

SUITS FOR \$40,000

BROUGHT AGAINST ATTORNEYS IN DAVIS ESTATE LITIGATION.

DRENNAN AND DEMOND SUED

Plaintiffs G. W. Davis and Elizabeth Bowden—Alleged Defendants Received Money and Turned It Over to Heirs.

A suit has been filed in the district court by G. W. Davis, as the administrator of the estate of C. P. Davis, an incompetent, against Attorneys C. P. Drennan and C. M. Demond of New York to recover \$20,000. The plaintiff alleges that the amount sued for is owing to C. P. Davis as money received by the defendants, as his lawyers, for him, from the A. J. Davis estate.

The complaint says that the defendants received the sum of \$30,454, but have turned over only \$10,454. An effort is also being made in this court to have Drennan and Demond removed as the incompetent's lawyers and the firm of Rote & Clark substituted.

A Second Suit.

Drennan and Demond were attorneys for Elizabeth Bowden and Harriet Wood, as well as for C. P. Davis, the interests of all three being pooled in the litigation over the A. J. Davis estate, of which they were heirs, and a suit has been brought against them in the United States court in the name of Elizabeth Bowden to recover \$20,000, alleged to be due her in the same way as the sum said to be due C. P. Davis. Attorney Rote swore to the complaint in this suit, he being an attorney for the plaintiff and C. P. Davis.

MALLARD IS INSANE

WALKED AROUND THE COURT-ROOM IN HIS STOCKING FEET.

DECLARED HIMSELF CHAMPION

Admitted He Had Been in the Asylum and Said He Would Go Back to That Institution Again if Necessary.

Drs. Mackel and Bryant and Judge McClernan examined into the mental condition of Henry Mollard today and at the conclusion of the investigation Mollard was ordered to the asylum. While the examination was in progress the judge asked Mr. Adams, a witness, if there had been any insanity in the patient's family. "To — with insanity. That's what I say!" exclaimed Mollard. Adams said that two of Mollard's aunts, one sister and a niece had been insane, and that Mollard himself had

Are You Dissatisfied

With your watch, the way it keeps time, or, rather, the way it does not keep time? If so, let us put it in thorough running order for you, on a guarantee of perfect satisfaction to you—just as good as if it were renovated at the factory where it was made. Our repair shop is equipped so that we can do work quicker, better and cheaper than other shops.

LEYS

The Jeweler
Owsley Block, Butte, Mont.

An Internal Remedy and Absolute Cure Perrin's Pile Specific

Also
Regulates and Corrects All Digestive Irregularities.

Manufactured by C. A. PERRIN, M. D., Helena, Montana.

For sale by all druggists. Send address for explanatory pamphlet.

MADAME LA BELLE

The Great European Complexion Specialist,
Says that now is the time to use her famous Cream.

FRECKOLINE

used from now until spring will banish all trace of freckles. Madame La Belle has had upwards of twenty years' experience in removing wrinkles, moth patches, etc. Hair growing and scalp treatment, chiropody and manicuring. Classes open for students. Office Hours—9 a. m. to 9 p. m. Telephone 816A.

SUPERFLUOUS HAIR

Those who are troubled with Superfluous Hair should call on Madame La Belle at once. She will remove it by a new, painless discovery and guarantees no marks.
Mesdames La Belle & Macarroll
45, 46, 47, 48 Third Floor, Owsley Block, Butte, Mont. Tel. 816A

spent some months in the asylum at Warm Springs several years ago.

The examination developed the further fact that Mollard has a wife and four children in Santa Barbara, Cal. He is 47 years old, and a miner by occupation.

Became Excited.

When Mr. Adams mentioned the circumstance of Mollard having been in the asylum the patient became excited and blurted out: "Yes, and I'll go there again if you want me to."

"We had to deprive him of pretty much everything in the jail yesterday," said John Jelleh, one of the county jailers. "He said he was the champion, and wanted to hang himself."

"I am the champion, too, and I can prove it; and I can prove my title to the middleweight," chimed in the patient.

No more testimony to show the deplorable condition of Mollard's mind was necessary.

After entering the court room Mollard divested himself of his shoes and suspenders and walked to the chair of inquisition in his stocking feet.

