

Bismarck Daily Tribune.

TWENTY-NINTH YEAR.

BISMARCK, NORTH DAKOTA, SUNDAY MORNING, MARCH 14, 1909.

PRICE FIVE CENTS

BLACK HAND KILLED HIM

New York's Noted Italian Policeman Shot in Pa- lermo, Sicily

Went There to Try Stop Emigration of Dago Cutthroats

Palermo, March 13.—Lieutenant Joseph Petrosino, head of the Italian squad at the New York police headquarters, was shot to death at 9 o'clock last evening under the shadow of the trees at Marina square in this city. Whether he was lured there or not is unknown, but it is believed that Petrosino, who during his stay in Sicily has been indefatigable in searching up the records of Sicilian criminals, had gone to the square in the hope of securing information which he considered of the utmost importance.

The identity of the assassins has not been disclosed, for they made their escape after having made certain of the death of the detective. Not the slightest trace of them has yet been discovered, but undoubtedly they were men who had reason to dread Petrosino's presence in Italy, either because he was on their track or the track of fellow members of some of the secret organizations from America. Petrosino had managed to collect while here much evidence of the criminality of a large number of Italians who have taken refuge in the United States, which would have given the American government the power to deport them. In a number of cases Petrosino had traced murder to their hands. His work will be largely destroyed by his death, as he had not had the time nor the opportunity to place much of his data on record.

His assassination was a most cold blooded one. He was attacked in the darkness at the corner of the deserted square by two men who fired three shots at him. Petrosino, though mortally wounded, clung desperately to life, and showed at the very last moment extraordinary courage and coolness.

Though the blood was streaming from him and he could feel that death was near, he clung with one hand to the grating of a nearby window. He managed to draw his revolver and fire one shot, and then fell to the ground. His bullet missed its mark, but the noise of the explosion attracted several passers. The first of these was sailor from the warship Calabria, who, as he ran up and saw the detective dragging himself to his feet and grasping the iron bar with nervous hands, but as the sailor reached him, Petrosino fell again to the ground covered with blood which was flowing from a desperate wound in the face. His eyes were still staring, and as if in a last effort to defend himself he turned the revolver in his hand to where his assailants had been. He was dead before the sailor and others who came to his assistance could raise his head.

To Be Relentlessly Pursued.

New York, March 13.—No crime in years has so stirred the people generally and the police in particular as has the assassination of Lieutenant Joseph Petrosino, of the New York police force, in Palermo, Sicily.

By many Petrosino is celebrated a martyr. He had received numerous threats that unless he ceased his efforts against the Black Hand, the Camorra, the Mafia, and other Italian conspirators and criminals, he would meet his end. Petrosino, however, was not deterred in the work he believed he was called on to do for civilization and humanity, though he often prophesied to his friends the fate that befell him yesterday.

A relentless warfare has already commenced here and in many other American cities against the class of criminals who brought about Petrosino's death. Instead of stopping investigation and prosecution, as they had perhaps believed, the murder will cause only added activity on the

part of the police all over the country, and it is hoped that will result in closer co-operation between the Italian government and our own in barring the criminals from United States ports and in deporting many that are now here.

Petrosino was 48 years old, and became a member of the police department in 1883.

He was a "find" of Inspector Alexander Williams. Williams was attracted by the active and bright young Italian, and conceived the idea of using him in the Italian colonies where crime was found and hard to trace.

From the first Petrosino was successful. The arrests have run into the thousands while his convictions have been proportionately large. The Black Hand Crimes had recently received much of his attention, and his trip to Italy was in furtherance of his idea to establish a secret bureau there that would keep the police here informed when criminals emigrated to this country, so they could be kept out. He was also arranging so that known Italian criminals now here could be deported, especially men or women who had sentences or charges hanging over their heads in Italy.

In this work Petrosino had the hearty co-operation of the immigration authorities, of Police Commissioner Bingham and of many Italian business men. It was in fact the latter who furnished the funds for Petrosino's trip to Italy and the work he was doing, the board of aldermen and the city officials having neglected to appropriate money for the purpose.

Petrosino had been on his mission about two months, and was about to return when he was assassinated. Ex-President Roosevelt was one of those who knew Petrosino well and who was greatly shocked at the news.

"I can't say anything," he said, "except to express my deepest regret. Petrosino was a great man and a good man. I knew him for years, and he did not know the name of fear. He was a man worth while. I regret sincerely the death of such a man as Joe Petrosino."

SUBMERGED

Montgomery, Ala., Is Fairly Afloat in Aqua Pura and Surrounding Country Is Out of Sight

Montgomery, Ala., March 13.—Montgomery is threatened with the greatest flood in the history of the city. The Alabama river tonight is nearing the fifty-foot stage and the weather bureau predicts a fifty-five-foot stage by tomorrow morning and tomorrow night it may be still higher.

There is danger tonight of the city being thrown into darkness, the waters threatening the steam plants of both electric light companies and the gas works.

