

SIX PRECINCTS ARE TO BE COUNTED BY BOARD

Probability That the Entire Count Will Be in by Next Friday Evening.

ADJOURNED AT NOON TO GET TOGETHER MONDAY

Three Precincts, the Twenty-third, Twenty-fourth and Twenty-fifth Were Counted Today—It Is Still Anybody's Right So Far as Several of the Precinct County Offices Are Concerned and Count Is Proceeding Very Slowly.

Nothing unusual or sensational happened at the commissioners' room at the courthouse today, where the board of canvassers are working hard trying to find out who to deliver the certificates of election to.

So far as several of the county officers are concerned it is anybody's fight yet, and while all of them make claims the real fact is that there are yet six precincts to hear from, containing 144 votes, from which no returns, official or unofficial, have been received.

These precincts are Rocker, with 40 votes; Graham's Ranch, with 25 votes; Brown's Gulch, with 35 votes; Feeley, with 13 votes; Kallston, with 23 votes, and Fish Creek, with 8 votes.

With the exception of Feeley the official returns are sealed up and in the hands of the clerk of the county, but there is no information as to how the vote went for the different candidates. The fusionists claim a majority in all of them, but until they are canvassed it will of course be a matter of dispute.

The board canvassed Precincts 23, 24 and 25 this morning and adjourned at noon and will proceed with the canvass at 10 o'clock on Monday next. The total vote as canvassed thus far, follows:

Representatives in congress—Dee, 2,201; Evans, 3,382; Dixon, 2,250; Sproule, 2,177.

Supreme court justice—Halloway, 4,785; Leslie, 3,995; Cameron, 627.

District Judge—McClernan, 3,945; Noon, 3,786; Shropshire, 1,268.

Sheriff—Quinn, 5,046; Kilgallon, 2,664; Kohl, 1,579; Smith, 586.

Clerk—Weston, 3,124; Ryan, 3,868; Whippis, 1,732; Ament, 672.

Treasurer—Mahr, 3,201; Fialen, 3,538; Long, 1,059; Gierston, 707.

County attorney—Breen, 3,381; Templeman, 3,476; Grice, 2,031.

Assessor—Brown, 2,068; Murray, 2,553; Strassburger, 1,738; Van Horne, 700.

Auditor—Crossman, 3,053; Hartnett, 3,737; Huston, 1,663; Tiggerman, 721.

Superintendent of schools—Loughrin, 2,014; Laird, 3,515; Blake, 2,228; Bowden, 642.

Public administrator—May, 2,727; Melville, 3,599; Chauvin, 1,771; Barry, 697.

Coroner—Johnson, 2,375; Egan, 4,500; Tachell, 1,927; Calder, 609.

State Senator—Tewey, 3,344; Gilchrist, 3,221; Gillis, 1,970; Smith, 974.

RUSSIAN VILLAGERS HAVE SOME NEW IDEAS

Peasants Now Believe That There Is a Court on Earth Higher Than the Czar.

St. Petersburg, Nov. 22.—An odd instance of the new ideas in regard to peasants is given by the governor of Taurida. Two villages went to law in regard to boundaries. The defeated village, Chernigovka in the district of Barianska, after having vainly appealed to the senate, petitioned the czar personally. The petition was denied. Shortly afterward a governmental officer found the village in unusual turmoil. He asked what was the matter.

"We have met to take steps to appeal from the czar," the village elders replied. "How can you appeal against the czar?" the astonished officer asked. "There is nothing higher than the czar, except God," he continued.

"Yes, there is," they eagerly answered. "There is a new court which the czar himself set up."

In proof of their assertion they produced an old well thumbed copy of the Boersse Gazette containing an account of The Hague Arbitration tribunal.

The Finnish harvest of 1902 fell 102,000,000 bushels under the normal.

The Dalney Vostock announces that Finance Minister Witte has agreed to make Vladivostok a free port again and to put that city on the same footing as regards trade as the Manchurian ports.

