may be. I renew my pledge to be governor of all the people; and as God gives me strength of will and integrity of purpose, I will not betray them but will deal justly with them and with each and all of the diversified interests of this proud and progressive state."

FASTIDIOUS "INFANT."

Bankrupt Duke of Manchester Had to Have Jewelry.

London, Jan. 12.—The bankruptcy of the Duke of Manchester was heard in the courts today. A complaint was lodged against the plea of "infancy" on a claim of \$558 for jewelry. Appellant claimed the jewelry was necessary even though an infant.

HOAR WILL SUCCEED HIMSELF.

Boston, Jan. 14.—Senator Geo. S. Hoar was today announced as candidate for United States senator by the republicans.

Manila, Jan. 14.—Representatives of the central Catholics here spoke on the subject of religion in the schools and urged the adoption of amendments providing for the employment exclusively of native and Catholic teachers and for permitting religious teaching in the schools. They argued that native teachers could achieve better results than the Americans, and that the public schools would be far more successful if the prevailing religious customs were not disturbed.

In order to avoid a long response from their opponents on the question of religious teachings in the schools, Judge Taft announced that the commission could not possibly adopt the amendments suggested by the central Catholics.

The commissioners are unanimous in the belief that a great majority of the Filipinos desire religious teachings in the schools. They hold that the purpose of the bill for public education would be partially defeated unless the children of Catholics are permitted to attend the public schools.

A DESPERATE EFFORT.

Lipton Has All Kinds of Help for His Race.

New York, Jan. 14.—A dispatch to the World from Glasgow, Scotland, says: Valkyrie III has been purchased by James Coates, owner of the big yacht Gleniffer, and will be used in the Shamrock trials. Duncan, who sailed the Shamrock in the States, is to be her sailing master. Distant Shore is another probable trial yacht. The statement has been made that the German emperor's yacht Meteor will also be fitted out for the trial races in June. The measurements of the Herreshoff's new defender as published are doubted by the yachtsmen, who believe the yacht will have a smaller body and a greater draught.

Shamrock's construction is progressing slowly but steadily. Sir Thomas Lipton's New York agent is here arranging about tugs and tenders with Watson. Last night he entertained a number of friends at a dinner at the Central hotel.

FOR REJECTED PENSIONS.

G. A. R. Urges a Bill to Review These Cases.

Washington, Jan. 14.—The general committee of the G. A. R.—Leon Rasseur of St. Louis, commander-in-chief; Robert B. Brown of Zanesville, Ohio; Charles C. Adams of Boston, John W. Burt of Chicago, O. H. Coulter of Topeka and John Palmer—appeared before the house invalid pension committee today and argued in favor of the bill for the creation of a court of pension appeals to consider rejected pension claims. There are about 100,000 cases adversely passed upon each year by the pension office.

WILL SHUT THEM OUT

Democrats Agree That Heinze Is Not One of Them—Simon Pure Democrats Must Be Chosen.

ATTITUDE OF INDEPENDENTS

WONDER WHETHER LONESOME DEER LODGERS WILL SWING INTO LINE—WILL THEY STAND BY CAMPAIGN PROMISES?

Special to the Inter Mountain.

Helena, Jan. 14.—From present indications it appears that most of the democratic and fusion leaders have come to the conclusion that Heinze is suffering from a bad case of enlargement of the cranium, and that something must be done to reduce it. He is now characterized as a renegade republican and there is a strong disposition to shut him out from any participation in the councils of the simon-pure democrats. The talk is now quite general that he is animated by a desire to acquire possession of other people's mines without putting up the necessary equivalent therefor. The sentiment against any claim upon his part to one of the senatorships, upon the part of his erstwhile democrat friends and co-laborers in the fusion field, is now very pronounced and whatever chance he may have had at one time has now gone glimmering. The sentiment is also general that the candidacy of John McGinnis was a fake arrangement in Heinze's interest.

William McKinley Flynn of Butte arrived today, representing, it is said, the Butte Miners' union. His purpose is to show the labor and populist members that in following the Heinze-MacGinnis band wagon they are injuring the cause of labor and ruining their own prospects. He declares that last August he was induced to resign his position at the Gagnon mine and take the stump in behalf of the fusionists on the eight-hour proposition, and was promised \$5 a day and expenses for so doing. Since that time he has learned that the person who circulated the tale that he was a Pinkerton detective named Symons, employed by the Amalgamated to spy upon the union men, was MacGinnis himself. These rumors created so great a tumult that Flynn was obliged to resign as a delegate to the Silver Bow county convention. He further asseverates that MacGinnis owes him \$755, and refuses to pay a cent of what he regards as his just due.

Flynn was on the street today button-holing assemblymen and senators and brandishing the tomahawk of personal enmity until iridescent gleams lighted up the circumjacent regions. The Clarkites will hold another caucus this evening and if they fail to secure enough votes to elect their man will turn him loose on the floor of the joint assembly tomorrow, and let him try the Sverzell act on the legislators. It is generally believed that Mr. Clark will win, though he may not do so on the first ballot. Many members refuse to go into caucus unless they are promised that both senatorships shall be considered.

The republicans will caucus this evening. It is said that they are for Senator Carter for the long term and Hon. Lee Mantle for the short term.

If Mr. Mantle receives a complimentary vote it will be a high honor, as he has not been in Helena since the legislature convened, and has made no endeavor to secure political recognition.

When the house convened this afternoon, a sensation was sprung by John MacGinnis. The routine business had just been concluded when Speaker Corbett said he wished to interrupt the proceedings long enough to announce the committee.

