

The Billings Gazette.

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BILLINGS, YELLOWSTONE COUNTY, MONTANA, FRIDAY, FEBRUARY 10, 1899

NO. 84

JANUARY SHOE CLEARANCE SALE

Four Styles Men's Calf, Goodyear Welt Shoes (lace), reduced from \$4.00 to \$2.50. Every pair a winner and not an old or shop-worn one in the lot.

Ladies' Quilted Juliets, fur trimmed, brown and black, at \$1.25. These goods arrived too late for the Holiday trade, so will rush them out at this remarkable price.

John D. Losekamp

Clothier, Furnisher and Shoer

PROFESSIONAL CARDS.

JAS. R. GOSS,
LAWYER.
Office First National Bank Building.

H. E. ARMSTRONG, M. D.,
PHYSICIAN and SURGEON.
Belknap Block, - Billings, Montana.

D. R. J. BINEHART,
PHYSICIAN and SURGEON.
Office in First National Bank building, Billings, Montana.

ANDREW CLARK, M. D.,
PHYSICIAN and SURGEON.
Rooms 6 and 7, First National Bank Building.
Night calls answered at office.

HARRIET FOXTON-CLARK, M. D., C. M.,
PHYSICIAN and SURGEON.
Rooms 6 and 7, First National Bank Building.
Night calls answered at office.

F. GODDARD,
ATTORNEY-AT-LAW.
Office over First National Bank.

FRED H. HATHORN,
ATTORNEY-AT-LAW.
Office—Room 4, First National Bank Building, Billings, Montana.

JOHNSTON & JOHNSTON,
LAWYERS.
Room 18, Belknap Block.

CHARLES L. HARRIS,
LAWYER.
Room 12, Belknap Block, - Billings, Montana.

A. FRASER,
Notary Public,
Justice of the Peace, U. S. Commissioner,
General Commission Merchant.
Room 3, First National Bank Building, Billings.

FIRST NATIONAL BANK

— OF —

BILLINGS, MONTANA

Paid Up Capital, - \$150,000
Surplus and Profits, - 10,000

P. B. MOSS, President.
H. W. ROWLEY, Vice-Pres.
S. F. MORSE, Cashier.
S. G. REYNOLDS, Asst. Cash.

DIRECTORS:
Chas. T. Babcock,
Jos. Zimmerman,
H. W. Rowley,
G. W. Woodson,
P. B. Moss.

Transact a general banking business. Collections promptly made and remitted for.

4593 YELLOWSTONE NATIONAL

...BANK...

OF BILLINGS

CAPITAL, - \$50,000
SURPLUS, - \$20,000

A. L. BABCOCK, President.
DAVID FRATT, Vice-Pres.
G. A. GRIGGS, Cashier.

DIRECTORS:
A. L. BABCOCK, DAVID FRATT,
G. A. GRIGGS, ED. CARDWELL,
PETER LARSON.

Regular Banking in all its Branches.
Safe Deposit Boxes Rented.
Special Attention Given to Collections.

Dealers in Foreign and Domestic Exchange

The New Store OF THE Billings Furniture and Carpet Co.

Is the Most Complete
East of Helena.

Furniture,
Carpets and
House Furnishings

of all kinds are our specialties,
but we carry practically
everything to

Beautify the Home

Our store is 50x100 feet and
our stock fills it up, so you
have a great assort-
ment to select
from.

COME AND SEE US.

Twenty-Eighth Street, rear
of Wardwell Block.

BILLINGS Furniture & Carpet COMPANY

THOS. SHAPPELLE, CHAS. J. SHAPPELLE,
GEN. MANAGERS.

AT THE STATE CAPITOL

The Montana Solons Busy Them-
selves With Introducing
Numerous Bills.

ONE ON SEGRAGATION

Introduced by Gruwell That is of
Great Interest and Importance
to Yellowstone County

The session of the senate Monday afternoon was a busy one while it lasted, considerable being done. There were committee reports, the introduction of bills, some work in committee of the whole, and the passage of some bills.

Senator Stanton introduced a bill defining what a fellow servant is.

