

DONLAN'S BILL
ACTED UPON
FAVORABLY

MEASURE PROVIDING FOR POPULAR ELECTION OF SENATORS IS REPORTED.

TWO CHANGES SUGGESTED

Consideration of the Bill in Committee Causes a Party Division and the Return of a Minority and Majority Report, the Latter Favoring Enactment of the Proposed Law.

Special to The Daily Missoulian.

Helena, Jan. 18.—More important legislation was projected to the assembly today than on any other since the beginning of the session. One was a bill dealing with the state lands. Governor Norris sent to the senate and house a communication embracing the reports of the commissions he appointed recently on state and timber lands belonging to the state and accompanying the reports was a bill agreed upon jointly by the commissions.

In the house the bills went to the committee on conservation of resources and in the senate to the public lands committee. In the measure there is a proposal for fees which will pay the expense of the administration of lands instead of putting the burden on the grants. There is also a provision for a contest board. An important provision for the disposal of lands makes the total acreage of grazing land which can be purchased by an individual 320 acres and of agricultural land 160 acres. Another important provision makes the first payment on state lands 15 per cent instead of 30 per cent, as at present, and extends the payments over 20 years instead of 10 as the law now provides.

Relative to timber lands, provision is made for a fire warden and the game warden and his deputies and all peace officers are made deputy fire wardens. It is provided that no timber lands may be sold and there is to be no further sale of timber until there is a reapportionment. No coal land is to be sold by the state and it is only to be leased on a royalty basis. Mining claims may be located on state lands as is now done under national laws. Provision is also made for the location of reservoirs and water rights for use of state lands.

Next in importance to the state lands bill was a notice of a joint resolution given by Bogart of Missoula. It recites that "it is the sense of the eleventh assembly that the state board of equalization shall fix the assessment of all property of all railroads operating in Montana at 50 per cent more than the assessment fixed for 1908."

Shoemaker of Lewis and Clark asked to be excused from serving on the lands investigating committee and Harbert of Flathead was put on in his place. It is thought this committee will get to work this week. Residents of Carbon county were on hand with a protest against the Byrnes bill, which makes it unlawful to kill grouse, sage hens, female elk, mountain sheep and goats. For the first time this session John MacGinniss of Silver Bow was present. He took the oath as a member.

Political Division.

In the senate there was the first political division of the session. The committee on privileges and elections made minority and majority reports on the Donlan bill, relating to the election of senators. The minority, which was signed by Long, recommended that the bill be indefinitely postponed and the majority recommended its passage. The vote was 14 for the majority and 7 for the minority, and the bill will go on general orders. The majority recommended two amendments to the bill. One changes the requirement for the choice for senator from a majority of the counties to at least 10, and the other provides that "the candidate who is thus the choice of the electors of the party of which he is a member in the largest number of counties electing a majority of the representatives of his party on joint ballot in the legislature, shall be the choice of the electors of the state. In the event two or more candidates of the same political party are the choice in the same number of counties by electing a majority of the representatives of such party on joint ballot in the legislature then, and in such event, the choice of the candidates so tied shall be determined in favor of the candidates receiving the highest number of all the votes cast by the electors of such party for such candidates in the counties creating such tie."

Bills Introduced.

Bills were introduced as follows: Senate Bill No. 38.—By Donlan, giving first-class cities the authority to increase the compensation of the mayor and councilmen.

Senate Bill No. 39.—By Cowgill, providing for the creation of a state veterinary board.

The following notices of bills were given:

By Sykes—Regulating the practice of medicine.

By McCone—Relating to chattel mortgages.

By Haviland—Relating to convicts under death sentence.

In the house committee reports were made as follows:

Increasing salary chaplain soldiers' home, favorably; appropriating money to pay claim Julius Barney, favorably; providing for paddle wheels or screens at the intake of all ditches, re-referred.

Bills were introduced as follows:

By Witmer—To amend sections 2054

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SENATE VOTES
ON SALARY
MEASURE

UPPER HOUSE APPROVES AMENDMENT PROVIDING RAISE FOR SPEAKER OF HOUSE.

TO GET \$15,000 YEARLY

Proposed Increase to \$20,000 Is Strongly Objected to and a Compromise Amount Is Approved by Vote of 37 to 27—Other Proposed Changes to Be Considered Later.

