

MITCHELL DECLARES THAT HE WILL BE ACQUIESCENT

Inform the Chief Executive That a Convention of Miners Is to Meet Monday.

LOCAL UNIONS ARE NOW ELECTING DELEGATES

Difficulty Will Arise When the Question of Discharging the Men Who Have Taken the Places of the Strikers Comes Up, but It Is Thought That the Matter May Be Amicably Settled—Official Call for the Convention.

Wilkesbarre, Pa., Oct. 17.—The following is the official call for the delegate convention of anthracite districts of the United Mine Workers of America to be held here Monday:

Wilkesbarre, Pa., Oct. 16, 1902.—To the officers and members of all local unions, Districts Nos. 1, 7 and 9, gentlemen: At a meeting of the executive boards of districts 1, 7 and 9, it was unanimously agreed to issue a call for a delegate convention recommending to that convention that all mine workers now on strike return to their former positions and working places and submit to the commission appointed by the president of the United States all questions at issue between the operators and mine workers of the anthracite coal fields.

In pursuance whereof you are hereby notified that a convention will be held in the city of Wilkesbarre, Pa., beginning at 10 a. m., Monday, October 20.

The purpose of the convention will be to act on the proposition submitted by the president of the United States.

Local unions will hold meetings not later than Friday night, and elect delegates to attend said convention. The basis of representation will be one vote for each 100 members or less and an additional vote for each additional hundred members or majority.

Care in Credentials. The president and secretary of each local union will fill out one credential and one duplicate credential for each delegate elected. The duplicate credential should be given to the delegate elected and the original should be placed in the hands of the district members who are instructed to have all credentials in the hands of the credentials committee Sunday afternoon.

It is recommended that delegates be given full power and authority to act in behalf of their local union.

The name of the hall in which the convention will be held will be announced later. Hotel accommodations are being arranged and will be announced to delegates upon their arrival.

Respectfully submitted on behalf of the executive boards of districts 1, 7 and 9. (Signed.) JOHN MITCHELL.

President U. M. W. of A. W. B. WILSON.

Secretary. GEORGE HARTLEIN, Secretary of Meeting.

Washington, Oct. 17.—The response of John Mitchell, president of the United Mine Workers, to President Roosevelt's notification that he has appointed a commission, was made public today.

It informs him of the action of the executive boards of Districts 1, 7 and 9, in calling a convention and agreeing to recommend unanimously the resumption of work and the submission of the differences between the operators and the mine workers of the anthracite coal fields to the commission.

The reply expresses confidence that the convention will agree to the arbitration of the "imminent and impartial men" chosen by the president, and expresses gratitude to the president for his patriotic efforts to bring about an honorable settlement of the strike. The reply goes at length into the grievances of the miners and concludes with the expression of the hope and belief that from this arbitration will come a complete, satisfactory and permanent solution of the troubles which have vexed the anthracite field from time immemorial.

Are Electing Delegates.

Wilkesbarre, Pa., Oct. 17.—All the locals throughout the anthracite coal fields are engaged today in electing delegates to the Mine Workers' convention to be held here next Monday for the purpose of considering the acceptance of the plan of arbitration submitted by President Roosevelt. There will be objections raised on the floor of the convention to certain features of the plan, but they will not be of a serious nature.

"It would be a remarkable body," said one union officer, "if 800 men in convention were of one mind in all features of this labor struggle."

Many obstacles are to be surmounted, including the question of finding work immediately for all the strikers.

Every man wants his old place back, but as the companies have decided to take care of all the men who have stood by them during the strike there will be some disappointments. This matter will be fought out on the floor of the convention. Officers of the union confidently believe that it will be amicably adjusted. It is probable the delegates will decide to care for all men who are not given work at once.

Big Fire in Chautauqua. (By Associated Press.)

Jamestown, N. Y., Oct. 17.—The Grand hotel at Point Chautauqua, one of the largest and finest hotels around Chautauqua lake, was burned early today, together with contents; also the amusement hall and a summer cottage owned by the hotel company. Loss, \$200,000.

HEINZE'S CANARD ON 8-HOUR LAWS

JOHN GILLIE TELLS WHAT REALLY HAPPENED AT THE MEETING TO DISCUSS THE BILL.

REFUTES FAUGUSTUS'S BALD MISSTATEMENT

Over His Own Signature, General Superintendent of the Amalgamated Gives the Facts Concerning a Meeting of Which the Butte Monte Cristo Is Trying to Make Campaign Matter.

On several occasions Mr. Heinze has publicly charged that after the election two years ago he was invited to a conference with other mine managers and requested by Senator Clark to sanction the passage of an eight-hour law that would be defective.

