

# McARTHUR MET HIS DEATH WITHOUT FEAR

## IN THE PRESENCE OF DEATH HE STILL DENIED HIS GUILT

In the jail yard at Deer Lodge this morning James Fleming, better known in Montana by the name of James McArthur, was hanged and died game. He went to the gallows as he said he would—without a tremor. The drop fell at 10:30 and McArthur was dead in fifteen minutes. The parting between Clinton Dotson and McArthur was a pathetic scene. McArthur vented his spleen upon the officers of the law before his execution, but when led out to die forgave them. He was cool to the last and said he was ready to die. Three priests walked with McArthur to the scaffold. The condemned man passed a sleepless night but maintained his bravado to the end. Scenes at the execution were caught by the camera of the Inter Mountain photographers and a graphic description of the execution was sent by wire by the Inter Mountain's corps of special writers.

## HE WENT TO THE GALLOWES WITH HIS HANDS UNBOUND

### Nervy to the Last McArthur Was Cooler Than Those Who Who Saw Him Die. He Cut His Speech Short. Thanking Them All.

(Special from Staff Correspondent.)

Deer Lodge, Mont., Sept. 6. BEFORE a crowd numbering about 150 persons in the yard of the county jail, James Fleming alias James McArthur at a few moments after 10 o'clock this morning expiated the murder of Captain Oliver Dotson in the Washington Gulch February 13th. The execution was perfectly planned and was consummated without a hitch. It was an easy death for the man, who, in cold blood murdered an aged father. The drop weight fell at 10:30 o'clock and 15 minutes later Dr. J. H. Cowen, the county physician, and Drs. S. Glass and Dodds could find no trace of a pulsation. At 10:43 the physicians pronounced life extinct and four minutes later all that was mortal of an executed murderer was lowered into a basket and turned over to Undertaker Eben. An hour later the remains were buried with simple ceremony in the cemetery here and thus closed the incident of the murder of Captain Oliver Dotson and the legal arranging of the crime.

Fleming died game. He had declared he would and he was as good as his word. From the time his brother left him to the time the drop fell there was not one indication of breaking down.

### Leadens Skies.

The day was certainly in keeping with the event; nature and the elements seemed to have agreed that the parts they were to play were to add to the somberness of the occasion; the air was chilly, and now an icy wind is blowing, the sky was overcast as though a great dull curtain had been thrown over its vast expanse to screen the every ray of the sun. The ground was wet and the tree branches dripped as they swayed to and fro in meek submission to Old Boreas. It had snowed during the night, the storm began about 9 o'clock and continued until nearly 4 o'clock this morning it was snow and though some of it had melted there was little evidence of its fall. Off in the distance the tall mountain peaks were white caps serving to remind of the storm but that was all of the snow that was visible.

It was indeed a weird morning and the uncertainty of the tout ensemble could not possibly fail to impress. Standing in the scaffold yard under the great gloomy engine of death one shivered while noting the aspect. More than one of the many persons assembled to witness the execution looked skyward for the great blue canopy beyond which is God's realm and failing to see it because of the ominous clouds hiding it sighed and moved about nervously.

Inside the jail the scene being enacted was as weird as the exterior environments. Fleming was gloomy, at least the gravity of the situation confronting him had broken down his barrier of forced stoicism and at last he felt that his minutes on this mortal coil were numbered. Fleming did not sleep. He did not want to, he sat up during the entire night and conversed with his death watch Charles Aspling and Frank Comstock. They had been locked in the cell with Fleming by Sheriff McMahon who would take no chances on the condemned carrying out his threat to cheat the gallows. Dotson had early in the evening written a note to McMahon stating that Fleming had declared he would kill himself. Dotson was nervous and felt sure that Fleming would keep his word. How well Dotson knew the desperate character of the man who murdered his father. Several times during the night Fleming asked for whiskey. His courage was falling him. When given the drink he revived and joked with the death watch.

### Fleming Joked.

It was usual jest, replete with profanity, vulgar suggestions and other obscene speech. It showed the true nature of the man, his moral degeneracy mental perversity and physical depravity.

