

## SENATORS ENDEAVOR TO SOLVE THE PROBLEM

Quay, Penrose, and Platt to Confer With Governor Odell on the Coal Strike.

## NO ONE IS PRESENT TO REPRESENT OPERATORS

And it is therefore surmised that the Senators are trying to see what can be done by the Government in the way of forcing matters to a head—Mitchell is in New York, but was not at the conference and will not speak.

[BY ASSOCIATED PRESS.]

New York, Oct. 10.—Continuing their efforts to bring about a solution of the anthracite coal strike Senators Quay and Penrose of Pennsylvania, and Senator Platt and Governor Odell of New York met today for another conference.

The meeting place was Senator Platt's office in the downtown business district. The conference began shortly after 10 o'clock, but none of the coal operators nor anyone representing their interests appeared.

The absence of any representative on the operators' side of the dispute was regarded as indicative that this morning's conference between the politicians would be devoted to an effort to discover some means of forcing the strike to an end.

Another phase was injected into the situation today by the making public of David Wilcox's letter to the president demanding that the federal government proceed against the miners' organization as a conspiracy to prevent interstate commerce. Mr. Wilcox is said to represent all the coal operators, and the publication of his letter is regarded as somewhat in the nature of a statement of the operators' position.

Mitchell Will Not Speak.

President Mitchell of the Miners' union, with the district presidents, spent the early part of the day at his hotel and declined to answer any questions except to say that he expected to return home today.

It was reported that just before he left the Fifth Avenue hotel, this morning, J. P. Morgan had a brief private conference with Senators Quay and Penrose. This could not be confirmed, however.

President Baer of the Reading road, came over from Philadelphia this afternoon, and shortly after his arrival here went to J. P. Morgan's office. Later, Chairman Thomas of the Erie road, also called, and the three remained in close consultation for some time. At 12:30 Mr. Baer and Mr. Thomas left the Morgan offices and went around to Senator Platt's office, where Senator Platt and his conferees were in session. They were quickly ushered into the room.

The conference in Senator Platt's office broke up soon after 1 o'clock. Senator Platt stated that everything had been put off until Tuesday.

Chairman Thomas of the Erie road said after the conference that no conclusion had been reached.

## FOR SERVICES AS RENDERED

Denver Woman Sues Estate of Millionaire for Large Sum.

[BY ASSOCIATED PRESS.]

Denver, Colo., Oct. 10.—Suit has been filed in the district court by Miss Mary F. Lathrop against Judge Moses Hallett of the United States court, executor and trustee of the estate of the late George W. Clayton, to recover \$50,000 for alleged legal services rendered to the Clayton estate.

The will of George Clayton created a trust fund of \$1,000,000 for the establishment in Denver of a college for poor white male orphans, and Miss Lathrop bases her claim on alleged services in defending a suit which sought to have the trust declared void and the fund distributed among Clayton's heirs.

## TOOK STORIES OF THE CHICAGO FIRE

LOCAL MEN WHO WERE TELEGRAPH OPERATORS ON THE NIGHT OF OCTOBER 9, 1871.

Yesterday was the thirty-first anniversary of the big Chicago fire which broke out October 9, 1871. In recalling the awful disaster that attracted the attention of the whole world, H. O. Wilson of the Short Line said this morning: "I remember that fire distinctly. I was a telegraph operator at Deadwood, S. D., at the time, and took the account for the Associated Press. It was a frightful calamity for those who had to go through it; but Chicago has been the gainer in the long run, for the town arose, Phoenix-like, from the ashes, and was rebuilt on a much more magnificent scale."

Levi Wilson, who is at present the local manager for the Western Union Telegraph company, was located in San Francisco at the time and had charge of that end of the fire story, and it has the distinction of being one of the biggest stories ever handled by the "A. P."

## GILLIS NAMED FOR THE STATE SENATE

POPULAR REPUBLICAN NOMINATED TO VACANCY CAUSED BY MR. BUZZO'S RESIGNATION.

## LATTER'S LETTER READ IN COMMITTEE MEETING

Three Candidates for the Legislature to Fill Vacancies on the Ticket and Other Places Left Open by the Convention Receive Attention—Meeting is Enthusiastic and Encouraging.

