THE WEATHER
Today—Fair.
Tomorrow—Fair.

THE DAILY MISSOULIAN

TAFT'S SMILE
Is no more permanent than the class ad users'.

VOL. XXXV. NO. 312. MISSOULA, MONTANA, SATURDAY MORNING, MARCH 13, 1909. PRICE FIVE CENTS

BREAK OCCURS AND TROUBLE BREWS

UNITED STATES SEVERS DIPLOMATIC RELATIONS WITH NICARAGUA.

SITUATION THREATENING

Both Uncle Sam and Mexico Are Closely Watching Southern Country and Are Determined to Take Radical Steps if Necessary to Enforce Observance of the Peace Treaty.

Washington, March 12.—Owing to the continued disturbed conditions in Nicaragua and President Zelayas' failure to make strenuous efforts looking to the settlement of the Emery claim, the state department today, by withdrawing Mr. Gregory, the American charge d'affaires at Managua, and ordering the legation placed in the hands of the consul, who will have no diplomatic capacity, broke off diplomatic relations with that country.

Affairs in Central America have been closely watched by the American and Mexican governments, both of which have now come to an understanding that the time has arrived when drastic measures should be enforced to insure peace in the Central American republics. Ambassador Labarra of Mexico spent some time at the state department today in conference with Assistant Secretary Wilson and the determination was reached that if the American warships now in Nicaraguan waters and to be sent there, are not sufficient to impress President Zelayas that if the treaty of peace entered into between these countries is not lived up to, more radical steps will be taken to accomplish that result. The impression was given that if need be, intervention would be resorted to. The governments of the United States and Mexico, it was stated, are in full accord as to the policy to be pursued toward Nicaragua and are now anticipating Zelayas' further moves.

No Confirmation.

So far as could be learned no official information has been received here of a reported naval engagement between gunboats of Nicaragua and Salvador. As bearing on affairs in Nicaragua the following statement was obtained from official sources:

"Under telegraphic orders issued by the navy department an armored cruiser will remain upon the west coast of Nicaragua pending the arrival of the Yorktown, to take that stand indefinitely and the Dubuque and Tacoma are proceeding to cruise the Atlantic coast of Nicaragua and in the neighborhood of Honduras.

"From inquiries made in official quarters, it is inferred that these orders are related to disquieting official reports upon the present situation in Nicaragua as affecting neighboring republics.

"Various reports give rise to the apprehension of warlike activity on the part of Nicaragua, variously surmised to be directed against Costa Rica and San Salvador.

"Under the conventions signed at the Central American peace conference held in Washington in 1907 the neutrality of Honduras is guranteed and each republic is pledged not to interfere with the government and the soliditary of the others. This conference and these conventions having been brought about by the United States and Mexico, whose geographical proximity and political interests compel them to be vitally interested in the peace of Central America, imposes upon those two governments a moral right and obligation, which makes it impossible for them to escape grave concern in a situation like that reported.

Exchange Views.

"It is understood that the two governments are exchanging views as to the steps which they would be compelled to take if the present disappointing and highly unsatisfactory situation should unfortunately develop, and meanwhile are observing events with great care.

"The reported turbulence at Managua accounts for the fact that the government of Nicaragua has thus far failed to make serious efforts to carry out an agreement made with the United States more than two years ago for the settlement of the celebrated Emery case.

"It will be recalled that some months ago Mr. Coolidge, minister to Nicaragua, whose action had been fully approved by the department of state, insisted upon resigning, owing to the futility of further negotiations. In fact, the situation at Managua is becoming such that the department has now ordered Mr. Gregory, the charge d'affaires, to return home on leave of absence, to make a report to the department upon the situation, the legation remaining in charge of the consul, who will have no diplomatic capacity. Mr. Espinoz, the minister of Nicaragua at Washington, will thus be the official diplomatic channel between the two governments for the present. Mr. Gregory, whose conduct under trying conditions has met with the approval of the department, will, it is understood, be shortly promoted to another post.