Washington, Jan. 18.—The provisions for an increase of the salary of the president to \$100,000 and of the salaries of the vice president and speaker of the house of representatives to \$20,000 each, contained in senate amendments to the legislative, executive and judicial appropriation bill, were taken up in the senate today and the point of order made against them by Senator Borah was further considered, resulting in the adoption of another amendment fixing the speaker's salary at \$15,000.

Senator Fulton spoke in favor of Senator Borah's point of order. He said it had been announced that owing to the unsatisfactory condition of the national treasury there would be no general river or harbor bill this year and added that if great improvements are to be delayed, this was not a proper time to increase salaries.

Senators Dewey, Elkins, Bourne and Owen favored the increases proposed in the senate amendments, while Senator Bailey opposed them.

Mr. Bailey declared every position in the gift of the government should be sought for the honor and not for the emolument.

Speaking of entertainments in Washington Mr. Bailey characterized them as places "where the men dress up like head waiters and the women hardly dress at all."

Vice President Fairbanks then announced he would submit the point of order. By a vote of 36 to 32 the amendment to increase the salary of the speaker of the house was declared to be in order.

Mr. Borah then offered an amendment to the amendment making the salary \$15,000 instead of \$20,000 as recommended, and the amendment prevailed by a vote of 34 to 22.

The amendment as amended placing the salary of the speaker at \$15,000, was adopted, 37 to 27.

Mr. Warren gave notice that he would call the bill up again tomorrow.

PREPARING LUMBER.

Washington, Jan. 18.—Rush work is being done under the direction of Paymaster General Rogers in getting ready the lumber to be used in the construction of the houses intended to afford temporary shelter for the earthquake victims in Italy. The first vessel, the Eva, will sail this week and other vessels were chartered today.

"KENTUCKY" AT ALGIERS.

Algiers, Jan. 18.—The battleship Kentucky came into this port at 10 o'clock this morning. Salutes were exchanged with the shore batteries.

KIBBEY WILL FIGHT
FOR STATEHOOD

GOVERNOR OF ARIZONA DETERMINED TO HAVE TERRITORY ADMITTED TO UNION.

El Paso, Texas, Jan. 18.—A special to the Times from Phoenix, Ariz., says:

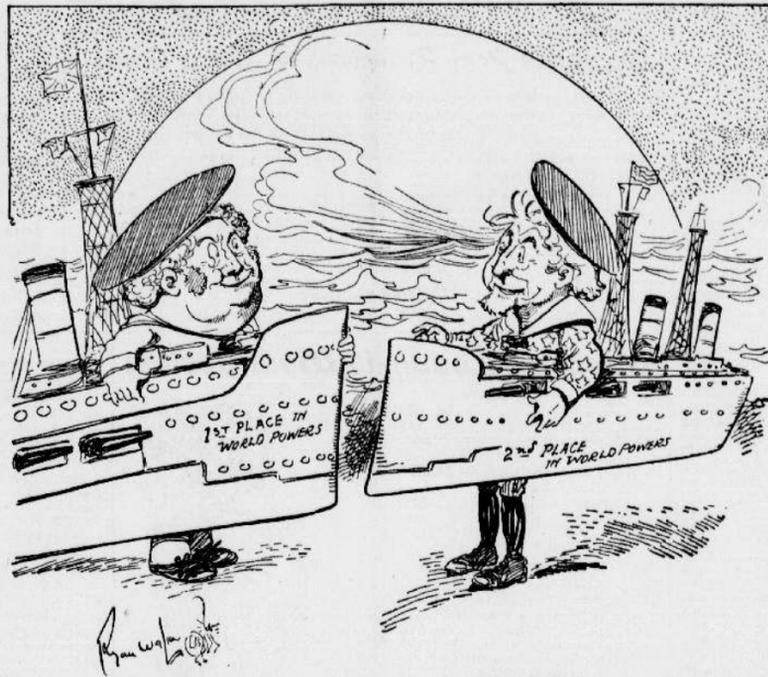
In the present session of congress falls to abide by the pledges given in the republican and democratic national platforms for immediate statehood for Arizona and New Mexico. Governor Kibbey immediately after the inauguration of Governor-elect Taft will send a special message to the legislature calling for the meeting of a constitutional convention for the presentation of Arizona's claim to statehood. So incensed is Governor Kibbey over the attitude of the senate toward statehood that it can be stated on the highest authority that he is prepared to resign his commission. If necessary, to make a fight for what he considers simple justice to the two remaining territories.

