

THE WHIPPING POST BILL IS PASSED BY THE HOUSE

Despite Strong Opposition Measure Receives Safe Majority and Women Applaud.

ACT PROVIDES SEVERE PENALTY FOR WIFE BEATERS

Also Prescribes Lashing for "Secretaries"—Adverse Action on Miscegenation Bill is Reconsidered—Legislators Leave This Morning for Missoula to Attend the University Exercises.

Special to The Daily Missoulian.

Helena, Feb. 18.—There will be but few members of the legislature but will attend the Charter day exercises at the University of Montana. Both branches today adopted a concurrent resolution providing that when the legislature adjourns it will be until Tuesday afternoon. The members will leave here in the morning for Missoula and some of them expect to remain in the Garden city over Sunday.

There were things doing in the house today. It began this morning by the passing of the whipping post bill by a substantial majority and later the house reconsidered its action in killing the Muffley miscegenation bill and sent it to general orders, where it was amended so as to make legal in this state marriages contracted elsewhere contrary to its provisions, but where persons leave this state to be married and return their marriage is not valid.

The whipping post bill saw the most bitter contest. Duncan opposed the bill upon the ground that the children of the wife beater would be dishonored by the whipping administered to their parents. Pierson opposed it upon the ground that a man with having beat on her and that the sympathy of the mob would immediately go out to her and that the man would be whipped, guilty or not. Norton opposed it upon the ground that it was an appeal to the galleries and that it was time to stop amending all of the laws of Montana.

Women Applaud. The final vote was 34 to 25. When the vote was announced and the bill was declared passed, the women in the galleries clapped, the applauding being led by the wife of one of the members who had spoken vigorously against the passage of the bill. When Kilgallon's name was called he explained that he had asked his wife how she should vote and she told him to vote "yes" and he would follow her advice.

The bill goes farther than to prohibit woman beating. It provides that vagrants, men who live on the earnings of fallen women, shall, upon conviction, in addition to the punishment now provided by law, be given not less than 10 nor more than 30 lashes after the removal of the outer clothing.

In committee of the whole this afternoon the house, after a long fight, recommended for passage the Berkin bill authorizing the use of slot machines. The motion was made to reconsider and the contest will be fought over again when this comes up.

Alien Bill Blocked. The committee on military affairs reported unfavorably the Norton bill providing for the segregation of Mongolians and the report was adopted. On an adverse committee report the bill relating to the power of boards of county commissioners to report bids for the care of the county poor was killed.

On motion of Arnett the bill creating Shaw county from eastern part of Valley, which was unfavorably reported, was ordered printed and placed on general orders; like action was taken on the bill creating the county of Ferguson, Sweetgrass and Yellowstone, on motion of Burke, and the same action was taken on the bill to prevent fraud by mining companies and others engaged in mining. All of these bills had been unfavorably reported. Later, on motion of Berkin, the action placing the bill to create Musselshell county on general orders was reconsidered and the bill was again killed.

Bills Presented. The following bills were introduced: No. 346, by Woody—Authorizing the state board of examiners to issue bonds for the redemption of outstanding bonds to an amount not in excess of \$100,000 as provided for by a previous legislative act. This bill is to permit of the taking up of the outstanding educational bonds which the supreme court of the United States declared unconstitutional.

poses of rate regulation by a commission of courts. No. 356, by Berkin—Amending the King anti-depot room law; referred to committee on affairs of cities.

No. 357, by Berkin—Relating to the issuance of game licenses by justices of the peace. No. 358, by Whaley—Regulating the manufacture and sale of butter in Montana.

No. 359, by committee on banks and banking—Relating to the creation of surplus funds. No. 360, by committee on insurance—To permit surety companies to do business in Montana and to regulate their methods.

The following notices of bills were given. By Gray—Relating to fees of justices of the peace, also placing all highways and bridges in counties of the first class under the supervision of the county surveyor, defining his powers, duties and compensation and abolishing the office of road supervisor in counties of the first class. By Coll—To create the county of Independence from portions of Deer Lodge, Gallatin and Silver Bow.

The house had a night session which was devoted to the third reading of bills. The bills passing the house today follow: No. 127, by Gray—Requiring the head physician of the state insane asylum to make quarterly reports to the district court judges showing the condition of the inmates.

