

## COUNCIL PLANS TO BEAUTIFY AVENUE

IMPROVEMENT DISTRICT FOR IMPORTANT THOROUGHFARE IS CREATED.

## SEWER SURVEY ORDERED

City Engineer Mayo is instructed to make ready for new system—Petition of Chicago, Milwaukee & St. Paul in regard to Knowles and Sunnyside additions is denied.

At the meeting of the city council held last night the resolution creating a special improvement district out of University avenue and providing for the parking and boulevarding of the street was finally passed—no one being present to object to such action—and work will be started at once. The resolution, which has been before the council for some time, is the first of its kind to be acted on by the council since the law providing for the creation of such districts was passed by the legislature. According to its provisions, the entire length of University avenue is to be graded and paved; cement sidewalks and curbs will be laid along it, and grass and trees planted in the parks. The cost of this work is to be borne, as the law demands, by the abutting property owners in the proportion which the area of their land bears to the area of the entire property facing on the street. It is the plan of the council, and already long steps in this direction have been taken, to work out the improvement district plan thoroughly, and this promises to be the first in a long line of similar resolutions which may be expected to follow, and which will ultimately, probably, cover the entire city.

**Will Not Close Street.**  
The city fathers also spent considerable time in debating the question of the closing up of the streets and alleys in Knowles and Sunnyside additions, which was petitioned for by the Chicago, Milwaukee & St. Paul Railway company some time ago, and has been discussed at length a number of times. Henry C. Stiff was present in the interest of the petitioning company and Major A. L. Duncan represented the protesting property owners. After a long and careful consideration of the matter it was at last decided by the council to refuse to grant the railroad's petition.

**Petition Turned Down.**  
Another important matter which was disposed of at the meeting last night was that of the saloon license of Charles Lombardi. Lombardi is the man whose license was revoked some time ago when it was proven that he was guilty of selling liquor to minors, and the petition which was presented to the council last night asked for a short renewal of the license in order that he might dispose of what property he still had. The council, however, refused to consider the request and the petition was unanimously refused.

**Order Big Sewer.**  
A discussion of the Stevens street sewer, the contract for which was recently let to J. H. Kennedy who asked last night for a release, owing to the fact that there was likely to be a damage suit if the job were finished, brought up the usual movement in regard to the sewer system in general. Alderman Shapard again brought matters to a point and the result was that the city engineer was instructed to survey the streets for a main trunk sewer, which should handle, as nearly as possible, the sewage of the entire north side, and ordered him to report as soon as possible as to his conclusions. Mr. Kennedy was released from his obligation.

The matter of sprinkling of the streets, which has been a regular topic at all the meetings for the last month, was again brought up and after a long talk as to the scale of wages which should be adopted and as to the hours and some minor specifications, the clerk was ordered to advertise for bids for the work in time so that the bids could be opened at the next meeting.

**Two Petitions.**  
Two petitions asking for permission to build within the limits of fire district No. 1 were also considered, one from Tibbodeau & Lee for permission to build a two-story brick addition to the back of their property being adopted, and the other, which was from John Gorgas, asking for permission to build a little stone building on Higgins avenue, being referred to the city attorney for consideration. This was done because of the reluctance of the council to see a small building—the specification for the structure call for a building 14x20 feet—built on this street.

A letter was then read from the city treasurer asking for \$40 with which to buy a license record book. The request was granted at once without debate. A letter was also read from Frank Pierce, asking that he be refunded \$25, which was part of his saloon license which was paid by him the last quarter and not used. The letter was referred to the treasurer for action, with the recommendation that the request be granted.

**House Cleaning.**  
The remainder of the evening was spent in a sort of general house cleaning, and all of the bills and petitions were taken up.

## LE BEAU MEETS FATE THIS MORNING

CONDEMNED MAN, ACCUSED OF MURDER, TO BE HANGED AT KALISPELL TODAY.

