

The Roundup Record

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ROUNDUP, MUSSELSHELL COUNTY, MONTANA, FRIDAY, MAY 9, 1913.

\$2.00 PER YEAR IN ADVANCE

FRAUD CHARGED IN COURT ACTION

**RYEGATE MERCHANT ASSERTS
HE WAS DEFAUDED OUT OF
PROPERTY VALUED \$9,600.**

Bring Suit in Dist. Court

Mortgage on Half Section of North Dakota Land and Notes Given to Ernest R. Burt for His Stock of Implements and Property Prove to be Worthless.

An action was commenced in the district court of Musselshell county last Saturday by Ernest R. Burt, an implement dealer at Ryegate, thru his attorney T. J. Mathews of this city against Fred Wyman, of Ryegate. The suit is brought to secure the cancellation and surrender of conveyances involving certain property which the plaintiff asserts in his complaint filed with the clerk of the district court he executed upon false and fraudulent representation. The property involved in the suit consists of Lot 1, Block 1, original townsite of Ryegate, warehouse on Lot 6, Block 2, Ryegate, stock of agricultural implements and machinery, one team of horses, harness and buggy, all valued at \$9,600. The complaint sets forth that the name of the defendant Fred Wyman was inserted in the warranty deed instead of the name of J. A. Belden as the plaintiff supposed, the change being made without his knowledge or consent. It is also alleged that no consideration passed between the parties.

The plaintiff further alleges that he was induced to execute said conveyance by certain false and fraudulent representations made to him by G. M. Babcock and J. A. Belden, who represented that the said Belden was the owner of 320 acres of land in Billings county, North Dakota, which the plaintiff was shown. The said Babcock and Belden agreed to execute and deliver to the plaintiff a first mortgage for \$5,800 on this land in consideration for which together with assuming the plaintiff's indebtedness amounting to \$3,829.50 the plaintiff agreed to deliver deeds of the Ryegate property valued at \$9,600.00.

Made a part of the complaint is a copy of the instrument which Belden represented to plaintiff to be a mortgage; the complaint then alleges that this instrument was not a mortgage at all but a phoney or fictitious land contract made up by Belden and Babcock for the purpose of deceiving the plaintiff.

Upon these representations the plaintiff conveyed his property, the said Babcock and Belden also delivering to him three promissory notes made by one M. A. Demsey to cover the indebtedness of the plaintiff. The maker of these notes was found to be without financial responsibility. As Babcock and Belden are not residents of Montana they are not joined as parties defendant to the action.

The plaintiff further alleges that the conveyance was made out in the name of the defendant for the sole purpose of defrauding the plaintiff. Carothers and Jones are the attorneys for the defendant.

In connection with the above case Ernest R. Burt has confessed judgment in favor of the Dakota Plow & Wagon Co., his principal creditors, in the amount of \$3,778.30, it having been discovered that the conveyances in the other case had not yet been filed of record.

INCOME TAX RE-TARDS TARIFF BILL

**ATTEMPT TO AMEND INCOME
TAX SECTION IS UNSUC-
CESSFUL**

WASHINGTON, D. C., May 7.—The income tax section of the tariff bill had so retarded the passage of the measure in the house that the democratic leaders early today expressed doubt of the passage before tomorrow. Majority leader Underwood sought, when the house reconvened, to speed up consideration of the section but there were scores of minority amendments and he found it difficult to fix any time for closing the debate. Following the income tax were the administration features of the bill with several stumbling blocks in the way, notably the provision giving a five percent differential on imports in American-owned vessels. The first attempt in the income tax came from representative Graham of Pennsylvania, who unsuccessfully registered an amendment requiring the tax to be paid at the source of income. Representative Hull, in charge of the section, declared the plan had worked successfully for fifty years in European countries where every bod carter understands and approves it.

BOY OF TEN SAVES TRAIN

WESTON, W. VA., May 8.—After a run of half a mile Robert Brinkley, aged 10, flagged a Baltimore & Ohio passenger train in the mountains near here yesterday and saved the train from crashing thru a burning bridge. The underpinning of the structure had burned away when the boy discovered the fire. The train, with 150 passengers was stopped.