Sal Lake City, Jan. 18.—The requirements of the Chicago business men who are aiding the project having been satisfied, the wool men interested in the wool storage warehouse plan are being notified to appear in person or by proxy at Chicago Monday, January 25 and elect directors of the National Wool & Warehouse company. Notices to this effect were mailed today by George W. Epper, temporary secretary of the company, to all wool growers who have pledged wool to or subscribed for stock in the enterprise.

TO ELECT DIRECTORS.

Continuing, Mr. Willett said: "And, Mr. Chairman, should the gentleman who view this curious figure with feigned admiration ask me how any son of Adam can be at the same time a hay tender, a jockey and a gargoyle. I can only answer that this particular hero is an eccentric exception to all rules, a solecist sui-generis, a mixed metaphor-vivant, an impossibility; a comet that roves at will, regardless of the limitations of order and law that apply to earth and moon, to stars and planets. "He boasts of Irish blood, but no historic Irishman would have treated

NOT SO MUCH LARGER, JOHNNIE



A VICIOUS ATTACK IS MADE
UPON PRESIDENT ROOSEVELT
BY REPRESENTATIVE WILLETT

Member of Lower Branch of Congress From New York Villifies Executive Until His Language Becomes Too Obnoxious to Be Listened to and House Forces Him to Desist.

Washington, Jan. 18.—A sensational and bitter attack on President Roosevelt was made in the house today by Mr. Willett of New York. His remarks, which were delivered under the license of general debate on the pension appropriation bill, were cut short by a vote of the house.

Characterizing President Roosevelt as a gargoyle and as "this pigmy descendant of Dutch tradespeople," and charging him with having "established a court in the White House which would have delighted the heart of Alexander Hamilton," Mr. Willett made one of the most bitter attacks on the chief executive ever heard in the house. Mr. Willett took for his theme "The Passing of Roosevelt," and in a speech of great length dealt with numerous of the president's acts since he came into office and scathingly denounced them.

After declaring that, in the face of all sorts of conditions, Americans were possessed of a universal sense of humor, Mr. Willett said to such people "it must be confessed" a chief magistrate who has himself no sense of humor, moving like a horse tender over the hayfield of American activities, stirring up every drying blade of once green grass, to let it fall drier than before, quarreling his way with the practical politicians, then with the part-your-hair-in-the-middle recruits, and then at the socialists, then at the great industrial corporations, wrestling in agony with the spirit of Noah Webster and our glorious English language; taking a fall out of avoid fakirs; exhorting our women to nude race suicide, cannot but be an unmixed nuisance.

Plays the Tyrant.

"He plays the tyrant, to be sure, but he is a tyrant who fears the carnival tinker. He sees things that have a bad smell, but the fresh breeze of Capitol Hill does not let the odor linger. "He tries our patience, but he is always good to laugh at. Thank heaven for the things that make us laugh. Without that we might easily become raw, untamed Anglo-Saxons, making much of magna charta, belittling about an effete bill of rights, or even ready to fight for freedom, for though freedom of speech, and freedom of press, as did our unutilized ancestors at Lexington and Bunker Hill."

Mr. Willett gave a brief biography of Mr. Roosevelt, beginning with his experience as a cowboy, down to the present time, and accused him, in his early manhood, of having had preposterous notions, of having "knifed" Secretary Long, of being "a warrior alone in Cuba," of having won the governorship of New York by a "mere fluke," when the false halo of San Juan hill was above his head; the beneficiary of assassinations, and last, and crowning piece of luck, the nominee for president when all the aggressive elements of passion wanted to see their own candidate defeated, the mammoth jockey has got to laugh at every appearance; the gargoyle has been funny from the hour it left its native quarry."

"Solecist Sui-Generis."

