# DESERET EVENING NEWS LAST EDITION

10 "AGES

WEDNESDAY MARCH 17 1909 SALT LAKE CITY UTAH

# FIFTY-EIGHTH YEAR

# TWO VIEWS OF THIS MORNING'S \$100,000 FIRE ON EAST THIRD SOUTH STREET HEAVY LOSSES IN THIRD SOUTH FIRE

Handsome New Home of I. X. L. Furniture Company Scene Of \$100,000 Blaze.

GENERAL ALARM TURNED IN.

Chief Glore and His Men Tackle A Nasty Proposition and Conquer Flames.

Eig Crowd Witnesses Work of Fire Fighters-Twelve Lines of Hose And Two Steamers.

Losses-Damage to building, \$15,-000; damage to stock, \$75,000, Luna Rooming Honse-Damage to

roof, \$100. W. B. Rushmer-Damage to stock, \$150.

A fire that did damage estimated at not less that \$90,000 started this morn-ing on the third floor of the L X. L-furniture stors, 45-51 east Third South street. The damage to the building will amount to at least \$15,000 and the loss to the stock burned and damaged by water will be probably \$75,000. The building and stock were covered by in-

building and stock were covered by in-surance. The fire started on the third floor of the building near the southwest corner was discovered by an employent is covered by an employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for Nose 2, 4, and 5. The employent is for nose wagon was on hand within a flow minutes and for three and a half hours waged a flerce battle was started either by an electrician is short circuit in the wiring setting floor was used as a store room and warping in paper and excelsior. The third floor was used as a store room and warping the entire length of the build-building was valued at more than 100,000 and the stock was valued at 100,000 and the stock was valued at

### SPECTACULAR BLAZE.

SPECTACULAR BLAZE. The blaze was a spectacular one in many respects and attracted thousands of spectators. The police, under the direction of Chief Barlow, Lleut. Shan-non and Sergt. Johnson, rendered valuable assistance to the firemen by establishing a fire line and keeping the crowd back. One streetcar line was blockaded but the other was operated. Hose shields were used for the cars to run without cutting the hose. Twelve lines of hose were in use for more than two hours and two steamers were brought into commission. Lines were run from the front, rear and both sides and all the available stand pipes were brought into service. vere brought into service.

# USED GOOD JUDGMENT.

The fire was one of the most difficult to figh, the department has ex-perienced. Owing to the great quantity of inflammable material on the third fhoor and the fact that furniture was

PAYNE'S STATEMENT.

etter

Representative Sereno Payne, chair

The last normal year of imports was the fiscal year ending June 30, 150; 1907 was an unusually prosperous yea

150 ;

## Harry Shipler, Photos

have had to deal with," said Chief Glore, "It started in the southwest corner about 50 feet from the front and spread rapidly the entire length of the building. The boys got quick action on it, however, and by keeping the drafts shut off and working from north to south we managed to force most of the fire that way and thus keep it from spreading any further, We were handicapped by not being able to use the stairway between the second and third floors as it was choked up with furniture, glass doors and tin. We had to chop some of it away before we could get to the fire and do effective work." work

work." Chief Glore was in the thick of it and seemed to be in all place at the same time. He grasped the situation quickly and directed his men where to do the greatest good in the quickest time. The department was warmly complimented for the work done, and that the build-ing was not entirely gutted is due sole-ly to sound judgment and hard work. SEVENTY COMPANIES INTER-ESTED.

ESTED. The I X L furniture company owns the premises 45-51 east Third South street, the building being three stories, with a frontage of about 70 feet, and a depth of 300, and having a very handsome white tile front. The value of the building was \$100,000, while the actual value of the stock was put at \$200,000. The insurances amounted to \$100,000 on the stock, and \$\$0,000 on the building. As Roy Brown, the vice president of the com-pany, stated, no insurance company will risk over \$2,500 on a furniture store. Consequently there were a little over 70 companies interested, distributed practically through all of the agencies in this city. The officers of the I X L company could not give any estimate of the actual loss, ex-cept that the fire losses were confined to the top or third floor. The im-mense stock of goods on the lower floors were thoroughly drenched with water. The goods on the upper floor were

floors were thoroughly drenched with water. The goods on the upper floor were crated goods of every description packed in there pretty solidly, mak-ing effective work by the firemen the more difficult. On the second floor, the goods were mostly desks and chairs, while on the show floor below were bedsteads of every description, and a wide variety of household equipment of all grades.

