DAVIS WILL CASE AGAIN.

One of the Factions Thrown Out of Court Trying to Get Back.

Claim That They Were Taken by Surprise and Blame an Attorney.

The Root People Were Not Present at the Hearing Before Judge McHatton on Saturday.

In Judge McHatton's court on Saturday last quite a number of unimportant ex parte motions were disposed of by continuance or otherwise, and the remainder of the session, which lasted until after five o'clock, was occupied in a hearing on one of the many phases of the Davis will case, says the Miner. The case under consideration was the motion of Harriet J. Sheffield and Henry A. Davis to be reinstated on the calendar as contestants against the probate of the will. These plaintiffs filed their suit at the same time that Henry A. Root and Maria Cummings did, being represented by Martin Keogh, a New York lawyer, and subsequently Attorney Snyder also of New York became associate counsel. After the first trial of the will case Keogh & Snyder left the interests of their clients in the hands of Warren Toole in the supposition that the Root contest would when another trial was held, also determine their case. When the Root case was called for trial about two months ago both the Root and the A. J. Davis sides asked for a continuance, and at the same time made a joint attack on the Sheffield-Davis contestants. The point was raised that they were barred by default.

Prior to this time Warren Toole had sent a notice of his withdrawal from the case so far as it concerned the Sheffield-Davis contestants, and John W. Cotter appeared as counsel for them. When the motion for default was made Mr. Cotter made the best fight he could, pleading lack of time for preparation, and begged for a continuance, but failed to get it, and the case was thrown out of court. Immediately thereafter Keogh & Snyder secured the services of W. E. Cullen & J. K. Toole and George F. Shelton, of Helena, and a motion was entered to have the order of dismissal set aside and the case reinstated. The motion was supported by affidavits of Keogh and Snyder, and J. W. Cotter setting forth the facts in the case, claiming that they were taken by surprise at being called to go to trial and attributing the failure to Warren Toole and not to negligence on their part. The motion for reinstatement came up on Saturday. The Sheffield side was represented by W. E. Cullen and George F. Shelton, of Helena, and the John A. Davis side by Judge Kirkpatrick and John F. Forbis. The Root faction was not represented.

In opposition to the motion for reinstatement affidavits were read from E. Warren Toole, J. E. Clayberg and Henry A. Root. They were in reply to the affidavits of Keogh and Snyder, heretofore published. The most important of the affidavits was that of Henry A. Root, which attributes all the trouble to Erwin Davis, who desires to have control of the contest on behalf of the heirs, but a majority of the heirs decided that Root should manage the battle. An effort was made to have Mrs. Sheffield and Henry A. Davis join with the Root faction, but they refused and began a separate contest.

Root says that during the trial in 1891 Keogh & Snyder tried to get Root's attorneys to represent the interest of their clients, Sheffield and Davis, to which Root agreed, in so far as the contest should not conflict with the points raised by the Root contestants. Mr. Root's affidavit says he had to bear all the burden and expense, which cost "blank $1,000," and the Sheffield contestants would render no assistance, and that Erwin Davis furnished money to assist John A. Davis in opposing the contest.

After the affidavits had been read the arguments were begun by W. E. Cullen, who made a lengthy and able address, arguing the law and the facts in behalf of his clients. Incident to his speech he referred to the legal ability and standing of Warren Toole, and declared that so great was his influence that many of his clients believed that in legal lore and wisdom he was greater than Moses Solomon, the remark causing a broad grin on the part of those present.

Mr. Cullen also referred to the alleged fact that John W. Cotter had been recommended by Judge McHatton to Keogh to take charge of the case. He was interrupted by the court, who stated that he had not recommended Mr. Cotter. He said that he had received a telegram from Keogh asking him to give the name of a reliable member of the bar with whom he could communicate. Mr. Cotter happened to be present when the telegram was received, and he had shown it to him and told him he could answer it if he desired to. This was the extent of the recommendation.

The hearing was continued until next Saturday.

In Olden Times

People overlooked the importance of permanently beneficial effects and were satisfied with transient action, but now that it is generally known that Syrup of Figs will permanently cure habitual constipation, well-informed people will not buy other laxatives, which act for a time, but finally injure the system.

Large Turkish bath towels at The Bee Hive this week for 15c.

If you want knitting yarns of any kind be sure and go to The Bee Hive, where you can find the largest assortment in the city.

Excursion to California and Utah.

