

Butte Department.

WAKE UP JIM LEASE

The Receiver Will Remain in Possession, Says the Court.

BRAY SAYS IT DOESN'T PAY

Professor Hendricks Holds That the Mine Would Pay If Properly Worked—The Mountain Chief Injunction Case.

A lot of litigation over mining matters took up the attention of the district court yesterday. The trouble between J. P. Hendricks and Edwin Bray and others over a lease on the Wake-Up-Jim came up for a hearing before Judge McHatton yesterday morning on a motion of the defendant to dissolve an injunction and to set aside the court's order appointing a receiver to take charge of the property under the lease, because, as Mr. Hendricks claimed, his copartners tried to freeze him out and did not work the mine to good advantage.

Mr. Bray said in his testimony that if conditions of the lease had to be complied with anyone could have his interest in it, but he said the conditions would be modified if Hendricks were out of it and then the others might make day's wages out of it. Mr. Hendricks, he said, had not been deprived of 1 cent's worth of the profits, because there were no profits. They did not keep him from working on the lease, but he had voluntarily quit. Mr. Bray said they wanted the receiver removed because the mine did not turn out enough to pay the receiver's salary.

"You say if the lease is not modified, anyone can have your interest?" asked Mr. Leonard on cross-examination.

"Yes, you can have it. I don't want it. After Hendricks had drawn out of the lease his partners offered him another chance to come in, but he refused and went around and notified the assayer and hardware men that he would no longer be responsible for debts incurred on account of the partnership. Did you not threaten to do Mr. Hendricks bodily harm if he came around the mine again?"

"No, I did not threaten to, but I felt like it."

"Did you not say in Mr. Cobban's office that you would kill him if he interfered with the lease?"

"No, I said if he got the best of me I would also get the best of him."

Mr. Waters testified that he had made a proposition to Hendricks to put in \$1,000 each to develop the mine, but he had declined the proposition.

Professor Hendricks testified that they took charge of the lease some time in November, 1894, and he represented his interest by payments in money towards the expense and later put on a man until Nov. 16, 1895. Then he learned that his partners were not working the mine properly and that they were playing a freeze-out game against him. After that he visited the mine every day. Mr. Hendricks said he paid for supplies and expenses up to January of this year. He never refused to have anything to do with the lease, and on the contrary told his partners, and he would stay with it to the end and put in his \$100 a month. He said the mine could be worked to a profit if 12 or 13 men were put to work on a shift. Mr. Hendricks said he had experience in mining and he considered the mine dangerous, caused by the fact that the work was done too slowly, only four men working eight hours a day. He was always ready to pay his share of the expenses if a sufficient number of men were employed to work the mine properly.

Thomas Moffett and several miners testified that there were several large bodies of ore in sight in the mine at present, but they did not know its value. A man named Lavell said he had been told only a few weeks ago by Waters to offer Hendricks \$300 for his interest in the lease. Several witnesses testified that if the mine could be worked at a profit with one shift it could be worked with greater profit with more men.

Judge McHatton, after hearing the evidence, concluded there was sufficient justification for leaving the receiver in possession, though he said he would not attempt to express an opinion as to Mr. Hendricks' interest in the lease. He also said it was a well-known fact that if a mine could be worked profitably with one shift it could be worked to still better advantage with more.

Mr. Cotter, the defendant's attorney, then asked for a speedy trial and Mr. Leonard said he was not opposed to it. The court said the case could be set March 23, but the date was not decided on.

