

SAENGERFEST BEGINS TODAY

MISSOULA WILL THROW OPEN ITS GATES TO THE GERMAN SOCIETIES.

"WILLKOMMEN SAENGER"

The Big Three Days' Meeting Will Open This Afternoon With Five Hundred Visitors, the Representatives of Five Different Societies, in Attendance, Guests of Maennerchor.

At noon today Missoula will throw open its gates to 500 German visitors and five German singing societies, and the first Montana saengerfest will begin.

The First Fest.

Missoula has been the chief factor in this new movement and to its efforts alone is due the fact that the organization has been effected and the Germans of the state united.

Sunday Program.

At 1 o'clock the Missoula Maennerchor will meet its guests at the depot, where an informal reception will be held.

This evening at 8 o'clock a reception will be held on Paul Gerber's lawn for the visitors, which promises to be one of the big features of the three days' meeting.

Monday Morning.

At 10 o'clock Monday morning the saengerfest proper will open with a meeting in Eagles' hall.

At 3 o'clock all the societies will hold a rehearsal in the opera house in preparation for the big concert in the evening.

The Concert.

At 8:30 o'clock the concert will begin. A chorus of 250 voices will be heard here and an orchestra of 15 pieces will furnish the accompaniment.

Part I.

- Overture, Lohengrin. Wagner. "America." Full Chorus. "Marguerite" (A. Hawley). "Ad der Wacht" (C. Kuntz). "Blumen Andraecht" (H. Steinbuch). "Gruss an die Heimath" (Carl Kruener). "Helena Maennerchor." "The Fairies' Lullaby" (Sherwood). "Helmath, O Helena Heimath" (Simon George). "Suesse Gemtschertchor." "Wie Hab Ich Sie Geliebt" (F. Moering).

Part II.

- "Danube Wellen" (W. Fleischer). "Helena Maennerchor." "Blumen Andraecht" (H. Steinbuch). "Missoula Gemtschertchor." "Violin Solo, "Souvenir de Hayden" (Leonard). "S. Driscoll." "Am Werther See" (Thomas Koschat). "Helena Gemtschertchor." "Cease Thy Sighing" (Tobani). "Missoula Quartet." "Das Baechlein" (H. Waeltrent). "Missoula Maennerchor." "Es Steht Eine Lind" (E. Forscheiner). "Butte Maennerchor."

(Continued on Page Twelve.)

F. AUGUSTUS HEINZE



JUDGE THROWS OUT ALL BUT ONE COUNT

New York, Sept. 11.—The indictments charging F. Augustus Heinze, the copper financier, with conspiracy to obstruct the administration of justice by concealing the books of the United Copper company, were dismissed today by Judge Hough of the United States circuit court.

The books were under subpoena of the federal court last spring when the action was investigating Mr. Heinze's conduct as president of the Mercantile National bank in sustaining the firm of Otto Heinze & Co., during the financial panic of 1897.

The judge said it would be necessary to maintain an action for conversion of the proceeds of the note which he did not believe could be done.

The 16th count which was retained charges that Heinze knew the giver of the note was insolvent when it was discounted. The judge said this would amount to conversion.

bank by certifying checks of the firm of Otto Heinze & Co. One of the indictments alleging misapplication of the funds of the bank by Mr. Heinze, was approved by Judge Hough.

The judge in dismissing the 15 counts of the indictment charging misapplication of the funds of the bank, said that these counts seemed to charge that Heinze, for the benefit of himself and others unnamed, caused the bank to discount a single amount of commercial paper and lost the amount paid.

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COOK'S FIRST COUSIN PRESIDENT APPOINTS IS IN MISSOULA COMMISSION

RELATIVE OF DISTINGUISHED EXPLORER IS GUEST OF DAUGHTER IN CITY.

EXECUTIVE NAMES MEN TO ASSIST HIM IN EXECUTION OF TARIFF LAW.

