

IN POLICE COURT

How Officer Walsh Prevented a Tragedy.

MRS. TOOMEY'S MONEY

Causes More Trouble And Several Arrests—Santiago Hero Discharged.

George Boombach will depart for the hills of Granite county to-day sadder by reason of having been separated from his money and wiser in affairs of the heart than he was when he came to town. And he will also have some good advice for the hill boys as regards the laws of Butte relating to the carrying of concealed weapons. Boombach came to town with his heart on his sleeve, a big six-shooter in his pocket and with money to burn. The heart and six-shooter got him into the meshes of the law, and he paid \$10 in police court this morning.

Soon after his arrival he met Grace Howard, a Casino variety girl, and in Grace's experienced hands was wax to be moulded at her will. He bought wine and other tokens of affection, and in return Grace promised to go back with him to Granite county as Mrs. Boombach. The promise was held good as long as his money lasted, which was until Saturday night. Then Grace told him that she was a married woman, and Boombach told a friend that he proposed to kill her and commit suicide. The friend told Officer Tom Walsh of the trouble and the officer arrested Boombach and put him in jail.

The troubles of Dominick Toomey and his sisters-in-law, Miss Della Pitts and Mrs. Ann Garrity, over Mrs. Toomey's property, will receive another airing in Judge Sullivan's court to-morrow afternoon. By the court this morning, Toomey's will, her husband was to receive the furniture of the lodging house at No. 127 East Park street. A few days ago the sister-in-law secured a lease on the lodging house, and Saturday Toomey proceeded to remove the furniture. At the instance of the sisters Toomey was arrested. When Toomey was taken away to jail he left Frank Ryman in charge. Ryman, after a wordy war with the women locked himself in the office of the lodging house. The women proceeded to bombard the office with flower pots, one of which passed through the glass door and was stopped by Ryman's nose. Ryman capitulated, and leaving the women in possession went to the police headquarters and caused the arrest of Miss Garrity. He accompanied the officer to the jail and was himself arrested. The trio pleaded not guilty and the cases were continued until to-morrow afternoon.

Mr. and Mrs. John Estenson pleaded guilty to creating a disturbance on East Galena street and were fined \$10 each. It seems that Mrs. Estenson had small faith in her husband and did a little detective work Saturday night. She caught him coming out of a house of ill fame, and was proceeding to mete out punishment to him in her own way when Officer Walsh came along and arrested both.

Luke Frances Brennan was arrested yesterday on a charge of drunkenness. Later Jailor Tom Boyle, who can tell a sailor or a soldier as far as he can see the white of an eye, learned that the prisoner had served as assistant engineer on the battleship Indiana, and had done his share towards winning the great naval battle of Santiago bay. Mr. Boyle lost no time in communicating this information to Chief Lavell, who promptly ordered Brennan's release.

M. W. HATCH DEAD.

Morton W. Hatch, a newspaper man, well known in the eastern part of the state, and who has been a resident of Butte a little more than a year, died at his home in this city yesterday, of pneumonia. He was about 33 years of age, married, and leaves a family of three children. The deceased founded the Big Timber Pioneer, and until about a year ago was one of the publishers of the Townsend Star. Until recently he was connected with the Western Mining World in an editorial capacity.

JOHN MCCOY DEAD.

John McCoy, a well known contractor of the city died yesterday at his home at No. 12 North Montana street from pneumonia. He had been ill but a few days. The deceased was a native of Cork, Ireland. He came to America in 1857, locating first in Dubuque Iowa. In 1859

Groceries

THE WHITE FRONT GROCERY is ever bidding for your trade. It aims to please both in goods offered and in prices asked. Here is a list of Canned Goods that are a decided bargain:

- 1 doz. cans Standard Corn \$.90
- Per can 15c, 5 cans 25c.
- 1 doz. cans Casino Corn 1.50
- Per can 15c, 7 cans \$1.00.
- 1 doz. cans Standard String Beans... .90
- Per can 10c, 3 cans 25c.
- 1 doz. cans Casino Beans 1.50
- Per can 15c, 7 cans \$1.00.
- 1 doz. cans No. 3 Eastern Tomatoes... 1.25
- Per can 12 1/2c, 9 cans \$1.00.
- 1 doz. cans Casino Tomatoes 1.65
- Per can 15c, 7 cans \$1.00.