Across the river from Montgomery there is a sea of water, extending as far as eye can see. The tops of trees which formerly stood high on the banks, are barely discernible. The water is over the Louisville & Nashville railroad tracks.

So far no fatalities have occurred. A party of laborers has begun a barricade against the probability of the gas plant being crippled, and a brick wall is being constructed to keep the waters out.

The United States government boat Twining has left on a six-mile up-river trip to rescue a party reported marooned on an island. Sunday the Twining will visit the negro settlements and other plantations along the river.

SENT THEM UP PROPERLY.

Wakefield, Mich., March 13.—Mrs. Matt Pikka, a Finnish woman, last night killed her two boys, aged 6 and 7 years, while they were in bed and asleep. She cut their throats with a razor. The father was at work in the mines. The only reason she gives for the act is that she could not bring them up properly.

The Benedict Banner has started on its second year and Editor Loman announces that the paper will continue for several more.

JOE CANNON IS CHOSEN

Present Speaker Indorsed for Reelection by Re- publican Caucus

Caucus Members Are Also Pledged to Adopt Old House Rules

Washington, D. C., March 13.—Proclaimed by his friends as the "Iron Duke of American Politics" Jos. G. Cannon of Illinois, was elected tonight at the Republican caucus as the candidate of his party for the speakership of the house of representatives. At the same time the caucus bound its members to vote for the adoption by the incoming house of the rules which governed the last house.

It was the fourth time the honor had been conferred upon Mr. Cannon. But tonight neither the selection of a candidate for speaker, nor the vote on the rules was characterized by the unanimity of party feeling that attended the three preceding caucuses. There was plenty of evidence of the insurrection promised for Monday night against the Cannon organization, and in the main the most determined anti-Cannon Republicans were not present.

Following is the personnel of the house organization as chosen by the Republican caucus tonight:

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NOTHING DOING IN SCRAP BE- TWEEN NICARAGUA AND SAL.

Washington, D. C., March 13.—Insofar as official dispatches are concerned there were no developments today in the Central American situation. It was announced at the state department that no word had come from Nicaragua or elsewhere bearing on the subject.

After waiting all day for a reply to his dispatch of last night, the Mexican ambassador visited Secretary Knox and informed him that as yet he had nothing to communicate. In the meantime, following conferences between Knox, Secretary Geyer and Rear Admiral Pillsbury, chief of the bureau of navigation, the ships now in Nicaraguan waters and on their way there were assigned to stations. There will be one at Graytown and another at Bluefield, on the Atlantic; one at Corin and another in the Bay of Fonseca on the Pacific side. This latter vessel, the Yorktown, because

of her light draught, will be able to proceed as far as Amapala and thus prevent the movement of troops between Nicaragua and Salvador by water. Should any such movement be undertaken overland across Honduras, marines will be dispatched to check it.

Interest was attached in official circles to the details of the presidents of Nicaragua and Salvador of the stories that hostilities between the two countries had broken out, but it was stated that such rumors played only a part in a situation, which, to employ the expression of a high official, had become very disagreeable.

Because of the recall of Mr. Gregory, the American secretary of legation at Managua, it is believed that the position here of Minister Espinosa of Nicaragua will become untenable and that in consequence of which

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STATE MUST MAKE IT GOOD

Supreme Court Holds Invalid Certain Barnes County School Bonds Bought by State and Latter Must Re- pay Loss to School Fund

The supreme court Saturday handed down a decision in the case of the state against school district No. 50 in Barnes county, involving the validity of \$5,000 of refunding bonds issued by the district. The case was decided against the state, and the district court was affirmed. The bonds were bought by the board of university and school lands several years ago and as under the constitution the state must make good all losses to the permanent school fund, the legislature will be called upon two years from now to make an appropriation from the general fund to reimburse the permanent school fund for this loss.

The opinion in the case is written by Judge Flak and all the judges concur.

It is held that the bonds are invalid because they were never legally authorized by the district. The syllabus of the decision, which contains the points, at issue, is as follows:

When the settled statement of case, in an action properly triable to a jury, contains no proper specifications of errors as required by R. C. section 7058, the same must be disregarded by this court as said section expressly provides that "If no such specification is made the statement shall be disregarded on motion

for a new trial and on appeal." No proper specification being found in the settled statement in this case this court is restricted to a review of such errors, if any, as appear upon the face of the judgment roll proper.

The municipal bonds of defendant school district which are sued upon in this case were issued without first submitting to the electors of the school district the question of their issuance, and, furthermore, the school district had no power to issue the same by the express provisions of the act under which it is claimed they were issued as there were not twenty-five legal votes cast in such district at the preceding annual school election therein. Chapter 2, laws of 1887, under which plaintiff contends such bonds were issued, is printed upon the back of the bonds and section 9 thereof expressly provides that the question of refunding prior indebtedness shall be first submitted to a vote of the qualified electors of the district after giving notice therein prescribed of an election for such purpose, and that the proposition to issue such bonds must receive the affirmative votes of at least two-thirds of all the the votes cast; also that no school district in which less than twenty-five legal votes were cast at the annual school election preceding the issuance of such bonds shall avail itself of the provisions of this act. Held, for these reasons that such bonds are void.

