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CORPORATIONS MUST PAY.

Supreme Court Decides Constitutionality of New Tax.

WASHINGTON, March 13.—The corporation tax provisions of the Payne-Aldrich tariff act were sustained today as constitutional by the supreme court of the United States. The court was unanimous in the decision.

Thereby a source of income of approximately \$25,000,000 annually was assured to the government.

Of all the objections to the tax raised by suits in all parts of the country none of them was found sufficient to nullify the law.

Justice Day said that the court held that the tax was an excise tax on the doing of business, which is exactly the basis on which the government has defended the law. Justice Day seemed to hold that the tax provisions were not the arbitrary exercise of power. This had been urged in argument as one reason why the law should be held unconstitutional.

The fight against the constitutionality of the corporation tax began almost immediately after the enactment of the Payne-Aldrich tariff law of 1909, of which it is a part. During the long days of wrangling in congress over that measure, President Taft originated a plan to raise part of the revenue necessary for the running of the government by imposing a corporation tax.

May Tinker The Tariff.

WASHINGTON, March 13.—"Nothing in that," was the terse comment of Representative Underwood of the house committee on ways and means today in referring to President Taft's suggestion that the extra session of congress should be confined to reciprocity legislation.

"There are two things to be done by the extra session," said Mr. Underwood.

"One is the passage of the reciprocity measure and the other is legislation on the tariff. We will pass a reciprocity bill through the house, and we will put a tariff revision through." Replying to suggestions that the president might veto any measure in which the revision of the cotton, woolen or other schedules are tacked on as riders, Mr. Underwood said that as far as the house is concerned it was a matter on which no conclusion had been reached.

Important Item of Revenue.

WASHINGTON, March 13.—The decision of the supreme court in upholding the constitutionality of the corporation tax law relieved the government from an embarrassing situation. Had the law been declared unconstitutional the government would have had to return to 262,490 corporations an aggregate of more than \$26,900,000 paid by them into the federal treasury by operation of the law and an issue of government bonds probably would have been found necessary.

Yaeger Made Good Record.

WASHINGTON, March 10.—Harry Yaeger, cashier of the First National bank of Lewistown, who was recently appointed national bank examiner for Montana, was recommended for appointment to this place by Senator Dixon. He took the departmental examination and Secretary MacVeagh today notified Senator Dixon that Yaeger had passed with the highest rating of any applicant for such a position in forty-five years. His mark being 93.

The comptroller of the currency has divided the Montana-Washington district, making each a separate district with a separate examiner. Mr. Yaeger left Washington today to take up his new duties.

Will Not Tax Mortgages.

HELENA, March 9.—Among the bills approved by Governor Norris yesterday was the Donohue pure food measures. While taking exception to that provision of the act stipulating that nothing in the act shall be contrary to the rulings of the national pure food commission, the executive deemed this not of sufficient importance to warrant him in vetoing the bill.

The governor vetoed H. B. 121, regulating the sale and marketing of dairy products in the state, on the ground that it was simply covered by other bills, save the provision for the appointment of a dairy specialist, an office he considers unnecessary at the present time.

Governor Edwin L. Norris today vetoed S. B. No. 10, relating to the taxation of mortgages. His veto of S. B. No. 10 is as follows:

"Herewith is transmitted S. B. No. 10. An act to provide for and regulate the manner and method of taxing

mortgages, without my approval and with my objection thereto.

"In my judgment the bill provides a tax upon evidences of debt secured by mortgage upon real estate that is not uniform with the tax imposed upon other classes of property, and is, for that reason, clearly in contravention of section 1 of article XII of the constitution of the state of Montana."

Accompanying the message of the governor is the opinion of Attorney General Galen, given to the chief executive to the effect that the bill is unconstitutional.

WILL EXECUTE REBELS.

The Revolution in Mexico Calls For Drastic Measures.

MEXICO CITY, March 11.—Thoroughly aroused by the spread of brigandage and vandalism incident to the revolution led by Francisco I. Madero and determined to protect property, the Diaz government this week will begin to wage against the lawless element a pitiless war of extermination.