The Union Pacific will sell, Nov. 15, round trip tickets at the following rates:

Helena to San Francisco, going via Ogden and returning same route, $75.

To San Francisco, going via Ogden and returning via Portland, or vice versa, $90.

To San Francisco, going via Portland and returning same route, $75.

To Los Angeles, going via Ogden and Sacramento and returning via San Francisco and Ogden, or vice versa, $89.

To Los Angeles, via Ogden and San Francisco and returning via San Francisco and Ogden, $82.

To Los Angeles, going via Portland and and passing San Francisco in one direction, returning same route, $89.

To Los Angeles, going via Portland and returning via Sacramento, or vice versa, $99.50.

Above tickets good going sixty days; good to return any time within limit (six months).

To Salt Lake, Utah, round trip, $30; good sixty days. Remember, this is the southern and quickest route to the coast.

H. O. WILSON,
Freight and Pass. Agt., Helena, Mont.
E. L. LOMAX, G. P. T. A., Omaha, Neb.

Linen damask towels with knotted fringe, worth 35c, only 20c at The Bee Hive.

Further Reduction in Rates Via Union Pacific.

From Helena to Portland.....$18 00
From Helena to San Francisco..... 33 00

On the 15th of each month excursion tickets are sold to Utah and California points as follows:

To San Francisco and return.....$75 00
To Los Angeles and return..... 89 00
To Salt Lake and return..... 30 00

Tickets to California points are limited to six months, and to Salt Lake sixty days

When in Butte

Stop at the new Butte hotel. Only first class house in the city.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

ITALIAN BRIGANDS.

Their Relations With the People Are of a Most Friendly Character.

Ansuini, Tiburzi and Fioravanti are the names of the brigands actually in the exercise of their calling. The last remains of a famous race, their names enjoy in Latium and on the confines of Tuscany a certain renown and an undeniable popularity. A few years back they had a numerous band of associates. Death and the galley have by degrees reduced their number. Domenico Tiburzi, the most formidable of the three, was a cowherd at Cellere.

In 1872, at 25 years of age, he had his first differences with the law—a highway robbery, an extortion and a murder. Taken and condemned to penal servitude for life, in January, 1874, he escaped from the salt mines of Corneto Tarquina. From then until now he has remained at large, eluding all efforts to capture him. The forest was and is now his refuge, his kingdom. There, between Civita Vecchia and Grosseto, in the wide solitudes of the macchia, he has lived for 20 years, defying the spies and the rewards offered by the public authorities.

Tiburzi, strong in his refuge and in his terrible fame, which he takes good care every now and then to renew, lives—permit the expression—as a man of honor. He does not rob; he does not steal; he does not harm any one. He levies taxes after his own fashion. The wealthy of the neighboring districts pay him every month a fixed contribution—money, wine, bread, weapons and tobacco. In recompense he guarantees the safety both of their lives and of their property. In short, he acts as a kind of public guardian for them in the macchia.

The relations between the brigand and the people are of a most friendly description. The poor, when destitute of food, come to Tiburzi. He also gives them coin, with which he is always well provided. Do not imagine that such amicable relations exist only with the poor and uneducated country people.

It is the rich land owners who pay most willingly the tax which brings them an entire security for their rural property. But woe to the spy! Sooner or later, be it from afar or near, the terrible hand of the brigand strikes him, and an atrocious vengeance rouses the authorities and convinces the unbelievers of the existence of the legendary brigand. In this way Tiburzi lives. Seventeen different warrants hang over him, but excepting the first crimes, the others are all for acts of vengeance against supposed or dreaded spies.—Chambers' Journal.

A Boom in Whitewash.

A missionary stationed at one of the South Sea islands determined to give his residence a coat of whitewash. To obtain this, in the absence of lime, coral was reduced to powder by burning. The natives watched the process of burning with interest, believing that the coral was being cooked for them to eat. Next morning they beheld the missionary's cottage glittering in the rising sun white as snow. They danced, they sang, they screamed with joy. The whole island was in confusion. Whitewash became the rage. Happy was the coquette who could enhance her charms by a daub of the white brush. Contentions arose. One party urged their superior rank; another obtained possession of the brush, and valiantly held it against all comers; a third tried to upset the tub to obtain some of the cosmetic. To quiet the hubbub more whitewash was made, and in a week not a hut, a domestic utensil, a war-club or a garment but was as white as snow; not an inhabitant but had his skin painted with grotesque figures; not a pig that was not whitened, and mothers might be seen in every direction capering joyously and yelling with delight in the contemplation of the superior beauty of their whitewashed babes.—Missionary Chronicle.

