

# TWO GIVEN YEAR TERM

KANE AND HOLLIDAY ENTER  
PLEAS OF GUILTY IN THE  
DISTRICT COURT.

# JAMES GRADY FREE

No Prosecution in Case of Chas. E. Sollin—Information Filed Charging Meddles With Murder of Roy McClaren—Rosebud County Murder Case Will be Tried January 15.

From Sunday's Daily.

Two men, defendants in criminal cases, voluntarily pleaded guilty to charges that sent them to the penitentiary, in the district court, yesterday, and one, over whom the charge of murder of the first degree was hanging, and another who has been in jail several weeks on a charge of grand larceny, were dismissed from the custody of the sheriff and are free men.

James Kane was the first man to enter a plea of guilty. On the night of November 4 Kane jammed his brawny fist through a plate glass window in Forrester's jewelry store and abstracted from the hole made thereby jewelry and valuable articles amounting to several hundred dollars in value. His capture was effected almost immediately and he has since been in jail. It was rumored that Kane was trying to break into the penitentiary—that he wanted the state to take care of him. Judge Loud asked him a few questions in regard to this matter before passing sentence. Among other questions the court asked him what he committed the burglary for. Kane, who is a raw Irishman, replied, "Well, Judge, of well know yez have tried many cases before and I think ye should know what a men would commit burglary for." The spectators, members of the bar, and even the judge himself, smiled audibly at the reply. Kane received one year.

Thomas Holliday was the next defendant brought up. William Gallagher represented him as counsel and he entered a plea of guilty to the charge of assault in the second degree. October 4, last, Holliday and a man named John Coble, both of whom had been working for Woolfolk & Richardson, sheep men, become involved in a quarrel in a saloon at Musselshell. It appears that Coble had been the camp tender and Holliday was of the opinion that he had secured his discharge by the firm. The men went out in the street where it is alleged that Holliday pulled a knife and inflicted a slight wound on the body of Coble. He entered a plea of guilty and was given one year at hard labor.

Grady Goes Free.  
James S. Grady drew a lucky number. A charge of murder in the first degree was filed in the district court against him a year ago. Since that time he has been serving a short sentence in the penitentiary upon conviction of grand larceny, and was re-arrested last week on the murder charge as he stepped out of the penitentiary gates. When the case was called yesterday morning the county attorney filed a motion to dismiss the prosecution against Grady and that he be discharged from custody. The motion was granted and Grady left the court room at once. His lawyers were Hathhorn & Groves.

Sollin Not Prosecuted.  
The motion in the case of Charles E. Sollin was then taken up. Sollin was bound over to the district court in November by Justice Fraser, upon his waiver of an examination on the charge of grand larceny. He was formerly employed in the local office of the Northern Pacific express company as cashier, and the auditor of that company charged that he was short in his accounts. The motion filed by the county attorney supported by affidavits of the express company's officers and the superintendent of a surety company, were gone over in detail in Friday morning's issue of this paper. There had never been an information filed in the district court against Sollin and the county attorney asked leave of the court not to file an information and asked further that the defendant be discharged. The motion was taken up by Judge Loud and granted. Sollin was released from custody, and last night left the city for his former home, Valley City, N. D. His attorney was Wm. Gallagher.

Court Entries in Detail.  
The court transacted quite a large volume of business in the brief time it was in session, the following being

the entries made outside of the numerous ones made in probate cases:

Chris Yegen against the board of county commissioners—Demurrer sustained and motion to dissolve injunction granted. Bill of exceptions was signed and allowed in open court.

State against Frank Tobin, charged with damaging a public jail—Fred H. Hathhorn was appointed counsel for the defendant. Bond was fixed at \$750. Defendant enters a plea of not guilty.

State against Luther McClanahan, charged with having robbed a guest at the Cottage Inn—T. S. Hogan was appointed counsel for the defendant and bail fixed at \$750. Defendant enters a plea of not guilty.

