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## THE DAILY JOURNAL

The Official Paper of Custer County.

Every Morning Except Monday.

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Official Count.

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## MILLIONS IN IT.

## An Expert Pronounces the Late-ly Discovered Will of the Butte Millionaire a Forgery.

## A Terrible Explosion at Spokane Falls sends nineteen Men To a Premature Death.

## PRONOUNCED A FORGERY.

## An Unexpected Development in The Davis Will Case

HELENA, Sept. 7.—Within the past few days a startling feature in the celebrated Davis will case has been developed. It will be remembered that about the time the case was set for hearing in the supreme court, in fact, on the afternoon of the day that the attorneys representing the various parties interested were about to make their arguments to the highest legal tribunal in the state, a bulletin appeared on the streets announcing that a will had been found at Butte. The case was not presented to the court, but was continued until the October term. The discovery of the alleged will created no end of talk. Shortly after it became public that such a document had been found, it was filed with the district court of Silver Bow county at Butte by John A. Davis, who was the respondent in the case in the supreme court. A photographic copy of the alleged will was also filed in the supreme court with a petition from John A. Davis, who had been appointed by the district court of Silver Bow county as the administrator of the estate. An inspection of the photographic copy of the instrument did not reveal any strange features about it. The will was written on what looked to be a piece of legal cap paper having the appearance of age. The folds of the paper were plainly visible. The entire will disposing of the dead man's millions was written upon one side of the sheet in small handwriting. Altogether it was a very ordinary looking piece of writing. The photographic copy, however, was smaller than the original and some of the penmanship was not quite clear. About a week after this copy had been filed with the clerk of the supreme court a rumor became current that the will was a forgery.

Pleadings will be filed in the district court at Butte next Thursday, which will bring genuineness of the will in issue. There is one fatal defect in the document, which Mr. Corvalho, an expert in handwriting, discovered and pointed out to the attorneys, which leaves no question in their minds that the will is a forgery. Just what that defect is the attorneys at this time will not say.

The litigation over this estate, which is said to be worth \$6,000,000, promises to be prolonged and bitter. Considerable mining property is also included in the estate, upon which as yet no estimate has been made.

## Terrible Explosion at Spokane Falls.

SPokane, Sept. 6.—While a crew of men were working at the excavation for the N. P. depot and freight yards in this city at 5:45, two men were tampering a charge of seven 25-pound cases of powder when by some unknown means the charge suddenly exploded, blowing the men into the air and killing them instantly. At the same time the ledge was lifted outward and fell upon the men working in the ditch. An alarm was given immediately and a large force put to work digging for the buried men. At 8 o'clock 16 dead bodies were lying in the undertaking rooms and the work of digging for the men was not yet finished. There is still eight feet of rock to dig through and it is thought that seven or eight men are still buried. Several of the men are badly mangled and it is doubtful if they can be recognized. The scene of the accident a moment after the explosion presented an awful sight, with the dead and dying lying on all sides. Foreman Jas. McPherson, who was tampering the blast, and Joseph Ray, his helper, were blown into the air a hundred feet and were mangled horribly. Hundreds of citizens were on the scene shortly after the explosion and set to work with a will in the recovery of the bodies buried under 20 feet of rock.

At 10:30 the further work of recovering the bodies was postponed until daylight as the crew are played out and eight feet of rock yet remains to be removed.

## District Court Proceedings.

## TWELFTH DAY.

Joseph Hey took out his final naturalization papers.

County Commissioners vs. N. P. R. Co.; time for filing amended complaint extended to Sept. 11.

Jury commissioners report and are discharged.

O. F. Rodgers vs. Louis King and J. D. Hick; this case after dragging along for four days, has at last gone to the jury, who are as yet deliberating upon their verdict. The delay has been caused for the most part by efforts on the part of defendant's counsel to get City Ordinance No. 7 into the evidence, this being the ordinance under which the defendants acted in impounding plaintiff's cattle, and just as strenuous efforts on the part of the plaintiff's counsel to prevent its introduction, which controversy was finally ended by the admission being denied by the court. This practically left the defense no leg to stand on, and the case went to the jury under instructions to find for the plaintiff, the only question left for them to determine being the amount of damages sustained by plaintiff in his business and to his stock, which the court instructed must not be over \$250 and \$100 respectively. At this writing (9:15) the jury have just presented their sealed verdict to the clerk of the court.

Court adjourned at 9 a. m.

Ready for trial—Graham vs. Bryan et al.

We present herewith the report of the grand jury, which was unavoidably crowded out of our Sunday's issue by a plethora of political news.

## REPORT OF THE GRAND JURY.

We, the Grand Jury of Custer county, Montana, report that we have visited and inspected the county Poor House, and find it as cleanly and well kept as could be expected.

We would further report that one of the inmates is a half-breed Indian boy, about ten years old, who is deaf from having the scarlet fever last winter; and we respectfully invite the attention of our county authorities to this case as perhaps he is entitled to the care and protection of the United States government for the reason that he may have tribal relations.

We would also respectfully recommend that the attention of our county commissioners be called to the subject of constructing a lateral ditch from the "Miles City Irrigating ditch" to the Poor Farm for the purpose of irrigating the same.

We also visited the county Treasurer's office of Custer county, and county Clerk's office, and find the books systematically and correctly kept.

