

## DEFENSE CLOSE IN NIPPER CASE

### Plaintiffs Begin Putting in Rebuttal Evidence in Famous Suit.

## MANY ARGUMENTS

### Numerous Documents Are Offered and Objections Made to Several.

At the Nipper trial today the defendants rested and the plaintiffs began putting in their rebuttal evidence. Judge McHatten stated that the rebuttal evidence be brief, but a good deal of the day was absorbed by arguments over offers of evidence and objections to the offers.

The forenoon was exhausted with offers of documentary evidence and objections to the same. However, toward noon, the first witness in rebuttal for the plaintiffs, James MacFarlane, took the stand.

John Gillie's Testimony. Before he went on the stand Judge McHatten offered in evidence all the testimony of John Gillie at the suit between the Washoe Copper company and Edward Hickey and others at an injunction hearing three years ago.

Before this offer was made Judge McHatten had tried to get excerpts from this evidence in, but had failed, Judge Clancy ruling the offer out.

Judge Clancy took the offer of all the evidence under advisement.

Then Judge McHatten offered all the evidence given at the same hearing by W. H. Wiley and E. E. Chase, and this was objected to. The noon recess took place before there had been a ruling.

Withdraws the Objection. When the court opened in the afternoon Governor Thomas, for the defendants, withdrew the objection, saying that he had consulted the authorities superficially at noon, and had found them conflicting and uncertain, so he would accept Judge McHatten's position, and not object to the introduction of the documents.

The examination of Mr. MacFarlane was taken up. He had been asked a question about the surface of the ground where the Little Mina and Nipper adjoin at the north, as to whether there was an outcrop there or not, and it had been objected to by Governor Thomas.

Mr. Thomas took the ground that the witness and other witnesses for the plaintiff had exhausted the subject while giving their testimony in chief, both in direct and cross-examination, and therefore that it was not properly rebuttal testimony.

Excerpts Are Read. Governor Thomas read a number of excerpts from Mr. MacFarlane's testimony in chief to uphold his position, but Judge McHatten contended that the matter was new.

When the argument was finished the court said: "Well, as you gentlemen know, rebuttal covers new matters called out by the defense. My recollection is that Mr. Finch did deny that there is any outcrop there. I'll allow you to go into that matter. The objection is overruled."

The defendants took an exception and the witness testified that there is an outcrop of quartz in the locality referred to, and at which spot Mr. Finch, one of the defendants' witnesses, testified there is no outcrop.

He also testified that a plan map presented by the plaintiffs when cross-questioning Mr. Finch, which showed the locality mentioned, correctly represented the formations on the surface of the ground there, although Mr. Finch had denied the same.

Offer of Affidavits. When the proceedings opened this morning Governor Thomas addressed the court with the statement that the defendants were satisfied with the title they had put in, answering the plaintiffs' pleadings, and would close the defendants' side of the case with the offer of certain affidavits filed in the court upon the defendants' motion for a continuance of the trial on July 7, the day it opened.

The affidavits stated that Geologist Horace V. Winchell, E. E. Chase and W. H. Wiley, witnesses for the defendants, would testify to certain things that were present at the trial, but that they were absent and their presence could not be secured.

"The counsel for the plaintiffs at that time, your honor, admitted that the witnesses named would testify to the things set forth in the affidavits were they present," said Governor Thomas.

"We wish to offer both the affidavits mentioned, stating what the witnesses named would testify to if here, and also the admissions of the plaintiffs that they would so testify," the governor concluded.

Offer is Opposed. The offer was opposed by Attorney Denny for the plaintiffs. He stated that the view he entertained was that the court under its ruling would take judicial notice of affidavits filed in the court, and would therefore take notice of the affidavits in question, and give the matters therein contained whatever weight it should see fit to give.

He was willing to admit that matter, but not by that state.

## CHARGES OF BRIBERY STARTLES THE HOUSE

### DEPUTY IN THE HUNGARY DIET SHOWS THE MONEY HE SAYS WAS GIVEN HIM.

## THOROUGH PROBING ORDERED

### Committee Decides to Take Up the Allegations and Sift Them to the Bottom.

BY ASSOCIATED PRESS. Buda Pest, Hungary, July 29.—Deputy Zelman Papp caused a sensation in the lower house of the diet today by spreading out on the table 10,000 kroner in cash which, he declared, had been tendered him as a bribe to desert his fellow obstructionists and leave Buda Pest.

Herr Papp, who is a member of the Kossuth party, added that it was former Deputy Dienes who attempted to bribe him.

Herr Dienes, he asserted, had 12,000 kroner, of which sum he retained 2,000 as commission and handed 10,000 kroner to Herr Papp, which the latter accepted in order to be able to prove his allegations.

Deputy Lovassy said the editor of the Magyar Orszag had been asked how much money would be required to buy off that newspaper's support of the obstructionists.

