

The Billings Gazette.

SEMI-WEEKLY.

VOL. XV.

BILLINGS, YELLOWSTONE COUNTY, MONTANA, TUESDAY, APRIL 25, 1899

NO. 1

Watch for Our Spring Shoes

See Our "Little Giant" Line of
Children's and Boys' Shoes

Misses' and Children's Rubber Boots

ALL SIZES

John D. Losekamp

"Famous Outfitter."

PROFESSIONAL CARDS.

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

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

D. J. H. RINEHART,
PHYSICIAN and SURGEON.
Office in First National Bank building, Billings, Montana.

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

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

J. B. HERFORD,
ATTORNEY-AT-LAW.
Room 9, Belknap Block, - Billings, Montana.

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 8, First National Bank Building, Billings.

FIRST NATIONAL BANK

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.

YELLOWSTONE NATIONAL BANK

OF BILLINGS

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

A. L. BABCOCK, President.
DAVID FRATT, Vice-Pres.
G. A. GRIGGS, Cashier.
K. H. HOLLISTER, Asst. Cash.

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

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

Dealers in Foreign and Domestic Exchange

Billings Furniture and Carpet Co.

Grocery Department.

We will for the next ten days
sell all our 100-piece Dinner
Sets at 25 per cent Discount.

100-piece Dinner Sets at.....\$11.00
Less 25 per cent discount..... 2.75

88.25

100-piece Dinner Sets at.....\$14.00
Less 25 per cent discount..... 3.50

810.50

100-piece Dinner Sets at.....\$20.00
Less 25 per cent discount..... 5.00

\$15.00

100-piece Dinner Sets at.....\$18.50
Less 25 per cent discount..... 4.62

\$13.88

100-piece Dinner Sets at.....\$15.00
Less 25 per cent discount..... 3.75

\$11.25

100-piece Dinner Sets at.....\$22.50
Less 25 per cent discount..... 5.63

\$16.87

100-piece Dinner Sets at.....\$37.50
Less 25 per cent discount..... 9.37

\$28.13

100-piece Dinner Sets at.....\$42.50
Less 25 per cent discount..... 10.63

\$31.87

100-piece Dinner Sets at.....\$45.00
Less 25 per cent discount..... 11.25

\$33.75

Special Price Sale on Linens

BILLINGS Furniture & Carpet COMPANY

CLAIMS HE IS INNOCENT

Eli Fisher Makes Strong Representations to His Eastern Relatives.

LIFE WASSWORN AWAY

By Jim Calder. So He Says—Did Young Calder Do This to Save His Own Neck?

James Eli Fisher, who was recently convicted of murder in the first degree in Fergus county for taking part with Wm. Calder in the killing of Farquhar McKee, a sheepman, and his herder, Jack Allen, makes some very strong claims as to his innocence. He has succeeded in making a very favorable impression upon the editor of an Indiana paper printed in his native town, who devotes considerable space to the case and draws the conclusion that "western jury" has given the young man the worst of it because of the perjury of one of the witnesses. The Hoosier editor has evidently allowed his sympathies to run away with his judgment. The article in question appeared in the Wabash, Ind., Plain Dealer of April 16, and is as follows:

"Bent with age, haggard with grief and care, with despair stamped upon every feature of his countenance, Calvin Fisher of Treaty came to Wabash yesterday to seek aid to enable his son, James Eli, convicted of murder in the first degree at Lewistown, Mont., to secure an appeal to the supreme court.

"Calvin Fisher is a poor man and earns by the hardest toil a scanty livelihood on a little farm in Liberty township, but he is an honest man and is respected by all his neighbors, who are disposed to aid him as far as lies in their power.

"The story of the crime and the trial of young Fisher, who is but 21, has been briefly related, but the story of young Fisher, now immured in a Montana jail, which has not been published, bears the impress of truth, and if it is true, then it is clear that he is innocent and that the vengeance of the law will strike down a man guiltless of the atrocious crime of which the western jury has convicted him.

