

ROOSEVELT IS TO BE HERE

Greatest Camp May Be Honored by Visit From the President.

IS TO COME WEST

Trip to Yellowstone Park Is Planned for Chief Executive.

TO BE HERE IN APRIL

If Program Is Carried Out Roosevelt Sees Butte Next April.

The reported plans for a visit to Montana in the near future of President Roosevelt is awakening interest in Butte and will lead to plans for the entertainment of the chief executive in the greatest mining camp in the world if he comes here, providing he makes a Western trip. According to the reports respecting his trip he will come to Montana and the Yellowstone park for a visit after the dedication exercises at the St. Louis fair. This would bring the president here the latter part of the month.

Postmaster George Irvin when asked about the president's visit today said that he knew nothing definite. He had heard a Western trip was in contemplation, but he was not in possession of definite information.

"If the president comes to Butte, of course, we will all join in giving him a rousing welcome that will eclipse that we gave him in 1900 when he was a candidate for vice president.

Said he, "That was the biggest day in Butte, as people came here for miles around. Mr. Roosevelt felt very grateful over the splendid reception accorded him. I think we can put that reception to blush this time. I hope the president will be able to come here this month as reported, but I am afraid the trip will be postponed."

THREE ITALIANS ARE CHARGED WITH ASSAULT

Said to Have Drawn Knives and Pistols on Railway Man.

Three very uneny Italians lie upon the hard beds of the county jail at present, and today a complaint was drawn charging them with assault in the third degree. The names of the sons of sunny Italy accused of crime are Tony Leberto, Jim Martel and Louis Dangelo.

The man who secured the complaint against the Italians is William Holly, a railroad man employed in the switch yard of the Northern Pacific railroad in this city. He says the Italians, who belong to an itinerant crew of track layers, tried to beat him to death early this morning while he was engaged in switching cars in the freight yard, and that he was only able to save his life by clubbing them lustily with his brakeman's lantern.

The Italians declare with many innocent shrugs and smirks that they know nothing about Holly or the assault upon him, and those who have sore hands from smiting Holly say that they were softly sleeping in their car all the time and had sore hands beforehand, and they are not behindhand in asserting these alibis.

Holly and the yard foreman of the railroad company, Bob Whalen, were at the county attorney's office this morning getting the complaint, which was issued by Deputy County Attorney Coleman, and they said that the Italians belonged to a crew of men which had been laying steel in the mountains and which were in the yard yesterday morning when Holly and other employees were engaged in switching some cars.

Holly went down the yard alone to a point near where the Italians were assembled and, without any reason except race prejudice, according to the trainmen, he was assaulted by the whole band. During the attack Holly received several bruises on the head and face, and he inflicted several cuts and bruises on the faces and heads of Dangelo and Leberto.

The three Italians in jail were arrested by Holly and the train crew aided by Constable Harmon, after the fight was over, the train crew having come to Holly's aid. In the jail today Deputy County Attorney Coleman asked who were the men that assaulted Holly.

"Me no noa. Me aslepa ina da car," they all said in chorus.

Some Italian had drawn a knife and another a pistol during the fight.

"Who had the pistol?" the official asked.

"Me no noa. Me aslepa ina da car," the gang all said again.

"How did you get your hands bruised?" one of them was asked, his hands being in a bad condition from recent misuse.

"Me hava da sore handa alla da time. Me aslepa da car," he answered.

The Italians have already employed Attorney Herrin to defend them. The charge against them was filed in Judge Taylor's court.

CHANGE OF JUDGE ASKED FOR IN FOUR BIG MINING CASES

Rapid action is being secured on the Fair Trial law just passed by the legislature. Judge Clancy's court was the scene this morning of the first steps toward the removal of four big mining cases from his jurisdiction. In the four cases referred to, applications, affidavits and petitions were filed for the purpose of having another judge called to try them.

Two of the suits were the two actions brought by John MacGinniss against the Boston & Montana Mining company and others to restrain the defendants from allowing the Amalgamated company to take possession of the business and plant of the Boston & Montana company and operate the same.

The other two cases were suits brought by Pat Mullins against the Boston & Montana company, and involve valuable mining property. Judge Clancy has three days in which to consider the applications requesting him to petition the supreme court to substitute another judge to hear and try the various questions presented in the litigation named.

In the two MacGinniss cases the measures of judicial relief asked by the plaintiff is a receiver for the defendant's property and an injunction forbidding the action on their part referred to above. These matters had been set for a hearing before Judge Clancy this morning on orders to show cause. But before they were broached Attorney L. O. Evans, for the defendants, made the applications for a substitution of judges.