Silver Bow county republicans intended to have a meeting of the central committee last evening. Not only did they have the meeting, but held a rousing rally in the large hall at headquarters which was filled to overflowing with enthusiastic friends.

Old-timers in the party, men who have always been republicans but have never taken an active part in the campaigns, were present to lend a word of encouragement or advice and when, after two hours of speeches, plans and deliberations, the meeting adjourned it was with the feeling that every man had made up his mind to get out and make a winning fight for the grand old party.

Much regret was expressed at the business engagements which compel T. W. Buzzo, the nominee for state senator, to be absent from Montana during the campaign, but when Malcolm Gillis was named and in an earnest speech announced that he would accept and go in to win, the candidacy of the new leader of the county ticket was hailed with acclamation.

Mr. Buzzo's Letter.

At 8 o'clock Chairman A. N. Yoder called the meeting to order. As the hall was crowded to its utmost capacity, it was necessary to ask the members of the committee to take the seats in front. After a few parliamentary remarks the chairman asked Secretary M. A. Berger to read the declaration of Mr. Buzzo which was as follows:

"To the Republican County Central Committee:

"Gentlemen—It is with sincere regret that I have tendered to you my declination as a candidate for state senator from Silver Bow county. This course has been impelled on account of business reasons solely and not by reason of any lack of interest in republican politics or in the success

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## MALCOLM GILLIS WILL BE POPULAR SENATOR

MALCOLM GILLIS,



Who is Making the Race for State Senator from Silver Bow County on the Republican Ticket.

While Mr. Buzzo's friends regret his departure sincerely, the republican party is fortunate to have many capable and public-spirited citizens from whom to select a candidate to take his place on the ticket. In Malcolm Gillis, the forcible, upright, young advocate of republicanism, the central committee has been peculiarly fortunate. Everybody in Butte knows Malcolm; everybody respects him; and the news of his candidacy will fully offset the regret for Mr. Buzzo's unavoidable withdrawal.

Mr. Gillis has not only been a constant and earnest worker in the republican ranks, but also a prominent and active champion of the rights of the working men, one of whom he is. His candidacy will be welcome to the clean, honest citizens of the county who know his worth and who have every confidence in his ability and integrity.

Silver Bow county's next senator was born in Canada just 40 years ago. When a lad of 8, his family moved to Michigan, where Malcolm received his education at the public schools and imbibed the spirit of sound republicanism. In the Michigan mining district he learned the profession of engineering. He came to Montana in 1889.

## GRAND ARMY WILL COME TO 'FRISCO

DECIDE UNANIMOUSLY TO HOLD NEXT ENCAMPMENT IN CITY BY THE GOLDEN GATES.

## UNION VETERAN LEGION TO SUSPEND COMMANDER

Charges of Arbitrary Action and Also Reflections Upon His Character Are Made Against General R. G. Dyrenforth—Case is of Wide Interest to the Men Who Fought in the Days of '61.

[BY ASSOCIATED PRESS.]

Washington, Oct. 10.—The Grand Army of the Republic today decided by a vote to hold its encampment in 1903 at San Francisco.

Practically the only competitor was Atlantic City, but few votes being cast for Saratoga. The chances of the latter place were destroyed by the decision of the New York men to support San Francisco and when the solid vote of that delegation was cast today for the Pacific Coast city, it was recognized that Atlantic City's prospects were very slim.

General Shaffer made the speech nominating San Francisco, while Department Commander Hall of New Jersey named Atlantic City. The vote was San Francisco, 573; Atlantic City, 178.

The selection of San Francisco was then made unanimous.

Before the place of meeting was chosen the list of national officials was completed. A. W. Atchison of Texas was chosen surgeon general and Rev. D. B. Shuey of Kansas chaplain in chief.

During the day the committee on legislation presented its report. The report was devoted especially to the committee's effort to secure a modification of the civil service laws in the interest of veterans, which was stated congress had failed to concede.

The committee finds that the president is in hearty sympathy with the efforts to secure a broader recognition of the claims of the soldiers and in marked contrast to the attitude of congress.

The following national officers have been elected by the Women's Relief corps: Mrs. Louduley J. Taylor of Massachusetts, president; Mrs. Geraldine Frisby of California, senior vice-president; Mrs. Mary M. North of Maryland, junior vice-president; Mrs. Sarah C. Phillips of New York, treasurer; Mrs. Jennie Day of Connecticut, chaplain.

