

LEXINGTON MINE IS A TOTAL WRECK FROM FIRE

Brilliant Conflagration Which Can Be Seen for Miles Destroys Noted Claim.

HAD PRODUCED EIGHT MILLIONS OF DOLLARS

And Was One of the Oldest Properties in the Camp—Fact That No Shift Was On Alone Saves Possible Loss of Life, as the Flames Gained Headway Rapidly—Department Has a Fierce Fight to Save Superintendent's House.

Centerville was visited by a \$25,000 fire last night at 7:30 o'clock, when the hoist, engine house, machine shop and carpenter shop of the Lexington mine were totally destroyed.

For hours the heavens were brilliantly illuminated and thousands of people living in Butte climbed the long hill to get a nearer view of the fierce conflagration. It was not until the midnight hour that the last flames sank down and a great pile of glowing embers was all that was left to tell the story of one of the biggest fires that ever visited Butte or the neighboring towns.

That there was no loss of life was due to the fact that only the day shift has been working at the Lexington. Had there been any men working near the mouth of the shaft when the hoist caught fire they would have been caught like rats and suffocated by the thick smoke and intense heat.

PROMPT WORK OF CHIEF SANGER AND HIS MEN

Had it not been for the prompt work of Chief Sanger and the men who assisted in checking the flames the residence of Superintendent C. C. Rueger which has been burned to the ground. This house is not over 100 feet from the shaft and only a narrow street lay between it and destruction. All the water available was turned on this residence as the mine buildings were too far gone to hope to save them.

When the fire broke out, Superintendent Rueger and several of the engineers under him, were enjoying a New Year's dinner. They were apprised of the fact that the engine house was in flames by the glare and they rushed out to battle with the flames, but they had gained good headway and as there was but little water to be had, the fire soon spread to the hoist and machine shop.

Had the mill caught fire a much bigger blaze would have been seen, but it was saved only because of its distance from the other buildings. Those who gave their efforts in checking the flames took no chances, however, and tore down everything of a combustible nature connecting the hoist and the mill.

FIRE COULD BE SEEN FOR MILES AROUND

The Lexington mine is located on the top of the big hill that looms above Butte on the north and a small fire could have been seen for miles around. As it was the flames climbed up the gullows frame and leaped skywards from time to time as though trying to reach the clouds that hung not far above.

The glare was so bright that a pin lying in a west side street could have been seen as distinctly as though it had been day.

WRIT OF CONTROL IN SHORES CASE

ATTORNEY H. G. MINTIRE MAKES APPLICATION TO THE SUPREME COURT AT HELENA.

SPECIAL TO THE INTER MOUNTAIN. Helena, Jan. 2.—Attorney H. G. McIntire made application to the supreme court this afternoon for a writ of supervisory control to have the higher court take supervision of the action of Judge McClerman today, and the affidavit of Mr. Shores' attorneys that a continuance is necessary to secure evidence of witnesses now outside of the state.

The application for the writ is based upon the affidavit of Mr. Shores, the same as the one presented to Judge McClerman today, and the affidavit of Mr. Shores' attorneys that a continuance is necessary to secure evidence of witnesses now outside of the state.

Next King Will Walk With a Halt.

Dresden, Jan. 2.—The crown prince cannot hope to ever regain his former athletic vigor, as it now turns out that his leg was broken in two places below the knee. The news that he had merely sprained his foot was given out to allay public apprehension. The limb will remain stiff.

Cancel Insurance.

London, Jan. 2.—Considerable interest was created at Lloyd's today by the announcement that three lines belonging to the International Mercantile Marine company—the Leyland, Dominion and White Star—had cancelled their insurance from January 1.

In a Drunken Quarrel.

Peoria, Ill., Jan. 2.—During a drunken quarrel yesterday James O'Leary of Omaha received injuries from which he died at a local hospital today. His slayers, Henry Rodgers, J. W. Pute and supposedly Frank Powell, were arrested.

Fire in Her Forehead.

Hamilton, Bermuda, Jan. 2.—The Dutch steamer Berreuda, Captain Vasser, from Pensacola, Dec. 23, from Bremen, has arrived here in distress. The cargo in the forefield is on fire.

The reflection on Big Butte was so vivid that every boulder on the bare slopes could be distinguished.

The loss, which will almost reach \$25,000, was not covered by insurance as the mine had been practically abandoned. The origin of the fire is unknown, but it is believed hot coal fell from the furnace in the engine house where the fire had been banked for the night by the engineer, and set fire to the engine house floor.

The Lexington mine was located 25 years ago and is one of the oldest mines in Silver Bow county. Its first owner was A. J. Davis; he operated by means of a horse and whim as far back as 23 years ago.