Resurrecting a provision of the Mexican constitution, not used in 15 years, and acting under its authorization, the government will set aside for six months certain personal guarantees. Those detected in the act of highway robbery, or raiding a village or farm, or train wrecking, or cutting telegraph or telephone wires, or even of removing a spike from a railroad track or throwing a stone at a train will be summarily shot by those making the arrest.

The bill providing for this drastic measure was today sent to the permanent commission of the federal congress. It was signed by Miguel Madero, sub secretary of the department of the interior, and clearly states that its enactment is the wish of the president.

Added To the Payroll.

HELENA, March 9.—Joseph Corby, former mayor of Butte and sergeant-at-arms of the senate of the twelfth assembly, has been appointed by Secretary of State Yoder, deputy state scaler of weights and measures, in accordance with the provisions of S. B. 54. The bill provides for the appointment of two deputy scalers, but Secretary Yoder said he will not appoint the second scaler until it has been demonstrated that there is need for him.

J. M. Kennedy, secretary of the bureau of child and animal protection, today appointed J. L. DeHart of Great Falls, deputy of the district for that department, embraced in the territory along the Great Northern line from Billings to Sweet Grass, to the Canadian line, and including Fergus county as well. DeHart served as sergeant-at-arms of the house during the recent legislative session. The appointment was confirmed by Governor Norris.

New Montana Laws.

HELENA, March 11.—Governor Norris today approved three bills. They were: House bill 143, providing for the regulation and control of domestic and foreign fraternal benefit societies; substitute for house bill 109, providing for the care of drug victims and house bill 221, imposing a tax on sleeping cars.

In approving the drug victim bill Governor Norris intimated that there may be some trouble in having the measure accomplish all it is designed to do.

State officers and legislators will pay fare when they travel in Montana, because of the fact that Governor Norris vetoed house bill 305, a bill providing for the issuance of passes to practically every public official in the state. While believing that the provisions of the bill are in direct conflict with the decision of the supreme court in the Johns case, Governor Norris calls attention the fact that he was elected on a platform containing an anti-pass pledge. Though vetoing this bill, the governor approved senate bill 28, making the state regulations relative to passes conform to those in force under the interstate commerce act, with an additional clause permitting carriers to exchange advertising with newspapers for advertisement.

The governor also vetoed substitute house bill 283, increasing the salaries of employees of the state prison, holding that no valid reason exists for eliminating the powers of the state board of prison commissioners in this matter.

BUTTE, March 12.—Three small boys playing with fifty sticks of dynamite, which they had found wrapped in a sack were discovered by a patrolman today. He took the explosive to police headquarters. As yet no trace has been found as to who left the dangerous stuff in sight.

WRECKED BY EXPLOSION.

Dynamite Causes Immense Damage Over Large Area.

KENOSHA, Wis., March 9.—With a roar that was heard for fifty miles, a glare that was seen fully as far and a concussion that broke windows more than a hundred miles away, three carloads of dynamite exploded tonight at the plant of the DuPont Nemour company in the village of Pleasant Prairie, six miles west of this city. Nearly every house in the village, which contains 700 residents, has been greatly damaged and some of them wholly demolished. Reports from the country ten miles distant are that houses far from the explosion were thrown down.

One man, E. S. Thompson, was killed, one was seriously injured, several hundred were painfully hurt and the greater number of residents of this village, Bristol and the surrounding country, have packed their remaining household goods and moved away until their houses are rebuilt.

There is still at the plant almost in open shape and liable to instant explosion sufficient powder to cause further greater damage to the community than the blast last night. The magazines which exploded last night contained 150 tons of finished dynamite, 130 tons of dynamite unfinished, 80,000 kegs of finished giant powder and 25,000 kegs of unfinished giant powder. There are eight small cars of dynamite stored on a spur near the plant according to Sheriff Stahl.

The property occupied by the powder company is approximately 190 acres. There were forty buildings according to Superintendent Brady. He said there were seven main magazines, two lesser magazines and four other buildings in which the process of manufacture is carried on in which the preparation is highly explosive. Of these eleven buildings but one, a small corrugated iron magazine for dynamite, now stands, about a half mile from where the main dynamite buildings were.

