

MINE WORKERS OF AMERICA ARE IN SESSION

Convention Called by Order of President Mitchell Who Will Explain Settlement.

GENERAL CHEERFULNESS IN FACES OF THE MEN

But Little Business Is Transacted at the Morning Session—Some Little Disposition Not to Call the Strike Off Until All of the Many Little Details Are Arranged—Convention Becomes a Social Session and Songs Are Sung.

[BY ASSOCIATED PRESS.]

Wilkesbarre, Pa., Oct. 20.—About 700 delegates of the United Mine Workers of America from the hard coal mining district of Pennsylvania met in the Nesbit theater today to act on the proposal to settle the long strike by arbitration. The convention was called by President Mitchell under the rules of the union to vote on the plan which he laid before it and later explained fully in a lengthy address.

Every delegate whose opinion was sought felt that the convention would do whatever their national leader advised.

There was a general cheerfulness in the faces of the men. Among the late arrivals at the convention hall was National Secretary-Treasurer W. B. Wilson, elected to be the secretary of the convention with the secretaries of the three districts. He was of the opinion that the convention would end tomorrow and that the men would return to work on Thursday. He said the outlook for acceptance was bright, but there were intimations among the assembled delegates that there were objections on the part of some to calling off the strike until positive assurance is had that all the men will get back the positions they occupied before the strike began.

Convention Adjourns.

District President Nichols called the convention to order at 10:20 and ordered that the call for the convention be read. This was done by Mr. Wilson, the district secretary, acting as the committee on credentials.

The report showed a total of 636 delegates, according to the credentials so far received.

While these reports were being presented a report was received that President Mitchell would not come to the hall from strike headquarters until after the convention had been permanently organized.

It was 11:05 o'clock when the reading of the reports was concluded, and as the business of the convention could not go on until the committee on credentials had made a final report, a motion was made to adjourn until 2 p. m.

Before the motion was put it was suggested that the delegates be entertained by songs. This was adopted, and for a brief time the big convention was turned into a social meeting.

"Give Three Cheers for Mitchell, for the Strike That We Have Won," was sung by a Wilkesbarre delegate, and it swept the convention with enthusiasm.

At 11:42 the convention adjourned until 2 o'clock this afternoon.

Meet a Grave Question.

"The grave question which you have been called upon to consider today demands and must receive your most careful thought. Personally, I should have preferred an adjustment of the difficulties existing in the anthracite field by conference with the intervention of agencies not directly involved, but I recognize the fact that relations between ourselves and the operators have become so strained as to render direct negotiation at this time impossible. If the consequences of this strike affected only the interests of the operators and mine workers there would be less reason for the intervention of a third party, but the fact that the coal famine was upon the people of the Eastern and

(Continued on Page Nine.)

SEVERAL CRIMINAL CASES ON TODAY

COUNTY ATTORNEY BREEN GIVES JUDGE M'CLERNAN A BUSY TIME THIS FORENOON.

In Judge McClernan's court this morning County Attorney Breen filed information against Frank Butler and Mark Kelly, alias "Spokane."

The pair are charged with highway robbery and are accused of holding up and robbing A. T. Trudgen on the night of October 8 of \$27 in money and a diamond ring and chain valued at \$100.

William Kidd was charged in an information with having been the burglar who forced an entrance to the Mikado cafe, on West Granite street, and stealing \$26 in money and a purse belonging to Misses Annie and Kate Nesbitt and a fur coat, the property of George H. McDonald.

M. N. Hadsel, charged with forgery, appeared through his attorney, Bruce Kremer, and asked for another week in which to make up his mind whether to plead guilty or not guilty, and the time was granted.

Another big batch of new citizens were turned out and the court adjourned until tomorrow morning.



THE CAMPAIGN AGAINST IMAGINARY F OES.

HEINZE'S LYING SLANDERS ARE REFUTED

A. J. Shores and D'Gay Stivers Issue Informal Statements in Regard to Libelous Attacks in the Reveille and by Mr. Heinze in Regard to Minnie Healy Matter—The Truth in an Important Case.

