

STILL AFTER ROSS TO DISBAR MAURY RESENTS AN INSULT

JUSTICE NELSON ISSUES ANOTHER WARRANT FOR HIS ARREST.

MATTER WAS BROUGHT UP IN THE FEDERAL COURT TODAY.

RANCHER TRIES TO PUNISH JOHN HINES.

THE OLD CHARGE REVIVED

CONTINUED UNTIL MONDAY

MADE SUBJECT OF REMARKS

Complaint Backed by David Meiklejohn, Who Alleges That New Testimony Has Been Discovered—Justice Nelson Undecided.

The Respondent Was Anxious to Have the Hearing Take Place Without Delay, But Mr. Roote Was Absent.

Woman Is Defended by Her Husband Who Lands in Jail—Police Assault Cases Come Up for Trial.

David Meiklejohn, a witness for the defense in the divorce suit of John R. Bordeaux against Ella F. Bordeaux, swore to a complaint in Justice Nelson's court yesterday charging William M. Ross, one of the witnesses for Mr. Bordeaux, with perjury at the time of the case in Judge Clancy's court last summer.

It was supposed that the petition of Alexander J. Johnstone for the disbarment of H. Lowndes Maury from the practice of law in this state on the alleged ground that Mr. Maury as an attorney added the names of two persons to a judgment for \$4059 after the judgment had been obtained in the United States court, would be heard today, but there seemed to be a misapprehension on the part of the interested parties as to whether the proceedings were to deal with the essence of the issue or only some of the various ramifications.

E. E. Wilkin is a rancher, who came to the city yesterday evening to ask John Hines why he slandered Wilkin's wife. The pair met near the corner of Galena and South Main streets, where Hines admitted having spoken untruths of the woman.

Justice Nelson issued a warrant for the arrest of Ross, but up to 12 o'clock this morning it had not been placed in the hands of an officer for service, as the justice desired to consult Harry Moore, assistant attorney general, before ordering its service.

Judge Knowles, however, settled the point and the matter went over until next Monday.

Wilkin started in to punish Hines, but the latter took to his heels, with the irate husband pursuing. Hines slipped and fell during the race, and Wilkin was on top of him in an instant.

Ross is the hackdriver against whom a charge of perjury in connection with the case was made about two months ago.

Case Excites Interest.

Officers Young and Sheehan were near by, and not knowing the cause of the trouble, arrested Wilkin. At the police station when the story came out there were officers to sympathize with the defender of a woman's reputation and to help the rancher get a bond.

He was given a preliminary hearing before Justice Nelson and bound over to the district court on a bond of \$1500, but went to jail in order that habeas corpus proceedings in his behalf might be commenced.

In Judge Boyle's court this morning Wilkin pleaded not guilty of the charge of assault, and his trial was set for Friday.

Administered the Gold Cure.

Justice Nelson desired to look over the testimony adduced at the preliminary hearing.

Anticipation of an interesting session, many attorneys other than those engaged in the case were present when the matter was called up.

John Johnson and George Smith both pleaded guilty to a charge of drunkenness and were each fined \$5.

Ross Discharged Yesterday.

Mr. Johnstone was represented by W. A. Clark, Jr. and while Mr. Maury did all of the talking in his own behalf at the opening of the session his interests will be looked after by J. L. Wines when the real battle begins.

M. J. Campbell, charged with having broken a window in Gus Nichol's saloon on West Park street, said he didn't know a thing about it, but would plead guilty. The court fined him \$20.

Yesterday he discharged Ross from custody. Mr. Meiklejohn then had Justice Nelson issue another complaint against Ross.

Four honor, Mr. Roote and myself have been laboring under a misapprehension in regard to this hearing taking place today," said Mr. Clark. "Mr. Roote is in Washington now, but will return to Butte Saturday."

The time of the police judge was taken up yesterday afternoon by the disturbance and assault cases against Martin Pinkham, John Donley, Peter Regan and Owen McCall, who figured in the row in which Policemen Auerbach and Choiniere were assaulted and the former badly beaten.

In speaking of the matter today Justice Nelson said he was not particularly infatuated with the idea of wading through another preliminary hearing in the case and would consult Mr. Moore, who prosecuted the other charge, before having the warrant for Ross' arrest served.

"I will therefore ask for a continuance until a later date."

