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TOM HIGGINS DEAD.

CHARLEY LEOPER SHOTS HIM THROUGH THE HEAD AND SHOULDER.

The Affair Due to Intoxication—Leoper Released on the Ground that it was a Justifiable Homicide.

Thomas Higgins, the individual referred to below, had not only "killed his man," but several men, if all accounts are to be believed. He was quiet and gentlemanly enough when sober, but very disagreeable, even dangerous, when drunk. For several months he worked at Rooks's mines, above Ketchum, and never left his work oftener than once a month, when he got paid. He would then come down to Ketchum, stay a couple of days, and go back to work. During one of these trips, early last November, he was approached by four roughs who wanted him to join them in robbing the stage. But he indignantly refused, and this refusal led to a shooting scrape in which Higgins is supposed to have shot one of the roughs. Since then he had disappeared, and few knew what had become of him. It appears, however, that he went to Bayhorse, where he got into a quarrel and was killed. Following is the Challis Messenger's account of this last scrape:

At Bayhorse, on the 18th, at about 2 o'clock, Tom Higgins made an assault on Charles Leoper with a deadly weapon, and was killed. The details of the affair as far as we can learn them, outside of the evidence which we will give precise, were as follows:

On Tuesday, the 16th, he entered Charley's saloon, after a few remarks to the boys became boisterous and abusive, and tried to break up a game that the boys were playing. This was, as he said, to try Charley's nerve, as he had just opened the saloon and was new at the business. Tom had told Charley before, however, how he had broken up Mike Cary's saloon in Challis, and that he would not let him make a cent, either, but make him pack his blankets out of the place. So this coming in and interfering with the game was the beginning. Charley finally requested him to behave, whereupon Tom said: "Maybe you want me to go out of your house?" "Yes, Tom, if you can't behave I want you to go out." "I won't go out for any long-legged, tenderfoot son-of-a-b—h!" Charley then knocked him down with a chair. He got up and came for Charley, who caught him by the throat and knocked him down again with his fist. He got up and came again, and he caught him by the throat and struck him once more. The other boys then took him away, and they did not meet again until Thursday. But during this time he made various threats against Charley's life, and his friends went to him and told him for God's sake, to get a gun, for Tom was going to kill him. As appeared in evidence, he said: "I was down at Leoper's, drunk, yesterday, and made a fool of myself and got licked, but I am going to play to win, and you bet I'll win! Self praise is no praise at all. 'Actions speak louder than words,' and when I get ready to act you'll see what I do!" It was also proven he had possessed himself with a pistol. Nothing more happened until the fatal day. On that day, about two o'clock, Charley and Wm. Dunn went to the boarding house to dinner. On their return to his place of business, they were met by Higgins, James Moler, who was walking with Higgins, and Geo. Jacoby, who was a short distance behind. When about twenty paces apart, Higgins raised the left lappet of his coat with his left hand, and began to draw his revolver with his right, which he had some difficulty in doing, and at the same time said: "Leoper! Charley Leoper, are you heeled?" Charley made him no answer, but kept walking on. When about ten feet apart, Tom had his pistol ready to shoot, Charley stepped to the left of Dunn, he was walking on his right, jerked out a self-cocker and shot him. (He had his hands in his hands in his pockets all the time.) Two shots were then fired simultaneously after which Charley turned his side to Tom, and looked down, thinking that he was shot in the body, but it was only a slight wound on the left wrist. Tom was trying to shoot again but was having some trouble with his revolver. Charley threw out his revolver, fired again and shot him through the head. Tom dropped his pistol and

fell on his face. Charley then asked Dunn and Jacoby to come to Challis with him, which they did, all immediately leaving the spot. On examination Tom was found to have two wounds, one through the head and the other through his right shoulder. He remained unconscious and died at about half-past five. Charley and the others came to Challis that evening and he gave himself up to the authorities. No bail was required, and the time set for a preliminary trial, on Saturday, at 10 o'clock a. m. At the appointed hour Court was called; Judge James Burns presiding. Hon. E. P. Johnson appearing for the defense and Gov. T. J. Galbraith for the prosecution. Messrs. Spaulding, Jacoby, Dunn and Moler were the witnesses called. Mr. Spaulding's testimony was of minor importance, but the testimony of the other three gentlemen, which corroborated precisely, was exactly as stated, from the time of meeting on the street, on Thursday, until the firing was over and they left the spot.