A parliamentary committee was appointed to investigate the matter.

## PHILIPSBURG PLANT HAS STARTED UP ONCE MORE

### SEVENTY-FIVE MEN PUT TO WORK TODAY BY THE GRANITE-BIMETALLIC COMPANY.

SPECIAL TO THE INTER MOUNTAIN. Philipsburg, July 29.—Under the management of Receiver Paul Fusz, the Granite-Bimetallic Mining company started up again this morning. Some 75 men were put to work and the place is again assuming a busy air.

A general feeling of satisfaction prevails among the miners and the few labor claims to be settled will be seen to by Receiver Fusz at once.

The prosperity of this section depends largely on the company and everybody rejoices to see its affairs settled so soon and such a competent receiver as Mr. Fusz in the saddle.

## CUT DOWN FROM THE BARS OF HIS CELL

### BUTTE MAN MAKES INEFFECTUAL ATTEMPT AT SUICIDE—ARRESTED IN GREAT FALLS.

SPECIAL TO THE INTER MOUNTAIN. Great Falls, July 29.—Edward Laurin, who claims he is from Butte and who had papers in his pockets indicating he is, was arrested yesterday afternoon for drunkenness. Last night, in his cell in the city jail, he hung himself to the ceiling bars with his suspenders. He was cut down, but it is said he cannot live.

Laurin was poorly dressed and very drunk when taken. He gave his address as Butte, but refused to talk. He must have waited until the prisoners had retired and the jail was quiet before he attempted suicide, for the man in the next cell did not hear his struggles at all.

Night Jailer Joe Thompson finally heard Laurin's gasps and, running in, promptly cut him down. He is in a serious condition.

The only Edgar Laurin in the Butte directory is listed as an inmate of the county poorfarm.

## FUGITIVES FIGHT PURSUING POSSE

### MEN WHO ESCAPED FROM CALIFORNIA PRISON FIRE AT THE OFFICERS.

BY ASSOCIATED PRESS. Folsom, Cal., July 29.—A message was received at the state prison this morning stating that the passes under the direction of Sheriff Keena of Placer, and Sheriff Bosquitt of Eldorado had a brush with the fugitive convicts and a number of shots were exchanged, but so far as can be learned nobody was shot.

The fugitives were located on Greenwood creek, north of Granite Hill post-office and above Greenwood, where they had evidently camped over night.

## DOUBLE MASS MARKS DAY IN ROME

### Prayers for Late Pope and Former King Humbert Fill the Churches.

## DRAMATIC CONTRAST

### Wreaths Are Placed on the Tombs of the Departed Rulers.

BY ASSOCIATED PRESS. Rome, July 29.—Rome this morning was the scene of one of those dramatic contrasts which are now so characteristic of the eternal city.

While at the vatican in the sistine chapel a solemn requiem mass was being intoned, with all the solemnity the Catholic church can impose, for the repose of the soul of Pope Leo XIII., the spiritual monarch who claimed Rome as his capital, another no less solemn requiem mass was being celebrated in the magnificent pantheon for the repose of the soul of the late King Humbert, the temporal monarch, the capital of whose kingdom was Rome.

To Attend Annual Mass. King Victor Emmanuel and his mother, Dowager-Queen Margaret, came here on purpose to attend the annual mass which is celebrated on the anniversary of the assassination of King Humbert, which occurred three years ago.

The king drove to the pantheon, the well known red liveries of his coachmen and footmen arousing much interest, and arrived there in time to meet Queen Margaret who was dressed in deepest black.

After a tender embrace, mother and son entered the pantheon, heard the mass and placed wreaths on the tombs of King Humbert and King Victor Emmanuel. The entrance and exit of their majesties was witnessed by a large crowd.

Go to the Vatican. At 11 o'clock the members of the municipality of Rome, with the exception of a few of their number who a few days ago went to the vatican to condole with the camerlingo on Pope Leo's death, (as representatives of the clerical party of the city government), visited the pantheon in a body and placed wreaths on the tombs of the two kings.

The second requiem mass in the sistine chapel was termed the foreign mass. Cardinal Kopp, bishop of Brest, celebrated mass, assisted by the foreign cardinals, Goossens, Gruschia and Perraud, and one Italian cardinal, Di Pietro. The beautiful chapel overflowed as it did yesterday with the faithful.

Provides a Carriage. The vatican, as a rule, provides a carriage and horses for all the cardinals, and all the horses are alike, black with long tails, but the authorities were not prepared for so many cardinals and were obliged to give the last arrivals bay horses.

From the estimates made, the cost to the holy see of the various ceremonies from the death of the pope to the election of his successor, if it takes place within a few days, will be \$400,000.