MAYBRAY INDICTED.

Council Bluffs, Iowa, March 12.—The federal grand jury here this afternoon returned an indictment against J. C. Maybray, charging the use of the mails for fraudulent purposes.

MAYOR HARPER FORESTALLS EXPOSE

HIS PRECIPITATE RETIREMENT WAS TO PREVENT PUBLICATION OF HIS RECORD.

RESIGNATION IS ACCEPTED

Los Angeles Express Publishes Statement That City's Executive Suddenly Resigned and Withdrew From Mayoralty Campaign to Keep It From Exposing His Actions.

Los Angeles, Cal., March 12.—The city council met today and accepted the resignation of Mayor A. C. Harper. Action upon the selection of a successor was postponed until next Tuesday in order that advice may be had on the question of whether an appointment should be made to hold office to March 26, the date of the recall election, or to January 1, the end of the present term.

Attorneys before the council this morning voiced opposing opinions on this subject. As the matter now stands the city is without an official head. President Niles Pease of the city council is acting mayor during the interim without being able, however, to exercise the full powers of the office.

A crowd of several hundred citizens thronged the city hall this morning and completely filled the council chamber. Their determined temper was evident in the applause and hisses they bestowed upon the speakers who urged the council to take action.

Publishes Statement.

As throwing light upon Mayor Harper's sudden resignation last night and the reason for his precipitate retirement, the Evening Express publishes a statement today setting forth that yesterday afternoon the mayor called upon Mr. E. T. Earl, the owner of the Express, and concluded to withdraw from the race for reelection if the Express would not publish an exposure of himself, the details of which the Express says were then in its possession. The Express says in part:

"At 5:25 p. m. yeterday Mr. Harper appeared in the private office of Edwin T. Earl and requested an interview. The interview was granted. Mayor Harper proposed that he would withdraw his name from the ticket as a candidate for re-election March 26, it having been understood that certain information in the possession of Mr. Earl, regarding Mr. Harper's official acts, not his private character, would not be published.

"This information, let it be distinctly understood, has reference to Mr Harper's administration and to Mr. Harper's private affairs.

Only Issue.

"Finally, the Express will simply say, as it has said before, that having in its possession the information it has, it could not, in justice to the city of Los Angeles, permit Mr. Harper to continue to be a candidate for re-election. Mr. Harper was the only issue before the people. Mr. Harper has withdrawn his name from the ticket. The Express has accomplished its purpose in the cause of right and decency."

After a conference today the former leaders of the campaign for the re-election of Harper determined to apply to the courts for an injunction restraining the city clerk from taking any further steps toward holding the recall election.

Several of the members of the city commissions who were appointed by Harper have also stated that they will present their resignation on Monday.

NARROWLY ESCAPE DEATH.

Special to The Daily Missoulian.

Wallace, March 12.—Riding on a hand car going down a steep grade at terrific speed, Herman J. Rossi, prominent local insurance and real estate agent; Homer Brown, superintendent of the Sunset Brewing company; Herman Knaus, a local hotel man, and Jack Lucas, a clerk, narrowly escaped death last night when the car collided with a heavy wagon. Lucas escaped injury by jumping. Rossi had several ribs broken. Brown received an ugly gash in the head and had his back and shoulders painfully wrenched, while Knaus sustained severe cuts and bruises. The accident happened about 7 o'clock in the evening in the shadow of the ore bins of the Standard mine.

TAFT AND BALLINGER MAY VISIT ALASKA

Washington, March 12.—To study the various problems with which he will have to deal in the administration of the affairs of the interior department, Secretary Ballinger will make an extended tour of the west, including Alaska, during the coming summer. He will look into the Indain service and the condition of the great irrigation projects and will investigate in Alaska the alleged acquirement of extensive coal lands by corporations and individuals. It is probable that President Taft and Secretary Ballinger will visit Alaska about the same time.