RUSHMER'S LOSSES. The southeast corner apartment on



# ARE SOME CHANGES IN WOOL.

Slight Reduction in Duty on Sugar-Load Slightly Affected-Measure Effective on Approval.

Washington, March 17 .- Downward evision, maxium and mininmum provisions which impose an average maximum duty 20 per cent in excess of the present tariff and new provisions by which it is estimated that the revenue to the government will be increased from forty to fifty million dollars are the salient features of the new tariff bill which was in troduced in the house today Representative Sereno E. by Payne, chairman of the ways and mena- committee. The recommendations made by President Taft that an in-

made by President Taft that an in-heritance tax be provided and that a limited amount of tobacco and sugar be admitted free from the Philippines are included in the bill. The measure also provides for the issuance of Pana-ma canal bonds to the amount of \$46,-000,000 to reimburse the treasury for the original purchase of the canal and re-enacts the provisions for the issue of treasury certificates, the amount be-ing increased from \$100,000,000 to \$256,-000,000. While there is no duty impos-ed upon coffee tea is taxed eight cents when imported from the country where it is produced and nine cents when

the house opposing the measure un er consideration. The first skirmish, in which the fail The first skirmish, in which the fair appropriation was stricken out, came up following Funk's motion to reconsid-er the vote by which the bill providing for the appropriation, senate bill No. 88, was killed at yesterday afternood's session. Mr. Funk spoke in favor of reconsidering the action taken, as the state, in his opinion, should make a showing at the fair for the purpose of keeping ubreast with the times and for advertising the state. Mr. Cannon also epoke in favor of reconsideration. He shid the state ought to keep up appearances and strain a point, if necessary, to make the exhibit at the Scattle fair. HAD A DIFFERENT VIEW.

Order This Afternoon

And War Begins.

LEADING OPPOSITION. FOUR

### Representatives Cannon, Thompson, Henrie and Holman Arc on the Firing Line-Today's Business.

Representative Sereno Payne, char-man of the ways and means committee, in introducing the tariff bill gave out the following statement: "One problam that confronted the committee was the question of revenue. The business of all commercial nations has been decreased for nearly two years and thus has affected our com-merce and greatly reduced our rev-enues, so that we have a large deficit, but the revenues under the present hav are improving from month to mon.3, as business conditions are becoming better. this afternoon when the measure was taken up as a special order after mis-1907 was an unusually prosperous year and the revenues from customs ex-ceeded those of 1906 by \$32,000,000. The committee have therefore taken the year 1906 as the basis to form their estimates of the revenue producius qualities of the new bill. Should the next fiscal year prove prosperous and the normal conditions of 1906 return, on account of the large increase of popu-lation, the revenues for 1910 should show a considerable increase over the estimates of the committee. cellaneous business had been transacted. This was at 1:40 p. m. and it was in its third reading at 2 o'clock

JUDGE'S CHARGE IN COOPER CASE

The Advertiser Appreciates Not Only The QUANTITY but Also the QUALITY of the "News" Circula-tion

Against Defendant So Far as Passion Having Had Time to Cool, Set Up as Defense.

# IT IS IMMODERATELY LONG.

Contains 20,000 Words-Lawyers Prononnee it Most Comprehensive and Clear Ever Made in Tennessee.

Nashville, Tenn., March 17 -- Judge Hart began his charge to the jury at 9:30 this mapping in the Cooper harp trial for the murder of former inited States Senator E. W. Carmack. The stenographers had worked all right on the document which contain ed over 20,000 words.

Lawyers say it is the prehensive and clear charge ever inroduced in a Tennessee court and indudes a digest of the testimony of every witness who testified on either thie, when the judge began to read the courtroom was packed to the fate

"The law makes the judge the wittess of the law," remarked Judge Hart, "so I will now take the witness stand and give my testimony."