"Under date of April 1, and just after the jury had agreed on a verdict of murder in the first degree, and before his sentence, Eli writes his venerable father here as follows:

"Dear Father: It is with grief that I grasp the pen to inform you that my trial is over. I told the truth from beginning to end, but as I am a stranger here and have no friends, my word was discarded by the jury and they believed one whose statement was false because he knew most of the prosecuting witnesses. They swore to lies to favor him. Jim Calder, the youngest of the brothers, swore that I killed the sheep herder and his brother Bill killed the owner of the sheep. He said on the witness stand that he saw his brother kill the owner, but he said he did not see me kill the herder, but saw me take his brother's gun and go in the direction of the herder, and in a short time I came back and told him I had killed the herder, whose name was Jim Allen. I will write you all of the evidence, as the Argus has it, and I will see the editor today and if he has not sent you a copy I will do so. The jury in my case was out fifty-four hours before reaching a verdict, agreeing last night about 10 o'clock, when it pronounced me guilty of murder in the first degree. Now, father, don't worry about me, for I am not guilty of this terrible crime. My sentence will be passed at 7:30 tonight. My lawyer, Mr. Blackford, will move for a new trial. I am satisfied that he has done all that is in his power for me, and will do more. No, father, as I told you, rest as easily as you possibly can, as I am not guilty of the crime I am charged with, and am in as good cheer as I was before the trial, because I know that I am innocent, and that if I am misjudged here on this earth I know that I will be judged right when we are all judged according to our deeds. Don't think that I have forgotten that I have an angel mother, who is watching over me, and knowing that, would take part in such wrong doing as I am charged with.

"But I have not yet banished all hope. I don't think I will get a new hearing from the court I was tried by, but Mr. Blackford says it won't take such an amount to carry it to the supreme court. He said he would write you to try and see what could be done. I received a letter from Aunt Ann yesterday saying they would be willing to aid me, but didn't say how much, but I think they and Uncle Charley will do a good part. I am going to write them and see what they will do. So goodbye. Answer as soon as you get this. From your loving son,

"James Fisher."

"When Mr. Fisher received this

letter, confirming his worst fears, he was almost crushed by the awful blow. All the money he had or could obtain was \$15, and this amount he hastily sent the unfortunate boy, and he is now bending every effort to raise more. He is firmly convinced that his son is not guilty, and points to the list of jurors in the case published in the local paper, which gives the names and occupations, as proof that his son was convicted by the ranchmen, who are prejudiced against him.

"The attorney for the young man wrote April 8, the letter arriving yesterday. He expressed the belief that Eli is innocent, and says the jury at one time sent word to the presiding judge that it could not agree. On the first ballot there were six for acquittal and six for conviction. Then one was brought over to vote for conviction, and after a day's wrangle the other five were driven. He says: 'I moved at the proper time for a postponement of the trial, setting up as a reason thereof the taking of depositions of the persons whose names you sent me. Under the law of this state the moving party has got to state the evidence he will produce by the witnesses named, and if the opposite party will admit that the persons named will testify to such facts then the motion for continuance is overruled and the trial proceeded with. It is just what was done in this case, and explains why the trial was held this term. I used every effort to clear the boy, but the feeling is so great here that it overrode calm and considerate reason. The boy should never have been convicted, even though James Calder, a party implicated, turned state's evidence. Both the attorney general of the state and the county attorney conducted the case against me, I alone being in the trial.'

"The attorney, proceeding, says that he is confident the verdict can be set aside on appeal, but it will take money and a lawyer at the state capital must be employed to conduct the case before the supreme court. He wishes to know what will be done, and in conclusion says that while young Eli is sentenced to be hanged, with William Calder, on May 12, the governor will order a stay until the case can be reviewed by the supreme court.