The court records show that Mollard's mental condition was the subject of examination in the later part of December, but on that occasion the patient was discharged.

E. D. MATTS IS DEAD

AFTER A BRIEF ILLNESS DISTINGUISHED MAN PASSES AWAY.

WAS ON THE STUMP FOR BRYAN

Passing Away of Well-Known Orator a Surprise to All—Was Practicing Law in Chicago Prior to His Death.

The news of the death of Senator E. D. Matts comes as a shock to his friends all over the state.

After a brief illness, lasting only a few days, he died yesterday of meningitis at Hyde Park, a suburb of Chicago.

Graduating from the University of Wisconsin in 1885, he opened a law office in St. Paul, and after practicing there for two years, moved to Montana, where he continued the practice of law at Missoula, becoming a member of the firm of Stephens, Matts & Denny.

It was in the presidential campaign of 1896 that Senator Matts sprang into fame as an orator. Taking the stump for Bryan in the Western states, the eloquence of the "Bald Eagle of the Rockies" brought his services quickly in demand and secured for him a foremost place among the political speakers of recent years.

In the Legislature.

As a member of the state legislature, both as representative and senator, he served his party with ability and effectiveness.

His last public appearance was in the Anaconda opera house during the late campaign, where he made a stirring speech which savored of his old-time vigor.

While Senator Matts' prominence in political affairs brought him the antagonism that may be expected in public life, few men have won the high esteem in which he was held among his friends and colleagues as an orator, a gentleman and a scholar.

The remains of the dead man will be taken to Paoli, Wis., the home of his parents, for interment.

CARTIER'S HEARING.

It Was Partly Finished in Justice Taylor's Court Yesterday.

The preliminary hearing in the case of the state against Levi Cartier, Jr., charged with grand larceny, the theft of a horse from Joseph Boulet, was commenced in Justice Taylor's court yesterday afternoon, but was not finished and will be taken up again next Thursday.

Both men claim to own the animal, each stating under oath on the witness stand that it had been his property several years.

Cartier was arrested by Sheriff Padley in Beaverhead county the latter part of December and turned over to the authorities of Silver Bow on the last day of the month. A year or two ago he was tried in the district court here on a charge of grand larceny, the theft of a buggy belonging to Fred J. Rowlands, but escaped conviction.

W. OF W. INSTALL OFFICERS.

Retiring Grand Neighbor Receives a Handsome Present.

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Hemlock Circle, No. 126, W. of W., installed officers last evening as follows: P. G. N., Nettle White; G. N., Sarah Bowen; advisor, Elizabeth Garlitz; magician, Ida Hemingway; clerk, May Chamberlin; banker, Hattie M. Peter; attendant, Mary J. Davy; I. S. Lovey; Thomas; O. S., John J. Nicholasson; manager, Margaret Hogan; captain of guards, Mary Creighton; pianist, Hattie M. Peter.

The retiring grand neighbor, Nettle White, was the recipient of a very handsome pin given by the members as a token of their appreciation of her administration of affairs. After the presentation all repaired to the banquet hall where a dainty lunch was served.

NOVEL ADVERTISING

INTRODUCING NEW UNION MADE ANTI-TRUST TOBACCOS.

"GILHOOLY" CREATES DEMAND

Butte Unions Welcome Him at Their Closed Meetings—Liberal Sampling of the Town—Much Tobacco Already Placed.

That the real true union spirit is strong in Butte has been well evidenced this week; not merely the union for union wages for the Butte laborers, but for union wages for every laborer, whether in the mines of Butte or in the tobacco factories of the East and South.

Tom Fitzgibbons, known to nearly every tobacco dealer in the United States as "Gilhooly," is here, representing the Monarch Tobacco company of Louisville, Ky. The company employs only union labor, and it is anti-trust. The company had been out of business quite a number of years, when it recently started up again. It was the original maker of the Piperheidsieck chewing tobacco, in place of which, now, it is manufacturing a superior flavored tobacco which it calls "Wineberry," the very highest grade of chewing tobacco made. "Kickapoo" is the other tobacco the company makes—a medium grade of chewing that has a peculiarly pleasing flavor, and which is very popular with the masses.

Gilhooly's Mission.