## FASTS FOR MANY HOURS

Prisoner Convicted of Killing the Yockums Dines Upon Roast Duck and Champagne and Then Declines to Eat Before the Execution—Does Not Want to Die With His Shoes On.

Kalispell, April 1.—Since partaking of a feast of roast duck and champagne, 72 hours ago, Frederick LeBeau, the condemned murderer, has fasted, and he says he will go to his death tomorrow morning at 7 o'clock without partaking of another morsel of food. Today LeBeau removed his shoes, declaring that above all things he did not want to die "with his shoes on." He either will go to the scaffold, which is directly below his window, in his stocking feet or in light house slippers. As his last request, LeBeau has asked Sheriff McConnell to spring the trap, which the sheriff has agreed to do. LeBeau has also requested the sheriff to act as a pallbearer in conjunction with State Senator Thomas D. Long, a resident of Kalispell, and four other men, whom he names. He also asked the sheriff to see to it that his grave is heaped high with flowers. LeBeau received about 100 callers today, his cell being artistically draped with colored paper until not a portion of steel was visible. LeBeau says he will die for a crime for which he is not to blame. Apparently his greatest regret is that he has had insufficient time to complete a number of inventions he started during his imprisonment, all rights to which he has deeded to the sheriff.

**READJUSTMENT TAKES EFFECT.**  
Pittsburg, April 1.—The wage readjustment announced yesterday by the Jones & Laughlin Steel company, the largest independent manufacturer in the country, went into effect today. According to James L. Jones, manager of the company, about 6,000 men are affected. Mr. Jones said the "open market" conditions in the iron and steel trade has finally forced readjustment of the wage rates of the mills in the Pittsburgh district. It is said action toward a reduction will be taken by April 15 by the United States Steel corporation.

**OTHERS JOIN STRIKERS.**  
Chicago, April 1.—A tie-up in building operations, which were given the first blow by the walkout of the tile-layers and glaziers on March 1, was made more complete today when about 1,000 union steamfitters and electricians went out on strike as a result of a refusal of their demands for increased wages. Unless the men are settled within a few days, it is declared, demoralization of building in Chicago this summer will be threatened.

**ONLY HE DIDN'T.**  
Cleveland, Ohio, April 1.—Father Willis McMahon, who filed a petition in bankruptcy in the federal court here Wednesday as a result of his connection with the enterprises fostered by P. J. Kieran, president of the Fidelity Funding company, maintains that if Kieran had been successful in securing all the money he needed to float his schemes everything would have come out all right.

**RIOT TAKES PLACE.**  
Pittsburg, April 1.—A riot occurred at 3:30 o'clock this afternoon at Cheswick, Pa., a mining town above this city. Officers shot and killed one Italian and several others are reported seriously wounded. The trouble arose when an officer arrested a miner. His companions, numbering several hundred, attempted to rescue him, and the shooting followed.

**SLOSSON IS DEFEATED.**  
New York, April 1.—By far the most exciting game of the professional 18.2 ball line billiard tournament was played tonight, when George Sutton of Chicago defeated George F. Slosson after an uphill game.

## CATTLEMAN WANTED FOR CONSPIRACY

Los Angeles, April 1.—C. W. Gates, real estate broker and cattleman of Oklahoma, will appear in the federal court before Commissioner VanDyke on April 14, when the federal authorities will ask for an order for his removal to the Oklahoma federal jurisdiction to stand trial on a grand jury indictment charging him with conspiracy to defraud the government of land.

## WARM RECEPTION ASSURED



## PRISONER WILL PAY DEATH PENALTY TODAY

WILLIAM HAYES TO BE HANGED AT DEER LODGE PENITENTIARY AT 8 A. M.