Continuing, Mr. Willett said: "And, Mr. Chairman, should the gentleman who view this curious figure with feigned admiration ask me how any son of Adam can be at the same time a hay tender, a jockey and a gargoyle. I can only answer that this particular hero is an eccentric exception to all rules, a solecist sui-generis, a mixed metaphor-vivant, an impossibility; a comet that roves at will, regardless of the limitations of order and law that apply to earth and moon, to stars and planets. "He boasts of Irish blood, but no historic Irishman would have treated

an ally as he treated Mr. Harriman. He exults in a strain of the old Huguenot, but the French gentleman does not fly into a passion and lash the horse of a timid young girl, whose only offense is in inadvertently passing the royal party in a public highway. Even Louis XIV. was not that sort of a tyrant and Henry IV., Henry of Navarre, the great Huguenot king, wore the white plume of noble oblige. He tells us that southern aristocrats were among his polygot ancestors; but I can inform him that if the wife of a Robert Toombs or of a Jefferson Davis had been treated by him as Mrs. Minor Morris was, he would have been called out and branded as a coward if he had been a thousand times a president.

"I Am Shocked."

"Are you shocked that a chief magistrate should justify such characterization? I am shocked, too. Do you say that the place he holds should make us all dumb before him? Hear what this fountain of billingsgate has said of his predecessors in that high office and own that no man's tongue should be stilled by such consideration."

He quoted from President Roosevelt's books, in which the president is alleged to have attacked Washington, Jefferson, Monroe, Jackson, Tyler, Pierce and others, and said that the president had "toleration only for Alexander Hamilton, the defeated champion of limited monarchy."

"Of course," said Mr. Willett, "these condemnations roar as gently as any cooling dove when compared with his denunciation of John Paul Jones as 'utterly unscrupulous,' of New England's idolized Wendell Phillips as always 'either mischievous or ridiculous,' and usually both," of Thomas Paine, the first champion of American liberty, as "a filthy little atheist," of miracle-believing Roman Catholics as "persons of arrested mental development," of Quakers as 'quite as undesirable citizens as duellists.' But he has been frank enough in abusing other presidents to shut the lips of his defenders on the dignity of the presidential office.

Not Sincere Napoleon.

Mr. Willett declared that "constancy is a jewel which this gargoyle is always throwing to the swine." No king, he said, in any limited monarchy was ever half so exigent or ever half so implacable. "For a president,"

Lincoln's Birthday

TO BE SPECIAL HOLIDAY

Washington, Jan. 18.—The president today sent a special message to congress recommending the passage of a law authorizing him to issue a proclamation setting apart February 12, 1909, as a special holiday in recognition of the centennial anniversary of the birthday of Abraham Lincoln. The message refers to the recommendation of the committee of the Grand Army of the Republic that Lincoln's birthday be observed as a national holiday. The message then adds: "I regard the proposal as eminently proper. It will be from every standpoint desirable to observe this hundredth anniversary of the birth of Abraham Lincoln as a special holiday. I recommend that congress pass a law authorizing me to issue a proclamation setting this day as a special holiday."

he added, "You must go back to Napoleon the great, the oldest member of the gargoyle's Ananias club, who used to ask the wives of his thrifty favorites whether they could only afford one gown a year; who said once to the wife of one of his fighting marshals, 'Your dress is dirty,' and who insisted on doing all the match-making in his official circles."

"The democracy of Lincoln, he said, the bluff Americanism of Grant and Cleveland, the equally American suavity of Arthur, and McKinley had passed into history, "along with the joviality of Garfield and the non-conformist thrift of Rutherford B. Hayes."

"We have a king and a court now," Mr. Willett exclaimed, "as good an imitation of a real thing known to the nobility of monarchial countries as the scion of a family of trading Dutchmen can concoct."

"The earth is intoxicated and reels around our jockeycity. He alone is the personification of sobriety, temperance of statement, calmness in speech and action. The ever moving hay tender hurries over the field, throwing upward the clover of politics and timothy of zoology, the blue grass of history and letting each blade fall a little drier than it was before. You look on those twisted lines and it is easy, oh so easy, to understand the one great figure of the Spanish-American war, the hero who took Manila with the worst ships a rotten bureaucracy can find for him."

"The persistent defamation of Admiral Schley, who really fought the battle of Santiago bay, the insults heaped on General Miles whose counsel was ignored in the expensive blunders of the land campaign at Santiago."

Showed His Teeth.

The president, Mr. Willett declared, showed his teeth at all real heroes, "because real heroes are gall and wormwood to bogus ones."