State against T. M. Davis, charged with robbing Adams' shooting gallery—F. H. Hathhorn appears as counsel. Bail fixed at \$750 and plea of not guilty entered.

State against Ben Balkwell, charged with having resisted a police officer—Fred H. Hathhorn appears as counsel. Bail fixed at \$750 and plea of not guilty entered.

State against Arthur Wesley, charged with murder in the first degree—Cause removed to this court from Rosebud county. J. C. Lyndes entered as counsel for the state. Defendant enters a plea of not guilty and bail is refused. Trial set for January 15.

Meddles Charged With Murder.  
State against James Meddles—The county attorney files a motion asking to be granted leave to file an information against the defendant in this court charging murder in the first degree. The motion was granted whereupon the information is filed. The information charges Meddles with having murdered Roy McClaren on the evening of December 3. The members of the board of county commissioners file their annual bonds which are approved by the court.

The hearing and judgment of the insanity proceedings against Peter Roberti were confirmed.

One Divorce Granted.  
Beatrice Benschow was divorced from William Benschow on the grounds of failure to provide and habitual intemperance. J. M. Johnston was the attorney for plaintiff.

Yegen against Horder—Default of defendant entered and judgment given plaintiff in the sum of \$739.63 and costs.

North against Bouton et al.—to quiet title—Judgment granted plaintiff.

North against Fraser—to quiet title—same order.

Goldard against The Montana Coal and Iron company—argument heard. Owing to the fact that the court stenographer is so rushed with work in criminal cases that he has not yet been able to prepare records in certain appealed cases, an order is made extending the time for perfecting appeal to March 1 in the following case, Ertien against Drum, Donovan-McCorraick company against C. W. Sparr and Ames against the Brotherhood of Yoemen.

Duckemiller against Duckemiller, divorce—Order for alimony signed.

# MOTHER PARTS WITH HER CHILD

TEARFUL SEPARATION IN THE  
COURT ROOM.

From Sunday's Daily.

Just before court adjourned last evening, in fact after all of the business in sight had been transacted and the lawyers and spectators had left the court room, a very pathetic incident transpired.

It was in relation to the adoption of an infant child by Mr. and Mrs. Walter Clifton. Mr. Hathhorn appeared as attorney in the matter and before his arrival with the papers, Mrs. Julia A. Edward, the mother of the baby, paced the corridors for some time and her sobs might have been heard in all parts of the building. The child is a boy and his former name was Raymond William Edward. Hereafter he will be called Walter Raymond Clifton, the court, acting upon the motion of the petitioners, having given him this name. Mrs. Edward was loth to part with the little fellow, notwithstanding she stated to the court that she knew that he would be better provided for by his foster parents, and her grief at the parting was pitiable. However, she signed the necessary papers by which she relinquished her rights as a mother without faltering. During all the time the proceedings were being heard the baby remained in her arms with its arms tightly clasped about her neck. The baby was dressed in excellent taste, as was its mother.

# NOTICE.

Stockholders' Meeting.  
A meeting of the stockholders of the Bear Creek Coal company will be held at the usual place in Billings on January 13th, 1906.

P. M. GALLAHER,  
Secretary.

# REAL WAR IS WAGING

MACHINE GUNS ARE USED  
AGAINST REVOLUTIONISTS  
IN BATTLE AT RIGA.

# DURNOVO MUST GO

Witte Credited With Intention of Dismissing Interior Minister Upon Convocation of National Assembly—Manifesto to Peasants Promised for Emperor's Namesday.

St. Petersburg, Thursday evening, Dec. 14, via Eydtkuhnen, Dec. 15.—It seems to be beyond question that bloody collisions have occurred between troops and the united peasantry and workmen in the streets of Riga during which machine guns were used. The situation is most serious in the country, which is practically abandoned to the revolutionary bands, owing to the concentration of troops in the cities and towns.

