

BUTTE NEWS

Montana's Largest Grocery, March 11

LUTEYS

45 and 47 W. Park Phone 68

Wednesday's Bargains

Hams

Nice, lean, sugar cured Hams, large or small; special.

14c per pound

Tomatoes

Solid pack, meaty Utah Tomatoes; special.

Per can 10c

Sugar

Fine dry granulated Sugar; special.

17 pounds for \$1

(No exclusive orders delivered.)

Fine Eating Apples

Fancy sound, medium size, juicy Eating Apples; a big bargain at per dozen 5c

Potatoes

Fancy white Burbank Potatoes, free from frost; 100 pounds \$1.00

Fresh Fish

Head of our cheese department. Salmon, Chinook, pound 10c. Strictly fresh Halibut, pound 12c. Fresh Codfish, pound 10c. Silver Smelts, 3 pounds for 25c. Salt Water Herring, 3 pounds for 25c. New York COCKTAIL OYSTERS; special, per dozen 20c.

Fresh Meat

Under our big electric sign. The best Round Steak, pound 10c. Shoulder Steak, 3 pounds for 25c. Mutton Chops, 3 pounds for 25c. Hamburg Steak, 3 pounds for 25c. Sirloin Steak, pound 12c. Porterhouse Steak, pound 15c.

Mail your orders to Lutey Bros., Butte.

Tonkin's

Spring Suits

Exhibited in our west window are the very latest effects in Men's Spring Suits. The special prices are \$20.00, \$18.00.

\$14.85

41 E. Park Street

Be Good to Your Feet

By wearing NON-AQUA WATERPROOF street shoes. Comfortable and health preserving.



Strong & Garfield Co., Boston

Ayer's Hair Vigor

Stops falling hair. Makes hair grow. Restores color. Cures dandruff. Could you ask anything more? J. C. Ayer & Co., Lowell, Mass.

JACK JOLLY, NOME'S CHIEF OF POLICE, HAD QUITE A RECORD IN CITY OF BUTTE

Twice Elected City Marshal—Cuts a Gambler, Who Dies, and His Assailant Gets Term in the Penitentiary—Industrious and Good Citizen Until After He Got Out of Office—Married Mollie de Merski, Who Quit Him When He Got Into Trouble.

Press dispatches from Nome under date of Jan. 16 by way of Dawson under date of March 9 and published yesterday morning, give details of the alleged shooting of Samuel James, a policeman, by Chief of Police Jack Jolly of Nome and who was well known in Butte years ago. The story has attracted considerable attention in Butte as there are several persons here who were well acquainted with Jolly. They were not surprised to learn that Jolly was in trouble, as to those persons, the former Butteite was known as a reckless character. It appears from the dispatches, however, that in this instance Jolly shot in self-defense. Justice Reid of Nome is reported as rendering a decision to the effect that he could not believe from the evidence that the accused was guilty of murder, but instead had acted in self-defense. However, the judge found it politic to hold Jolly in \$5,000 bond for the action of the grand jury.

Starts as Blacksmith.

Jack Jolly is about 50 years of age. He came to Butte about 25 years ago and engaged in business as a blacksmith. He was known as an Al man at his trade, and his business flourished. He was first associated with a partner under the firm name of Jolly & Black. Their shop was located where the State Savings bank now stands, at the corner of Main street and Broadway. Later the partnership was dissolved and Jolly removed to South Main street at a point about where the Eagle Pharmacy now stands.