FRUITS

No. 2 Eastern Cherries, Plums, Raspberries, Strawberries and Gooseberries.

- 1 doz. cans Standard Fruit 1.50
- Per can 15c, 7 cans \$1.00.

Should these prices be an inducement, we will be pleased to have you visit us.

THE WHITE FRONT GROCERY
220 N. Main St. Phone 185.
Thos. F. Courtney.

he came to Butte and has since resided here, following the occupation of contractor, several of the big blocks of this city having been built by him. He leaves a widow and son who reside in Butte and two sons and a daughter who live in Iowa. The remains will be shipped for burial to Dubuque.

ANXIOUS TO DIE.

Mrs. Phillips, a young widow, attempted suicide at the Butler house last night by swallowing an ounce of laudanum. The woman is only about 22 years of age. Her husband died only a short time ago and left her without means of support. She secured employment as a cook at the Butler house, and, dependent over the loss of her husband and her menial position, attempted to kill herself.

About 1 o'clock last night another employer of the same house entered Mrs. Phillips' room and found the woman unconscious. On the table stood an empty bottle labeled laudanum. Dr. Leggat was called, and after working over the woman several hours succeeded in saving her life. She is entirely out of danger.

A SERIOUS ACCIDENT.

James Cooney, a miner employed at the Nipper mine, operated by the Montana Ore Purchasing company, was severely injured about 4 o'clock yesterday afternoon while at work on the first floor of the 500-foot level, west. Cooney was squaring for a set of timbers when a mass of ground weighing about 200 pounds fell from the back on Cooney, striking him on the side and back. Cooney was removed to his home in Dublin gulch. His injuries are quite serious, but hopes are entertained for his recovery. He is a married man and has resided in the camp for several years.

JOHN MCAULAY DEAD.

John McAulay, a veteran of many campaigns in foreign climes, died Saturday at his home in Helena. He was 41 years of age and leaves a wife and two sons in that city, where he had resided for about seven years. His brother, Alex. McAulay, a resident of Butte and an American comrade who served with him in the British army are scattered all over the state.

McAulay entered the British army at the age of 18 years, being assigned to the Scotch regiment of the guards and later attended the Woolwich military school, where he received a military education. He took part in the siege of Alexandria and went through the Egyptian campaign, through the Sudan wars and the Nile expedition. He was the possessor of many medals, received for distinguished services. He was presented with a bronze star by the khedive of Egypt.

After his services in Egypt and South Africa he returned to Scotland, and later came to the United States.

IT RAISED HIS IRE.

Among a lot of Filipino curios exhibited in the window of the Blunkin pawn shop on North Main street, Saturday, was a priest's vestment. The garment, according to the story of the street, was taken from a Filipino priest who had been killed by a Montana soldier. The exhibit in consequence attracted much attention.

Sunday morning a miner, who had been raised by the story, walked into a near-by saloon and securing a heavy bottle went to the window and threw the bottle through it, smashing it to fragments, and in the excitement that followed the bottle managed to escape.

Mr. Blunkin called at the Inter Mountain office today and stated that the vestment was removed from the window several days ago, and that the police officer on that beat made no effort whatever to apprehend the man who committed the outrage. The damage will amount to about \$50.

"COON HOLLOW."

A large audience witnessed the opening performance of "A Romance of Coon Hollow," at the Grand last night. Miss Madge Neal's portrayal of Clyde Hays, and the mountain girl whose affections are scorned, was very clever. The work of Stanley Johns and Miss Lydia Dickson was also excellent. The show is a pleasing one, and there are a number of successful specialties. "Coon Hollow" will be repeated to-night and to-morrow night. Wednesday afternoon the company will produce "Foggy Ferry."

THE OLD AND THE NEW.

Headquarters Lincoln Post No. 2, G. A. R., Butte City, November 6, 1890. Greeting: From the old boys of 1861 to 1865, to the boys of 1888-90.

All old and entitled men of the First Montana United States volunteers residing in Silver Bow county are cordially invited to meet the members of Lincoln Post No. 2, G. A. R., on November 11, at 8 p. m., when the doors will be thrown open for refreshments and a smoke.

All members of Lincoln Post will report at 7:30 p. m.