The department force of special agents investigating alleged land frauds was increased today by the appointment of D. A. Millerick of this city to be assistant chief.

FACING A GIGANTIC TASK

HOWELL FACES JURY ON A MURDER CHARGE

STATE'S EVIDENCE AGAINST MAN ACCUSED OF KILLING DRUMMOND WOMAN.

Special to The Daily Missoulian.

Philipsburg, March 12.—After the examination of nearly 150 veniremen, lasting three days and a half, a jury was secured at noon today to try Thomas W. Howell for the murder of Fannie Ball or Laura M. Fuller, at Drummond, on the 12th day of last October. The state concluded its case about 4:30 this afternoon. Dr. Philip S. Henderlite, of Drummond, testified to the death of the deceased in her room over the Headquarters saloon at Drummond on the evening of said date, from a bullet wound in the back of her head. Dominick Byrnes, one of the proprietors of the Headquarters saloon, testified that he heard the sound of the shot and rushing to the stairway leading up from the saloon, met the defendant coming down holding a gun in his hand and that the defendant said to him in passing that he had "killed Fannie."

Patsy Byrnes, the under sheriff at Drummond, testified that he was in the saloon and heard the shot and that the defendant came to him and gave himself up, the witness also stated that he arrested the defendant, took his revolver and that he delivered the revolver to the sheriff in the same condition as when it was taken away from the defendant by him.

Sheriff Kennedy testified that the revolver when received from Patsy Byrnes contained one exploded shell. E. V. Johnson testified to much the same facts as did his partner, Dominick Byrnes. Two women, Camille Renger and Vera Vincent, who occupied rooms adjoining that of the deceased, testified to eating supper in the Chinese restaurant shortly before the shooting with the defendant and the deceased, and witnessing a dispute between them about which of them should pay for the supper. This concluded the state's testimoney.

Mr. Maywood, for the defendant, attempted to show upon cross-examination of the state's witnesses that the defendant, at the time of the tragedy, and for several months before had showed signs of mental weakness and also that the deceased had gotten away from the defendant two pieces of real estate in Drummond, and other property, and also endeavored to show the business and character of the deceased, but the court held it was not proper cross-examination. About 5 o'clock this afternoon the defense began. Dr. Henderlite was called, but was not allowed to give an opinion as to the defendant's sanity because no testimony had yet been introduced on which to base an expert opinion. Dominick Byrnes testified that the defendant had looked and acted "queer" for some time before the shooting, but the witness was not allowed to give his opinion that the defendant was insane on the ground that a lay witness before giving such an opinion must first detail facts on which he bases the opinion. Court then adjourned until morning.

MUST BE CAUTIOUS.

Philadelphia, March 12.—That the driver of an automobile on approaching a railroad crossing is bound not only to follow the ordinary rule of "stop, look and listen," but if necessary should walk to the track like the conductor of a street car, was decided today by the United States court of appeals.

LOSES A MATCH.

Chicago, March 12—Yusiff Mahmout lost a handicap match to Leo Pardello here tonight. The Turk agreed to throw Pardello twice in 30 minutes, but was able to get only one fall.

THREE JAVA TOWNS COMPLETELY BURIED

Victoria, B. C., March 12.—News of landslides burying three villages, involving the loss of hundreds of lives, probably over a thousand, at Pendjoleo, Java, was brought by the steamer Empress of China. A part of Mount Kentjana fell, eliminating the village of Tgibobochan, and the towns of Wardengaite and Telokbangoee, but one man, one woman and two children escaping to tell the tale. The ground was still working when the mail left, tons of earth slipping. Crowds were flocking to see the terrible sights, while officials were carrying out the work of recovering the bodies, mostly buried deep below tons of earth. The stench was awful and pestilence was feared. Dogs and birds were feeding upon the corpses exposed to view.

A LONE HIGHWAYMAN ROBS JAPS

UNMASKED MAN ENTERS SECTION HOUSE AND HOLDS UP SIX LABORERS.