Against some of the estates where the landlords, aided by a few faithful adherents, are attempting to protect their property, the revolutionists are conducting regular military operations. They reduced the garrison of the estate of Baron von Loeuwis to submission, after a majority of the defendants had been killed, and plundered and burned the buildings and carried off the baron. The survivors were made prisoners.

Foreign Minister Lamsdorf at the first interview which he had with American Ambassador Meyer since the latter's return to St. Petersburg, while not optimistic, expressed the opinion that the political situation and outlook had considerably improved.

The law and order elements are now the principal hope of averting the anarchy which the revolutionary parties are organizing.

Will Remove Durnovo.  
Upon the early convocation of the national assembly, pressure for which is constantly increased, it is generally believed that Premier Witte will dispense with the services of Interior Minister Durnovo, against whom all classes have risen, and appoint M. Guchikoff, a prominent member of the Moscow zemstvo, who is said to be ready to accept the office, as his successor.

The emperor's names day, December 19, will be signalized by an important peasant manifesto and publication of the election law.

# A REBEL MANIFESTO

St. Petersburg, Friday, Dec. 15.—via Eydtkuhnen, East Prussian, Dec. 16.—The proletarian organization, through their "Invisible government," threw a bomb into the camp of the official government during the night by issuing a manifesto following the form of the regular imperial document, declaring the bankruptcy of the treasury and ordering the proletarian army everywhere to refuse to pay taxes of any description, to insist on the payment of wages in gold or silver and to withdraw all their deposits from the banks in gold. The manifesto is a terrible indictment of the manner in which the government has squandered, not only the country's income, but the proceeds of foreign loans on railroads, the army and fleet, leaving the people without schools or roads; yet, it is declared, there is no money to feed soldiers and everywhere there are insurrections of beggars and starved troops and sailors.

The manifesto even charges the government with using deposits in the government savings banks to speculate on the bourse and with covering up its chronic deficits in interest on the immense debt by proceeds of foreign loans, which are at last exhausted. The rich, it is further declared, have already taken warning and are converting their property into securities and gold and are sending them abroad.

The only salvation for the country, according to the manifesto, is overthrow of the autocracy by a constituent assembly, and the "sooner the government falls the better. Therefore the last source of existence of the old regime—its financial revenue—must be stopped."

Creates a Surprise.  
The manifesto created a tremendous sensation on its publication and the government accepted the challenge contained in it and confiscated the editions of all the newspapers printing it, but only after the papers had been circulated everywhere. The government announced that it would proceed legally against the editors of

these papers for violations of the press law, and it has also begun arrests of members of the committees of the organization that signed the manifesto.

The general impression is that this action on the part of the government will precipitate events. Every development goes to show that the government is resolved to make an effort to suppress agitation now existing throughout Russia and to restore order in the empire at any cost. Every move made by the reactionaries has met with open defiance.

The liberals, incensed at Count Witte's contemptuous reply to the zemstvos demands, are contemplating a plan to hold election for a constituent assembly, independent of the government. The liberals contend that there are unmistakable signs that the government is preparing a counter revolution and they openly charge that Count Witte has elected to take up the cause of the court against the people and that all hope from him is ended.

# JEWS PROTECT THEMSELVES.

Riga, Russia, Dec. 16.—The city is infested with incendiarism. Many wooden structures have been burned. The revolutionary committee holds all the main roads and incoming provisions are destroyed, resulting in an enormous rise in the prices of food. A mob has plundered and set fire to some Jewish houses in Moscow, a suburb to this city. The Jews have organized armed patrols, each 100 strong, to guard the Jewish quarters at night.

The electric works are being operated by the military. Twelve rioters were killed here today. They were shot by the military guard at the water works. A mob of Lithuanians attempted to force the doors of the waterworks whereupon the guard fired. The rest of the rioters fled.