Special to The Daily Missoulian.  
Butte, April 1.—Many residents of Butte and peace officers of Montana will attend the execution of William Hayes, which is scheduled to take place in the state penitentiary at Deer Lodge at 8 o'clock tomorrow morning. Among those from western Montana who will witness the execution are Davis Graham, sheriff of Missoula county, and J. D. Kennedy, sheriff of Granite county. Hayes is to be hanged for complicity in the murder of Guard John Robinson and the attempted assassination of Warden Frank Conley, which occurred on the morning of March 8, of last year. Hayes is resigned to his fate and only this afternoon wrote to a friend in Butte that he is waiting for the "golden hour" to fall Friday morning. The execution will take place within the penitentiary walls. Resigned to his fate, Hayes sits in his cell as placid as though tomorrow were not the last day he will ever see. Since the verdict of the jury which sentenced him, Hayes has embraced religion and has been preparing with prayer for the death which is to be his. A bounteous meal was sent in to him this morning and he has the best that the market affords. No one is allowed to see him save the death guards. The scaffold is all ready for his execution. It is located in the northeast corner of the prison yard, at the same place where Rock was hanged, and the same method will be used for Hayes as for Rock, namely, the use of a heavy weight which will jerk him from the ground and break his neck. A crowd of several hundred people will doubtless witness the execution, for many invitations have been sent out.

## DECLINES INVITATION.

Washington, April 1.—President Taft today declined an invitation to attend the annual banquet of the National Manufacturers' association in New York in May. The president will be in North Carolina May 20. He explained to E. F. Stillman, chairman of the executive committee of the association, who called on him, that his idea of a tariff bureau was to have it as a part of one of the government departments here. The president said he did not favor a commission on the tariff in any sense of the word.

## COMPOSER DIES.

Zanesville, Ohio, April 1.—Otha Herbert Dille, musical director and composer of popular songs, died in Seneca in charge of the Iroquois theater orchestra. Chicago, the afternoon of the fire in that play house a few years ago, in which hundreds perished. When he learned that the theater was burning he bravely remained at his post and kept the orchestra playing a lively air in the hope of averting a panic.

## DOUBTFUL IF HE DOES.

Washington, April 1.—Speaker Cannon, after a conference with President Taft, was asked when he thought the house would vote on the Payne tariff bill. "God knows," he replied. He added that no vote would be taken until opportunity for deliberation had been given.

## APPEALS ARE TAKEN.

Edinburgh, April 1.—Both Lord Northland and Mrs. John Alexander Stirling have lodged appeals against the decree of divorce in favor of Mr. Stirling handed down in this city last month by Lord Guthrie.

## TWO MISSOULA MEN ARE HONORED

ALDERMAN W. W. MCCORMICK AND J. R. FROMAN ARE NAMED AS GAME WARDENS.

Helena, April 1.—Under recent appointments by Governor Edwin L. Norris, F. H. Ray of this city today became register of the state land office, being succeeded as state examiner by H. H. Pigott, also of this city. State Game Warden Avare has announced the appointment of two new deputies for western Montana, J. R. Froman and W. W. McCormick. They will cover Missoula, Sanders, Ravalli and Granite counties.

Regarding his appointment as deputy game warden, Alderman McCormick, when seen last night by a Missoulian reporter, said: "I received notice of the appointment this afternoon by telephone. I am much gratified by the recognition which it implies and I shall endeavor to perform the duties of the office satisfactorily. I am specially pleased that Mr. Froman is to be my associate, as I esteem him highly. I have nothing in particular to say in connection with the matter except that it is pleasing to me in more ways than one, and that I hope to be of assistance to the hunters and fishermen of this part of the state in the protection of the game and in the enforcement of the law."

Mr. Froman was out of town last night and could not be seen. These appointments will be certain to find indorsement amongst the sportsmen of the counties which are in the district to be covered by Messrs. McCormick and Froman. Mr. McCormick is so well known in western Montana that his duties will be easy; he has always lived here and knows all the country. Mr. Froman during his service as deputy sheriff under Sheriff Campbell made a splendid record as an officer, and he is in every way fitted for the position which he now assumes.

