

PUGET SOUND ADMITS PLAN

IN INJUNCTION SUIT FILED YESTERDAY ROAD TELLS OF BLACKFOOT RANCH.

RIFLE STOPS SURVEYORS

Irate Rancher Commands Railroad Men to Go While the Going's Good and Enforces Obedience With Gun—Restraining Order is Granted and Work Will Be Resumed Today.

An irate rancher and a Winchester rifle are the combination that, for the time being, has thwarted a great railroad corporation in its plans of extension. Yesterday the railroad, the Chicago, Milwaukee & Puget Sound, appeared in the district court by its local attorneys Marshall & Stiff, to seek an injunction against Dwight E. Fessenden, who, it is claimed, had ordered a Puget Sound surveying party off his land and, vi et armis, had insisted on immediate departure. A restraining order was issued by Judge Webster and this morning a deputy from the sheriff's office will serve the injunction on Mr. Fessenden and the surveyors can go ahead over his ranch. Will Build Branch.

While the granting of the injunction and the action that led to it are, of themselves, interesting enough, the principal feature brought out by the declaration of the Chicago, Milwaukee & Puget Sound that it really intended to run a branch up the Big Blackfoot valley and that the men now working in the valley were surveying for the new line. While it had been generally taken for granted that the new road was planning a branch ever since the surveying party left Missoula under secret orders on Saturday, March 13, still yesterday's is the first official admission by the corporation of its plans. In the papers filed in application for the injunction, it is distinctly stated that the company has built a railroad through the state of Montana and is now surveying for a branch line up the Big Blackfoot valley. According to the document of yesterday, the branch is to join the main line at a point six miles east of Missoula. Another interesting fact in yesterday's legal action is that the papers were filed in the name of the "Chicago, Milwaukee & Puget Sound Railway company," the former title, "Chicago, Milwaukee & St. Paul," having been used in all former cases in the local court.

How It Happened. When the Puget Sound surveyors reached the ranch of Dwight E. Fessenden, above Bonner a few miles, on Monday they were instructed by the owner to leave the premises and to "go while the going's good." A lack of enthusiasm about their departure on the part of the railroad men was dispelled by the sight of a repeating rifle in the hands of the rancher, and the progress of the Puget Sound's Big Blackfoot branch was stopped. Yesterday's action in the district court followed and it is to be supposed that Mr. Fessenden will put no further obstacles in the way of the surveying party. This is said to be the second time that the surveyors have met with unfriendliness—to put it mildly—on the part of a valley rancher, although the difficulty was patched up on the first occasion.

COLORADO SPRINGS GOES "DRY"

CITY VOTES TO PROHIBIT SALE OF LIQUOR BY DRUG STORES OF THE CITY.

Denver, April 6.—The question of prohibition was the main issue in the municipal election held in Colorado outside Denver today. In most cases the contending parties were designated by local names and in but a few instances were the issues fought out on republican and democratic lines. In the majority of towns where the question of prohibition was submitted to the voters the anti-saloon party was victorious. Colorado Springs went "dry" by 2,000 majority. The town has never had a saloon since its inception because of the clause inserted in every deed by the late General Palmer, founder of the town, but the election will prevent drug stores from selling liquor in the future.

LaJunta, Canon City and Castle Rock all voted against the saloon, while Cripple Creek and Colorado City remain "wet," the latter by less than 100 majority.

WILL STUDY BUGS.

Chicago, April 6.—Oak Park's bug house is occupied. Professor J. J. Davis, assistant to the state entomologist, has taken possession of the air-tight, bug-proof structure erected for scientific purposes and began work this morning. After the professor has learned the habits, likes and dislikes of the insects which infest the suburb, the state department of entomology will try to discover some way to wipe out the pests.

MR. ROOSEVELT GETS ROYAL GREETING

KING VICTOR EMMANUEL OF ITALY WELCOMES THE DISTINGUISHED AMERICAN.