# GERMANY TAKES ACTION.

Berlin, Dec. 16.—In view of the serious news from Riga and Reval, Chancellor von Buelow has authorized the president of the province of East Prussia to charter steamers for Riga, Reval and Libau, and to place them at the disposition of German subjects in those cities.

# ARE BURNED TO DEATH

Father, Mother and Three Children Perish in Fire That Destroys Their Home.

Red Lake Falls, Minn., Dec. 16.—Peter Martell, his wife and three children were fatally burned in a fire in their home in this city, early this morning. Martell, when the fire was discovered, rushed out to secure aid, but dreading what might happen in his absence, returned to rescue his family, who were sleeping on the second floor.

From the position of the bodies when found it is apparent that he succeeded in getting all but one child close to the kitchen door, with but a few steps between life and death. But the father could not leave one child to suffer the tortures of death by fire, so he returned again to save it.

He ascended the stairs, boldly fighting the flames, and grasped his beloved child in his arms, when he was precipitated to the floor below, surrounded by flames on all sides. Neighbors rushed to the rescue, but Martell and his family were beyond all human aid.

The origin of the fire is unknown.

# BLOWN TO FRAGMENTS

Mixing House of Nitro-glycerine Works Explodes, Killing Five and Doing Much Damage to Property.

Marquette Mich., Dec. 16.—Five men were killed by an explosion today at the Dupont company's dynamite works here. Several others were injured.

About 1,400 pounds of nitro-glycerine exploded in the mixing house of the company's factory, which is three miles distant from Marquette. The explosion badly damaged the plant, and caused much excitement in Marquette.

The dead were all workmen employed by the company. The men were blown into shreds.

Of 30 buildings in the plant few escaped damage and some were badly wrecked. The mixing house was utterly destroyed. In Marquette wind down all over town were smashed and in the business district plate glass was splintered.

# IN BROAD DAYLIGHT.

Marshfield, Wis., Dec. 16.—The State bank of Colby, Wis., was robbed this afternoon of the sum of \$4,500 by two highwaymen, who ordered the cashier at the point of revolvers to turn over the money in his possession. The cashier complied without hesitation. The robbers then quickly rode away.

# FIXED IT WITH RYAN

KANSAS STATE SENATOR INDICTED FOR CONSPIRING TO VIOLATE FEDERAL LAW.

# CORRUPTED AGENT

Charged With Influencing Through Persuasive Power of Money Government Official Investigating Land Frauds—An Original Backer of Convicted Senator Burton.

Topeka, Kas., Dec. 16.—The federal grand jury which has been in session investigating government land frauds in Kansas today returned an indictment against State Senator F. Dumond Smith on the charge of influencing a federal officer to neglect his duties. Five other indictments were returned. Senator Smith is one of the most prominent republican politicians in the state.

# Partner Also Charged.

Smith is state senator from a district in the southwestern corner of the state, comprising 18 counties. He is charged jointly with his law partner, Roscoe Wilson, with conspiracy to violate the federal law which provides a penalty for influencing for a consideration any government official on any matter then pending before that official.

It is alleged in the indictment that Smith and Wilson, for a consideration, influenced the opinion and action of T. E. Ryan, formerly special agent in the government land office, in the land fraud cases which he was investigating in Hodgman county, Kansas.

According to the allegations the men implicated in the case under consideration were approached by Wilson, who told them that State Senator Smith could "fix it up" if they would raise the sum of \$2,500. This was raised and divided equally between Smith, Wilson and Ryan, the government agent.

# Friend of Burton.

Senator Smith is attorney for some cattlemen, who were indicted a week ago tonight for alleged illegal fencing of government land and conspiracy to defraud, by this same grand jury. He was one of the original backers of the United States senator J. R. Burton, recently convicted by the federal court at St. Louis.

Smith also is the author of the state oil refinery bill passed by the state legislature at the time of the anti-Standard Oil fight last winter and afterward held unconstitutional by the supreme court of Kansas.

