

Today—Cloudy. Tomorrow—Rain or snow.

To your legislator to work for reapportionment.

DEMOCRATS ARE FEARING ELECTION OF T. H. CARTER

Eloquence Runs Riot in Joint Assembly of the State Legislature and Galleries Are Thrilled.

REPRESENTATIVE INTIMATES THE USE OF MONEY

Senator Everett Says the Oregon Plan Is Favored by the Democrats and Then Quotes Figures to Show That the Vote of the People Went to the Republicans-- Puts Two and Two Together

Helena, Feb. 3.—(Special)—This was a field day in the joint assembly, and eloquence ran riot. Some very interesting things were said. Representative Lissner, who first supported Conrad then Walsh, and later Conrad, represented the claim to the effect that Thomas J. Walsh is the only democrat deserving of votes for the United States senator. He almost became reckless with his tongue. In the brief time he was on his feet he said some things that bordered on the sensational. He intimated that money had been used in electing members of the house and declared in a strident voice that no one had ever charged Mr. Conrad with being tainted. Senator Everett joined the Carter forces today, and in explaining his vote, made a forceful argument, stating his reasons for his position. Senators George and Whiteside were in the thick of the fight before it was over, and Representatives Berry, Binnard and Woody took a hand. But there is no material difference in the vote, and unless the democratic central committee is wiser than the democrats of the legislature, nothing new is expected from their side of the house any time soon. Representative Binnard, a Silver Bow declaimer, announced before voting that he would be standing firm at the eleventh hour. This means that he will be a Walsh man on and on.

Helley, Holt, Holter, Jordan, Murray, Nelson, Paul, Ralston, Roberts, Rodgers, Sarter, Schwartz, Slayton, Stevens, Story, Swick, Williams. Total, 38.

Scattering. For Lieutenant Governor Allen—Representatives Bell and Vaughan. For T. M. Swindhurst—Senator Conrad. For Congressman Pray—Senators Burlingame, McCone and Sykes and Representative Hozer. For R. R. Purcell—Senator Muffy. For Judge P. C. Webster, Missoula—Representative Higgins. For Senator Meyer—Representative Tolman. For E. J. Owenhouse, Bozeman—Senator Whiteside and Representatives Baker and Law.

The galleries of the joint assembly hall, which is the house, have been packed every day at the noon hour. The frequenters seem not to tire of the monotony. Today was no exception. Everyone hoped for something out of the ordinary. Therefore, when Senator Everett's name was called and he was a little behind time in answering, hundreds of heads dipped over the railings of the galleries. For 20 odd days the man from Chouteau county had remained out of the Carter camp, and being a quiet, able, courageous man, no one dared predict what he would do this morning. One newspaper man, who is keeping tab on the situation, said: "He is going to speak for Walsh, and all will be over."

Lifting a piece of paper from his desk, Mr. Everett said: "We have been told that we should get together and elect a senator. Others here have told you their reasons for voting for their candidates. I feel that I would like to explain my vote." "You could have heard a pin drop in the house. Every ear was bent forward to catch every word. "Men on the other side of this aisle," continued the speaker, "say that one man should be elected because the people so indicated by their votes in November. "The democrats have voted for a primary bill—the Oregon plan—which does away with party lines. They stand out for the direct vote of the people. "Now, gentlemen, I have been digging among the returns from the last election and have found some figures that will surprise some of you. Let us see how the people voted: "I have added the votes cast for state senators and the figures are: "For republicans, 26,668; for democrats, 26,283, giving a republican plurality of 183. "For the house I find these figures: Lowest vote—Republicans, 28,159; democrats, 27,057. This shows a republican advantage of 1,102. "Highest vote—Republicans, 31,177; democrats, 31,618. Here we have 157 more republicans than democrats. "Now, strike an average and you have, in the house, 29,727 republicans and 27,033 democrats, or a republican lead of 694. "Having studied these figures, I have come to the conclusion that the claims of the democrats are wrong. The victory of November, going back to the people, was republican and not democratic. The Oregon law in operation would give the senator to us. "In the campaign several democrats were mentioned, while but one republican was mentioned. (Continued on Page Three.)

Record of the Balloting. Carter Conrad Walsh Seat. First 31 18 28 22. Second 24 16 29 22. Third 25 18 31 17. Fourth 24 17 31 18. Fifth 28 12 20 28. Sixth 26 17 22 25. Seventh 23 17 23 18. Eighth 24 17 23 17. Ninth 20 16 24 20. Tenth 26 15 25 25. Eleventh 17 13 20 27. Twelfth 23 13 31 21. Thirteenth 28 15 24 12. Fourteenth 26 17 29 14. Fifteenth 26 17 22 13. Sixteenth 24 17 29 14. Seventeenth 20 18 24 14. Eighteenth 22 18 25 11. Nineteenth 33 19 27 11. Twentieth 25 18 29 15. Twenty-first 26 18 28 15. Twenty-second 28 17 29 12.