In 1881 Judge Davis sold the property to a mining corporation of Paris, France, and it was worked by them for gold and silver until 1893. In those days the Lexington was a paying proposition and 150 men were worked on a shift. In 1894 the mill was stopped and then the force was reduced to 60 men.

When silver depreciated, the owners of the Lexington looked around for other kind of ore, and it was found that there was copper ore in the mine. Since that time about 18 men have been constantly at work on the day shift and these were thrown out of work by the fire last night.

The Lexington is 1,500 feet deep. It is said there is now 900 feet of water in the shaft.

All told, the Lexington has produced \$8,000,000 worth of ore, most of which was silver.



GENERAL VIEW OF THE LEXINGTON RUINS.



VIEW SHOWING RUINS OF BOILERHOUSE; SHAFTHOUSE IN BACKGROUND.

JOHN WALKER IS UNLIKELY TO LIVE

VICTIM OF ACCIDENT AT BUTTE & BOSTON MAY NOT SURVIVE HIS INJURIES.

John Walker, a former employe of the Butte & Boston smelter, lies at Murray & Freund's hospital in a dangerous condition as the result of injuries received yesterday morning at the smelting plant.

The attending physician announced this afternoon that the man might die at any time; that he is injured internally and that the extent of his injuries cannot be guessed.

It has not been learned just how the accident occurred, but it is supposed that Walker was carrying some sheeting into the smelter from the yard and that he was struck and crushed by an electric train coming out. His pelvic bone was crushed and also his right knee. He was picked up in an unconscious condition and carried to the hospital where he was given every attention, but the physicians could do but little for him. If he lives his leg will have to be amputated.

Walker is 25 years of age and resides at 518 Walker avenue with his wife and child.

More Criticism for Carnegie.

Berlin, Jan. 2.—The papers continue to make fun of Andrew Carnegie's book on American life, and especially take exception to the statement that "no other woman in the world ever showed so much patriotism as American women during the late unpleasantness with the confederacy." The papers tell Mr. Carnegie that in the wars of 1813 and in 1870 and 1871 German women proved themselves equally good patriots as their American sisters.

Will Not Be Wedded.

London, Jan. 2.—The papers here announce that the marriage which had been arranged between Charles H. Hawtrey, the English actor now on a tour of the United States, and Hilda Hanbury will not occur.

To Settle Railway Strike.

New York, Jan. 2.—Another conference was held this afternoon at the Union Pacific railway offices in this city with reference to a settlement of the differences between the heads of the road and certain of its employes.

Coal Goes Up Again.

New York, Jan. 2.—The price of soft coal advanced another notch today, reaching \$8.44 wholesale, freightage not included. Anthracite averages \$10 to the consumer.

Will Get a New Trial.

Helena, Jan. 2.—The supreme court today granted a new trial in the cases of Broadbent and Donaldson, the two men who were charged with sheep stealing in Lawson county.

SIXTY-NINE MILES OF RAILWAY BUILT

IN THE TREASURE STATE DURING THE YEAR 1902, ACCORDING TO OFFICIAL FIGURES.

New York, Jan. 1.—Only 59 miles of railway were built in Montana during the past year.

According to the Railroad Gazette, that approximately 6,026 miles of new steam railroad have been built within the United States between January 1 and December 31, 1902. The figures are exclusive of second track, sidings and all electric lines. Rebuilt mileage is also excluded, except where the work involved such extensive changes in alignment that a new route was established, as in the case of the Southern Pacific between certain points in Nevada.

Railroad building was reported done in 42 states and territories, and Oklahoma leads the list, with track laid on 70 miles of new line during the present year. Texas comes second, with 496 miles; Arkansas is third, with 271 miles, and Indian Territory is fourth, with 363 miles. Georgia built 336 miles during the year. In addition to these, Illinois, Iowa, Missouri and New Mexico show returns of over 200 miles built, and Alabama, California, Florida, Louisiana, Michigan, Minnesota, Mississippi, Ohio, Pennsylvania, Washington and West Virginia built between 100 and 200 miles. No steam mileage was reported from Alaska, Delaware, Idaho, Maryland, New Hampshire, New Jersey, Rhode Island or Wyoming.

The table following show that the current figures are considerably larger than those for any year during the past decade. This new mileage has not been exceeded since 1888.

Mileage in the United States.	
1893.....3,024	1898.....3,205
1894.....1,760	1899.....4,569
1895.....1,428	1900.....4,894
1896.....1,592	1901.....5,386
1897.....2,109	1902.....6,026

DISSOLVE LAW PARTNERSHIP.