## CAPTAIN E. B. EVERTS DIES OF PNEUMONIA

CAPT. EDWARD EVERTS,



Member of Butte Police Force Who Died This Morning at a Butte Hospital of Pneumonia and Complicated Causes.

Death came to Police Captain Edward B. Everts in the St. James hospital this morning at 5:30 o'clock. While the captain was known to be very low the news of his death will come as a shock to his many friends, as it was given out yesterday afternoon that his condition was slightly improved. Pneumonia is declared to be the cause of his death by the physicians who attended him.

Captain Everts came to Butte from Kansas City 15 years ago. He was born in the little town of Brandon, Vermont, and was 30 years of age. When still a small child his parents sent him to Boston, Massachusetts, to live with an uncle, and Captain Everts' boyhood days were passed in the city of culture.

Mayor Liked Him.

In the dawn of young manhood Everts came West, and for several years worked in a bank in Kansas City. Becoming tired of the confining work he came to Butte and secured employment on what was then the street railway. He was conductor on a cable car that ran to Walkerville at that time.

In 1897 Everts was appointed patrolman on the police force under Chief Mulholland. So well did he fulfill his duties as an officer that he was retained when Chief James Reynolds assumed the office of the head of the local police force. Mayor Davey liked the young man so well that he appointed him captain of police and Captain Everts filled this office up to the time of his death.

In the Cold Damp Night.

It was known to the friends of Everts that he was ailing during most of the month of September and that only his remarkable will power kept him in the har-

ness. The chilly nights that came the latter part of September proved too much for the nervy young police captain, whose duties called him out all night, and on September 26 he was taken suddenly ill with a high fever.

He was removed at once to St. James' hospital, where the physicians pronounced him a dangerously sick man with pneumonia. For almost a week Captain Everts was delirious. The fever raged and the patient never recognized his most intimate friends who called to see him.

Ten days ago he became rational again and as the fever had subsided it was announced that the sick man would probably recover. Had Everts been attacked only with pneumonia his recovery after the first shock would have been almost certain, but other troubles set in, making his case a complicated one. It is now thought he had an abscess on the brain, which hastened the end.

A Stream of Mourners.

The body lies at Richards' undertaking rooms and all day long friends of the dead man have called to view the remains. Heavy crepe hangs on the door of the city hall and a gloom rests on everybody who knew the popular young captain.

It is not known yet what disposition will be made of the remains, but it is likely they will be sent back to the former home of the deceased in Vermont for interment. Captain Everts was unmarried. He has a cousin living in Gold Creek, Montana, and other cousins residing in Middlebury, Vt. His sister, Mrs. Frances E. Kingsley of Salisbury, Vt., has been telegraphed the news of the death of her brother, but up to a late hour this afternoon Chief Reynolds had received no reply.

## JERRY MURPHY IS THERE WITH GOODS

SECURES VALUABLE WITNESS AGAINST FRANK BUTLER, WHO IS SAID TO BE A BAD MAN.

Detective Jerry Murphy this afternoon secured a valuable witness against Frank Butler, who is now in the city jail, charged with having held A. T. Trudgeon up at the point of a revolver Wednesday night, at the corner of Mercury and Colorado streets.

Trudgeon was robbed by two masked men and Butler was arrested on suspicion of being one of the highwaymen. This afternoon Edward Eno told Detective Murphy that he saw Butler standing at the corner of Mercury and Colorado streets, just before the robbery occurred. Eno will appear against Butler when the case comes to trial.

Big Fire in New York.

New York, Oct. 10.—Fire early today damaged the six-story building at 478-480 Pearl street and its contents to the extent of \$75,000, burning out four small concerns.

The fire for a time threatened many lives and compelled firemen to drive tenants out and lift children from their beds. No one was injured.

## IN THE COURT OF YOUR UNCLE SAM

CASES SETTLED OR POSTPONED BY JUDGE KNOWLES IN UNITED STATES TRIBUNAL.

On motion of R. C. Burton for an order to reconsider the report of Judge Blake, Bancery, Judge Knowles set the hearing for September 14, at which time the matter of the Globe National Bank vs. the Butte & Boston Mining company and the Massachusetts Loan and trust companies will be reopened. The motion was based on the affidavits of Charles H. Palmer and John Lindsay.

