

DARING LEAVES SURVIVING BIRDMEN

MEMORY OF HOXSEY'S DEATH HAS DULLING INFLUENCE ON AVIATION FIELD.

ELY SCARES ONLOOKERS

Aeroplane Has Mishap and Spectators Shriek—Mother of Dead Man Tells of His Belief in Fatalism—Comrade Gives Theory of Fatal Accident's Nature.

Los Angeles, Jan. 1.—There were flying events at Aviation field today, but they were wholly devoid of spirit and daring. The memory of Arch Hoxsey's death yesterday hung like a pall over aviators and spectators.

All the aviators ascended, but they flew apparently only because their contracts called for daily flights, and because there were people in the grandstands who had paid money to see them fly.

Even though the flights were short today they were dangerous, and once or twice during the afternoon horrid shouts rose from the nervous and highly wrought spectators and field attendants, as some aviator made a sharp descent or one of the frail machines wobbled or danced for a second or two in opposing currents of air.

The wind was as treacherous almost as it was yesterday when it caught Hoxsey and tossed him down to death. At no time, however, did it display the strength it showed yesterday when Hoxsey was making his last flight.

Walter Brookings, who coached Hoxsey as a pupil in the art of flying, was pale and nervous when he brought his biplane on the field today, and during the one or two short flights he made during the afternoon he never once attempted the thrilling spiral which he originated and which Hoxsey was emulating when he was caught and hurled into the fatal fall.

Paralysed, the only other surviving member of the Wright team of four that started west a few weeks ago, also kept close to the ground, and, save for short flights by Eugene Ely and Charles Willard of the Curtiss team, and Latham in the Antoinette and Radley in his Iberio, nothing was attempted but quick starts and landings.

Latham was the only aviator to keep his machine in the air more than half an hour. Radley, for a time, refused to attempt a flight at all. It was only when the wind lulled a little that he consented to ascend. After rising he encountered gusts that threatened his control over his machine and he promptly descended.

"That is the last for me in winds like this. I am taking no more chances," he said.

White Ely was making his flight a guy wire parted, and, becoming tangled in his propeller, broke a piece off one of the blades. Ely instantly pointed his machine downward, taking a sharp angle to get to earth as quickly as possible. This was when a shout of apprehension rose from the spectators. But Ely had control of his planes and landed safely, though with a jolt that jarred him considerably.

The crowd was so sober-spirited throughout the afternoon that toward the close of the events the mechanical clatter of the engine—a tiny monoplan—was brought out to create a laugh and dispel the gloom.

The spectators laughed a bit as the little machine spun and darted about before rising, then they relaxed into a silence which was never broken, except when an aviator seemed in danger of suffering Hoxsey's fate.

Mrs. Hoxsey is a quiet little woman aviator. She will receive approximately \$10,000, it is said, from the aviation committee as the winnings of her son during the present meet. The altitude prize of \$3,000 was won by him last Monday. His American endurance record of three hours and 17 minutes, made the day before his death, undoubtedly will stand, and this will add \$2,000 more to the purse. Then Hoxsey's winnings in daily altitude and endurance prizes will amount to \$4,000 additional, according to estimates made by the judges.

After being removed from Aviation field yesterday, Hoxsey's body was brought to Pasadena, where it will lie in a mortuary chapel until Roy Knab

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PINCHOT BRIEF IN TAFT'S HANDS

PRESIDENT IS APPEALED TO BY FORMER FORESTER AND BROTHER.

COAL FRAUDS ARE NAMED

Document, Submitted in Accordance to Promise and Permission, Deals Specifically With Charges Against Cunningham Syndicate and Gives Lines of Evidence.

Washington, Jan. 1.—President Taft was appealed to today by former Forester, Gifford Pinchot and his brother, Amos Pinchot, to cancel immediately, without further hearing, the so-called Cunningham Alaskan coal claims.