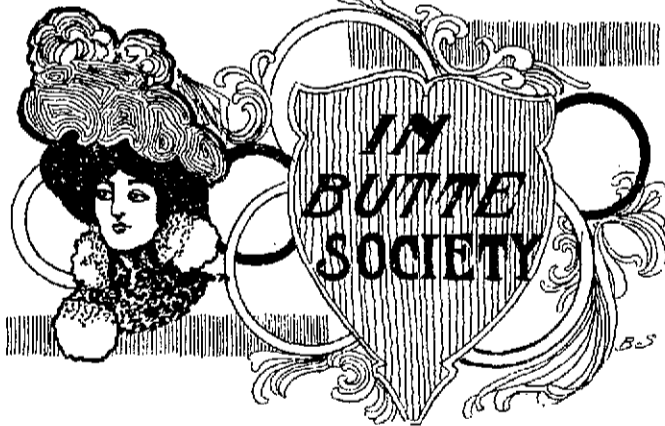
It was about 1854 that Jolly gave up the blacksmith business and located on a ranch near Melrose with his wife and family. He had been known as an industrious and had accumulated a little wealth. Things prospered with him for a while, but after about a year death claimed his wife and three children. A great change came over Jolly immediately after. He appeared to have lost all ambition, and not desiring to remain on his ranch, he disposed of it and returned to Butte. He had been well liked and was still popular enough to be elected city marshal in 1888 and to be re-elected in 1887. About the time he took office he became a partner in a saloon at the corner of Park and Main streets.

After his second term of office expired Jolly was a reckless fellow. He became a hard drinker, it is said, and a gambler. It is said he went from bad to worse, until finally, in 1893, he became involved in a difficulty with Billy Byther, a gambler, and stabbed the latter in the neck. The trouble took place in the gambling house conducted by Byther over the Mint saloon, on North Main street. There was a dispute, and Byther was stabbed. Byther had almost recovered from the effects of his wound when he was stricken with pneumonia. That was a few months after the stabbing. While bedridden, Byther became delirious and jumped from the window of his room on the third floor of the D'Acheul block, at the corner of Wyoming and Park streets. He suffered a broken arm as the result of his jump. The fracture was compound and amputation was considered necessary. After the operation Byther died.

Jolly was made to stand trial for the stabbing of Byther, and after being convicted was sentenced to serve three years at the Deer Lodge pen. When he was released he went to Nome, where he has since made his home. He became active in politics in the Alaska city, as is shown by the fact that he was made one of the police officers of that city. While in Butte Jolly married Mollie de Merski, who conducted a resort of ill repute. It is understood that he and the woman separated about the time of the stabbing of Byther, and that after Jolly was released from prison the woman refused to have anything more to do with him.

His Latest Killing.

According to dispatches from Nome, Jolly resigned his position as chief of police immediately after he killed Policeman James. The shooting of James appears to have been the result of the suspending of the policeman. James is said to have demanded that he be reinstated without the necessity of an investigation, and it is said, threatened to kill Jolly if his demand was not complied with. The men finally met on the street, and James is said to have drawn his revolver and to have exclaimed, "Your time has come!" Chief Jolly then drew his revolver and fired, James falling and dying almost instantly.



next season the routine of study which will be chosen at an early meeting.

Mr. and Mrs. Rupert Nucholls are changing their place of residence. Today they are moving into the cozy cottage at 725 West Park street.

Mrs. S. W. Graves and Mrs. Alfred M. Kitzo were pleasantly surprised last evening by a company of friends who visited their home at 1,000 Iowa avenue and indulged in a contest at cards.

The Misses Russell yesterday issued invitations for an at home on Saturday afternoon of this week.

The Woman's club of Butte nominates officers for the ensuing year at their meeting which is to be held this afternoon at the usual place. No visitors.

The Monday Afternoon Sewing club, which is composed of a coterie of women who live in the neighborhood of Excelsior avenue and Copper street, enjoyed a social time this week as the guests of Mrs. P. W. Sheehy. While the needles flew back and forth and while the hum of enlivening conversation ceased, music was furnished by Mrs. Sheehy, Mrs. Jackson and Mrs. Nucholls. The ladies who participated in the sewing here were Mrs. C. S. Jackson, Mrs. D. A. Dickson, Mrs. Tully, Mrs. Squires, Mrs. Watering, Mrs. Nucholls, Mrs. Atkins, Mrs. Cutting, Mrs. C. D. Vail, Mrs. Dan Yancy, Miss Lillian Sheehy and Miss Grace Campbell.

A telegram received late last evening from T. M. Hodgson, who with his family is visiting in Fort Dodge, Iowa, announced that the little daughter, Elizabeth, who has been in a critical condition from typhoid fever, is very much worse and almost all hope is abandoned for her recovery. Inaction of the heart has alarmed those in attendance, and to-day a specialist from Chicago will make an examination.