The partition and injunction suit of Silas F. King against A. P. Heinze, F. Aug. Heinze, the Montana Ore Purchasing company and others was on hearing before Judge McHatton yesterday afternoon on application of the plaintiff for a temporary injunction to keep the Heinzes from working the Mountain Chief mine in which the plaintiff owned a third interest. John F. Forbis appeared for the defendants. Arthur P. Heinze filed an application to have the case removed to the supreme court on the ground that Heinze was a non-resident of the state. Mr. Scallon, counsel for the plaintiff, opposed the application and said it was not a proper case for removal and the application was a sham. Heinze had not yet been served in the case and Mr. Scallon asked that the hearing proceed as to F. Aug. Heinze and the Ore Purchasing company. A lot of decisions were cited by Mr. Forbis and a lot of arguments made, after which the court ruled to the effect that the United States court might decide the question of removal for itself, but he would go on with the hearing on injunction. Mr. Forbis declined to make any further appearance and the temporary injunction was granted upon the filing of \$5,000 bonds.

signed block of stock. The company's capital stock is 300,000 shares of \$2 each, and May 1, 1894, he purchased for \$750, 1,500 shares from Fred Sherman, and sent the certificate to the St. Louis office to have a formal transfer of the stock made. The officers kept the certificate and refused to make the transfer. The value of the stock is \$1,125 and there have been dividends to the value of \$150 declared and he asks judgment against the company for \$1,275, and that he be decreed the owner of the stock.

Joseph H. Harper also brought suit against the Combination company, and in his complaint alleges that he is the owner of 11,700 shares of stock and that, on Dec. 2, 1895, a dividend of 10 per cent was declared. All the other stockholders were paid, but he was left out and he wants judgment for \$1,170. Howell and Harney are his attorneys.

The case of the Anaconda company against the Butte & Boston, involving the Wild Bill property, had been set for hearing before Judge Speer yesterday afternoon, but the attorneys in the case announced that neither side was ready to take it up, and the matter was indefinitely continued.

Newbro Drug Co. received an order yesterday from Honolulu for 25 gross of Newbro's witch hazel. It is a good thing. Push it along.

THE MARKETS.

New York, March 7.—The feature of today's stock market was marked activity, attended by pronounced weakness in tobacco. Closing was dull and firm.

Stocks and Bonds.

Table with columns for stock types (U. S. new 4's, U. S. 4's, U. S. 5's, etc.) and their corresponding prices.

Money Market.

Money easy at 4 per cent; sterling exchange steady at 4.87 1/2 @ 4.88 for demand and 4.80 @ 4.87 for 60 days.

Metal Market.

Silver, 68 1/2; pig iron, easy; copper, easy; broker's price, \$11; lead, steady; broker's price, \$3.05.

CHICAGO MARKETS.

Live Stock.

Chicago, March 7.—Cattle—Good heavy beefs have sold well this week, as exporters are buying that class freely, but the demand for such beefs will slacken up with the advent of warm weather. Native cattle of the best grade are about 1 1/2 to 2 cents lower than a year ago. Quotations: Fancy beefs, \$4.50 @ 4.65; common to prime steers, \$3.30 @ 3.50; stockers and feeders, \$2.75 @ 3.75; bulls, cows and heifers, \$2.50 @ 3.50; veal calves, \$5.25 @ 6.25.

Chicago Wheat Market.

A drop of 1d in wheat futures at Liverpool and 1,184,000 bushels shipped from Argentine last week continued yesterday's weakness in wheat here when trading commenced. Another fact which demoralized the friends of wheat was the Corn Trade News' report, showing that European stocks had decreased only 300,000 bushels during February, against 16,000,000 bushels decrease during January.

Chicago General Market.

Close—May wheat, 65 1/4; corn, 30 1/4; oats, 20 1/2; pork, \$9.07; lard, \$5.37; ribs, \$5.75. Receipts: Wheat, 36,000 bushels; corn, 257,000 bushels; oats, 279,000 bushels.

Boston Mining Stocks.

Boston, March 7.—Boston & Montana, 70 1/2; Butte & Boston, 14.

London Wool Market.

London, March 7.—At the wool auction sales today 13,241 bales were offered, 700 were withdrawn. Today was the strongest sale and the selection offered was the best so far of this series. There was large buying by the continent. The American buyers bought sparingly, their purchases up to date aggregating 2,000 bales.

Condition of the Treasury.

Washington, March 7.—To-day's statement of the condition of the treasury shows: Available cash balance, \$261,611,554; gold reserve, \$126,172,854.