S. H. ALMON,
W. H. BLACK,
H. N. BEERLE,
J. H. JACKSON,
Committee on Arrangements.

KEMMERER COAL.

Contains the greatest amount of heat and least ash of any coal in the Butte market. Try it and be convinced. S. J. Kemmerer & Co., agents. Also dealers in all other kinds of coal and wood, dry wood, 47 East Broadway. Phone 538.

NEW TRAIN TO CALIFORNIA.

Another cut in time via the Short Line. Another cut in all California points. This house the quickest route to Los Angeles; 22 hours the quickest route to San Francisco.

OR RENT—ON THE WEST SIDE, 7-Modern House, all modern conveniences. Electric lights throughout, splendid bath, newly and handsomely papered. Apply at 221 Excelsior avenue.

WELCOME CASE STARTS

Arguments as to the Methods of Procedure.

VARIOUS POINTS ARGUED

Court Decides That Whitesides Must Furnish Full Particulars.

IT COMES UP TOMORROW

And Unless Something Happens the Case Will Go to Trial—Supreme Court Renders Decisions in Several Cases, Two of Which Were From Butte.

Special to the Inter Mountain. Helena, Mont., Nov. 6.—No progress was made in the Wellcome disbarment proceedings before the supreme court today, the morning being devoted to arguments between respective counsel as to the methods of procedure, after which an adjournment was taken until to-morrow morning, when unless some unforeseen contingency arises the famous case will be heard.

There was an unusual crowd of spectators in the court, the gallery being opened for the first time in years. Owing to the non-appearance of William Wallace, chief counsel for Wellcome, who was engaged in the United States court, the proceedings did not commence until eleven o'clock. From then until noon Wallace and Nolan, as friend of the court, argued various points that arose from requests made by Wallace in his client's behalf.

Wallace opened the argument by making a formal demand that the accused, who was being tried for felony, be tried by a jury of his peers. The court overruled the demand stating that a reference character could be heard by a referee or by the court. Wallace said that as there was no appeal from the order an exception was unavailing but the accused would protest against the order. The objection Wallace raised was that the accusation lacked specific elements common in ordinary criminal proceedings, the elements of time, place and amount claimed to have been paid in the alleged bribery being lacking. He argued that the charges were too general and should be made more specific, also that the accused was entitled to the right of having more of an inkling of what it was proposed to prove.

The common general argument against giving such information in advance and the court after considering the matter held that the request of the accused was not just and that the accuser (Whitesides) must furnish the accused a bill of particulars including names, times, places, and amounts with proof which would be offered under the entire charge. The attorney general said he could furnish the same about four or five o'clock. The court made the necessary order qualifying it in some particulars. The disbarment proceedings will be resumed tomorrow morning. Many members of the legislature and 100 well known attorneys of states were present and followed the arguments. It is apparent that E. C. Wallace, E. C. Day, F. E. Corbett and J. B. Rouse, counsel for the accused, propose to fight determinedly every inch of ground and that the disbarment proceedings will develop into the biggest thing before the court since the famous R. & M. receivership.

The court denied the application of the Independent Publishing company for a mandamus to compel Judge B. P. Smith of Flathead county to show cause why he had not granted the motion of the defendant in the libel suit of Whitesides against the Independent for a change of venue to this county, holding that a mandamus is not the proper proceeding.

The court dismissed the appeal of the defendants in the case of the Washoe company vs. Hickey and others from the district court of Silver Bow from an order made in injunction proceedings instituted by the plaintiff to prevent the defendants from entering the Oden ledge claim.

The ruling of the district court of Deer Lodge was affirmed in overruling the motion for a new trial in the case of the State against Charles Shephard, convicted of murder in the second degree in killing John Benson in Deer Lodge county. He will have to serve his life sentence.

The judgment of the district court of Lewis and Clarke was affirmed in the case of the Montana Mining company, against the St. Louis company, an action to recover damages under an undertaking on appeal.

RECEPTION BADGE SALES.

The badge committee of the soldiers' reception reports the following sale of reception committee badges:

City store sale	\$1,221.00
Outside sales	147.00
Railroad sales	251.00
Sold by ladies	1,023.55
Total	\$3,561.55

There are 123 badges outstanding.

MINING BRIEFS.