PERSONAL.

B. L. Cook, of Livingston, is at the Grand Central.

E. H. Foster, of Craig, arrived in Helena yesterday.

Lieut. Charles F. Kieffer, U. S. A., is at The Helena.

Mrs. W. C. Riddle, of Elkhorn, is at The Helena.

William Thompson, of Butte, was in the city yesterday.

William Tierney, of Neihart, is at the Grand Central.

D. G. Warner, of Boulder, registered at the Grand Central yesterday.

Harry Potting and A. H. Schenk, of Marysville, were in town yesterday.

Charles Dickson and his company arrived in town yesterday. Mr. Dickson is at The Helena.

Attorney A. J. Shores and C. H. Benton arrived at The Helena yesterday from Great Falls.

Arrivals at the Grand Central.

J A Watson, St Paul
L E Bond, Chicago
Wm Tierney, Neihart
A H Schenk, Marysville
B L Cooke, Livingston
D G Warner, Boulder
J P Browne, San Francisco
Fred Backus, New York
Miss E Hunt, "
Miss M Fitzpatrick, New York
E H Foster, Craig
M Doly, city
Harry Potting, Marysville
Chas Howell, Bismarck
J F Faulkner, St Paul
Ernest Willie, New York
Harry Sheldon, "
Thos A Wise, "
Miss R Berck, "
Henry Doblin, Mgr
Chas Dickson Co
Louis L Mason, New York.

Arrivals at The Helena.

D Bradford, city
C H Anderson, city
J J Grant, city
F Klugs, city
J Sullivan, city
C Reibold, city
Chas H Neill, city
E G Shaffer, St Paul
A J Lochman, San Francisco
Miss Daisy Zublin, New York
Wm Thompson, Butte
Wm F Fury, D'r Lodge
A F Weinscary, Chicago
C H Benton, G't Falls
O H McAnulty, Minne-
Mrs W C Riddell, Elkhorn
Geo May, city
W L Stone, city
A Allen, city
C H Fortman, city
R Barnes, city
J Spoinmeta, city
C L McKoin, city
J F Tibbets, Minneapolis
Lieut Chas F Kieffer, U S A
Mr and Mrs Charles Dickson, New York
A J Shores, Great Falls
A W Kingsbury, Great Falls
J A Forbes, St Paul
Max Rahn, Cincinnati
Tom Cooney, city
R P Barden, city

Fast black seamless hose for ladies at The Bee Hive this week 15c.

Ladies' underwear at The Bee Hive at greatly reduced prices this week.

What do you think of those Henrietta's at The Bee Hive only $1.75 per pattern?

A Sure Thing

That you can get rid of a bad cough or cold by the use of Meyer's Cough Remedy. No risk; if it does not do as recommended the money will be refunded. A sure thing. Sold at City drug store, Triangle drug store, Northern Pacific depot, City drug store, East Helena.

All kinds of toys and holiday goods for young and old at The Bee Hive.

Heavy Jersey ribbed underwear, fleece lined, for ladies, at The Bee Hive this week for 50c.

Towels are cheaper than dish rags at The Bee Hive this week.

THE FIRST NATIONAL.

The Agreement Looking to Resumption Is Now Ready for Creditors.

NOTICE TO CREDITORS.—All persons having claims against the First National bank, who have not received a copy of our circular letter and agreement in reference to resumption of business, are requested to call or send their address. FIRST NATIONAL BANK, Helena, Montana.

If you have a county or state warrant, or a claim against Lewis and Clarke county and desire to sell, Miller & Lotz will purchase it.

Two Stepping Stones

to consumption are ailments we often deem trivial—a cold and a cough. Consumption thus acquired is rightly termed "Consumption from neglect."

Scott's Emulsion

not only stops a cold but it is remarkably successful where the cough has become deep seated.

Scott's Emulsion is the richest of fat-foods yet the easiest fat-food to take. It arrests waste and builds up healthy flesh.

Prepared by Scott & Bowne, N. Y. All druggists.

OVERCOATS THAT FIT
Are What We Have.
OVERCOATS.
Main St., Foot of Broadway.
ANDERSON BROS. CO.