No. 88, by Burke—Requiring all sheriffs to make semi-annual visits of inspection to all places required to have licenses. No. 23, by Whaley—Relating to the impounding of grand juries.

No. 110, by Burke—Relating to licenses, their printing and preparations. The purpose of the bill is to keep a check on county officers and to prevent misappropriation of money. No. 87, by Meyer—Relating to the teaching about contagious diseases in the public schools of the state.

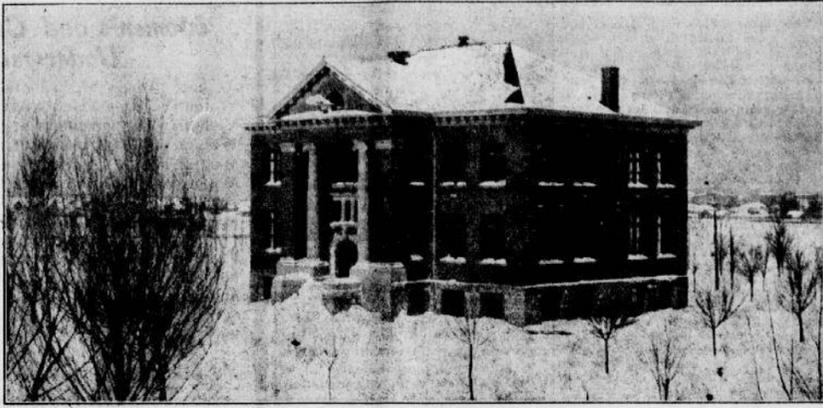
In the Senate. The senate, in addition to acting on a large number of committee reports and on bills in committee of the whole, also passed several on third reading. The only unfavorable committee report was on S. B. No. 114, which provided for the compensation of officers of horse killed by order of the state veterinarian, the bill for the relief of Gallatin county people, and it was reported with the recommendation that it do not pass and the report was adopted. Upon third reading the following bills were favorably acted upon.

S. B. No. 90—Relating to cemetery associations. S. B. No. 91—Relating to settlement of state bonds. S. B. No. 92—Relating to the report of the state treasurer. S. B. No. 105—Registration of births and deaths. S. B. No. 95—Relating to inquests at the cemetery.

S. B. No. 109—Relating to admission of children to the deaf and dumb asylum. S. B. No. 49—Relating to tax deeds. S. B. No. 111—Relating to rewards for criminals. H. B. No. 65—Relating to public ferries. Substitute for H. B. No. 113—Relating to the compensation for legislators.

The following bills were introduced: Senate Bill No. 118, by Donlan—Providing for the annual vaccination of teachers and pupils of the public schools at the expense of the county. Senate Bill No. 119, by Albright—Providing for an additional judge in the Fifth judicial district. Senate Bill No. 120, by Kessler—Relating to the number of deputy sheriffs. The committee on privileges and elections gave notice of the introduction of a primary bill.

NEW UNIVERSITY LIBRARY



The celebration of Charter day at the state university today will be doubly important, for in addition to being the anniversary of the establishment of the school the day will be marked by the dedication of the new library building, which is to be turned over to the state by the building commission this afternoon. It was nearly two years ago that through the efforts of Dr. Craig, who was then president of the university, the legislature passed a bill appropriating \$50,000 for the construction of a library building. Work was begun in the early part of last year, and today the finished structure is to be handed over formally to the state. The library as it stands today is probably the best of its kind in the state, and it should be a lasting credit to the school for which it was built and to the men who built it.

and is built of pressed brick and granite, in the classic style to agree with the other buildings of the school. It faces to the south, and the doorway, which is supported by a pair of massive sandstone pillars, is led up to by a long flight of granite steps. The entrance leads to a big main hall, which is directly in front of the curved desk of the library proper, and from which also rise the stairs leading to the class rooms on the second floor. The first floor is divided into two big reading rooms and the stack room, which is separated from the rest of the room by a long desk. A pair of marble-based pillars help to make the reading rooms, which are located on either side of the desk, separate from the rest of the room. A big fireplace is in each of the reading rooms, and the corners are decorated with cast plaster.

