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DESERT EVENING NEWS

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32 PAGES—LAST EDITION.

SATURDAY, MARCH 24, 1906. SALT LAKE CITY, UTAH.

FIFTY-SIXTH YEAR.

PRESERVATION OF NIAGARA FALLS.

If They Are to Remain One of World's Wonders Must be Immediate Action.

UNITED STATES AND CANADA.

American Members of International Waterways Com'n Make A Report to Secy. of War.

Canadians Hold Same Views, Substantially, Want More Time to Consider the Matter.

Washington, March 24.—If Niagara Falls are to be preserved as one of the wonders of the world, immediate action by the United States and Canada is required, according to the findings of the American members of the international waterways commission, which has for the past year been studying conditions at the falls and in the tributary great lakes. This report is signed by Gen. O. H. Ernst, chairman, and the other American members of the commission.

After a brief description of the physical conditions, the report gives a detailed account of all the corporations now engaged in the development of power, with the quantity of water which they are actually using, the amounts which they are preparing to use, and the amounts which they are authorized under their charters to use. It includes not only the corporations taking water directly from the Niagara, but also those drawing water for power purposes from the Ecte canal, the Welland canal, and the Erie canal. The report also furnishes a list of all franchises granted and not perfected.

WATER DIVERTED.
The report states: "The total quantity of water to be taken from the river by works now authorized is 69,900 cubic feet per second. Of this amount 28,700 cubic feet are to be taken on the American side, and the remainder, 41,200 cubic feet, is to be taken on the Canadian side. That is 27 per cent of the average discharge of the Niagara river will cease to pass over the falls when these works are completed and in full operation. The quantity to be diverted is more than double the quantity which now passes over the American fall, which at the average stage, is about 2,400 cubic feet. That this will in general have an injurious effect upon the falls seems self-evident. The volume of water to be diverted is about the equivalent of the entire discharge of Lake Superior over the Sault Ste. Marie. The amount thus far actually diverted is but 17,800 cubic feet per second, and has had an appreciable effect on the falls.

A DANGEROUS EXPERIMENT.
"Additional diversion would be an experiment even more dangerous than that now being tried and in our opinion should not be permitted.

"The return for the impairment of the falls thus far authorized the state of New York will receive practically nothing for the 42,900 horse-power authorized on that side, and the Queen

Victoria Niagara Falls park will receive an annual rental of \$20,000 or an average of 45 cents per horsepower for the 45,000 horse-power authorized on the Canadian side.

"Improvements in the transmission of electric power and increased demand will make a market for all the power which can be developed at Niagara Falls, and will cause a destruction of the falls as a scenic spectacle if the development be allowed to go on unchecked. The commercial value of the water power at Niagara Falls is very great, but if compared with values set aside by wealthy communities elsewhere for park purposes, this value is not too great to be devoted to similar purposes. The place is visited annually by about 800,000 people.

"If the falls are to be preserved it must be by mutual agreement between the two countries. As a step in that direction, we recommend that legislation be enacted which shall contain the following provisions, namely:

HOW TO PRESERVE FALLS.
"The secretary of war to be authorized to grant permits for the diversion of 25,000 cubic feet per second and no more, for the waters naturally tributary to Niagara Falls, distributed as follows: Niagara Falls, Hydraulic Power and Manufacturing company, 5,000; Niagara Falls Power company, 8,000; Erie Canal or its tenants, (in addition to canal service), 400; Chicago Drainage canal, 10,000. All other diversions of water which is naturally tributary to Niagara Falls to be prohibited except such as may be required for domestic use or for the service of navigation canals.

OBJECT OF LEGISLATION.
"The object of such legislation would be to put a stop to the further depletion of the falls and at the same time inflict the least possible injury upon the important interests now dependent upon the water power. The amount to be diverted on the Canadian side, 35,000 feet, has been fixed with a view to allowing the companies on that side to continue their works under construction. Such legislation would give to Canada the advantage of diverting 7,500 cubic feet per second more than is diverted in the United States. The advantage is more apparent than real, since the power generated on the Canadian side will, to a large extent, be transmitted and used in the United States. In the negotiation of a treaty, however, the point should be considered.

CANADA WANTS TIME.
"The substance of this report was submitted to our Canadian colleagues before the passage of the joint resolution with a view to uniting in a joint report, under the general law providing for the commission. There was a substantial agreement in the statement of facts and such differences as develop with respect to the recommendations, which ought to be made did not seem insuperable but our colleagues desired time for further consideration. We have no doubt of their sympathetic interest in carrying out that part of the instructions contained in the resolution which requires us to exert in conjunction with the members of said commission, representing the Dominion of Canada, if practicable, all possible efforts for the preservation of Niagara Falls in their natural condition."