To introduce these two tobaccos is Gilhooly's mission in Butte. With letters from union labor authorities, Gilhooly is welcomed to all labor lodges, where he makes a talk on union labor and on the value to labor of every union man's using only union label goods. Incidentally he talks of the superior merits of the two tobaccos that he is introducing; and as chewing the string is not proof of the pudding, Gilhooly distributes in every lodge full-size plugs of his tobacco.

In this way, and also because the tobaccos are of superior merit, Gilhooly's Monarch company's tobaccos, "Wineberry" and "Kickapoo," are already in thousands of mouths in Butte today, and the local demand has made it easy for the placing of quite a lot with the retail dealers.

Whether you are a union man or not, whether you are anti-trust or not, if you are a chewer of tobacco there is a treat in store for you when you try either "Kickapoo," a delight ful, substantial medium grade tobacco, or "Wineberry," the finest chewing tobacco in the world.

LIKE THE INTER MOUNTAIN.

Railroad Official Is Pleased With Paper's Enterprise.

Frank J. Tourtelot, superintendent of the dining car department of the Northern Pacific railroad, came in last evening from the East. He is making a tour of the road in connection with his official duties.

"The Inter Mountain is always a welcome arrival on our trains," said Mr. Tourtelot this morning. "We get in first at Billings on Dining Car No. 11; at Bozeman on No. 3, and in Butte again on No. 11."

"Travelers very frequently pass compliments on the appearance of the paper, and are surprised to see such an excellent afternoon paper out here, full of the day's happenings."

Mr. Tourtelot will leave for the West on this afternoon's train.

He says the Inter Mountain is for sale all the way from St. Paul to the coast and is sold by dining car employees instead of train boys. The residents of Butte traveling over the Northern Pacific are served with the day's news as faithfully as when at home. This is one of the many pleasing attentions the management of the excellent road pay to its patrons.

IT IS A STIRRING DRAMA.

"Rupert of Hentzau" Presented at Sutton's Grand Last Night.

"Rupert of Hentzau," the sequel to "The Prisoner of Zenda," presented the first night by an excellent company, drew a good house at Sutton's Grand last night.

From the time the curtain went up to the close of the last act, the audience was held deeply interested in the many changing situations which were presented.

The play will be repeated tonight and "The Prisoner of Zenda" at a matinee today.

HOTEL ARRIVALS.

At the Thornton—A. P. Wilkinson, Helena; Isaac Brunn, Chicago; Mrs. T. B. Rea, Bozeman; J. M. Haley, Chicago; H. B. Wiley, Miles City; J. W. Hughes, New York; Thomas C. Barnes and wife, M. Schloss, Chicago; Miss. C. V. Bellinger, Boise; Archie Gibson, Bannock; Mrs. John C. Brenner, H. W. Brenner, Grant; Walter C. Cooper, Thomas H. Rea, Bozeman; L. C. Parker, Deer Lodge; John Erkin, Pony; David Marks, T. J. Walsh, M. H. Gerry, Jr., Helena; C. M. Fishel, New York; Jaul Traiger, New York; John Edgerton, Helena; L. J. Knapp, Missoula, W. F. Adams, New York; Mrs. John Edgerton, Helena.

At the Butte—E. E. Dunlop, Milwaukee; Donald Bradford, D. A. McDonald, Helena; J. H. Browne, Dr. W. A. Wickline, United States army; J. P. Thomas and wife, Anaconda; James McGovern, Gold Creek; N. W. McConnell, Miss McKilloan, Helena; F. J. Tourblut, St. Paul; H. P. Madden, Emery; W. H. Newhall, Chicago.

At the Finlen—L. S. Knox, Denver; Martin Buckley, Helena; Cora McCormick, Dillon; George P. Snider, Columbus, O.; Charles G. Gouder, "1903," A. B. Cocker, Bridger; W. A. Francis, Omaha; G. W. Burns, Whitehall; L. B. Jones, Minneapolis; S. C. Creighton, E. J. Smith, Norris; H. Kollmorgan, Milwaukee.

SOME NEW CORPORATIONS.

Mining, Manufacturing and Oil Company Organized.