MEET ON THE REUMBERTO

Ruler Invites Former President of the United States Aboard Italian Battleship and Expresses Thanks of His People for Assistance Given During the Earthquake Horror.

Messina, April 6.—Theodore Roosevelt and King Victor Emmanuel met today on the Italian battleship Reumberto in Messina harbor. The meeting was characterized by the utmost cordiality, and the king expressed the gratitude of himself and the Italian people for the generous assistance of the United States to the earthquake sufferers.

At the close of the interview Mr. Roosevelt went ashore and inspected the ruins of the city, the desolation of which moved him strongly. He then boarded the steamer Admiral, which, just at sunset, proceeded on her way to Mombasa.

The Admiral arrived at Messina about 2 o'clock in the afternoon and was saluted by the Reumberto. Almost immediately Captain Pfeister, the former Italian military attaché at Washington, and now aide to Admiral Mirabello, was taken to the Admiral in a launch and inquired for Mr. Roosevelt. To him he said the king sent his compliments, and would have great pleasure in receiving the former president of the United States. Mr. Roosevelt's face lit up with a smile and, accompanied by his son, Kermit, and Ambassador Griscom, he went at once to the battleship.

The king met the party at the head of the gangway and greeted the ex-president enthusiastically, shaking him warmly by the hand. He did not wish, he said, to allow the opportunity to pass of making the personal acquaintance of so distinguished a man. Above all, he wanted personally to thank the former president for the help extended by America at the time of the earthquake.

"You are now able," he added, "to understand better what a terrible disaster it was." Thanks King. Mr. Roosevelt thanked the sovereign for the compliment paid him in inviting him aboard the Reumberto. He said the American people did not wish thanks for what they had done, as they had merely tried to do their duty and knew no better way to confront the immense need than by their work and contributions.

The king then turned to the hunting trip to Africa, saying that his tastes also ran in that direction. He mentioned the expedition of the Count of Turin in Africa, and hoped Mr. Roosevelt would meet the count there. After more than half an hour's conversation the king accompanied his guest ashore, where a photograph was made of a group consisting of the king, Mr. Roosevelt, Kermit and Ambassador Griscom. At the suggestion of the king, Mr. Roosevelt snapped a picture of the king, Admiral Mirabello, Kermit and Ambassador Griscom. Before leaving the king wished Mr. Roosevelt a happy and successful trip and much good luck in hunting. He asked Mr. Roosevelt to promise that he would visit Rome on his return, when the queen would be pleased to meet him. The king then left, not wishing to accompany the party over the ruins.

Monsieur Roosevelt.

Paris, April 6.—The French press is displaying great interest and curiosity in Theodore Roosevelt.

"When the Caesar of modern democracy goes hunting, Europe, Asia, Africa and America climb to their windows and watch the caravan of publicity pass." is the way one of the papers describes Mr. Roosevelt's journey to East Africa. A majority of the French correspondents sent to Naples to chronicle the impressions of Mr. Roosevelt say the former president of the United States is absorbed in himself. They describe his cabin as fitted with his books and littered with photographs of himself and members of his family. They say the one object not relating to Mr. Roosevelt himself in his cabin was a photograph of Emperor William bearing the imperial signature in green ink. Mr. Roosevelt talked freely but principally about himself and his work, the correspondents say, and he manifested a

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SUPPOSED MURDERER CAUGHT BY POLICE

Palermo, April 6.—The police of this city believe they have in custody the real murderer of Joseph Petrosino, the chief of the Italian branch of the New York police. The man is Carlo Constantino, who comes from Paternice, a town 14 miles from here. Antonio Passanante of the same town, and Vito Casolifero of Bisacchino, are regarded as accomplices. Constantino and Passanante returned to Sicily from Brooklyn February 28. The former emigrated to America two years ago. He is an illiterate man, but he returned well off and deposited \$6,000 in the Bank of Sicily.