HASN'T SEEN GRANDSON.
New York, March 24.—John D. Rockefeller, Jr., denied today the report that his father, the president of the Standard Oil company, had come to New York from Lakewood, N. J., last night to see his infant grandson, the son of John H. Rockefeller, Jr.

MEXICO REACHING OUT FOR BUSINESS.

Much Expected from Opening of The Isthmus of Tehuantepec Railway.

ENTER INTO TRADE TREATIES.

Italians Are Making American Shoes and Selling Them in Germany.

Washington, D. C., March 24.—Special Agent Pepper, of the department of commerce and labor, has made a report to the bureau of manufactures, on the Mexican railroad across the Isthmus of Tehuantepec and its relation to the Panama canal. This inter-oceanic line with its termini and harbor works at Coahuacoalcos on the Atlantic side and at Salina Cruz on the Pacific, has been opened to international trade after an expenditure of \$35,000,000.

Intimations are given that Mexico will now enter upon a series of trade treaties with Pacific countries of South America to secure their international traffic and also to extend Mexican commerce. Through the harbor works at Salina Cruz have not been fully completed, the transportation of cargoes is announced to begin there in June, 1906, though Mr. Pepper believes it cannot be inaugurated until September.

ESTIMATED COST OF HAULING FREE SEEDS.
Washington, March 24.—Postmaster General Currey has supplied Representative Tawney, chairman of the house committee on appropriations, with a memorandum as to the actual handling of the seeds furnished by the department of agriculture, for free distribution to the Philippine islands. The postmaster general states that nearly 5,000,000 bushels of seeds are distributed annually by the department of agriculture under frank to the Philippine islands. Computations at the lowest estimate, 5 cents a pound, the cost of handling this matter is \$24,500.

FIGHT WITH FANATICS.
Constabulary on Island of Samar Have One, Details Lackman.
Manila, March 24.—A telegram received by the government tonight from the island of Samar says that an engagement has occurred between the constabulary and a force of fanatical Pulahanes. Gov. George Curry is reported to be missing. Details of the affair are lacking.

BANK OF AMERICA DIVIDEND.
Chicago, March 24.—D. D. Healy, receiver for the Bank of America, announced today that he was ready to pay a further 10 per cent dividend on account of deposits in the defunct bank, making a total payment of 70 per cent.

ORDERS TO WISCONSIN TO SAIL FOR SHANGHAI.
Manila, March 24.—The United States battleship Wisconsin will sail at midnight for Shanghai to join the American fleet there, rush orders to that effect having been received from Rear Admiral Train.

FLOOD OF COUNTERFEIT BILLS.
Fort Worth, Tex., March 24.—Fort Worth has been flooded with counterfeit \$10 bills of the "Buffalo" type, closely resembling the genuine.

FRENCH BILLIARDIST ARRIVES.
New York, March 24.—M. Cure, the champion billiard tournament, which begins here April 9, arrived today on the steamer La Savoie, from Havre. Another French billiardist, Count Henri de Levaux, an aeronaut, he brought several balloons with which he will make a series of ascensions.

DOES NOT APPLY TO THE UTAH RESERVATION.
Anti-Liquor Selling Law Within Radius of Ten Miles Becomes Dead Letter Through Reservation Becoming Part of the Public Domain—How to Reach and Overcome Trouble With Law-Breakers.

Atty.-Gen. Breeden gave out an opinion today, of much importance, in response to a query from County Atty. Hitch of Wasatch county. Mr. Hitch asks regarding the status of the law relative to selling liquor to Indians within 10 miles of an Indian reservation. Under the laws of 1901, now that the Utes have been given allotments in severalty and their reservations have become a part of the public domain, the attorney general regrets the lack of some summary method for suppression of the traffic in the vicinity of their former Indian reservation, but the assignment of allotments in severalty to the Indians and the Indians are no longer wards of the government. So the laws of 1901 do not apply. However, there is a statute of 1882, under which prosecutions may be conducted against persons who dispose in any way of liquor to Indians. The text of the opinion is as follows:

"Dear Sir—Replying to your favor of the 22nd inst., you are advised that in my opinion the provisions of chapter 27, session laws of 1901, which reads as follows: "That it shall be unlawful to sell intoxicating liquor within 10 miles of an Indian reservation," does not apply to what was formerly the "Utah Indian reservation," for the reason that this reservation has become a part of the public domain, and the provisions of the act of Congress, and the Indians formerly occupying it have received their allotments in severalty and have abandoned their tribal or Indian relations, and are no longer wards of the government.