Want Lower Wool Freight.

HELENA, March 10.—President Gooding, of the National Wool grower's association, has employed V. O. Johnson, one of the leading attorneys of Idaho, to present the case of the western sheepmen to the interstate commerce commission, pleading for a reduction of the freight rates on wool from all western, northwestern and southwestern points. President Gooding appeared before the members of the interstate commerce commission recently and was given assurance that the sheepmen's case would be heard.

The rates on wool shipments from western points to Boston, Philadelphia or New York city, are considered confiscatory by the sheepmen. The average car of wool pays from \$500 to \$700 freight. Wool is looked upon by the railroads as an extremely desirable class of freight, is not injured by wrecks, is not injured by delay in shipment, and is always considered slow freight, yet it is charged almost 100 per cent more than other commodities in the same class.

Buried Under Avalanche.

CARSON, Nev., March 9.—Avalanches, traveling in each instance as much as two miles, gathered momentum and bulk as they thundered down the mountain sides, swept the mining camps of Lundy, Mono and Jordan, in Mono county, Cal., last night. At least 10 persons are known to have perished. Each messenger that comes from the stricken district must make the perilous trip on snowshoes, and rescue parties are going into the mountains in the same way. The death list is growing and the full toll may never be known.

Utah Gets Big Tax.

SALT LAKE CITY, March 10.—State officials have forwarded to New York for collection a check for \$978,546.85, signed by Mary W. Harriman. The check was given in payment of the 5 per cent inheritance tax on 55,000 shares of common and 51,900 shares of preferred stock in the Union Pacific railroad, with \$15,980,937, belonging to the estate of the late E. H. Harriman. Utah was entitled to the tax by reason of the fact that the Union Pacific is incorporated here.

For Dollar-a-Day Pensions.

WASHINGTON, March 10.—With an eye to the next national campaign some democratic members of the new house of representatives are laying plans for an onslaught on the republican attitude toward extending the scope of pension expenses. Some of them received word today of publications which erroneously assumed the enactment of the Sulloway general

pension bill, a measure which passed the house but failed in the senate.

Representative Cullop of Indiana announced his intention to reintroduce at the extra session a bill providing for a pension of \$1 a day for every man who served 90 days in the civil war and was mustered out, and the same amount for every man who served 60 days in the Mexican war, of whom about 5,000 are said to be living.

Will Settle Milk River Dispute.

WASHINGTON, March 11.—The international waterways commission, of which Senator Carter is a member, will organize on Monday and as soon as the Canadian commissioners arrive will take up problems incident to the use of the waters of the Milk river for irrigation. While there is an existing treaty regulating the distribution of these waters in general terms, it is necessary for the commission to take up and adjust numerous disputes which cannot be settled otherwise. The decisions of the commission in this and other matters will be final, there being no appeal. It is anticipated that the Milk river disputes will be so settled as to protect vested rights on both sides of the international boundary.

It was decided today that the salary of the American members of the commission shall be \$10,000.

ARMY MOVING SOUTH.

Military Demonstration Represented As a Practice Trip.

WASHINGTON, March 9.—Still under guise of peaceful maneuvers, the advance of the army toward the southern frontier of the United States is proceeding in perfect order. Innumerable telegrams are being received by General Leonard Wood, chief of staff, reporting that his sudden orders flashed from the capital only three days ago are being carried out with rapidity and precision.

The officers who set the machinery going for the great mobilization of United States troops and warships on the Mexican frontier today set back in their chairs in the army and navy departments to "watch the thing work."

From all directions trains are carrying soldiers, horses, field guns and ammunition toward the places of rendezvous.

Official Washington still insists, for publication, that the sole purpose of this sudden and unexpected display of the military resources of the nation is to engage in field maneuvers and practice under service conditions; in private, they make little effort to conceal the relation of the "maneuvers" to conditions actual and potential over the Mexican border line. The conundrum over which the uninformed are puzzling tonight is the real attitude of the Mexican government toward this unprecedented display of war resources at its doorstep. Not a word of an authoritative character is obtainable on that subject.

Democrats Fear Deficit.