Lake copper is now quoted at 17 cents. Buyers remain cautious and refuse to buy even at these figures, evidently expecting a further decline. The exports of copper for October were 10,200 tons. Montana Coal and Coke is now quoted at \$10 per share. It is said that current earnings exceed \$14,000 per month. An output of 1,000 tons for 60 years is assured. The coal field of the company is

at Horr and the total coal producing territory owned, leased and controlled is 340 acres.

It is reported that the Glass brothers of Basin, who owned a one-third interest in the Homestake mine, have sold out to F. T. Holzner. Yesterday the employees of the Glass brothers at the Homestake quit work and returned to Basin.

THE COPPER STOCKS.

The copper mining shares show signs of reviving after a long siege of idleness. Anaconda today lost two points but recovered during the afternoon. Utah Con touched \$39, the highest point it has reached in several weeks. The closing quotations today were: Amalgamated, \$86.50; Anaconda, \$47.50; Boston & Montana, \$32; Butte & Boston, \$37; Columbia & Hecla, \$70; Osceola, \$85; Parrot, \$45.50; Tamarack, \$21.5; Utah Con, \$38.25.

WHITE NOT IN ANY DANGER

(Continued from Page One.)

darkness brooding over the camps and garrisons of the two warring white races. The Orange Free State is the traditional foe of Basuto land and those most familiar with the conditions of race resentment in South Africa have feared from the outset that the white agents may not be able to hold under restraint the tribe one all powerful under Chief Mosemeh.

Public anxiety has been increased by the invasion of Cape Colony at two points and therefore subjects of disaffection. Aar Junction is thought by timorous military writers to be in danger of a sudden attack. The latest information tends to minimize these raids. The keener critics believe that the Dutch allies are scattering their forces and are menacing too many points on the western border of the southern frontier and in Natal are wasting the advantage derived from their superior strength.

The officers who are irritated by the war office's contempt for public opinion may fairly be said to be counting the hours before the arrival of the fresh battalions of the army corps. Ten transports are scheduled to reach South Africa during the next three days.

The rear guard of the British representatives of the mining companies of the Rand has straggled into London by the last steamship arriving from Cape-dramatic accounts of scenes at Johannesburg when the mining camps were abandoned. The richest gold fields in the world with the costliest mechanism for chemical treatment of the sandstone left intact and deep level mining were left at the mercy of the Dutch and native servants. Palatial residences and occupied locked and barred front doors and drove to the station, convinced that the latter would be looted before the end of the war.

Strange as had been the mushroom growth of this English mining city, its sudden desertion was a grotesque marvel among the vicissitudes of human fortune. The thousands which these returning pilgrims from Johannesburg speak of as President Kruger astonishes their London friends. He is credited by them with a clear perception of the inevitable outcome of the war which may be the early end of the conflict. President Steyn is described by them as the evil genius of South Africa as a shrewd, intelligent, ambitious man. The rear guard came away from Johannesburg with the conviction that President Kruger during the war against his will and judgment and that Steyn had involved the Orange Free State in a fatal struggle, in which it had everything to lose and nothing to gain, and that he had no other incentive than a dream of his own Dutch republic.

A representative of one of the largest mining properties, said after his arrival from the Transvaal that many intelligent burghers were bitterly opposed to the war. He quoted Johannes Risik, who surveyed the city during the war, as saying that he himself would gladly have granted to the Uitlanders all that they had asked and these concessions would have been merely equitable. Risik and other Boers who shared his view of what would have been a just and reasonable solution or snow fighting strenuously on the Dutch side. Risik is described as having no illusions respecting the ultimate result, but also as forecasting hard fighting by the Boers and great destruction of life.

PERSONALS.

Attorney George A. Clark is visiting Salt Lake.

G. M. Hyams of the Boston & Montana is in Salt Lake.

Hon. O. F. Goddard of Billings is visiting Butte today.

General Joseph A. Browne of Melrose is a Butte visitor today.

Mrs. James Cooney and son Arthur are visiting Mrs. Lizzie Perron.

State Senator William Roylance of Springfield, Utah, is in the city.

W. H. Raymond, the well known Belmont Park horseman, is in the city.

Mrs. J. P. Welmsary and daughter left for the east last night on an extended visit.

W. W. Walsworth of the Standard staff left for the east last night to meet his family.

Harry Cunningham left for Washington Saturday evening to resume his duties as congressional clerk.