Mr. Evans arose and said:

"Will your honor hear an ex-parte motion?"

"Yes, sir," the court replied.

"In the case of John MacGinniss against the Boston & Montana company and others, in which there is an application by the plaintiff for a receiver and an injunction against the defendant, I wish to present a written request asking your honor to sign a petition to the supreme court, asking that court to call in another judge to hear the motions and matters in this case," said Mr. Evans.

Mr. Evans then stated that the application was based on the Fair Trial law, and the court replied that it had a certified

Actions Brought by John MacGinniss Against the B. & M. Among List--John F. Forbes Swears to an Affidavit Charging Clancy With Prejudice.

copy of the law and was familiar with its provisions. Mr. Evans further stated that the application was made on the belief that the court was prejudiced and biased against the defendant in the case.

He added that the application would be supported by seven affidavits, which he would file, and the names of the makers of the affidavits were given. The affidavits, which were similar in their contents in all essential particulars, were handed to the court clerk, Mr. Davies, along with the application, and both were filed. Mr. Evans also passed up the petition referred to, the place for Judge Clancy's signature being left blank.

The gentlemen who made the affidavits, all of which alleged the bias and prejudice of the presiding judge of department No. 2 of the court, Judge Clancy, were as follows:

John F. Forbes, John Gillie, C. F. Kelley,

A. J. Shores, Charles W. Goodale, B. H. Dunshee and L. O. Evans.

After this Mr. Evans filed the applications and the affidavits in the three other cases, with formal statements in each of the purposes of the filings, and handed the papers, along with the petitions for the supreme court, up to the clerk. His statements were taken down by the court stenographer, Mr. Ledwidge.

In each case Judge Clancy ordered the applications and the affidavits filed and instructed the clerk to take and keep in his charge the blank petitions. He did not say what he would do in the cases, however, and he does not have to act in them till the expiration of the three days allowed him for consideration.

However, he will either have to finally refuse to sign the petitions to the satisfaction of the court.

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REWARD IS OFFERED FOR A MISSING WIFE



MRS. FANNIE BURNETT.

Edward H. Burnett of Havre, Mont., will give \$100 to any man, woman or child who can furnish him with information regarding the whereabouts of his wife, Mrs. Fannie Burnett.

"She left our home in Havre some four days ago," said Mr. Burnett at police headquarters this morning, "and where she is at the present time is a complete mystery. "Why my wife should have deserted me, I cannot say," he continued. "I honestly believe her mind is unbalanced. For several days before she disappeared she would talk in a rambling way and often she would wake from her sleep and say things that sounded strange."

"Last Thursday night when I came from my work in the mines I found my

little boy, Willie, at home crying, but no mother. I inquired of the neighbors if they had seen her leave, but none could give me any information, other than that late in the evening she had walked hurriedly from the gate to the front door and back several times.

"I thought perhaps she might have come to Butte. She had \$37 in her pocketbook and the pocketbook is also gone. From Butte I will go to Helena and from there to Great Falls, as she has relatives in both places."

Mr. Burnett furnished the Inter Mountain with a picture of his wife in the hopes that by publishing it she will be located. He does not believe that she intended to desert him, but that in a fit of dementia she wandered off.

MINE FIRE SUBSIDES

Thought Men at Chestnut Will Be Able to Go to Work Thursday.

SPECIAL TO THE INTER MOUNTAIN. Bozeman, March 9.—The fire in the Northern Pacific coal mines at Chestnut which has been burning a few days, is reported to be subsiding and hopes are entertained that the damage will not be as extensive as first feared. The fire is believed to have been confined to an air chute. It is expected that the fire will have been sufficiently extinguished by Thursday to admit of the men returning to work.

It is said that the company has a suspicion that a discharged employe started the fire in a spirit of revenge. His whereabouts are unknown, but it is asserted that an effort is being made to locate him. So far no one has come forward and claimed the reward of \$500 for information as to who started the fire.

SCHMIDT IN AGAIN

Taken Up in Anaconda on Malicious Mischief Charge.

Anaconda, March 9.—Charles Schmidt, who was released from the county jail where he was serving a 90-day sentence for disturbing the peace, is again in trouble, having been rearrested on the charge of malicious mischief in breaking a window. Attorney J. H. Duffy procured his release from jail on a writ of habeas corpus secured from Judge Napton Saturday.

Today the attorney succeeded in having the second case against Schmidt transferred from the police court to Justice of the Peace Hendricks' court.

KEAN TO HOLD GAVEL

Is Appointed by Frye to Look After the Senate.