11 MEN POISONED.

Swallowed Poinonate at Gardfield And Were Threatened With Death.

There were some hurry-up calls for doctors from the camps at Gardfield about 9 o'clock last night and telephones were kept busy. The hurry was caused by 11 men who boarded at one of the camp outfits being taken violently ill. Every symptom indicated that they were suffering from ptomaine poisoning.

NINE MILLION TONS OF ANTHRACITE COAL ON HAND.
New York, March 24.—Announcement was made today by the anthracite mine operators that they have on hand within a radius of less than 100 miles of New York, a reserve supply of more than 9,000,000 tons of good marketable grades of anthracite coal. This is in addition to the supply held by the dealers and larger consumers. In accumulating this vast store of coal an army of men have been steadily employed, for months being largely engaged in the transportation of the coal along the route of the railroads.

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DOESN'T SEE WHY HE SHOULD FAVOR ROCKEFELLER.
New York, March 24.—The American today says: "John D. Rockefeller, Sr., arrived at 8:30 o'clock last night in a covered automobile, with the curtains closely drawn out of the residence of his son, John D. Rockefeller, Jr., at 15 West Fifty-fourth street, where a grandson and namesake had been born 44 hours before."

CHURCH WORK ON ISTHMUS.
That of Church of England Transferred to the P. E. Church of U. S.
New York, March 24.—According to an announcement made here today a concordat had just been signed, transferring the Church of England work in the canal zone of the Isthmus of Panama to the Protestant Episcopal church in the United States. The signers of the concordat were the bishop of Honduras, the Right Rev. Dr. G. A. Omsbury, the archbishop of Jamaica, the Most Rev. Dr. Enos Nuttall, and the presiding bishop of the church in America, the Right Rev. Dr. Daniel S. Tuttle of Missouri.

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SUNDAY THEATERS IN SALT LAKE

Councilman Wells' Ordinance Still Slumbers in the Committee.

LEGISLATURE WILL BE ASKED TO ENACT LAWS IF CITY COUNCIL REFUSES TO PASS PROPOSED ORDINANCE.

The "News" is in receipt of many inquiries regarding the fate of the proposed ordinance introduced into the city council months ago on the closing of theaters on Sunday. Investigation develops the fact that the ordinance was introduced by Councilman Wells last fall; several hearings were given in the committee, but the ordinance was either not allowed to see a natural death, or it was "swept" under the rug.

CASEY PLEADS GUILTY.
Sentenced to Five Years Imprisonment And is Anxious to Begin Serving.
Harrisonville, Mo., March 24.—Thomas M. Casey, former general manager of the bank of Salmon & Salmon, of Clinton, which failed last summer with heavy liabilities, catching many poor depositors, pleaded guilty here today, in the circuit court to a charge of forgery, and was sentenced to five years in the penitentiary. Six other indictments against Casey were returned. The proceedings in court consumed but half an hour. After receiving sentence, Casey was taken in a car to the penitentiary at Jefferson City, with the prisoner this afternoon. Casey said he was anxious to begin his sentence.

NOTES WERE FORGED.
Kansas City, March 24.—Thomas M. Casey, former manager of the defunct Salmon & Salmon bank, who was sentenced in this city on Thursday last, in a suit brought by trustees of the bank to recover \$236,000 collateral turned over by the Salmon bank, to the Kansas City State bank, that notes amounting to \$100,000 were turned over to the bank by the failure, had been forged.

EX-MAYOR ASHBURIDGE DEAD.
Philadelphia, March 24.—Former Mayor Samuel H. Ashbridge died early today at his home in this city from a complication of diseases, aged 57 years. He had been in bed for several months, but his condition did not become alarming until two days ago, when he became unconscious and remained in that state until his death.

NEWS FROM THE DEWEY.
Gibraltar, March 24.—The United States navy tug Potomac, one of the vessels conveying the dry dock Dewey to the Philippine islands, arrived today from Las Palmas, Canary Islands. Her commander said the Dewey, which left the Canaries March 18, would reach Manila in about ten days. The Lyric management run openly and oater to the Sunday night contingent, while the cheap ten-cent houses are through the Straits of Gibraltar.

FIR LUMBER ADVANCED.
San Francisco, March 24.—The Examiner says today: "The Pine Manufacturers' Association of San Francisco has advanced the price of lumber to go to California builders and contractors in the last year. The latest raise has just taken place, dealers being notified by circular that the price of lumber for all grades of wood has been raised from \$2 to \$3 per thousand feet. The price for this class of lumber is now quoted at \$17.64 per thousand."