We have visited the county Jail and find it in a cleanly and orderly condition. Our attention has been called to the leniency in which prisoners have been handled in the county jail, and on one occasion we find that a prisoner named Dick Bellows has been allowed to go down on the streets in the business part of town at least twice without an attendant, and we would respectfully call the attention of the court to this matter because this may have been permitted by the sheriff not for the reason that he desired to favor this particular person, but that perhaps a mischievous system respecting the custody of prisoners prevails in our county jail.

FRED M. KREIDLER, Foreman.

## The Southern Idea.

At the written request of Mr. James Bennett, of Richmond, Ky., we publish the following "memorial." The document is remarkable for the implacable hatred it displays toward the black race and the extreme length of its sentences, which rival anything ever evolved by Senator Evarts:

Memorial of Mrs. James Bennett to Congress. To repeal the congressional act entitled, "An act to enforce the right of citizens of the United States to vote in the several states of this Union," which authorizes black men to vote for the state officers of Kentucky, its constitution and laws "to the contrary notwithstanding," and restore to Kentucky that right of self-government which has been reserved to the states under the constitution of the United States as amended.

Mrs. James Bennett to the honorable members of the United States senate and house of representatives in congress assembled, respectfully sheweth:

That the right of citizens of the state to vote for state officers existed before there was any United States or any right of citizens of the United States to vote.

That the first article of the constitution of the United States contradistinguished the right of citizens of the United States to vote for members of the United States house of representatives from the previously existing right of citizens of the states to vote for members of the several state houses of representatives, by declaring that the electors of the United States house of representatives in each state "shall have the qualifications requisite for electors of the most numerous branch of the state legislature;" and thus rendered it impossible for its fifteenth amendment to strike the word "white"

from the constitution of the several states by saying, "The right of citizens of the United States to vote, shall not be denied or abridged by the United States or any state on account of race, color, or previous condition of servitude."

That since, as the Judges of the Supreme Court of the United States declare in their Yarbrough decision of 1884, the right of persons to vote for members of the United States House of Representatives is derived from the First Article of the Constitution of the United States, black men would not be Electors of the United States House of Representatives, if it were true, as the Fifteenth Amendment says by implication, that the people of the United States withheld the right of suffrage from black people when they adopted the Original Constitution of the United States, as conferred the right of citizens of the United States to vote for members of the United States House of Representatives upon "the people of the several States."

That it was not the right of citizens of the United States to vote for members of the United States House of Representatives that was being denied black men by the United States in 1870, when the Fifteenth Amendment was adopted; but the license of exercising their right to vote for these United States officers without having the qualification of whiteness, which the Constitution of the several States prescribed for Electors of the most numerous branch of their State Legislatures.

That voting for the State officers of Kentucky, under an act of Congress entitled "An act to enforce the right of citizens of the United States to vote in the several States of the Union," has not turned the black men in Kentucky white, and given them the qualification of whiteness, which the amended Constitution of the United States requires them to have before exercising the right of citizens of the United States to vote for members of the United States House of Representatives in Kentucky, whose Constitution confers the right of citizens of the States to vote for State officers upon "free white male" people alone.

And that she therefore most respectfully asks the members of your honorable body to repeal the Congressional act entitled "An act to enforce the right of citizens of the United States to vote in the several States of the Union," which authorizes black men to vote for the State officers of Kentucky, its Constitution and laws "to the contrary notwithstanding," and restore to Kentucky that right of self-government which has been reserved to the States under the Constitution of the United States as amended.

Richmond, Kentucky Aug. 22, '90.

## ELECTRIC LIGHT IMPROVEMENTS.

## A New Engine and Dynamo Added to the Plant.

The new engine for the Electric Light Company arrived here yesterday and will shortly be put in position at the works. The engine is Seymour and McIntosh compound condensing pattern, believed to be the most complete and perfect working engine now extant. By its compound principle it uses the same steam twice. At the highest pressure direct from the boiler and immediately afterwards at a low pressure in a second cylinder. By this appliance a great economy in fuel is accomplished and an increased power developed. The engine now at the depot is 100 H. P. being twice the capacity of the Westinghouse now in use at the light station. It will be remembered that some two or three months ago, the Electric Light company received a new dynamo for incandescent lights.

Owing to lack of power the company have not attempted to put this dynamo into service, as the two now in use loaded the engine down to its fullest capacity, but now that the new engine has arrived a complete change will be made in the lighting system. The two dynamo now in use will be used in future solely for arc lights and the new dynamo will be the supply for incandescent. Heretofore it has been impossible to furnish consumers with incandescent light in less than "blocks of five" owing to their being on the arc current, but under the new system it will be possible to give a customer any number of incandescents from one upward. This will be a great advantage to both customers and company, as many will use the light now that never have before. The changes rendered necessary by the putting in of the dynamo are many, not the least of which is the running of new circuits throughout the city. The changes will occupy about three weeks, but when finished we will be the best lighted city in Montana.

## Notice of Dissolution.

Notice is hereby given that the partnership heretofore existing between the undersigned under the firm name of Long & Thomas, is this day dissolved by mutual consent. Mr. Long continues the business and will collect all bills due the firm and pay all debts by them owed.

STEPHEN D. LONG,  
VERNON B. THOMAS,  
Dated Miles City, Mont., Aug. 7, 1890.

## THE POLICE GAZETTE

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## TO WEAK MEN

Suffering from the effects of youthful errors, early loss of vitality, nervous debility, etc., etc., a complete restoration of health, strength and vigor can be secured by the use of Dr. J. C. Williams' Pink Pills for Pale People.

Children Cry for Fletcher's Castor Oil