Continuing his denunciation, Mr. Willett charged that the president had bulldozed President Castro, had seen the Philippines brutally treated, had despised Colonel Stewart, whom he did not like, had kept a young woman from an earning an honest living by telling the truth, had allowed "scandalous conditions to exist in the army and navy, had compelled his subordinates 'to act as hunting dogs for the czar of Russia, in trailing down men who have fought for liberty,' had practically re-established the John Adams laws; had forced desertions from the navy by allowing intolerable treatment of sailors 'at the hands of the aristocracy of Annapolis officers'; had permitted the degrading of soldiers at West Point, had been put to mental work, and had given a Scotch verdict in connection with the alleged Panama scandal."

In conclusion he said among other things: "You may say, then, that one individual gargoyle does not count for much after all. No, not in the development of the centuries, but he counts vitally and continuously, as affecting the people who have to live under him. And the change from a Nero fiddling while Rome is burning to Vespasian calmly devoted to securing a good government as tendencies will permit, is a change to be as devoutly welcomed by us as by the ancient Romans."

Called to Order.

Several times in the course of Mr. Willett's remarks he was called to order by Mr. Hughes of West Virginia. "I call him to order," Mr. Hughes

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JAIL BREAKERS
ARE SOON
CAUGHT

PHILIPSBURG BASTILE LEAKS AND QUARTET OF HORSE THIEVES ESCAPE.

FOUND ON ROCK CREEK

Band of "rustlers" Is Located After All-Day Search by Sheriff Kennedy of Granite County—Two of Stolen Animals Are Discovered in Missoula and One in Silver Bow Capital.

Special to The Daily Missoulian.

Phillipsburg, Jan. 18.—At an early hour this morning it was discovered that a quartet of prisoners had leaked through the sieve-like north wall of the Granite county jail and at a late hour this afternoon the men were recaptured on the Crawshaw ranch on Rock creek. Three of the four men who escaped were arrested for horse-stealing and at least one of them has admitted his guilt to the authorities. The men captured this morning are Clarence Black, Herbert Porter, alias Harry Wilson, Sam Gholson and Frank Turner. All but Turner were charged with stealing horses, his arrest having been for petty larceny. Sheriff J. D. Kennedy sent out descriptions of the fugitives at once and himself started to explore the Rock creek country. He also dispatched deputies in all directions the men might have taken.

Two Horses Recovered.

Missoula has a direct interest in the Phillipsburg jail delivery, for Sheriff Graham was instrumental in recovering two of the horses which Black, Porter and Gholson are said to have stolen. Several days ago Sheriff Kennedy and the Missoula county shrieve made a search of the town and found two horses that answered the descriptions of those lost in Granite county. The thieves had traded them to a second-hand dealer in this city, he being without any blame in the matter. It seems that the operations of the band of "rustlers" had been rather extensive. It is known that they took a bunch of animals to Butte and sold and traded them there, one of this lot being a horse belonging to Sheriff Kennedy.

George O. Burke, a special deputy, came to Missoula yesterday to look for the horse thieves here and Messrs. Al Schuh and H. J. Quinlan, Granite county ranchers, and W. S. Fuller of the Stock Protective Association of Granite county, were also in the city in the interest of their property, all but Mr. Fuller being losers at the hands of the "rustlers."

Mr. Schuh said yesterday that the thieves had all worked as ranch hands until after election time and since then had spent their summer's earnings. "After their money was gone they took to horse stealing, I guess," said the Granite county man. "We haven't been riding the range much lately, and we can't tell just how many animals the 'rustlers' got away with, but I know that I've been looking for one particular horse for a month now. I think the majority of the horses were taken last month."

The local sheriff's office received word yesterday afternoon of the capture of the thieves in the Rock creek country.

CHAMBERLAIN SURE
OF SUCCESS

OPPOSITION REPUBLICANS FAIL TO AGREE UPON CANDIDATE AGAINST HIM.

Salem, Ore., Jan. 18.—At a late hour tonight the election of George E. Chamberlain, democrat, as United States senator from Oregon, is practically assured. The 38 republicans who are opposed to him have been in conference for hours without deciding on any one candidate to receive their support.

The republican leaders who have been managing the fight against Chamberlain have, it is claimed, abandoned hope. They allege that Chamberlain has strengthened doubtful members by promising to resign as governor on March 4. This assertion is denied by Governor Chamberlain. At the caucus tonight of the opponents of Chamberlain there were so many different interests represented that it was impossible for the conference to unite. The majority favored supporting United States Senator Charles W. Fulton, but others declared that they would not vote for Fulton in any circumstances.

