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NORRIS DUELIST HELD AND HIS BOND WAS FIXED AT \$1,000.

Preliminary Examination of the Norris Duelist—The Testimony of Witnesses for the State—None of the Defendant's Witnesses Examined.

Garry Rain, the Norris duelist who punctured the physiognomy of Miner Moore a fortnight ago, was before Justice McGown Tuesday for examination. Moore, the other principal in this affair, was unable to be present, in fact on the day of the examination was in a dangerous condition, so much so that his brother, "Doc" Moore, who was here as a witness, was excused, and lost no time in returning to his brother's side. The defendant was represented by Julian A. Knight, and County Attorney Callaway appeared for the state.

The learned attorneys in the case opened proceedings by a combined blow against that bulwark of American liberties—the press—as represented by the MADISONIAN man. After a whispered tete-a-tete between the Blackstonians, Attorney Knight, with a naughty little twinkle in his eye, introduced a sweeping motion to exclude all spectators from the court room, quoting the ever-ready law to sustain his demand. His honor, Judge McGown, saw through and beyond the chamber designs of Mr. Knight, which, while ostensibly directed against the lone representative of the bright beacon of civilization, and sustained the motion, but in the same breath appointed the MADISONIAN man Clerk of the Court, greatly to the chagrin of the would-be press censors and the corresponding joy of yours truly. Thus right triumph. Judge McGown seemed to be a newspaper man himself, and he demonstrated that he was a man of emergencies in blocking this theme.

William Graham—Have resided at Norris four months; acquainted with Miner Moore since November—slightly acquainted with Garry Rain, the defendant; was in Norris, Monday the 1st day of July, 1896; saw Garry Rain and Moore together about 2 o'clock on the afternoon of that day; I heard loud talk, and looked up, saw Rain and Moore, talking slowly away; heard Rain ask Moore to come into barn; Moore said his place is good enough for me; then Rain pulled out gun and fired twice, then Moore pulled his gun and fired. Rain then went into barn; saw him coming out of the barn door with revolver in hand; think he shot from the barn door; Moore had walked back to the way; after Rain had shot twice Moore drew his gun; don't know how many shots were fired by Rain; Moore fired three times; I saw Moore yesterday; saw his wounds; one ball hit in 2 or 3 inches below nipple on the left side and was taken out a few inches above right hip bone.

Moore came to my place Sunday night and asked me for a gun saying that Rain was looking for him to kill me; I wouldn't let him have his gun; I went out with him to help him get home. After shooting, heard Rain say "I hope that I have given the big boys a—o—b—wounds that will kill them and if I have not I will kill him." Knight asked that this be stricken from the evidence. Objection sustained.

Thos. Blackburn—Lived at Red Cliff and Norris; acquainted with Rain and Moore; was in Norris on Monday; the two men there in Wallace's place; Rain was on counter; Moore sitting on boxes; as I came in Moore asked Rain if he was looking for him to kill me; Rain said no; Rain invited Moore out, and went out first; Rain went towards barn; Moore went towards barn, but stopped; Rain asked him to go to the barn; Moore would not go, there was room enough where they were; all time Rain had his hand in his pocket; Moore called Rain a big cur; Rain fired; after Rain's second shot Moore drew his gun and fired; Moore fired 3 times, his gun snapping 3 times; Moore emptied his gun; ran into the barn, reloaded and commenced to fire; next saw Moore after shooting.

in bed, where he has been ever since. The witness then described Moore's wounds.

Cross—Always been friendly with Rain; am not friendly just now; could not swear how many shots were fired; Rain fired six shots, am certain that he fired six shots; saw him reloading his revolver.

Herman Weppler—Lived at Norris; knew Rain by sight; knew Moore by sight; saw them Monday; heard first shot; didn't know who fired first shot; Rain fired second; Moore fired third shot.

Cross examination—Think Moore fired three or four shots; am not certain who fired first shot.

At this juncture the county attorney asked for a continuance until 2 o'clock. Mr. Knight concurring, and a recess was accordingly taken.

Miss Ida Wallace testified that she resided at Norris, and that she knew both men. Sunday evening Rain came to her and made threats against some individual whose name he refused to disclose.

He said this man had been speaking of him in a manner that he did not like and he would make him take it back or make trouble; I asked him if he meant Mr. Moore, but he declined to tell me; he further said that if this man did not retract he would see that he was put six feet under ground. I was inclined to believe that he had reference to Miner Moore.

"Did he have a gun?" asked Mr. Callaway. "Yes sir," replied the young lady, and here the defendant's attorney entered an objection, which was overruled. The young lady then continued her statement concerning the pistol. She said she tried to get the gun away from him, but that Rain said he was abundantly able to take care of it.