WASHINGTON, March 10.—It is being realized that, although the democratic congress is pledged to economy in the administration of public affairs, it will soon be called upon to bear the brunt of a deficiency appropriation of many millions as a result of the present army and navy mobilization which the majority of the democratic leaders regard as uncalled for and unnecessary.

The cost to the government to move the army to Cuba was \$6,500,000, and it is expected that the present maneuvers will prove even more costly, as four times the number of troops are involved.

Montana Man Swindled.

SAN FRANCISCO, March 11.—Thos. Lero, a visitor from Butte, Montana, fell victim to a pair of bunco men, who took him to an east street saloon, induced him to place bets on fake horses and secured from him \$610 in gold and a check for \$3,000 on a Montana bank. Today Lero gave a description of the two men to the police. Lero met one of the men on the train at Oakland and accompanied him to Golden Gate park, where they met the confederate. Then they went to a saloon and the three made their bets. Lero has stopped payment on the check.

Caught By Big Slide.

DULUTH, March 11.—Thirty men were caught in a great slide of earth at the Norman mine, near Virginia, at 6 o'clock tonight. The pit is 125 feet deep and was more than half filled by the avalanche, which came without warning and extended 150 feet beyond where the victims were entombed. There are only four known survivors, all injured, three of them probably fatally crushed.

CARTER HAS NEW JOB.

Former Montana Senator Receives Favor From President.

WASHINGTON, March 8.—President Taft yesterday appointed former Senator Thomas H. Carter as a member of the international waterways commission, to be composed of three American and three Canadian members, to settle all disputes as to the use of waters along the Canadian boundary.

In accepting this appointment Senator Carter said he was going on the commission only temporarily, as it was the president's desire to bring about an early adjudication of a number of pending disputes. Ultimately he will resume the practice of law in Montana. In fact, he will return to Montana, as he said, about April 5, after the commission has reorganized, and will divide his time between law practice and the work of the commission.

On this commission Senator Carter will be associated with ex-Representative Tawney of Minnesota, and A. J. Streeter of New Hampshire, who have been appointed as American commissioners. This commission will have final jurisdiction over disputes as to the right to the use of waters along the Canadian line, including jurisdiction over the St. Mary's and Milk rivers in Montana, and while adjustment of the rights of the two countries as to the use of these streams for irrigation has already been settled by treaty, it is anticipated that there will be disputes growing out of the interpretation of that treaty. All such controversies will be adjusted by the commission, as will disputes along the St. Lawrence river, on the great lakes and on numerous lakes in Minnesota, and disputes over waterways emptying into Puget Sound.

It was originally intended that the American commissioners should fix their own salaries, but a provision was inserted in the sundry civil bill that their salaries shall be fixed by the president. They probably will not be less than \$7,500, the present salaries of senators, and may be greater. The sundry civil bill carries a total appropriation of \$75,000 to defray all expenses of the commission for the next year.

American Troops Move South.

WASHINGTON, March 7.—An army of approximately twenty thousand men, representing all branches of the service, is mobilizing along the Mexican border of the United States. It is officially stated, and the administration made special efforts to substantiate the statement, that the sole purpose was maneuvers on a grand scale for the training of officers and men.

While every effort was made in official circles here to give this great movement the appearance of a simple preparation for maneuvers, there were persistent rumors that the government was preparing for more serious eventualities.

Confidential reports from Mexico of late have encouraged the belief of many that conditions in the Mexican republic are far from being as satisfactory as official assertions seek to indicate. Immense foreign interests are at stake in Chihuahua, for example, and their owners have been very uneasy as to what would happen to them in case of widespread disorders.

Appointed By Governor Norris.

HELENA, March 8.—Archibald W. Mahon of Glasgow, Valley county, has been appointed by Governor Norris to be state engineer for the term ending March 7, 1915. Mr. Mahon succeeds John W. Wade of this city, who was appointed to the position by Governor Toole eight years ago. Mr. Mahon is a former state senator from Valley county, a prominent Mason and a civil engineer of repute.

Governor Norris also appointed in accordance with the provisions of S. B. 51, the members of the board of directors of the Montana state fair as follows:

Lewis Penwell of Helena for a term of six years.