Great Falls, March 12.—About 11 o'clock last night an unmasked man entered the section house at Burnham, on the Great Northern, inhabited by six Japanese. He ordered those who had gone to bed to get up and dress at the point of a gun, and made them deliver all the cash in the party. He secured about $100, and then gave orders that they should get out the handcar. When this was done they were ordered aboard, and following them, he commanded that they carry him towards Havre, about 12 miles away. When about three miles from there he dismounted and told the Japanese to get back to their section house and keep quiet about it. The Japanese were so frightened that they made no report until late today.

ENGLAND DETERMINED TO KEEP FIRST PLACE

London, March 12.—The British naval estimates, which were issued tonight and show an increase of close to $15,000,000 over the estimate of last year, possibly will fail to please the big men of the navy, but they fully prove that it is the government's intention to keep pace with the other naval powers and that no halt is likely to be called in the international competition for superior naval armament.

In addition to four new Dreadnaughts, the government seeks the power to start building, if necessary, in 1910, four additional large armored vessels.

The admiralty is considering the use of dirigible airships for naval purposes and it is decided to carry out experiments to this end.

TO INVESTIGATE CRIME.

Special to The Daily Missoulian.

Monida, Mont., March 12.—Coroner N. D. Johnson arrived here tonight from Virginia City and will go to Metzelton in the morning to hold an inquest over the body of Thomas A. Metzel, who was shot and killed by his wife yesterday morning. The trail to the ranch, which is 30 miles distant, is almost impassable, and no particulars of the tragedy have been received as yet. It is generally believed here that the shooting was accidental.

TARIFF ON COFFEE IS STRONGLY OPPOSED

HOUSE DEMOCRATS PROPOSE TO FIGHT ANY DUTY ON THIS ARTICLE OF FOOD.

Washington, March 12.—The house democrats will oppose a duty on coffee and a provision of the new tariff bill re-establishing the stamp tax on checks, bonds and stocks.

"If the republicans do not provide for an inheritance tax in the bill, the democrats declare they will fight to have an amendment taxing legacies and, it is said, would in this way embarrass the republicans on account of the recommendations of Presidents Roosevelt and Taft.

The minority members are preparing for the new tariff bill, but as they have not seen the bill and will not be informed of its provisions until it is introduced, it is not known on what schedules the main fight will be made.

Representative Underwood of Alabama, a minority member of the ways and means committee, declared that if the duties are determined on a revenue basis, there would be no need for taxing the breakfast table or imposing a stamp tax. He said an inheritance tax offers the best means for making up the treasury deficit and that if the new bill contained a provision for such a tax, neither the duty on coffee nor that on beer need be increased.

A provision which many republicans as well as democrats are likely to attack is that taking off the duty on iron ore.

Representatives of iron mining interests in the Lake Superior, Mesaba and Adirondack regions favored a reduction of from 15 to 25 per cent in the duty on iron ore, if it was proposed to make a general downward revision.

The national grange favored free iron ore as being in line with the idea of conserving natural resources.

MILL UNDER GUARD.

New York, March 12.—A force of 45 special deputies was sworn in today to guard the works of the Hecker-Jones-Jewel Milling company, where a strike of the teamsters is in progress. Practically the entire force of drivers employed by the company have quit work. Several new men were engaged today. The new men were not molested. The strike was inaugurated over a wage dispute.

HEAD SEVERED FROM BODY.

Helena, March 12.—The state board of railroad commissioners today received a telegram from the superintendent of the Northern Pacific stating that the body of a man named Palmer Paulson had been found lying near the track at the Montana Union transfer. The head was completely severed, and the report states that it is evidently a case of suicide.

SAVED BY FIREMEN.

New York, March 12.—Several persons who dropped from second story windows were caught by firemen and policemen and sayed from serious injury at a spectacular fire in the crowded tenement house at 12 Graham avenue, corner of Williamsburg street, this afternoon. Many other tenants were taken from the rear fire escapes to safety.

