

WAS A WARM COON FIGHT

The Affections of a Dusky Tenderloin Damsel.

CAUSE BAD BLOOD

Bell Shoots Dupree Through the Shoulder—Arrested and Held for Trial in the District Court.

As a result of a quarrel over the affections of a dusky belle of the ten derloin, a shooting scrape took place this morning about 1 o'clock between Josh Bell and Alfred Dupree, both colored.

There had been bad blood between the two men for some time and when they became rivals the town was too small to hold both.

The trouble took place in one of the cribs near the corner of Third street and First avenue west. After some words Bell pulled a gun and shot Dupree through the right shoulder, the bullet passing through, making a painful, but not serious wound.

Officer Beaudette was summoned but before he arrived Bell had skipped and was in hiding. The sheriff's office was notified and Under Sheriff McCarthy and Deputy Sheriff O'Neill went to Demersville, as it was supposed that Bell would make an attempt to leave on the boat. The negro did not put an appearance, however, and the officers returned to Kalispell.

When near the German Lutheran church on Third avenue east they met their man going towards the river. At first he denied being the man wanted, but afterwards confessed. When searched by Deputy O'Neill the weapon with which he did the shooting was found. He was placed in jail and arraigned before Justice McArthur this afternoon at 2 o'clock and was bound over to the district court in \$1,500 bonds. His trial will come up Friday. The wounded man was able to walk up to a doctor's office at noon.

It was learned by the authorities that the friends of Bell were making an effort to have Dupree leave town and not appear against him. In consequence a warrant was sworn out for Dupree's arrest on a charge of disturbing the peace, and he will be detained as a witness.

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MACHINISTS DECIDE NOT TO STRIKE

Smelters May Resume If Certain Assurances are Given.

Special Dispatch to the Bee:

Butte, May 26.—At a meeting of the machinists union here today it was decided that they will not walk out nor make further demands on the companies. It is likely that work will now be resumed at the Butte & Boston and Colorado smelters, but the management demands assurance that there will be no further trouble.

CHARLEY CLARK STOPS COPPER PROSPECTING

Orders Work Suspended At Kenwood, Near Helena.

Special Dispatch to the Bee:

Helena, May 26.—Orders were received today to stop work on the prospecting shaft at Kenwood where Charley Clark is looking for copper. It is not known whether work will be permanently suspended or not.

MINER FELL DOWN THE AIR SHAFT

Body Found Terribly Mangled. Cause Of Accident Not Known.

Special Dispatch to the Bee:

Butte, May 26.—David Hennessy, an unmarried miner at the Parrot, today fell down an air shaft, a distance of 100 feet. His body was found later, terribly mangled. It is not known how the accident occurred.

COURT WILL INVESTIGATE

Before It Passes on Sufficiency of Bonds in

PENNSYLVANIA CASE

Commissioner of Deeds in New York Will Take Testimony Relative to the Matter.

Special Dispatch to the Bee:

Helena, May 27.—The supreme court today decided not to pass on the sufficiency of the bond for \$350,000 furnished in the Pennsylvania case by the Montana Ore Purchasing company until it has investigated the standing of the Delaware Surety company. A commissioner of deeds in New York, yet to be designated, will take testimony relative to the liability of the surety company, and will be required to report on or before June 17th.

THE BANK OFFICERS UNDER ARREST

By Associated Press: One Of Them is Lieutenant Governor of Oklahoma.

Vergennes, I. T., May 27.—Lieutenant Governor Allen, vice president of the Farmers National bank, which recently suspended, and J. W. Kentcham, representative to the legislature, were arrested today by United States officers, under indictments charging them with complicity with Cashier Lewis in wrecking the bank.

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AMERICAN TROOPS SAIL FOR MANILA

Have Finished Their Work in the Celestial Empire.

By Associated Press:

Washington, May 27.—A dispatch from General Chaffee at Taku says the transports Sumner and Lennox will sail today and that all the troops that are to leave China are off for Manila.

STEAMER KINGHURST IS ON THE ROCKS

The Extent of Her Injuries Not Yet Known.