The corporation committee reported adversely Senator Norris' bill making four cents per mile the maximum passenger rate in Montana. This report was made at the request of the author of the bill. He had secured from the Oregon Short Line all the concessions he desired and did not care to press the matter further.

The judiciary committee recommended the printing of the following bills: S. B. 48, making rents due a lien upon personal property; S. B. 57, abolishing brokers' license; S. B. 55, repealing the law preventing creditors from garnishing the salaries of officers or deputies; S. B. 53, creating a board of sinking fund commissioners.

The same committee reported Rep. Clifford's bill relating to the sale of liquor on credit, and Rep. Lamb's providing for a third district judge in Silver Bow, favorably. Rep. Hedges' bill reducing the legal rate of interest was indefinitely postponed by the committee and a substitute measure making the law applicable to judgements was introduced.

Bills were introduced as follows:

S. B. 59, by Norris, to create the office of assistant state land agent, fixing his salary at \$1,800.

S. B. 60, by Stanton, to define the meaning of the term "fellow servant" as applied to corporations and their employees, the bill providing that "Any person working for the company or corporation is a fellow servant with any person working for the same company or corporation, when he is not under the direction, orders or control of such other person, and any person authorized to direct, order or control any other employe of the same corporation is a vice-principal as to such other employe."

S. B. 61, by Norris, authorizing the governor to correct any errors in the deeds of lands conveyed to the state for the use of public institutions.

S. B. 62, by the committee on education, requiring school trustees to give notice of school elections and to post the names of candidates for school trustees at least five days before each election.

In the House.

The session Monday afternoon was not a very busy one. Notices of many bills were given, while the following were introduced:

By Stapleton, H. B. 115, relating to crimes against the public health and safety.

By Kelly, C. F., H. B. 116, relating to licenses.

By Truscott, H. B. 118, relating to bonds of county officers.

By More, H. B. 117, for the submission to the qualified electors of the state an amendment to the constitution relating to the qualifications of county superintendent of schools.

By Kuphal, H. B. 119, relating to the filing of affidavits showing that the actual work and improvements on mining claims has been done as required by the laws of the United States.

By Phelps, H. B. 120, to provide for the payment of interest on the bonds issued or to be issued pursuant to existing laws to aid in the establishment and maintenance of state buildings and institutions.

By Truscott, H. J. M. 2, relating to the Fort Peck Indian reservation.

A number of senate measures which had passed the upper body and come to the house for consideration were read and referred to the various committees.

Tuesday—In the Senate.

The senate transacted considerable public business this morning and took a recess until two this afternoon. After the opening formalities, Senator Myers introduced a resolution from residents of Ravalli county asking for the enactment of a law compelling the owners and managers of irrigation ditches to place screens at the head thereof to prevent the fish from following the ditches to their destruction. The committee on education recommended the printing of Myers' bill for the establishment of a state normal school at Hamilton. The same committee recommended concurrence in Representative Stone's bill establishing

free kindergartens. The stock growing committee reported favorably Hobson's bill providing for a tax levy for stock inspection purposes. In committee of the whole with Senator McKay in the chair the committee on education's measure in regard to employing teachers (S. B. 43) was referred back to the general file. Cullen's bill districting counties for the election of county commissioners was defeated by a close margin. Senate bill 70 has been reached, a measure receiving that number having been introduced by Senator Myers today. Thus far Senators Meyers and Stanton head the list as senatorial bill introducers. Senator Hannah introduced his bill changing the law in regard to county printing. Another bill that will interest newspapers was introduced by Senator Meyers. It requires the county treasurer to publish in the official county paper at least twice a year a verified list of the licenses collected. This law was in force before the codes went into effect.

Senator Anderson by unanimous consent was given permission to introduce a bill segregating a portion of Meagher county lying south of Stanford and attaching it to Cascade.

In the House.