He claims that he was invited to the conference by Senator Clark who, in a personal note, merely requested him to call at the senator's office, not stating any particular object.

Mr. Heinze makes many positive statements about the interview, and among others that he indignantly walked out of the conference.

Everyone who knows John Gillie, general superintendent of the Amalgamated company, will have no hesitancy in pronouncing any statement that he might make true. The better they know Mr. Gillie the more certain they will be that it is true.

Over His Signature.

Over his own signature he makes the following statement relative to the meeting referred to by Mr. Heinze:

"It was on Sunday, the 27th of January, 1901, that a meeting was held at the office of Senator Clark by a number of mining men of Butte, referred to by Mr. Heinze in some of his speeches. I was present at the meeting, and went in response to a note from Mr. Wethey asking me to meet Mr. Clark. There were present at that meeting besides Senator Clark, Messrs. F. Augustus Heinze, Frank Klepetko, R. F. Pearce, Charles Clark, A. H. Wethey and myself, and my recollection is that the late Mr. Frank E. Corbett was also present.

What Was Discussed.

The only question discussed at the meeting was as to the time necessary to put the eight-hour system in operation at the smelters. It was thought by several that it would be difficult to get a sufficient number of experienced men, and that it would not be possible to make the change on short notice, and that a reasonable length of time should be allowed. There was no suggestion by any one that the law should be so drawn as to be made ineffective, and no one at the meeting expressed opposition to the principle of the law. Any statements to the contrary are untrue. It was the generally accepted view that a reasonable length of time should be allowed to the smelters, and that view was accepted by the legislature, and it will be remembered that the law was made to take effect 90 days after its passage. (Signed) "JOHN GILLIE."

DOUBLE MURDER WITH A SUICIDE

NEW YORKER SHOTS DOWN TWO MEN AND THEN TURNS WEAPON UPON HIMSELF.

(By Associated Press.)

New York, Oct. 17.—William C. Turner today shot and killed Albert Hamilton of Pittsburg and W. J. Mallard in the office of the law firm of Canter & McIntyre, in Broad street, and then committed suicide.

Turner was at one time president and treasurer of the Climax Bottling company, in which the other two men were interested, and the three met today to effect a settlement growing out of an alleged defalcation on the part of Turner.

During the conference, a heated discussion arose and Turner, drawing a revolver, killed Hamilton and Mallard, and then turning the weapon upon himself, committed suicide.

Turner came from Mount Vernon, N. Y. It is alleged that he was a defaulter to the sum of \$5,000 in his accounts. A member of the law firm in whose office the shooting occurred said that after the three had been in conference Turner said:

"Well, here's a check for \$5,000."

With that he put his hand in his pocket, flashed out a revolver and fired point blank at Mallard. Hamilton made a jump for Turner and grappled with him but Turner succeeded in turning his revolver on Hamilton and killed him.

Before any one could get into the room the murderer killed himself.

REBELS SURROUND GONAIVES

Report Confirmed That Haytien Leader Embarked on Our Cruiser.

Port au Prince, Hayti, Oct. 17.—The report that M. Firmin, the revolutionary leader, has embarked on the United States cruiser Cincinnati, is confirmed. The troops of the provincial government surround Gonaives, the headquarters of the revolutionists.

The Cincinnati, the French cruiser D'Asses and the German cruiser Falke are off to Gonaives for the protection of foreign interests.

DR. CAYLEY IS HOLDING HIS OWN

POSSIBILITY THAT HE MAY RECOVER ALTHOUGH HE IS STILL IN DELICATE STATE.

MRS. CHAPMAN TELLS OF WHAT WOMAN TOLD HER

Came Into Her Room on the Night of the Shooting and Declared She Had Shot Dr. Cayley for Taking Liberties With Her—Dr. Cayley Identifies J. W. Kelley as the Man Who Shot Him.

Few shooting affairs that have come to public notice of late have been more complicated than the recent altercation involving Dr. H. A. Cayley and J. W. Kelley, both of whom were well known in Butte, and occupied positions of the highest regard in the estimation of those who knew them best.

In most affairs of this kind, time sheds light upon the misfortune; but, in the present instance, the evidence that has been accruing since last Sunday, when the shooting occurred, only tends to complicate matters, making the whole situation very much involved.

In the first place, it must be remembered that since the shooting was made public, the victim, Dr. Cayley, has made three distinct statements concerning it. Each one of these stories conflicts with the other.

Said He Shot Himself.

When first taken to the hospital, after the shooting, Dr. Cayley informed the detective who had been detailed on the case, that he had shot himself.