The vote today stood: Carter, 38; Conrad, 17; Walsh, 29; scattering, 15. Paired and absent, 4. Conrad—Senators Cockerell and Galloway; Representatives Alley, Blackburn, Crouch, Dobell, Duffy of Granite, Duffy of Silver Bow, Gillis, Hayes, Herbold, Johnson of Lewis and Clark, Lissner, Macdonald, O'Flynn, Wheeler of Cascade, McDowell. Total, 37. Walsh—Senators Dearborn, Duncan, George, Groff, Leary, McCarthy, Stout, Representatives Asbridge, Berry, Binnard, Brady, Byrnes, Donohue, Ebert, Johnson of Ravalli, Kammerer, Kirschwing, McMurry, McNally, McQuitty, Martin, Nolan, O'Hern, Owenhouse, Reel, Tuttle, Whaley, Woody, Word. Total, 29. Carter—Senators Christopher, Donlan, Dunnigan, Edwards, Everett, Kessler, Larson, Leighton, McDonnell, Meyer, Selway, Survant, Tooley, Representatives Bernard, Blake, Burt, Hiel, English, Gray, Grubb, Hewett,

DEMOCRATIC COMMITTEE ASKS FOR CO-OPERATION

Helena, Feb. 3.—(Special)—The democratic committee met and resolved and adjourned. It was agreed that something should be done to relieve the situation, but nobody had a solution to offer. One or two lightning rods were up, but nothing struck them. H. C. Stiff of Missoula was one of the advisers. He had the proxy of Sanders county. The committee was in session in a little room across Sixth avenue from the Grandon hotel for several hours. When it adjourned the following was given out for publication as the result of the meeting: "Whereas, At the recent general election in this state, a majority of the members of the legislature chosen were democrats, thereby giving a democratic majority on joint ballot, and making it only necessary in order to elect a democrat to the United States senate for the term beginning the

fourth of March next, that the democrats in the legislature unite upon one man, and. "Whereas, There has been more than three weeks of fruitless balloting without any apparent prospect at this time, of a solution of the existing situation, and as there appears grave danger of failure to elect a senator before the expiration of the time when, under constitutional provision, the legislature must adjourn, and the state thereby be deprived of the representation in the United States senate to which it is entitled, and the democratic party of the state deprived of the legitimate fruits of its recent victory; therefore, be it "Resolved, That it is the sense of this committee that the democratic members of the legislative assembly should promptly get together in conference and agree upon some democrat for whom they can all vote for United States senator in joint session, a result of infinitely more importance to

UP FOR INSPECTION



ARCHBISHOP RYAN BECAUSE OF DREAM DAM IS DYNAMITED SHOWS GREAT VITALITY WOMAN OPENS GRAVE TO SAVE CITY IN IDAHO

AGED PRELATE SLEEPS SEVERAL HOURS AND IS APPARENTLY MUCH REFRESHED.

Philadelphia, Feb. 3.—The vitality shown by the Most Rev. Patrick J. Ryan has completely puzzled his physicians. Notwithstanding that a bulletin was issued last night saying the aged prelate probably would not live throughout the night, he awoke today refreshed by several hours of sound sleep. His condition today was more satisfactory than it had been for nearly a week. Besides receiving half a dozen callers he told an amusing joke on Cardinal Gibbons and signed his name to an important document which had been brought to the cathedral residence by counsel of several Catholic charities. When Father Kavanaugh, the archbishop's private secretary, chanted mass, the distinguished patient responded, and later he joined with Father Kavanaugh in singing a hymn. He paid close attention to the reading of several letters and was pleased when his secretary read a note from President Taft. Dr. J. Ryan Devereaux of Washington, the archbishop's nephew, who is assisting the other physicians, said in commenting on his condition: "It is the most marvelous instance of vitality I ever have come in contact with."

SHE CLAIMS THAT A VISION FROM GOD SAID BURIED MAN WOULD RISE AGAIN.

Stanford, Ky., Feb. 3.—"A vision from God told me that he would rise again," said Mrs. Amanda I. Harrison, in confessing before Judge Bailey this afternoon that she worked all of Tuesday night digging into the grave and removing the casket containing the body of George B. Sautley, the attorney, which was found above the ground early Wednesday. Mrs. Harrison, who was arrested in a remote part of Adair county, nearly 100 miles away, today readily admitted her connection with the attempted grave robbery, and said she had no accomplices. In explanation of the weird story, Mrs. Harrison said that on last Saturday morning she experienced a vision from God in which she was assured that the attorney would rise from the dead if the earth covering him should be removed. Confiding her intention to no one, Mrs. Harrison went about her plans for freeing the body. Before leaving her home on the night of her quest she prayed fervently and, stealing into the cemetery about midnight, began her task. With hands unused to a spade, she says she shoveled the dirt from the grave, confident the end of her task meant the restoration to life of the man who had secured her a divorce. After she had removed all of the dirt from over the casket and had lifted it above the earth, she was unable to remove the lid, said Mrs. Harrison, and lights in the distance warned her that the dawn was near. Thereupon she abandoned her task and, having previously requisitioned the services of the son of one of her aunts, departed for Adair county. It was at the home of relatives that she was found today by officers, accompanied by Rowan Sautley, brother of the attorney. The warrant against Mrs. Harrison charged her with desecrating a grave.