The second floor is divided into four class rooms, each of which is provided with an office for the instructor and where the classes of the library department will meet. The basement consists of a single large, well-lighted room extending the entire length of the building, which will be used as a museum. The floors all over the building and the woodwork on the third floor are of hardwood, and all of the finishings are of the best materials. The building will round out the appearance of the campus remarkably, especially to those who see it from the train as they enter the city, and gives the school a much better appearance from all points of view.

MR. TOOLE DEFENDS STATE LAND BOARD

FORMER GOVERNOR SAYS BODY SOUGHT TO ACT TO BEST INTERESTS OF STATE.

Special to The Daily Missoulian. Helena, Feb. 18.—The legislative inquiry into the state land business was practically concluded today. Secretary of State Yoder testified as to transactions in connection with the sale of the Flathead timber lands along the same lines that were covered in a statement from Governor Toole, which were read to the board. Henry Nellis, state land agent, testified in regard to the estimates made on the lands, and Edward Diekey of Kalspell was questioned about an interview published in Kalspell, in which the work of the legislative investigating committee was brought into question. In the statement by Governor Toole, the former chief executive went into all of the details, and said that the rumors which have been inventions, pure and simple. Among other things Governor Toole said:

"Nothing has transpired to shake my judgment in the wisdom of those transactions. The prices obtained were far in excess of the estimate of a high-class inspector who spent months in the field estimating these particular properties under express instructions, given in writing. The transactions were large and likely to attract public attention, and to avoid, as we thought, possible criticism, on account of their magnitude, the prices made for these timber lands were arbitrarily increased \$40,000 or \$50,000, as I recollect it, over the timber agent's estimates. "These are the facts, and if the board is to be subject to censure, let it be set down to its credit that it at least thought it was serving the state well, and uninfluenced by any other consideration than a desire to do its whole duty to the state of Montana. For myself, I felt sure that we complied with the spirit, if not the letter, of the law."

HAS NARROW ESCAPE.

Victoria, B. C., Feb. 18.—The steamer Otter had a narrow escape from being driven ashore at Ten-mile Point last night. She was bound to Ladysmith with a scow. The line became entangled around the propeller and the steamer drifted before the wind.

SYLVESTER NUMIJARVI IS KILLED BY TRAIN

Special to The Daily Missoulian. Wallace, Feb. 18.—Sylvester Numijarvi, a logging contractor, was killed at 9 o'clock tonight near Enaville by an Idaho Northern passenger train. He is supposed to have been walking on the track while intoxicated. He was a Finn, and with his brother, Ben Numijarvi, had a contract with the Idaho Northern. He was 35 years old and single. The body was brought to Wallace tonight.

WILL SIGN BILL TODAY.

Sacramento, Cal., Feb. 18.—Governor Gillett will sign the Walker-Otis anti-race track gambling bill tomorrow morning. The bill becomes operative 60 days after the governor's signature is attached. This means that the Emeryville and Santa Ana tracks will not be able to finish their present season as scheduled.

PEOPLE OF VICTOR MAKE EARNEST PROTEST

Special to The Daily Missoulian. Victor, Feb. 18.—There was a mass meeting held here tonight to protest against the passage of Senate Bill No. 18. The attendance was large and the discussion was earnest. It was decided to send four "Victor" representatives to Helena Monday with the others of the Bitter Root who will make the journey to the capital to present the Bitter Root's protest against the measure. These men will be selected between now and Monday. The meeting tonight adopted the following resolution: Resolved, That C. M. Crutchfield and Clay Groff, representatives of Ravalli county in the legislature of Montana, be requested to use every effort to defeat Senate Bill No. 18, as it is detrimental to the best interests of the valley. Similar meetings were held tonight at Corvallis, Stevensville and Grantdale and it is expected that the delegation to Helena Monday will number 40.

PREPARING TO SUE COMMISSIONERS

FARMERS OF FLATHEAD CLAIM TAXES WERE ILLEGALLY REFUNDED TO BIG COMPANIES.

Special to The Daily Missoulian. Kalspell, Feb. 18.—The first steps have been taken towards the bringing of suit against certain members of the board of commissioners to recover \$3,000 alleged to have been illegally refunded to the Big Buffalo Milling company and the Julius Nellis company at the time they paid their taxes last fall.