Now that so much attention is being drawn towards Dr. Frederick A. Cook, who claims to have been the first man to discover the north pole, it will perhaps be interesting to the people of Missoula to know that for the last three months there has been in the city a first cousin of the distinguished explorer, in the person of Mrs. Mary Mattine Cook Kittrell of Butte, who has been the guest of her daughter, Mrs. Lawrence Baker of 616 South Third street west.

Rather Surprised.

When seen by a Missoulian reporter last evening and confronted with evidence that she was related to the explorer, Mrs. Kittrell was rather surprised. She stated that she had known that she had a first cousin whose name is Frederick Cook, but she had no idea until then that he was the discoverer of the north pole.

Mrs. Kittrell says that she is a daughter of Nathan Paddock Cook, a brother of Theron A. Cook, the father of Frederick A. Cook, but had never met the explorer. She stated that her family had always been given to scientific research, and she was not surprised that something brilliant had come of this trait.

She was acquainted with Theron A. Cook, the explorer's father, who has visited her at various times. Mrs. Kittrell states that some years ago her sister, Mrs. D. W. Roe, who has since died, had been taken east by her mother and had then met Dr. Cook, who was then studying medicine in New York.

The Cook family had been somewhat estranged since the civil war, as some of the members were northern sympathizers while her immediate relatives favored the south. This explains why Mrs. Kittrell had never known the doctor. However, she is glad that he is the discoverer of the pole, although, as she says, "What is he going to do with it?"

A Lucky One.

Mrs. Kittrell has been spending the summer with her daughter, Mrs. Parker, in this city, and while she was here registered for land on the Flathead reservation. She was one of the lucky ones to draw a number, and intends to prove up on her homestead. She expected to leave last night for her home in Butte, where she has a son, who is a letter carrier, and a daughter, Mrs. Norton T. Lancaster, whose husband is connected with the Butte Electric company.

Beverly, Sept. 11.—President Taft today appointed the new tariff commission, or board, which is to assist him in the execution of the new tariff law, with special reference to applying the maximum and minimum clauses to nations which are unfriendly or friendly in their tariff relations with the United States.

The new board consists of three members—Professor Henry C. Emery of Yale, chairman; James B. Reynolds of Massachusetts, now assistant secretary of the treasury, and Alvin H. Sanders of Chicago, at present editor and proprietor of the Breeders' Gazette. In announcing the selection of this new board, authorized by the Payne tariff bill, the following statement was given out at the executive offices tonight:

Agree Upon Plan. "The president and secretary of the treasury have agreed upon the plan that these gentlemen to constitute the board are to be given authority to employ such special experts as may be needed in the investigation of the foreign and domestic tariffs."

There has been discussion ever since the passage of the Payne bill as to just what authority the tariff commission shall have. The house measure provided that the commission should advise both the president and congress on technical questions about the tariff. The senate did not approve of this board authority and amended it to provide that the duties should be limited to assisting the president in the administration of the section relating to maximum and minimum rates.

No Great Concern. At the time of the tariff fight in Washington the president indicated that he did not look with any great concern upon the limitations imposed by the senate, and left the impression that he felt the commission would be able to do all that the framers of the original bill intended it to do and that the chief executive hopes for.

It was in this connection that when the president once was asked whether he preferred the name "tariff commission" or "foreign tariff board" he replied, with a smile, "I have no particular choice. You know that a rose by any other name—"

No announcement was made today as to what salaries the three commissioners are to receive. Congress appropriated a lump sum of \$75,000 to cover salaries and the expenses of investigations.

THE CLOSING SESSION HELD

BUSINESS MEETING OF M. E. CHURCH SOUTH BROUGHT TO SUCCESSFUL END.

CONFERENCE ABOUT OVER

Meeting of Methodists in Stevensville Proves Highly Successful and Beneficial Gathering—Visiting Ministers Will Occupy Pulpits in Local Churches Today and Tonight.

Special to The Daily Missoulian. Stevensville, Sept. 11.—The closing business session of the 22d conference of the Methodist Episcopal Church South in Montana was held this afternoon. The morning session was devoted to the hearing of reports from the various committees, the principal of which were the state of the church publishing interest and temperance and Sabbath observance. The legal business of the conference was also looked after at the morning meeting.