ENGINEERS RESIGN.

Pittsburg, March 12.—Rather than accept reductions in salary varying from $500 to $1,500 a year, between 15 and 20 expert engineers and men high in the technical departments, including the chief engineer of the Natural Tube company at McKeesport, Pa., are said to have resigned their positions. Others are expected to take like action soon.

ADMITS THEFT OF STATE'S FUNDS

FORMER TREASURER OF UTAH IS IN JAIL FOR STEALING MORE THAN $70,000.

MAKES FULL CONFESSION

James Christiansen Says He Appropriated Bonds to His Own Use to Make Investments in Nevada Mining Enterprises — Bondsmen Deposit Amount of Shortage With State.

Salt Lake, Utah., March 12.—James Christiansen, who was state treasurer of Utah for four years, his term ending at the beginning of the present year, is in a cell in the county jail, following his arrest this morning on the charge that he was a defaulter to the amount of $70,628.94 of state bonds.

His bondsmen and friends have deposited the amount to the credit of the state and Christiansen had admitted his shortage.

Although Christiansen appropriated a part of the money almost a year ago, the shortage was not discovered until a few days ago by the checking up of the accounts by State Auditor J. D. Jewkes and former State Auditor J. A. Edwards, who was called in to check up his own books and upon which the suspicious entry appeared.

The investigation disclosed that Christiansen on May 26, 1908, had taken $10,628.94, which was paid by Mrs. Julia A. Kimball as an inheritance tax. On February 4, of the present year, County Treasurer John Grosebeck paid Christiansen $60,000, being a portion of the county taxes due the state. For both of these amounts Christiansen gave receipts from the back of his receipt books. The discovery of a shortage came when the county treasurer paid the balance of the county taxes to Christiansen's successor.

Disclosure Made.

The formal examination of the books of the office began and the disclosures were made.

Christiansen was in Chaffey, Nevada, looking after his interests when he was informed of the condition of affairs by wire and returned Tuesday. He met his bondsmen and confessed. With two men in attendance he has been kept under surveillance until after the story became public. Then followed his formal arrest and then imprisonment.

Christiansen said he used the money in mining operations in Nevada, being heavily interested in the Deitrick Mining & Milling company.

It was the intention of the incorporators of the company to build an ore reducing plant to work the dump of the old Comstock mine. Christiansen placed about $22,000 into the company. It is stated his associates failed to raise their share of the money needed and Christiansen was caught in a position where it meant the loss of the money already invested, which belonged to the state, took more money and completed the mill. He was also interested in the Rosedale Mining company near Virginia City and was manager of the Chaffey Investment company.

Calls for Reports.

Following the discovery of Christiansen's shortage, State Auditor Jewkes has called upon all county treasurers for statements of the inheritance and state taxes for 1908, and is preparing to send traveling auditors to every county to examine the accounts and compare them with the book of the state treasurer.

For several years previous to his election as state treasurer Christiansen was cashier of a bank in Richfield. He has also been active in state politics and is at present state treasurer of the Utah board of commissioners of the Alaska-Yukon-Pacific exposition. He has a wife and three children. To indemnify his bondsmen Christiansen has transferred all his property to them.

MITCHELL RESIGNS.

Glendive, March 12.—Captain J. A. Mitchell of company I of the Montana National Guard, located here, has tendered his resignation to Governor Norris, and the courtmartial at Helena which was about to take testimony in connection with charges of infractions of the military rules and disobedience of orders, it is understood, has been dissolved.

OPERATORS DECLINE TO RECOGNIZE UNION

Philadelphia, March 12—Because the anthracite mine operators would not agree to recognize the United Mine Workers of America, the conference of miners and operators to arrange a new working agreement came to naught today. Even at that prospects for a peaceful settlement have not entirely failed. The miners will call a convention of their union for the three anthracite districts to discuss the situation. They will hold another conference with the operators before March 31. Both sides hope, or profess to hope, that the radical measures will be avoided.