NEW ORGANIZATION FORMED

Painters of New York Will Go on Strike on Monday.

New York, Nov. 22.—A circular has been issued by the Amalgamated Society of Painters, stating that it has planned a national association, to be known as the National Association of Painters, Decorators and Paper Hangers of America, with headquarters in this city.

The strike against the Brotherhood of Painters begun in the house of George W. Vanderbilt, in Fifth avenue, is to be extended on Monday to several buildings up town.

CANNON IS AFTER THE JOB

Illinois Congressman Wants to Get the House Speakership.

Chicago, Nov. 22.—The action of the republican congressional caucus of Ohio and Michigan yesterday is believed to clinch the election of Congressman Cannon as the next speaker of the lower house of congress as successor to David B. Henderson of Iowa.

M'GEARY JURY WILL PROBABLY BE HUNG

Little Chance for a Verdict Before Midnight and No Decision Then is Probable, as It is the General Belief That the Twelve Men Will Not Agree—McGeary Has Sat Apparently Uncornered During the Trial and Now Calmly Awaits the Verdict of Life or Death.

SPECIAL TO THE INTER MOUNTAIN. Anaconda, Nov. 22.—As yet there is no sign of a verdict having been reached by the jury in the McGeary murder case, which has been out since 11:20 o'clock last night. The jury, locked in the jury room on the third floor of the courthouse, is pegging away, but many of those who are anxiously awaiting the result on the outside have come to the conclusion that the jury will not agree.

The jurors worked until a late hour this morning and then retired to the bedroom furnished them in the basement of the courthouse and snatched a few hours sleep. An opinion has been expressed that if a verdict is not reached before midnight tonight it will be a hung jury.

As far as the public is concerned the McGeary murder trial is over. Those who have closely followed the testimony of the various witnesses for the state and the defense, since the beginning of the trial, 12 days ago, are now anxiously awaiting the verdict. What it will be no one can say, but every one has a guess coming and a large majority of the citizens of Anaconda have already taken their guess.

They predict a hung jury. If this should be the ultimate result of the trial just past, it will no doubt mean a change of venue and another trial in some other county of the state.

During the arguments before the jury last night the courtroom was packed as it never has been before. McGeary, as he sat and listened to the arguments which may mean life or death to him, was the center of all eyes. During the time the arguments were going on he appeared for the most part as serenely unconscious as he has during the entire trial. As the state closed the case, however, he seemed to pay more attention. His face was somewhat flushed and his eyes did not close so often. Otherwise he was the same John McGeary.

NO EFFORT TO PROVE THAT M'GEARY IS NOT GUILTY

In many respects the trial has been a noted one. From the beginning it was evident that there would be no attempt on the part of the attorneys for the defense to prove that the killing of Evans was not done by McGeary. The declaration of the prisoner after the shooting and the statement of the dying man, together with the fact that there were several eye-witnesses to the tragedy, made it impossible to deny that the accused man was the assailant.

Neither was there any opportunity to prove that the shooting was the result of an accident; many circumstances connected with the affair disproved the possibility of this theory. The fact was apparent, and the attorneys who put up such an excellent fight for the prisoner did not deny it, that McGeary had killed Evans; killed him without giving him an opportunity to defend himself, and afterwards attempted to justify his act on the ground of persecution.

There remained but one defense—in-

JOSEPH CORBETT WILL GO TO LODGE

GETS THREE YEARS IN THE PEN ON A BURGLARY CHARGE FROM JUDGE M'CLERNAN.

Joseph Corbett will spend three years within the gray walls of Tom McTague's hostelry on the Deer Lodge river. That was the sentence imposed upon him by Judge McClernan in Department III this morning.

Corbett is the young man who entered the room of one Oscar Bradley, a barber, last August and took a new suit of clothes, the property of Bradley, to Neiman's second-hand store on East Park street where he was in the act of disposing of it when Officer McGillie, who had fastened his eagle eye on the criminal, apprehended him.