It was a wonderful exhibition of abandon and cold blood. When the Inter Mountain representative called to say good night at 2 o'clock this morning, Fleming was still joking. "Don't sleep too late," he said, addressing the correspondent, "you must be here on time to see me jerked." Just as the first gray streaks of dawn were lighting up the east, Fleming called out to the jailer whose room is just on the outside of the cell corridor, "Come on there," he said, "McMahon said I was to be up early for breakfast, he said 5 o'clock, come on there and get breakfast for me, you fellows have got to hang me at 10 o'clock." The jailer replied that the programme had been changed and that breakfast would not be served until after Fleming had received holy communion, that took place at 8 o'clock. At that hour Father Phelan whose ministrations to Fleming had been constant and two sisters of charity arrived at the jail. They erected an extemporaneous altar under a window on the north wall of the jail and just outside the cell of the condemned man.

Then Father Phelan talked awhile with Fleming and baptized him in the Catholic faith. Fleming had declared all along that he was a Catholic, but he had lied about that, as he had about his wife and children. After the baptismal ceremony Father Phelan celebrated mass and having heard Fleming's confession, gave him the last sacrament.

### The Last Rites.

What a strange sight it was. In a dingy cell room, an altar of God with a holy man officiating before it, his low well modulated tones in Latin speech pervading the lowly place like the hum of bees, and two women of mercy in faint whispers giving the responses that are a part of the mass. At the corridor door were the faces of Sheriff McMahon and Under Sheriff Dec, in the three cells, other than that occupied by Fleming were a motley crowd of hoboes

## McARTHUR'S BITTER WORDS.

Last night the condemned man made the following statement on a letter-head borrowed from Sheriff McMahon and handed it to the representative of the Inter Mountain: "To the Inter Mountain, Butte: On this day I will write a few words to the readers of your paper. I have just seen an article in the standard stating that I have no fear of the 'Hereafter.' I hope that the readers of your paper will not think that I am a heathen—like the ones that bought and sold my life—Frank Conley bought and C. J. Walsh sold my life. "I forgive them for the wrong they have done me, and I will pray for them in heaven and to my Almighty God. County Jail, Deer Lodge. "JAMES FLEMING."

to them declared he had two daughters, and they are now living with friends in Amboy, Ill.

### March to the Gallows.

Just before the time set for the execution Fleming was visited by Fathers Phelan, Aiken and Thompson. They prayed with the doomed man whose appeal to his Maker was fervent.

Fleming hesitated a moment and then gave in.

"All right, father," he said, "I'll forgive him. Goodby, Dotson, I forgive you," and then Fleming proceeded on his way to meet the death the law had decreed.

And as he moved to that untimely end Clinton Dotson, big, strong, looking man that he is, threw himself on his couch and sobbed like a child. He felt the

## McARTHUR TRIED TO END HIS LIFE IN HIS CELL

Desperate Attempt to Cheat the Gallows. Condemned Man Tried to Bleed Himself to Death. His Only Weapon was a Needle.

McMahon then saw that everything was ready and gave the signal for the cutting of the rope that was to drop the 212 pound weight which was to jerk Fleming into eternity. When the body swung into space there was not a convulsion, not an apparent twitching of a muscle. James Fleming died instantly. Among those who witnessed the execution were Tom McTague and Frank Conley of the penitentiary; Conductor Kline, of the penitentiary band; Sheriff Jack Conley of Deer Lodge county; Attorney C. J. Walsh and J. G. Smith, who defended Fleming; the sheriff of Cascade county, Undersheriff Dave Martin of Deer Lodge and a number of Anaconda and Butte residents. Anaconda was represented by W. J. Johnson, Frank Tucker, Rod Williams, Manager Pratt of the Rocky Mountain Telephone company, and several others. Butte was represented

Deer Lodge, Sept. 6. SHERIFF McMAHON made a statement to the members of the press yesterday that he would reveal something of a sensational nature after the execution. He did so in his office half an hour after the body of Fleming had been taken down and given in charge of the undertakers.