Port Townsend, Wash., May 27.—A dispatch from Union, B. C., says the steamer Kinghurst is on the rocks off Denman island, in the gulf of Georgia. The extent of her injuries it not known.

LABOR ORGANIZATIONS IN SESSION AT DENVER

A Big Gathering. Convention to Last a Week.

Denver, Colo., May 27.—The Western Federation of Miners, and the Western Labor union assembled in convention here this morning and will continue their deliberation throughout the week.

MISSOULA PAUPER'S DRAMATIC SUICIDE

Plunged From a Second Story Window Into the River.

Special Dispatch to the Bee:

Missoula, May 26.—William Lockwood, a wretched character who has been at the poor house for some time, today sprang from a second story window into Rattlesnake creek and was drowned.

THE WHEEL IN BUTTE.

Special Dispatch to the Bee:

Butte, May 26.—After being open one night and one day gambling has again closed here, the result of more arrests today.

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DECISION AGAINST THE GOVERNMENT

Decision in the Insular Cases Handed Down this Morning.

IT WAS A DIVIDED COURT

Those Who Paid Porto Rican Duties are Entitled to Recover—Justice Brown Delivers the Prevailing Opinion.

Washington, May 27.—Justice Brown of the United States supreme court today announced the decision of that court in the insular cases. The main opinion was handed down in the Delima case. Justice Brown, who announced the court's decision on points of jurisdiction, holds that the lower court had jurisdiction. Justice Brown held that a right to acquire territory involved the right to govern and control it by congress, but he said that the country could not be both foreign and domestic. The opinion was opposed to the contention of the government. He concluded that at the time the duties were collected Porto Rico was not a foreign country, but a territory of the United States.

Justice Brown concluded as follows: "We are of the opinion, that at the time these duties were levied, Porto Rico was not a foreign country within the meaning of the tariff laws, but a territory of the United States, that those duties were illegally exacted and that the plaintiffs are entitled to recover them. The judgment of the circuit court for the southern district of New York, is therefore reversed, and the case remanded to that court for further proceedings in consonance with this opinion."

The Delama case involved the importation of goods into the United

States from Porto Rico after the ratification of the treaty of Paris and before the passage of the Porto Rican act. Justice McKenna delivered a dissenting opinion in the insular cases. He was joined in that opinion by Justices Shiras, White and Gray.

Justice McKenna went into a detailed examination of the cases cited in the majority opinion. He maintained that they did not show the clear current of the decision, but disclosed much divergence of view. Constancy and certainty of judicial opinion was of the highest importance the justice declared and they should not be like the "exhalations of a marsh, shining mistily."

ADD SUPREME COURT.

Justice Brown also announced the opinion in the case of Dooley vs. United States, involving the validity of the duty levied on goods imported into Porto Rico from the United States, between the date of the military occupation and the taking effect of the Porto Rican tariff act. The court held that there could be no doubt of the validity of the duties levied by virtue of General Miles' order prior to the ratification of the treaty of Paris. It placed this right on the grounds of military necessity. Justices Gray, Shiras, McKenna and White dissented.

A GOOD SHAKING UP ON EDITORIAL STAFF

"The trouble with this force," said the new city editor, "is that everybody has got into a rut. What it wants is shaking up and changing around. Take the routine men off their beats and put them on others. That's the way to get a live paper."

So he sent the baseball reporter to the laying of a church corner stone, assigned the "cub" to write a dramatic criticism, sent the dramatic editor to an Easter day sermon, turned the football man to work of chronicling the arrival of notables at the hotels, and sent the young lady who acted as society reporter to "write up" the turkey trade. When the "copy" came up this is the way it read:

Football Editor's Hotel Report—Tommy Johnson, the well known dog man, is at the Ham House.

Rough House Murphy, the famous home player, is registered at the Bon Ton.

Bunt Brown, the left guard, who was injured in the last football game, was able to eat dinner at the Hotel Lobster yesterday.

Wilfrid Laurier, of Ottawa, is in the city.