SHOOTING MOVING PICTURE VILLAIN

LEAVENWORTH, KAN., May 7.—Patrons of moving picture shows here last night were momentarily panic stricken when a spectator, believing the villain was going to murder the hero of the picture, drew a pistol from his pocket and fired at the struggling figures on the canvas. The shot rang out just as it appeared the hero would be thrown over a precipice. The place was crowded and there was a wild rush for the doors, but order soon was restored by the orchestra, which played thruout the incident. No one was injured. The man who fired the shot escaped in the excitement.

REBELS WANTED AEROPLANE CORPS

**EIGHT BIRDMEN INVOLVED IN
PLAN TO USE AIRSHIPS TO
FIGHT HUERTA**

LOS ANGELES, CALIF., May 8.—Eight men, including several American aviation enthusiasts, are involved in the alleged plan to furnish Mexican rebels an aeroplane corps, which resulted yesterday in the arrest of Didier Masson, and his mechanist, Thomas Dean, a Tucson on charges of violation of the neutrality laws. This was the statement today of Dudley W. Robinson, assistant U. S. Attorney, who ordered the arrest of the French aviator and his assistant, Dean, a Britisher. According to Robinson and Mexican Consul Pina Cuevas, the plans of the rebels' agents have been known to the federal authorities here ever since they opened negotiations to purchase flying machines for use in the war against Huerta. The rebel agents, including several Americans, laid their plans in Pasadena, it was said, and had offered \$55,000 for the services of an aviator and a machine for three months in Sonora. Robinson said that there was no complaint or suspicion against Glenn Martin, the aviator who sold the machine which was captured yesterday by U. S. deputy marshalls.

TUCSON, ARIZ., May 8.—An aeroplane alleged to have been purchased in the United States for use by the state troops in the Sonora rebellion was captured last night by deputy U. S. Marshall Johnson. When the federal officers came upon the aviators, the machines, which were dismantled, were on a wagon drawn by four horses. They were headed toward the border. One of the men gave his name as Smith and declared that he was a citizen of France. The other, who gave his name as Menson, said he was an Austrian by birth, but a British subject. They said the machines were their property and that they were taking it out to try some experiments.

LOS ANGELES, CALIF., May 8.—Glenn H. Martin, the aviator and aeroplane manufacturer said the machine captured near Tucson was sold by him last week to Didier Masson, the French aviator. According to Martin the machine was shipped by express to Tucson Monday. Masson, he said, had told him that he was going to make exhibition flights in Arizona and he was to have been accompanied by Thomas Dean, a mechanic.

SUGGESTIVE VERSE IN SAME CLASS AS UNDRAPED PICTURES

**Chicago Alderman Now Wants to Prohibit
Transparent Stockings, Low
Necks and Flimsy Waists.**

CHICAGO, ILLINOIS, May 7.—Pursuant to an energetic "blue law" campaign by the council, indecent songs were put under official ban last night. Suggestive verse thus takes its place with undraped figures in pictures, which recently have been made unlawful in Chicago. The ordinance was adopted by a large majority. Alderman "Bath House" John Coughlin announced he would offer an ordinance prohibiting transparent stockings, low necks and flimsy waists worn by women. "Some of the dresses I see on the streets shock my moral sense" he said. "They should be forbidden by law."

RAILROAD OFFICIALS HERE

Officials of Chicago, Milwaukee & St. Paul Spend Short Time in Roundup Wednesday.

A party of railroad officials of the Chicago, Milwaukee & St. Paul consisting of vice President H. B. Earling, General Superintendent W. B. Foster, Traffic Manager R. M. Calkins, Assistant General Superintendent E. H. Barrett and Division Superintendent H. Spencer stopped in Roundup Wednesday while on a tour over the road. During their stay they were taken out into the country north of Roundup in an automobile by Ed. Rosseau of the Roundup Coal Mining Co., and the party expressed surprise at the wonderful development that the country adjacent to Roundup has undergone within the last five years. The party left again Wednesday evening.

THEY'VE GOT HIS NUMBER.



FOUR ARE INJURED IN PLUNGE OF AUTO

**DRIVER LOSES CONTROL AND
MACHINE PLUNGES OVER
14-FOOT EMBANKMENT.**

One was probably fatally injured and three others were slightly hurt when an auto driven by C. F. Tuffley ran off an embankment two miles north of Lavina Tuesday afternoon. The auto with its cargo pitched head foremost over the 14-foot drop. The driver had turned around in his seat to look behind and lost control of the machine.