Herbert Strain of Great Falls for a term of five years.

Tyler B. Thompson of Missoula for a term of five years.

Patriek Corney of Waterloo for a term of four years.

T. E. Hammond of Forsyth for a term of two years.

Heinze Strikes It Rich.

TACOMA, March 8.—F. Augustus Heinze, former copper king, is reported to have struck it rich again. This time he has found a fortune in the Porcupine gold fields in northern Canada, it is said.

Chas. E. Herron, well known Nome mining man, who has just returned from the new gold fields, is authority

for the statement that Heinze is once more "inside big money." He has procured the Foster group of claims adjoining the celebrated Dome mines, which it is estimated that \$25,000,000 will be gleaned during the present year and for the development of which a railroad is now under construction.

The Porcupine gold field, according to Herron, is one of the wonders of the age. One prospector, he says, has stripped the vein for a distance of 50 feet and polished it in places, so that gold is visible all along. His trench is three feet deep and he asks \$200,000 for it, as it lies.

Ballinger Favors Small Farms.

WASHINGTON, March 8.—Secretary Ballinger today informed Messrs. R. S. Nutt, Henry Hardy and J. P. Anderson, representing the Lower Yellowstone Water Users' association, that he cannot consent to increase farm units on that project from 80 to 160 acres, as requested by them.

The board of army engineers reported that an 80-acre unit was ample to support a family and it is Ballinger's personal judgment that this is correct. He maintains that it is to the interest of Montana to encourage as much settlement as possible on the lower Yellowstone project, and this would not be possible should farm units be increased to 160 acres.

There is no project in the United States where 160 acres is the limit. Secretary Ballinger also turned down the request of this delegation that settlers on the lower Yellowstone project be relieved from payment of maintenance and operation charges of \$1.50 per acre for the season of 1911. The secretary, in view of the hardships that have been encountered, said he was willing temporarily to waive payment of unpaid building charges and maintenance and operation charges, but he would not agree to deliver water to any settler during the coming summer unless maintenance and operation charges for 1911 are paid on or before March 31 next.

Big Slaughter of Livestock.

WASHINGTON, March 8.—Reports to the census bureau from the slaughtering and meat packing establishments and slaughter houses of the United States show that during 1909 there were 68,403,000 animals slaughtered for food in those establishments. This total does not represent the entire domestic meat supply of the country, as a large number of animals are slaughtered on farms or elsewhere than in slaughter houses. In addition over 411,300 animals reported as having been killed or as dying a natural death and consumed in the manufacture of fertilizers or other products, and many more die on the farms and ranges.

This information appears in a preliminary report which was transmitted today to Census Director Durand by Chief Statistician William M. Stewart. The data were collected in compliance with the act of congress of February 25, 1910.

Gallatin Will Raise Peas.

BOZEMAN, March 9.—Three thousand acres of Gallatin valley soil in peas this season is the slogan of the horticultural committee of the Bozeman chamber of commerce. His committee has gone to work with the determination of securing the acreage for the crop. W. J. Davis, a representative of a big eastern seed firm is on the ground with instructions to sign up contracts with the farmers agreeing to pay from \$1.50 to \$2 per bushel, depending upon the variety.

The product is to be used in the canneries of the middle west and should the industry assume the expected proportions, it is quite likely that this valley will be the location for one or more of its canneries. Scientific analysis of the soil of the valley, together with observations of the climatic conditions, and actual experiments for a number of years at the Montana experiment station all tend to show that the conditions here are ideal for the crop.

The sugar beet was thoroughly tried out last year with very moderate satisfaction and the pea industry now appears to be capable of supplanting other crops. Peas also serve to enrich the soil rather than exhaust it, according to the determinations of a long series of experiments.

Great Egg Laying Contest.

NEW YORK, March 9.—One of the greatest egg-laying races ever conducted has just been completed at Glendive where M. Johnson, a poultry fancier, made a wager that his 60 prize hens would lay 1,000 eggs within a month. All Glendive was aroused by the egg marathon and a public rejoicing was held when, at the expiration of the allotted period the last hen cackled and jumped off the nest where she had laid the 1,039th egg.