With a discussion of the regency of Maria Christina and Spain under the present king, Alfonso XIII, this week's meeting of the Monday Night club

closed a very interesting study of the Spanish during the past 50 years. The next meeting is devoted to magazine articles and a book review will be held with Miss Madden, 322 West Broadway.

The members of the Eastern Star lodge entertain this evening at cards in the parlors of the Masonic temple.

Flier Ruled On.

New Orleans, March 10.—After the Lord Neville race yesterday the stewards notified W. H. Flier to appear before them this morning. The conference was held in the steward's stand with closed doors. At the close of the conference it was announced that Flier had been ruled off for violation of the Western Jockey club's rule relative to the use of drugs on horses.

MAKE READY TO MOVE IN

SCHOOL TRUSTEES GET BUS FOR FURNISHING NEW SCHOOL.

MARY MULLINS A PRINCIPAL

McKinley Building Reaching Completion and School Trustees Busy Buying Equipment—Financial Statement for February.

In early anticipation of the completion of the new McKinley school building, now being erected on the west side, the school trustees last night, at their regular weekly meeting, took steps to be ready when the time comes to install the equipment of heating apparatus and all other furnishings, consisting of children's and teachers' desks, blackboards, Venetian blinds, etc. The proper committees were instructed to ask for bids.

A resolution was passed formally electing Mrs. Mary Mullins, late county superintendent of schools, principal of the new Jefferson school, situated on the Parrot flat. She has been acting in that capacity since the school was opened, March 2 last.

Audited bills amounting to \$52.20 were approved and warrants ordered drawn for the various amounts. John Merigan, sub-contractor on the new Jefferson school, communicated with the board to the effect that he proposed Messrs. Shackleton & Whitway for the purchase of all bills contracted by him on that job. This was done at the request of the board to protect Shackleton & Whitway, in particular, in regard to a bill for sand lately presented to them by the man who supplied it to Merigan. The bill will probably now be properly presented.

Clerk Richards was instructed to communicate with Superintendent W. W. Welch to ask for copies of any new laws enacted at the late session of the legislature that affect the government of the schools.

In reference to the furnishing of the new McKinley school building Trustee White moved that the supply committee be instructed to secure bids on type plants, blackboards, ordering sufficient to supply all demands of the other schools as well, and Venetian blinds. It was reported that the board is now in possession of school and teachers' desks sufficient for the new building. The motion carried and the building committee was likewise instructed to plan for installing heating apparatus and attend to supplying new toilets needed at the Webster school.

The financial statement for the month of February submitted by Clerk Thomas Richards is as follows:

GENERAL FUND. Debits: Feb. 1, cash in county treasury, \$125,913.97; Feb. 2, received from taxes, 126.24; Feb. 2, rebate on insurance, 262.50; Feb. 2, sale of books, 37.29; Feb. 2, rent, tuition fee, school, 25.10; Total, \$127,265.25. Credits: Feb. 28, warrants issued during month, \$23,294.87; March 1, cash in county treasury, 103,570.43; Total, \$127,265.25.

BUILDING FUND. Debits: Feb. 1, cash in county treasury, \$89,651.19; Feb. 28, warrants issued during month, \$ 9,669.09; March 1, cash in county treasury, 29,665.18; Total, \$129,085.46. Credits: Added to the cash in the treasury, it was reported there will soon be the payment of the legislature, amounting to \$32,000.

FREE TO EVERYONE.

Read and Learn How You May Procure It.

The question of why one man succeeds and another fails is a problem that has puzzled philosophers for centuries. One man attains riches and position, while his neighbor who started with seemingly the same and better opportunities, exists in poverty and obscurity. No man can win success in the career of life without an irritating and nerve-racking disease, and the man who has the qualities of success within him would be quick to recognize this fact and seize the best remedy to eradicate the trouble.