In a voluminous brief filed with the president, in accordance with permission given in a letter written to them by Secretary Norton on November 26, Mr. Pinchot and his brother contend that the record in the case "abundantly" proves that the claims are illegal, and that from the beginning the claimants have conspired to defraud the government.

"Case Conclusive."

"The resort to a court for a rehearing of the case is necessary to secure justice and protect the people's property," says the brief. "The case against the claimants is already conclusive. We believe the duty of the executive in regard to the claims is obvious and immediate. The claims should be cancelled by the president forthwith.

"No transfer of the Cunningham cases to a court for a decision upon the present record would relieve the executive department of responsibility for failure to have the case against the claimants fully presented by attorneys of experience and ability and for omitting to produce all the evidence of fraud available," declares the brief after charging that "in spite of the clearness of the existing proof we believe it to be our public duty to point out that the whole of the case against the claimants has not been presented.

To Defeat Law.

"The evidence in this case goes much further than to establish the fraud of attempting by subterfuge to acquire from the government more coal land than the law allows. It shows that from the beginning the claimants acted with the definite and sustained intention of defeating the purpose and essential spirit of the law—the spirit and purpose to prevent monopoly, and secure competitive development of the nation's resources."

Regarding the effect of monopoly in Alaska, the brief says: "It is evident that an enormous saving can be made to the people of Alaska, to the whole northwest and to the United States navy if only these coal mines are opened, under conditions of competition."

It charges that "the industries of Alaska have been for years largely in the hands of a great and oppressive monopoly, the Cunningham syndicate, which has kept out other capital, throttled competition and held Alaska at a standstill."

Lines of Evidence.

The brief recites that the case for the government is supported by five main lines of evidence, as follows: "First—The history of the operations of the Cunningham entrymen in Alaska is derived from their own records and statements, shows that from the beginning to the end, they were all members of a single association engaged in acquiring a joint property, and that the claimants never owned these claims separately.

"Second—The book of accounts of the Cunningham group and the reports made by its agents are all evidently based on the assumption that all the claims are one property, owned by one association.

"Third—From first to last, the subscribers took no interest whatever in the situation or value of particular claims entered in their respective names.

"Fourth—Within the shortest time practicable after final certificates were issued, the Cunningham associates took steps to turn over their claims to a corporation on a basis of equal shares.

"Fifth—More than one-half the claimants have admitted in affidavits that they had always acted with a mutual understanding that they would combine their claims after titles were secured and one so confessed at the hearings."

Discussing the charge that important evidence against the claimants was suppressed by land office agents, the brief says: "John W. Dudley, registrar of the land office at Juneau, Alaska, one of these agents, went so far as to advise Cunningham specifically how one of the claimants, who had told the truth in his affidavit, should change his statement so as to strike out evidence of fraud and avoid investigation which would at least involve an interminable delay."

GARMENT WORKERS' STRIKE IN CHICAGO IS CONTINUED OUT OF OLD YEAR INTO NEW

Young Women of Clothes Factories Continue to Hold Out Against Compromises Offered by Employers.

Chicago, Jan. 1.—The new year opens with the strike of the garment workers still in force and, seemingly, not to be settled right away. The history of the strike is interesting and the police have found out that women are not necessarily an easy proposition in mob loots. The strenuous fight put up by the garment workers and their allies, society people, who assisted materially in picket duty, has made this the most spectacular of recent labor disturbances in Chicago. Mass meetings, at which excited girls delivered addresses full of bitter invective against their employers, have been features of the strike. The holidays brought increased opportunity for "personal" work by the strikers, whose leaders claim that they are gaining friends day by day. Various conferences between employers and employees have brought no permanent result.

FRANCIS HAYDEN DEAD.

Chicago, Jan. 1.—Francis A. Hayden, 76 years old, author of several volumes on Masonry, died here today. He was made a thirty-second degree Mason in Washington, D. C., in 1866. He will be buried in his former home at Rome, N. Y.



