

ESTATE WAS LEFT TO HIS PARENTS

PUBLIC ADMINISTRATOR VALUES PROPERTY OF LATE HENRY SMITH AT \$973.

HIS HOUSE AT SILVER BOW PARK IS ONE ITEM

Various Theories Are Advanced as to How the Young Man Met His Death, but Facts of Accident Will Never Be Known—Sorrow at His Untimely End Is General in Butte.

That a boy of 20 should leave an estate is more than a little remarkable. The fact is, however, that Henry Smith, who was killed Thursday morning in the Pennsylvania mine, leaves an estate for which Public Administrator J. P. Collins has petitioned the district court to grant him letters of administration. His parents are named as heirs to the estate and have

HENRY SMITH,



Nineteen-Year-Old Boy Whose Savings Are Nearly a Thousand Dollars.

consented to the administration by Mr. Collins. It is valued in the petition at \$937, and includes an accident policy for \$567, wages due from the Boston & Montana Mining company, amounting to \$90, and a house and lot in the Silver Bow Park addition valued at \$210.

According to the customary proceeding a notice to the creditors, if any, will be published and an application of hearing filed in Judge McLernan's court, when the inventory and appraisement and final report of the administrator will be read. Then will come a petition for the administration of the estate and the discharge of the administrator.

Sorrow Is General.

Because Smith was only a nipper in the Pennsylvania mine—a handy boy to carry tools and run errands around the mine—did not detract from the extent of the sorrow manifested by the men who knew him and with whom he was a general favorite.

Various theories are advanced as to how the boy lost his hold on the ladder and fell 100 feet to his death, but as the cause will never be determined, it is useless to theorize. The facts as known are that the young man was coming down the ladder carrying a fuse, and that when he had reached a point about 25 feet from the bottom, he lost his hold, and in falling almost dislodged Shift Boss T. Eddy, who was making his way down the ladder 20 feet below.

Smith had been working in the Pennsylvania about a year and a half and had won the respect of his employers and the regard of the miners, who universally regret his untimely death.

The Montana State School of Mines' third year begins Tuesday, September 9, 1902. For catalogues and terms address School of Mines, Butte, Montana.

The annual meeting of the stockholders of the Silver Bow Oil company will be held at the office of H. L. Frank, city of Butte, on Monday, July 14, at 4 o'clock p. m. The purpose of the meeting is for the election of seven trustees to serve for the ensuing year and any other business which may properly come before the meeting.

E. N. WOOD, Secretary.

TWELFTH MAN IS NOT TO BE FOUND

JUDGE MCCLERNAN IS UNABLE TO GET A JURY TOGETHER FOR THE MARTIN MURDER TRIAL.

CASE TO BE RESUMED ON THURSDAY MORNING

Lennox Is to Be Called as a Witness for the State—With Martin, He Is Accused of Having Killed Fireman John R. Williams, at Silver Bow Junction, on May 19 Last.

James Martin will soon know whether he is to be hanged for the part he is alleged to have taken in the murder of Fireman John R. Williams at Silver Bow Junction on the night of May 19, while endeavoring to relieve his victim of the money he possessed.

His trial began in Judge McLernan's court this morning, but by reason of the fact that the jury panel was exhausted before the necessary 12 men who are to decide his fate, were secured, the end will not be reached until the latter part of the week. After the last name had been drawn from the box the judge issued an order for 125 specials and made it returnable at 10 o'clock Thursday morning, at which time the case will be resumed.

Eleven Had Been Accepted.

Eleven men whom the state had accepted were in the jury box when court adjourned, but the defense had exercised only three of the 10 peremptory challenges to which it is entitled. The state has not exercised any, but has waived two. County Attorney Green and Alexander Mackel, one of his chief deputies, are handling the prosecution and Thomas Morrin is looking after the interests of the defendant. He is geared up for a hard fight for his client, and if the jury says "guilty" in its return to the court, Martin will have the satisfaction of knowing that his legal adviser was not slack in his duties.

Martin did not show his customary indifference in court today, but he was not nervous. He sat beside his attorney during the proceedings and listened attentively to all that was transpiring. He kept his legs crossed and part of the time rested his head in one hand. When not resting his head his jaws worked industriously at something—it might have been a chunk of gum or a piece of tobacco.

Lennox's Turn to Come Next.

Charles Lennox, who was with Martin at the time the fatal shot was fired and who declares that Martin did the shooting, was not in the courtroom this morning, but will be on hand when the testimony begins. He and Martin are jointly charged with murder in the first degree. After the Martin case is disposed of Lennox's turn will come. He will be defended by J. Bruce Kremer, of Busch & Kremer.

It is understood that Martin intends to attempt to shift the responsibility for the crime to Lennox and that the latter will return the compliment.