A person afflicted with a serious case of hemorrhoids or piles is handicapped in the race for life and advancement. It is impossible to concentrate the mental energies when this dreadful trouble is sapping the vital forces. To show how easily this success destroying trouble can be overcome, we publish the following letter from a prominent Indiana man:

"When I received the former letter and booklet on 'Piles, Their Nature, Cause and Cure,' I was in a critical condition. Ulcers to the number of seven had formed on the inside of the rectum, culminating in a large tumor on the outside resembling fistula. I suffered the most excruciating pain, could get no rest day or night. After reading the booklet I sent to my druggist, he had happened to be out of Pyramid Pile Cure just at that time. However, I obtained a part of a box from my brother-in-law and began their use. Five pyramids completely cured me. I procured a box later, but have had no occasion to use them. I have been waiting to see that the cure was permanent before writing you of its success. I believe Pyramid Pile Cure to be the greatest and best pile cure on the market, and ask you to please accept of my grateful thanks for this invaluable remedy. I take great pleasure in recommending its use to any sufferer along this line. You may use my name if you wish for reference to any one afflicted with this disease."—J. O. Mullen, Arthur, Ind.

You can obtain a free sample of this wonderful remedy, also the booklet described above by writing your name and address plainly on a postal card and mailing it to the Pyramid Drug Co., Marshall, Mich.

NO VERDICT AT MIDNIGHT

JURY IN THE BROOKS MURDER CASE MAY NOT AGREE.

MANY INSTRUCTIONS GIVEN

They Favor the Defendant to a Marked Degree—Trial Has Created Much Interest.

At 12 o'clock last night the jury men in whose hands rests the fate of Walter H. Brooks, the alleged slayer of Emory Chevrier, had not arrived at a verdict and were transferred from the debating room in Department III, to quarters in the county courthouse for the night. When Bailiff Burke opened the door of the jury-room and called to the 12 men to prepare for bed, one of the latter replied: "That is the best news we have had to-day." This was taken as an indication that the jury men could not agree regarding the guilt or innocence of the defendant, and without further ceremony all efforts to reach a verdict were abandoned for the night.

The case was given to the jury at 5 o'clock. After entering the room a general discussion was indulged in and then a ballot was taken without a definite result. The 12 men were then taken to supper and on their return to the courtroom an hour later resumed their deliberations. That they had a warm time up to midnight is evidenced by the fact that a large glass pitcher filled with ice water was emptied six times. Up to the time the jury men returned no intimation as to how they stood in the matter of voting had been permitted to escape their quarters. It is evident that they are not of one opinion. In the face of the instructions given by the court, which were favorable to the defendant, the failure of the deliberators to reach a decision is somewhat surprising. It is believed that the jury men who had listened to the testimony for and against the accused. During the long hours of the evening the uncle and the aunt of the defendant from Helena, together with several other persons, waited in the courtroom for the jury men to arrive at a decision, and when the hour for closing for the night arrived, a look of disappointment overcame their faces.

They were all present during the taking of testimony, and while the arguments were being made, not one word escaped them. In view of the fact that a decision was not arrived at last night the opinion prevails that a compromise verdict may be reached or there will be a disagreement. It is possible that a majority of the 12 favor acquittal. If this is the case the others may be won over. In the Chevrier case seven of the jurors at first favored the insanity theory and five expressed the belief that the prisoner should be convicted of murder in the second degree, but after that jury had spent thirty hours in its work the majority yielded to the persuasions of the seven.

Many Women Present.

During the proceedings yesterday the courtroom was crowded at all times, women forming no small portion of the interested audience. From beginning to end the trial attracted more attention than any murder trial that has ever taken place in Silver Bow county. Several women heard every word of the testimony, being regular attendants at the trial each day. Mrs. Brooks was not in the room during all of yesterday, but she was there a portion of the afternoon. She heard part of the argument made by Attorney Booth in behalf of her husband, but left as soon as he had finished his remarks. During her stay she kept her face covered by a thick veil and did not seem to feel particularly at home. Some of the remarks of Mr. Booth affected her greatly.

Judge McClanahan gave the jury 65 instructions and in one stated that if a man caught his wife in an act of infidelity and killed the man the crime would not be considered greater than manslaughter, that if the man attacked his husband and the latter killed him the act would be justifiable. The judge instructed the jury to not disregard the testimony of the defendant, which was to the effect that Chevrier had attacked him when he entered the latter's room. He said that mere probability would not warrant a conviction.