A scene in the garment workers' strike in Chicago. Addresses by leaders of the organization of women have been frequent features.

REPUBLICAN RULERS IN NEW YORK ON BENCH

REIGN OF DEMOCRATS BEGINS WITH INAUGURATION OF GOVERNOR DIX.

Albany, N. Y., Jan. 1.—Republican rule, which has held sway in New York state for 18 years, will give way to a reign of democracy. Monday noon John A. Dix, who was sworn in privately at his home last night, will be inaugurated publicly. Tuesday evening members of the new legislature, democrats and republicans, will caucus to choose their leaders. Wednesday noon the legislature will formally organize, listen to the message of the governor and adjourn for a week of 19 days to permit the leaders to agree upon committee assignments.

But of larger importance will be the election of a United States senator to succeed Chauncey M. Depew, whose term expires March 3. Not in years has a governor's message been awaited with such intense interest as the forthcoming one by Governor Dix. The governor has worked on it for weeks. He has promised that his administration will be one of business-like economy and retrenchment. With an estimated budget of \$50,000,000 in prospect, his task is not easy. The legislative caucuses on Tuesday evening will be interesting. Charles F. Murphy, the Tammany leader, has announced that Senator Thomas F. Grady, whose legislative services date back to 1877, will not be a candidate for the majority leadership, a post which carries with it the temporary presidency of the senate.

Senator Grady, who, for years, has led the minority, declares he is a candidate. "Whether the Tammany organization or Grady will win out remains to be seen.

The various candidates for the senatorship came to Albany today. They were former Lieutenant Governor William F. Sheehan, Supreme Court Justice James W. Gerard, J. Sargent Cram, Edward H. Shepard and Herbert P. Bissell. Daniel F. Conahan of New York has been here two days. Former Judge Alton B. Parker is mentioned as a probable compromise candidate, although he has announced that he does not desire the honor.

Clapp and Trouble TO BE INTRODUCED

St. Paul, Jan. 1.—Indications are that the Minnesota legislature, which meets here Tuesday, will re-elect Moses Clapp to the United States senate. Clapp was endorsed by the republican state convention, but certain forces would like to encompass his defeat.

While Clapp is the only candidate for the senatorship, the names of Frank B. Kellogg, Congressman F. C. Stevens and James A. Tawney have been mentioned. Nearly all of the republican members have signed a call for a caucus on Tuesday night.

Clapp's opponents will attempt to forestall action on the senatorship at the caucus. If they succeed the fight will be carried to the floor of the legislature.

KERN IS FAVORITE IN INDIANA RACE

DEMOCRATIC CANDIDATE HAS LITTLE OPPOSITION IN HOOSIER STATE.

Indianapolis, Jan. 1.—If the democratic members of the Indiana general assembly carry out the wishes of the party expressed at the state convention last spring, John W. Kern will be chosen United States senator by the legislature which meets here next Thursday. Mr. Kern received the endorsement of the democratic state convention over many other aspirants and in the campaign which followed the senatorship overshadowed all other issues. The vote for senator likely will be cast on January 17. The democrats will have a majority of 30 on the joint ballot.

Mr. Kern was the leading candidate before the legislature two years ago, but was defeated by Benjamin P. Shively by a few votes. After the caucus, in a public statement, Mr. Kern asserted that eight members of the legislature were bribed by the brewery combination to vote against him. He was twice the democratic candidate for governor of the state and was the running mate of William J. Bryan in 1906.

There is no present opposition to Kern's election and it is believed there will be none.