Editor of the Inter Mountain: The repeated libelous attacks upon me personally, contained in Heinze campaign sheet deserve little, if any notice, except for the fact that they are made with a view to deceive the general public with respect to the conduct of the Amalgamated Copper company, as a party interested directly or indirectly, in much of the litigation involving mining property in Butte.

Heinze furnishes the money required for the publication of the Reveille, and it is Heinze who causes these slanders to be circulated, although he has not yet, to my knowledge, had the courage to admit his connection with that sheet as the responsible publisher of the same. Mr. Heinze apparently prefers to pay someone else to assume the criminal liability attaching to the publication of these libels.

Repeated in a great variety of forms, the specific accusations made against me by Mr. Heinze's organs, are of forging affidavits and inducing others to commit perjury, in the form of affidavits, for use upon motion for new trial in the Minnie Healy case, after its decision in Heinze's favor by Judge Harney, and that I was a party to an alleged attempt to corrupt Judge Harney in connection with the Minnie Healy case.

I desire to say to those of the general public who are not familiar with the record in the Minnie Healy case, and with the history of that litigation, that these, and all similar charges, are unqualifiedly false, and are known to Mr. Heinze, and the disreputable tool who does his dirty work, to be absolutely and unqualifiedly false. There was, indeed, an attempt made to corrupt Judge Harney in the Minnie Healy case, but that attempt was made directly by an employe of the M. O. P. company, and in the interest of F. Augustus Heinze.

The public is already quite familiar with the contents of the various affidavits filed in support of the motion for a new trial in the Minnie Healy case. These affidavits, in substance, charge that Mrs. Brackett, an employe of the Montana Ore Purchasing company, impudently Judge Harney to decide the case in favor of Heinze, and that she accompanied her solicitations with offers to lend him money, and with assurances that he would be well taken care of in case the decision were favorable. This corrupt solicitation and attempt to influence or bribe the judge was in writing, and the letter or letters containing her negotiations with him on this subject are set forth in the affidavits mentioned, and are now a part of the record in the Minnie Healy case.

Neither Judge Harney nor Mrs. Brackett has seen fit to deny under oath the facts stated in these affidavits.

It will be remembered that at about the time these affidavits were filed an earnest attempt was made to take the depositions of both Judge Harney and Mrs. Brackett and thus obtain their own sworn testimony upon the subject matter of these charges. Judge Harney and Mrs. Brackett both refused to be sworn or testify, upon the advice of Judge McHatton, chief counsel for Mr. Heinze, and the supreme court held that they could not be compelled to give their depositions. Since neither Judge Harney nor Mrs. Brackett was willing to be sworn, or make any statement under oath concerning the facts, it became necessary to prove the same

by the affidavits of persons who knew the truth. This was done and, upon the filing of these affidavits, it was still open to either Judge Harney or Mrs. Brackett, or both of them, to deny the facts charged. Judge Harney did, in deed, file an affidavit in which he denied that he was guilty of any corrupt motive in deciding the case for Heinze, but he did not deny the correspondence, nor any part of it, and he did not deny the negotiations between himself and Mrs. Brackett touching the decision in the Minnie Healy case, which is shown by that correspondence.

Judge Harney knew whether the correspondence charged had passed between him and Mrs. Brackett or not; he knew whether she had solicited the decision in favor of Heinze or not; he knew whether she had offered to lend him money in that connection or not; he knew whether she had informed him that she was empowered to promise him certain things that would assure his future most generously; he knew whether, in answer to all this, he had written her that he would be glad to talk further with her upon the subjects mentioned in her letter; and, if this corrupt negotiation for a corrupt decision in the Minnie Healy case had not taken place between Judge Harney and an agent of the M. O. P. company, acting in the interest of Mr. Heinze, Judge Harney would, at the time he filed his affidavit in the Minnie Healy case, surely have denied the same. The public will, I think, have no difficulty in reaching this conclusion. The truthfulness of the affidavits referred to in Mr. Heinze's campaign sheet as forged or perjured affidavits, is conclusively established upon the record of the Minnie Healy case.