Helen Tuffley, Mrs. W. J. Roach and Miss Mary Bradish were in the machine with Mr. Tuffley at the time it ran off the embankment. Mrs. Roach is not expected to live. She has a broken rib and internal injuries. All the others have minor injuries. Miss Bradish, who was least injured, walked two miles to Lavina for relief. A physician rushed to the scene and brought the injured to town.

Miss Helen Tuffley's injuries consist chiefly of three broken ribs and numerous bruises. None of Tuffley's bones were broken.

ILLINOIS SENATE APPROVES WOMAN SUFFRAGE BILL

SPRINGFIELD, ILL., May 8.—The Illinois senate has passed the Magill woman's suffrage bill, which gives the right to vote on all statutory officers. Senator Juhl, member of the Illinois "white slave" commission, spoke in favor of the bill, saying that while he had opposed votes for women in the past, the revelations made to the commission had convinced him that men were not giving women the protection they needed. The passage of the bill by the senate was reported to the house today. It is doubtful whether the measure reaches a roll call in the house at the present session.

SUFFRAGE BILL DEFEATED

LONDON, ENGLAND, May 7.—The fate of the women's suffrage bill was sealed last night by the votes of more than fifty Irish nationalists who voted against it. The bill whereby it was sought to enfranchise six million women, was rejected by a majority of 47. The vote stood 266 to 219. Whether there is any chance that the present parliament will pass a bill of more limited character will be doubted. Possibility the nationalists fear that if they allow a women's franchise bill to pass the second reading it will lead to a parliamentary struggle, which would not unlikely end in dissolution of parliament before the home rule bill becomes a law.

WASHINGTON, D. C., May 7.—China is preparing to follow Japan in protesting the California bill. Ownership of lands in California by Chinese has diminished considerably within the last few years, but many Chinese land owners still are there.

COMMISSIONERS' PROCEEDINGS

**BOARD OF COUNTY COMMISSIONERS
MEETS IN SESSION HERE 3
DAYS THIS WEEK.**

Proceedings of the Board of County Commissioners of Musselshell County, Montana, in Special Meeting at Roundup, on May 5, 1913. Meeting called at 9:30 a. m. Present C. M. Jacobs, chairman, Olaf Jensvold and F. C. Metzger, commissioners and Fred E. Renshaw, clerk.

Hearing on J. T. Wagoner et al road petition had at 9:30 a. m. It appearing that the petitioners on said proposed road were more interested in securing damages than the road, action on said petition was postponed until Deeds of Right of Way along the course of said proposed road be filed with the County Clerk.

Ordered that registered notice be sent to W. C. Howard requesting him to deliver all road tools and accessories as by him reported to the Board, to Sheriff L. J. Fisco, at the Court House in Roundup, not later than 10 days after the receipt of such notice. Complaint having been made to the Board that County Road No. 6 was obstructed by fences and gates, it was ordered by the board that Road Supervisor W. C. Abstein forthwith remove the same.

Balance of the day was spent testing road grader.

Adjourned at 5:00 p. m. Meeting May 6th, 1913. All present. Petition in writing having been presented, asking leave to erect a telephone line along the County Road beginning at the boundaries of Section 29, Township 8N., Range 28E., M. P. M and ending at the northeast corner of Section 7, Township 7N., Range 28E., M. P. M., and it appearing that no valid objections could be raised to such telephone line, the petition was therefore granted.

Hearing on C. B. Graves et al road petition had at 9:30 a. m. Action on same postponed till June meeting.

Arthur Smrlj was duly appointed road supervisor for road district number 4 to succeed Willis Fisher who failed to qualify for such position. Contract was entered into between the Board of County Commissioners of Musselshell county, Montana, and Keller & Bare, whereby Keller & Bare agree to furnish to the county 50,000 feet of bull pine bridge plank in 16-foot lengths and not narrower than 10 inches, same to be delivered at Gage and Roundup at \$20 per thousand F. O. B.

Hearing on J. W. Johnson et al road petition had at 11:00 a. m. Same was declared a county road as reported by the viewers and ordered surveyed and platted.

