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MISSOULA, MONTANA, THURSDAY MORNING, JANUARY 21, 1909.

PRICE FIVE CENTS

FIRE ON LAKE TIMBER LANDS KILLS MANY WORKMEN TAX SCALE REPORTED

LABORERS TRAPPED IN BURNING CRIB AMID ICE-FILLED WATER, PERISH.

FIFTY-THREE ARE MISSING

Explosion of Powder in Chicago Waterworks Structure a Mile and a Half From Shore Spreads Death and Destruction—Majority of Those Not Rescued Are Known to Be Dead.

Chicago, Jan. 20.—At least 53 workmen are included among the list of missing and the majority of these are known to be dead as the result of a fire that had its origin today in a powder vault attached to the intermediate crib in Lake Michigan used in the construction of a new water tunnel connecting with the south side of the city at Seventy-third street. Ninety-five workmen were employed in the crib and in the connecting tunnel at the time of the fire. The hospitals of the south side are filled with injured. City fire boats, as well as the tugs of the construction company are making frequent trips to the scene of the disaster through the heavy ice floes.

Owing to the difficulty small craft experienced in reaching the crib during the winter the majority of the workmen employed on the work and particularly those who were without families, slept in temporary structures at the crib. Just as these had been awakened for the day's work the explosion occurred. So far as known, the explosion had its origin in a small powder house about 100 yards from the crib structure proper, but a part of the general structure built on foundations resting on the bottom of the lake. In this building the George W. Jackson company, contractors, had stored enough powder and dynamite for urgent use in the construction of the water tunnel. In some manner the powder and dynamite exploded.

"Crib Is on Fire." It was not until the heat of the flames and the stifling smoke penetrated the so-called "living room" of the crib and the tunnel beneath the waters of the lake that the full import of the disaster dawned upon the little colony of workmen cut off almost completely from assistance. One of the workmen made his way through the smoke to the little enclosure in which telephone communication has been established with the shore station. The drowsy attendant at this point received this message: "The crib is on fire; for God's sake send help at once or we will be burned alive. The tug at this point communication ceased and through the fog an occasional burst of flames and an unmistakable odor of smoke made it known to the watchers on shore that a tragedy was probably being enacted a mile and a half out in the lake. The tug T. T. Moorford was anchored within a short distance of the imperiled crib and this was early placed in service in the work of rescue. The ice made it impossible for the tug to reach the imperiled crib and a small boat was placed in service to carry the injured to the tug and rescue those who had plunged into the lake.

After several hours of work 39 workmen were rescued. When the fire tug Conway had succeeded in quenching the flames 53 bodies had been carried to the shore.

The Missing. The contracting firm gave out the following list of missing: Barney O'Connor, foreman; H. D. McDonald, timekeeper; J. Thorpe, cook; P. Lynch, waiter; C. Meyer, elevator man; E. Jennings, elevator man; Peter Blake, engineer; William Kelley, carpenter; J. Foster, carpenter's helper; J. Kelly, driller; Edward McGree, Charles Kraper, J. Galland, William T. Connelly, J. Lucas, J. Connel, M. Cassidy, W. Yandulus, A. Klcoyne, all muckers; T. Mitchell, tramway operator; O. Kelly, elevator man; J. Thomas, Edward Skinner, T. Hanson and C. Patterson, drillers; J. Miller, driller's helper; W. Reynolds, driller's helper; J. Faddy, J. Barnots, T. Stankus, J. Mulholan, C. Soe, F. Miller and T. Gevel, muckers; J. Tiscoll, nipper; J. Fultz, drill foreman; M. Shodisk, driller's helper; J. Brennan, J. Anderson, M. Mickson and F. Tamehuis, muckers.

The tunnel was built by the George W. Jackson company. The first section of the tunnel starts from shore. The crib, a mile and a half out, marked the beginning of the second section being built still further into the lake. The two sections had not joined each other as yet.

Must Have Perished. Until such time as the rescuers are able to enter the water tunnel it will not be known how many perished below the surface of the lake. Air pressure was used in this portion of the work and as the air generating plant became disabled soon after the fire started, it is probable that those in the tunnel must have perished.

MONTANA ASSESSORS HEAR RECOMMENDATIONS REGARDING ASSESSMENTS.

AMENDMENTS ADVOCATED

Milling Company Representative Urges Establishment of Fourth Class of Property and Other Minor Changes—Body on Merchandise and Banks Submits Proposed Schedule.