As to the charge that I was at any time present when Charley Clark or anyone else offered Judge Harney \$250,000, or any sum of money, or any other inducement, if he would resign the bench or take any judicial action in the Minnie Healy case, I desire to say that the charges, in form and in substance, in general and in detail, are wholly false.

Further, I never, at any time, directly or indirectly, authorized the making of any such proposition to Judge Harney; nor do I believe that the same was ever authorized or suggested by anyone having any connection with the Amalgamated Copper company, or with any of the various companies in which that corporation is interested, nor do I believe that any such proposition was ever made to Judge Harney.

It has been generally charged that this proposition was made to Judge Harney at a meeting at the Thornton hotel in the month of August. When it is remembered that Judge Harney's decision in the Minnie Healy case had been made, and judgment rendered thereon, on the 18th day of June, some six or eight weeks before the time when it is charged this proposition was made to him, the absurdity of the story will be apparent, even to those who may be sufficiently credulous to believe any of the stuff that appears in the Reveille. Judge Harney's resignation would neither have vacated the judgment nor have made it necessary that the same be vacated.

The casual reader must have been strikingly impressed with the lively imagination of the fabricator of this fairy tale when he pictured Judge Harney rejecting with scorn this extraordinary and wonderful proposition. The Minnie Healy case is now in the

supreme court, where it will doubtless reach termination, on its merits, in due course. The conflicting claims of Mr. Finlen and Mr. Heinze to the property cannot be adjudicated or settled through the newspapers or by vaudeville performances upon the rear platforms of special trains. Whatever I may have to say respecting the rights of the parties to the property will be said in the courts and in the usual course of judicial procedure. I have no other purpose in making this statement than to properly characterize the contemptible and malicious libels which have been circulated by Mr. Heinze concerning myself in his frantic efforts to divert public attention from the proven and established attempt made in his own behalf to corrupt a judge of the district court of this county.

A. J. SHORES.

STATEMENT ISSUED BY CAPTAIN D'GAY STIVERS

To the Editor of the Inter Mountain:

A certain scurrilous campaign circular, known as the Reveille, published in Butte in the interest of and owned by one F. A. Heinze, has charged me repeatedly, as well as other prominent citizens, with numerous crimes. Briefly, I am charged with having forged and manufactured perjured affidavits in various mining suits; with substituting forgeries for private letters which passed between Mrs. Brackett and Judge Harney; and with being a member of a conspiracy which had for its object the inducing of said Judge Harney to resign from the bench, accept \$250,000 and leave the country. When the vile character of the Reveille, as well as of the renegade who edits it and of the political mountebank whose tottering cause it seeks to promote, are taken into consideration but slight reason would seem to exist for any answer on my part, nor do I believe that my friends in this community where I have resided for 12 years, require it of me. However, as the Reveille is widely circulated in this state, at the expense of its owner who is too cowardly to acknowledge his ownership, and as he is said to have repeated these charges against me on the stump, it seems best to take public notice of the matter in order that other citizens of this commonwealth may not consider these malicious and unmerited charges as confessed by silence.

As to the charge that I have forged or manufactured affidavits, it is only necessary to say that all affidavits in suits in which I have appeared are of record in the courts of this state, and it can be ascertained with absolute certainty from the subscribers thereof and from the notaries public before whom the affidavits were made, whether or not those documents were forged, manufactured or perjured. This is a matter so simple and easy of proof that one is amazed at the gross mendacity and recklessness of the author of this unparalleled falsehood. These charges, and each and every one of them, are wholly and unqualifiedly false and libelous. This applies equally to the charge that I have manufactured, procured or prepared any perjured affidavit or affidavits, or substituted forgeries for private letters passing between Mrs. Brackett and Judge Harney. The authorship and authenticity of these letters were so conclusively proven in the Minnie Healy case that neither Judge Harney nor Mrs. Brackett nor anyone else attempted to deny the same in the

DECIDE REVELLE IS NO NEWSPAPER

POSTMASTER GENERAL DEALS A CRUSHING BLOW TO FAUGUST IN DECISION.