BY ASSOCIATED PRESS. Washington, March 9.—When the senate met today a letter was read from President Pro Tem Frye, appointing Mr. Kean of New Jersey as presiding officer during his absence.

The oath of office was then administered to James P. Clark (Ark.), W. J. Stone (Mo.) and Senator Gallinger (N. H.).

Mr. Stone was escorted to the desk by Mr. Cockrell and Gallinger by Mr. Lodge. Mr. Clark walked to the desk unaccompanied.

There being no legislative business to transact the senate, at 12:06, on motion of Mr. Cullom of Illinois, went into executive session.

At 1:15 p. m. the senate adjourned until tomorrow.

ARE PROSPECTING FOR GOLD

Strike Reported in Old Channel of Missouri, Near Canyon Ferry.

SPECIAL TO THE INTER MOUNTAIN. Helena, March 9.—A mining company that has been prospecting for gold in an old channel of the Missouri river, near Canyon Ferry has made quite a strike, according to reports that reached Helena today. It is said that the gravel is quite rich in placer gold and that the company will extensively work it as soon as the weather permits.

Samuel Ashpaugh Dying.

SPECIAL TO THE INTER MOUNTAIN. Dillon, March 9.—Samuel Ashpaugh, one of the well known old timers of Beaverhead county, is very ill and not expected to survive. He is about 78 and is suffering from a general decline consequent upon old age.

BRAVES WILDS IN FAR NORTH

Ed A. Johnson Back in Butte After Sojourn in Alaska—Plucky Wife Beside Him in His Travels—Trouble With Claim Jumpers, But Won Out—Her Story of the Trip.

Ed A. Johnson and the wife who helped him win a fortune within the Arctic circle returned to Butte yesterday. Both are well-known in this city where they lived nine years before they left for Nome, and the fact that they have come back with a comfortable fortune and with mining interests which will bring them many thousands more will be pleasant news to many friends. The story of how the woman faced danger and suffered hardship beside her husband when they were getting this wealth is interesting.

"I went everywhere Ed went," said Mrs. Johnson, and the words mean a great deal, for the tundra plains of the Seward peninsula are a graveyard for many men who perished during the first big rush.

Mrs. Johnson saw the early stages of that rush. She was one of the first party who left Nome for Fish river. She discovered the claim which they recently sold to an Eastern syndicate for \$50,000. And she crossed the peninsula with her husband in the teeth of a blizzard when the mercury dropped to 65 below zero and the wind blew horses from their tracks. In such weather she slept in the snow and traveled by day beside the men of the party.

Her story of life at Nome is strange. She told it this noon.

"We left Seattle on the Victoria in June, 1900," said she. "When we came in sight of the camp we saw the beach piled high with baggage and freight for two miles. And the tents stretched in a long white line as far as the eye could reach. In this strange camp where men and dogs and horses crowded one another between tent ropes we staid only a few days. Then we left with a party for Ophir creek. We had heard but little of the place.

"We went from Nome to Golovin bay by a little steamer. Thence we went to White Mountain by scows. From that place we went to what is now Council City by flatboats, which were poled up the stream.

"At Council City I worked at stenography. Mr. Johnson went out to prospect. I saw some of the soldiers panning out \$8 and \$10 a day at the mouth of Ophir creek. Through my own work I found that the claim, which we have just sold had been located, but not recorded. We staked it with a number of others. These went to other camps and left us their interests. We prospected it in a manner during the rest of the summer. We went back to Nome satisfied that it was rich.

"Mr. Johnson wanted to go out to the states that fall. I did not. I felt that it would be better to stay near our interests. And subsequent events proved that I was right. In the middle of the winter we got word that they were jumping claims on Ophir creek. I heard that ours was in danger. We lost no time. We set right out for Council City.

"Now to get from Nome to Council City in the winter you must cross a peninsula where there is nothing in the summer but a tundra. In the winter it is a waste of snow. And the winds blow with awful velocity during the storms. I was determined to go with my husband.

"We went with a freighter's outfit.

There were seven men and myself. We were 13 days on the trail. During that time a storm came up. The thermometer dropped to 65 below. And the wind at one time was so hard that it actually blew



ED JOHNSON.

one of the horses from his feet, load and all.

"Yes, it was cold. I did not really suffer any hardships though. Of course I frosted my nose once or twice. But beyond such discomforts I had no real hardships. We got to Council City just in time. Our claim was one that they were after. We saved it and fixed things up so that it was safe for the winter. Then we went back to Nome.

"During the summer just past, we prospected and got other properties. Mr. Johnson did this work. I was with him most of the time. I worked at stenography at other times. That summer I saw gold—you can't imagine how much. One can't describe it so that it is at all real without seeming to go beyond the truth. On one of those claims I saw \$150,000 cleaned up in two days. It sounds fabulous, but it is true. And I saw gold in buckets, in old rubber boots, in open boxes, in everything that would hold it.