Special to The Daily Missoulian. Helena, Jan. 20.—The Montana assessors, who are in session here, got down to business today, with J. A. Shaw of Powell county acting as chairman and N. P. Kroone of Missoula as secretary. Every county is represented except Teton, Chouteau and Madison. The committee on logs, lumber and timber made a report recommending how that property be assessed, but the report was re-referred. It is to the effect that all lands capable of producing 1,250,000 feet of lumber are to be first class and assessed at \$9 per acre; that lands producing from 750,000 to 1,250,000 feet be second class and assessed at \$6 and lands producing from 500,000 to 750,000 feet be third class and be assessed at \$3 per acre. Charles Schwartz, representing the Big Blackfoot Milling company, wanted a fourth class, and also a distinction between first class and second class lands, based on their distance from streams, but the association declined to amend the report of the committee.

The committee on merchandise and banks submitted a report, which was adopted. It recommended that banks be assessed on the capital stock, surplus and undivided profits, less real estate as carried by the banks, the net amount to be assessed to the stockholders, the real estate to be re-assessed to the bank corporation as other real estate of same character; private banks, brokers or copartnerships in private banks to be assessed according to section 3696 of the codes; merchandise to be assessed as all other personal property, taking into account depreciation, location and business based on last inventory, if taken, if not by sworn statement. The committee on mines recommended that great care be exercised in ascertaining the cost of machinery, reduction works, and other personal property connected with mines, and that assessors require sworn statements as to net proceeds. Tomorrow the committee on livestock will report.

TO SUPPRESS BOYCOTT. Constantinople, Jan. 20.—The government has issued instructions to the customs authorities to take measures to suppress the existing boycott on Austrian and Bulgarian goods.

STONE RE-ELECTED. Jefferson City, Mo., Jan. 20.—William J. Stone was re-elected United States senator today.

MR. TAFT ADDRESSES SOUTHERNERS

PRESIDENT-ELECT IS GUEST OF HONOR AT BRILLIANT GEORGIA BANQUET.

Augusta, Ga., Jan. 20.—Richmond county, Ga., today modestly proclaimed William H. Taft as its own that he was a resident of Augusta when the presidential electors in the various states declared him to be the president-elect; that as such he was a Georgian by birth and had lived where he was born all of his presidential life. Thousands of Augustans clinched this claim with a shout of approval, as Major J. C. Black said many other complimentary things about Mr. Taft in presenting him to the great mass meeting that had assembled around the same stand from which President McKinley spoke.

A banquet was held tonight at "The Terrace," where were brought together the distinguished men of Georgia and South Carolina. In his speech at the mass meeting Mr. Taft said: "I have had the pleasure of meeting your farmers and your capitalists, your ministers and your laymen, your lawyers and your clerics, and I like them all. I have been barbecued, I have fished—not catching any—I have automobile, I have ridden, I have played golf. I have met your beautiful women. I have enjoyed the sparkle of the wit and humor and genius of your bright men and I rejoice again that fate and good judgment brought me to Augusta." Mr. Taft spoke of the oriental trade of this country and the great interest of the south in that matter because of the cotton commerce.

The banquet tonight was attended by more than 200 men, the guests of the Augusta Chamber of Commerce, and included John D. Rockefeller and Governor Ansel of South Carolina. Mr. Taft in a speech again voiced his good feeling for the south.

NOT CHARITY--A JUST DEBT



RESTUARANT ROBBED AND THE COOK KILLED

MYSTERY SURROUNDS EARLY MORNING TRAGEDY IN CAFE AT PLAINS, MONT.

Special to The Daily Missoulian. Plains, Jan. 20.—Mystery surrounds the death of J. A. Halliday, a cook at the Headquarters restaurant, who was found in the place this morning with two bullet wounds in the back of his head. He was unconscious, but still alive when discovered lying in a pool of blood near the empty cash register, and, after lingering in a comatose state all day, died early this evening. Indications lead the authorities to believe that Halliday was shot by a man or men who first robbed the register. Tom Gardner and Joe Neeler, known as "Indian Joe," have been arrested on suspicion.

Halliday was on duty alone in the restaurant last night. Shortly before 6 o'clock this morning shots were heard by persons on the street and an investigation led to the discovery of the cook lying upon the floor of the eating place, with blood flowing freely from two holes in the back of his head. Near him lay a 32-caliber, long Colt's revolver. Halliday was unconscious and did not rally sufficiently during the day to tell anything about the affair.