PREST, CHARLES F. THWING DEFENDS COLLEGE-BRED MEN.
Chicago, March 24.—Charles F. Thwing, president of the Western Reserve university, spoke at the annual meeting of the Northwestern Alumni association of that institution last night in refutation of the statements credited to reformers that they find a large proportion of college men among the men who break the law.

HOW CHINESE PIRATES CAPTURED LAUNCH.
Hongkong, March 24.—Details of the capture and looting by Chinese pirates March 22, near Canton, of a launch owned by the Standard Oil company, were obtained today. The launch or tug Comet was proceeding to Kongsan, between Wampoa and Canton, towing a lighter laden with kerosene oil. While passing what is known as the "Second barrier," or second line of former obstructions, at 8:30 Thursday evening, and when in sight of Wampoa, on the island of Wampoa one of the many islands lying between Canton and the sea, a number of junks manned by pirates closed around the Comet, and her tow. A stinkpot (earth-jar containing gunpowder, resin and hand grenades) was thrown into her engine room, the pirates boarded the launch and her crew was overpowered. The pirates then beached the Comet, and the lighter, and removed all the valuables from the two vessels, including a number of Winchester rifles and 1,000 rounds of ammunition. The cargo of kerosene was not touched.

WHEAT AT HEAD OF LAKES.
Duluth, Minn., March 24.—The wheat stock at the head of the lakes will increase about 800,000 bushels this week, making a total of 25,500,000 bushels in stock here, compared with 18,750,000 bushels at this time a year ago. There will be about 21,000,000 bushels in store here by April 1.

LOADS TO RUSSIAN LANDLORDS.
St. Petersburg, March 24.—The result of the capture by a vote of 43 to 15, has adopted the project to grant a loan of \$5,000,000 to landlords who suffered from the agrarian troubles. The loan is repayable in forty years, but will not bear interest until 1910. The distribution of the money will be conducted by a commission, according to the report of the investigating committee.

HISTORIC BUILDING BURNED.
Montreal, March 24.—The Oak Hall restaurant, St. Peter and Notre Dame streets, in Montreal, which was occupied in 1778, on the headquarters of Gen. Montgomery and staff of the American army in Montreal, was burned last night.

TRAIL BLAZERS TO MEET HERE.

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CHURCH WORK ON ISTHMUS.
That of Church of England Transferred to the P. E. Church of U. S.
New York, March 24.—According to an announcement made here today a concordat had just been signed, transferring the Church of England work in the canal zone of the Isthmus of Panama to the Protestant Episcopal church in the United States. The signers of the concordat were the bishop of Honduras, the Right Rev. Dr. G. A. Omsbury, the archbishop of Jamaica, the Most Rev. Dr. Enos Nuttall, and the presiding bishop of the church in America, the Right Rev. Dr. Daniel S. Tuttle of Missouri.

ARRESTED FOR MURDER.
Anacosta, Mont., March 23.—A special to the Standard from Kalspell, says a man named Kuhn has been arrested for the murder of J. H. Plunkett, ranchman near Trout Creek. Kuhn is an old friend of Plunkett's wife, and had been on the ranch for six months. He and Plunkett quarreled and the neighbors who hurried to the scene found a duel in progress. Kuhn had a rifle and was firing into the window. Plunkett lay on the floor dying. Plunkett's wife had a shotgun. The fatal wound, however, was inflicted by a revolver which has since been found in Kuhn's trunk, to which the woman had the key.

WHEAT AT HEAD OF LAKES.
Duluth, Minn., March 24.—The wheat stock at the head of the lakes will increase about 800,000 bushels this week, making a total of 25,500,000 bushels in stock here, compared with 18,750,000 bushels at this time a year ago. There will be about 21,000,000 bushels in store here by April 1.

LOADS TO RUSSIAN LANDLORDS.
St. Petersburg, March 24.—The result of the capture by a vote of 43 to 15, has adopted the project to grant a loan of \$5,000,000 to landlords who suffered from the agrarian troubles. The loan is repayable in forty years, but will not bear interest until 1910. The distribution of the money will be conducted by a commission, according to the report of the investigating committee.

HISTORIC BUILDING BURNED.
Montreal, March 24.—The Oak Hall restaurant, St. Peter and Notre Dame streets, in Montreal, which was occupied in 1778, on the headquarters of Gen. Montgomery and staff of the American army in Montreal, was burned last night.