WALKERVILLE COUNCIL MEET

Edward H. Golden Is Appointed Police Magistrate to Fill Vacancy.

At a meeting of the Walkerville city council last night Edward H. Golden was appointed police magistrate to fill the vacancy caused by the death of James Denison, who was elected by the citizens and died a few weeks ago. Mayor Gairnor named Mr. Golden and the council confirmed him unanimously.

David Hendra, who was elected alderman from the Third ward of the Hill City, attended the meeting. It was his first appearance since his election, as he has been in California for his health. He is greatly improved, however, and will doubtless be found in the harness from now until the expiration of his term.

The only absent member of the council last night was Edward Fleming of the Second ward, who is in the East with his family in which there is sickness. He has had his leave of absence extended to September 1.

Much of the business transacted last night was of a routine nature. Edward Reimel was given the contract for laying crosswalks on Daly street from First to Sixth streets. The work will cost the city about \$170.

The report of Marshal Duffy showed that during June he did not make an arrest and that the electric lights failed to shine 60 hours during the 30 days.

City Treasurer Marsland took in \$915.62 during the month and paid out \$531.22, leaving a balance of \$384.40.

\$15—Salt Lake—\$15.

The Oregon Short Line will operate second popular excursion from Butte and Anaconda to Salt Lake, Saturday, July 10th.

Tickets good only on 2:05 a. m. and 4:50 p. m. trains that date, available to return any time within 10 days.

Reserve berths now. City Ticket Office, 105 North Main street, Butte, Montana.

H. O. WILSON, General Agent.

KNEW TRACY WHEN HE WAS IN BUTTE

LOCAL BONIFACE TELLS INSIDE FACTS ABOUT DESPERATE MAN TERRORIZING THE COAST.

ESCAPED CONVICT HAD MANY FRIENDS IN CITY

Always Seemed to Be Well Fixed Financially and Frequently Played Races—Disappeared Suddenly and When Next Heard From Was Charged With Murder in Colorado.

Harry Tracy, the convict who is giving the entire Northwest a scare, spent some weeks in Butte about four years ago and is well remembered by Harry Peterson, a bartender, at the "M. & M." saloon.

"Tracy frequently came in here," said Peterson yesterday, "and he was always a quiet sort of a fellow who would never give one the impression that he was a desperate criminal. He had many friends in the city and some of them are here now. He used to play the races in the poolrooms frequently when he was here and had plenty of money at all times."

"He disappeared from here suddenly and next thing I heard of him was that he was in some sort of trouble in Colorado. I believe he was charged with murder. I had forgotten all about him until he started on his last rampage."

"Tracy was a Mexican and was a leader in the once notorious 'Hole-in-the-Wall'"

HARRY TRACY,



Whose Career of Crime Has a Chapter of Butte Experience.

or Powder Springs gang of outlaws that infested the northwestern corner of Routt county, near the Utah and Wyoming lines, which committed murders, robberies and other depredations almost at will, keeping the settlers in three states in constant fear for the safety of their lives and property.

Member of Bad Gang.

"For years prior to the lynching of one of its ringleaders, Jack Bennett, in 1898, the gang operated extensively, but the lawless career of its members came to a sudden termination then. The murder of William Strong, a boy who was protecting his father's cattle from the gang's depredations, caused the citizens of Western Colorado to demand the extermination of the gang. A posse of sheriffs was formed and war declared on the desperadoes."

"Tracy about a year prior to this had escaped from the Utah penitentiary and with the famous 'Butch' Cassidy he stirred the gang to more daring deeds of violence. When the posse encountered the outlaws a desperate battle was fought. Several were wounded on each side. Hoy, a member of the posse, was killed. Four of the outlaws were afterwards captured by a posse of the Utah militia and Colorado cowboys who had volunteered at the call of the governors of the two states. They were led by Deputy Sheriff Farnham."

"Jack Bennett, the first to be captured, was believed to be the murderer of Strong and he was lynched near the Colorado line. Tracy, Lant and P. L. Johnstone were later taken into custody near Powder Springs, after a hot fight. Johnstone was taken to Wyoming, where he was afterwards tried and sentenced for life."

Charged With Hoy Murder.

"Tracy and Lant were jailed at Hahn's Peak. Tracy was charged with the Hoy murder. They were threatened with mob violence, but before the lynching was planned they 'beat up' the sheriff and fled. The sheriff took the stage for the nearest railroad point and a short distance from Hahn's Peak Tracy and Lant got aboard. Unaware of the officer's presence, Sheriff Newman made a quick move and soon had them in custody."