BEWARE, THEY ARE EXPENSIVE



The new tariff bill, increases the duty on fineries for women.

IMPROPER CONDUCT BEFORE JURY ALLEGED

DEFENSE IN GOVERNOR HASKELL'S CASE MAKES ACCUSATIONS AGAINST 'RUSH.'

Tulsa, Okla., April 6.—In the trial of Governor Charles N. Haskell for alleged land fraud, testimony designed to uphold charges of improper conduct by Special Prosecutor Rush in securing the indictments was completed today. The defense immediately resumed argument on the motion to quash the indictments. Arguments were in progress when court adjourned for the day and will be taken up again at 10 o'clock tomorrow. An early decision is expected.

If the court overrules the motion to quash, attorneys for Haskell will file a demurrer. If that fails the case will be assigned for immediate trial by Judge Marshall. E. B. Linnin, special officer of the interior department, was an important witness today. He testified that he was appointed December 9, 1908, to investigate the town lot fraud cases in Oklahoma. He took statements, he said, in Michigan, Oklahoma, Louisiana, Indiana, Mississippi and Ohio. These form the basis of the Haskell prosecution. Edward Shalom of Vinna, foreman of the grand jury which indicted Haskell, was the last witness of the day. He related the statements alleged to have been made by Prosecutor Rush. These were designed by the defense to uphold charges of improper conduct made against Rush regarding the grand jury proceedings.

STAGE IS TEACHER OF MORALS

JANE ADDAMS CHAMPIONS CAUSE OF GOOD PLAYS IN ADDRESS AT SINAL TEMPLE.

Chicago, April 6.—The stage is the most popular teacher of morals, in the opinion of Jane Addams, who delivered a Sunday address at Sinal temple in the absence of Dr. Emil G. Hirsch. It was Miss Addams' contention that there is a lack of spiritual teaching for the children up to the age of 13 years, which is producing an undesirable trend in national life. At that age, she asserted, the mind of the child is receptive and pliable while it is more difficult to teach an adult.

Miss Addams spoke of a boy 13 years of age, who committed suicide because he did not make the proper advancement at school, in his estimation. Another tried to convert "dull lead pipe" into theater tickets in his search for something strenuous, exciting and adventurous.

It was at this point that the teacher declared for theaters as teachers of morals. The plays are often poor and flimsy," she said, "but there at least a dozen of them on the stage today which could easily be made the subject of sociological lectures."

HAVE ROUGH TIME.

St. John's N. F., April 6.—Though the sailing season in the Gulf of St. Lawrence has not been an utter failure, St. John's seafarers have had a rough time. The catch as reported today totals about 125,000. Since March 21 six steamers have been held fast in the heavy ice floes and they are drifting slowly ashore at the mouth of Notre Dame bay.

FURURE TRACEABLE TO DEPARTMENT STORES

PAYNE SAYS MERCHANTS ARE RESPONSIBLE FOR WOMEN'S OPPOSITION TO TARIFF.

Washington, April 6.—Accusing the large department stores of having instigated the opposition of many women and "hysterical men" against the increased duties provided by the Payne tariff on women's gloves and hosiery, Representative Payne today, in a statement which will be printed in the Congressional Record, asserted that the impostors who oppose the duties were interested in firms abroad which make gloves and hosiery. He presented various arguments in an effort to justify the increased rates, contending that the difference in cost of labor in the United States and abroad was not covered by the duties levied by the Dingley law.

Claiming that the new tariff increases the duty from 1.23 cents per pair to 2.1-2.2 cents per pair, Mr. Payne declared that there was no truth in the assertion that the price of hosiery to the consumer would be increased 25 cents per pair.

Mr. Payne asserted that scores of petitions have been received by the committee asking that the increased duties be retained in order that the working people of the country may make the stockings used in the United States. Mr. Payne argued that the increased duties on women's gloves were justifiable for the purposes of protection and revenue. He cited the conditions resulting from the protection afforded the American manufacturers of men's gloves by the Dingley bill.