Investigation by the authorities disclosed the fact that the cash till had been looted of about \$20. And from patrons who had eaten in the place only a short time before the shooting occurred, it was learned that Halliday had changed some money for them, but had had difficulty in doing so because of lack of change in the till. This circumstance, coupled with the fact that the cook is known to have been out of the house several times during the night, leads to the theory that during his absence some one looted the till, then either returned and shot him or was surprised by him upon his return and shot him to insure escape. A possibility of suicide was suggested by the fact that Halliday was standing at the counter, near the register, just before the shooting, with his head buried in his hands, as though he were worried or sick. The presence of the revolver also tended to support this theory. But an examination of the wounds shows that it would have been almost impossible for the man to have shot himself the second time, both on account of the position of the wounds and their nature.

Strong evidence was discovered tending to show that "Indian Joe" robbed the cash register, and he and his companion were immediately taken into custody pending the outcome of further investigations by the county authorities. Halliday was about 42 years of age and was a member in good standing of the Phillipsburg Red Men.

WITNESSES NOT SURE. Special to The Daily Missoulian. Helena, Jan. 20.—It developed in the trial of George Frankhauser today in the federal court that while every witness put on by the government who met the man on trial and his partner McDonald, and was positive in his identification of the latter from a photograph, a number were not positive about Frankhauser.

POPE ISIO REPRIEVED. Manila, Jan. 20.—Pope Isio, the leader of a band of fanatical, ladrones which long dominated a large section of the country, who was sentenced to be hanged, has been reprieved by Governor General Smith. He was convicted of murder and larceny, but because of his having surrendered, the officers sent to effect his capture suggested a commutation of his sentence.

ADDITIONAL FUNDS FOR MISSOULA BUILDING

Special to The Daily Missoulian. Washington, D. C., Jan. 20.—The senate committee on public buildings today reported favorably Dixon's bill, appropriating \$35,000 extra for the federal building at Missoula. This will permit the erection of a three-story building, which will afford the additional room necessary for the offices of Forestry district No. 1.

It is stated that this added story will not seriously delay the preparation of the plans for Missoula's new building, but that this part of the work will be pushed forward as fast as the facilities of the department will permit. It is regarded as probable that the bill will be included in the business to be concluded at this session, although there is a great amount of business that is being pressed for consideration and the time is short. The only radical change that the added cost will make in the arrangement of the building will be the construction of one story more than was at first expected. The demands of the forestry district for room in the federal building have made necessary this extra room and there has been little opposition to the measure since its purpose has been understood.

SPECULATION IS RIFE IN NEW YORK

FEDERAL ACTION IN PANAMA CANAL SCANDAL MATTER CAUSES DISCUSSION.

New York, Jan. 20.—Speculation as to what action District Attorney Jerome has decided to take in connection with the libel proceedings instituted by the federal authorities against the New York World was in no way lessened today by the admission by that official that he had decided to present the matter to a special grand jury. Among lawyers, who had given particular attention to United States law, there is a growing belief that prosecution of the individuals responsible for the publication of the alleged libelous matter is to be based upon an ancient section of the federal statutes which empowers the federal authorities to proceed in criminal prosecutions under state laws where the alleged overt act has been committed on land ceded by the state to the United States for use as federal reservation. In this instance, it is understood, the overt act charged would be the mailing of copies of the World containing the alleged libel to a government reservation, such as Governor's Island or West Point. The summoning of two of the World's mailing room clerks before the federal grand jury yesterday would seem to lend color to this view.

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LEAVES FOR TURIN. London, Jan. 20.—The Duke of the Abruzzi, who has been in London purchasing an outfit for his Himalaya expedition, left today for Turin. The Italian embassy today denied a story that the duke intended to renounce his title in order to marry Miss Elkins.

ANTI-JAP MEASURES TEMPORARILY SHELVED

CALIFORNIA ASSEMBLY VOTES TO DEFER CONSIDERATION FOR ONE WEEK.

Sacramento, Cal., Jan. 20.—Consideration of the bills denying Japanese the right to own land or to be directors of corporations was delayed for one week by the assembly this morning upon the request of President Roosevelt and Governor Gillette. When these matters came up on a special order, Preston of Mendocino county offered a resolution requiring the president to furnish the legislature with all documents and data in possession of the federal authorities bearing upon the Japanese situation. This was declared to be out of order. Then Mr. Drew moved that the bill denying Japanese the right to own land be made a special order for a week from today.