## ALL CAR LINES ARE TIED UP

### Firemen at the Detroit Power House Quit Their Work.

BY ASSOCIATED PRESS. Detroit, July 29.—All the street car lines in the city were tied up for more than two hours this morning at the time travel is usually heaviest by a strike of 35 firemen at the power house.

The men struck to enforce their demand for an eight-hour day, made some time ago.

Outside help was rushed to the power house and soon the company had cars moving on most of the lines.

A 8 o'clock three of the firemen had returned to work while the others were endeavoring to induce the engineers to join them.

Thousands of persons were late in getting to work, owing to the tie-up.

## RAIN HARMS NEBRASKA CITY

### Four Inches of Water Destroys or Damages Property.

BY ASSOCIATED PRESS. Loup City, Neb., July 29.—Four inches of rain fell here last night between 11:20 and 12 o'clock. The rain was accompanied by a heavy wind, which did a great deal of damage.

A mill which was being constructed was completely destroyed. The building, which was three stories high, was shifted off its foundations and thrown on its side, breaking almost into kindling. All cellars in the city were flooded.

All the small grain that had not been cut was blown down and will be a total loss.

There has been no persons reported injured by the storm.

## 25 KILLED 50 HURT IN GREAT EXPLOSION

### Magazine of the United States Cartridge Company, Near Lowell, Mass., Is Blown to Atoms, Scattering Debris Far and Wide—Buildings For Long Distance Around Wrecked—Rescue Work Begins at Once—Shock Is Felt in Boston.

Lowell, Mass., July 29.—Following is a partial list of the dead: JAMES GALLOWAY, aged 9. WILLIAM FLYNN, aged 12. WILLIAM McDERMOTT, aged 10. MICHAEL ROGERS, aged 10; all boys who were swimming in the Concord river.

MRS. WILLIAM RIGGS, of Riverside. UNKNOWN MAN, driving a grocery cart. WILLIAM GALLOWAY. POORE. LOWELL.

Six bodies of men working near the powder store house were recovered. The fatally injured: John B. Sullivan, Mrs. Victoria Perrouse, Gallagher (little girl), McDermott (11 years old). Sullivan, teamster for Stanley Transfer company.

On the way to the fire numerous carriages were met that bore bleeding bodies. Many bodies were taken from the ruins and laid on the grass. Some were mangled beyond recognition. Men and women fainted at what they saw.

Houses, barns and outbuildings lay in a ruined state, some half demolished, others hardly more than a heap of broken timbers, still others smoking from the recent fire.

BY ASSOCIATED PRESS. Lowell, Mass., July 29.—An explosion destroyed the magazine of the United States Cartridge company, located in this city today, causing the death of probably

25 persons and injured more than 50 others, set fire to a number of buildings in the vicinity and caused a general wreck of houses within a radius of half a mile.

The concussion was felt in Boston, 40 miles away, and at Exeter, N. H., which is a greater distance from Lowell.

At many points a score of miles distant windows were shattered and other damage done.

In some cases there were reports that there had been an earthquake.

Thrown Into Panic. The city was thrown into a panic and it required every effort of the authorities to establish and maintain anything like order. It became necessary to summon four companies of the state militia.

Alarming reports to the effect that more than 100 persons had been killed and injured caused widespread confusion.

The explosion is thought to have been caused by the jarring of dynamite stored in the magazine by workmen who were laying a new floor. The dynamite set off the powder in one chamber and that explosion was followed by another in a second chamber.

The plant of the United States Cartridge company is located in a district known as Riverside Park, just outside of Lowell. The building in which the explosion occurred was a steel structure about one and a half miles distant from the works of the cartridge company.

Many Houses Near. Within a distance of 50 yards are located half a dozen houses. Within a hundred yards there are 20 more houses, and beyond that the buildings are very close together. Every structure within a quarter of a mile was torn within and without.

Persons inside the houses sustained injuries if they escaped with their lives. Men who lived in streets not far away who were fortunate enough to escape serious injuries immediately gave themselves over to relieving women and children to places of safety, for almost simultaneously with the explosion came flashes from several buildings.

Into the flames and debris scores of men were soon plunging in efforts to save life and property. The wreck was so complete, however, that the work was harrowingly slow.

Ambulances Are Called. The patrol wagons and teams of all descriptions were brought into use to supplement the ambulances. It was nearly noon before anything like an accurate estimate could be obtained. Previous reports had said that the dead would number 75, but at 11:45 a. m., a canvass of the hospitals and police station resulted in a conservative estimate of 25 killed and 55 injured.

Sixteen victims most seriously hurt were taken to St. John's hospital, where at noon it was said that four would die and that as many more were desperately hurt.

The financial loss is placed at \$10,000, only part of which is covered by insurance.

## CONDITION OF COTTER REMAINS THE SAME

### Reports from the home of Attorney John W. Cotter this afternoon are:

"He is just the same. There are no favorable symptoms today."