Hearing on C. R. Baker et al road petition at 3:00 p. m. No objections were made. Petition was granted and read declared as reported by viewers. Same ordered surveyed and platted.

Hearing had on Fred W. Handel et al road petition at 4:00 p. m. The viewers report on said proposed road showing that same was not practicable. (Continued on page 8.)

MILITANTS COST GREAT BRITAIN \$5,000,000

LONDON, ENGLAND, May 8.—Damage to property in the British Isles by the militant suffragists during the last three months amounts to more than \$5,000,000 says Scotland Yard. To this sum must be added the increased cost of protecting lives and property. Three divisions have been assigned to watch over each meeting of the cabinet at all times, while all suspected persons are shadowed by plain clothes men and all public buildings have been placed under special guard. Figured at this rate the suffragette activities are costing at least \$25,000,000 a year.

FEDERAL TROOP TRAIN DYNAMITED

**MOST OF THE PASSENGERS KILLED—
2,000 YAQUI INDIANS JOIN
STATE TROOPS**

NOGALES, ARIZ., May 8.—A troop train bearing 250 federal soldiers was destroyed with dynamite and most of the passengers killed, said an official state report received here today. The disaster occurred near the Sonora-Coahuila state line. The federalists were on the way from San Blas to Alamos when intercepted by the insurgents, who planted mines along the tracks. Nearly 2000 uncivilized Yaqui Indians have joined the state troops said the report.

AIRMAN CARRIES 6 PASSENGERS

CHARTRESS, FRANCE, May 8.—French aviator, Frangeols, carried six passengers on his biplane during a 75 minute flight today, the duration record for an aeroplane of such a large number of persons.

USED TOO MUCH GAS TO COMMIT SUICIDE

NEW YORK, N. Y., May 7.—A despondent East Side paper cutter released such a quantity of gas when he turned on the jet in committing suicide last night that the fumes filled the tenement building where he lived and an explosion followed. More than a score were injured, two of them probably mortally. The explosion and fire that followed caused a panic in the neighborhood, a crowded section of Madison street. The blaze did little damage. The injured were mostly members of a curious crowd who had followed a policeman as he investigated the order of gas coming from the room of Samuel Gordon, the suicide. Some one is believed to have lighted a match, igniting the gas.

MOUTH OF NO. THREE MINE SLOPE CAVES IN

**No One is Injured but Mine is Compelled
to Shut Down While Obstruction
is Cleared Away.**

Yesterday morning the mouth of the slope at Mine No. Three of the Roundup Coal Mining Company caved in, being caused by the giving way of mine timbers. No one was injured, but the mine was compelled to remain idle for the remainder of the day while the obstruction was cleared away. The caving took place just as a trip of cars was passing thru the opening. A number of the cars were buried by the ground which covered the track for about ten feet.

CARNEGIE IS AN AMERICAN CITIZEN

NEW YORK, N. Y., May 7.—"Mr. Carnegie is an American citizen," James Bertram, his private secretary said today. "He became so without naturalization because he came here as a minor when he was 11 years old and his father was naturalized before Mr. Carnegie became of age. If he is registered as a voter in Scotland he had nothing to do with it personally. He is a property owner there and his name probably appears on the registry list. He could not vote in that country, because he is an alien there."

LONDON, ENGLAND, May 7.—Miss May Scott Troy of San Francisco, a suffragist, cabled today to Andy Carnegie as follows: "What right have you to pose as an American citizen when you are registered as a voter in the parish of Dornoch, in the country of Sutherland, Scotland, you are voter number 11 on the list. Why did King Edward offer you a dukedom?" Mr. Carnegie is described on the list as "occupation, gentleman; place of abode, Skibo Castle."

TODAY IN CONGRESS

WASHINGTON, D. C., May 7.—Senator Bacon reintroduced his bill to define the authority for the president for intervention in Cuba in the future. Attorney General McReynolds refused a request for correspondence regarding the Brazilian coffee valuation dispute. The House resumed reading of the tariff bill for amendment. C. B. Smith introduced a bill to register lobbyists in Congress.