POCATELLO IS SAVED FROM DISASTROUS FLOOD BY BLOWING UP LAKE WALL.

Pocatello, Idaho, Feb. 3.—To save the city from a flood which threatened to result from the breaking of the west levee of the city dam, the authorities today ordered the west wall of the great lake dynamited. Lack of power has caused a closing of the schools, and in the absence of arc lights in the streets lanterns and candles will be used for illumination. At Inkom, Idaho, the Port Neuf river is at flood tide. Traffic on the Oregon Short Line in this section was seriously hampered for three days, but the outlook today was more promising. Bridge men have practically completed rebuilding the damaged trestles, and trains will be started in both directions from Inkom tomorrow. Six inches of snow fell in Pocatello and vicinity last night, and today a hard gale is blowing.

"HACK" WINS. Kansas City, Feb. 3.—George Hackenschmidt the Russian wrestler, won from Gus Schoenlein (American) in straight falls here tonight. The first fall came in one hour, 29 minutes and 20 seconds and the second in 33 minutes, 15 seconds.

COSTLY TAPESTRIES BURN. St. Petersburg, Feb. 3.—Fire in the residence of Prince Kochubiy tonight destroyed the picture gallery in which were Goelin tapestries valued at \$125,000.

SEE IS INDICTED. Chicago, Feb. 3.—Evelyn Arthur See, founder of "Absolute Life," was indicted today on serious charges, the penalty for which is imprisonment from 1 to 20 years. Several girls were witnesses before the grand jury.

UNTIL MONDAY. Danville, Ill. Feb. 3.—The grand jury will adjourn this afternoon until Monday, when the investigation of trafficking in votes will again be taken up. Many witnesses are yet to be examined.

EVENING NEWS SUSPENDS

Butte, Feb. 3.—(Special)—The Butte Evening News, one of the latest afternoon papers in the northwest, after a brave struggle to keep going, gave up the ghost today. On the front page it prints the following adieu: "The news, with this issue, discontinues publication. Conditions with which the local public is sufficiently familiar to need no recital, make it impossible for four daily newspapers to maintain an independent existence in this community. To its patrons and staunch friends of years the 'News' kindly and reluctantly makes this announcement." The News was started as an afternoon paper by F. Augustus Heinze during the big mining war. It has been one of the best employing papers in the country, engaging good men and paying good wages. It could not secure the advertising patronage, however, and without the financial backing of Heinze, it had to stop.

IN IOWA. Des Moines, Feb. 3.—The vote on United States senator today in the Iowa legislature resulted as follows: Funke 55, Young 43, Kenyon 4, Garst 1, Porter, (dem.) 53, Absent 2. Necessary to elect 75.

MARSHALL WINS. New York, Feb. 3.—By half a point Frank J. Marshall, who was already champion of the United States, today won the national chess masters' tournament, which has been in progress two weeks. His final game was drawn with Kreyborg making his score 10 points out of a possible 12, or eight wins and four drawn games in the tournament.

SPEECH AGAINST LORIMER IS MADE BY SENATOR ROOT

Washington, Feb. 3.—The entire senate today sat through a long speech by Senator Root and heard him declare that Senator William Lorimer should be excluded from his seat on account of bribery in his election by the Illinois legislature, regardless of methods of subtraction resorted to with reference to the seven alleged tainted votes. He said it was immaterial whether the tainted votes were subtracted from the general vote on joint ballot or only from the Lorimer vote. "The senator then undertook to show that Browne had been instrumental in procuring the 29 democratic votes cast for Lorimer. Picturing Browne's leadership over and control of a certain large number of members of the Illinois legislature, and the relationship of Browne to Lorimer, which was described as that of campaign manager, Senator Root wanted to know how this control was secured and maintained. "The use by Browne of the term 'really necessary' in seeking democrats to vote in the legislature for Lorimer, was made most of by Mr. Root. He said the testimony showed that Mr. Browne had recourse to this

BIG SENSATION IN RUSSIAN COURT DIRECT VOTE IS BEFORE SENATE

THRILLING INCIDENTS OCCUR DURING TRIAL OF WHOLE-SALE MURDERER.