"While we were at Council City I learned through my typewriting that Dr. Alexander De Soto of Seattle had men buying up claims all around us. I learned in the same way that he was doing so in behalf of an Eastern syndicate, of which he was a member. Among these men were former Mayor Habacker of Philadelphia. "This corporation had set to work to get Alaskan properties. They had the well-known banks of the East behind them and paid ready cash for what they bought. Dr. De Soto finally looked at our property. He said he would talk to us when we came out about buying it.

"We came to Seattle in November. Last month we closed the deal in which we transferred this claim to the De Soto Gold and Placer Mining company of Seattle for \$50,000."

UNION HAS REWARD

Will Sift Disturbance and Murder at Waterbury.

BY ASSOCIATED PRESS. Waterbury, Conn., March 9.—The search for the murderer of Policeman Paul Mendelsohn, who was slain by one of the shots fired by the party of men in their attack upon a trolley car last evening, was renewed today after a posse had spent most of the night scouring the region about Forest park. As far as known, the detectives have not secured any clew. It is believed that Conductor Webendorfer and Motorman Chambers, both of whom were wounded in the attack upon their car, will be able to resume work shortly. Excitement runs high over the killing, which is regarded as the climax of the disturbances which have accompanied the strike of the street railway men.

SMITH SOME BETTER

Thought Victim of the Bullets of Carney May Get Well.

William Smith, the man who was shot a week ago Saturday by Edward Carney, is constantly improving, and is expected to be wholly recovered in a very short time. It was rumored on the street today that the man was about to be discharged from the hospital and would be out again in a day or so.

At the hospital it was stated that the patient was doing very well indeed; but there was no telling when he would be allowed to get out of doors. He has been allowed to sit up for the past two days and has been receiving visitors for some time. He is naturally weak, and it is feared that the excitement of getting up and about might affect him injuriously, even to the point of a relapse.

MRS. BROOKS ON STAND

Tells of Shameful Scene When Husband Found Her With Chevrier.

SITTING IN HIS LAP

Fled When Brooks Entered—Did Not Hear Revolver Fired.

BROOKS TELLS STORY

Slayer of Barber Gives Details of the Fight for the Pistol.

The jury in the Brooks murder trial will render a verdict probably some time this evening.

The proceedings this morning were marked by two notable proceedings.

The wife of the accused told the story of her shame and her husband who shot the man that violated his home told the story of the killing of him.

The scene in the courtroom, especially when Brooks was telling his story, was dramatic in the extreme. He was given the revolver and described how he and Chevrier struggled for its possession.

A woman, apparently about 22 years of age, stylishly dressed and handsomely groomed, told her shame as an unfaithful wife on the witness stand in Judge McLennan's division of the district court this morning. In confessing her shame the woman was self-composed. She had dark hair, brady black eyes and an expressionless face.

On the witness stand she wore a brown hat, a box coat and a black silk skirt. She gave her name as Bertha Brooks, and with the consent of her husband, who is on trial for the murder of Emory Chevrier, a barber, in whose room and sitting on whose lap the wronged husband found her.

SHAMELESS CONFESSION AS GIVEN IN COURT

The confession of the woman was most shameless. She said that her name is Bertha Brooks; that she lives at No. 224 North Dakota street.

On the night of the killing, February 5, she was in room 8 of the Maule block



MRS. O'REILLY.

Chevrier's room—with him. "No one else was present," said the witness.

Continuing, she said: "There were three knocks at the door and I heard the voice of my husband."

"I was sitting on Chevrier's lap and we kept quiet, when my husband broke in the door.

"When Chevrier left the room he was in front of my husband.

"When the first shot was fired I was out of the building.

SHE SAYS HE HAS ALWAYS PROVIDED FOR HER

The woman stated that she married Brooks at Helena, in this state, four years ago; that the defendant had always provided for her in good style.

The woman, according to her story, met Chevrier about six months or a year before the trouble. He, she said, talked to her and wanted her to leave her husband and go to the coast with him.

In the first time she was guilty of misconduct with Chevrier, the witness stated, was about four weeks prior to the killing.

Continuing the woman said: "When the door was broken open Chevrier was sitting in a chair on his lap. My husband appeared dazed.

"Chevrier made a move toward my husband, but had no weapon that I saw."

On cross-examination County Attorney Dreen asked her if she had ever asked her husband for permission to visit wine rooms. This the witness denied.

She also denied that after the killing of

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