It took a jury half an hour Thursday to bring in a verdict of guilty. He will be taken to Deer Lodge by a deputy sheriff this afternoon.

She Is in Hard Luck.

Miss Nettie Wilson, who is in the employ of the Unique Tailoring company, lost \$50 this morning while shopping at Symons' store. It is believed that Miss Wilson was relieved by a pickpocket.

BURGLARS RAID STREET CAR HEADQUARTERS

One of the boldest burglaries ever brought to the attention of the Butte police force was perpetrated this morning between 2 o'clock and 6 o'clock, when a hole was cut through the wall of the office of the Butte Electric Railway company, the money drawer forced and \$110 carried away by the thief or thieves.

That the burglar was familiar with the premises there can be no doubt, for he went about his task in a business-like manner. A square hole in the plastered partition, an overcoat under that to catch the falling debris that the noise might be muffled, and a drawer carefully pried open with a chisel tell the tale of the carefully planned robbery.

There are two rooms used as offices by the street railway officials. One is the

sanity. In the examination of the witnesses to the affair, or of those who had some prior or subsequent connection with it, the attorneys for the defense aimed to show, not that McGeary did not commit the act, but that his attitude and demeanor at that time were such as to deduce the theory that he was acting under an insane impulse.

M'GEARY INACTION WAS OF GOOD USE TO HIS LAWYERS

In this effort they were ably supplemented both by the action or rather inaction of the prisoner while in court and the testimony he gave in his own behalf. There were numerous reasons to believe that McGeary was insane. There were other reasons equally good to lead the observer to suppose that he was feigning with a remarkable cunning and intelligence. Expert testimony there was plenty and some that was not expert. For the prisoner, many who had known him but a short time, testified that they believed he was insane, while the state put two witnesses on the stand who had no professional ability but who, from seeing the man twice previous to the trial a few minutes at each time, were willing to give their private opinion of the accused man's mental condition.

There were, however, on both sides well-known physicians, with more or less experience in diseases of the mind. Their testimony, like most expert testimony and like the majority of evidence of that nature, left the hearer in greater doubt than ever. Two reputable physicians, Drs. Donnelly and Norcross, testified that McGeary was insane. Two equally reliable physicians, Drs. Warren and Cheerin, gave it as their opinion that he was not insane.

Hypothetical questions were fired at the physicians by the attorneys. They were answered, of course, as hypothetical questions are. The nature of the questions usually suggested the answer and it was much more difficult for one who heard them to remember the nature of the question than the substance of the answer.

Judge Napton in his charge made a lucid and intelligent summary of the case, pointing out to the jury their manifold duty, the testimony which should have most weight in returning a verdict and the circumstances and incidents introduced which should have no particular bearing on the case. His address was entirely impartial and served to give the jurors a clear view of the law's requirements.

Argument by counsel occupied much of the time of last evening's session. Attorney J. H. Tolan, who, although but a recent arrival in the ranks of his profession, gives promise of ability, opened the case for the state. He spoke for 30 minutes, confining himself to a general resume of the evidence and making an earnest plea for conviction.

He was followed by Attorney Trippet for the defense. Mr. Trippet reviewed the testimony and the circumstances logically in an effort to show that many acts of the man were plainly those of one suffering from a delusion.

The final plea for McGeary was made by Attorney Wines, and it certainly was a masterly effort. In his calm, deliberate style, the Butte attorney followed the story of the tragedy. Logically, earnestly and forcibly Judge Wines related the main incidents in the actions of the defendant that would point to an unbalanced reason.

His address was heard with marked at-

ention, both by the jury and the large throng that filled the courtroom and overflowed into the corridors. He was battling for his client's life, he certainly established the fact that he is an effective and eloquent advocate.