Cub Reporter's Dramatic Criticism—We witnessed with pleasure last night a charming play called "A Mid-Summer Night's Dream," which a gentleman named James, with quite a number of other talented gentlemen and ladies, presented. We can frankly say that not since our childhood have we witnessed such a pleasing entertainment, and we promise Mr. James that if he ever feels the need of a recommendation from us as an actor we will cheerfully give it. We were very much pleased indeed, and we hope that the handsome young actor may soon rise to a place of eminence in his chosen profession. There was quite a large audience.

Baseball Reporter on Laying of Church Corner Stone—Rain—No game.

Dramatic Critic's Account of An Easter Sermon—Rev. Mr. Longwind played to standing room only at the Blankth street church yesterday. The performance dragged in spots and the star was a little wobbly in his lines here and there.

The musical turns, put on by a mixed quartette, were of a popular order,

too much so in fact, for the audience insisted in cutting in on some of them, with disastrous effect. The performance as a whole was not up to standard, and the management will be wise if they pull it down and substitute something better suited to the taste of the play-goers. Same bill Sunday night.

Young Woman Reporter on the Markets.—Where the mad uproar of the vast commerce of a city mingles with the shrill shriek of the steamboat as it ploughs its troubled way through the placid waters of the river, where uncouth, ill-apparelled men, their sturdy faces glistening with perspiration, vie with one another in tumbling bulky boxes and bulging bales from the great trucks, drawn by patient soft-eyed horses, where the rattle and rumble of business thunders ceaselessly over the uneven paving stones, and where wan clerks and bookkeepers hasten frantically to and fro doing the bidding of the hard-faced men who sit in inner offices and guide the wheels of traffic with cold, unfeeling commands, many crates of turkeys, destined for the environment of cut glass and costly plate on the tables of the opulent, were unloaded yesterday.

Sleek, plump fowls they were, their nude bodies yellow with the adipose tissue forced upon them by the hard hearted farmer, who bartered their harmless lives for gain. Hundreds upon hundreds of crates of dead birds butchered to make a holiday, were piled up on the crowded sidewalks, while other crates filled with querulously clucking live turkeys stood just inside the doors of the great marts.

For 18 cents a pound they sold. Eighteen cents! Lives of innocents ruthlessly taken and their quivering carcasses sold to a hungry populace for 18 cents a pound! What a sad commentary on the cruelty of man, what a testimonial to the aggressiveness of the race that lives and thrives upon death. But yesterday these turkeys strutted in their pride around some rustic barnyard, "far from the maddening crowd's ignoble strife they kept the noiseless tenor of their way." "Now lie they here, and none so poor to do them reverence." Oh, brutal sacrifice! Oh—But here the new city editor called in the market man and told him to write half a stick summary on the turkey trade, and sent the rest of the reporters back on their regular beats.—Exchange.

THE BOARD UNANIMOUS

As to the Wisdom of Selling State Land.

TO BE REAPPRAISED

Restrictions Placed on Future Selections so That Settlement Will Not be Restricted—Leases Transferrable.

The following further particulars as to the selling of the state lands, as announced in The Bee Saturday afternoon, are obtained from the Helena Record, which reached here this morning:

"All agricultural lands are to be reappraised and sold as fast as present leases expire. All timber lands are to be reappraised and sold. All grazing lands are to be sold, if possible, at the minimum price; those which are not saleable are to be leased in tracts not exceeding one section on terms that will not prevent their sale during the term of the lease, nor prevent the construction of irrigation works. Restrictions are placed on future selections so as to prevent the state from acquiring large tracts which will interfere with settlement.

This policy was adopted at an executive session of the board yesterday morning, at which all the members were present. It was adopted unanimously, Attorney General Jas. Donovan being satisfied that it is the best practicable policy for managing the land grant with a view to the promotion of settlement and State Superintendent W. W. Welch being convinced that it will not impair the revenue of the schools and state institutions. These two members had taken up the two apparently conflicting causes of settlement and revenue, and it rested with Governor Toole and Secretary of State Hays to reconcile their differences of opinion by devising a policy which would attain both ends.