IS PRINTED ONLY FOR CAMPAIGN PURPOSES

It Has No List of Paid Subscribers and is Therefore Not Entitled to Regular Newspaper Rates—No New Developments in the Case of the United States Against the Publishers.

Faug Heinze's little journalistic experiment has cost him just \$2,388 more than it would had he conducted a legitimate newspaper in place of a reprehensible advertising dodger whose nefarious purpose it has been to attack the innocent and respectable interests of Butte and to glorify the underhanded dealings of the United Copper company.

When the dissonant clare of the Reveille first sounded from the rear alleys of Butte its perpetrators applied at the local postoffice to have it entered here as a regular journal in order to get the pound postage rate of 1 cent that is made to all legitimate newspapers. Postmaster Irvin filed the application and in due time sent it on to Washington where such matters are passed upon by E. C. Madden, third assistant postmaster.

Madden has had a great deal of experience with this character of literature and it did not take him long to get at the bottom of the Reveille's scheme. In fact, second-class matter, as the pound rate papers are termed by the postoffice, is the cause of a great loss to the government each year, and it has been the aim of the publication to weed out all of the spurious goods that are now coming in under that classification.

Must Pay Postage.

Consequently Postmaster General Madden promptly informed Postmaster Irvin of Butte that the Reveille would not be entitled to the second-class rate, because it was not a regular newspaper in the light of the construction that the department had placed upon that term, in view of the fact that it had been organized manifestly for campaign purposes and would not be very long lived.

When the application of the Reveille was entered here, the first issues of the paper were sent as third class matter at a rate of 8 cents per pound. This is 7 cents over the regular newspaper charge and rapidly amounts up when a paper is given wide circulation. While the application was pending the papers were sent at the cent pound rate, but the postoffice department required a deposit for the remainder which would have to be forfeited in case that the rate was not granted.

Up to date the Heinze outfit has paid \$212.50 for the mailing of their paper and deposited the sum of \$1,492.38 as evidence of the fact that the paper might not get on the regular list. Last week Postmaster Irvin was notified that the Reveille could not get the 1 cent rate and he was consequently ordered to confiscate the deposit of \$1,492.38. In accordance with this order stamps to that amount were cancelled and sent to Washington. Large sheets of paper were used for this purpose, the stamps affixed to them and then cancelled by drawing heavy black ink lines through them. The denominations used were 5 and 10 cent stamps.

Not a Labor Paper.

In their application for second-class privileges the owners of the Reveille claimed that their paper was a labor organ; but Postmaster Madden ascertained that the paper was not such. Furthermore he learned that it had no bona fide list of paid subscribers and that its entire support was derived from funds subscribed out of campaign moneys.

There are no new developments in the case against the tooters of the Reveille as the hearing will not come off until Wednesday morning. The case will be prosecuted by United States District Attorney Carl Rasch of Helena and Commissioner Naughton will preside at the hearing.

It is understood that in the future Heinze's sheet will "pass up" Uncle Sam's post because they find it too expensive and exciting.

court wherein they are filed, or elsewhere, although put upon their defense in due course of law.

I deny absolutely and unqualifiedly that I was a member of any conspiracy which looked toward inducing Judge Harney, or anyone else, to resign from the bench, nor have I any knowledge of the existence of any such conspiracy at any time, and I do not believe that any such ever existed. Never, in my presence, or hearing, was the sum \$250,000, or any other sum or inducement offered or mentioned to Judge Harney for the purpose specified, or for any other purpose, or at all.

If the charges made against me were true, and susceptible of easy proof, as alleged by the Reveille, I submit that I have been within the jurisdiction of the courts of this state ever since the time when they are alleged to have been committed, and still here, and have no intention or desire of removing, and that the parties affected could and would have prosecuted me. The machinery of the law is in working order, and I will welcome the institution of any character of judicial proceeding to the end that the utter falsity and criminal maliciousness of the charges against me may be made manifest.

This egotistical upstart, like the coward he is, has chosen the occasion of a political campaign to spread these false and libelous charges, hoping in the excitement incident to the time to escape his just punishment, but at the proper time he will be called upon to answer for the acts of his mudslingers and his own lying slanders.