The bond in suit contains a recital to the effect that they are issued for the purpose of refunding present indebtedness "as authorized by act of the legislative assembly approved March 11, 1887, entitled 'An act to provide for refunding the outstanding indebtedness which existed prior to July 30, 1886, of any incorporated board of education or school district in the territory of Dakota.'"

Held, that such recital does not estop the school district from urging the defense, even as against an innocent purchaser, that such bonds were illegally issued.

Every purchaser of municipal bonds acquires and holds them charged with full notice of the possession, or absence, of power in the first instance on the part of the public corporation to issue them, and the question of authority of a public corporation to issue negotiable bonds cannot be concluded by mere recitals, even as against innocent purchasers thereof. The school district possessed no implied authority to issue such bonds on account of the fact that they were

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KILLED AFFINITY AND THEN HIMSELF

LOVESICK SOUTH DAKOTA MAN DOES FOOL STUNT ALL AROUND AND MAKES LIKE REQUEST OF HIS LIFE.

Des Moines, Ia., March 13.—Leaving a wife and baby on a South Dakota homestead, Wm. G. Welch of Greenfield, Ia., tonight killed Mrs. Agnes Barney Finney, with whom he had fallen in love six weeks ago, by administering morphine and whiskey and then swallowed the rest of the draught and died shortly after.

The murder and suicide was committed at the home of Mrs. Andrew Roll, whose husband committed suicide a month ago, and the woman attempted to kill herself last summer.

Welch left a note to his wife in which he said he died of a broken heart and requested that he be buried with the ring worn by his dead sweetheart.

NORVAL BAPTIE LOSES CHAMPIONSHIP

LOSES SERIES OF ICE RINK EVENTS BY TWO POINTS TO MORRIS WOOD OF NEW YORK

Cleveland, O., March 13.—Morris Wood of New York, is the international ice skating champion of the world. In the final events of the three-days tournament held here tonight, Wood on points is the first, having sixteen to his credit, Baptie of North Dakota, being second with 14 points, and Nilsson of Minnesota, third, with eight points.

Summary—Half-mile—Wood won; Baptie second; Nilsson third. Time 1:20 4-5.

Mile—Baptie won; Nilsson second; Sinnerud third. Time 2:55 4-5.

Fifty-yard dash—Rankin won; Wood second; Nilsson third. Time, :05 3-5.

HOT WORDS ARE PASSED

Attorney General and Sheriff Have Personal Clash in Carmack Case

Friends of Former Take Him Away Before Gun Play Occurs

Nashville, Tenn., March 13.—A personal clash between Attorney General McCarn and Sheriff Sam Borum was narrowly averted after court adjourned this afternoon in the Cooper-Sharp trial for the murder of former United States Senator E. W. Carmack.

In his argument to the jury this afternoon, McCarn charged that the Coppers and Sharp had never occupied cells, that the enjoyed special privileges, and that in granting these privileges the law was violated. When McCarn started to leave the balcony he was confronted at the head of the stairs by the big sheriff.

"I understand, general," the latter began, "that you say I have accorded to the Coppers and Sharp privileges I do not extend to other decent white prisoners? If you said that you told a falsehood."

McCarn stepped up close to the sheriff and said coolly:

"Be a little careful what you say, Sam. I said you violated the law of Tennessee in permitting prisoners to confer together without an officer being present."

"If I have violated any law, I'll apologise."

"Well, you come into my office, and I'll show you the code."

"I don't want to see the code," reported the sheriff, hotly, "I'm responsible for my office."

A friend of McCarn leaned over and whispered to McCarn:

"Remember, general, the sheriff is armed."

McCarn's friends hustled him away. Borum, still angry, said:

"I don't propose to let McCarn bluff me."

It was expected that the arguments would be concluded by tonight, but McCarn declared he was exhausted about 5 p. m., and asked an adjournment until Monday at 9 a. m.

COFFEE WILL NOT BE TAXED

Tariff Committee at Wits End for Means to Rai e Revenue

Washington, D. C., March 13.—As the tariff bill stands tonight, coffee remains on the free list. When the Republican members of the ways and means committee ceased their labors temporarily on the new bill, at 6 o'clock, adjourning until morning, the provisions relating to special taxation had not been decided upon. The proposed tax on coffee was for a time accepted by the committee as the best means for providing revenue to prevent the continuation of a large deficit in the treasury.

The Payne bill will not be ready for introduction on Monday, according to a member of the committee. While an inheritance tax provision will undoubtedly be included in the bill, members of the sub-committee have been unable to agree regarding this or the provision to impose a stamp tax on checks, bonds and stocks, similar to the war revenue tax of 1898.

The entire matter of providing some means for increasing the revenue of the government aside from the general duties on imported articles, is still an open question as is being thoroughly threshed out by the sub-committee.



Mr. Optimism President—You clear out, you are not wanted around here. President Taft is an optimist, and he says that pessimism must be driven out.—News Item.