PRISONER IS AGITATED

When Commission of Experts Testifies That Count Bouturlin Could Have Died From Poisoning, the Defendant Is Called Upon to Explain What Became of Poisons He Had Secured.

St. Petersburg, Feb. 3.—The trial of Dr. Pantchenko and Count O'Brien de Lassy, who are charged with murder in the poisoning of Count Vassillii Bouturlin, De Lassy's brother-in-law, continued today productive of sensation after sensation. Testimony was adduced that Pantchenko had secured tubes of both diphtheria and cholera germs, which he had represented were required for scientific purposes. He said he had given the tubes of cholera toxin to De Lassy, who had furnished the money with which he made the journey to Kronstadt to get them. The diphtheria toxin, he said, he had thrown away. A commission of medical experts testified that Bouturlin's death was due to poison, and that the poison could have been diphtheria toxin. Throughout the report of the experts Pantchenko's face lost color and he fidgeted nervously as he watched them. The prisoner's agitation heightened when the prosecutor announced the result of the medical evidence. "I Don't Want to." In addressing the presiding judge the prosecutor said: "Pantchenko, during the trial, postponed the examination until the tests of the medical experts had been concluded. Perhaps Pantchenko now will find it possible to answer the question whether he injected diphtheria toxin into the count." Every eye in the courtroom became focused on Pantchenko, who slowly rose from his seat and stood silent for several moments, plucking his beard with trembling fingers. Finally he clasped both hands to his forehead and answered in a hollow voice: "I don't want to."

MOTION TO MAKE POPULAR CHOICE UNFINISHED BUSINESS IS PASSED.

THRILLING EXPERIENCES

Senator Borah, Aided by Democrats and Progressive Republicans, Succeeds in Putting the Matter Fairly Up to the Senators For Consideration—Some Parliamentary Practices.

Washington, Feb. 3.—After a series of thrilling experiences, Senator Borah, supported by progressive republicans and democrats, made tremendous advances through the lines of old republicans and placed the resolution for the popular election of senators in a most advantageous position squarely in front of the enemy's goal. After taking several rebuttals the Idaho senator pounded away until he landed his resolution in the favored place on the legislative program, and it must come up every day as the unfinished business. "The moment the Lorimer case was laid aside Senators Nelson and Borah clamored for recognition. Vice President Sherman saw Mr. Nelson first and gave him the floor. He moved to take up the bill to regulate the leasing of Alaskan coal lands, whereupon Mr. Borah promptly moved to lay that motion on the table. This move failed 26 to 41. Most senators thought this settled the question and that the Borah resolution had been successfully relegated to a position where it would not prove a dangerous factor in the legislative program during the short time remaining of the congress. Roll Call on Adjournment. After the senate had proceeded with the Alaskan bill for a short time, Mr. Nelson gave way to Senator Warren to make a motion that the senate adjourn until Monday. Mr. Borah here jumped into the fray again. He said he would object, and that he did so because it had become apparent that that senators opposed to his resolution would not give consideration to it if they could help it. He demanded a roll call on the motion to adjourn until Monday, and this time he won by a small margin. Thus encouraged, Mr. Borah asked that his resolution be made the unfinished business of the senate. From the previous roll call it appeared that this resolution might be given this preference, and Senator Penrose hurriedly moved an executive session. Such a motion may be made at any time, and therefore, Mr. Borah again found himself abashed out of the way. As the executive motion was being put to the senate, Mr. Borah demanded a roll call, secured a sufficient number of seconds, and the call was ordered. Significant Vote. On what was regarded as the most significant vote of the day the executive session was defeated, 36 to 40. All of those who voted in the affirmative are regarded as lined up against popular election of senators, and those who voted in the negative are known to be in favor of this policy. All of the affirmative votes were cast by republicans, but several republican senators voted with the democrats against the closed session as follows: Beveridge, Borah, Bourne, Bristow, Brown, Burkett, Clapp, Crawford, Cummins, Dixon, Gronna, Jones, La Follette, Nixon and Perkins. Recognizing that Borah had the votes, no further objections were made and the resolution became the unfinished business of the senate without a (Continued on Page Three.)

TO FIX ALIMONY. Wheeling, W. Va., Feb. 3.—Counsel for Mrs. Laura Farnsworth Schenk and her husband John O. Schenk, the millionaire packer will hold a joint meeting here late today to take up the matter of alimony and counsel fees for the woman. Mrs. Schenk was charged with poisoning her husband. The jury disagreed. Mr. Schenk will file his suit for divorce Monday and the wife will retaliate with a cross bill.

PEARY MAY LOSE. Washington, Feb. 3.—Congress may fall to act at this session on the bill to promote Robert E. Peary to be a rear admiral. The bill was reported on the private calendar today, but consideration was postponed. It is not likely that private bills will again be taken up before adjournment.