

SUPPLEMENT

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MCCARTHY ACQUITTED

A Summary of the Evidence in the McCarthy Case.

JURY RETURNS VERDICT NOT GUILTY

Justifiable Homicide and is a Vindication of Accused.

PICONE, Nev., Oct. 25.—In the case of the State of Nevada vs. William McCarthy, charged with the murder of Joe Mulholland, at Las Vegas, on the 1st day of October, came on for trial here Monday, before Judge Brown, and the following named jurors: O. B. Landon, Ed. F. Freudenthal, Arthur Gentry, W. O. Houston, H. P. Heisinger, Dave Jenkins, Charles Fernandi, Chas. Atkinson, W. C. Bowman, F. E. Edwards, George Connelly and C. E. Lytle.

The state was represented by Judge Sanders, prosecuting attorney of Lincoln county and Hon. M. M. Warner, of the law firm of Warner & Davis of Salt Lake City, conducted the defense.

Notwithstanding the fact that newspaper reports of this homicide heretofore published reported the killing to be an unprovoked cold blooded murder, the evidence as detailed by witnesses both for the state and for the defense disclosed an entirely different state of facts. It appeared from the evidence that Mulholland, the deceased, was a deputy constable at Las Vegas, Nevada, and as such served as night watchman, and on the night of the homicide, was drinking heavily and on account of his drunken condition and upon some fancied grievance at McCarthy, he so far forgot himself as to assault McCarthy with his revolver frequently pointing it at him and threatening to kill him and finally without cause or any justification locked him up in the town jail and realizing that it was not a fit place to confine a person in, liberated McCarthy with an injunction to him to leave town and never speak of the occurrence of being locked up, also saying to McCarthy that if he did not leave town that night, he would kill him before morning.

The evidence showed plainly that the defendant tried to avoid any conflict or trouble and that he begged the officer not to follow him and to be let alone. The evidence also disclosed the fact that the deceased told another that he would kill McCarthy, before morning and that at about the hour of 6 o'clock, in the morning, the deceased followed McCarthy into Frey's saloon and there made an overt act to draw his gun on the defendant; when McCarthy, who was present and was watching for the assault fired three shots into his body, any one of which would have proved fatal.

The case was hotly contested on both sides; after argument of counsel and the instructions of the court the case was submitted to the jury at 5 o'clock, Tuesday evening and the jury promptly returned a verdict of not guilty.

To the people who have read the newspaper reports of this case heretofore published, the result of this case will be a surprise, but to those who attended the trial and heard the evidence, the verdict was as they predicted it would and should be.

NOTES AND PERSONALS

Joe Kelly went to San Francisco, Cal. William McCarthy, has gone to Butte his old camping ground.

Open air services next Sunday afternoon, at 2:30 o'clock, at Las Vegas Ranch. Rev. Hugh Furneaux, of the Presbyterian church, will preach.

A good place for first-class A No. 1 furnishings, clothing and shoes is at I. W. Botkins store, on Fremont street, next door to the post office. "Bot" has more than good, better and best goods. He has the same sort of accommodations

W. L. Sammons, the painter, is preparing to erect a 16x32 building on Ogden street. It will be a single roof, drop siding of first-class construction throughout. It will be the wall paper and painters' supply headquarters of Las Vegas.

Mrs. J. A. Rhoads, the estimable and good wife of J. A. Rhoads, the carpenter and contractor, returned from Salt Lake where she had been visiting the folks all summer. Rhoads says he is happy once more and every reason why he should be.

A most delightful and intelligent lady is Mrs. N. Viles, of Bullfrog. She is stopping with her son, Mr. I. W. Botkin, the splendid young merchant. Mrs. Viles has some very valuable property in the Bullfrog country. She deserves a fortune, being the second woman in that district. She is an honored factor of the west.

Hugh Furneaux, the traveling minister of the Presbyterian faith, is at Vegas arranging for a series of open air revival meetings. The spirit of the fathers predominates in this eminent divine and with his convoking capability the citizens of Vegas can look forward to a veritable Pentecostal line of regeneration.

They do say that A. K. Yerkes, an old newspaper man of Montana and the coast, is preparing to come with a complete outfit to Vegas and commence another—three newspapers are not enough—the commercial significance of this point is of ample importance to commend one more newspaper, and Yerkes as an old hand at the bellows will just fill the bill.

C. P. Squires, John S. Park, E. N. Brown, Dan. V. Noland, Walter R. Bracken, are being moved by the spirit of public enterprise. These giants of a new community are setting the pace for residential building. Five neat new cottages of best design, up-to-date construction and vivifying beauty will adorn the end of Fremont street and when finished will be occupied by these king pins of finance, commerce, mining and legal lore. Look out for a regular saloon in building.

In Honor of Sperry.

An informal dance party was given Wednesday evening at Park's hall in honor of Mr. J. B. Sperry, the prince of commercial men, who travels for the Pacific Hardware and Steel Co., being in town. Mr. Sperry counts Las Vegas as one of his homes. We hope the jolly good fellow will come often. Under the supervision of the social leaders, Mrs. M. C. Thomas and Miss Bee Gibson, everybody apparently had a good time.