He left the bench, walked around to the chair which has been the center of attraction for two months, and began to read. Sheriff Borum had a dozen deputies scattered through the room and in addition a detail of 19 nuiformed patrolmen were stationed around the bar

# TAKES NO RISKS.

"I do not anticipate any demonstra tion," he said, "but I will run no risk of having one at the eleventh hour." After roading the indictment Judge Hart said:

"While this indictment contains but me charge upon its face in contemplation of tax, it embraces four dis-Munder in the first degree murder in the second degree. woluntary manshaughter and herec, voluntary manshaughter and invol-untary manshaughter, without re-ference at present to the facts to this particular case I shall now explain to you what in haw in takes to constitute each of these different offenses." Judge Hart then at length neared the various islonies mentioned. "The distinctive neature of murder in the first degree," said no. is premeti-tation and this element involves a pre-tation and this demons involves a pre-

iously formed design, or actual to ention to kill."

Judge Hart denned malice and de-clared it was the principal ingrédient of murder i the second degree.

### HEAT OF PASSION.

Judge Hart defined heat of passion as excitement of such a nature as would obscure the reason of any or-dinary man and render him liable to do an act which might cause death. "Previous threats by the deceased against the defendant, or acts of hos-tility toward him or previous abuse of him, how violent so ever it may have been or trespasses upon his property." him, how votent so ever it may have been or frespasses upon his property," continued Judge Hart. "Is not such provocation as the law recognizes as sufficient to reduce an unlawful killing to mensionghter, if the killing was done at such time as had lapsed after these things had been done as a rea-sonable person would have regained

th

n his work. Mr. McCracken, rushing in to his

HAD A DIFFERENT VIEW. HAD A DIFFERENT VIEW. Mr. Henrie looked at it different-ly. He thought that a man might "go to the wall" keeping up appear-ances, and there was danger of the state doing the same thing. Mr. Porter of Morgan said he had been "keeping up appearances" for many years, and believed in doing so-He favored consideration. Mr. Dyreng of Sampete thought the place for the state to economize was in the matter of advertising. Mr. England moved the previous question and the matter was brought down to a vote. Before the vote was amounced, some changes were mide and the speaker was about to an-nounce the vote to reconsider carried, when the Weber county statesman got in his work.

MUNUM OF JEBUS GARISI OF LATTER-DAY SAINTS.

A well organized opposition to the new liquor bill developed in the house

In his work.
In his work.
The fight on the bill is being led by Representatives Clannon, Thompson, Heade and Hoiman. The first sign of conflict appeared when a motion to change the designation of the bill to some other than S. B. Liss was made and lost, the claim being that the bill in its present form is not to be recor-nized now that so many changes have been made in it.
The bone of contention most in evi-dence is upon the control of the liquor traffic being vested in the state coard of examiners as proposed in the meas-ure and the city unit, both of which are strongly opposed by all four named and the inter point most strongly by Mr. Holman of Bingham.
There is a fight all along the line and the opposition's position is one of aggression, and they declare that they will not let up until the decision is reached on final bailot.
It is not likely that the final roll call

sonable person would have regained self-control, and a killing under these circumstances would be deemed by the law malicious and not the result of

NEW LIQUOR BILL BRINGS UP FIGHT

Measure is Taken Up as Special

most and the fact that furniture was packed in so, it was impossible for the firemen to get to the seat of the blaze at once. The smoke was dense and the heat intense, but the fire laddies fought determinedly until they had control of the situation. Chief Glore displayed judgment in bundling the fire After meting the

Chief Glore displayed judgment in handling the fire. After getting the hose to the rear of the building he di-rected his men to force the fire toward the front and cut off all the drafts possible. The fiames finally burst through the roof and started a fire in the Luna roominghouse above the Luna theater. This was quickly dis-covered by the firemen and they lost no time in putting out the blaze.

KNOCKED OUT BY SMOKE.