However, the police department was not satisfied with this statement of the affair, and they pressed Dr. Cayley for a further statement, making him believe at the time that his death would surely result. Then the doctor told the second story, to the effect that Kelley had shot him while in the apartments of Madame LaBonte.

The third version of the unfortunate affair came yesterday, when, believing the doctor to be on the point of death, County Attorney Breen, Chief Reynolds, Dr. Hanson and four other men were summoned to hear the dying confession of Dr. Cayley. The words spoken "in articulo mortis" had occasion to cause considerable prejudice in the matter; but the peculiar circumstances under which they were brought forth has not been given sufficient consideration.

He Still Had Hopes.

County Attorney Breen asked Cayley: "Have you given up all hopes of recovery?" Whereupon the doctor answered, "No."

Mr. Breen then said: "If the man is in this state of mind, there is no need of us going any further in the matter."

This remark on the part of the county attorney is in accordance with the law, for an alleged deathbed confession is of no value unless the victim is reasonably certain that his end is at hand.

At this point of the auto-mortem examination Dr. Hanson, who has been attending Cayley ever since the fatal evening, interposed, and insisted that he would surely die.

It Was Drawn From Him.

C. F. Kelley, who is the counsel for the accused man, said in regard to the confession: "In respect to this statement of Dr. Cayley, I believe that the statement was not voluntary, but was the statement of a man in a weakened condition, drawn from him by those who were more zealous to furnish a sensation than to perform a public good."

There are many links of evidence that will have to be established before it will be known for a certainty who is really guilty. The mysterious disappearance of Madame LaBonte, the woman in the case, is an incident to which more significance will be attached when the trial is given a public hearing. Sentiment runs high, and each man has his friends. Too many people are permitting themselves to be prejudiced by mere hearsay evidence.

So far all of the conflicting statements have emanated from but one source, and nothing whatever in regard to the affair has been said by two other actors, who are equally as prominent in the matter as the victim.

J. W. Kelley has wisely refrained to say anything whatsoever until the time of trial, and his side of the story will make many points clear that appear very much obscured at this time.

Then, too, it will be very important to

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WANTS TO KNOW WHAT THEY HAVE

HEINZE IS STILL AFTER FIGURES ON FORTUNES OF A. F. BRAY AND D. J. HENNESSY.

(Special to Inter Mountain.)

Helena, Oct. 17.—Heinze seems determined to learn the extent of the fortunes of D. J. Hennessy and A. F. Bray of Butte.

Lawyer T. C. Bach has asked the supreme court to order the clerk, H. G. Ricketts, to report on the details of what he learned in the hearing to determine whether the two men are competent to go on the B. & M. bond in the Minnie Healy case.

The clerk accepted both, but did not give the details of what was learned regarding the wealth of the men.

DEMOCRATIC RULE ALWAYS A FAILURE

CANDIDATES TELL WILLIAMSBURG PEOPLE WHY THEY SHOULD VOTE FOR THE G. O. P.

HON. GEORGE M. BOURQUIN MAKES STIRRING ADDRESS

Shows What Free Trade Did for the Wool Industry in Montana—John R. Grice and Fred H. Kohl Speak and Are Well Received by a Gathering Representative of Thriving Village.

Although not very well advertised the republican meeting in Williamsburg last evening was not only well attended, but the large hall was so crowded that many of those present were unable to procure seats. Quite a sprinkling of ladies were present and showed that they were both interested and pleased by frequent applause.

Throughout the meeting the audience seemed anxious to hear every word uttered by the orators and at times the whole house broke into tumultuous applause. It was a happy, joyful crowd and when a good story was told or a pleasing point made, everybody seemed to thoroughly enjoy it.

Over Johnson, well-known and popular in republican circles of Silver Bow county, acted as chairman and the Butte Glee club sang several selections which were particularly well received. The glee club is a splendid musical organization and the wonder is that they have not appeared at the other political gatherings. They made a hit last night and it is understood that these good voices will hereafter appear at all republican meetings. The names of the gentlemen who sang last night are: W. Argall, David Rundle, Fred Thomas and W. H. Kitto.

What Grice Said.

J. H. Grice, candidate for county attorney, made the hit of the evening, when after making a brief, but eloquent address, in a manner that would indicate that he was disgusted with himself and displeased at his own effort, he said: "I can't talk," and then in an after thought and in a loud and confident tone of voice added: "I'm running so fast I haven't time to talk."

All of the following named gentlemen spoke in the order named: George M. Bourquin, S. T. Hogevald, J. H. Grice, C. E. Kohl, Malcolm Gillis, M. E. LeBlanc, F. J. Kohl and James Tachell.