"Whereas, It is deemed desirable that some fixed and definite policy should be determined upon concerning the future disposition of the state lands, therefore be it

"Resolved, First—That state lands now classified as agricultural shall be reappraised within one year from June 1, 1901, and all lands not under lease at the time same are reappraised shall be sold in the manner and upon the terms provided by law. Lands which at that time are held under unexpired leases shall be sold in the same manner upon the expiration of such leases. Where unleased lands cannot be sold within a reasonable time (a period to be fixed by the board), the same shall be leased subject to the right to sell the same whenever the state so desires, notices to be given the lessee in such cases of intention to sell, on or before the first day of September next ensuing, and possession to be delivered on or before thirty days thereafter.

"Second—That all timber land be likewise reappraised whenever it is deemed necessary to ascertain its true value and sold for cash only whenever deemed for the best interests of the state.

"Third—That all grazing land (the minimum price of which is \$10 per acre) be likewise sold, if possible, in the manner provided by law, and in the event the same cannot be sold, that the same be leased in the manner provided by law in tracts not exceeding 640 acres, as provided in the enabling act, preference being given to the adjoining actual settlers, and in all such leases that the right be reserved to sell said land and terminate said leases whenever an opportunity to sell is afforded, the lessee to have preference right of purchase; and that the further right be reserved to enter upon any of said land so leased to construct ditches, dams, flumes, or reservoirs, under such regulations as the board may prescribe in case the state or federal government should require a right of way thereon under any system of state or national irrigation which may be inaugurated.

"Fourth—That the right to lay out county roads along the section lines of any grazing lands hereafter leased to be reserved, so that the state may, if deemed expedient, consent to the same.

(Continued on page 4.)

THEY WILL REVISE IT

Grand Assembly Adopts Creed Revision Report

INFANTS SAFE NOW

There Was Practically No Opposition—New York Selected as Next Meeting Place.

By Associated Press:

Philadelphia, May 27.—When the Presbyterian general assembly met today there appeared to be a disposition on the part of the commissioners to bring the debate on creed revision to an end as soon as possible. The general assembly adopted the revision commissioners report almost without opposition. New York was selected as the place of the next meeting.

THE DECISION IN THE DOWNES CASE

Will Uphold the Government in Its Acts Up to This Time.

In the dissenting opinion Justice White said the court would later in the Downes case hold that congress had the power under the Porto Rico tariff act to impose a tariff duty on goods coming from Porto Rico.

Washington, May 27.—The United States supreme court today handed down opinions covering all the issues on insular questions. Although several of the decisions upheld the contestants on certain issues raised, yet in the most important decision, that of Downes vs. Bidwell, Justice Brown announced a sweeping decision of the court, upholding the general attitude and policy of the government up to the present time. If this decision is to affirm the constitutionality of the Foraker act and to give congress power to deal with the newly acquired territory, the decision also has the effect of declaring that the new insular possessions do not acquire all the privileges and rights of the constitution.

ENDEAVORERS IN SESSION IN WICKED BUTTE

A Paper on the Suppression of Gambling is Offered.

Special Dispatch to the Bee:

Butte, May 26.—The second day's session of the convention of the State Christian Endeavor society was largely attended.

The Rev. Dr. Parker, founder and president of the national organization was expected to be present, but he missed the train at Spokane and will be here tomorrow. A paper on the suppression of gambling was read by Mr. Richardson, which was very interesting. The convention will come to a close tomorrow.

IS COLD DECKED IN ANACONDA JOINTS

General Donovan Sure That Gambling Has Ceased But—

Special Dispatch to the Bee:

Anaconda, May 26.—Attorney General Donovan is in town today in connection with the gambling matter. He declares gambling is closed, but despite this assertion the games are still running.

LIVINGSTON WORST BOZEMAN.

Special Dispatch to the Bee:

Livingston, May 26.—In a fast ball game here today Livingston defeated Bozeman by a score of 6 to 3. McDonough of Livingston scored a home run.

WHEAT QUOTATIONS.

By Associated Press:

San Francisco, May 27.—Cash wheat per cwt., 97c. Chicago, Ill., May 27.—July wheat, per bu., 73¢74 5/8c.

SMALLPOX EPIDEMIC FEARED.

Special Dispatch to the Bee:

Butte, May 26.—Another case of smallpox developed here today, and it is feared an epidemic may follow.