Alex Mackel Will Devote Himself to Interests in Madison County.

Assistant County Attorney Alex Mackel has resigned and has dissolved partnership with Peter Breen in their private law practice. Deputy County Attorney Lynch becomes assistant along with Mr. Yancey, while Mr. Breen has appointed John A. Coleman deputy.

It is understood that Mr. Mackel besides attending to his practice, will devote considerable time to his interests in Madison county. The changes in the county attorney's office become effective next Monday.

Gould at Gibraltar.

Gibraltar, Jan. 2.—The American steam yacht Niagara from New York with Howard Gould and party on board, has reached Gibraltar.

THOMAS TIGHE IS TO BE TRIED AGAIN

SUPREME COURT GRANTS ANOTHER CHANCE TO MAN CONVICTED OF KOCK KILLING.

SPECIAL TO THE INTER MOUNTAIN.

Helena, Jan. 2.—The supreme court today granted a new trial in the case of Thomas Tighe, who was convicted in Broadwater county of the murder of Paul Kock.

Judge Pigott reserved Judge Holloway in this decision. Judge Holloway succeeds Judge Pigott on the bench on next Monday. No opinion has yet been handed down in this case, but one will likely be filed tomorrow.

One of the grounds on which a new trial was asked is that additional counsel was employed in the trial of the case in the lower court, which resulted in Tighe's conviction.

HIGH IN THE AIR OCEANS OF WATER

WERE SPLASHED WHEN A GLACIER SUDDENLY SLID DOWN INTO A COLORADO LAKE.

BY ASSOCIATED PRESS.

Denver, Jan. 2.—News is brought to this city by Judge Fred L. Colton of Idaho Springs that a big glacier is sliding into St. Mary's lake, near James peak, where the big tunnel on the Moffat road is to be constructed. Judge Colton is interested in the tunnel project and has returned from a trip to that point. He was present when the glacier was done by the moving of the dam into the lake.

Around James peak are a number of lakes, and it is one of the beauty spots of Colorado. The mountains have perpetual snows and big glaciers form during the winter. One of these began to slide gradually, so low at first that it was hardly perceptible. Then suddenly it made a sweep for the lake and carried with it several summer cottages in its path. The cottages were carried into the waters like so many toys and completely demolished. The big hotel close to the lake escaped with a soaking. When the glacier slipped into the water it threw up a tidal wave which rose many feet in the air and swept through the second story of the hotel.

No Oil in New Orleans.

New Orleans, Jan. 2.—New Orleans is now without a supply of fuel oil and all the burners are being changed back so that coal may be used.

FUNERAL OF LATE MRS. W. A. CLARK, JR

WILL NOT BE DECIDED UPON UNTIL THE SENATOR SHALL HAVE ARRIVED.

The funeral arrangements for the burial of the late Mrs. W. A. Clark have not yet been made and doubtless will not be until the arrival of Senator Clark, who is hurrying home on special trains to attend the funeral.

Senator Clark will not reach Butte until some time the day after tomorrow. The funeral will be in charge of the Montana Undertaking company and the burial will be in the family plot in Mount Moriah cemetery.

DIVORCED COUPLES TO BE BOYCOTTED

MINISTERS OF THE NATIONAL CAPITAL WILL NOT MARRY THEM IF THEY KNOW IT.

BY ASSOCIATED PRESS.

Washington, Jan. 2.—The ministers of this city boycotted divorced persons, and the divorced man or woman who wishes to take a second plunge into matrimony must conceal the fact of the former marriage or have the knot tied in a justice's office.

This condition of affairs was brought out yesterday when a couple came to Washington from Virginia to be married. The woman had been divorced.

Under the new law, the prospective bridegroom must find a minister who will perform the ceremony, and the clerk of the district court issues the license directly to that minister.

Having been informed of this provision of the law, the Virginian went from minister to minister in search of one who would consent to perform the ceremony.

He and his would-be bride finally had to return to Virginia and there continue the search for a minister who was not a party to the boycott.

Washington clergymen of all denominations have held conferences denouncing the prevalence of divorce, and decided that they will do all in their power to throw more restrictions about matrimony and discourage the carelessness with which persons assume and throw off its bonds.

FUNERAL OF MRS. DOCKERY

Laid Beside the Graves of Seven of Her Children.

BY ASSOCIATED PRESS.

Chillicothe, Mo., Jan. 2.—With a simple ceremony, the body of Mrs. Mary Elizabeth Dockery, wife of Missouri's governor, were laid at rest in the Chillicothe cemetery this afternoon.

Prominent persons were here from every portion of the state and several hundred made up the cortege to the cemetery, where the body was placed in a grave close beside those of seven of the Dockery children.