The contemplated suit became known here today when ex-County Assessor C. H. Moody arrived in town with a petition signed by numerous residents of the farming district east of the Flathead reserve. This petition obligates the signers to pay their share of the expense of employing two capable attorneys to fight the case in court. The suit is to be brought against Commissioners Harlmar, Lewis and R. W. Main. J. E. White, the other member of the board, voted against the refund. Attorney C. H. Grubb and Sidney M. Logan have been retained by the petitioners to fight the case. The petitioners pray for \$3,000 and costs.

MAY PURCHASE STOCK.

Chicago, Feb. 18.—To William Chalmers, receiver for A. Booth & Co., \$10 day was granted by Judge Kohlsaat authority to purchase for not more than \$10,000 the remaining stock of the Chlopek Fish company of Seattle, Wash. During the year ending April, 1908, it was asserted, the product of halibut by the Chlopek company was 5,336,000 pounds, of which almost 4,000,000 were sold by A. Booth & Co. Previously the Booth company had purchased \$51,400 worth of stock.

COMMUNICATES WITH HAWAII.

Los Angeles, Cal., Feb. 18.—Los Angeles was in wireless communication with the Hawaiian Islands last night for the first time. The distance between the two points is about 2,200 miles. The messages exchanged were in relation to the movement of vessels on the coast.

WORLD-WIDE CONFERENCE DESIRED

ROOSEVELT WOULD HAVE ALL NATIONS JOIN IN GREAT CONSERVATION CONGRESS.

WOULD SAVE RESOURCES

North American Organization Begins Series of Sessions in Washington, D. C., and is Addressed on Important Question Before It by the Chief Executive—Pinchot Chosen President.

Washington, Feb. 18.—Conservation co-operation of world-wide scope was the keynote of an address of President Roosevelt, made at the White House today before the delegates in attendance upon the North American Conservation commission. This sentiment, which was first voiced by the president, gathered considerable momentum during the day's proceedings, and was reflected in addresses of those who participated.

President Roosevelt, after the session opened, expressed the hope to Secretary of State Bacon that a universal conservation congress, in which all nations shall be invited to participate, should become a reality in the not distant future.

The president, after extending a hearty welcome, said: "This conference represents one of the many steps that have been taken of recent years looking towards a harmonious co-operation between the nations of the earth for the common advancement of all."

"In international relations the great feature of the growth of the last century has been the gradual recognition of the fact that instead of its being normally to the interest of one nation to see another depressed, it is normally to the interest of each nation to see the others elevated. Fundamentally, it is the same with nations as it is with individuals. "In commercial relations the trade of one nation is greatest not with the poor and backward, but with the rich and progressive nation."

A Step Forward.

"The movement that you gentlemen are beginning, of national co-operation for the conservation of a national and international resource, marks another stage in the advance along these lines. Each nation will be left absolutely free, of course, to exercise its own wisdom in doing with the things that concern itself, but I know of no nation, or no individual, that cannot profit by the wisdom of others. "In addition, the opportunity will be given to all of us to join together in doing the work that can best be done in union, by all or some of us, as compared with doing it each one separately. With nations whose boundaries march along a great extent of land frontier, as with Canada, the United States and Mexico, there are necessarily large tracts of land in which the welfare of the people depends upon the action not only of that country, but of the neighboring countries. This, of course, is especially true where our streams are concerned. You cannot cut down the forests on the headwaters of an international stream without having it hurt both nations."

Question of Time.

Secretary Wilson declared it was only a question of time when, through the efforts of experts of his department, the cotton boll weevil, which has been destructive of the cotton industry, and the cattle tick, will be entirely eradicated. The experiments in the cotton states, the secretary said, would also benefit Mexico.

Canada, said Commissioner Sydney Fisher, has watched with the closest attention the conservation movement in the United States.

Romulo Escobas, one of the Mexican commissioners, declared the conservation movement would find no boundary line, but eventually would prevail in all countries. A dark picture of the alleged wanton destruction of American forests was painted by Senator Smoot of Utah.

CHANCE FOR SUCCESS.

San Francisco, Feb. 18.—A number of local shippers gathered today to hear the report of H. S. Bates, who was recently sent out to gather information regarding the practicability of the organization of an independent steamship line to compete with the Pacific Mail company between this port and the Pacific end of the Panama railroad. Bates' most interesting statement was that R. E. Baker, formerly president of the Atlantic Steamship company, had determined to enter into competition with the Pacific Mail and would gladly head the independent enterprise.