KNOCKED OUT BY SMOKE. In spite of the seething flames and dense, choking, blinding smoke, the firemen, regardless of personal safety, crept up foot by foot and stayed in the fight to the finish. By 10 o'clock the blaze was completely under control and half an hour later was out entirely. Several of the firemen were tempo-rarily knocked out by the thick smoke and fumes from varush and paints. The department was greatly handi-capped by reason of the crowded con-alition of the third floor. The man were unable to see where best to work, and when they did finally locate the seat of the fire, were unable to reach it until they cut away part of a stair-way and removed a quantity of fur-niture, glass and tin. By this time the thames had got between the ceiling and the roof and spread the entire length of the roof and spread the entire length of the long building. Flames shot out from the east and west sides but the fire fighetrs continued to pour in thous-auds of gallons of water. The press-ure was good, but the two steamers were needed. were needed.

### DAMAGE BY WATER.

The water trickled through the brick walls and dropped then from floor to floor in great streams, covering the ground floor and basement, causing an mense amount of damage to costly furniture, headthul tapestries and other stock. But little damage was done to adjoining buildings and the theater was not damaged at all.

There was considerable excitement among the spectators when the win-dows on the third floor were broken by the heat and force of water, glass was hurled to the middle of the street and there was a speedy scattering of curious spectators.

F. A. Sorenson, president of the 1. X. L. association, is in Idaho on busi-ness and has been notified by wire of the blaze. His son, Nels Sorenson, and Roy Brown, secretary, wars on hand and has been been been associated hand and leal no time in removing books and papers of value to a place of sefety when it became apparent that the fire would get beyond control. A force of 16 men was put to work with brooms and buckets clearing the water from the ground floor as fast as it felt.

it fell. Yesterday the company just com-pleted the work of delivering to the Bungalow heter \$5,000 worth of furni-ture which had been temporarily on the third floor. All the stock on this floor was rulned either by flames or water and smoke.

RUSHMER'S LOSSES.
 The southwast corner apartiment on the ground floor was occupied by W. B. Rushmer, manufacturing optician, whose goods were damaged by water mostly, and some smoke. He placed the value of his stock at \$1,000; but the amount of damage could not be determined until all the glass stock was overhauled, as smoke ruins glass for optical purposes. Mr. Rushmer is insured with Caine & Hooper, in the London Globe. The stand pipe was overhauled, as make a rule and a lumber schedules, and iron ore, but the side of the building could not be utilized until later, as they are of common cast iron and could not stand the pressure of 300 pounds exerting the pressure was diminished, the stander plated.
 GERMANY INTERESTED IN BRITISH NAVAL DEBATE Series at work, but when the pressure was diminished, the stander in the duties on wholdy and by the first and second of the thing, is a rousing the greatest wool of the thing is arousing the greatest wool of the that the figures regarders. A five cent reduction the stander but the duties on shoddy and waste while wool tops are assessed or commons of the navel estimates is arousing the greatest of day, declared that the figures regarders and on dextrib half a cont a pound, and on dextrib half a cont a pound, and on dextrib half a cont a pound is also made in the duties on print paper with committee of the house, are incorrated in the bill.
 WAYS AND MEANS

## WAYS AND MEANS COMMITTEE TO MEET

Washington, March 17.-The full con mittee on ways and means will meet, 10 o'clock tomorrow, formally to conside the tariff bill. The Republican member expect to be able to report it to the house after the one meeting.

# TRAIN CRASHES INTO MONTREAL WAITING ROOM

Montreal. March 17.-A passenger train on the Boston & Maine railroad crashed nto the ladies' waiting room of the Windsor station here this morning, de-noishing granite walls and killing an experient girl who was waiting for a train, and injuring 18 to 30 waiting pas-engers and railway employes, several of whom were carried to local hospitals in a dying condition. Among those fatally neri is Mark Cunningliam of Montreal, he engineer.