Several petitions were read in the house this morning, one from residents of Carbon county protesting against the throwing of coal slack in streams and stating that through the carelessness of the Rocky Fork Coal company, Rock creek was in a lamentable condition, that much damage was being done to agricultural lands in the vicinity of Rock creek owing to amount of slack which accumulated in irrigating ditches; the statement was also made that fish in Rock creek were being rapidly exterminated for this same cause. The petition was referred to the proper committee and later Representative Johnson introduced a bill to prohibit the deposit of coal slack in streams. Two petitions, drawn up by residents of Ravalli county and East Helena respectively, urge the legislature not to repeal the anti-gambling bill. Residents of Sweet Grass county pray for a bounty of \$3 on coyotes and an increase of the bounty on gray wolves to \$5, recommending an additional assessment upon stockmen to pay the bounties.

The committee on incorporations and manufactures reported back H. B. 52, relating to the organization of building and loan and H. B. 70, relating to the sole corporations, with favorable recommendations. The judiciary committee reported a batch of bills with a recommendation that they pass. They were: 58, preventing officials with passes from drawing mileage; 57 preventing officers from drawing interest on funds in their care; 55, relating to interest on judgments; S. B. 32, relating to attachments; 56, relating to attachments; 56, relating to the diversion of county funds, introduced by Hedges, was indefinitely postponed.

A number of bills were reported back by the printing committee and placed on general orders. The bill extending the boundaries of Lewis and Clarke county was favorably reported.

Woods, without previous notice, introduced a bill. These bills were introduced:

By Sweeney, to purchase 800 maps for state and school purposes. By Potting, a bill in regard to county appraisers. By Johnson, to prohibit the deposit or dumping of coal slack or debris in the streams of water in this state.

By Day, relating to the supreme court, also, to cure defects in deeds and conveyances heretofore made to real property that are defective in execution or acknowledgment, and to cure defects in judicial sales of real property, and sales of lands and personal property by executors, administrators and guardians.

By Magee, relating to quarterly reports of county officers; also providing a penalty for taking up, riding and working horses, without due authority. By Hedges, relating to the collection of property taxes and providing for the sale of all real property to the state, upon which taxes have been delinquent.

By Bywater, relating to protection of game and fish, and issuing permits to hunt and fish in the state; prescribing penalties for violations and the provisions thereof, and enacting other provisions relating thereto, and providing penalties for violation thereof. By Woods, relating to teachers' institutes.

By Lamb, relating to licenses. By Ingersoll, to authorize and regulate the disposition of the property of mining corporations, and the protection of dis-senting stockholders.

A number of bills were read and properly referred.

Wednesday—In the Senate.

The senate session this morning was devoted chiefly to committee of the whole work, the passage of four bills and the usual routine. The committee on public lands recommended that senate bill 59, creating the office of assistant state land agent be printed. The following bills were introduced: By committee on election and privileges S. B. 72, appropriating money for the relief of J. E. Geiger. By Myers, S. B. 73, to require owners and managers of irrigating ditches to keep screens at the head of such ditches from the first day of August to the first day of December of each year. By McKay, S. B. 74 providing for the payment of delinquent taxes on personal property with county

warrants. By Geiger, S. B. 75 relating to the location of mining claims and fixing the boundaries thereof. By Gruwel, S. B. 76, to extend and define the boundaries of Yellowstone county and to alter the boundaries of Fergus county to conform thereto. By Phillips, S. J. M. 4, in relation to the pasturing of sheep and other live stock upon the forest reserves within the state of Montana.

Anderson gave notice of a joint memorial praying congress for a constitutional amendment providing for election of United States senators by direct vote of the people.

In the House.

The Rosebud county bill which was apparently killed in the committee on townships and counties which had the matter under consideration, was resurrected by the house at this morning's session, more than the required one-third voting to have the bill printed. Representative Maroyes presented several petitions signed by residents and taxpayers of Custer county asking that the segregation be made and that Rosebud county be established. The petitions were referred to the committee on townships and counties. Only one bill was introduced.

H. B. 123, by Coome, providing for the annexation of a portion of Meagher county to Cascade county and altering the boundary lines accordingly.

TO IRRIGATE ARID LANDS.

Senator Carter Proposes a \$5,000,000 Appropriation for Reservoirs.