After the examination of the witnesses, Judge Johnson then requested the release of the defendant on the ground of no cause for action and a justifiable and unavoidable homicide. Governor Galbraith, in behalf of the prosecution, raised no objection to the request, as the testimony would admit of none, but read a short clause of law whereby they are sometimes held over under such circumstances, and left it with the Judge, who took it under consideration and adjourned till 3 o'clock p. m. Court was called at the appointed hour, the request granted by the Judge and the defendant released. Everybody was glad for Charley, not that they feared the decision, but that it is much pleasanter to be over.

It is not often that we are called upon to chronicle such an event, and it was with feelings of the utmost regret we did the above. But it is a duty to the living (we cannot harm the dead), to exonerate and justify him who was so unfortunate as to be compelled (to save his own life) to stain his hands with the blood of his fellow-man, and to place the true facts of the whole affair before the public so that they may all know, as well as they who saw, that it was justifiable, unavoidable, and not in the power of human to prevent. Much as we deplore so good a man being compelled to commit such an act, much as we sympathize with him in his misfortune, we, one and all, can but rejoice at the removal from our midst of one so far astray, and who so far forgets himself as to be lost to all sense of right and wrong, and who would not hesitate to take the life of his fellow-man any more than he would to tread upon a worm. This is the reputation he bore. Richly was it deserved; and each and every day did he strive to inculcate it more strongly in his own mind, and impress it more vividly on the minds of others. We do not suppose there is one person in the county of Custer who really feels that it has been a loss to the world. But in this we may possibly be mistaken. For in this life rare is the case there is not some friend who can truly say: "With all thy faults I love thee still!"

Queer Freak of Two Wealthy Girls.

MERCED, Cal., May 24.—Sheriff Wood, of San Bernardino, made an interesting arrest on the south-bound emigrant train here yesterday. Two young ladies of San Bernardino started out on a tour without consulting their relatives. The elder, who is just over age, drew \$1,000 from the bank, and the girls, unattended, visited Arizona, and have been riding around on the cars in different parts of the State, and having a general good time. Their relatives were badly scared at the sudden disappearance of the girls and their prolonged absence. Finally Deputy Sheriff Wood was employed to seek the young runaways, and armed with a warrant for the arrest of the minor girl, he met them at Merced. They both concluded to return home, and left with their official escort for San Bernardino forthwith. The fair travelers are romantic, but of unimpeachable character, and each is possessed of \$20,000 in her own right, the proceeds of their father's estate.

A Female Deputy Sheriff's Ruse.

Mrs. E. M. Moore, who was recently appointed a deputy sheriff by Sheriff Stegman of Brooklyn, returned to Brooklyn yesterday from Philadelphia, having in her possession an eight-year-old girl dressed in boy's clothes, whom she restored to an anxious mother awaiting her in the office of the District Attorney. Sometime ago the wife of a brother of an ex-Mayor of Brooklyn, whose name is not disclosed, secured an absolute divorce from her husband, and the Court awarded her the custody of the child. Mrs. Moore learned that the father had placed

his daughter in care of some relatives in Philadelphia. On Sunday afternoon she saw the child going to Sunday-school in a Methodist church in Chestnut street. She stopped her, began a conversation with her, and by promising to take her to see her mother, induced her to accompany her. She took the child to her hotel, cut her hair, dressed her in a suit of boy's clothes, and remained there until Monday night, when she returned with her to Brooklyn.—N. Y. Paper.

ONE MEAL A DAY.

A Good Plan for the Single-Blanket Experts of Wood River.

We are often asked the question, "How many meals a day should be eaten for health?" With few exceptions, we answer the question thus: "Two meals a day are all that are required for the maintenance of health, and more and better work can be done on two meals than with more." We have been trying the experiment for some sixteen years, and are so well satisfied with the results that we could not be induced to return to the old plan of eating three or more meals a day. The ancient plan of eating was twice a day. In fact, among the ancient Greeks, the custom was one meal a day until three or four centuries before the present era.