ADVOCATES WATERWAY.

Springfield, Ill., Jan. 18.—In his message to the legislature today Governor Denen urged that prompt and vigorous action be taken in the matter of a deep waterway from the gulf to the lakes.

SHIPS TO REMAIN.

The Hague, Jan. 18.—The government of The Netherlands has decided to keep its warships in the West Indies until the dispute between Venezuela and Holland is definitely disposed of.

WOULD ESCAPE
GRAND JURY
INQUIRY

NEW YORK WORLD WRITERS SEEK TO AVOID SUBPOENAS OF THE GOVERNMENT.

RAISE LEGAL OBJECTIONS

Attorney for Five Men Summoned to Testify Regarding Panama Canal Scandal Institutes Proceedings in Court in Effort to Have Subpoenas Declared Irregular and Void.

New York, Jan. 18.—The right of the five employees of the New York World, subpoenaed to appear before the federal grand jury to give information presumably regarding the publication of alleged libelous matter reflecting upon the integrity of the United States government, to ignore the said subpoenas on the ground that their issuance was an abuse of process, was left undetermined at the close of today's hearing of the case in the United States circuit court. After arguments by United States District Attorney Henry L. Stimson, representing the government, and Delancey Nicoll and John M. Bowers, representing the World men, Judge Henry G. Ward gave both sides until tomorrow at 4 o'clock to submit briefs.

The nature of the proceedings which have been instituted against the New York World and the Indianapolis News because of their criticisms of the method by which the purchase of the Panama canal was made, was not disclosed in the brief hearing in court here today. Acting under instructions believed to have been issued by authority of the government United States District Attorney Stimson had subpoenaed William McLaughlin, sporting editor of the World, and J. Angus Shaw, secretary of the Press Publishing company, to testify before a federal grand jury today in an action which is not described in the subpoenas. It is thought, however, to be the outcome of the message of President Roosevelt to congress.

Proceedings halted. The proceedings were halted by an order obtained by counsel for the World's editors calling upon Mr. Stimson to show cause why the subpoenas should not be quashed.

Chief arguments were heard by United States Circuit Judge Henry G. Ward today on the motion to quash the subpoenas. J. M. Bowers, of counsel for Mr. McLaughlin and Mr. Shaw, argued that the form of the subpoenas was illegal inasmuch as the following concluding words of the subpoena "in a certain case now pending and undetermined in this district court between the United States" were crossed out, making the subpoena to read "to testify to what they may know of the inquiry."

Mr. Bowers contended that the subpoena was illegal in that it did not state the nature of the inquiry and the person accused and that the proceeding was an abuse of process.

District Attorney Stimson, speaking for the United States, argued that the form of the subpoena had been used in practice in this district for 50 years and was recognized by the states of the United States. "The same situation arises in a corporate examination to find out who is responsible. It is often impossible to find out who is responsible in a corporation. How can we name the name accused until we know who is to be indicted?"

Case of Practice. Judge Ward interrupted to say that this was a case of practice and that no one should be given an opportunity of bringing a matter before the grand jury and raising his affairs to make a criminal of him.

After further argument by both sides on the orders to show cause why the subpoenas against the World men to testify before the United States grand jury should not be quashed, counsel agreed to submit the memoranda to Judge Ward at 4 o'clock tomorrow afternoon.

Demands Information.

Washington, Jan. 18.—A resolution was introduced today by Senator Rayner of Maryland calling on the attorney general for information concerning the bringing of a suit for libel against certain newspapers. Mr. Rayner asked for immediate consideration, saying the only purpose was to get information whether this suit had been ordered, whether it had been brought at the instance of the president, under what statute, by whom ordered and by what power authority the courts are being used to forward the suit.

The suit which President Roosevelt is believed to have ordered brought against the Press Publishing company of New York on account of charges in the New York World that certain well-known persons, including Douglas Robinson, brother-in-law of the president, and C. P. Taft, brother of the president-elect, were interested in the purchase of the Panama canal property, inspired the Raynor resolution.

Suit Not Warranted.

Addressing the senate in support of the resolution Mr. Rayner said there was no law which warrants a suit for libel of the government.

"If any suit is being prosecuted," said Mr. Rayner, "we want to know under what statute it is being brought because we ought to have an opportunity to repeal that statute on the ground that it is a violation of the

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