

# GOVERNOR NORRIS SIGNS GLACIER PARK MEASURE

## Resolution Asking Congress to Pass Bill Creating National Play Ground, Is Approved.

### THE LOWER HOUSE HOLDS A BUSY NIGHT SESSION

#### Members Fail to Arrive for Day Meeting Because of Train Delays and Adjournment Is Taken—Governor Puts Signature on Bill Attaching Teton to Cascade Judicial District.

Special to The Daily Missoulian.  
Helena, Feb. 23.—Governor Norris this afternoon attached his signature to senate concurrent resolution No. 2, which asks congress to pass the bill creating Glacier National park. The executive also notified the senate that he had signed Senate Bill No. 32, which attaches Teton to Cascade county for judicial purposes. The house did not transact any business this afternoon, owing to the non-arrival of many members. The change in time on the Great Northern delayed those from southern Montana and after convening at 2:30 a recess was taken until 8 o'clock tonight.

On third reading the following bills were passed:  
S. B. No. 63—Relating to the practice of dentistry.  
S. B. No. 112—Filing fees for water users' associations.  
S. B. No. 85—Regulation of telephone rates.  
Substitute for House Bills 24 and 32—The fish and game bill.  
H. B. No. 118—Relating to contracts by school trustees.  
H. B. No. 107—To pay bounty claim.  
H. B. No. 115—Licenses public accountants.  
H. B. No. 140—Making appropriation for railroad commission.  
H. B. No. 156—To pay deficiencies of University of Montana.  
H. B. No. 87—For the payment of bounty claims.

In the house.  
The house today refused to transact business without the presence of the Silver Bow and Deer Lodge delegations and as they were not on hand when the house was called to order this afternoon, a recess was taken until 8 o'clock. Six bills were passed on third reading and five were favorably recommended in committee of the whole, among them being one by Elliot, prohibiting the dispensing of liquors in clubs or societies of towns of less than 300 population. This bill had been killed and was then resurrected. Christler gave notice of a bill relating to the publicity of campaign funds and another prescribing penalties for men living off the earnings of fallen women.

These bills were introduced:  
H. B. No. 372, by Derry—Placing highways and bridges in counties of the first class under the supervision of the county surveyor and abolishing the office of road supervisor.  
H. B. No. 473, by Woody—Providing for the taxation of mortgages on personal property.

On third reading these bills were passed tonight:  
Necessary Expenses.  
H. B. No. 91—To provide for the payment of the actual necessary expenses of judges when holding court in other than their own districts.  
H. B. No. 94—Relating to the dismissal of appeals from the supreme court.  
H. B. No. 218—To make the jurisdiction of notaries public co-existent with the boundaries of the state.  
H. B. No. 226—Relating to the adoption of children from any orphan's home or asylum.  
H. B. No. 222—Providing for the appointment by the state board of examiners of a state accountant to examine the books and financial statute of all state institutions.

Bills Introduced.  
S. B. No. 121, by Annin—Relating to salary of deputies.  
S. B. No. 122, by committee on privileges and elections—Relating to primary elections.  
S. B. No. 123, by railroad committee—Relating to livestock shipments.  
Senate concurrent resolution No. 7, by Long—Relating to creation of new postal districts.

# IMPORTANT OPINIONS HANDLED DOWN

## SUPREME COURT OF THE STATE RENDERS DECISIONS IN TWO CASES ON APPEAL.

Special to The Daily Missoulian.  
Helena, Feb. 23.—Two opinions were handed down by the supreme court today in which principles of law were enunciated for the first time in the Treasure state. The essence of these is that a city under its police powers has the right to impose an occupation tax, and the other that a storekeeper must keep his premises safe.

Chief Justice Brantly handed down the opinion of the court in the Custer county personal injury suit of Montague against Hanson, in which the defendant is the appellant. Hanson is a storekeeper at Fallon, Montague visited his place as a customer and fell down a cellarway, suffering personal injury, for which he brought an action for damages. He was awarded damages, and this judgment is affirmed on the board principle laid down that the defendant was guilty of negligence in not notifying Montague of the existence of the trap door.

