

# IMPOSES SEVERE FINE ON GAMBLER

JUDGE McCLERNAN REQUESTS JOHN  
VALENTINE TO HAND OVER  
\$150 AND COSTS.

## CASE DATES BACK TO FORE PART OF WINTER

Defense Waived Time for Sentence and  
Paid Amount Solicited Without Demur  
—Cases Against **John Hubble**, J. J.  
Bill and Ernest Nelson Are Dismissed  
for Lack of Evidence.

Conducting a poker game and getting caught at it is not exactly what it has been cracked up to be by those who have been there and profess to know what they are talking about.

In Judge McClernan's court this morning John Valentine was tried and convicted of having acted as the chief of a game in the attic of No. 12 West Park street, on the 22d of last November, and fined \$150 and costs.

Although represented by J. L. Wines, he practically made no defense, not even telling the court or jury how the play came up. There was only one witness for the prosecution, but he told a good story, and it went with the court and jury.

### Deputy Walsh's Testimony.

The witness was William Walsh, a deputy sheriff, who said that on the night of the date mentioned he had gone to the saloon conducted by Frank Walker at No.

WILLIAM WALSH,



### Deputy Sheriff Who Testified in Gambling Cases.

12 West Park street, and demanded admission to the gallery overhead. Walker had not admitted him and he had then asked the "booster" on guard at the foot of the stairway leading above to open up and let him in. The "booster" would not yield, but Walker procured a key.

He had found two games of gentleman horsepoker in progress with Valentine in charge of the chip rack in an apartment separated by a curtain from the playing room. After watching the game a few minutes he had placed Valentine under arrest and escorted him to the county jail.

At the close of the direct testimony Mr. Wines moved for a dismissal of the action on the ground that the state had failed to show the nature of the game in progress or whether it was a game in which money was being wagered.

County Attorney Breen informed the court that he had overlooked a few questions in that respect and asked permission to recall the witness. The request was granted.

### Money Paid for Chips.

The officer said there were 15 or 20 persons in the room where the games were in progress and that he had seen a man get a stack of chips from Valentine, carry it to one of the tables, receive the money for it and return to Valentine with it.

He was cross-examined, but his testimony was not shaken. He said he knew nothing about the game of poker, but Valentine had told him on the way to the jail that it was poker and that he was in charge of the games.

No argument for the defense was made, but the county attorney spent about five minutes in presenting the matter. The jury deliberated only a few minutes, and when the verdict was returned the defendant waived time for sentence and accepted the \$150 edict. He paid.

### Three Cases Dismissed.

Three more men accused of having violated the anti-gambling law were turned loose upon the surface of a cold earth. They are **John Hubble**, who is alleged to have gamboled upon the green in the Palace saloon at No. 14 East Park street November 20 of last year; J. J. Hill, said to have performed a similar trick in the Montana saloon at No. 22 West Park street November 22, and Ernest Nelson, charged with having a little play in the Palace on November 16.

In the case of Nelson the county attorney stated that the man who bought the chips in the game had not been found and no testimony against the accused could be obtained.

Failure of officers to find witnesses in the other cases were responsible for their dismissal.

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