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HE WAS MISQUOTED

Mayor Thompson Didn't Say It, Not in His Whole Life.

ONE WORD HE DOES NOT USE

The "Standard" Gave the Only Correct Report of the Council Proceedings—A Sensational Charge From Basin.

Mayor Thompson does not feel pleasantly toward the newspaper men on account of the roasts he received in some of the papers in connection with last Wednesday night's council meeting. "I think I ought to have fair play," said the mayor, "merely for politics, I should not be accused of things of which I am not guilty. Both the Miner and the Inter Mountain attributed language to me in that council meeting which I did not use. I did not use the word 'damn' at all. I never swear and I never used that word in my life. Furthermore Alderman Byrne did not call me a liar. Yet both the Miner and Inter Mountain attribute profane language to me and say that Byrne called me a liar. The Standard's report of the council meeting was absolutely correct. The Standard did not attribute language to me which I didn't use. I intend to find out at the next council meeting whether reporters are to be allowed in the meetings who report the proceedings incorrectly, if not maliciously. The meeting was had enough without exaggeration; and it is a great injury to me and a scandal to Butte to have it sent out over the country that the mayor swore and that one of the aldermen called the mayor a liar. I would have nothing to say if it were true, but it was not true. The Standard is deserving of thanks for giving the only correct report of the proceedings of that meeting. I intend hereafter to see that order is preserved in the council meetings and that no personalities are used. No matter how great a row may be caused, I shall not again permit personalities to be used by any alderman."

The Basin Times of yesterday contains a rather sensational charge in an editorial headed "In Batches of Three—\$750." It refers to the charges of aldermen being bribed for \$25,000 in Helena and for \$20,000 in Anaconda, and says:

"Twenty thousand dollars or \$25,000 is not a high figure when the risk is taken into consideration. Both sums are ridiculously too low but to compare with other localities, even if an Anaconda alderman's vote could not command the regulation price, Butte aldermen, it has been reported, have made a horrible cut in prices. The standard price per alderman is \$25,000 in Helena, \$20,000 in Anaconda, and it is said that Butte aldermen can be purchased in batches of three for \$750. Now, if such be a fact, we blush with shame at the ridiculously low price and it prompts the assertion that Butte aldermen are indeed a very low priced commodity. It is to be hoped if there is anything in the above intimation it will be investigated and the full facts be brought to light. A Standard reporter asked Mayor Thompson yesterday about this charge in the Basin Times. The mayor said there was not a word of truth in it.

Ask any well informed lady what she thinks of Newbro's witch hazel cream for the complexion.

HOTEL REGISTER.

The Butte—S. I. Davis, T. D. Wooley, Joe Gardner, New York; F. T. Kingman, C. P. Holmes, Minneapolis; H. Van Euden, Milwaukee; J. J. Oliver, St. Paul; Julius Reiss, V. G. Samuels, H. H. Shultz, F. E. Miller, Chicago; F. C. Goddard, Milwaukee; J. D. Ryan, J. B. Reynolds, Denver; A. Zuckerman, F. Blackman, J. C. Dommig, G. H. Young, San Francisco; C. E. Dobson, J. A. Dunlap, J. S. Hickey, A. M. Lavin, Anaconda; G. S. Oliver, G. H. Grace, Livingston; C. Cox, J. Walsh, Bozeman; S. Brice, Virginia; O. E. Beach, Detroit; W. C. Lawrence, Portland; J. W. Young, Salt Lake.

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To the Public.

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Another War.

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THE SENATOR.

By the common consent of theater-goers, The Senator is one of the best plays to which the Butte public has been treated this season; and by the common consent of those who buy groceries, The White Front Grocery is one of the best establishments in the city to buy in, for the reason that the purchaser gets 100 cents' worth of value for every dollar expended. The popularity of this establishment is not due to startlingly low prices now and then made, but to the full, fair and honest values at all times given. When in need of groceries look for the White Front, 308, 310, 312 N. Main street.

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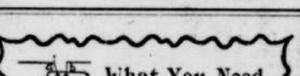
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