The affair has aroused considerable interest both in police circles and throughout the city, and a large crowd was in attendance during the session of court.

"It is claimed that more testimony against Ross has been discovered," said he, "but I do not know anything about it."

Maury Objects to Continuance.

Much Evidence Ruled Out.

At the time the first charge was made against Ross a similar accusation was preferred against Charles L. Barnaman, another witness in the case, and he, too, was bound over to the district court by the justice. Habeas corpus proceedings in his behalf followed and Judge McClerman now has the matter under advisement.

"As no affidavit on motion for a continuance has been presented," said Mr. Maury, addressing the judge, "I insist upon the hearing taking place today. When your honor set the case two weeks (Monday) I suppose that Mr. Roote and Clark were in court and have had sufficient notice of it."

Attorney Gries appeared for the defendants, and was loaded to the guards with objections, which, to the surprise of some, were mostly sustained and which barred vital testimony.

Following the arrest of Ross and Barnaman, L. A. Sisley and Mrs. Bordeaux were arrested on a charge of perjury preferred by Ross, but as the county attorney had not been consulted in any of the cases before the warrants were issued, that official ordered the dismissal of the four complaints.

"My impression in this matter is that the respondent was to have until today to answer the petitioner," said the judge. "I will continue the hearing until Monday; I suppose that Mr. Roote will be in Butte by that time."

The disturbance cases were called and tried first, but after listening to the abbreviated evidence, Judge Boyle took them under advisement. The assault cases have been set for trial next Friday.

The Attorney General Came In.

Then the spectators and disengaged attorneys looked disappointed and slowly filed out of the room.

Harry Edwards, who was arrested as the first victim of the ordinance against expectorating on the sidewalks, street cars and in public places, was discharged from custody, after being given a lecture by the judge. The case was settled through the father of the boy appealing to Manager Wharton of the street car company, who finally consented to a dismissal, providing the boy would go and sin no more.

Those against Sisley and Mrs. Bordeaux were accordingly quashed, but about the time the button was to be pressed in the other two cases the prosecuting witnesses, Messrs. Meiklejohn and A. E. Driggs, the latter Mrs. Bordeaux's father, called upon the attorney general to take the matter out of the jurisdiction of County Attorney Breen.

Mr. Donovan compiled and instructed Harry Moore, his assistant, to come to Butte and prosecute the case, which Mr. Moore did, appearing at both preliminary trials in Justice Nelson's court and habeas corpus proceedings in Judge McClerman's department.

Don't forget the grand masquerade of the Sons of Herman, February 5, at the Auditorium. Forty prizes.

At the meeting of the board of health last evening the questions of a detention hospital and of a new incinerator were discussed. It was finally decided that the matters would be left to the council and that the health officer should communicate with that body.

House was represented by Attorney Booth, who said he would be ready to enter a plea tomorrow morning. House looked like a range rider or a cowboy. His face was covered with a curly beard and his thick hair was long. He is a young man, apparently about 30 years old.

Boys Arraigned

This morning Dr. Leggat sent the following communication to the mayor and council:

Bourquin Objected.

Big White Boy and Little Colored One.

Detention Hospital Suggested.

"To the Mayor and the City Council, Butte, Mont.—Gentlemen: The health officer would respectfully recommend that the health department be empowered to erect a building for a detention hospital for contagion, if the health officer thinks such a building would become necessary. I suggest that the mayor and health officer have this in their full power. Respectfully,

Accused of Incorrigibility

"DR. A. C. LEGGAT, Health Officer."

John Mohan, charged with grand larceny for the taking of \$30 from another man's pockets, was arraigned and asked the court to appoint a lawyer to represent him.

Tommy P. Lally the White Youth Said He Was 17 and Looked Big as a Man—Charley Marshall, the Colored Boy, Puzzled.

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"I'll appoint Mr. Bourquin to represent him," the court said.

Boy of Many Troubles.

This morning Dr. Leggat sent the following communication to the mayor and council:

"Oh, yes; if it's against your conscientious scruples," the court returned, and then Attorney M. D. Kelley was appointed counsel for Mohan.

Marshall is the diminutive son of Ham, whose stepfather, Sells Reeves, was arrested for misusing him. He has been in the county jail for about two weeks. He is exceedingly bright looking, but very little.

Detention Hospital Suggested.