It is feared the end is near.

Many inquiries are being made daily at the home in West Broadway and there is little to encourage hope for the recovery of the patient.

One side remains completely paralyzed, and since the stroke Sunday night Mr. Cotter has not spoken a word.

At times it appeared to the attending physicians that the pressure on the brain was lessening, but these symptoms have not continued.

Mrs. E. L. Mahoney, Mr. Cotter's sister, has been continuously at the bedside of her brother.

## KILLS A WOMAN DURING A QUARREL

### WASHINGTON RANCHER, AGED 65, COMMITS MURDER AND GIVES HIMSELF UP.

BY ASSOCIATED PRESS. Spokane, Wash., July 29.—Mrs. Catherine M. Northup was shot and instantly killed by James Sanford last evening at his home on a fruit ranch 20 miles northwest of Almira, Wash.

A telegram states that Sanford had leased the ranch from Mrs. Northup. A quarrel arose and she tried to evict him.

Sanford went to town and secured legal advice. Instead of taking it, he bought a revolver, went home and shot her in the back of the head.

He then went gunning for Lin Dillman, his victim's brother, but Lillie Sanford, his daughter, mounted her pony, and rode ahead giving the warning.

Not finding Dillman, Sanford went to Conlee City and gave himself up.

He is about 65 years of age, with a patriarchal beard and generally inoffensive appearance.

## LOST GIRL RETURNS HOME

### Mystery That Had Puzzled Chicago Police Is Cleared Away.

BY ASSOCIATED PRESS. Chicago, July 29.—Drenched by the heavy rain and carrying a 3-weeks-old baby in her arms, Miss Annie Higginson staggered into her aunt's home, 3960 Drexel boulevard, last night, and a mystery that has been baffling the police was cleared.

The young woman has been missing for three months, having disappeared in April from the residence of E. A. Helm, 520 Washington boulevard, with whose family she had been living while studying in Chicago.

Miss Higginson said she had been in a hospital since she disappeared and that her expenses were paid by Jesse L. Helm, son of E. A. Helm, general solicitor for a life insurance company.

The police say Miss Higginson was kept in seclusion by young Helm, who would not allow her to correspond with her relatives.

## CHASED BY FLAME FROM BIG SHIP

### TWENTY SAILORS AND A TRAMP STEAMER HAVE NARROW ESCAPE.

## EXPLOSION IN THE HOLD

### Fire Starts Far Out at Sea and is Allowed to Smoulder in the Harbor.

BY ASSOCIATED PRESS. New York, July 29.—Twenty men, composing the crew of the tramp steamer Easty have had a narrow escape from death.

Rushing from a burst of flames caused by an explosion of sulphuric acid in the hold of the ship which was moored to the Erie Basin, the men made their way up black, smoke-filled hatchways, and half smothered plunged into the water.

Mine of Flames. It is claimed the explosion disclosed the fact that for a week there had been burning within the harbor a mine of flame that constituted a source of utmost danger to much property ashore and afloat in New York bay.

The generation of inflammable gas, which started hundreds of miles out to sea two weeks ago, and with which the captain and his crew had fought in vain, was permitted to go on, it is alleged, because there was not sufficient pumping power on the craft to quench its formation.

Deep down in the hold, which was stored with iron pyrites, a mineral which generates gas under sufficient heat, copious quantities of sulphuric acid gas was a miniature volcano.

Cloud of Smoke. Early today there was a sudden roar on board the ship and a cloud of smoke and dust poured from the hold. The crew scrambled to the deck and plunged overboard.

They reached the docks safely and a fire tug was hastily summoned and towed the vessel into the stream, where she was thoroughly saturated with water.

The loss is not known.

## JURY IS UNABLE TO REACH FINDING

### FORMER DELEGATE FAULKNER OF ST. LOUIS GETS ONE MORE CHANCE.

BY ASSOCIATED PRESS. St. Louis, July 29.—The jury in the second trial of Former Delegate Henry A. Faulkner, charged with perjury in connection with the Suburban franchise boodle deal, reported to Judge Douglas today that its members were unable to agree on a verdict. The jury retired Tuesday and considered the case until midnight.

FAIR AND WARMER. Washington, July 29.—Weather indications—Generally fair tonight and Thursday. Warmer in western portion Thursday.

## BASEBALL TODAY

Following is the score by innings of game in progress at Butte this afternoon:

	1	2	3	4	5	6	7	8	9	R
BUTTE . . .	0	0	0	0	0	0	0	0	0	0
FRISCO . . .	0	1	1	1	1	1	1	1	1	1

To Try Devries. SPECIAL TO THE INTER MOUNTAIN. Livingston, July 29.—John Devries of Big Timber is to have a hearing in the police court here on a charge of horse-stealing. He took the horse here July 4 and was arrested at Big Timber a few days ago.