## SACKS OF RICH ORE CAUSE EXCITEMENT

Phoenix, Ariz., April 1.—The arrival here of several sacks of immensely valuable ore from the recent strike between the little towns of Salome and Vicksburg, has caused tremendous excitement. At least 1,000 men are in the vicinity and claims have been staked out for a radius of 10 miles from the strike. Many are leaving here for the scene. Mining men from Colorado and Nevada are beginning to arrive and outfitting for a trip to the new ground. Little towns have been laid out in the vicinity and lots are selling at \$25 each.

## SPRING RACING MEET WILL BE PERMITTED

Lexington, Ky., April 1.—The Kentucky racing commission today allowed a spring racing meeting to Lexington from April 24 to May 1 inclusive, and to Louisville of 18 days from May 3. The Lexington date will be used, providing the owners of the track decide to hold a spring meeting. The racing commission emphasize the fact that running races must be conducted under existing circumstances, which means that bookmakers cannot operate on tracks controlled by the commission.

## SUITS ARE BROUGHT.

Grand Junction, Colo., April 1.—The United States government today brought suits in equity against 60 corporations and individuals charging them with cutting timber illegally from the government reserves.

## SENSATIONAL SUIT AGAINST BANK FILED

INSTITUTION IS ACCUSED OF COLLUSION WITH SWINDLERS IN MABRAY CASE.

Council Bluffs, Ia., April 1.—A sensational suit was filed in the federal court today by Samuel Sutor of Cass Lake, Minn., against the First National bank, its officials and other persons, in which Sutor charges that the bank was in collusion with Maybray and his associates who are under indictment for swindling of fake horse races, wrestling matches and similar schemes. Sutor names as defendants the First National bank of Council Bluffs; Ernest R. Hart, president, and John Spindler, cashier; George Wilson and Benjamin Marks.

George Wilson is claimed to have been Maybray's right hand man in the so-called "swindle syndicate" and is declared by Sutor to have handled the stake money which included Sutor's \$5,000. Hart and Spindler deny Sutor's charges that they knew of the alleged swindles of Maybray and his associates. They declare they handled Sutor's letter of credit on a bank in Cass Lake in the same manner as similar paper is usually handled.

## SALUTES EXCHANGED.

Honolulu, April 1.—Salutes and the usual international courtesies were exchanged today between the Japanese training squadron, which arrived from the Orient, and the naval station. After the cruisers came to anchor the civil and naval officers of the port exchanged visits with Rear Admiral Ichih, the Japanese commander, and his officers. The squadron, which consists of the cruisers Aso and Soya, will remain here for 10 days and then proceed to Hilo, where it will stay four days.

## TUNNEL RECORD BROKEN.

Los Angeles, Cal., April 1.—The American record for tunnel boring was broken in the construction of the Los Angeles-Owens river aqueduct when 476 feet were completed during the month of March. The record was made in the Blinneth lake tunnel. The tunnel is 921 feet through solid rock. The entire 240 miles of aqueduct is being built by the municipality under the direction of its own engineers and is expected to cost \$30,000,000.

## LEASE SYSTEM DIES.

Atlanta, Ga., April 1.—At sunrise today Georgia shook off the last rag of her convict lease system. Hundreds of human beings were led from the mines, choking kilns and damp factories into the sunlight, from the control of harsh and often brutal taskmasters into the service of the state. Georgia has no state penitentiary. For years her convicts have been sold to who would buy.

## LAST OF SOLDIERS LEAVE.

Havana, April 1.—A general order issued by Major General Thomas H. Barry brought an end to the existence of the army of pacification in Cuba as such, and at 10 o'clock the transports Summer and McClellan, with the last of the American soldiers on board, left the arsenal docks for Newport News. General Barry left on the steamer Mascotte for Tampa.

## SEPARATE SCHEDULE.

Winnipeg, April 1.—Officials of the Canadian Pacific railroad told the road's mechanics at a conference held today that they would insist on a separate schedule for the east and west divisions of the road. The firemen joined the mechanics at the conference. Talk of the possibility of a strike is heard on all sides.