"From there they were taken to Aspen and closely guarded, but they managed to bind and gag the jail authorities and escaped again. Large rewards were offered by Governor Wells of Utah and Governor Adams of Colorado, but no trace of the culprits was found until 1899, when Tracy turned up at Portland, Ore., having been arrested for robbery. He was given a sentence of 20 years, and on March 20, 1899, he attempted to get out of prison by attempting to murder the jailer. The governors of Colorado and Utah were at loggerheads for six months as to which state should try Tracy, and it was while his disposition was being discussed that he made the two successful jail breaks."

ELKS' SPECIAL TO SALT LAKE

Oregon Short Line Will Have a Handsome Train at Their Disposal.

Announcement has just been made by the Oregon Short Line that the Elks' special, consisting of 10 Pullman coaches, will leave Butte at 7 o'clock on the evening of August 11 and will arrive in Ogden at 7:10 on the morning of the 12th, where it will remain one hour for breakfast. It will leave again at 8:10 a. m., in order to arrive at Salt Lake at 9 a. m., giving the Elks time to reach the opening of the excursions at the Tabernacle at 10 a. m.

The Great Annual Discount Sale of Fine Clothing Begins Today at

The Connell Store

The Men of Butte await this event with anxious interest, because they know the character of the Connell Clothing.

Every Man's Suit and Overcoat in the Store at 25 Per Cent Discount

This means that \$15.00 Suits and Overcoats will be sold for \$11.25. \$20 Suits and Overcoats for \$15.00, and so on up and down the line. We can say truthfully that you cannot make a mistake in buying our clothing, as we neither buy nor sell "shoddy," or what is known as "wholesale clothing." All

our clothes are made expressly for us by Stein-Bloch Co. and Hart, Schaffner & Marx. We sell no other. Every man knows the reputation of those makes—they stand at the top.

25% or a Quarter Off the Marked Price for Clothes

THAT FIT YOU correctly, such as you need not be ashamed to wear. Spring, summer and fall clothing—the latter just received, and all of such an excellent character that it stands unrivaled in Butte.

The New Suits

That arrived last Wednesday will be sold at the same discount—a quarter off the marked price. We need not waste your time in reminding you that we mean what we say, every suit and overcoat in store goes at the discount price.



M. J. Connell Company

RENDERS SUICIDE VERDICT

Coroner's Jury Decides That George Vuksenich Took Poison.

George Vuksenich took poison with suicidal intent. This was the verdict of the coroner's jury at the inquest held last night.

Vuksenich drank a quantity of chloroform at his home in Meaderville Thursday night while in a fit of despondency caused by an attack of rheumatism. He leaves a widow and a young daughter.

LOST—SMALL, DARK BLUE GUN-metal lady's watch, between Lennox block and Hennessy's. Finder return to this office for reward.

POLITICAL ANNOUNCEMENT.

The undersigned wishes to notify his friends that he will be a candidate for the office of state senator from Silver Bow county this fall.

JAMES R. CREIGHTON.

NOTICE.

Notice is hereby given that on Friday, July 18, 1902, a special election will be held in Silver Bow county, state of Montana, for the purpose of voting on the annexation of certain abutting and contiguous territory to the city of Butte, in said county, described as follows, to-wit: That certain portion of the northeast quarter of Section 14, Township 3 north, Range 8 west, of principal meridian of Montana, bounded and described as follows:

Beginning at the point of intersection of the north line of said Section 14 with the west line of the Empire addition, from which the northeast corner of said Section 14 bears east 1,500 feet; thence south 8 degrees 16 minutes east along the west line of the Empire addition 367.3 feet; thence north 78 degrees 2 minutes east along the south line of the Empire addition 11.5 feet; thence south 8 degrees 42 minutes east along the west line of the Hope addition 389.1 feet; thence north 73 degrees 2 minutes east along the south line of the Hope addition 968.2 feet to the point of intersection with the north line of the Volunteer addition; thence south 66 degrees 30 minutes west along the north line of the Volunteer addition 980.9 feet; thence south 3 degrees 22 minutes east along the west line of the Volunteer addition 595.6 feet; thence north 56 degrees 42 minutes east along the south line of the Volunteer addition 953.7 feet; thence south 21 degrees 22 minutes east along the west line of the Lawlor & Kemper addition 446.4 feet; thence south 69 degrees 6 minutes west along the north line of the East addition 93.8 feet; thence south 9 degrees 40 minutes east along the west line of the Emmet addition 362.1 feet; thence north 67 degrees 13 minutes east along the south line of the Emmet addition 5.3 feet; thence south 0 degrees 13 minutes west along the north line of the Excelsior addition 310.1 feet; thence north 82 degrees 44 minutes east along the south line of the Excelsior addition 233.9 feet to the east line of said Section 14; thence south 0 degrees 10 minutes east along the east line of said Section 14 598.2 feet to the southeast corner of the northeast quarter of said Section 14; thence west along the south line of said northeast quarter of said Section 14 to the southwest corner; thence north along the west line of the Empire addition, from which the north line of said Section 14, 1,131 feet to the west line of the Empire addition, the place of beginning.