Grove L. Johnson, author of the directors bill, opposed postponement in an impassioned speech, declaring that the request of the president for delay meant nothing to the legislature, as the governor had not seen fit to transmit to the assembly a special message and no such request was before the house. He said that the Japanese were increasing in numbers instead of decreasing as stated by President Roosevelt and that it was urgent demand all over the state for action be once.

Drew, who introduced the land bill, said that he was as anxious as any to have action on the bill, but he favored a delay of one week. On roll call the motion was carried, 43 to 34. Johnson's bill was then put over, without roll call to the same date. The assembly disposed of the controversy over the anti-race track bills, re-referring them to a committee by voting down a motion to reconsider the vote of yesterday.

Butler offered an amendment to the Walker-Otis measure, incorporating in it Martinelli's poolroom bill already introduced in both houses. He stated his belief that under the Otis bill prosecutions would be impossible because pools are sold frequently on races run in foreign countries or other states and it would be difficult to get witnesses as to the actual running of races.

Deep Concern. Washington, Jan. 20.—While such assurance was having come from representative Pacific coast men regarding the improbability of any legislation in California adverse to the Japanese have undoubtedly done much to relieve the apprehension that exists in administrative circles, it is a fact that deepest concern exists as to the future. Nothing that has happened recently in congress or elsewhere has so absorbed the attention of the president and of Secretary Root as the threatened Japanese legislation in California. It was impossible for the president in his letter to Governor Gillette to tell all of the reasons that influenced him to making his unprecedented protest against such action by the California legislature.

There are factors which, for diplomatic reasons, could not be mentioned in a letter which was sure to be published, but which are well known to the members of the senate and house committee on foreign affairs and which doubtless influenced conservative Pacific coast men in congress in deprecating such action as was proposed.

BOY IS LOST. Special to The Daily Missoulian. Wallace, Jan. 20.—Dan Sweeney, 17 years of age, is being sought by his mother, Mrs. Tom Sweeney, who thinks he has been lured away from home by evil companions. Mrs. Sweeney thinks her son has gone to Missoula and is about to invoke the aid of Missoula county authorities in finding him. He is 5 feet 8 inches in height and weighs 140 pounds.

TRADE AFFAIRS NORRIS SENDS ARE BANQUET TOPICS A SPECIAL MESSAGE

DISTINGUISHED MEN DISCUSS IMPORTANT MATTERS OVER FESTIVAL TABLE.

THE PRESIDENT RECEIVES

Chief Executive Grooms Members of National Board of Trade at the White House in the Afternoon and Brilliant Function is Held in Evening—Orient Important Field.

Washington, Jan. 20.—The National Board of Trade was received at the White House this afternoon by President Roosevelt. The annual banquet was given tonight and the speakers included Sir Charles Ross of Canada, on "Canada and the United States"; Senor Quesada, the Cuban minister, on "Cuba and the United States"; Francis B. Loomis, American commissioner general to the Tokio exposition; John Barrett, director of the bureau of American republics, and O. E. Austin, chief of the bureau of statistics. That there is no doubt regarding the sincerity of the entertainments given by Japan in honor of the battleship fleet was stated by Mr. Loomis.

"Not only the government," said Mr. Loomis, "but the people took pains to show, in a memorable and convincing way, that their historic liking for the American people was in no wise impaired by the often grave and embarrassing pressure of new conditions."

Mr. Loomis declared that he knew of no more practical method of increasing America's trade with the orient than to bring oriental buyers to these markets.

It was, he said, the duty of commercial organizations of the United States to support the government in its endeavor to secure just treatment for the Japanese and just consideration for the interests of this country. The Japanese, he added, were doing all they could to remove causes of disagreement, while the United States had met them cordially and was doing all it could to maintain fair and harmonious relations.

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STORM STILL RAGES IN CALIFORNIA

THE FLOOD IN THE SACRAMENTO RIVER HAS PASSED THE DANGER POINT.

San Francisco, Jan. 20.—It is still raining in the northern section of Sacramento valley, but from the fact that there is practically no snow in the mountains, it is not expected the downpour will have any perceptible effect on the river. The down-river islands are reported safe. The danger point has passed and the Sacramento river is falling. All of the levees stood the test. From the San Joaquin valley comes the report that the Venice island levees went out and that the island is flooded.

Railroad traffic will be resumed on the regular schedules by tomorrow. The break in the roadbed of the Southern Pacific between this city and Sacramento will be repaired today and trains will be run over the line tomorrow. Eastern trains are running practically without delay.