# ALL ARE ALIKE

Individuals and Corporations Fare the Same—Charge in Bills Allege Giving and Conspiring to Gain Rebates—Chicago & Alton Caught Again.

Kansas City, Dec. 15.—Fourteen indictments were returned by the federal grand jury here today against common carriers, railway officials, shippers and freight agents, charging the giving of rebates and conspiracy to gain rebates.

The indictments returned are as follows:

George H. Crosby of Chicago, general traffic manager of the Chicago, Burlington & Quincy railroad.

Geo. L. Thomas, New York, a merchandise broker.

L. B. Taggart, Crosby's chief clerk.

The Chicago & Alton railroad company, John N. Faithorn and F. A. Wann, formerly vice president and general freight, respectively, of the railroad company.

The Cudahy Packing company.

Swift & Co.

The Armour Packing company.

The Chicago, Milwaukee & St. Paul Railroad company.

Nelson Morris, Edward Morris and Ira N. Morris, comprising the partnership of Nelson Morris & Co.

D. H. Kresky, Kansas City, freight broker.

The charges against the Chicago & Alton and Faithorn and Wann are identical with those made in the indictments returned by the federal grand jury at Chicago, December 13.

# MUTINY AT MOSCOW.

St. Petersburg, Dec. 16.—News from Moscow is very bad. Open mutiny has broken out in the Grenadier and other regiments, and the authorities were forced to disarm several battalions.

# Professional Cards

F. H. HATHHORN,  
Attorney-at-Law.  
First National Bank Block,  
Billings, Mont.  
H. C. CRIPPEN,  
Attorney-at-Law.  
Rooms 7 and 8, Gruwell Block,  
Billings, Mont.  
HENRY A. FRITH,  
Attorney-at-Law.  
First National Bank Block,  
Billings, Mont.  
WM. GALLAGHER,  
Attorney-at-Law.  
Office, First Nat'l. Bank Bldg.  
Billings, Mont.  
J. H. JOHNSTON  
Attorney-at-Law  
Belknap Block, Billings, Mont.  
A. FRASER,  
Justice of the Peace,  
Notary Public,  
U. S. Commissioner.  
First National Bank Block,  
Billings, Mont.  
H. E. ARMSTRONG. C. F. WATKINS  
ARMSTRONG & WATKINS  
Physicians and Surgeons  
Belknap Block, Billings, Mont.  
DR. E. G. GERHART,  
Homeopathic Physician and  
Surgeon,  
Room 23, Belknap Block,  
Billings, Mont.  
Office Hours—9 to 12 a. m., 2  
to 4 p. m., 7 to 8:30 p. m.  
HENRY GERHART,  
Civil Engineer and Surveyor,  
Irrigation a Specialty  
City Engineer  
Office City Hall, Billings, Mont.

# CONTEST NOTICE.

Department of the Interior, United States Land Office, Bozeman, Montana, November 18, 1905.—A sufficient contest affidavit having been filed in this office by Edward A. Miner, contestant, against homestead entry No. 5538, made June 4, 1904, at Bozeman, Montana, for lot 7, section 13, township 3 south, range 23 E., M. P. M., by Ernest Robison, contestee, in which it is alleged that said Ernest Robison has abandoned said land for more than six months last past, and has not cultivated the same as required by law. And that his said alleged absence from said land was not due to his employment in the army, navy or marine corps of the United States in time of war, said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on December 26, 1905, before Lucius Whitney, U. S. commissioner, at Joliet, Montana, (and that final hearing will be held at 10 o'clock a. m. on January 3, 1906, before) the register and receiver of the United States land office in Bozeman, Montana.

The said contestant having, in a proper affidavit, filed November 14, 1905, set forth facts which show that after due diligence personal service of this notice can not be made, it is hereby ordered and directed that such notice be given by due and proper publication.

M. R. WILSON, Register  
J. N. KELLY, Receiver.

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