(Special to Inter Mountain.) Helena, Jan. 18.—Certificates of incorporation were yesterday received by Secretary of State Hays as follows: The North Moccasin Mining company,

which was incorporated with \$2,500,000 stock. The fee amounted to \$875. The incorporators are ex-Sheriff J. D. Waite of Fergus county; F. E. Frigh, cashier of the Bank of Fergus county; A. S. Wright of the Central Montana Mines company; Austin Warr, assistant cashier of the Bank of Fergus county; W. C. Waldorf of Lewistown and A. H. S. Bird of Salt Lake.

The Taylor Sickle Head company was incorporated by C. W. Hoffman, John L. Taylor and W. A. Buzzard of Bozeman. The capital stock of \$50,000 has all been subscribed. The company is formed to acquire the patent of Taylor in pitman connections for a cutting bar upon a mower, and to manufacture them whenever patent has been acquired.

The Rocky Mountain Oil company, incorporated by Thomas Clifford, C. H. Foote, W. H. Griffin, A. L. Jaqueth, H. S. Cannon and others, filed its articles of incorporation with the secretary of state. The company is capitalized at \$65,500, of which \$45,000 has been subscribed. There are 2,500,000 shares of stock, having a par value of 2 1/2 cents.

Passed Through Portland.

Portland, Ore., Jan. 18.—Frank Rakowski, the degraded soldier who threatened the life of President Roosevelt, passed through this city last night, under guard, on his way to California, to serve his sentence of 10 years on Alcatraz Island.

FIGHT ON JIM HILL

SOUTHWEST WATCHING NORTHERN SECURITIES CO. CONTEST.

UNION PACIFIC INTERESTED

Harriman Interests Accuse Great Northern President of Taking Their Them for Nothing.

(By Associated Press.)

Omaha, Neb., Jan. 18.—Officials of the Union Pacific and other roads which are concerned in the development and up-building of the Southwest are greatly interested in the outcome of the fight which Governor Van Sant and the other executives who are enlisted with him are making against the plans of the Northern Securities company.

A prominent official of the Union Pacific, in speaking today of the proceedings before the supreme court to prevent the carrying into effect the plans of the Northern Securities company, said: "The interest of the lines which go into the Central states and Southwest in the opposition of Mr. Hill's projected company is a very vital one. We have been fighting the plan which Mr. Hill is trying to carry into effect for a long time and have never hoped to have such powerful support as has been given us by the state of Minnesota."

Interest Vital.

"It is vital to us that the plans of the president of the Great Northern be defeated, and in a measure we are compelled to admit the truth of his statement to the public, which he made recently, when he said that the Union Pacific was largely to blame for the trouble which started Wall street when the control of the Northern Pacific was at issue."

"As a matter of fact, neither the Union Pacific nor any of the Harriman properties, interested in the Southwest, desired a fight with Mr. Hill, but as a simple matter of self-protection, we were forced into taking some decided step."

Trouble Over Settlers.

"All railroads have as their greatest interest the development of the territory traversed by their tracks. It was here that the trouble arose between Mr. Hill and his friends and the Union Pacific. We have for a long time been trying to settle the country along the line of the Union Pacific. At great expense and through hundreds of immigration agents we have induced many people from Europe and from the Eastern and Southern states to take up farming lands in our territory, and we have anticipated a return from the villages and farming communities which, of necessity, follow such settlements."

"It was here that Mr. Hill stepped in. He acted the pirate as regards our settlers, and did not care in what manner he made his fight."

"Agents of the Great Northern made their appearance in our farming communities and the result was that, before we were aware of what was being done, we found the very cream of our settlers had been won over and transported bodily to the Northwest, where they would contribute to the support of Mr. Hill's road and its stockholders."

"There was no question of terms when it came to securing settlers, with Mr. Hill. He wanted them, and he took them at any term obtainable; Rates were not a consideration with him. He would, and I think he has in numerous instances, moved single settlers and, in one or two cases, communities to the Northwest at the expense of his road, the settler not being one cent out of pocket."

Keen Opposition.

"What was true along our own lines we found was also true for this entire section of the country and, worse than that, we found we were forced to meet just such opposition when he tried to secure new recruits from among the immigrants from Europe or in the states which had previously contributed to swell the number of our settlers. Mr. Hill's men were on the ground and they cut our rates, no matter how low we made them."