County Attorney Duffy SUMMED UP ALL POINTS. County Attorney Duffy closed for the state. He flouted the theory of insanity, pointed to many of the accused man's actions, which he said, it was impossible to consider irrational and made many strong points during the course of his remarks. He dwelt upon the motive. It was revenge, the county attorney said. He referred to the statement of the accused and to the remarks he made subsequent to the tragedy from which he deduced the motive of the prisoner. The county attorney made an excellent effort to convince the jury that the accused man was guilty of murder, premeditated and foul.

Those who have followed the case closely could not help noticing the excellent spirit in which the trial has been conducted on both sides. With a courteous, able and dignified gentleman presiding in the person of Judge Napton, with the counsel on both sides refraining from any of the bitterness which a trial of this nature so often engenders, it was on the whole a fair and impartial investigation, conducted in a manner that did credit to all connected with it.

WILLIAM ST. CLAIR ONCE MORE BEHIND THE BARS

Arrested Upon Suspicion of Being the Man Who Passed Acid and Saws Into County Jail.

William St. Clair is once more in the toils of the law. This time the charge of aiding and abetting a criminal to escape has been placed against him, and should the state be able to prove the case St. Clair will be eligible for a good long sentence in the penitentiary, as the offense is punishable with 10 years and \$10,000 fine under the laws of Montana.

Ever since the discovery of Lennox's attempt to saw his way out of the county jail to liberty was made, Under Sheriff McGuigan has had an idea as to who passed the stuff into the man which almost made him a free man. Being a true Foxy Quiller of the real kind that does things, McGuigan peeled his trusty eye, and St. Clair was corralled on his way to work in the West Stewart mine last evening about 6 o'clock.

It was tipped off to McGuigan by someone, who says that he saw St. Clair pass the saws and acid into the jail. St. Clair spent several months in jail, as he was held for being associated with John Harmon, who is still awaiting his trial for burglary. After his release St. Clair visited his pal, Harmon, a number of times, and it is said that at one of these times he passed the saws and acid through the bars. According to the story Harmon turned them over to Lennox, who applied the acid to the steel bars and then sawed them. Sheriff McGuigan's informant also claims that St. Clair also brought the red pepper into the jail. The name of the informant will not be made known for the present.

St. Clair denies the charge that is made against him, and claims that he will be able to prove his innocence when brought to trial.

ERUPTION OF THE SANTA MARIA

Guatemala Terrorized by the Outburst of the Volcano November 6—Only Leader Needed to Cause People to Rise.

BY ASSOCIATED PRESS.

Port Barrios, Guatemala, Nov. 22.—Refugees who have arrived here this week from Western Guatemala report a terrible state of affairs as a result of the eruption of Santa Maria volcano. The country for a radius of 30 miles has been made a desolate waste and every vestige of life destroyed. The loss of life is estimated at over 7,000, the great majority of the victims being Indians.

Refugees who arrived here today and sailed for Nicaragua, Senor Herrera, in an interview discussing the situation, says: "I was in Guatemala City when the terrible eruption of November 6 occurred. The shocks from the explosion of the volcano were plainly felt in the capital, causing great excitement among the people. The next day the news of the frightful havoc wrought by Santa Maria reached the city, and I started at once for my plantation. I reached a point about four miles from my home on November 8, but I was unable to go any further on account of the stifling fumes and gases from the volcano, which was still active and emitting huge columns of fire and ashes. The eruption ceased on the morning of November 9, when I ventured to my plantation and found it buried beneath 10 feet of ashes, mud and sand. Everything on the place was in ruins. Out of 112 laborers employed on the plantation all except seven perished. The seven who escaped happened to be visiting a farm eight miles further from the volcano that day, and when they saw the danger took refuge with a lot of others in a cave. My family was in Guatemala, and therefore escaped the terrible fate which befall those left at home."

ALLAN MAYLEY CAUGHT IN IDAHO

Sheriff Furey left this afternoon for Wallace, Idaho, to get Allan Mayley, who is wanted as the chief witness against John Boyd, who was charged with the robbery of the Bimetallic mine near Phillipsburg about three years ago. Mayley was held as a witness at one time, but released on bond. When the time for his appearance came he could not be found, and his bond was forfeited. For several years his whereabouts have been unknown and the authorities searched high and low, but there was no Mayley to be found.