The sheriff brought from a closet a gunny sack containing clothing. He spread it upon the floor revealing great spots of blood showing conclusively that Fleming did his best to carry into execution his threat made time and time again to the sheriff that he would cheat the gallows. The day that he was found guilty of murder in the first degree Fleming told the sheriff that he would never have the chance to stretch his neck. The sheriff replied: "Mac, if you do you will certainly have to be more clever than I think you are. I tell you, Mac, you will not do anything of the kind and I will take particular pains to see that you do not."

But notwithstanding the closest watch he almost accomplished his purpose two weeks ago last Saturday night. The instrument he had at his command was an ordinary needle furnished probably by a prisoner doing time for vagrancy. First Fleming took a towel and wrapped it into a small rope around which he wound a long piece of thread. This rope he tied tightly around his left wrist in order to stop the circulation as much as possible and to prevent great pain. Then taking the needle he punctured the arteries of his wrist and thumb.

The blood flowed in a stream at first and as it would clog up the opening at times he would keep it clear by probing with the small instrument with which he hoped to destroy himself.

Finally Fleming's strength failed him from the great loss of blood and he was forced to give up, contenting himself with the thought that he had made a dismal failure. His clothing was saturated with blood, as were the blankets and mattress upon his couch.

The following morning Fleming complained of being sick. He said he was troubled with colic and the sheriff ordered that he be given medicine. Fleming remained in his bed for a couple of days and ate very little during that time.

It was several days after the attempt at self-destruction before Sheriff McMahon became aware of the real facts. Once every week it was customary to give Fleming and all other prisoners at the jail a bath. On this particular bath day Fleming declined to come from his cell and told the sheriff that his reason for it were that he was not feeling well enough. The sheriff insisted and finally informed Fleming that if necessary he would go into his cell and take him out. Knowing that McMahon meant what he said Fleming came out. His cell was promptly searched and the startling discovery was made, Fleming realizing he was again beaten at his own game, told the sheriff just what he had done and said that while he was at the job he filled one cupside with his own blood, besides what he spilled on his clothing. He produced the needle with which he did the work.

But the needle route was not the only means by which Fleming hoped to end his life, for in the ventilator pipe leading to his cell was found another piece of crude rope which he made from a piece torn from a blanket used on his couch. In this he had tied a noose showing that he fully intended to hang himself at some opportune time when the attention of the guards was not upon him. Another time a knife was found in the possession of Fleming. It had come into his possession from some unknown source. Sheriff McMahon was told of the knife by Clinton Dotson.

by Sheriff Furey, former Sheriff Reagan of Silver Bow county, who executed Dan Lucey, former Chief of Police Jack Lavell, Hugh Wilson, William Gemmill, "Fat Jack" and others.

## LEYSON'S NOVEL SALE.

One Thousand One Dollar Packages Sold Within a Few Hours—Another Sale Tomorrow.

Leyson's speculative sale of dollar packages today proved a wonderful success.

By 3 o'clock 1,000 packages had been disposed of at \$1 each.

The advertising of the sale was confined exclusively to the columns of the Inter Mountain, a point well worth noting by other merchants seeking the widest publicity in Butte, through the medium of one daily paper.

No package contained less than what the store would regularly charge \$1 for. Many contained values much higher. There were not a few \$5 packages, some \$10 packages; others worth \$15, \$20, \$25, \$35, and one diamond ring package worth \$50.

Tomorrow another thousand of dollar packages will be placed in the window, with even greater values than were given today. The sale opens promptly at 8 o'clock in the morning, and closes with the sale of the last package.

Those who drew the better prizes yesterday for their \$1 outlays were:

- John Crotty, No. 1 Duggan avenue, \$50 diamond ring.
- Miss Jeannette Gillie, 27 North Excelsior avenue, \$25 diamond ring.
- M. Keefe, 213 Virginia street, gold watch, \$25.
- B. N. Ginegovich, 53 West Broadway, five-piece silver tea set, \$25.
- J. M. Little, 239 Anaconda road, gold filled watch, \$15.
- William Sherman, Grant City, lady's gold-dilled watch, \$15.