Miss Nellie Callahan, of the Lenox beach, left last evening for Coronada beach, California, in the hope of regaining her health. She will be accompanied as far as Salt Lake by her brother, Rev. Father Callahan.

J. H. Leyson, the well known jeweler, returned yesterday from an extended trip to the east. He visited Boston, New York, Washington, Chicago and St. Paul. He says that the evidences of prosperity were to be seen on every hand in all the cities visited.

Ex-Alderman "Bob" Campbell, who has been hunting on Wise river, returned today, bringing with him the evidences of a very successful trip. Among other "things" captured were two deer and a bear. The deer were knocked down by a Winchester all right but the bear bears evidence of having been dynamited. The story goes that Mr. Campbell found the bear in a tunnel, where Bruin had taken up his winter quarters. In a neighboring shaft house a box of giant powder was discovered and sticks of the explosive were thrown at the bear until he gave up the ghost.

FAILURE OF TOMS

To Come to Butte and Prosecute His Case.

MAY PROVE DISASTROUS

To Him—Married and Deserted in One Day—A Very Queer Letter.

The suit of Dr. F. B. Toms against Jas. A. Murray, an action to recover possession of stock in the Pocatello Water Company, was again called for trial in department No. 1 of the district court today, but it resulted in a fizzle so far as it concerned the plaintiff. It was to have been tried last week, but the plaintiff was still in New Jersey at the time it was taken up and his attorney's were compelled to ask for a postponement until today.

They got it, but today Attorney Norris of Dillon stated that after arriving at his home he found a telegram from Mr. Toms stating that a business engagement in New Jersey would prevent him from coming to Butte just now. He asked the attorney to secure a postponement.

Mr. Norris, however, told the court last week that he would either be ready to go to trial today or dismiss the action and as he could not go to trial he would request the court to dismiss. "We have," said he, "been deserted by our client without knowing the reason why."

"We resent the motion to dismiss," said Attorney Cotter, one of the legal representatives of the other side. "We have a counter claim. This complaint has been verified by J. J. Cusick. If he have no testimony to offer let them say so and we will proceed with ours. It is an equity case anyway."

"You may proceed with the trial," said the judge.

"Have you any evidence to offer?" asked Mr. Cotter, addressing Attorney Edwin Norris.

The latter said he had not, and the trial was commenced.

While in the divorce business to-day Judge Lindsay handed Neil E. Acker a decree of legal separation from Bengta R. Acker. The testimony showed that the defendant is now and has been for several years living with another man in Sweden. Acker testified that he had come to this country and then sent for his wife, but she refused to come and acknowledged having met a man she liked better than him. She had sent him several letters and they had been turned over to an attorney in a divorce suit previously commenced by him, but the attorney had run away with them before the suit was tried; in fact it was never tried on that point. One letter written in the Swedish language and translated was produced to-day, but was not used. It read as follows:

"As my husband, Neil Rasmussen Acker, departed from me to America without thinking anything about me, constantly I have transgressed and at the same time transgressed the marriage contract. So we have on both sides decided the cheap and easy to be free from each other and so as not to come in any conflict with the law, so we have decided it so that each one must be good for him self or herself and that we, after this, are not to have any dependence on each other. So our marriage contract seems to us through this to be null and void, so that one has no right to accuse any lawfully married person of adultery or to intrude upon the other's territory in any respect. This is our positive decision, that what the law has prescribed it must not apply against either of us."

The letter was signed by Mrs. Acker, Andrew Larson and Andrew Adamson, the two latter being witnesses.

Acker testified that he had not left Sweden without notifying her.

The motion to strike certain allegations from the answer of the defendant in the suit brought by Michael Reynolds against the Albee Mining company to recover judgment for damages alleged to have accrued to his property by a flow of water from the Magna Charta mine, was argued in department No. 1 today. No decision was made.

Lonie Miller vs. Emma Miller is the title of a complaint in a divorce suit filed in the district court by Joseph Rice today, and if the allegations it contains are true the case equals the record from

a desertion standpoint. United in marriage at Stillwater, Minn., on June 12, 1886, and separated on the same day is what it says, the bride leaving the plaintiff and refusing to return to him.