Arguments of Lawyers.

Jerry J. Lynch, one of the assistants to the county attorney, addressed the jury first in behalf of the state, but he dwelt principally upon the testimony adduced. He was followed by Thomas A. Morrin, one of the attorneys for the defendant. Mr. Morrin, in the course of his remarks, stated that the testimony showed that Chevrier had enticed five married women into his room.

E. S. Booth, the other attorney for Brooks, talked nearly three hours, his address lasting from noon until after 4 o'clock. He maintained that Brooks had not fired the shot which had killed him the act would be justifiable. He described the course of the bullet and said that it could not have been fired in any other way, save that stated by the defendant himself, as the wound was on the right side, the course of the bullet being from right to left, through the body, and that Brooks had the gun in his right hand. He would have been compelled to fire from behind in order to send the bullet on the course it had taken.

"Chevrier went to his grave," said Booth, "leaving the silent and indispensible fact that this boy did not fire the shot immediately or in any other manner except stated by himself. It was not the act of a murderer."

In the course of his address Booth used the expression, "Hell hath no fury like a woman scorned," and the female portion of the audience laughed. He said that a husband who was a good man as compared with the man that led another's wife astray. "Some person tells us," said the attorney, "that if Brooks had killed Chevrier in his own home it would not have been so bad, but he killed him in Chevrier's apartment, where he had no business to go. The man that advances that argument in a case of this kind is nothing but an adulterer himself."

BUTTE BRIEFS.

President Daniel McDonald of the American Labor union left the city yesterday for a two days' visit in Helena.

Surgeon General Sick.

Washington, March 10.—Gen. Robert L. O'Reilly, surgeon general of the army, confined to his home with an attack of grip.

Advertisement for Solid Oak Center Table, \$1.35, by Lander Furniture and Carpet Co. 44-48 East Broadway Butte, Montana.

Advertisement for Butte Land and Investment Co., 19 West Granite Street, CAPITAL STOCK \$200,000. Real Estate Titles Guaranteed, Mortgage Loans Negotiated, Houses Sold on Easy Payments, Mines Bought and Sold.

Advertisement for Anaconda Copper Mining Co. Hardware Department, Corner Main and Quartz Streets, Butte. We Carry in Stock BOILERS Up to 100 H. P., HOISTING ENGINES, STATION, SINKING and BOILER-FEED PUMPS. CAMERON & KNOWLES MAKES. Your Orders and Correspondence Solicited.

Advertisement for W. H. WIX, D. D. S., Established 11 Years, Graduate University of Pennsylvania. Lowest Prices For High Class Dentistry. TEETH WITHOUT PAIN. We meet all reasonable competition in prices. Finest rubber plates for \$10.00. None better at any price. Guaranteed fit or no charge. Prices for finest gold and porcelain bridge work the lowest possible. Painless extracting guaranteed. Vitalized air a specialty. Call on us for free examination and prices. OPEN EVENINGS.

Advertisement for Big Blackfoot Milling Company, WHOLESALE AND RETAIL LUMBER AND MILL WORK. Fine Interior Finish of All Kinds. See Our Line of Wood Mantels, Tile, Grates and Fireplace Fixtures. Catalogue and Price Lists On Application. Estimates Furnished on Tile Floors. BUTTE OFFICE: Cor. Arizona and Aluminum Sts., Telephone 43. Mills and Wholesale Yards: Bonner, Mont. Yards, Planing Mill and Factory at Butte, Anaconda and Missoula.

Advertisement for Lydia E. Pinkham's Vegetable Compound, A Woman's Remedy for Woman's ills.

Advertisement for BRUNOT HALL, A Protestant Boarding and Day School for Girls. Write for illustrated catalogue. For further information address J. L. P. HALL, Principal, 230 Pacific Avenue, Spokane, Wash.

Advertisement for BROWN'S BRONCHIAL TROCHES. The best preparation for colds, coughs, and asthma. Dr. S. J. WATSON, Temperance Lecturer, 707 First Ave., SEATTLE, WASH.