"Prior to 1894 they were making 5 or 10 per cent of the men's gloves," he said, "but they said that the duty was so low that they were being driven out of business, and statistics seemed to back up their assertions. Today they demonstrate to us that they are making over 90 per cent of the men's gloves in this country, having amply redeemed their promise that the cost to the consumer is much less than it was prior to 1897. They came before the committee early in the hearing and proved to us that it cost no more and required no more skill to make a woman's glove than a man's, and claimed that if the same rate of duty was given them, in time they would make the same percentage of women's gloves, and that this industry would employ at least 50,000 people."

TWIN FALLS VOTES TO RETAIN SALOONS

Twin Falls, Idaho, April 6.—The "wets" carried this city today by 77 majority. Carl J. Hahn of the business men's ticket, received 226 votes for mayor, while T. J. Warner, the anti-saloon candidate, got 149. The election was influenced by the fact that large railroad and irrigation construction works are to be undertaken in the vicinity of Twin Falls. Contractors feared that prohibition might make it difficult to secure labor and the business men were apprehensive that much business would be diverted to other towns if Twin Falls went "dry."

HOLDS LAW INVALID.

New Haven, Conn., April 6.—In sustaining a demurrer entered by counsel for the New York, New Haven & Hartford Railroad company, Judge Wheeler of the superior court held today that the employers' liability act passed by congress in June, 1908, is unconstitutional.

TELLS GOOD DEEDS OF BIG OIL COMPANY

ATTORNEY FOR THE STANDARD MAKES A FLOWERY APPEAL TO THE COURT.

St. Louis, April 6.—John G. Milburn of New York, the Standard Oil company's chief counsel of record, late today commenced presenting the defense's side of the case in the government's suit to dissolve the Standard Oil company of New Jersey for alleged violations of the Sherman act. Although Mr. Milburn addressed the court but 40 minutes he found time to tell much of the early history of the Standard Oil corporation. The two principal points made by Mr. Milburn were that the corporations had done much for American industries and commerce, and that the oil business of the early days was of "non-descript type."

"Wherever," said he, "has trod the foot of civilization; wherever the hoof of camel has made its imprint upon the sands of the desert, or wherever an artificial light is burned, and wherever flies the flag of any nation—there will be found the product of Standard Oil—the product of America and Americans."

The federal attorney, Mr. Kellogg, concluded his opening address for the government shortly after noon, and then C. B. Morrison, Mr. Kellogg's chief associate, defined the government's opening of the argument in a two-hour's discussion of alleged unfair competition, scoring the standard heavily.

NORRIS ANNOUNCES APPOINTMENTS

EXECUTIVE NAMES MEN WHO WILL HOLD POSITIONS AS STATE OFFICIALS.

Helena, April 6.—Governor Norris made a number of appointments today, among them being that of Henry Avare to state game and fish warden for the four years beginning March 25 last. Other appointments were: To represent the state at a conference of commercial organizations to be held April 22 and 23 at Detroit, Mich., to consider the question of closer trade relations with the Dominion of Canada, W. T. Hunt of Helena, P. J. Brophy of Butte and W. A. Selvidge of Billings.

To be members of the executive board of the state reform school, four-year term, W. W. D. Terrett of Miles City; two-year term, C. M. Butler of Miles City.

To be members of the executive board of the state orphan's home, four-year term, Patrick Carney of Waterloo; two-year term, E. D. Marsh of Sheridan.

To be members of the executive board of the state normal college, four-year term, J. T. Murray of Dillon; two-year term, R. R. Rathbone of Dillon.

LITTLE POLITICS IN ELECTION.

Spokane, April 6.—There was little politics in the local election. Ernest Shadroth, independent, won as councilman from the first ward; Thomas C. Hand, democrat, swept the Second ward; and Thomas Chester won in the Third ward.