A complaint charging A. M. Eller with petit larceny, the theft of a check for \$28.50 from Hum Fay, the proprietor of a restaurant on West Park street, was issued from the county attorney's office today and filed in Justice Nichols' court.

Through Miles Cavanaugh, James A. Murray began two suits today to enforce judgments. In one Bryant H. Peters is defendant. The complaint against him states that on February 10, 1891, the plaintiff obtained judgment against Peters for \$946, but no part of the amount has been paid and there is now due on it \$1,783.12.

In the other suit J. G. Hammer and his wife are defendants. Murray alleges in his complaint against them that on September 26, 1890, he got judgment for \$1,719.20 and the total, including interest at 10 per cent, now aggregates \$3,277.77.

William Robertson has sold to Margaret Shipley lot 3 of block 1, Davis & Barnard addition, the consideration being \$6.600.

John M. Trapp is suing John McDonald to enforce the terms of an agreement calling for the payment of \$250 by the defendant to the plaintiff. The deal involves a proposed bid to provide brick for the new capitol building in Helena and the withdrawal of the plaintiff from the agreement for the stipulated price of \$250, which Trapp alleges has never been paid.

Walter R. Westbrook began an action for divorce against Edna L. Westbrook today. He alleges in his complaint that on Sept. 27, 1886, the defendant and himself were united in marriage in Westfield, Pa.; that on Sept. 11, 1888, she treated him cruelly and then left him.

LOCAL BRIEFS

Dr. Reed, Dentist, 115 North Main. • Wanted—Boys for messenger service. World.

J. G. Bates, tuner, Montana Music company Tel. 504.

Alexander Laist, attorney-at-law, room 61, Silver Bow block.

Horses Wintered—Inquire of H. B. Ashworth at Reid's Stable 224 S. Main.

The latest, handiest and most attractive spoon for babies, Hight & Fairchild.

Tinware, roofing, eavestroughs, smokestacks made to order. A. E. Jones, 266 East Park.

Business lunch, 15c, from 11 to 3, at the Hamilton, Katenback & Kerth, 23 West Broadway.

Butte Stove Repair company for fixtures and Home Comfort ranges. Phone 523, 216 E. Park.

Chemicals and assayers' supplies. Fair Drug and Assay Supply company, 115 East Park street.

The funeral of Henry Eade took place this afternoon from the family residence, No. 128 Wells street, Centerville.

The Hebron cigar emporium, 23 East Broadway, can sell you cigars by the box from 50 cents up. Call and see.

Jack P. Sutton's Union Family theater will open again on November 15 with the Woodard Theater company. The opening play will be "The Ensign."

Dr. Alexander, president of the board of health, kept open house today, vaccinating a large number of children whose parents could not afford to pay for the services of a physician.

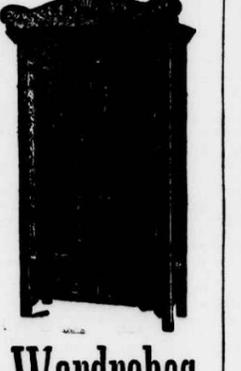
Genuine snap, \$12,000, half cash, balance on time to suit purchaser, buys a business that nets \$5,000.00 a year. No effort save personal attention required. Conroy & Morley, 46 East Broadway.

Jack O'Neill, a well known wrestler of Kalspell, is \$200 winner by reason of a wrestling contest with Hall Adlai, the "Sultan's Lion," at the Coeur d'Alene theater, Spokane, on Saturday night. Hall contracted to throw O'Neill three times in 30 minutes. He won the first fall in 10 minutes and the second in 12, but failed to bring O'Neill's shoulders to the mat within the eight minutes remaining.

Solomon in all his glory couldn't dress as can the men of Butte. Hennessy's new tailoring department makes up the finest suits and overcoats that artistic cutters and expert workmen can design and finish with the best of textures at their disposal. Hennessy's tailoring department is wonderfully successful and doing a big business.

A shipment of new coatings, suitings and trouserings was received on Saturday last. Good dressers who want the newest and best should see and examine this rich assortment of choice fabrics at Hennessy's.

Solid Oak Rolled Top Desks



Wardrobes

This Fine, Large Wardrobe, finished in antique oak, this week \$8.50

Price, \$22.50

LANDER FURNITURE AND CARPET CO

44-48 East Broadway, Butte.