## SMOKED BEEF REBELLION CLOSES

MELODRAMATIC DEMONSTRATION OF SOLDIERS AGAINST INDIANS ABOUT OVER.

## LAST ACT OF A "FARCE"

Chief Crazy Snake Declines to Respond to General Invitation to Surrender Himself, as Troops Are About Ready to Make Their Bow and Retire to the Wings.

Pierce, Okla., April 1.—(By Courier to Checotah).—What a Muskogean newspaper calls the "smoked beef rebellion," alleging it to be considerable of a joke, is all but over. In a day or two the militia, it is expected, will be withdrawn. McIntosh county will feed between 50 and 100 prisoners, not one of whom resisted arrest, and Chitti Harjo, otherwise Crazy Snake, will exercise due caution about appearing in public. He was not captured today, neither did he respond to a widely distributed invitation to surrender. The picturesque poses of the hunt, leaving the field to the first retreating, O. N. G. Colonel Hoffman sent squads through the river bottoms and previously unexplored gulches in this vicinity, while Major Barrett, spreading his men, numbering 100, into extremely open order, advanced through the Hickory woods. Crazy Snake, however, was elsewhere.

Meanwhile Colonel Hoffman held an extended pow-wow with the fugitive's sister. The latter succeeded in convincing Hoffman that she knew nothing of her brother's whereabouts. "Very well, then," responded the colonel, "it's up to him. He has 24 hours more in which to put himself under protection. He should do it, for the next step undoubtedly will be the offering of a reward for him dead or alive."

It is admitted that the wily red man has eluded his pursuers. He controls his own destinies so long as he chooses to remain hidden. The territory in which he may roam is too large for the military to cover thoroughly. It is thought likely that Crazy Snake will wait until public excitement subsides completely, and then emerge from his hiding place.

## SUIT DISMISSED.

Butte, April 1.—The Kalispell Lumber company and other concerns will have to begin a new suit of they hope to secure equitable rates. Today Judge Hunt of the federal court for the district of Montana dismissed the complaint of the Kalispell Lumber company and others against the Great Northern, for want of jurisdiction, in conformity with a decision of the circuit court of appeals. The case was brought to restrain the railroad from putting into effect a higher lumber tariff. The suit was won here but was lost in the appellate court, and, in accordance with the decision, the demurrer to the complaint and the petitions in intervention were sustained.

## MAYOR TAKES OFFICE.

Los Angeles, April 1.—George Alexander, the successful candidate at the recent election, was sworn in as mayor of Los Angeles today, succeeding William D. Stephens, who was appointed to fill the temporary vacancy caused by the resignation of A. C. Harper. Mayor Alexander has already announced that he expects the resignation of every commissioner of the city government to be tendered him at once. Some of them, he said, may be re-appointed; others may not.

## SUFFRAGETTES GO TO JAIL.

London, April 1.—Nine of the militant suffragettes who were arrested yesterday afternoon while attempting to force an entrance into the house of commons, were arraigned in the Bow street police court today and sent by the magistrate to join their sisters in Holloway jail for one month. All refused to give sureties for their good behavior.

## MANY GRADUATE.

Carlisle, Pa., April 1.—The commencement exercises at the Indian school were held today. The class is the largest ever graduated, consisting of 52 students from the trades department and 24 from the classical department.

## JURISDICTION MATTER MUST NOW BE SETTLED

Washington, April 1.—Following a conference with Attorney General Wickersham regarding the Panama canal libel suits, Stuart McNamara, who is acting as a special assistant to the attorney general, left here today for New York, where it is understood he will confer with United States attorneys concerning further investigations before the April grand jury into the alleged libelous publications by the New York World dealing with the Panama canal purchase. The question of jurisdiction is shortly to be argued before the New York courts. Other indictments were expected against the publication and perhaps against other officers of the World.