# U. S. STEEL ANNUAL REPORT SHOWS DECREASE

A fonce of 16 men was put to work with brooms and buckets clearing the water from the ground floor as fast as it foil. Yesterday the company just com-blated the work of delivering to the Bungalow hedel \$5,000 worth of furni-ture which had been temporarily on the Bungalow hedel \$5,000 worth of furni-ture which had been temporarily on the set aside daring the year of 2007. The report shows that no sums were was rulned either by flames or water and smoke. CHIEF CLORE'S STATEMENT. "The fire was one of the worst we

82

# PRINCIPAL INCREASES.

The principal increases are made in the duties on lemons, cocoa, and sub-stitutes for coffee, coal, tar, dycs, gloves, and coated papers and litho-graphic prints.

giovae, and coatest papers and intro-giovae, and coatest papers and intro-basis, with the provision that the maximum rates are not to go into effect until 60 days after the passage of the bill. The reciprocity provisions are contained in the paragraphs as-sessing duties on bituminous coal and coke and agricultural implements by which these articles are given entry pree of duty when imported from countries which permit the free im-portation of these articles from Amer-ica.

portation of these attends in an attended. The inheritance tax prevision of the bill is similar to the New York state law. It provides a tax of five per-cent on all inheritances over \$500, that are collateral inheritances, or in which strangers are the legatess. In cases of direct inheritance the taxes pre-scribed are: On \$10,000 to \$500,000, two per-tent, and on those over \$500,000 three per cent. It is estimated that \$20,000. Diff annually will be derived from this

annually will be derived from this

The maximum and minimum prov-trions of the bill do away with the nec-cessity, of continuing the foreign trade agreements. The abrogation of these is provided for in a section which au-thorizes the president to issue notices of the termination of these agreements within 10 days after the bill goes into effect. The French agreement would therefore terminate immediately, while the German agreement would remain in force for six months. The time that must intervene before the operation of

show a considerable increase over the estimates of the committee. "With a return to anything like nor-mal conditions during the next fiscal year it is safe to predict the deficit would be entirely wiped out, but in case it is not, the bill provides for the issue of Panama canal bonds to relimburse the treasury for the \$46,00,-000 paid out in the original purchase of the canal. This would more than make up any probable deficiency. There is also re-enacted the provision for the issue of certificates to run one year to replenish the treasury, raising the amount from \$100,000,000 to \$250,000,00, an amount sufficient to provide at any time against two or three years of de-pressed business conditions." ressed business conditions."

### SCHEDULES.

The statement gives the rates in the present law, the Dingley tariff, and shows the changes that the Payne bill The abstract of the bill ontinues:

## SULPHUR.

Sulphur, refined or sublimated, or lowers of, from \$8 per ton to \$6 per ton, LEAD.

Lead bearing ore, on the lead con-ents therein, from 1% cents to 1 cent

tents therein, from 2% cents to 1% cents Lead dress bullion, base bullion and lead in pigs, from 2% cents to 1% cents per pound; in sheets, pipes, shot, from 2% cents to 1% cents per pound. Zinc in blocks or pigs, from 1% cents to 1 cent per pound; in sheets, from 2 cents to 1% cents per pound.

### LUMBER.

Timber, from 1 cent per cubic foot to ½ cent per cubic foot. Sawed boards, planks of white wood. cycamore and basswood, from \$1 per 1,000 to 50 cents per 1,000. All other sawed lumber from \$2 to

If further advanced and manufac ured, the same reduction from the

present law Paving posts, railroad ties, telephone poles, etc., from 20 par centum to 10 per centum ad valorem. Clap boards, from \$1.50 per 1.000 to

\$1 per 1,000 Kindling wood transferred to the free

Laths, from 25 cents per 1,000 pieces to 20 cents per 1,000 pieces, Fence posts, from 10 per cetnum to the free list,

WOOL.

WOOL. Wools of the third class, known as carpet wool, from a duty of 4 cents per pound on such wools worth 12 cents or less, and a duty of 7 cents per pound upon such wool exceeding 12 cents in value, to a duty of 3 cents per pound on such wool valued at not more than 10 cents per pound at not more than 10 cents per pound and f valued at more than 16 cents per pound and not more than 16 cents per pound as cents per pound, and in addition thereto ig of 1 cent per pound for each cent per pound of additional value exceeding 10 cents; if valued at more than 16 cents, 7 cents per pound.

cents per pound. Top waste and roving waste from 30 ents to 25 cents per pound; slubbing mate and garnetted waste from 30 ents per pound to 20 cents per pound. Shoddy from 25 to 30 cents per pound.