"We offered inducements which seemed to us extraordinary, and found that Mr. Hill was offering more, and the worse of it was that he was getting the settlers. The fact that he was getting the business was not material, for much of it was being carried at a loss, but the fact that he was getting the settlers was a serious matter and, to save ourselves, we were forced to retaliate."

Cause of Contest.

"This step was taken only after we had tried peaceful means of reaching an agreement with Mr. Hill. He, however, refused to enter into any combination or compact. We wanted to

Special Distributing Agents for

Jones' Dairy Farm

Pure Pork Sausage
Mild Cured Hams
Special Cured B Bacon

FERNDELL

Superlative Canned Vegetables and Fruits, Salmon, Fruit Preserves, Etc

Chesapeake Bay

Soft Shell Crabs
Green Turtles, Etc.

Chase & Sanborn's

Fresh Roasted Coffees

P. J. Brophy & Co.,

28 N. Main St.

fix a rate that would give us at least a fighting chance for settlers, but Mr. Hill refused even to consider such a plan. We exhausted every resource at our command to settle the controversy, and then when that failed, it is true that we took steps to protect ourselves.

"The result is a matter of history, for the flurry in Wall street and the incidents attending it were given wide publicity. One result of that skirmish was the plan for the organization of the Northern Securities company. We who are interested in developing the Southwest, and who are not particularly interested in the progress and prosperity of the Northwest, would not be displeased to see the plans of Mr. Hill defeated. If he meets defeat at the hands of the people of his own section, so much the better."

WILL HAVE A HOME.

Myrtle Sheldon Adopted by Mr. and Mrs. Frank.

Judge McClernan made an order today granting John and Carrie Frank the privilege of legally adopting Myrtle Sheldon, a bright looking 2-year-old child whose mother is dead and whose father is now in Canada. The father gave his written consent to the adoption. Mrs. Frank is a sister of the child's mother.

Department of the Interior, United States Land Office, Helena, Montana, December 30, 1901.

N. P. R. Co., vs. Mineral Classification of w 1/2 section 35, township 4 north, range 11 west.

During the month of April, 1901, Mineral Land Commissioner W. H. Williams, appointed under the act of February 6, 1895, as amended by the act of June 6, 1900, to examine and classify certain mineral lands in the states of Montana and Idaho, classified with other lands, the w 1/2 of section 35, township 4 north, range 11 west, as mineral.

On December 30, 1901, the N. P. R. Co. filed its duly verified protest against said classification in which it is alleged, that each and every part of said tracts are essentially non-mineral in character and more valuable for non-mineral purposes than for mining.

A hearing is therefore hereby ordered and all parties in interest are hereby notified to appear, respond and offer evidence touching said allegation before John R. Bardley, a United States commissioner, at his office at Anaconda, Montana, at 10 o'clock a. m., on February 6, 1902, and that final hearing be held before the Register and Receiver of the United States Land Office at Helena, Montana, at 10 o'clock a. m., on February 13, 1902.

GEORGE D. GREENE, Register.

NOTICE TO CONTRACTORS.

Sealed proposals will be received by the county clerk of Silver Bow county, State of Montana, at his office at Butte, for the interior finish and completion of all the carpenter and joiner work, lathing and plastering, painting, electric wiring, etc., required for the completion of the county hospital building for said county.

These proposals to be at the county clerk's office on or before 11 a. m. on the 14th day of January, A. D. 1902.

Plans and specifications can be seen at the office of M. D. Kern & Co., supervising architects of said building, No. 25 and 28 Owsley block, Butte.

A certified check for \$400.00 (four hundred dollars) on a Butte bank and made payable to W. D. Clark, chairman of board of county commissioners of Silver Bow county, must accompany each proposal.

The right to accept any bid, or to reject any and all bids, is reserved. For further information, see specifications.

Attest: JOHN WESTON, County Clerk.

W. D. CLARK, Chairman Board County Commissioners.

COUNCIL RESOLUTION NO. 35.

A resolution creating and defining the boundaries of improvement district No. 28, in the city of Butte, and providing for the paving, curbing and constructing the necessary catch basins within said district.