## STAR CHAMBER PROCEEDING ALLEGED

DEMOCRATS DECLARE REPUBLICAN SENATORS ARE "HOGGING" TARIFF.

## GENERAL DEBATE IS HELD

Bacon's Resolution Calling for Consideration of the Bill by Full Finance Committee Instead of Majority Faction Precipitates a Decidedly Lively Controversy.

Washington, April 1.—What turned out to be a general debate on the tariff was a feature of the senate proceedings today on Senator Bacon's resolution favoring the consideration of the tariff legislation by the full committee on finance instead of by the republican members of that committee only. Senator Aldrich insisted that the procedure adopted in this case was similar to that which had been the practice of the senate for 50 years in dealing with tariff measures, and he added that the same method was adopted in handling the Wilson tariff bill for which, he said, a substitute was framed by a sub-committee composed of democrats.

When Senator Bacon called attention to a statement made by Senator Hale last Monday that he had just come from the committee room where there were "30 or 40 dissatisfied Pennsylvanians," it was explained both by Mr. Hale and Mr. Aldrich that the number had been overstated. It seemed, Mr. Aldrich said, that all the people coming before the members of the committee have been experts, whose assistance has been necessary for a proper understanding of the question being considered. He said the house had been having hearings and had published nine volumes of them and he doubted whether any democratic senator had read any part of them.

## Bailey Retorts.

"You will have to make an exception in my case," said Mr. Bailey, interrupting, "although I have not read all of them and don't intend to." Mr. Aldrich said the experts are not subpoenaed nor paid any witness fees and he declared that their statements were not public hearings at all. Senator Daniel insisted on knowing what objections could be urged by the senator from Rhode Island against the democratic members of the committee hearing the statements. "It is," said Mr. Daniel, "a private snap for the purpose of framing a tariff bill without giving a right to representatives of the people to hear the testimony." Mr. Aldrich said it was the purpose of the committee, so far as he knew, to hold public hearings. Senator Rayner strongly opposed the majority method of framing the tariff bill.

## Dividing Plunder.

"When you are dividing this plunder," he said, "at least be fair to each other. On behalf of the senator from West Virginia, I at least, beg of you to give him back his remarks." He has stood with you on the field of battle and when the hour of submission comes, the senator from West Virginia will be here and his protesting voice will not be heard in this hall against a single article on the schedule.

He referred to the coal mines of Senator Egle and his indignation over the proposition to place the products of his state upon the free list. "We on this side," he said, "are in the camp of the vanquished and so far as I am concerned, I would rather be in the camp of the vanquished than in the camp of the victors in the possession of the spoils."

Mr. Rayner declared that the republican procedure were merely a star chamber process. "I have a right," said Mr. Aldrich, replying to the latter charge, "to have a conversation without having a democratic senator cross-examine the person with whom I conversed." He declared the democratic members of the finance committee were holding meetings of their own and that they had their experts.

## Loss Individuality.

Mr. Rayner said the members of the committee lost their individual character when they became a committee of the senate charged with a public duty. Mr. Aldrich replied that if the senator from Maryland should frame a tariff bill according to his policy he would not get 10 democratic votes for it. He said a distinguished senator from Maryland (the late Mr. Gorman), had recast the Wilson bill on lines that did not agree with the ideas put forth by the present senator from that state and he did not believe he represented the views of all the people of Maryland, even of the democrats of that state. Tennessee, Georgia, North Carolina, Louisiana and other states of the south, he said, are no longer in sympathy with free trade principles.

## Just to All.

"You might as well be frank," said Mr. Aldrich, addressing the democratic senators, "and admit that I don't intend to let such a speech as that of the senator from Maryland deter us from being just to every southern state. The tariff policy will be just to every section and to every interest of this country. I am quite certain that the senator from Maryland will have no followers upon his side of the chamber." Senator Bailey indignantly resented the right of Senator Aldrich to speak.