R. R. Johnson must pay the occupation tax imposed under the provisions of an ordinance passed by the city council of Great Falls. The city was the appellant, and in the opinion prepared by Associate Justice Holloway, the supreme court holds that it had a right to so enact and enforce payment of an occupation tax under its police powers.

### WRECKED BY TORNADO.

Marked Tree, Ark., Feb. 23.—Six persons were killed, more than a score were injured, several seriously, and practically every building in the town of Fisher was wrecked by a tornado today. Wires are down and the information came by messenger. Because of the flooded condition, a relief party which started from Marked Tree was forced to turn back.

### REFUSES TO SEE HIM.

Washington, Feb. 23.—M. M. Mangasarian of Chicago, who came as a delegate from the Independent Religious society to see the president and present the resolutions in behalf of Thomas Paine, called at the White House today to see the president. He was told that the president would not give him an interview.

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Special to The Daily Missoulian.  
Wallace, Feb. 23.—After paying Louis Hultman \$500 for his rights to a homestead claim on the North Fork, in the Cheeur d'Alene forest reserve, George Moss has been ejected from the property by government officials. Moss is one of many victims of ignorance concerning the relations of the reserve and has no legal recourse to recover the money he paid in good faith. Hultman filed on the homestead before the forest reserve was created.

### WOMEN ESCAPE DEATH.

Manhattan, Nev., Feb. 23.—The roof on Morasci building collapsed today from the weight of snow. Tony Sofarni was killed. The building had been used recently by the ladies of the Catholic church for Sunday school purposes and for social meetings. Had the roof fallen 10 minutes earlier about 50 women would have been killed or injured, as a meeting of the ladies had just adjourned.

### INDEPENDENTS LOSE SUIT.

Washington, Feb. 23.—The case of Santos versus the Catholic church at Tambobong, in the province of Kizal, Philippine islands, involving the controversy between the independent Filipino church and the Roman Catholic church over the ownership and possession of the church edifice in Tambobong, was decided by the supreme court of the United States today against the Independents.

Special to The Daily Missoulian.  
Butte, Feb. 23.—The Helena Independent was today made a defendant in a \$20,000 suit for damages begun in the Silver Bow courts. Mrs. F. E. Miller is the plaintiff, and she alleges that the paper on Feb. 2, 1907, published a story which was false and defamatory.



SCENE IN PROPOSED GLACIER PARK.

# BOY IS CONVICTED OF HOLDING UP TRAIN

## SECOND OF LADS CHARGED WITH ROBBERY OF GREAT NORTH- ERN FOUND GUILTY.

Butte, Feb. 23.—A Miner special from Great Falls says:  
Less than four hours was required by the jury in the case of William Smith, alias Randall, the second juvenile train robber brought to trial in the district court, to reach a verdict, and at 8:45 o'clock tonight Smith was pronounced guilty as charged in the information, and punishment was left to be fixed by the court. Two of the four boys charged with connection with the robbery of the Shelby train have now been found guilty, and two more are yet to be tried.

Smith, when placed upon the stand in his own behalf, sought to impress the jury with the fact that he had nothing to do with the planning of the holdup; that he was intoxicated and was ignorant of the intentions of his companions until he was deeply intoxicated.  
Henry Rheams, the next boy to be tried, who faces a charge of first-degree murder, was called as a witness for Smith, and testified that the boys had been drinking on the afternoon and evening of the holdup. Rheams said that the four had four bottles of whiskey and two large pails of beer, which they imbibed that evening.

### GETS THIRTY YEARS.

San Francisco, Feb. 23.—Louis Schulz, poet, magazine writer and "gas pipe" thug, convicted of a murderous assault on Sig Burton, a jeweler, whose place he robbed, was sentenced by Superior Judge Cabanis today to 30 years' imprisonment in the state penitentiary at Folsom. The fact that two previous convictions were recorded against Schulz, accounts in part for the length of his sentence.