COUNCIL OF FINE ARTS. Washington, Jan. 20.—President Roosevelt today created a council of fine arts and directed that hereafter the heads of legislative departments, bureaus and commissions, before any plans are formulated for public buildings or grounds, or for the location or erection of any state buildings must submit the matter to the council and follow their advise unless for good and sufficient reason the president directs otherwise.

VETO NOT SUSTAINED. Nashville, Tenn., Jan. 20.—The senate today refused to sustain the governor's veto on the prohibition bill by a vote of 20 to 13. The passage of the bill caused a wild demonstration.

URGES ECONOMY IN MATTER OF APPROPRIATIONS FOR SPECIAL PURPOSES.

EXPENSES ARE ESTIMATED

Donlan's Bill Providing for the Addition of Two Wings to the Capitol Building is Favorably Acted Upon—Measure Presented Providing Money for Exhibit at Seattle.

Special to The Daily Missoulian. Helena, Jan. 20.—A special message which Governor Norris sent to the assembly today is calculated to make those members who came to Helena with large ideas of appropriations for special purposes take another thought before they act. According to the estimates of the chief executive, after the legislature has made the necessary appropriations for running the state for the coming two years there will be just \$25,000 to devote to other things. In his calculations the governor takes into consideration the income from the land grants of the educational institutions for the next two years, which has not heretofore been available, and to make which become available the legislature will have to enact laws. These sources of income will relieve the general fund of about \$50,000 each year, which now comes out of it.

In arriving at his conclusion the governor estimates the revenue for 1909 at \$1,263,000 and the expenditures for the same year at \$1,208,880. For 1910 he says the revenue will be \$1,013,000 and the expenditures \$1,041,500. In reaching this estimate for 1910 he assumes that the assessed valuation of the property in the state in that year will pass the \$300,000,000 mark when, under the constitution, the tax rate for state purposes will drop from 2 1/2 to 1 1/2 mills. This means, if the governor is right, that the income of the state from taxes in 1910 will be \$260,000 less than in 1909.

By departments the expenses are tabulated as follows: Department—1909 1910 Executive.....\$304,580 \$312,950 Judicial.....121,300 121,200 State Institutions.....581,950 600,550 Miscellaneous.....77,700 1,800 Legislation.....80,000 1,000 Special.....44,350 5,000

The Income. 1909 1910 Taxes.....\$725,000 \$465,000 Licenses.....300,000 305,000 Fees.....160,000 165,000 Inheritance Tax.....15,000 15,000 Miscellaneous.....12,500 12,500 Land Grant Funds.....60,500 60,500

Meyer's anti-pass bill was killed in the senate today on an adverse committee report, the vote standing 12 to 13, but that does not indicate such a bill will not be enacted. Meyer's bill provided that the only exemptions should be railway employees. Everett, chairman of the committee which adversely reported the bill, said he did not favor it because it was too drastic, and after he had voted against the Meyer bill he introduced one which allows the same exemptions as the national law.

Senator got a favorable report from the committee on his bill providing for the addition of two wings to the state capitol. This bill makes an appropriation of \$200,000 for the purpose, but the money is to be derived from the sale of bonds based on the capitol land grant.

Favorable Report. There was also a favorable report on the bill aggregating Teton county from the Eleventh judicial district and annexing it to the Eighth and Sanders' bill providing for the installation of electric headlights on all locomotive engines was also favorably reported.

In committee of the whole, with Rao in the chair, the senate acted favorably on the following bills: Exempting mortgages on real property from taxation; authorizing county commissioners to offer rewards in criminal cases; amending the law relating to the disqualification of judges; providing that the interest on city and county funds deposited in banks be paid to the municipality of the county.

Senate Bill No. 11, authorizing cooperative companies to increase the par value of stock to \$5,000, was read the third time and passed.

In the House. In the house, Mitchell of Deer Lodge, who was the author of the resolution for the investigation of the state land business, and a member of the committee, asked to be excused from the session, and the request was granted. Six bills met their death in the house on committee reports. They were: Relating to contracts for the care of the poor. To secure a lien to mechanics, laborers, horsehoers and others. Relating to penalty for statutory offenses. Relating to jury lists. Providing that notice shall be given by the judge of the time and place at which hearing will be held to adjudge persons insane and incompetent. Relating to commencement of actions to set aside sales of property for delinquent taxes.

The following bills were favorably reported: Authorizing counties to construct and operate ferries; to amend the law relating to contracts by county commissioners for the care of the poor; relating to proceedings for the recovery of property.

(Continued on Page Four.)