MacGinnis was named as chairman of the ways and means committee. Gilchrist moved that the report be adopted and referred to the printing committee.

At this juncture MacGinnis arose and suggested that before such reference was made, the members appointed be consulted.

"Some of them may decline to act,"

he said. "I myself positively decline to act as chairman of the ways and means committee or to serve on any committee whatsoever."

A commotion ensued, but Corbett invited MacGinnis to the chair and went down on the floor of the house. He then stated that it had always been customary for a speaker to appoint, as chairman of the most important committee, the member who had been his most prominent opponent for speaker. He had only followed a time honored custom in appointing Mr. MacGinnis. If the gentleman declined the honor, it could not be considered the fault of the speaker.

The action of MacGinnis is regarded by his own followers as hasty and ill-advised, and simply accentuates the bitterness between the Clark and Heinze factions.

Dixon gave notice of a bill to change the boundary line between Granite and Missouri counties.

Beck gave notice of a bill to amend the penal code and provide further protection for fish and game.

Gregory did not answer at roll call, and Hedges announced that he had been called home by illness in his family.

Gilchrist was named as chairman of the judiciary committee.

Fine was named as chairman of the committee on privileges and election, and Kilgallon as chairman of the committee on mines and mining.

SENATE MATTERS.

After the transaction of routine business in the senate, the president announced the committees.

Phillips introduced a bill to provide for the formation of Powell county.

Warren introduced a bill relating to tunnel charges by railroads.

Courtney, a bill licensing inmates of the soldiers' home as vendors and auctioneers.

Clark gave notice of a bill incorporating Virginia City.

Sieger gave notice relating to government ownership of the penitentiary and of a bill defining the boundaries of mining claims.

Cullen gave notice that he would introduce a bill to amend the political code relating to schools.

Mahon gave notice of a joint memorial to congress regarding leases of government land and relating to fire warden's.

THOSE INDEPENDENTS.

Wonder What They Will Do in a Pinch.

Special to the Inter Mountain.

Helena, Jan. 14.—Much speculation is being indulged in as to what will be the course pursued by the independent democrats of Deer Lodge county, the only representatives of the great revolutionary movement in the democratic ranks. It is said by some who claim to know, that they will prove true to their ancient name of democrat and will fall in line for the fusion lead when the pinch comes. They are being assiduously cultivated by factions of all kind, but have not yet made known their attitude. It will be interesting indeed if they go back on their campaign pledges of undying hostility to the fusion wing and its practices, and succumb to the blandishments that lurk around in the corners of Helena.

HAT FACTORY BLOWN UP.

London, Jan. 14.—Ten persons were killed and many more injured as the result of an explosion at a hat factory at Denton, near Manchester, today.

TRIAL FOR INFAMOUS CRIME

GANG OF OUTRAGERS AND MURDERERS AT PATERSON GO UP FOR TRIAL TODAY.

New York, Jan. 13.—Walter McAlister, Andrew J. Campbell and William A. Death will be placed on trial today in Paterson, N. J., charged with the murder of Jennie Bosscheter, the young mill girl, on October 19 last. George J. Kerr, the other accused man, will not be tried until the fate of the three has been determined. The case against Kerr is not as conclusive as that against the others and in consequence he has been granted a separate trial. The decision to try McAlister, Campbell and Death first was reached by Prosecutor Emly last night. The accused men were in consultation nearly all of yesterday with their counsel. Judge Nixon will preside at the trial which will begin at 10 o'clock. The court will sit daily from 10 to 5 o'clock until the jury has brought in its verdict. It is expected that the trial will last about two weeks. Great care will be taken by both sides in the

selection of a jury, but this task, it is expected, will be completed in a short time. The jury will be selected from a general panel of 48. The defense is entitled to 10 challenges and the state to 12. The character of the offense has been carefully kept secret. Prosecutor Emly will insist that the men are guilty of murder in the first degree, the penalty for which is death. It will not be necessary for the state to prove that murder was intended. The Jersey law holds that death caused by the pursuit of a felony is murder in the first degree.

Owing to the intense public interest in the murder of the young girl, elaborate preparations have been taken to prevent scenes of disorder about the court house. The seating capacity of the court room, less than 300, will barely accommodate those who have business at the trial and it will be necessary to exclude the general public.

RUSSIA'S WONDERFUL NAVY

ENGLAND TAKES FOURTH PLACE IN BUILDING FOR YEAR 1900—RUSSIA EASILY TAKES THE LEAD.

New York, Jan. 14.—England, although the first naval power in the world, has not much to boast about in the matter of naval progress in 1900, says the London correspondent of the Tribune. Not a single battleship was launched during the twelve months—two first-class armored cruisers, one third-class cruiser, four sloops and eight destroyers completing the list—and no real progress has been made with this year's programme except in the case of the two new second-class cruisers, as the contracts for six new armored cruisers have only just been given out, and the first keel plates of two new battleships will not be laid until the end of March. It is some consolation to Englishmen to

know that France's naval progress at the same time has been greatly retarded on account of the delay in delivering materials. Russia made great strides last year and in naval progress she easily heads the list, Germany coming next and Japan third, while England only secured fourth place. Russia completed and commissioned two first-class battleships, one first-class armored cruiser and eight destroyers.

The rapidity of Russian shipbuilding was one of the features of the year. The armored cruiser Gromobok, a formidable vessel of 12,000 tons, which was only laid down at Baltic Works, St. Petersburg, in May, 1898, is now en route to China.



JOSEPH MEUNIER.
Representative From Silver Bow Co.