During the past week Sheriff Furey received word from Sheriff Sutherland of Shoshone county, Idaho, that a man answering Mayley's description was working in a secluded part of the hills. He was engaged in prospecting. Investigation revealed the fact that the man was Mayley and the local authorities asked that he be

detained. On application Governor Hunt of Idaho honored the Montana requisition and Mayley will once more be returned to the treasure state.

The bullion robbery is one of the most famous cases in the annals of this state. It occurred three years ago in Granite county. John Boyd was employed as a watchman at the Bimetallic mine which is one of the big producers. From time to time bullion was missed and the authorities had no clue to the thief. However, detectives located some of the stolen metal in the possession of a Butte jeweler. The crime was finally traced to Boyd.

His trial was postponed from time to time for the reason that it was impossible to produce some of the important witnesses. The state needed Mayley, and after he had jumped his bond and could

not be found it was finally decided to try the matter without him. Boyd was tried before Judge McClernan last July, but the jury was unable to agree. Boyd was released on \$10,000, pending the location of further witnesses. It is said that he got away with something like \$200,000 worth of bullion from the Bimetallic. About \$300,000 worth of the stuff is now in the vault of the sheriff of Silver Bow county. This was recovered from the Butte jeweler who is said to have purchased it from Boyd.

Mayley is wanted in the case as a witness, because it is said that he was the driver who brought the valuable metal over to Butte from Phillipsburg. It is likely that the case will be opened during the present term of court before Judge McClernan as soon as Mayley is brought back from Idaho.

For first vice president, Delegate Ferret nominated for re-election James Duncan. Delegate Swift moved that the secretary be instructed to cast the unanimous vote of the convention for Mr. Duncan. This motion was carried and Vice President Duncan was re-elected. For second vice president, Delegate Driscoll of Boston nominated John Mitchell, who was also elected unanimously.

Somewhere about the city of Butte there is in hiding, under the protection of officers of the law, sworn to do their duty in apprehending and prosecuting all violators of the law, a gambler and lawless house frequenter known as William McCarthy, alias "The Anheuser Kid."

On the streets of Butte there walks an honest officer of the law from Rosebud county, who is waiting for a train to take him back to his home, and meanwhile is saying things under his breath about the crookedness of Silver Bow county officials which would not look well in print.

He is Under Sheriff Lyndes, who came here expecting to have McCarthy turned over to him, but instead, found the fugitive from justice safe behind the protecting arms of Heinze's crowd of office-holders, who were obeying orders in shielding McCarthy from the legal punishment awaiting him in Rosebud county.

STORY OF RASCALITY IN ELECTION IS UNPARALLELED

The story surrounding the chase of the sheriff's officer and of the manner in which he was lured by Silver Bow county officials is highly sensational, and is another public exhibition of the stain which brands every officeholder clinging to the spotted mantle of E. Augustus Heinze and his crowd of corruptists.

The local end of the story is brief, and hinges about the arrest of the man McCarthy a few days ago by City Detective Jerry Murphy. The arrest was made on a warrant issued by Rodrick McKee, a justice of the peace in Rosebud county. The warrant was issued on a complaint sworn to by E. L. Gibson, and charging McCarthy with "willfully, knowingly and unlawfully procuring fraudulent registration and voting in Rosebud county."

The warrants reads that Gibson swears to the charges on the 1st day of November, 1902.

WHAT THEY WANT HIM FOR DOWN IN ROSEBUD

After he arrested McCarthy Detective Murphy sent him to the county jail and notified Sheriff Davis of Rosebud county that the man was in jail. Under Sheriff Lyndes took the first train for Butte but when he arrived here yesterday he found only the warrant and a bond filed up by local officials and which was handed to him in lieu of the prisoner.