## HARRIS WON ON THE SQUARE

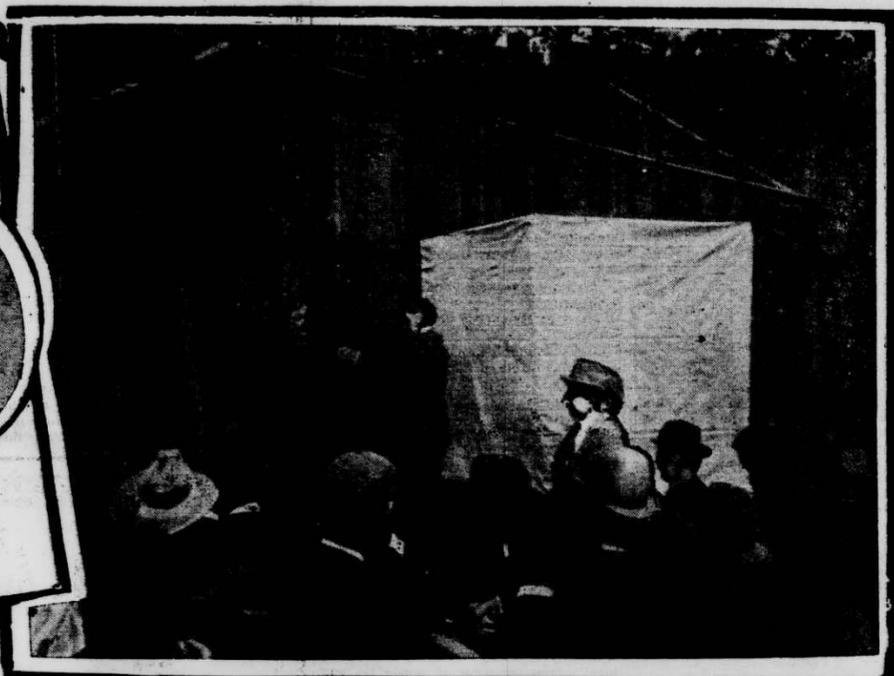
He Says if Anyone Thinks Otherwise He Will Hang Up the Prize and Throw the Hammer Again.

Tony Harris, who won the 16-pound hammer throwing contest during the athletic tournament on Labor day, says that since the event persons have intimated that before the throwing took place it was understood that he should be the winner. He denies that there was any collusion between any one else and himself and adds that he will again hang up the prize he won and throw for it again. There is any one who thinks he did not win it on his merits as a hammer tosser.

ELLIS PERSINGER.



Scene at the Gallows.



CLINTON DOTSON.



including Dotson, for such he is, in fact, in addition to being a murdered. On top of the cells, were three Indians, Poker Jim and his two sons, converts to the Catholic faith they are awaiting trial for shooting game out of season. All made a mute audience and listened enrapt and watched with all their eyes while the sacred solemnizing of the mass was in progress.

Fleming saw not the faces peering, he heard not the priest's invocation. Nothing attracted the man about to die. His thoughts were far away. First to the scaffold yard and the scene of death and then to the Maker who would dispose of his soul. It was an impressive sight. After the departure of Father Phelan and the sisters, Fleming grew more moody and cranky. He wanted to be shaved and he kicked about immaterial and inconsequent matters. Sheriff McMahon wanted to gratify the every wish of the man whose time on earth was counted by minutes, but it was impossible to accede to some requests. It was shortly after 8:30 o'clock, when breakfast was served to the condemned man. The meal consisted of cantaloupe, black berries, cucumbers, hard boiled eggs, Saratago chips, rolls and coffee and Fleming partook of them heartily. He had ordered his breakfast last night, and wanted trout, but it was impossible to get it. Shortly after the breakfast the brothers of Fleming were admitted to his cell.