D'GAY STIVERS.

LEGAL BATTLE IS ON ABOUT ESTATE OF GALENA

Blood Relations of John Galena Want to Control Property of Insane Brother.

JUDGE M'CLERNAN RULES IN FAVOR OF SISTER

He Is Released From Warm Springs but It Is Thought That He Is Still Unfit to Handle His Own Cash and It Was Refused Him by the Court—Brother Came All the Way From Pennsylvania to Help Take Care of His Relatives.

There was an interesting legal battle on in Judge McClernan's court this morning between the brother and sister of John Galena and the members of the Ancient Order of Hibernians and the Robert Emmet society, all of whom contested for the appointment of a guardian for Galena.

John Galena was adjudged insane May 14, 1899, and was sent to the asylum at Warm Springs. Some months ago he was released on parole at the instance of members of the two orders he belonged to and returned to Butte, where he was, at his request, cared for by Thomas Curtis.

It developed that before being adjudged insane, Galena had deposited the sum of \$2,500 in the Daly bank and had then turned over the certificate of deposit to D. J. Hennessy.

Upon his release from the asylum, Galena improved in health, but as his strength of body increased, his mind relapsed until it became dangerous again for him to be at large and the two societies had him returned to the asylum. Galena wanted to be sent to Pennsylvania, but owing to his mental condition the certificate of deposit would not be surrendered until the court had appointed a proper guardian.

Name a Guardian.

The societies united on Thomas Curtis, a friend of 16 years' standing, and applied to the court for his appointment, stating in the petition that to the best of their knowledge there were no relatives in the county.

Margaret Galena of Anaconda appeared with an objection to the petition and filed a counter application asking that she be appointed guardian.

County Treasurer Con Maher, Thomas Curtis and other society brothers of the unfortunate man opposed the appointment of the sister on the ground that she also was of an erratic disposition and possibly of unsound mind.

In court this morning there were several unlooked for developments. Margaret Galena brought as one of her character witnesses, Attorney J. H. Duffy of Anaconda, who testified to her being mentally sound and a fit and proper person to care for the brother. Miss Galena testified that there were two other brothers, Michael and Peter, and another sister, Michael Galena was present in court and testified that he came all the way from Pennsylvania to take charge of his brother and sister and was willing to assume the responsibility, although his non-residence barred him from the coveted guardianship.

His Aged Sister.

The sister, who is an aged woman with grey hair and bent form, declared that Galena had more property than was accounted for and that he had always told her that he had some \$5,000 in the Hibernia bank in San Francisco. She also insisted that papers had been taken from his valise which represented property interests belonging to the insane man.

County Treasurer Maher testified again to the effect that Galena was laboring under illusions in regard to his money and always insisted that he had money in other banks which investigation proved to be merely mental aberrations.

Mr. Maher also testified that he thought the sister was unsound mentally and related circumstances where he was forced to get away from the woman who pestered him and denounced the Miners' Union and the secret societies as a "lot of blackmailers."

Other Witnesses.

There were other witnesses from Anaconda to testify to the character and general good standing of the sister, and after Michael Galena, the brother, had testified, Judge McClernan ruled in favor of the sister's application.

The court stated that he always believed in allowing the blood relations to have charge of such cases and therefore appointed Miss Margaret Galena as guardian. The bond was fixed at \$3,000 and the visions of untold wealth which harassed the minds of the insane man and his relatives faded away with the judicial disapproval of the stories circulated as to his property interests.

Fire in Rome.

[BY ASSOCIATED PRESS.]

Rome, Oct. 20.—A dangerous fire broke out last night from some unknown cause in the underground chambers of the college of the propaganda. The firemen had two hours' hard work in subduing the conflagration. Cardinal Gotti, prefect of the propaganda, whose apartments are in a distant part of the building, did not know of the danger until the flames were extinguished.

Hooper Young on Trial.

[BY ASSOCIATED PRESS.]

New York, Oct. 20.—William Hooper Young, who is charged with the murder of Anna Politzer several weeks ago, was arraigned before Judge Cowing today to plead. The request of his counsel for adjournment was taken to Wednesday.