Cut this out and bring it to
KELLER THE PHOTOGRAPHER
And get 12 cabinets for..... $3 No. 28½ South Main Street.

MING'S OPERA HOUSE.

MONDAY, NOVEMBER 13.

An American Dramatic Comedy in four acts by Henry Doblin and Chas Klein, entitled

Admitted to the Bar.

Will be presented by the eminent comedian

CHARLES DICKSON

And his strong company of players.

The Minneapolis Journal says: "Since the Henrietta nothing so good has been presented."

Reserve sale opens Saturday morning at Pope & O'Connor's drug store. Entire lower floor $1, gallery 50 cents.

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All kinds of merchandise and other freights, including ores, promptly transferred from the depot. Orders will receive prompt attention. Office at J. Feldberg's Store and at the depot.

SANDS BROS.

Keeping Up the Dress Goods Excitement.

The talk of the town is the tremendous bargains we are giving in Dress Goods.

IT IS EASILY SEEN WHY.

$25.00 Patterns For	$14.50	$11.00 Patterns For	$7.75
20.00 Patterns For	13.25	6.50 Patterns For	4.60
18.00 Patterns For	10.50	5.00 Patterns For	3.90
14.00 Patterns For	9.25	4.00 Patterns For	2.95

Remember these are no old goods, sold cheap to get clear of, but all guaranteed to be new and stylish, desirable in every respect, being the very latest French and English importations.

Big Bargains in all Departments. Notice the Following List.

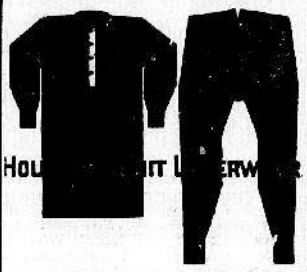
10 Pieces Fine Corded Cashmeres at 25c per yard. Worth double the money.
Real Eider Down Comforts..... $4.35
Knit Zephyr Shawls, all shades..... 1.00
Extra Fine 6-4 Damask Covers..... 2.20
100 6-4 Tinseled Table Covers, 95c each
Real Fur Neck Scarfs, only $1.75 each.
1 Lot 54-in. Fancy Suitings, reduced to 95c.

Agents for the Celebrated —Ypsilanti Underwear.—

SANDS BROS.

Samples sent on application. Mail orders promptly filled.

BABCOCK'S
Underwear
Hosiery,
Gloves,
Neckwear.



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Good Underwear
Is economical to wear.

BABCOCK & CO.
Hatters, Furriers, Furnishers.

H. B. Palmer
No. 10 Edwards Street,
Merchants National Bank Building
—FOR RENT—
$15—Per month, dwelling 124 Jefferson street, five rooms. Water etc. Nice place.
$18—No. 1051 Warren street, eight rooms, water and furnace.
$10—Dwellings 1023, 1025 Tenth avenue, includes water.
Several suites of rooms in brick building corner Chaucer and Highland, $4 to $10 per suite, water on each floor.
Also a number of small houses to rent, from $3 to $8.
Homes for sale on monthly or quarterly payments, cheap.

CHOICE FRESH CUT Flowers AT LOWEST MARKET RATES.

Sixth Avenue Greenhouses
Half Block from Main Street.
Write or Telegraph. H. WINTER, Florist.

If you are in need of a
SUIT, OVERCOAT OR TROUSERS
GO TO
WALTER & DYLL,
Merchant Tailors.
Over Cruse's Bank.
Our Prices SUIT THE TIMES.

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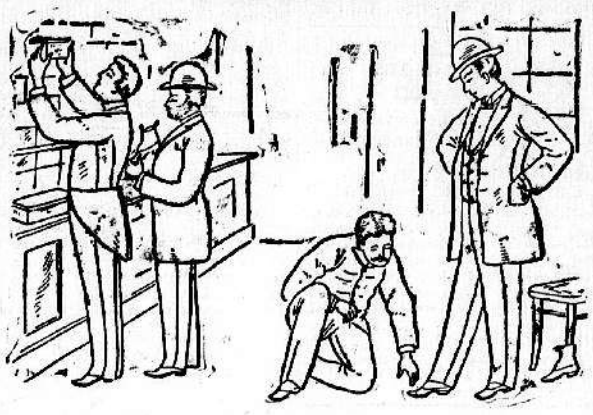

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MILL WORK OF ALL KINDS. AGENTS FOR
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