Mr. Bourquin was the first speaker of the evening and made the principal address. He said, in part:

"In this campaign the democracy has moved very slowly. They found the people little inclined to listen to their assuages upon the existing order of things. The discouraging feature to democracy was that the people's minds were made up in favor of republican politics and republican prosperity; people were too busily employed in profitable pursuits to listen to democratic fallacies and misrepresentations, and besides, democracy had no real issue upon which to found their usual argument of complaint. So the party despair of success and only seek consolation by way of the sour-grape route.

They Only Hope.

"W. C. Whitney, one of the democratic leaders, was recently frank enough to say that his party had neither men nor issues, and Senator Vest says that democracy's only hope lies in the possibility of a financial panic. Thus do the democrats look for issues at the expense of the country. Strikes, panics, drought and famine present democracy's only chance for success.

He then proceeded to a history of the protective tariff and its workings, and pictured the evils of democratic free trade, citing the disaster that overtook the lead and wool industry in Montana in particular, when the democrats in 1893 put wool and lead on the free list.

"They destroyed lead mining in the northwest, but stimulated it in Mexico, British Columbia and Spain," he said. "But is not the first duty of the party in power to provide for our own people rather than for those of other nations?"

They Felt Sheepish.

"And the wool industry was so badly injured in Montana that even the democrats felt sheepish over it. They became meek as lambs and could not look a sheep in the

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LARGEST MEETING IN THEIR HISTORY

DISCIPLES OF CHRIST GATHER BY THOUSANDS TO ANNUAL CONVENTION IN OMAHA.

(By Associated Press.)

Omaha, Oct. 17.—Nearly every seat in the Coliseum was filled when the first business session of the convention of the Disciples of the Church of Christ opened this morning.

The convention proper was opened with an address by Mrs. J. S. McClery of Nebraska, who said the present convention was the largest in the history of the denomination. Reports were then heard, Mrs. Atkinson's report of the general board showed that 119 missionary pastors and 71 other missionaries were being supported by the woman's board. Thirty mission schools with 3,000 pupils are being operated and two new stations have been opened during the year in India. The total amount of money raised last year was \$739,004.

Detroit is seeking the 1903 meeting and Portland, Ore., is pulling for the convention in 1905.

DECISIONS FROM SUPREME COURT

HIGHEST TRIBUNAL MODIFIES ALTERNATIVE WRIT OF PROHIBITION IN BEAR GULCH CASE.

ATTORNEY GENERAL AFTER THAT OLD MANDATE AGAIN

Donovan Wants the Court to Do Things to an Official in Cascade County With Whom He Has a Difference—As to the Filing of the Nomination of Judge McClernan for District Judge.

(Special to Inter Mountain.)

Helena, Oct. 17.—The supreme court yesterday modified the alternative writ of prohibition in the receivership case of the Bear Gulch Mining company, on the request of John Kirk of Butte, of the firm of Kirk & Clinton, who contended that part of the court's alternative writ of mandate, which specified that Livingston as receiver, should not interfere with the possession of the Bear Gulch Mining company.

Inasmuch as the writ as it stood practically meant the restoration of the property to the directors, the court allowed the writ and made the modification.

Attorney General Donovan yesterday filed his third application in the supreme court for a writ of mandate, asking that the court compel the assessor and county attorney of Cascade county to return the assessment of bank stocks in compliance with the orders issued some time ago by the state board of equalization.

Taken Under Adversement.

On two former occasions the attorney general has applied for such a writ but was both times refused. The application filed yesterday sets forth additional facts and is a much more comprehensive document, a further statement respecting the assessment lists being made. The application was taken under adversement by the court.

A written decision was handed down yesterday afternoon by the court in the case decided the day preceding. J. J. McHatten was denied a writ of mandate to compel George M. Hayes to file a certificate of nomination of J. R. McClernan, who is running for district judge of Silver Bow county. The decision ruled that the secretary of state is not required by law to file a certificate of nomination of a district judge, whose jurisdiction does not embrace more than one county.

NORTHERN PACIFIC FREIGHT WRECKED

TWO SLIGHTLY INJURED IN COLLISION AT BONITA—COME TOGETHER ON SIDING.

(Special to Inter Mountain.)

Missoula, Oct. 17.—About noon today Northern Pacific freight train No. 54, while taking the sidetrack at Bonita, 16 miles east of this city, collided with westbound freight train No. 53.

No particulars are obtainable except that two trainmen were slightly injured and are now on the way to the hospital at this place.

About a dozen freight cars were demolished and the engine on No. 53 was badly smashed up.