### Dressed for the Gallows.

Fleming was attired in a neat fitting black suit with new sleeves, shirt turned down collar and black bow tie. His brothers saw him dressed. Their meeting was pathetic to a marked degree. All there broke down and wept like children. They talked briefly in undertones and the serenity of their parting was not interrupted upon. After his brothers left him Fleming recovered his composed manner, which he maintained to the last. Fleming wrote his last words to his brothers yesterday afternoon, and when they visited him at the jail last night he handed the communication to them. The scene was very affecting, Fleming displaying considerable feeling, his lips trembled and the tears came to his eyes before the conversation closed.

In the statement to his brothers, Fleming maintained that he was innocent of the crime for which he was to suffer the death penalty. He declared he had been jobbed by Clinton Dotson and others and someday the truth would be known and then it would be revealed that Perry Ouchley and Edward Catchell were responsible for the death of Capt. Oliver Dotson.

"I hope you will look into this case for me," he said, "and let the world know that I died an innocent man." Although his brothers claim he has never married Fleming in his statement

Fleming was concluding his prayer when Sheriff McMahon indicated that he was ready to read the death warrant. That was at 10:08. When the command of the law had been communicated to Fleming he seemed relieved. He announced that he was ready and the funeral procession was formed. The procession was headed by Fathers Phelan and Thompson walking side by side. Behind them came the condemned with Father Aiken on his right and Sheriff McMahon on his left, behind walked Under Sheriff Dec and the death watch, Chas. Aspling and Frank Comstock. The march to the scaffold was begun at 10:15, the procession led past the cell of Clinton Dotson to the east side of the jail, through the little door into the yard, thence through the gate leading into the scaffold yard to the great engine of death. As the procession started Fleming said good bye to all and as he passed the cell of Dotson he bade him farewell.

### A Pathetic Scene.

Then was enacted one of the most pathetic and affecting scenes of the entire affair. The parting of the son of a father whose death he had planned and the friend who had executed the foul murder of that father.

"Won't you forgive me, Mac," Dotson asked when Fleming said goodby. "I can say goodby but I can't forgive," answered Fleming. "Be a man, Mac," said the good Father Phelan, "forgive Dotson before you die."

orded more than did Fleming. When Fleming entered the scaffold yard his eyes met the machine that was to send his soul to his Maker. He glanced at it a brief moment and slowly turning his head to the right twisted his long, thin moustache as he gazed at the crowd. He appeared to be looking for familiar faces and recognizing them bowed a mute salutation.

There was no delay at the scaffold. Fleming requested to be allowed to make a few remarks and that was granted him. He had declared that he would "bawl out," to use his own expression, all those whom he considered had wronged him. He reconsidered that, however, and said nothing that could reflect on anyone. His remarks were brief and were as follows:

### His Last Words.

"Friends, I want your attention for a few moments. I am about to meet my Maker, I am here to die an innocent man. I have been wronged and God knows it. I forgive everybody. I go with a clear conscience to meet my Maker. I thank you for your attention and am now ready to meet my Maker. Goodby all."

Fleming had been allowed to walk to the scaffold with his arms unpinioned. It required but a few moments for Sheriff McMahon to strap the arms behind the back and strap the legs at the ankles and knees. Then the noose was adjusted and Fleming aided in the operation as he did in the adjusting of the black cap. Sheriff

## CHAPLAIN STULL FOR MANILA

"Fighting Parson" Will Leave on Monday for service in Philippines—Memorial Window.

A letter received from Chaplain George C. Stull at Billings, states that he will leave on Monday for his assignment at Manila. He will be one of the first of the new army chaplains to go into the service. His family will remain in Billings for a time. He had hoped for an assignment to some post in America, where he could have his family with him, but the department evidently had in mind his good work in the Philippines and decided to send him there again.

Chaplain Stull was interested in getting the soldiers of the state to put in a fine memorial window in his new church at Billings. In memory of their comrades who died in the service of the government. As there is no state memorial, he took up the matter personally, asking the boys to assist in a fitting remembrance. They have done so to some extent, but not as generally as could be wished. The chaplain was closer to the life of the entire Montana regiment than any other man, and had the right of acquaintance and patriotism to ask them for their assistance. The window will be a beauty, if it is secured.