### SHELLS GO TO CALIFORNIA.

Ithaca, N. Y., Feb. 23.—Four Cornell eight-oared shells left Ithaca today on a long trip across the country to the University of California, where they are to be used. Two are entirely new, having been made during the last year by John Hoyle, all are of the finest make.

### FORBID CELEBRATION.

Kiev, Russia, Feb. 23.—The police have forbidden the celebration at the university of the centennial of Charles Darwin on the ground of religious objections to the Darwinian theory.

# JEALOUSY PROMPTS MURDER

## SAN FRANCISCO ENGINEER KILLS LANDLADY, A BOARDER, THEN HIMSELF.

San Francisco, Feb. 23.—Crazed by jealousy, William Hans, an engineer employed at the Ralston iron works, shot and killed Mrs. F. Woods, his landlady, and William Ludford, another lodger, tonight, and then fired a bullet into his brain after procuring a new pistol with which to end his life.  
Hans returned to the house tonight as Mrs. Woods was cooking supper and found Ludford with her. What occurred then is unknown, but in a few minutes Ludford ran out of the back door, with Hans in pursuit, pistol in hand. As Ludford endeavored to scale a fence Hans fired three times, one bullet penetrating the fleeing man's heart and both others taking effect.  
Returning to the kitchen Hans shot Mrs. Woods through the heart. He then turned his weapon on himself, but the last cartridge missed fired. He rushed out of the house, and hastening to the nearby store, purchased a new pistol, with which he ended his own life at the room of a friend several blocks away.  
Both Hans and Ludford had been paying attentions to Mrs. Woods, and jealousy led to the triple killing.

# TWO "HUMAN LETTERS" EXPRESSED TO ASQUITH

London, Feb. 23.—The "human letters" were dispatched to Premier Asquith this afternoon by the inventive militant suffragists, Mrs. Drummond and Miss Christobel Parkhurst, who sent the senders of this novel mail.  
Entering the Strand postoffice the two women inquired if it was possible to send two "human letters" by express. Upon being answered in the affirmative they brought in two of their colleagues, Mrs. McLellan and Miss Solomon and addressed them to the premier's residence, prepaid. The two women were at once dispatched in the care of a telegraph messenger. The servants at the premier's residence, however, refused to accept delivery of these suffragist mail and the police appeared and quickly cleared the women out of Downing street.

# STANDARD OIL CASE INTERRUPTED

## JUDGE SETS ASIDE JURY PANEL BECAUSE IT CONTAINED TOO MANY FARMERS.

Chicago, Feb. 23.—The re-trial of the Standard Oil company of Indiana was unexpectedly delayed today when Judge Anderson in the federal court quashed the panel of 150 jurymen because of the large proportion of farmers among those summoned. It was a "farmers' jury" which brought in the verdict making Judge Landis' fine of \$25,240,000 in the original case possible. Attorney John S. Miller of the defense, promptly reminded the court that the panel contained but three Chicagoans.

"It looks like design, or a strange coincidence," commented Judge Anderson. "I do not want to start in the hearing feeling that there is something not quite fair. I think this panel ought to be set aside. I will instruct the jury commissioners to put in 150 names of men, a good proportion of whom shall be good business men of Chicago and Cook county. This case is tried in a district composed of an enormous commercial city and several rural counties. The country may have purer air, higher moral standards and greater intelligence than the city, but that is an open question. However, I am not going outside of the issue when I say that if the jury were composed partly of business men who would realize the great industrial and commercial phase of the case, a more satisfactory and just verdict may be reached."