Undersheriff Summers was then sworn to make a practical demonstration of how bad men carried their firearms. At the conclusion of this demonstration a recess was taken until 3 o'clock.

While the defendant had several witnesses at the last moment his attorney declined to put them on the stand, for reasons which he discreetly kept to himself.

Justice McGown held the defendant, placing his bond at \$1,000. Rain remarked that he could raise the amount in 20 minutes, but he carries in the bastle, presumably because board is cheap there.

The charge against him is assault in the first degree, which under the old law is the same as assault with intent to kill.

The city council will meet next Tuesday evening as a board of equalization.

G. Moritz handles the General Arthur cigar. Try it. It is acknowledged as one of the best on the market.

Prof. John Oliver of the Wesleyan University is in the city. Mr. Oliver is spending his vacation with relatives on the Madison.

The action of Mr. George Henderson, manager of the Summit Placer Mining Company, in making up deficits in the funeral and nursing expenses attendant upon the deaths of Jack McGuire and Wm. Lef, is very commendable, and deserving of praiseworthy mention.

Dr. H. W. Foster, who has performed some remarkable surgical operations and has been successful in all, has a card in this issue. The doctor is in charge of the sanatorium opened at Bozeman for the treatment of diseases of women. The environments of Bozeman make it especially desirable for those in need of a surgeon's skill.

\$175.00 in Gold Given

International News and Book Co., Baltimore, Md., are making a most liberal offer of \$175.00 to any agent who will sell 90 copies in two months of their new book, "Under Both Flags" or a gold watch for selling 40 copies in one month. This premium is in addition to a commission. Graphic and thrilling adventures of the Civil war,—both sides. Every word written by eye witnesses. Stories of camp fires, comradeship, deeds of dash and daring, anecdotes, etc. Hundreds of war pictures. One agent reports 25 copies sold in two days, another agent 42 copies in four days. Complete \$1 outfit sent for 50c in stamps. Write them immediately. Freight paid and credit given. This is a splendid opportunity for students and teachers during their summer vacation.

THE NEWS IN VIRGINIA SEVEN DAYS IN THE SOCIAL CITY.

Various Minor Matters of Interest to Readers of the Madisonian—Glimpsing Generalities of the Week—Personal Mention.

Mrs. Gabriel Moritz and her children left for Butte Wednesday morning and will remain away about two weeks.

F. J. Wallace, the Norris merchant, accompanied by his wife and daughter, Miss Ida, were in the city Tuesday.

Postmaster Vickers has just received a combined cash register and cigar case, ingenious, the mechanism of which will be gracefully described by the proprietor to purchasers of cigars.

This evening the concert of the Young Ladies' Orchestra is due, and those of our residents who enjoy good music and who believe in encouraging a deserving institution should not fail to attend.

The Democratic county central committee met at the office of W. A. Clark, Thursday, Chairman Buford presiding. They issued the call for the county convention, which appears elsewhere in this paper, and apportioned the representation.

Peter McGill was injured through an accident at the Easton, Tuesday. McGill is a miner and his foot was caught by a falling boulder. A fragment of the large shin bone was chipped off. The injury, while not serious, will incapacitate McGill for a few weeks.

John Rodgers and Will Nuenberger went to Dillon Sunday, where they represented Virginia, presumably at the circus. At any rate John now serves a red beverage that awakens old time memories in his place of business, and Will Nuenberger is making an interesting demonstration with three half-shells of walnuts.

W. B. Leslie and Wm. Ebbage of Butte, Mergenthal typesetting machine operators of the Butte Inter-Mountain, passed through Virginia Thursday on bicycles, by which method of locomotion they expect to make a tour of the National Park. They will go via Henry's Lake and expect to be in the Park Saturday morning.

The MADISONIAN turned out some very handsome bonds for school district No. 21, which was recently bonded for improvement purposes. The bonds were handsome specimens of the art preservative—so pronounced by those gentlemen of the social city who are fortunate enough to clip coupons occasionally and who know what this kind of work ought to be.

Mrs. M. S. Cummins, one of the principal members of the faculty of the Wesleyan University of Helena, spent a few days in Virginia this week, and while here was the guest of Mr. and Mrs. Herndon. Mrs. Cummins is a bright woman, thoroughly up in educational matters, and made many friends for her institution while here. Accompanied by her husband, who is in the real estate business in Helena, she is now making a tour of the state.