WATER PLANT TO BE APPRAISED

**GERHARZ-JAQUETH ENGINEERING
COMPANY WILL DO THE
WORK FOR \$500.00.**

Sewer System Is Revived

Main Street Through Court House Block to Be Closed—Dog License Ordinance Adopted—More Streets Ordered Gravelled—J. H. Grant Takes Seat as New Member of City Council.

Roundup, Mont., May 5, 1913 Council met in regular session at 8:00 o'clock p. m.

Present: Mayor and all aldermen except Nix.

Minutes of meetings held during preceding month were read, corrected and approved.

Reports of the police judge for March and April and report of city treasurer for April were read and referred to auditing committee.

City treasurer called attention to new law governing deposits of city funds and suggested that council fix amount of bond for depositories. Moved by Grant, seconded by Reid, that Citizens State Bank of Roundup be allowed to give a personal bond in the sum of \$15,000, as depository of city funds, bond to run for one year and to be approved by city council. Carried.

The following bills having been approved by the auditing committee were on motion of Reid, seconded by Drazich, allowed and warrants ordered drawn for the amounts: Geo. M. Herr, \$10.00 for meal tickets, Art Stotter, \$22.00 for teaming; H. P. Nelson, \$5.00 for trees for bridge; Ben Kalb, \$15.75 for labor on bridge; J. D. Packard, \$21.75 for teaming; Eugene Triax, \$5.25 for labor with city engineer; C. F. Rishardon, \$20.00 for premium on bond of city treasurer; J. D. Alston, \$17.50 for labor on streets; F. Jatzek, \$12.00 for dirt on Second Avenue; Telephone Company, \$3.00 for phone for April; Newton Hardware & Implement Company, \$3.85 for supplies; Montana Lumber Company, \$193.30 for lumber and nails for drain boxes; E. J. Parkinson, \$12.00 for services as engineer; Wm. N. Taylor, \$5.00 for livery; Wm. J. Jameson, \$38.75 for cash paid for supplies; Will Richards, \$18.75 for graveling streets.

Bill of Fred Jatzek of \$4.50 for broken axle, was read and referred to street and alley committee.

Moved by Reid, seconded by Drazich, that warrant be ordered drawn in favor of city treasurer for \$75.00 to cover clerical help for February, March and April. Carried.

Communications from Burns & McDonnell and O. W. Wasmansdorf regarding appraisal of water plant, and one from Frame, Dougherty & Co. relative to an audit of the city books, were read.

C. F. Richardson submitted plans and specifications of proposed building of Citizens State Bank and asked permission to build in accordance therewith. He also asked permission to widen sidewalk on First Avenue full length of lot to ten feet, to build four foot area way for entrance to basement, and to have hydrant moved.

Moved by Reid, seconded by Grant, that permission be granted the Citizens State Bank to build in accordance with the plans and specifications submitted. (Continued on page 8.)

ATTEMPT TO BLOW UP CATHEDRAL

**BOMB DISCOVERED IN ANCIENT
ST. PAUL'S CATHEDRAL—
MILITANTS ACCUSED**

LONDON, ENGLAND, May 7.—An attempt to wreck the ancient St. Paul's cathedral by a bomb early today is attributed to the militant suffragists. The verger, who conducts sightseers thru the massive edifice was making his rounds at 8:00 o'clock this morning when he heard a ticking sound near the high altar. Upon investigation he found hidden a heavy parcel done up in brown paper. He placed it in water and handed it over to the police, who found a suffragette newspaper wrapped up with the bomb. This attempt and the placing of two other bombs in other parts of the city this morning made it appear that the suffragettes had entered a new one on the havoc working campaign following the defeat of the woman suffrage bill in the house of commons last night. Shortly after the discovery at the cathedral the police found a similar bomb-like package on the steps of a newspaper office on Fleet street and a tin canister believed to contain explosives was picked up on the steps of a wholesale drug establishment near St. Paul's streets.

No arrests were made following the discoveries and it is doubtful if the police have clues to the identity of the bombists. The various parcels are awaiting examination by experts. The bomb from the cathedral was examined at the Broadwell police station and later at the home office by government experts. The bomb was painted black and contained two detonators attached to an electric battery. It was filled with slugs of hard black substance resembling coal. There is no doubt, the police say, that it was placed in position by militant suffragists or persons in their employ.