WORKERS' MEN CLAIM SENATORSHIP

A. G. SPAULDING IS STILL IN RACE, DESPITE CONTENTIONS OF OPPONENT.

Sacramento, Cal., Jan. 1.—The legislature which convenes tomorrow will elect a successor to United States Senator Flint, and, while predictions of a deadlock are made freely, the supporters of Judge John D. Works of Los Angeles tonight claim that he has 14 votes more than necessary to elect over A. G. Spaulding, his opponent. Judge Works was the candidate of the progressives at the recent state primaries, and Mr. Spaulding, the San Diego millionaire, was put forth by the regulars. Works carried the majority vote, but Spaulding carried a majority of the districts and is making his fight on that ground. A majority of the legislators elected in November were pledged to him. The situation is further complicated by the fact that many of these districts returned democrats and also that the 20 holdover senators do not regard themselves as bound by the primaries.

The primary law relating to an advisory vote for United States senator is somewhat vague and in event of a deadlock there is strong probability that it will be disregarded and an outsider elected as a compromise.

COLD IN LARAMIE.

Laramie, Wyo., Jan. 1.—The thermometer reached 17 degrees below zero here today. A light snow fell this afternoon.

ANTOINE DESCHAMPS FALLS TO SLEEP IN DEATH

PIONEER IN WESTERN MONTANA PASSES AWAY QUIETLY AND IN PEACE.

Antoine Deschamps, a pioneer of western Montana and a man well known and prominent, died at 7 o'clock last evening at his home, 515 South Fifth street west. He was in business here for many years and at one time was engaged in the raising of stock. He was one of the first men to recognize the possibilities of this country and did much to demonstrate the adaptability of the Lolo valley to the growing of grain.

He was born in Repentigny, province of Quebec, Canada, on May 9, 1836. In 1857, he was married to Pamela Courteau. In the spring of 1882 he moved to Montana, his family following the next year. He was in the ice business in Missoula until advanced age required him to retire.

No suffering marked his last days, although for several weeks it had been apparent that the end was not far away. Old age was the cause of his death; he simply lived until his time and then he fell asleep. He passed into eternity as calmly as to a night's repose.

He leaves his wife, four sons, Romulus, Philippe, Antonio and Ismael, two daughters, Mrs. Elie Richotte and Mrs. J. P. Menard, all of this city. He is survived by three brothers, Gaspar and Joseph of Missoula, and Ronald of Montreal, besides a sister, Mrs. George DeMors of San Francisco. The children were all at his deathbed, with the exception of Ismael, who is in Alaska.

A host of friends will deplore the loss of a good citizen, a kind father and a devoted husband.

Funeral services will be held at St. Francis Xavier Catholic church at 10 o'clock on the morning of Wednesday, January 4. It is the wish of the family that there be no flowers.

MOVING.

Oklahoma City, Jan. 1.—When day breaks Monday morning all the state records will be in Oklahoma City. A special train is bringing all the office fixtures, records, etc., from Guthrie to Oklahoma City tonight. The train left Guthrie shortly after midnight and is scheduled to arrive here at 5 a. m. Monday.

INDIAN WILL PRESIDE IN OKLAHOMA HOUSE

Oklahoma City, Jan. 1.—The third state legislature of Oklahoma will convene in regular session in Oklahoma City Tuesday noon. Owing to the fact that Governor-elect Lee Cruce does not take office until January 9, but little will be done the first week. At a caucus held during the special session in December, the democrats, who are in the majority, decided to elect William A. Durant of Durant, Okla., speaker of the house. Durant is an Indian. New bills will be introduced this session, it is said, but it is likely attempts will be made to amend many existing laws.

WALSH BEATEN IN CAUCUS FIGHT

DEMOCRATS OF HOUSE PICK W. W. McDOWELL OF SILVER BOW FOR SPEAKER.

WORD SHY EIGHT VOTES TO HELP PEOPLE SAVE

Helena Man Falls in Race, But Chief Clerkship Goes to Salve Feelings of Faction—Edward Donlan Is Selected by Senate Republicans for Speaker Pro Tem—Nominations.