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M'CLERNAN REFUSES CONTINUANCE IN SHORES CASE

Defense Pleads That Witnesses Whose Evidence Is of Material Importance

ARE NOT NOW WITHIN THE JURISDICTION OF COURT

And Asks Time to Secure Them—Court Refuses Continuance—Mr. Shores Has an Affidavit Charging That Judge Harney Had Entered With Others into a Conspiracy to Ruin the Interests of the Amalgamated Copper Company.

This was the day set by Judge McClerman to take up the case instituted by Judge E. W. Harney to bring about the disbarment of A. J. Shores for alleged unprofessional conduct. The trial of the case was commenced after counsel for the accused had made an unsuccessful effort for a continuance in order to secure the evidence of witnesses material for the defense, who are living outside of the jurisdiction of the court.

The application or motion for a continuance was accompanied by an affidavit, made by Mr. Shores, of rather a sensational nature, as he charged in effect that Judge Harney had entered into a conspiracy not only to injure the properties of the Amalgamated Copper company, but to ruin the attorneys connected with that company by disbarment and other proceedings.

After the motion for a continuance had been overruled, the first witness in support of Judge Harney's contention, J. M. Kennedy, was called to the stand. He was on the stand during the morning session of court and part of the afternoon. Kennedy testified along the lines of the statement he made during the campaign as to alleged attempts at bribery of the court.

DISTINGUISHED ARRAY OF COUNSEL FOR DEFENDANT

The courtroom was crowded during the proceedings. The defendant had a distinguished array of counsel who are carefully looking after his interests, registering frequent objections to the introduction of evidence deemed to be immaterial.

Counsel for Mr. Shores are William Wallace, Jr., of Helena, C. B. Nolan of the same city, former attorney general, H. G. McIntire of Helena, John F. Forbes, L. O. Evans, C. F. Kelley, all of this city, and J. E. Vaile of Denver. The last named and Mr. McIntire were not able to be present.

County Attorney Breen, as a friend of the court, is conducting the case against Mr. Shores. Judge Harney sits beside him an interested spectator of the proceedings. It is understood that a well known local law firm in the employ of Heinze was asked to assist the county attorney but declined.

C. B. Nolan opened the ball by presenting a motion for a continuance. This was based upon affidavits by Mr. Shores and counsel that it would be impossible to proceed with the trial of the case at this time in justice to the defendants as some of his very material witnesses are absent from the state.

Mr. Shores, in the course of his affidavit, asks for a continuance until February 1 and alleges that John MacGinniss, Ada Brackett and others entered into a conspiracy to procure, by corrupt means, a decision from Judge Harney, favorable to the M. O. P., in the Minnie Healy case; that the Brackett woman was employed for that purpose and did succeed in securing a favorable decision.

Continuing, the affidavit recites the holdings of the Amalgamated Copper company in different mines in this city and then says:

"That the decision in said case, known as the 'Minnie Healy' case, was rendered on June 18, 1901; that thereafter, and within the time allowed by law, plaintiff filed therein his notice of intention to move for a new trial, charging as one of the grounds for the motion, irregularity on the part of the court, and of the adverse party, preventing a fair trial.

"That the plaintiff in said cause endeavored to obtain the depositions of Edward W. Harney, Ada H. Brackett and others in support of the charge of irregularity aforesaid, and caused said persons to be subpoenaed as witnesses to give their depositions therein before J. C. Galbraith, a notary public, within and for said county and state, on the day of July, 1901, at the city of Butte; that such proceedings were had in the attempt to take such deposition that the said Edward W. Harney and Ada H. Brackett refused to give their depositions therein, and such further proceedings were had that the said Brackett and Harney were, by order of said notary public, committed for contempt in refusing to testify. That the proceedings aforesaid so incensed said Harney against the parties who he believed to have been instrumental or active in forwarding the same, among whom was this affiant, that he entered into a conspiracy with the said MacGinniss and the Montana Ore Purchasing company and others to use his judicial office in such litigation as the said MacGinniss and the Montana Ore Purchasing company might see fit to institute against the corporations aforesaid in which it is interested, in this court, in furtherance of the interest of said MacGinniss and Montana Ore Purchasing company, as they might advise and direct and make, give and render such orders and judgment therein as they might agree upon regardless of the merits of such matters, and to injure and punish the attorneys and other persons who were instrumental or aided in making or supporting the charge aforesaid of irregularity on the part of the plaintiff in the 'Minnie Healy' case, by the institution and prosecution against the

SENSATIONAL AFFIDAVIT FILED BY MR. SHORES

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(Continued on Page Three.)