"The local paper at Lewistown publishes a report of the trial and rather inclines to leniency for the boy, denouncing the treachery of James Calder, who betrayed his brother and furnished the evidence for the conviction of young Fisher.

"Young Fisher, whose life will probably end on the gallows in less than a month, left here last fall for the state of Washington to take a claim. On his way west he fell in with Bill and James Calder, who, Calvin Fisher says, are hardened criminals, and at their suggestion the murder of the sheep owner and herder was planned. Fisher has repeatedly claimed that he harmed not a hair of the victims, and that after the Calders committed the crime they would not permit him to leave for fear he would report to the authorities.

"Eli stood high in this community when he left, and in Howard county, where his boyhood was spent, he was regarded as a model youth."

ARE RESPITED.

Governor Grants Postponement of Execution of Calder and Fisher.

William Calder and James Eli Fisher, who were convicted of murdering Farquhar McKee and John Allen in Fergus county and sentenced to hang May 12, were granted a respite yesterday by Governor Smith.

The governor allowed them until the 5th of June to prepare their appeal to the higher court. This action on the part of the governor was necessary because the codes do not permit the lower court to grant a stay of execution pending the hearing of a motion for a new trial. Judge Dubose when sentencing the two men to hang on May 12, recently addressed the governor asking that a respite be granted as he would not have an opportunity to hear their motion for a new trial before May 20. Their counsel also asked for the stay.

CANNED HORSES

Will Soon Be a Regular Product of North Dakota.

Arrangements are being made to open up a large plant in North Dakota this summer for the purpose of curing and canning horse meat, says the St. Paul Dispatch.

S. L. Moore, general freight agent of the Northern Pacific, returned today from the live stock meetings at Dickinson, N. D., and Miles City, Mont., where the new industry was discussed with much interest.

It is now proposed to again open up the Marquit de Mores establishment at Medora, and a stock company is being organized at Miles City, Mont., to operate the plant.

Horses for slaughter will be brought from Idaho, Montana and Washington, where thousands are now running wild on the reservations and of little value to anyone. One ranchman offered to furnish 40,000 ponies from these reservations at \$1 per head. The owners of the pasture lands have agreed to accept stock in the company in return for horses, so that a comparatively small amount of cash will start the enterprise.

FELL FACE TO THE FOE

Colonel Stotsenberg Killed While Leading a Charge at the Head of His Men.

ANOTHER HARD BATTLE

In Which American Loss Was Heavy. Nebraska Regiment Bore the Brunt of It.

Manila, April 23, 9:30 p. m.—In an encounter with the Filipinos today near Queguena, about four miles northeast of Malolos, seven Americans were killed and forty-four wounded. The following were killed:

Col. John M. Stotsenberg of the First Nebraska, formerly of the Sixth cavalry.

Lieut. Lester F. Sisson.

Two privates of the Nebraska regiment.

Three privates of the Fourth cavalry. Most of the wounded belong to the First Nebraska regiment. The Filipinos retreated with small loss.

9:30 p. m.—The engagement developed into a disastrous, though successful, fight. The insurgents had a horseshoe trench about a mile long enclosing a rice field on the edge of a wood. Major Bell with forty cavalrymen encountered a strong outpost. One of his men was killed and five wounded by a volley. The Americans retired, carrying their wounded under fire and with great difficulty, being closely pursued. A fog enabling the enemy to creep up to them. Two men who were carrying a comrade were shot in the arms, but they continued with their burden. Major Bell sent for reinforcements to rescue the body of the killed cavalryman, and a battalion of the Nebraska regiment under Major Mulford arrived and advanced until checked by volleys from the enemy's trenches. The Americans lay about 800 yards from the trenches behind rice furrows, under fire for two hours. Several men were struck, one dying from the effects of the heat as they lay there waiting for the artillery to come up.