When hard pressed with exhausting labor, we have, for several years, adopted the plan of eating but once a day until the period of excessive taxation was over, and have invariably found benefit by so doing, being able to accomplish more work and with less inconvenience, either at the time or afterward, than when taking two meals a day. We candidly believe that the world would have been much better off to have adhered to the original plan of eating but once a day.

There are many arguments offered against the one-meal or the two-meal plan, but we have never heard one presented which was not easily answered by experience; and the best way to silence all objectors is to induce them to make the trial for a few months. We have never known an instance in which a person has made a faithful and intelligent trial of the two-meal system without being pleased with the results.

The Boston Journal of Chemistry recently published an article from a Dr. Page, who has been trying the one-meal-a-day plan, and claims to have realized great benefits; among others, a considerable increase of flesh. We quote a portion of the article, as follows: "S. N. S., 28 years old, resolved to adopt the one-meal system, and did so, leaving off meat and all condiments, as salt and pepper, and eating chiefly wheat-meal bread and fruit, the bread made from unsifted meal and mixed with water only, no salt nor bread-raising devices—unleavened bread. Within seven months his weight increased from 145 lbs. to 170 lbs., and his strength of both body and mind had increased in proportion. His labor had been severe; he is a machinist and an inventor, working 10 hours every day, and doing a good deal of practical and profitable thinking at the same time. It is now a full year since he came to one meal, and the weight gained has been maintained, and his health is perfect."—Good Health.

An Ingenious Tramp Outwitted.

An ingenious tramp, thinking to wring tears and money assistance from the stoniest hearts with a new science, gave it an experimental trial in the North End. He has decided not to patent the invention. He told a North End lady of his unfortunate condition, and asked if he might eat some of the grass in the yard. The lady, not less amused than surprised, said: "Certainly." He went out, and getting down on all fours, commenced on the grass after the neglected and never popular fashion of Nebuchadnezzar, and apparently not enjoying the diet any more than that ancient sinner of olden times. Presently the anxious eye caught sight of the servant girl beckoning to him from the back yard. He thought a rich reward for his humility was in store, and instantly responded. "Did you motion to me?" said he. "Yes." "What did you want?" He now wore a look of most hopeful expectancy. "You may go in the back yard if you want to. The grass is taller."—Ex.

A Mammoth Stock.

Cliff & McKay have on hand and on the way a really mammoth stock of stoves, mining supplies, and hardware of all kinds—all of which is for sale cheap.

Deserves to be Liberally Patronized.

The WOOD RIVER TIMES, Hailey, Idaho, came out as a daily last Saturday. Picotte, the publisher, is as full of enterprise as a cat is of fleas, and he is bound to make a spoon or spoil a horn. He has arranged for and is getting full telegraphic dispatches from all parts of the world. We see in his paper "Electric Sparks," "Lightning Flashes," and at the headings of some departments are what appear to be freshly-forged, red-hot bolts of Jove. Such enterprise in a new camp like Wood River deserves to be liberally patronized. —[Virginia (Nev.) Enterprise.

The Wires Tapped at Blackfoot.

The Hailey DAILY TIMES has made its appearance with telegraphic dispatches one day in advance of the mail. Picotte taps the wires at Blackfoot, and thence the news reaches him by mail.—[Boise Democrat.

Poor old Christianity is being

sorely punished for his folly in marrying a giddy young girl. The once fond and aged victim of an attack of the tender passion must suffer in addition to all his woes while he lived with his pretty Treasury clerk the keenest shame and agony at seeing blazoned before the world in the newspapers the whole story of his humiliation and wretchedness, brought out by the divorce proceedings. No wonder that the venerable gentleman while Minister to Peru cried, "Oh, damn my wife!" when besought to think of her by a Peruvian officer, to give the tottering diplomat courage as he was toddling off as fast as his wrinkled legs would carry him from under a sudden and unexpected Chilean fire.—[Virginia (Nev.) Chronicle.

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