The operators agreed as their final proposition, to continue the present agreement three years.

"INSURGENTS" GAIN OTHER BACKERS

EFFECT A SATISFACTORY WORKING AGREEMENT WITH DEMOCRATIC MEMBERS.

CLAIM CERTAIN VICTORY

Members of Lower House of Congress Demanding a Change in the Rules Secure Additional Support and Declare They Have Strength Enough to Carry Their Cause to Success.

Washington, March 12.—Three important developments occurred today in the house insurrection against the adoption of the rules of the Sixtieth congress to govern the incoming congress. A compromise, fathered by Senator Cummins of Iowa and presented to the regulars by President Taft, failed to unite the republican members. What was pronounced a satisfactory working agreement was entered into by the republican insurgents and the democrats. The name of Theodore Roosevelt was introduced as an insurgent sympathizer. The compromise was one that the insurgents have considered ever since the report became current that President Taft desired the fight postponed lest it might delay the tariff bill. It provided for the re-election of Speaker Cannon and the adoption of the rules of the Sixtieth congress for the special session.

After the organization of the house on Monday it was reported that a resolution should be passed authorizing a committee to investigate the rules and report on proposed changes at the regular session in December. It was proposed that the insurgents should be allowed to name four of their number for the committee, the democrats six and the regulars five. The latter five were to be Representatives Mann, Illinois; Currier, New Hampshire, Keifer, Ohio; Smith, Iowa, and Stevens, Minnesota.

Is Acceptable.

For the regulars, former Representative Watson of Indiana replied that the compromise was acceptable, if amended so as to allow the speaker to appoint the committee, due regard being given to the insurgents in its composition. The insurgent leaders subsequently declared they would accept no such suggestion. It is believed President Taft will exert his influence to bring the two branches of the party together.

For more than two hours this afternoon the insurgent steering committee conferred with a committee representing the democrats.

The insurgents, it is said, convinced the democrats that they could deliver 30 votes for any proposition they desired to propose on Monday. The democrats promised to furnish 170 votes against the previous question motion on the adoption of the old rules. This lacks two of being the full democratic strength, there being one vacancy on account of death and one member being seriously ill. As 195 will be a majority, the allied forces claim the victory.

Plan Formed.

The program tentatively agreed upon by the allies was to vote down the previous question on the adoption of the rules on Monday, and if the amendment to the rules providing a committee to select committees is voted down, to propose that the committee on rules be elected by the house. The democratic forces are said to have declared they could line up the whole democratic delegation for the latter amendment, but they were not so certain of the former.

The regulars claim to have the promises of several democrats not to vote with their party for the various amendments and deny that the insurgent forces will number 30.

"I have never yet, as 'whip,' fallen down on a poll of the house," declared Representative Watson tonight. "The organization will win in a walk."

Cannon Confident.

Speaker Cannon also seemed confident. "I have no doubt," he said, "that the organization will win out. We organized the house before and I guess we can do it again."

Both the democrats and the insurgents say no serious attempt would be made to defeat Mr. Cannon. The insurgents will be left to follow their personal inclinations along this line.

At the republican caucus tomorrow night it is planned to bind the party to vote for Mr. Cannon and the adoption of the rules. Several insurgents will not attend.

At the democratic caucus Monday it is intended to bind the members to vote against the rules.

SNOW STILL FALLING.

Des Moines, Ia., March 12.—Snow has fallen in Iowa continuously for the last 12 hours and there seems no likelihood of any immediate let-up. There is more snow upon the ground in the state than there has been for 15 years. Transportation companies have experienced no unusual difficulty.

NO RAILROAD COMMISSION.

Salt Lake City, March 12.—Utah will have no railroad commission during the next two years. The public utilities bill, which provided for such a commission and the regulation of other public service corporations, had its enacting clause stricken out by a vote of 12 to 5 in the senate today.