### FALLS TO HIS DEATH.

Pioche, Nev., Feb. 23.—Thomas W. Ford, brother-in-law to Superintendent Gaskill of the Nevada Consolidated, was instantly killed in the Day mine here by falling from the 700 to the 900-foot level. Ford, who was about 29 years of age, worked for the Ely Miles company and was well known.

### DESTROYED BY FIRE.

Winnipeg, Man., Feb. 23.—The Kelly hotel and other buildings at Estevan, Sask., were destroyed by fire today. Loss \$55,000.

# BEAT WEALTHY MAN AND LOOT HIS HOUSE

Trinidad, Colo., Feb. 23.—Two masked robbers forced an entrance into the home of S. I. Andusky, a wealthy resident of Raton, N. M., early today and after beating him into insensibility forced Mrs. Andusky to reveal the hiding place of money and jewels amounting to \$1,400. The robbers threatened Mrs. Andusky with instant death if she did not comply with their demands. After securing the plunder the robbers escaped.

# ENTOMBED WORKMEN FED THROUGH PIPE

## NINE MEN TRAPPED IN SEATTLE SEWER RECEIVE FOOD THROUGH TUBE.

Seattle, Feb. 23.—A cavein occurred this morning in the tunnel which is being driven for the Northern Trunk sewer, and buried beneath 700 tons of earth 11 men, two of whom were crushed to death while nine live, are entombed in the tunnel beyond the cavern. The dead:  
AUGUST STANGLE.  
DUNCAN ROBERTSON.

The entombed men are in a clear space in the tunnel 12 feet in diameter and 42 feet long. Communication was established with them by driving a 2-inch pipe through the fallen dirt with a battering ram. Electric light wires have been passed through the pipes and the men are provided with light. Food and water is furnished through the same source.  
The entombed men have no fear of a further cavein and seemed cheerful in their position. Their rescue probably will be effected tomorrow.

### STATE TO TAKE CHARGE.

Albany, N. Y., Feb. 23.—A plan to discontinue the proceedings for the appointment of receivers for the Washington Life Insurance company, and instead have the affairs of the company administered by the state insurance department pending determination in the courts of certain questions, was agreed upon at a conference here yesterday called at the suggestion of William Hotchkiss, state superintendent of insurance, with the co-operation of Attorney General Malley.

### STATEHOOD BILL CONSIDERED.

Washington, Feb. 23.—The second session of the state committee on territories to consider the New Mexico and Arizona statehood bill was held today. A number of amendments were offered and it was stated that an earnest effort will be made to perfect the measure. It is admitted that it is practically impossible to get action by the senate during the present session. Another meeting will be held tomorrow.

### LOWERS WORLD'S RECORD.

Troj, N. Y., Feb. 23.—George V. Bonham of the Irish-American A. C. of New York lowered the world's record for the five-mile event at the big athletic meet last night in the local arena. Bonham's time was 24 minutes, 58.1-5 seconds. The best previous record was 25 minutes, 14.2-5 seconds, held by Tom Collins.

# SERIOUS RUN MADE ON BANK

## REPORTS OF UNSOUND CONDI- TION OF CARSON CITY IN- STITUTION UNTRUE.

Carson City, Nev., Feb. 23.—A serious run on the First National bank of this city was precipitated today by the circulation of a rumor that the institution was unsound. The money on hand, however, was sufficient to meet all demands up to closing time and the bank officials declare that all depositors wishing to withdraw their money will be accommodated without delay.  
The excitement was increased around closing time by the arrival of a message stating that the Tonopah, Goldfield and Reno branches of the Nye & Ormsby county bank had suspended. Taken in connection with the fact that the local branch of that bank was not open for business at any time today, the news caused a veritable panic among the depositors.  
The Carson Valley bank of this city received more money than it paid out today and its officers state that its deposits are intact.  
The cashier of the national bank issued a statement tonight to the effect that 65 per cent of deposits were now on hand and more money would be received from Reno in the morning.