Today's session closed with the missionary memorial service, when Dr. Vaughan, editor of the Pacific Coast Advocate, preached.

The visiting ministers present will occupy the vacant pulpits in town tomorrow. The pulpit at the Methodist Episcopal church will be occupied in the morning by Dr. Vaughan and in the evening by Rev. C. D. Walker, who has just been transferred to the Montana conference from the Baltimore conference. Mr. Walker was formerly a member of this conference. The pulpit at the Baptist church will be occupied in the morning by Mr. Ulrich, who has just been transferred to the Texas conference, and J. S. Walker, transferred from the Baltimore conference. Mr. Walker was formerly connected with the Montana conference. Mr. Worq was transferred from the Kentucky conference.

Tomorrow morning at 11 o'clock Bishop Atkins will preach, and in the evening the appointments will be read. The funeral of Francis Marion Smith, who died at his home here last night from the effects of a paralytic stroke, will be held from the Methodist Episcopal church at 2 o'clock tomorrow afternoon. Rev. E. J. Stanton and Rev. E. O. Cole will officiate, and interment will be made in Maplewood cemetery. Rev. Mr. Stanley, who is attending the conference here of the Methodist Church South, is an old friend of the deceased, they both being old-timers in the valley. Mr. Smith was one of the active members of the Methodist Episcopal Church South here, and is survived by his wife and several children.

JUDGE HUNT LEAVES FOR PACIFIC COAST

Helena, Sept. 11.—Judge William H. Hunt, Mrs. Hunt and daughters left this morning for Seattle, where the judge will sit on the circuit bench of appeals. From Seattle the court will go to Portland and thence to San Francisco. Judge Hunt expects to be away until the first week in November.

Judge Dietrich of Boise, Idaho, will arrive here in time to open court Thursday, September 16, when the trial of criminal cases will be resumed. He will reside until Judge Robert S. Bean arrives from Portland early in October to remain until the return of Judge Hunt.

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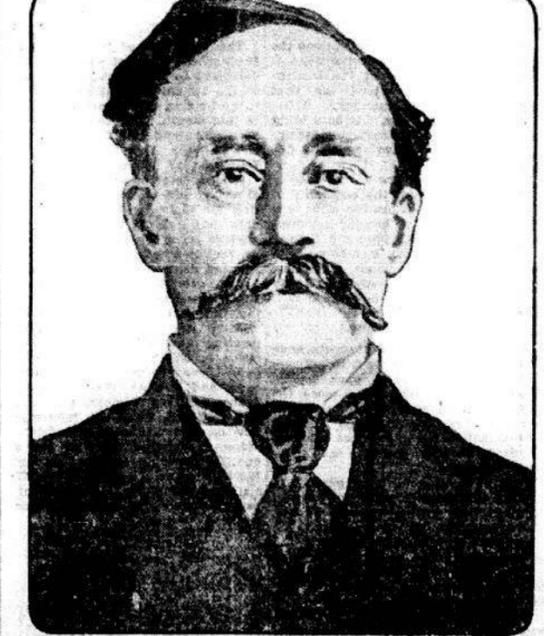
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COMMANDER ROBERT E. PEARY



IS ALSO LACKING WHITE WITNESSES

Berlin, Sept. 11.—News that Commander Peary also was unaccompanied by white observers when he reached the geographical point which he took to be the pole has started discussion afresh regarding the claims of Peary and Dr. Cook. German geographers, such as Gravelius, Hellman, Sieglin, Suerling and Friedrichsen, have been disposed throughout to believe the word of both Cook and Peary, as they had no reason to doubt the scientific competence or sincerity of either explorer.

In the newspapers, which are commenting freely on the subject, it is reported that Commander Peary's friends, and possibly he himself, have shown too little a feeling towards Dr. Cook, a feeling which they say is neither sportsmanlike, scientific nor ethical.

Professor Sieglin, writing in the Nord Deutsche Zeitung, says that scientific circles are not deeply concerned whether the one or the other explorer took observations amid the field of ice which showed the instruments to be located at the pole, or which reached the pole first. Scientists may consider themselves fortunate that both men, with unwearied zeal, have accomplished their aim.