Helena, Jan. 1.—(Special.)—W. W. McDowell of Silver Bow county will be the speaker of the house of the twelfth legislative assembly, which convenes here tomorrow at noon. This was decided upon at the caucus of the democratic house members tonight, Mr. McDowell receiving 25 votes and R. Lee Word of Helena, the Walsh candidate, 16 votes. Finlay McRae, the Walsh candidate for chief clerk, was successful, the caucus giving him the position to ease the bitterness of the Walsh faction over its defeat in the speakership fight.

The republican senate caucus selected Edward Donlan of Missoula, as speaker pro tem, and Nathan Godfrey of Helena as secretary. The democratic minority in the senate, and the republican minority in the house also caucused, not with the expectation of placing their candidates in office, but simply to keep up the organization.

The legislature meets at noon, and it is expected that organization will be perfected tomorrow, and that an adjournment will be taken until Tuesday.

Republican Nominations.

The following are nominees of the republican senate caucus: President pro tem, Edward Donlan, Missoula; chaplain, J. F. McNamee, Helena; secretary, Nathan Godfrey, Helena; assistant secretary, Charles B. Gibbs, Sanders county; sergeant-at-arms, Joseph Corby, Butte; assistant sergeant-at-arms, H. C. Provinsie, Carbon; journal clerk, W. H. Harrison, Cascade; assistant journal clerk, Miss Florence Lakin, Lincoln; engrossing clerk, Mrs. E. W. Peede, Beaverhead; enrolling clerk, J. H. Hoy, Deer Lodge; assistant enrolling clerk, C. T. Raden, Meagher; bill clerk, Mrs. Josephine Watson, Chouteau; printing clerk, Gaylord Eckles, Valley; doorkeepers, P. Fleming, Dawson; Henry Madison, Jefferson; Kain Connors, Rosebud; watchmen, C. W. Tice, Meagher; Oscar Odenwald, Teton; Gus Raffalovich, Deer Lodge; pages, Alva Lamb, Sweet Grass; Robert Fredericks, Missoula; Brownie Burke, Helena; committee clerks, Mrs. L. Harkness, Helena; Miss Agnes Shay, Sweet Grass; Mrs. Grace Catlin, Missoula; Mrs. C. Teocote, J. Haley, Helena; messenger, Alex McAuley, Silver Bow; janitor, C. M. Sherman, Pegasus.

Nominations of the democratic house caucus are: Speaker, W. W. McDowell, Butte; speaker pro tem, R. Lee Word, Helena; chief clerk, Finlay McRae, Helena; assistant chief clerk H. B. Harmon, Flathead; sergeant-at-arms, J. L. Dehart, Cascade; assistant sergeant-at-arms, Dan A. McLeod, Granite; journal clerk, Oswald Cohen, Silver Bow; assistant journal clerk, Miss Mary Bridenbaugh, Helina; engrossing clerk, Miss Henrietta Winhart, Broadwater; assistant engrossing clerk, Mrs. Martha Duval, Jefferson; enrolling clerk, Vincent Fortune, Helena; assistant enrolling clerk, Miss Mary Utley, Missoula; bill clerk, Frank McHaffie, Missoula; chaplain, I. N. Smith, Ravalli; chief-doorkeeper, G. C. Dodds, Madison; assistants, William E. Brennan, Silver Bow, Ed Hanley, Gallatin; watchmen, Johnson, Pearson, Teocote, J. Haley, Helena; pages, Will Miller, Helena; James McElwee, Jallatin; Joe Buser, Helena; Clarke Johnson, Ravalli; Vincent Murphy Silver Bow, Eddie McElroy, Silver Bow; janitors, William McKeivry, J. Woodside, Helena.

NONCHALANT INDIAN EXHIBITS DEAD WIFE

Tucson, Ariz., Jan. 1.—Because she would not get up and give him some medicine several nights ago, Antonio Teocote, a Yagay Indian, crushed in his wife's head with a hammer and then buried her, head downward, in the yard. When the woman was missed Teocote readily led the sheriff to the burying spot and then produced the bloody hammer. He considered the woman his personal property and does not appear to understand why his act should have resulted in any unusual excitement.