The above-mentioned territory to be known as Precinct Number One (1), and the polling place for said precinct will be in the rear of the Big Butte grocery store at 1102 West Park street, within the limits of said territory.

Also, that certain portion of the southeast quarter of Section 14, Township 3 north, of Range 8 west, of the principal meridian of Montana, bounded and described as follows:

Beginning at the northeast corner of the southeast quarter of said Section 14; thence south 9 degrees 10 minutes east 72.6 feet to the north line of the Saturn addition; thence west along the north line of the Saturn addition 270.1 feet; thence south 129 feet; thence south 87 degrees 0 minutes west along the north line of the Neptune addition 59.4 feet; thence south 9 degrees east along the west line of the Neptune addition 607.4 feet; thence north 82 degrees 05 minutes east along the south line of the Neptune addition 236.2 feet, to the east line of said Section 14; thence south along the east line of said Section 14 to the south-

east corner of said Section 14; thence west along the south line of said Section 14 to the southwest corner of the southeast quarter of said Section 14; thence north along the west line of the southeast quarter of said Section 14 to the northwest corner of the southeast quarter of said Section 14; thence east along the north line of the southeast quarter of said Section 14 to the northeast corner of the southeast quarter of said Section 14 to the place of beginning.

The above-mentioned territory to be known as Precinct Number Two (2), and the polling place for said precinct will be in the rear of 1207 West Silver street, within the limits of said territory.

Also, beginning at the southwest corner of the northeast quarter of Section 18 of Township 3 north, Range 8 west, principal meridian of Montana; thence north along the west line of the northeast quarter of said Section 18 1,060 feet, more or less, to the south line of Broadway; thence easterly along the south line of Broadway and its extension 1,320 feet, more or less, to the east line of the southwest quarter of the northeast quarter of said Section 18; thence southerly along the said east line of the southwest quarter of the northeast quarter of said Section 18 to the south line of the northeast quarter of said Section 18; thence westerly and along the said south line of the northeast quarter of said Section 18 1,320 feet, more or less, to the place of beginning.

The above-mentioned territory to be known as Precinct Number Three (3), and the polling place for said precinct will be in the basement of Union Hall on Talbot avenue, within the limits of said territory.

The polls for said election will be open at 8 o'clock in the forenoon and continue open until 6 o'clock in the afternoon of said day.

JOHN WESTON, County Clerk, Silver Bow County, Mont. (First publication June 17, 1902.)

MINING APPLICATION NO. 4539.

United States Land Office, Helena, Montana, June 20, 1902.

Notice is hereby given that John Connell and Daniel J. Hennessy, whose post-office address is Butte, Montana, have this day filed their application for a patent for 1,476 linear feet, being 350 feet easterly and 1,126 feet westerly from discovery shaft of the Bryan Lode Mining claim, upon which a notice of intention to apply for a patent was posted on the 16th day of June, 1902, situated in Summit Valley, unorganized, Mining District, Silver Bow county, state of Montana, designated as Survey No. 6593, in Township 3 north, of Range 8 west, and being more particularly described as follows, to-wit: Beginning at the southeast corner, which is also Corner No. 4 of Survey No. 1234, and a point in the west end line of Survey No. 1642, a granite stone set in the ground, with a mound of earth alongside, and marked 1-6593 for Corner No. 1, from which the corner of Sections 1, 2, 11 and 12, Township 3 north, Range 8 west, bears south 51 degrees 23 minutes east, 377 feet, and running thence north 10 degrees 15 minutes west, 18 feet; thence north 89 degrees 41 minutes west, 1,476 feet; thence south 10 degrees 15 minutes east, 191 feet; thence north 83 degrees 37 minutes east, 7,452 feet to the place of beginning, containing an area of 3.48 acres claimed by the above-named applicants.

The location of this claim is of record in the recorder's office of Silver Bow county, state of Montana, in Book "D", on Page 317 of Lode locations.

The adjoining claims to these premises are Survey No. 1961, Tully lode, Lot 505, on the north; Survey No. 1642, Sooner lode, Lot 426, on the east; Survey No. 1234, Mill Side lode, Lot 345 on the south; Survey No. 5115, Minnie lode, on the west.

FRANK D. MIRACLE, Register. SAMUEL BARKER, JR., Attorney for applicants. (First publication June 21, 1902.)

...CITY WATER...

Pipes Are Now Laid Over the Entire

McQUEEN ADDITION

Lots are still selling at the same price, \$175. New Terms \$25 cash, balance \$10 month. Best opportunity to make money in Butte. These lots will surely raise when Ferrall Copper Co. start producing.

THE THOMPSON CO.

Fire Insurance.

15 W. Broadway.

Loans, Rentals