KILL VICTIMS THEN BURN BODIES

RANGE WAR IN WYOMING BREAKS FORTH AGAIN WITH FATAL RESULTS.

SHEEPMEN ARE MURDERED

Masked Horsemen Rush Upon Camp of Herders and Shoot Three Down in Cold Blood, Then Pour Oil Over Their Wagon and Cremate Bodies—Officers Hasten to the Scene.

Cheyenne, Wyo., April 6.—Another chapter of the bloody range war between cattlemen and sheepmen, for control of the range for grazing, was written in Big Horn county late on the night of April 2. According to information just received here, 15 masked horsemen raided the camp of Allemand & Emge and murdered in cold blood Joe Allemand and Joe Emge, wealthy and prominent sheepmen, and Joe Lazier, herder.

Allemand and Emge had located their camp at the mouth of Spring creek, 30 miles southeast of Basin, where they were guarding 2,600 sheep. The raiders came upon the wagon on the south side of the creek in which two herders were sleeping. These men were escorted to the road and told to leave the country and to look back under threat of death.

A volley fired into the wagon on the opposite side of the stream resulted in the death of Emge and Lazier. Evidently Allemand was aroused by the approach of the raiders, as his body was found fully 20 feet from the wagon, where he had been cut down by a rifle ball. The wagon had been soaked in oil and fired, the bodies being cremated. About 30 sheep were killed.

All telephone wires were cut and news of the affair did not reach Basin until this morning. Immediately County Attorney P. W. Metz, Sheriff Alston and Deputy Sheriff Cusick left for the scene of the outbreak, arriving the night of April 3, after a hazardous journey through the deep snow. They found the bodies undisturbed, but obtained no clues to the murderers.

Allemand is an old-time sheep man. Emge was formerly a cattleman, recently entering the sheep business. There is great indignation throughout the Big Horn country. The Big Horn Sheepgrowers' and the State Woolgrowers' associations have each offered \$1,000 reward for the capture of the raiders, and this will probably be further increased by the state authorities.

WELL-KNOWN OFFICIAL DIES.

Special to The Daily Missoulian. Glendive, April 2.—Anton H. Johnson, who was serving his fifth consecutive term as assessor of Dawson county, died at his home in this city today of pneumonia. He was ill but a few days. Mr. Johnson was unusually active in politics and was well and favorably known throughout the county. He is survived by four daughters and two sons, one of the latter being Charles Johnson, sheriff of this county. Mrs. W. F. Mason, one of the daughters, resides at Whitefish, Mont.

REPUBLICAN TICKET CARRIES.

Special to The Daily Missoulian. Wallace, Idaho, April 6.—The republican ticket carried in the city election with the exception of one candidate, the city clerk. Walter Hanson was elected mayor. Indications are that the republicans will carry other cities in Shoshone county by a clean sweep. Leighty was elected clerk and police judge over Kinkaid by two votes.

ARRIVE AT HELENA.

Helena, April 6.—With light hearts, but weary after a long day's travel, George R. Chaffee and Robert Hilling, two young men who left the Seattle-Yukon exposition grounds February 23 on a walking trip to New York city, arrived in Helena tonight. They will leave Helena Thursday morning for Butte, thence traveling through the middle western states.

KILLED IN WRECK.

Fremont, Neb., April 6.—One man, Will L. Payne of Lansing, Mich., was killed and six injured, one seriously, in a collision between two Union Pacific stock trains here tonight.

PRISONER SUCCUMBS TO HEART TROUBLE

Special to The Daily Missoulian. Butte, April 6.—James Roberts, well known in this section of Montana, died this afternoon while in the witness department of the county jail waiting for the ambulance which would take him to the county hospital. He had been in jail about a week and was afflicted with delirium tremens. For a while it was thought he would recover, but at noon he died unexpectedly. Starvation was a contributing cause, for the man had scarcely eaten a mouthful during the time he had been in the jail. Roberts was 36 years old, is believed to be single, and came here from Minnesota a few years ago.