INDOORS NOW.

Cheyenne, Wyo., Jan. 1.—Owing to the sudden drop in temperature here plans have been abandoned for the outdoor exercises tomorrow in connection with the inauguration of Joseph M. Carey as governor. The inaugural exercises will be held in the capitol.

POSTAL BANKS WILL OPEN TUESDAY

JANUARY 3 IS SET AS DATE FOR BEGINNING OF GOVERNMENT EXPERIMENT.

System Is Designed to Inculcate Thrift and Has Been Devised by Experts—Lack of Passbooks Will do Away With Much Expense—Will Be Tried in Few Places First.

Washington, Jan. 1.—Through the practical institution of the postal savings bank system on Tuesday, January 3, the United States government will give the people facilities for saving a part of their earnings. Their establishment is regarded as the most far-reaching financial step taken by the government since the authorization of national banks, and their operation will be watched with interest by financiers throughout the world.

The system is to be inaugurated on a comparatively small scale. One postoffice in each state and territory has been selected as a depository. In those 48 offices a thorough test will be made. It was decided to make the beginning thus small, not only because no adequate appropriation was available to put it into general operation, but also because the plan adopted differs entirely from that of any other system in the world.

The Scheme.

The new scheme is the result of many months of work by committees of postal and banking experts, whose efforts were directed by a board of trustees, consisting of the postmaster general, the secretary of the treasury and the attorney general.

No passbooks will be furnished depositors, but all deposits will be evidenced by engraved postal savings certificates, issued in fixed denominations of \$1, \$2, \$5, \$10, \$20, and \$50, each bearing the name of the depositor and the date on which interest begins to accrue. The certificates are non-transferable and non-negotiable. Interest will be payable annually at the rate of 2 per cent per annum.

By the terms of the law no account for less than \$1 may be opened and no person may deposit more than \$100 in any calendar month, or have to his credit at any one time more than \$500, exclusive of accumulated interest. Accounts may be opened by any person over 16 years old in his or her own name and by married women in their own name. The accounts of wives cannot be interfered with or controlled by husbands.

For the present, deposits will be limited to patrons of postoffices at which the system is established. The service is entirely free, no fee being required in connection with the opening of an account or the withdrawal of money deposited.

No person connected with the postoffice department will be permitted to disclose either the name of a depositor or the amount of his deposit, unless directed to do so by the postmaster general. Deposits may be withdrawn at any time with accrued interest, or the interest alone may be withdrawn.

While deposits of less than \$1 will not be received, small amounts may be saved for deposit by the purchase of postal savings cards at 10 cents each and of postal savings stamps, which have been specially prepared for the purpose and will be on sale at all depository offices. Each postal savings card contains blank spaces to which 10 cents savings stamps may be affixed as purchased.

Save a Dime.

The postmaster will accept a postal savings card with nine 10-cent savings stamps affixed as a deposit of \$1, either in opening an account or in adding to an existing account. This feature is expected to appeal particularly to children and to encourage in them habits of thrift.

An interesting feature of the system is the privilege accorded a depositor of converting his savings into United States bonds to be issued in denominations of \$20, \$40, \$60, \$80 and \$100, and multiples of \$100 up to \$500. The bonds will be issued in both registered and coupon form and will bear interest at the rate of 2 1/2 per cent, payable semi-annually. The bonds are redeemable at the pleasure of the United States one year from the date of issue, both principal and interest being payable 20 years from date of issue in gold coin. No limit is placed on the amount of these bonds a depositor may acquire, as the bonds are not counted as a part of the maximum of \$500 dollars allowed one depositor.

In Local Banks.

Most of the funds received from depositors will be placed in local banks throughout the country so that the money will be available for current needs. These deposits will be secured by bonds deposited by the banks with the treasurer of the United States. Five per cent of the deposits will be

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