"Have you any means to employ one?" was the next question. It was too much for Charley. He only looked puzzled and smiled more sweetly.

He rose up smiling when the court gave the order, and his teeth glistened as his mouth expanded.

City May Have Isolation Independent of County and Solons Are Asked to Purchase New Incinerator for City Dump.

"I guess he isn't any too flush," the court said.

Attorney Naughten was appointed to represent Lally, and the information was handed to him.

The communication is signed by all of the members of the committee.

"No, sir," Charley replied.

Lally is accused of consorting with wicked characters, both male and female, and of other vices.

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"Have you an attorney?" Mr. Breen asked him.

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The Extraordinary Success of the Symons Alteration Sale. Ladies' Silk Underskirts At Slaughter Prices. Encourages the firm to renewed bargains such as are only possible under the merchandising methods first introduced and yet only practiced by the Symons store; methods of honor and of enterprise that through this store daily where honest bargains of the most desirable kinds of goods, are to be had. For today we offer: 50c Children's Underwear 20c, 65c Women's Underwear 35c, \$1 Women Underwear 50c, \$1.25 Women's Union Suits 75c, \$1.50 Comforts \$1.00, \$2.75 Comforts \$1.50, \$1.25 Gray Blankets 75c, \$5 California Blankets \$2.95, \$2 White Blankets \$1.25, \$10.00 Tan Blankets \$6.95, 12c Children's Hose, 6c, 20c Infants' Hose, 10c, 25c Women's Hose, 15c, \$1.00 Kid Gloves, 79c.

mening tonight. "The Gelaha," the pretty Japanese opera to be given tonight and tomorrow night, enjoyed a run of 80 weeks at Daly's theater, New York, and for two and a half years at the Gaiety theater, London. Owing to the tremendous royalty and the great amount of scenery and paraphernalia necessary for a proper production, other companies have been unable to produce it.

not understood, because the continent does not enjoy the blessings of a civilization and a government based on the word "straight." Count Sternberg says he always thought England was the enemy of the continent until he visited the United States and studied the economic conditions there.

Want Pneumatic Mail Service. (By Associated Press.) New York, Feb. 5.—A plea for the restoration of the pneumatic service for the transmission of mail has been made by the directors of the Merchants' association. It was resolved that congress be asked to take proper steps to provide this service in New York and other cities.

England is Loved. COUNT STERNBERG WRITES HIS VIEWS TO THE TIMES. EUROPE SHOULD COMBINE. He Believes That the United States Is the Nation for Germany and Other Nations of the East to Fear.

MAGNIFICENT COSTUME At a Great Bargain. Black Point d'Esprit Lace Costume, made in perfection of style. Most elegant costume in Butte for twice our price. \$100 Value. Our Price \$75. WEINBERG BROS. & EPSTEIN. Makers of Ladies' Fine Wear. 131 S. Main St. K. of P. Building.

THE POLLARD JUVENILES. They Will Open at Sutton's Broadway Theater Tonight. Pollard's Australian Juvenile Opera company arrived in the city this afternoon and will open a five nights' engagement at Sutton's Broadway theater com-

P.J. BROPHY & CO GROCERS AND IMPORTERS. HEADQUARTERS FOR MRS. KIDD'S PIN MONEY PICKLES VARIETIES. Sweet Gherkin, Sweet Bur Gherkin, Sweet Tartynia, Sweet Mixed, Melon Mangoes, Cucumber Mangoes, Bur Mangoes, Pepper Mangoes. Huntley & Palmer's Biscuits Reading, England. PHILIPPE & CANAUD FRENCH SARDINES The Acme of Perfection in Quality and Flavor. P. J. BROPHY & CO 28 North Main St., Butte, Mont.

MADAME LA BELLE The Celebrated European Complexion Specialist. Has had twenty years' experience in her profession. Mme. La Belle's Face Lotion protects the most delicate skin against the severest cold and strongest winds. Hair growing and scalp treatment, face and body massage, manicuring and chiropody. Mme. La Belle's Freckoline positively removes freckles. Superfluous hair removed. Satisfaction guaranteed. Ladies out of Town are Requested to Communicate on Health and Beauty free of Charge. MESDAMES LA BELLE & MACAROLL, 45 to 48 Owsley Block, 3d Floor Butte, Mont.