oils and all other wastes from 20 to 18 ents per pound. Woolen rags, mungo and flocks from cents per pound to 6 cents per

ound Tops from 31 cents per pound and to per contum as device per points and at not more than 40 cents per point and 44 cents per pound and 50 per centum ad valorem when valued above 50 cents and not above 70 cents to the luty imposed on score wool and 6 cents

### HIDES AND LEATHER.

Hules of eattle from 15 per cantum id valarem to free list. Band and sole leather from 20 per

It is not likely that the final roll call will be reached this afternoon, but if it is, well informed watchers declare, so early a termination of the fight will mean the defeat of the bill.

It was Weber county's inning in the house this morning. By the action of two of her representatives the meas-ure appropriating \$25,000 to enable Utah ure appropriating \$25,000 to enable Utah to make an exhibit of the resources of this state at the Alaska-Ukon-Pa-clife exposition at Seattle, was tem-porarily placed out of commission on the floor of the house. This after-moon, however, the bill passed by a vois of 34 to 6, with 5 absent. By the action of one of her repre-sentatives the rulings of the speaker of the house, which have acknowledged-by been broad and fair, were a -from upon some trivial point.

from upon some trivial point be withdrawn when called int by the leader of the particula

entum ad valorem to 5 per centum ad

valorem. Upper leather raif skins, chamois skins, kangaroo, sheep and goat skins and other leather not pro-vided for, from 20 per centum to 15 per centum ad valorem. Patent leather weighing not over 10 pounds per dozen skine from 30 cents per pound and 20 per centain ad valorem weighing over 10 pounds and not over 20 pounds per to pounds and not over 20 pounds per dostin, from 20 cents per pound and 10 per centum ad valorem: weighing over 25 pounds, from 20 sents per dostin and 20 cents per pound and 10 per centum ad valorem, all to 20 per centcontum ad valorem, all to 30 per cont-um ad valorem; planoforte leather, from 25 per contum ad valorem to 20 per contum ad valorem; boots and shoes from 35 per centum ad valorem to 15 per centum ad valorem; abose laces, from 50 cents per gross and 20 per centum ad valorem to 18 per centum ad valorem; leather out into shoe moner. valorem: leather cut into show upper and soforth, 35 to 36 per centum ad valorem: all other manufacturers of leather from 35 per centum ad valorem to 30 per centum ad valorem.

### SUGAR.

BUGAR. Regarding the miscellaneous pro-visions, of the bill, Mr. Payne states: "The bill provides for recipro at free trade with the Philippine Laianda on all articles, but limiting the sugar (o. be imported free of duty to 300,000 tans; wrapper tobacco to 600,000 pounds and 500,000 opunds of filler tobacco, and 150,000,000 cigars in any one fiscal year. The excess of sugar, tobacco and agars to pay full tariff rates. This exemption from duty is confined to the growth of products of the islands, how-ever, and does not admit articles .m. ever, and does not admit articles .m-ported into the Philippine Islands from a foreign country without payment of full rates of duty on such importa-

### ESTIMATED REVENUE.

The estimated revenue under the

The estimated tevenue under the tariff duthes prescribed in the bill mount to about \$300,00,000. The bill provides for a tax on transfers of property, both real and personal by inheritance or succession and by will. It is believed that this provision when in full operation will bring in a revenue of \$20,000,000, although in a devenue of \$20,000,000, although in a detail of the bill shall go into effect the day following its amade. into effect the day following its enaci-

not "squandered in "making a mov-ing." The second occasion taken by the Weber county statesman to distin-guish himself was when the report of the joint committee on the liquor bill came up. The report was handed in by Representative Davis, chairman of the house portion of the joint committee and recommended that the report of the committee, killing house bills 52, by Pope: 128, by McMillin, and 223, by Can-non, and placing the substitute for senate bill 148, offered by the com-mittee, be put on the calendar. Mr. Thompson made a substitute motion to the effect that the house bills referred to be placed on the cal-endar, so that in the event of the re-jection of the substitute offered by the committee, the house would still have opportunity for action upon the liquor question.