BUTTE FACES AN UNIQUE PROBLEM

COMPLICATIONS THREATEN TO ARISE IN POLICE DEPARTMENT OF THE CITY.

LEGAL POINT INVOLVED

Retiring Administration May Seek to Have Incumbents Retain Their Positions by Declaring Them Under Civil Service Regulations—Two Forces Might Be Result.

Special to The Daily Missoulian.

Butte, April 6.—Following the election of Charles Nevin as mayor, speculation as to what will happen to the police force under the new administration is rife about the city hall. The contention is made that the present mayor, Corby, will put all of the present force under the civil service rule and allow them to hold on indefinitely or until removed through disability or inefficiency. On the other hand, it is claimed that the police commission as appointed by Corby is illegal, as it was never been confirmed by the city council.

Lively times are anticipated early next month, and the prediction is freely made that the incumbents will try to remain despite all efforts to have them removed, and two police forces, with the matter finally landing in the courts, is the prediction made.

The present city government has caused a large number of certificates of appointments upon the police force to be printed during the past few weeks, and these will be issued to the republican members of the force within a short time. The same courtesy may be extended to the democratic members, but this is not certain. In this manner, it is believed, the present force will be allowed to continue indefinitely. This rule applies to the heads of the departments, but there is a well-grounded rumor to the effect that the heads will resign rather than be antagonistic to the new mayor.

WILL STAY IN PRISON.

Chicago, April 6.—Vincent Briscoe, who is wanted here in connection with the murder of Policeman Duffy several years ago at the stock yards, will not be returned from California until his present sentence expires. Governor Gillette, after examining laws on the subject, has determined that Briscoe, who does not want to be pardoned, should not be, as the penal code prohibits pardon without the prisoner's consent. He has 20 months to serve on a sentence for larceny and prefers to stay here.

SCHOOLS ARE CLOSED.

Great Falls, April 6.—The city and county health officers have closed the schools in the Great Falls district for a period of two weeks for the purpose of putting a stop to the scarlet fever epidemic that has prevailed here for the past few months. There are less than 40 cases of the disease or official record in the city, but difficulty has been experienced in checking it.

IN CONSTANT TOUCH.

Honolulu, April 6.—The United States transport Sheridan, which arrived today, was never out of wireless communication from the time Manila was left until this harbor was reached.

TRIES TO BLACKMAIL MILLIONAIRE

YOUTH IS CHARGED WITH ATTEMPTING TO EXTORT MONEY FROM PROMINENT MAN.

Atlanta, Ga., April 6.—Charged with attempting to blackmail Asa G. Candler, president of the Atlanta Chamber of Commerce, and Atlanta's wealthiest citizen, out of \$35,000 by "Black Hand" methods, Daniel W. Johnson, Jr., 18 years old and a member of Candler's Sunday school class, was arrested tonight. Johnson admits the charge, but declares he was the catspaw of three strangers, who, he claims, forced him to write the demands for money under penalty of death. Mr. Candler last Friday received the first of the two letters written by the plotters, in which he was asked to place \$35,000 under the steps of the pastor's study of a church on Monday night, "or you and your family will meet a horrible death."

Sunday he received a second warning letter. Mr. Candler then called George M. Sutton, chief postoffice inspector of the Atlanta district, and it was decided to trap the blackmailers. Mr. Candler drew \$35,000 in cash from the bank of which he is president. Monday night he made up a package and placed it at the point designated, the real money remaining at his residence. Two detectives kept watch near the fake package, but no one appeared. Yesterday Mr. Candler received a telephone message demanding that he place \$1,000 at a secluded spot. Again the fake package was prepared and placed at the spot designated. Tonight Johnson appeared from the darkness, caught up the package and started to run, but was captured.