The officer protested against the release of the man but was told that County Attorney Breen had taken the matter in hand and had ordered the release of McCarthy and the filing of the bond on the ground that the warrant was irregular and that McCarthy could not be held in custody.

Under Sheriff Lyndes was flouted by the cool assumption of authority but not until today did he give up all hope of securing his prisoner.

It was given out today that McCarthy had gone back to Rosebud county and would be in Forsyth today and the sheriff's officer will go back home tonight considerably wiser as to the methods employed to protect the Heinze hirelings and criminals.

ROSEBUD COUNTY SHERIFF NOTIFIED OF THE ARREST

McCarthy is wanted in Rosebud county for shipping in 168 men to vote for the Heinze candidate for state senator, James Hopkins.

According to the story told by the Rosebud people Hopkins' election is to be contested by Dr. A. C. Wilson, the opposing candidate, and McCarthy and other Heinze hirelers are to be prosecuted to the full extent of the law.

McCarthy is accused of having colonized the Heinze voters who were picked up by him in the dives about Butte and Anaconda. It is claimed that some 20 Austrians from Anaconda were shipped into Rosebud county to vote the Heinze ticket along with others making up the total number of illegal votes cast for Hopkins.

There have been 26 of the men arrested and some of them are undergoing trial now. The full details of the crime against the voting franchise leaked out through disaffection among the men imported into the county.

CONTRACTED TO SHIP IN A BIG BUNCH OF THE VOTERS

It seems that McCarthy had contracted to ship in and vote a certain number of men for the Heinze candidate, and was to be paid for his services and given money with which to keep the colonists in line.

The men were put to work on the railroads under section foremen and on ranches. The contract price was \$2.50 a day. On the railroads the men were paid \$1.40 a day by the company and the additional dollar was put by McCarthy, acting for Heinze, in the interests of his candidate, James Hopkins.

The wages went along all right for a couple of weeks, when, as usual, the cheap and unscrupulous methods of Heinze cropped out. Believing the men would have to remain there until after election day and in an effort to cheat them out of the price agreed to, Heinze stopped the

(Continued on Page Three.)

AMERICAN FEDERATIONISTS RE-ELECT GOMPERS

It related to international affairs of local unions, and for the most part its sections were approved without debate.

The election of officers was taken up at 10 o'clock. Delegate J. J. Creamer of the machinists named President Samuel Gompers for re-election. There were no other nominations, and upon motion of W. D. Myers of the mine workers, the secretary was instructed to cast the unanimous vote

of the convention for Mr. Gompers. This was done, and he was declared duly elected. The applause that greeted the announcement was flattering in the extreme, and it was long before Mr. Gompers could make himself heard when he rose to thank the delegates. He spoke at considerable length, promising to attempt as much for trade unionism in the future as he had in the past.

the door when he took his departure for home.

His theory is that the burglar was hiding in the closet when he left. This seems plausible. For the thief to cut the hole in the thin wall, crawl through, open the drawer where he knew the money to be kept and leave as quietly as he had entered was the work of but five minutes. The theft was not discovered until the day clerk came on at 6 o'clock.

Manager J. R. Wharton states that there was \$110 in silver in the desk drawer and that every cent was stolen. The coin was in \$7 packages.

It was plain to Mr. Wharton that the thief knew every foot of the ground, and he at once suspected a man who at one time was an employee of the company and

who has been seen in the club room a great deal of late. His suspicions were further aroused when he met the man on the street this morning and the latter pulled his hat low over face and tried in other ways to avoid being seen by Mr. Wharton.

Barney McGillie was detailed on the case. He saw the man in question going in the direction of the Northern Pacific depot with a grip. Barney followed the fellow and placed him under arrest as he was about to board the train out of town.

Oliver Smith, the suspect, acted in a suspicious manner, and it was thought best to hold him at police headquarters pending an investigation. No money was found on his person, but he had plenty of time to do away with the large amount of silver coin before being arrested.