"The Americans have stormed the pole and planted their flag," he concludes. Now, as before, the most is still to be done.

Sends No Word.

New York, Sept. 11.—Commander Peary has sent no word to members of the Peary Arctic club in amplification of his dispatches branding Dr. Cook's claim of having first discovered the north pole as an attempt to foist a "gold brick" upon the public.

General Thomas H. Hubbard, president of the club, while firmly convinced of the good faith of Peary, is not inclined to take the naval officer's challenge of Dr. Cook's claim as an categorical declaration based upon indisputable proof that Dr. Cook did not reach the pole. He said:

"I am not prepared to say that Dr. Cook did not reach the pole. I do not know whether he did or did not. But I understand Commander Peary's attitude respecting his rival's claims. Fearful, no doubt, lest institutions like the University of Copenhagen and the Danish Geographical society should take Dr. Cook's statements for granted and accord him formal recognition, which later they could not very well withdraw, he took it upon himself to sound a warning. I do not take it that Commander Peary positively knows that Dr. Cook did not reach the pole, but he has heard that he did not, and for this reason urges the public not to take the Cook story too seriously."

Claimed for America.

Washington, Sept. 11.—To the president of the United States and to the secretary of state before whose department may come any questions that may arise regarding the right of possession of the region of the north pole and the Arctic region traversed by Peary, and to the navy department of which he is an officer, Commander Robert E. Peary, has communicated the results of his expedition, and the fact that he reached the north pole and hoisted the stars and stripes on April 6, last.

In reporting to the state department, Commander Peary after stating that he hoisted the stars and stripes at the north pole April 6, adds that he formally took possession of "that entire region and adjacent for and in the name of the president of the United States of America," and that a record and a United States flag were left there.

The commander's report to the navy was typical of that of an officer returning from a mission, announcing to his superior officer respectively that fact and adding that he had hoisted the navy ensign on the north pole on the sixth day of April.

Mr. Adce is acting secretary of state.

In the absence of secretary Knox, who is at his Valley Forge home, a copy of Peary's dispatch was sent to the latter. Mr. Adce declined to make any comment.

Mr. Winthrop promptly sent Commander Peary a dispatch on behalf of the navy department expressing hearty congratulation.

Conteroy Continues. New York, Sept. 11.—The Cook-Peary controversy over the discovery of the north pole continues to rage and the great achievement itself is somewhat obscured if not lost, in the intensity of feeling which has been aroused. Commander Peary's latest dispatch challenging Cook's claim and characterizing it as a "goldbrick," has added fuel to the already fierce fire.

Each explorer has his camp of local champions centering in the various polar organizations with which they have been identified, but ramifying throughout scientific and public circles mainly. In these divided camps plans are being hastily formed on a prodigious scale for the welcome to be accorded to the two claimants for polar honors.

Peary's latest challenge to Cook's claim is viewed with varying shades of feeling by the supporters of the two men. It is accepted by both sides as a direct charge of untruthfulness of Cook's narrative. It is noted that Peary admits the statement that he has proofs of his statement contradicting Cook.

It is noted that his intention is to present proof "when he (Cook) makes his full statement of his journey over his signature."

Peary also requires that this written statement from Cook shall be made to "some geographical society or other reputable body."

"The use of the contemptuous phrase 'a goldbrick' in the reference to Cook's claim is looked upon by the champions of Dr. Cook as particularly offensive. They regard it as not only a challenge of his veracity, but as one of such serious import in reflecting upon Cook's methods that it calls for immediate substantiation from Peary."

Whether he will give this substantiation at once is open to doubt, in view of his statement that proof would be presented when Cook made a full statement.

The Arctic Club of America further perfected its plans today for meeting Cook on his arrival. A steamer to carry 2,000 people has been chartered to go down the bay to meet the explorer on his arrival on the Oscar II.