STATESMAN, FINANCIER, POLITICIAN.

Hon. John MacGinnis, politician, financier, mining magnate, mayor of Butte and one of the ablest and brightest men of all the west, was an observer for a few moments of the wonders and progress of Las Vegas on Wednesday. He marvelled at our progress and phenomenal development, recognizing our short-time existence.

Mayor MacGinnis, as the municipal executive of one of the best cities on the American continent, is a success. He is a painstaking, scrupulous official, one who recognizes that public office is a public trust and whose statesmanlike qualities is lifting Butte out of the quagmire of peanut politics into the domain of civic conceptions and that rule that is of broad and enduring comprehension.

The career of this remarkably brilliant young man is such as to command admiration. From nothing to one of the foremost positions in finance, mining and public life, his career is like a romance. The writer knew MacGinnis when some ten years ago he was like other. But pluck, perseverance and the application of his keen, shrewd ability has placed him beyond our line and today he is recognized as one of the leaders of a nation. His permanent career is that of a typical American. He has all the qualities of the keen, self-made, shrewd, forceful man. He is worth his millions. As the right bower and potential genius of the Heinze, Hinds, Kennedy combination of Montana he is deserving of the Ace credit of the success of that combination. The future has greater triumphs in store for Hon. John MacGinnis. A goal worthy his ability is the United States senatorship of Montana. Were it not that he had a lead pipe caught on it in the Treasure state we would interpret his trip through Nevada as the entering wedge, Charley Schwab like, to attain Nevada's toga.

Eagles Have Good Time.

The Eagles' social Thursday evening was a splendid success. In true Eagle style all the boys regaled themselves. These social features are great splendid features in the life of the membership. None can appreciate their importance and significance unless imbued with the spirit that has for its measure of life geniality, sunshine and the glory of real life.

It would be invidious to particularize. Upon this occasion every mother's son present entered into the spirit of the occasion and contributed his quota towards making the Eagles' social a grand, joyable affair. We are not permitted to tell tales out of school. If we were Fred Fallas, Hank Farrell and some others would come in for tales untold that would occasion some gasping.

The Palace Grill.

Roy Taylor, will open a first-class grill in connection with the Palace hotel, on Sunday, October 29. First-class service and prompt attention will be the motto under his management.

Quartz location notices for sale at this office.

NOTICE OF REFEREE SALE

In the Fourth Judicial District Court of the State of Nevada, in and for Lincoln County.

Notice of Sale

Hampton E. George, Plaintiff, vs. Charles Stewart, Belle Latimer and her husband George Latimer, Defendants. Walter R. Bracken, Intervener.

Under and by virtue of an order of sale and a judgment and decree issued out of the above entitled Court in and for Lincoln County, State of Nevada, on the 21st day of October, A. D. 1905, in the above entitled action, wherein Hampton E. George, the above named plaintiff, obtained a judgment and decree against Charles Stewart, Belle Latimer and her husband George Latimer, defendants, and Walter R. Bracken, intervener, on the 21st day of October, A. D. 1905, which said decree was on the 21st day of October, A. D. 1905, recorded in Judgment Book "B" of said Court, at pages 463 to 469, I am commanded to sell all that certain lot, piece or parcel of land situate about forty-five miles northwesterly of the town of Las Vegas, Lincoln County, State of Nevada, and bounded and described as follows, to-wit:

All of the south half of the northwest quarter and the northwest quarter of the southwest quarter of Section 16, Township 16, South, Range 56 East, Mount Diablo Base and Meridian, containing one hundred and twenty acres of land, together with all the waters rising and flowing from what is known as Indian Spring through what is known as Indian Creek in and upon said land, and all of the tools and farming implements situate on said ranch owned by plaintiff and intervener as tenants in common, the said lands and premises being known as and called the Indian Creek or Towner Ranch.

Notice is hereby given that on Monday, the 27th day of November, A. D. 1905, at twelve o'clock noon of that day, in front of the postoffice, in the town of Las Vegas, Lincoln County, State of Nevada, I will in obedience to said order of sale and judgment and decree sell the above described property and all of it at public auction to the highest bidder for cash lawful money of the United States, subject to the approval of said Court. LEVI SYRUS, Referee.

Dated Oct. 28, 1905.

NOTICE OF DISSOLUTION OF PARTNERSHIP

The firm heretofore existing under the name and style of Block & Botkin, doing business in Las Vegas, County of Lincoln, State of Nevada, is this day dissolved by mutual consent, Mr. I. W. Botkin having purchased the entire interest of Morris Block.

Dated Oct. 26, 1905.

Attention! A Good Thing.

The Building and Loan Association is ready for business and will receive your subscriptions. C. P. Squires is secretary. Avail yourselves, you home-seekers, of securing a boon, a home by easy methods.