### RENO BANK CLOSES.

Reno, Nev., Feb. 23.—The Reno branch of the Nye & Ormsby chain of banks in Nevada closed its doors this morning. The news caused but little excitement, as the announcement had been expected for some time. The bank was closed during the last panic. After a few months it reopened, but failed to prosper.

### EXPRESS FRANKS ALSO.

Washington, Feb. 23.—That the interstate commerce law prohibiting the issuance of passes on the railroads is applicable to the granting of express franks was held today by the supreme court of the United States.

# SPERRY PLANS TO INSPECT VESSELS

## SAILORS ARE BEING KEPT ON BOARD SHIPS IN ANTICIPATION OF INSPECTION.

# SEVERE STORM PREVAILS

## Warships of the Globe-encircling Fleet Are Now Taking Aboard Supplies of Coal, and Sailors Will Be Allowed First Shore Duty Saturday to Par- ade in City of Norfolk.

Fortress Monroe, Va., Feb. 23.—The bad weather greeting the battleship fleet at the Virginia capes yesterday, the worst the ships have experienced in any port on their way around the world, continued today. Storm signals were hoisted on the beach and during the afternoon a stiff southeaster set in. The ships, safely at anchor, paid little heed to the blow, but the little white and gray steam launches were buffeted by the winds and waves.  
That part of the roadstead running west from old Point pier seemed fairly choked with fighting craft today. Two long lines of the combined squadrons of Admiral Sperry and Admiral Arnold, stretched away from the dock almost as far as the eye could see, the gray ships of the stay-at-home fleet fading away in the mist overspreading the harbor.

### Taking Coal.

Nearly one-half the ships began coaling, despite the weather. All came in with bunkers nearly empty after the long and stormy run from Gibraltar. It is hoped that the last of the ships will have been coaled by Saturday in order that the men may parade in Norfolk on that day. This will be the first shore leave the men will have. They are being kept aboard ship now in anticipation of an inspection by Admiral Sperry. It is customary each year to make a thorough inspection of each vessel in a command, and Admiral Sperry had planned to make it at this time. It is possible, however, that it may be postponed until the ships have been distributed to the navy yards.

### Makes Report.

Admiral Sperry sent a series of reports regarding the cruise to the navy department. These when completed will form an official history of the entire cruise around the world.

The battleship Vermont of the first division, is yet in quarantine. A case of smallpox developed on board. One of the most interesting sights today was the departure of a large number of enlisted men, whose terms of service had expired. As they left they were given lusty cheers by the sailors. A number of the sailors leaving were long enlistment men who, undoubtedly, will come back into the service before three months have elapsed. If they re-enlist within 90 days they will be rated as having never left the navy and will receive the increased pay which comes with every re-enlistment.

### Exchange Views.

Lieutenant Commander McLane, fleet ordnance officer, presided at a meeting of ordnance officers on board the flagship Connecticut. These officers are meeting constantly to exchange views on the working of the fire control system at the last battle target practice in Manila bay and it is expected that a decided improvement in the system will result from their suggestions. The gunnery work of the navy is its proudest boast, the officers and men believing that their efficiency at the target is superior to that of any other navy.

### The South's Welcome.

Richmond, Va., Feb. 23.—The southern today paid homage to the globe-girdling fleet in this old capital of the confederacy.

"We welcome you to the hearts of a people who yield to no one in devotion to the American navy, nor in loyalty to our flag," was the sentiment expressed at a luncheon by Mayor Richardson in welcoming Rear Admiral Sperry, Rear Admiral Wainwright and 54 officers.

The luncheon, at which men of all walks of civil life, all ages and of unyielding loyalty to the cause of Lee and Jefferson Davis, fraternized with the fighting men of the navy, was given by the Richmond Chamber of Commerce. Admiral Sperry received an ovation. He referred to "this first separate welcome since we have returned to our shores," said he had not read his official mail since arriving on the American side and smilingly added, "I do not know where the secretary of the navy is and what is more, I don't care."