A Gold Brick. New York, Sept. 11.—A dispatch from Peary, dated at Battle Harbor, Labrador, yesterday, has just been received in this city, and reads: "The Roosevelt will remain three or four days coaling and overhauling ship. I expect to arrive at Sydney about September 17."

FINAL PLANS MADE FOR FUNERAL

PROMINENT FINANCIERS WILL ATTEND OBSEQUIES OF RAILROAD MAGNATE.

SPECIAL TRAIN PROVIDED

Many of Those Who Were Closely Associated With the "Wizard of Railroads" During His Life Will Be Present to Pay Last Respects to One of the Greatest Financiers.

Arden, N. Y., Sept. 11.—Between 50 and 60 of the country's most prominent men, including financiers, lawyers, physicians and men well known in the business world, will attend the funeral of Edward H. Harriman tomorrow afternoon. They will come from New York on a special train. At St. John's Episcopal church, a little stone chapel near the foot of Tower hill, they will join the group of mourners who will have accompanied the funeral procession from Arden house. Several hours before the arrival of the New York visitors a procession of 500 workmen employed on the Harriman estate will march slowly over the road leading to the uncompleted palace on the hills. At 9 o'clock in the morning employes will be permitted to file through the room where lies the body of the man of whom one of them said today:

"At times he seemed a workman like ourselves, just an older workman, whom we cared a good deal about."

Precaution Taken. No precautions have been omitted to protect the funeral car on its way down the hill. Sixteen of the most stalwart workmen will act as a guard of honor. The ceremony at the house at 10 a. m. will be a communion service conducted by the family chaplain, the Rev. Dr. J. Holmes McGuinness. None will be present but Mrs. Harriman and children. At 11 o'clock the public memorial service will be held at St. John's church, at which Dr. McGuinness will deliver the only eulogy. No pains have been spared to make the funeral itself, at 3 o'clock, as private as possible. To prevent the intrusion of persons not specially bidden, 60 men will guard all the approaches to the church and the three miles of road over which the funeral cortege will wind. The town boards of Woodbury and Tuxedo voted today to close the roads in those townships leading to St. John's church.

Of all the tokens of respect, none is more striking than that of the Erie railroad, that runs through Arden. Every train on this system will stand still between 3:30 and 3:32 tomorrow afternoon while the funeral services are in progress. The steel casket in which Mr. Harriman's body will rest arrived this afternoon from New York.

Hermetically Sealed. In this all that remains of the great railroad man will be hermetically sealed before it is lowered into the brick-lined vault, hewn in the rock in the hills. It is estimated that flowers will already be received and yet to come will fill four freight cars. There was a steady stream of carriages and automobiles all day, bringing the tributes up to Arden house. Mrs. Harriman tonight ordered that all additional flowers be sent direct to the church. Floral tributes have accumulated at the Erie station in Jersey City in such quantities that two special cars will be used to bring them up to Arden tomorrow morning. The telegraph office has received more than 400 messages expressing condolences. Messages from Mrs. Nicholas Longworth, J. P. Morgan, Thomas Ryan and Charles P. Taft were among those that came today.

Heart Failure. D. S. Spendleton, acting town clerk at Highland Mills, with whom the death certificate must be filed before the funeral, said today that he might insist upon a more specific description of the cause of Mr. Harriman's death than that which was given in the certificate to the undertaker. In that Dr. W. G. Lyle merely stated: "Heart failure, superinduced by intestinal complications."

However, no hitch in the ceremony is expected. The Rev. Dr. William Crosswell Doane, Episcopal bishop of Albany, who had been requested to assist in conducting the funeral services, notified the family that he would be unable to do so. In view of this, Dr. McGuinness will probably be assisted only by Archdeacon Nelson of St. John's, N. Y.

Oedema of Lungs. Oedema of the lungs or water in the lungs, the interpretation generally accepted, might have resulted from a variety of abscesses. Immediately after the death certificate was filed, a burial permit was granted. During the day Dr. Lyle had filed a certificate with the undertaker in which he said simply that Mr. Harriman's death had resulted from "heart failure, superinduced by intestinal complications."

Dr. Lyle also states positively in the (Continued on Page Six.)

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