John J. Lavel was discharged from bankruptcy this morning by Judge Knowles. A memorandum of authorities was filed by Attorney Cotter on behalf of the objectors to Lavel's discharge, in which it was attempted to show that it was a crime to hold out property fraudulently from the schedule. Judge Knowles overruled the objections and the counsel for the plaintiffs took an exception, which was allowed. The objectors have 10 days in which to file their bill of exceptions.

John Pechuck, who dates his beginning from the sunny banks of the beautiful blue Danube, in Austria, foreswore his allegiance to Francis Joseph and became a dutiful son of the United States.

## OPERATORS DEMAND THAT SOLDIERS BE CALLED

Call on President Roosevelt and Federal Troops to Mine Coal Fields.

## CLAIM MINERS' UNION IS UNDER CONSPIRACY LAWS

Interstate Commerce, They Say, is Restricted by the Strike and it is Therefore Up to Uncle Sam to Step in and Fix it So That the Various States Can Get Coal Enough to Carry on Business, Which is Now Paralyzed.

[BY ASSOCIATED PRESS.]

Washington, Oct. 10, 3:30 p. m.—President Roosevelt has received the communication from David Wilcox of the Delaware & Hudson Railroad company, referred to in the dispatch from New York and has referred it together with the former one of which Mr. Wilcox speaks to the attorney general.

New York, Oct. 10.—David Wilcox, vice president and counsel for the Delaware & Hudson Railroad company, and one of those present at the recent conference called by President Roosevelt at Washington, has sent to President Roosevelt a letter, demanding that the federal government proceed against the miners' organization in the courts on the ground that it is a conspiracy to prevent interstate commerce.

Mr. Wilcox, it is said on authority, represents all the coal operators in this action, and was selected as their spokesman.

Letter Made Public.

The letter was made public in this city together with a letter written several months ago to the president along the same lines. The letter, which is dated New York, is as follows:

"To the President of the United States, Washington, D. C.—Sir: Upon June 6 last I had the honor to address a letter to yourself, calling attention to the character of the United Mine Workers of America. The illegality of that organization is fully established by the authorities to which I then referred, and its methods have since been again condemned by the circuit court of the United States (United States vs. Weber, 14th Fed. Rep. 950; United States vs. Haggerty, 116 Fed. Rep. 510).

"In the Weber case, too, the court says: 'It is hardly open to serious question the ultimate purpose of the union is not legal.'

Has He the Right?

"Some question has, however, been made whether the national government has power to take action against it on that account, and therefore I desire to respectfully submit some considerations which seem to establish that it has such power. The statute of July 2, 1890, generally known as the Sherman act, provides that 'every contract, combination form of a trust or otherwise, or conspiracy in restraint of trade or commerce among the several states or with foreign nations, is hereby declared to be illegal.'

"Commerce among the states begins when the subjects there begin to move to their place of destination and ends when they are sold. The question therefore is whether the mine workers' combination constitutes a restraint upon such commerce.

"The view that it does not is based upon the contention that this combination affects only production of coal within the state and not shipments of coal from one state to another. It is submitted that this distinction is without foundation in the law or facts.

"The coal of the country is the most important subject of its interstate commerce. The United Mine Workers consists of a combination of persons employed in the production of coal in many states of the union. Its object and effect are to control the terms upon which this subject of interstate commerce may be produced at all, either for state or interstate shipments.

"Its direct and necessary effect is that no coal shall be shipped anywhere within the country, unless it so permits. This

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## DILLON POLITICS ARE VERY QUIET

G. A. WILLIS SAYS BEAVERHEAD SAYS DIXON IS TO BE WARMLY WELCOMED THERE.

G. A. Willis, a prominent attorney of Dillon, was in Butte today on business for the Short Line. Mr. Willis says that the campaign is unusually quiet in Beaverhead this year. When John Evans, the democratic candidate for congress, appeared there during the first part of the week, he failed to make much of an impression, because his ability as a first rate speaker is not very strong. Mr. Willis said that great preparations have been made to receive the Hon. Joseph M. Dixon, who makes his initial appearance at Dillon tonight. This will be the opening of the republican campaign in Beaverhead, and Mr. Willis is of the opinion that the chances of the grand old party for victory in that county were never brighter than this year.