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# BITTER ROOT RESIDENTS PROTEST

## BIG DELEGATION SWOOPS DOWN UPON LEGISLATURE TO OP- POSE SENATE BILL 18.

# PUBLIC HEARING IS HELD

## Representatives of Missoula and Ravalli Counties Appear Before House Committee on Irrigation and Raise Objections to the Proposed District Irrigation Law.

Special to The Daily Missoulian.  
Helena, Feb. 23.—Seventy residents of the Bitter Root valley and of Missoula county are in Helena, working actively for the defeat of Senate Bill No. 18, which provides for the creation of irrigation districts. Every member of the delegation is wearing a badge with the inscription, "Protect Our Homes, Bitter Root." Not only are the badges being worn by the Bitter Root people, but they are in demand by local people and visitors and about 200 are in evidence on men's coats and women's waists, the wearers not interested in western Montana.

This afternoon at 5 o'clock the house committee on irrigation had a hearing on the bill. The meeting was at the rooms of the Helena Commercial club, and it was packed. Among the speakers in opposition to Senate Bill No. 18 were T. C. Marshall of Missoula, Charles Wagner of Hamilton, Judge Woody, G. T. Baggs, Representative Crutchefield and B. F. Plummer, the latter the head of a co-operative ditch company. The Bitter Root people asked the committee to kill the bill, amendments or no amendments, and said they were willing to support a substitute measure which would contain none of the features objectionable to them in the present bill.

Messrs. Woody and Marshall were willing the bill should go through, providing amendments were made. J. C. Lyndes of Forsyth, who is interested in an irrigation enterprise in eastern Montana, and Fred Whiteside of Kalispell, spoke in favor of some measure providing for irrigation districts, with the objectionable features in Senate Bill No. 18 eliminated, so that projects under way can be finished and bonds sold.

Their was an argument in favor of the bill presented at the meeting, which lasted two hours, but O. W. McConnell, representing eastern men interested in the Bitter Root Development company, will be given an opportunity to speak at an adjourned meeting of the committee, which will be held tomorrow.

# COLONEL D. B. COOPER TESTIFIES

## MAN ACCUSED OF COMPLICITY IN CARMACK KILLING TAKES THE WITNESS STAND.

Nashville, Tenn., Feb. 23.—The sixth day of actual testimony in the trial of Colonel Duncan B. Cooper, Robin J. Cooper and John L. Sharp, charged with murdering former Senator E. W. Carmack, closed with Colonel Cooper on the witness stand. The defendant appeared cool and almost disinterested. Although the throng which greeted the court-room today was less immense than that of yesterday enough were there to fill the three courtrooms and furnish audience for a couple of overflow meetings.

Defendant Sharpe had resumed the witness stand, but to the surprise of everyone the attorney general announced:

"The state does not desire to cross-examine Mr. Sharpe any further."

Sharpe started to leave the stand but was waved back by General Meeks, who asked him a few questions on re-direct examination.

"Call Duncan B. Cooper," said General Washington. Then the central figure in the famous tragedy arose and walked calmly to the stand.

Colonel Cooper is short, heavy set and very florid. He is somewhat bald, but what hair he has, like his moustache, is very white. His eyes are clear and his face is free from wrinkles. As he began to talk his two daughters leaned forward and drank in every word. The colonel said he was 44 years old and that he has four sons and two daughters. General Washington had the witness give his war record with Porter.

The state finally objected, after some recital, and was sustained.

"I met Senator Carmack years ago at Columbia, when he was quite young. I brought him to Nashville as editor of the American and he remained with me until 1892, when he went to Memphis."

### OPPOSITION IS GROWING.

Paris, Feb. 23.—The growing opposition of the French press and those directly interested in the plan for the revision of the tariff, which was formulated by a parliamentary commission and which proposes an increase in the duties on American products on an average of 20 per cent as against a 10 per cent increase on European goods, has caused the government to take immediate action in the fear of international tariff reprisals.