OFFICERS RE-ELECTED.

New York, Feb. 18.—All the old officers were re-elected and all the standing committees were reappointed at the annual meeting of the directors of the Equitable Life Assurance society here today. The report of President Paul Morton for 1908 showed that the new insurance paid during the year amounted to \$91,567,101, as against \$73,279,540 in 1907, notwithstanding this increase in business the expense of the management was nearly \$100,000 less than in 1907.

ACRID DEBATE ON POSTAL BILL

SENATOR PENROSE BITTERLY ARRAINS LA FOLLETTE IN SENSATIONAL SPEECH.

SCENE IS ALMOST TRAGIC

Wisconsin Man's Reference to Tactics Employed in Handling Appropriation Bills Draws Fire from Pennsylvania Statesman—Former Stands and Listens to Scathing Criticism.

Washington, Feb. 18.—An acrid debate of words took place in the senate today between Mr. La Follette, who was criticizing methods of that body in the handling of appropriation bills, and Mr. Penrose, chairman of the committee on postoffices and post-roads, who was in charge of the post-office bill. The colloquy was rendered almost tragic by the angry tones and fiery attitude assumed by the senator from Pennsylvania as he denounced the senator from Wisconsin, who stood quietly at his place on the left side of the chamber, staring back at his big antagonist.

The day had begun by Mr. La Follette asking that the postoffice bill be allowed to go over until tomorrow, as it had just been reported from the committee, and he had no time to examine it. Mr. Penrose had resisted this request, saying he would explain all amendments that had been suggested by his committee. Mr. Penrose had moved that the bill be taken up and it was laid before the senate, the senator from Wisconsin demanding the full reading of the text of the bill. Later Mr. La Follette severely arraigned the senate for permitting legislation to accumulate until the last four days of the session, when, he declared, important bills were rushed through with little or no time for senators to understand them.

"My observation is that these appropriation bills get here about as late for the long session, they do for the short session," said Mr. La Follette. Part of System. "It seems to be part of the system that those most important legislative acts shall have little consideration."

He charged that important legislation was placed on these measures and passed when it could not pass as a separate bill. He said also that the salary increase for the judiciary, for the legislative offices and for the vice president and for the speaker of the houses had been put through in that way, and insisted that committees unduly delayed bills which might be reported earlier so that the senate would have more opportunity to study and understand them. He declared he hoped the tariff bill would not be put through "on a greased runway."

"I don't see," he continued, "that it would be calamity to the country if the discussion of these bills should carry some of them over to an extra session. I know that if appropriation bills are disposed of at this time there will not be any reorganization of committees at this time, and various important legislation outside of appropriation bills ought to go over until another session of congress."

Heard It Before.

Senator Penrose interrupted to ask the senator from Wisconsin "Whether he was delivering his regular lecture," adding that he thought he had heard it all before.

Mr. La Follette replied that observations of that sort would not promote the passage of the bill. He chided the senate with having put off interstate commerce legislation for nine years, and having delayed the pure food law for 17 years by applying the same methods against which he was contending.

At this point Mr. Penrose arose and with violent anger, and glaring across the chamber at the straight form of the senator from Wisconsin, said: "Makes a Charge."

"I shall not sit silent in my seat when misstatements are made, or clap-trap statesmanship is attempted here. I charge that the senator from Wisconsin had been on the committee on census, and during his service on that committee had failed to attend a single meeting of it. I make that charge without any fear of contradiction. He is on the committee on claims, and has only attended its meetings once or twice in all his service, and that attendance was only to bring up some trivial claim. I make this statement without fear of contradiction that he is on the committee on pensions, which has one of the largest appropriation bills pending before congress every year, and has hardly ever been present at its meetings, according to the unanimous testimony of all of his colleagues on that committee. He is on the important committee on Indian affairs, which every year carries an important appropriation bill, and he has seldom or never rendered any service on it."

"And he has been in the senate during two years," interrupted Senator Gallinger.

No Greater Record.

"There is no senator," continued Mr. Penrose, "who has a greater record for absenteeism than he. It ill becomes him to criticize these committees. When he is here it is only to delay the business of the senate, to hold up the transaction of public business and to embarrass those who, under their oaths of office and in the conscientious discharge of their duties (Continued on Page Four.)