Washington, Feb. 8.—Senator Carter has offered an amendment to the river and harbor bill appropriating \$5,000,000 for reservoirs and canals to conduct water from them to streams in the respective arid land states and territories. The sum is to be expended in construction and making surveys for canals, reservoirs and necessary improvements for the storage of the waters of the principal streams, the right of way for such and the sites of reservoirs, to be acquired when necessary by purchase, condemnation or otherwise.

By the provisions of the Carter amendment the United States is to encourage and facilitate the distribution of water stored in the reservoirs over the surface of the contiguous arid lands, but subject to laws, rules and regulations adopted by the legislatures of the several states and territories.

At a meeting of the Miners' union at Aldridge Wednesday night it was decided to order a strike and the next morning the full force of the Montana Coal & Coke company at Horr and Aldridge, consisting of 225 men, refused to go to work. The coal company had recently received a coal crusher, which has been put in position at their mines, and it was also their intention to close the mines for ten days and in addition reduce their force about ninety men, among whom were several leaders of the union. It has not yet been definitely stated what the grievances are, but it is thought to be because the leaders of the union were among those laid off.

The state of Montana has just made one of the largest bounty payments on record. State Auditor Poindexter has sent out warrants to the amount of \$59,888. This will pay bounty claims registered with the state board of examiners up to the first of last May. Even a larger call than that could have been issued, as some money has been received in the bounty fund since the state board of examiners allowed the claims to the amount named. The last monthly report of State Treasurer Collins showed that there was \$72,278.51 in the bounty fund. The amount in excess of the call will go a long way in insuring another call in a short time.

SPERRY BANKRUPTCY CASE.

The Stock Is Turned Over to a United States Marshal.

Sam Jackson, ex-sheriff of Sweet Grass county and deputy United States marshal, came down from Helena Tuesday morning and issued summonses on Sheriff Hubbard, forbidding him to sell the J. C. Sperry stock at mortgagee sale.

Mr. Sperry has been adjudged a bankrupt and the stock will be in the hands of the United States court until the creditors can meet and decide upon a trustee to sell the same. The creditors are notified to attend a meeting of the court of bankruptcy before S. A. Baillet, referee in bankruptcy, in Helena, on Feb. 20.

WILL HANG MARCH 17

W. C. Brooks Sentenced by Judge Loud This Morning to Be Executed.

HAD NOTHING TO SAY

Why Sentence Should Not Be Pronounced—Takes Sentence Calmly—Attorney Appeals Case.

William C. Brooks, who was found guilty of murder in the first degree on Monday, was brought before Judge Loud in district court this morning to receive sentence. The court room was crowded and the dropping of a pin could have been heard while the judge was pronouncing sentence. The court asked Brooks why sentence should not be passed upon him at this time, to which he replied: "I have nothing to say." Thereupon the court sentenced him to be hanged by the neck, until he was dead, the execution to take place within the confines of the jail yard on the seventeenth day of March, 1899, between the hours of 2 a. m. and 2 p. m. Brooks was not affected in the least by the sentence and returned to a seat near his counsel, with whom he commenced to talk and smiled several times. Shortly after he was taken back to the jail by Jailor Harding.

C. L. Harris as counsel for Brooks filed a motion in writing for a new trial, giving the following six reasons for the same, and at the same time served notice of appeal to supreme court to stay the execution:

First. Evidence received by jury out of court.

Second. Misconduct on the part of the jury, by which a fair and due consideration of case has been prevented.

Third. That the verdict was decided by lot and chance, and not by a fair expression of opinion on the part of all the jurors.

Fourth. Misdirection by the court to the jury in the matter of law, and errors in the decision of the court on questions of law arising during the course of the trial.

Fifth. That the verdict is contrary to the law and the evidence.

Sixth. Newly discovered evidence material to this defendant, and which he could not, with reasonable diligence, have discovered and produced at the trial.

Judge Loud has not as yet passed upon the motion for a new trial.

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Everything of the Latest and Nobbiest for Men's Wear.

HATS AND CAPS BOOTS AND SHOES

The Best Selected Stock in all Eastern Montana.

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