Finally the second battalion arrived and then Colonel Stotsenberg, who had spent the night with his father at Manila, came upon the field. The men immediately recognized him and raised a cheer. Colonel Stotsenberg, deciding to charge as the cheapest way out of the difficulty, led the attack at the head of his regiment. He fell with a bullet in his breast, dying instantly about 200 yards from the breastworks.

Lieutenant Sisson fell with a bullet in his heart, the bullet striking him near the picture of a girl suspended by a ribbon from his neck.

In the meantime the artillery had arrived and shelled the trenches. The Filipinos stood until the Nebraska troops were right on the trenches, and then they bolted to the second line of trenches, a mile back. The Nebraska regiment lost two privates and had many wounded, including two lieutenants. The regulars had several wounded. The Utah regiment had one officer and three men wounded. Thirteen dead Filipinos were found in the trenches. Their loss was comparatively small on account of their safe shelter. The Americans carried the second trench with small loss and are holding the town tonight.

During the afternoon the troops crossed the river. Generals MacArthur and Wheaton, with the Montana regiment advanced to the left of the railroad and the Kansas regiment moved forward to the right north of Malolos. They had with them a long supply train with two armed cars in front carrying two Gatling and Colts rapid-fire guns and the six-pounder.

The insurgents attempted to destroy the bridge outside of Calumpit and succeeded in badly warping the iron work. As soon as the soldiers left the Filipino capital the natives began flocking in as they did at Santa Cruz before the last boat of General Lawton's expedition had sailed. Our army is compelled to abandon all towns when an onward movement is commenced because of insufficient men to garrison them.

W. R. Longford, sheriff of Butte county, Neb., presented to Governor Smith this week a requisition from the governor of Nebraska for W. A. Hilton, who is wanted to answer to the charge of disposing of mortgaged property valued at about \$600. Hilton is now under arrest in Kalispell. Sheriff Longford says that after selling the property, which consisted of some horses and harness, and coming to Montana, Hilton wrote back to friends in Nebraska asking how the parties who bought the property liked it. This of course led to his location and arrest. He is a farmer.

Colonel Stotsenberg has won a reputation as one of the bravest fighters in the army; he always led his regiment, and had achieved remarkable popularity with his men since the war began, although during his first colonelcy the volunteers, who were not used to the rigid discipline of the regular troops, thought him a hard officer.

The loss of the Nebraska regiment in the campaign is the greatest sustained by any regiment, and today's disaster has greatly saddened the officers and men, who promise to take fierce vengeance in the next fight.

Heavy American Loss.

The following dispatch was received at the war department late this evening:

Manila, April 23.—Adjutant General, Washington: Casualties at Queguena today:

First Nebraska—Two officers and two enlisted men killed. Two officers and twenty-six enlisted men wounded.

Fourth cavalry—Three men killed and five men wounded.

Fifty-first Iowa—Five enlisted men wounded.

Utah light artillery—One officer and two enlisted men wounded.

Total forty-nine. Names in the morning. Otis.

ANOTHER BATTLE PROBABLE.

Filipinos Are Strongly Entrenched, But Americans Are After Them.

Manila, April 24, 7:30 p. m.—General MacArthur's division left Malolos today, apparently intending to besiege Calumpit.

General Hale at 4 o'clock this afternoon had crossed the Bagbag and had reached a position a quarter of a mile from Calumpit, thus commanding the ford. Prisoners captured by Hale's troops say Aguinaldo, General Luna and the Filipino staff are at Calumpit with a great force of Filipino troops.

7:40 p. m.—Before daylight the Fourth cavalry with three guns belonging to the Utah battery, the Nebraska regiment and the Iowa regiment under Hale were proceeding in the direction of Kalicuchua where the Bagbag (Tigabud) is fordable but commanded by trenches.

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THE

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CLOTHING AND FURNISHINGS

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

HATS AND CAPS BOOTS AND SHOES

The Best Selected Stock in all Eastern Montana.

The Linton Clothing Co.