Be it Resolved by the City Council of the City of Butte:

Section 1. That improvement district No. 28, in the city of Butte, be and the same is hereby created and the boundaries thereof are described as follows to-wit:

Beginning at a point on the east line of Thornton avenue, thence southerly along the west line of Thornton avenue to the center line of Park street; thence easterly along the center line of Park street, 16 feet; thence northerly along the east line of Thornton avenue, to a point 30 feet north of the north line of Park street; thence easterly and parallel with the north line of Park street, to the west line of Thornton avenue; thence southerly along the west line of Thornton avenue to the center line of Park street; thence easterly along the center line of Park street, 16 feet; thence northerly along the east line of Thornton avenue, to a point 30 feet north of the north line of Park street; thence easterly and parallel with the north line of Park street, to the west line of Covert street; thence southerly

along the west line of Covert street to the center line of Park street; thence easterly along the center line of Park street, 30 feet; thence southerly along the extension of the east line of Covert street to a point 50 feet south of the south line of Park street; thence westerly and parallel with the south line of Park street, to the east line of Ohio avenue; thence northerly along the east line of Ohio avenue, to the center line of Park street; thence westerly along the center line of Park street, 60 feet; thence southerly along the west line of Ohio avenue to a point 50 feet south of the south line of Park street; thence westerly and parallel with the south line of Park street to the east line of Arizona street; thence northerly along the east line of Arizona street to the place of beginning.

Sec. 2. The character of the improvements to be made in said district is paving, curbing and constructing the necessary catch basins upon the street and alleys therein.

Sec. 3. For the purpose of making said improvements and in order to extend the payments of assessments therefor in installments to extend over a period of three (3) years, to be paid for by special improvement warrants, the property embraced within the boundaries of improvement district No. 28 shall be assessed in proportion to the square feet of the whole of said property, in order to defray the cost of making said improvements. An approximate estimate of the cost thereof is twenty-one (21) cents per square foot of the assessable property in said improvement district.

Sec. 4. Time for hearing objections to the final adoption of this resolution is hereby set for the 22d day of January, A. D. 1902, at the council chamber of the city of Butte, at the hour of 7:30 o'clock p. m.

Sec. 5. This resolution shall be published in a daily newspaper published in the city of Butte for five (5) days prior to the time for hearing objections. If the owners or agents of property to the extent of more than fifty (50) per cent of the area of said property to be assessed to defray the cost of said improvements fail to make objections at the time mentioned, a majority of the members of the council voting in the affirmative will finally adopt this resolution.

Adopted this 15th day of January, A. D. 1902.

Approved this 16th day of January, A. D. 1902.

W. H. DAVEY, Mayor.

Attest: W. K. QUARLES, City Clerk.

Office of the City Clerk of the City of Butte, County of Silver Bow, State of Montana—ss:

I hereby certify that the above and foregoing resolution was regularly put upon its final passage and duly passed by the City Council at a regular meeting held on the 15th day of January, A. D. 1902, and approved by the Mayor of said City on the 16th day of January, A. D. 1902.

In witness whereof I have set my hand and affixed the corporate seal of the city, this 16th day of January, A. D. 1902.

W. K. QUARLES, City Clerk.

(First publication January 16, 1902.)

SUTTON'S NEW THEATER

Three Nights and Saturday Matinee,

Opening Thursday, Jan. 16.

Munro & Sage Present, by Special Arrangement with Mr. Daniel Frohman, Anthony Hope's Beautiful Romantic Successes

Thursday Night, Saturday Matinee,

THE PRISONER OF ZENDA

The Story.

Friday Night, Saturday Night.

RUPERT OF HENTZAU

The Sequel.

Prices, \$1.50, \$1.25, 75c, 50c, 25c.

SUTTON'S FAMILY THEATER

Four nights and Wednesday matinee, opening Sunday night, January 19.

After the minnows comes the whale.

TERRY'S BIG UNCLE TOM'S CABIN CO.

40—people—40; horses, ponies, donkeys. A pack of blood hounds. A carload of special scenery. Travelling in their own two Pullman cars. Grand parade at 12 M. Seats now on sale at usual place, at common-sense prices.