Rev. A. B. Martin, president of the College of Montana, at Deer Lodge, visited Virginia City this week and while here was the guest of Will Fehring, who is a student at the college. Dr. Martin took charge of the college last September, and in the past year has thoroughly demonstrated his ability as an educator of the highest order. He made a most pleasing impression among our people and one that will be lasting. President Martin stated that a department of book-keeping and commercial law has been added to the college course.

Tom Bluff, the man who was with Garry Rain when he was arrested at Norris last week, was in town Tuesday, as a witness at the Rain preliminary examination. There are some rumors to the effect that Bluff had advised Rain to make a fight against arrest. These rumors he denies, and further states that he admonished Rain to give himself up as soon as the sheriff arrived, and advised Rain to wire the authorities that such was his intention. He further states that he is friendly to

both men, and does not desire to be considered a partisan of either.

Tom Farrell returned from Butte last Monday, bringing with him his patent, which for want of a more appropriate name will be called "whoa" for the present, for that's what it means, when it is choking of the atmosphere splitting proclivities of a runaway team. It excited much favorable comment in Butte, where it will undoubtedly command a large sale. It is a device operated by small cog wheels acting against a similar arrangement fastened to the hub of the vehicles. This causes a small roller to revolve directly under the center of the axle. As the roller revolves it is held by a ratchet. Connected with the roller is a strap fastened to the check reins. When the team starts to runaway the driver simply presses a lever which puts the apparatus in gear, the roller takes in the slack of the reins, tightens them like a drum and puts the fractions team to wondering, like Mr. Watson, "where they are at." The whole is neat, strong and compact and ought to make a fortune for the inventor, who has had the device in his mind's eye for years.

THE SECOND VICTIM

LEF COULD NOT SURVIVE THE SHOCK.

He Was With Jack McGuire When the Fatal Cave Occurred—The Shock was too Much for a Weak Nervous System.

William Lef, the second victim of the Summit accident, died at the Madison house Wednesday evening. Lef was a very superstitious man and it is a curious fact that his death occurred just 13 days after his removal from Summit.

It will be remembered that Lef was working with Jack McGuire on the ill fated night of Tuesday, July 21st, in the Summit Placer Mining Company's tunnel, when a fall of ground occurred, burying both men. McGuire was horribly crushed and instantly killed. The men were working in the face of the drift and cracking timber warned Lef of the coming danger. He sprang back, and had almost crossed the danger line when the ground came down. His head was protected by some broken timbers, while his body was imprisoned by the debris. His situation was such that while he was pinned down by a heavy weight of gravel he could talk with the rescuing party. After three hours hard work he was rescued, and his injuries were found to consist of a bruised elbow.

At first it was thought he was injured internally but subsequent developments proved the fallacy of this theory. But the shock to his nervous system, badly organized as it was, was something awful, and combined with a natural timidity, did the rest. If there is such a thing as being frightened to death, this was the cause of Lef's death. He was brought to Virginia, where the best of medical care availed naught. The man's will power was gone, and the physical forces, dormant through lack of aid from the mental forces, refused to do their work. When the man was conscious he constantly harbored the thought that he had received mortal injuries and that he could not recover. When he was unconscious, and such was his condition most of the time, he believed himself under the debris in the mine, and would scream from fright at his fancied imprisonment.

Lef was a native of Nyhobby, Sockeat, Finland, where his aged mother resides. He had been a sailor and a few years ago visited two sisters who live in Mendocino County, California. There he took up placer mining and three months ago drifted into Virginia City, and had been in the employ of Mr. Henderson ever since. He was a member of a Swedish benevolent society in San Francisco, which institution will be notified of his death.

Mr. Henderson states that Lef was a good, steady young man, painstaking in his work and very faithful. He was but 26 years of age. The funeral occurred yesterday from the Episcopal church, being conducted by the Rev. J. J. Bowker.

HIGHT & FAIRFIELD, Jewelers BUTTE.

If the local jeweler in any of the towns of Madison County cannot supply your wants, we can.



If you need anything for yourself; if you wish to make a birthday, anniversary or wedding present; if you need an engagement or wedding ring; if you need watches, diamonds, jewelry, Sterling silver, fine silver plated ware, American cut glass, fine china, Hungarian and Bohemian bric-a-brac, clocks, opera glasses, canes, umbrellas, tortois shell combs silver mounted belts, blouse waist sets or anything in the way of silver novelties, you find in our stock just what you are looking for. If your watches or jewelry need repairing, send them to us. If desired, we will mail you an estimate of expense before repairing. We furnish an engraved plate and one hundred calling cards for \$1.50; after the first lot \$1.00 per hundred. Samples sent on application.

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You should see his line of Shirts and Underwear, Hats and caps. He has goods at all prices, and if anything bought does not prove satisfactory, then—your money back for the asking. Call on

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