The speaker put the substitute mo-ion, and upon a stauding vote of 16 or and 17 against declared the sub-titute loss long.

had such was the subset of the served. "Then I appeal from the decision of the self Mr. McCracken "Resulter Robinson again explained a detail, the action of the house, and he effort of the failure of the substi-uit motion, hefore the house should only on the appeal from the speaker's location.

decision. Mr. Thempson areas at the juncture, and said in the interest of fair play be thought his motion to place house bills 52, 125 and 275 had been fairly put by the speaker and fairly defeated, and that he did not think McCracken's appeal was well taken. McCracken then areas and naked permission to withdraw his notion ap-pealing from the deniation of the chair, and the incident closed.

REPART IS ADOPTED.

The report of the loint commu-was adopted, and the bill, which attill known at senate bill 14% to amended form was made a spo-order for the afternoon second 1 oclock.

1 o'clock. The house passed S. B. 198, by geer, relating to the acceptance by the state of the conditions by which the Pageotich Indian school becomes the connects of the state.

Parcuich Indian school becomes the property of the state, senate bill 208, which was a substi-fute for S. B. 141, by John Y. Smith, providing for the excitance of the senate of the indian school in the providing for the excitance of the senate of the senate of the senate of the providing for the excitance of the senate of the sen

I law malicious and not the result of provocation, and, therefore, murder. In other words, if there had been sufficient time for the passions to cool, the provo-cation will not miligate a subsequent, killing to mansinghter. The question is not whether the blow was actually struck in the continuance of passion, but whether there had been a reason-able time for the passion to cool in the case of any ordinary person. This inust depend upon the discumstances of the particulat case under investigaif the particular case under investigaof the particulal case under investiga-tion. "involuntary manslaughter is a cuse of hilling where it plainly appears that death was no intended, but was the result of some unjawful act. "You enter upon this investigation with the presumption that the defend-ant is not guilty of any crime and this presumption stands as a witness for him until it is rebutted and over-urn-ed by competent and credible proof.

have opportunity for action upon the liquor question. Mr. Bower thought it folly to spend time considering the bills which the committee recommended killed, as the committee had apparently considered and rejected them. Mr. Davis said the committee had carefully considered all the bills before the house and their report value un-antimous for the adoption of the bill submitted and for the rejection of those mentioned.

hito until it is rebutted and over uni-ed by competent and credible proof, sufficiently to satisfy you beyond a reasonable doubt that the defendant is guilty of some one of the offenses which have been heretofore defined and ex-plained to you." Judge Hart finished his charge to the

### SUBSTITUTE LOST.

jury in the Gooper-Sharp murder cases at 11:15 this morning and the jury at once retired. GREAT RECEPTION TO

titute last. Mr. McCracken wished to under-card if the epsaker's ruling was in-sended to mean that no further action on the house bills upon which the com-rultee had reported adversely could be had. Mr. Speaker informed him that such was the effect of the defeat of the substitute motion.

Dayton, O., March 17.—The proposed re-ception to the Wright hydrory upon their return to thele astive sity ucrt June will be possessed of hiltonal later-eat. President Toff, the sourcharles of was and of the navy and Gox. Harmon are expected to be present and the ele-heated with tow three presided to give an exhibition flight.

WRIGHT BROS. PROPOSED

by the magor, instead of elect-

By the heaven and the provident of a locate for the payment of a locate for the payment of a locate for the magning hi the dairy husines, and 8, 8, 8% by Williams, referring to the same subject, was referred to a committee of three, consisting of Measers. Hansen, Porter and Davis, in Measer, in heave the conflicting sampled dov to have the coefficing amino the two hills straightened out held superstation to the header, after why e heater "acuntored" until i school

the distribute educian of the conference of these you he Senitic fair unpropriati held in the governor's off

a hold in the gavernor's offlar or Spar winked his previous on drev, and thought the state empirical in High phones, theong a combination dis High phones, theong a combination of the theong and the fair. His requested that a continuous sector of the active appropriation, as the annuals, and the hin and the manority of use membras were in firster of the parameter them that he would be parameter them that he would a the hill. The general arcti-sensed to he after the number