HALF OF THE LODGE KNOWN AS JEWEL

F. T. M'BRIDE SUES OCCIDENTAL MINING AND DEVELOPMENT FOR THE PROPERTY.

F. T. McBride filed a complaint today against the Occidental Mining & Development company and asks for judgment on two causes of action. It is alleged that on November 12, 1894, the plaintiff sold to J. D. Slemmons, at the request of James McFarlane, John Lindsay and Clinton H. Moore, one-half of the Jewel lode, the said McFarlane, Lindsay and Moore agreeing to pay the plaintiff \$500 for said lode within 90 days or reconvey the property to him. They paid \$100 of the amount but there is still due the sum of \$400. After the execution of the agreement, the said Slemmons, McFarlane, Lindsay and Moore conveyed the property to the Occidental Mining & Development company and said company agreed to pay the \$400 but failed to do so, wherefore judgment is asked for said sum and interest.

For a second cause it is alleged that the defendant became indebted to the plaintiff between September 8, 1894 and October 1, 1902, for money advanced and for legal services rendered for the use and benefit of the defendant, and for this the plaintiff asks for a judgment for \$472.55 and costs of suit.

McBride & McBride are attorneys for plaintiff.

Connaught Is a Wreck.

London, Oct. 17.—The Duke of Connaught narrowly escaped an accident, while on a motor car from Killarney to Mallo, Wednesday.

The car skidded and collided with a wall. It was disabled, but the duke was not hurt.

"DON TUIXOTE" FINDS HE IS NOT SO MUCH

Amble the Eastern Counties Moving a Frost to the Campaign.

PEOPLE KNOW LITTLE AND CARE LESS ABOUT SANCHO

Vaudeville Show Attracts More Attention Than the Speechifying—Livingston Meeting Is Chiefly Conspicuous for the Manner in Which the Populace Did Not Turn Out—What Faugust Had to Say About Himself.

(Special to Inter Mountain.)

Livingston, Oct. 17.—Just as they would go to see a comic opera, the citizens of the staid little city of Livingston turned out to witness the Heinze variety show at the Heffelin opera house last night.

With the exception of the painful and now monotonous story of the trials and tribulations of a deposed copper king, as related by "His Napoleonic Majesty a. n. his retinue, "Wheat Chart" Jones, it was a good show.

Ladies came in opera gowns, school girls brought their opera glasses and composed half the audience. They applauded the Lotus quartet and hid yawns behind their dainty gloved hands in the Don Quixote of the 1902 campaign told the sad, sad story of his life.

Heinze had counted on an enthusiastic meeting at the railroad town. Thus far, his tour has been a killing frost and here where he expected to find a strong clientele, he found that he is making a sorry fiasco. Not even in his heaviest parts did he receive the applause he had anticipated.

Advance Work Is Good.

When his special pulled in from Big Timber at 5 o'clock last evening, he found the town band which the two advance agents had arranged to meet him. The man of destiny was sleeping in the observation car as the special of two coaches steamed into the handsome depot. He rose and looked out at the band and 13 or 14 paid boosters, who pretended to represent the citizens. Then he turned over on the lounge and continued his sleeping while the band played a cake walk.

After the music ceased Don Quixote arose and came out to see if the delegation he expected had arrived. There was no delegation and the band was given the tip to march up town.

The triumphant entry commenced. First came "Cissy" Loftus and a Major Domo, then the band, then empty backs. Not even a newboy followed. Heinze and Jones marched along on the sidewalk and turned into the first saloon. There was no shouting. There was not even the crowd on the sidewalk that a cheap minstrel parade would attract.

They Are Shy of Sancho.

No better evidence of the failure of the party to interest the people of Park county could be obtained than the fact that no one could be found to preside at the meeting. Heinze, Jones and Major Burke, who distributes campaign literature and leads the applause during the speeches, stood for 15 minutes in the wings, debating what to do without a chairman. It looked bad, they admitted, to get one of their own party, but at length the "major" received the detail and the trio stalked on the stage in an impressive silence.

When they took their seats, the major forgot he was chairman, and after glaring at the military man ineffectually, Mr. Jones leaned over and asked the chairman, Major Burke, to introduce the quartet. He shuffled to the center of the stage and began: "After a hard journey and a hard campaign and a hard time,

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DIXON NEVER HAD CHINESE LAUNDRY

WISHES CORRECTION OF STATEMENT MADE RECENTLY IN A BUTTE PAPER.

(Special to Inter Mountain.)

Livingston, Oct. 17.—Hon. Joseph M. Dixon, republican nominee for congress, in an interview with your correspondent today, said:

"I have just sent the following statement to the Butte Miner, asking as a matter of fairness that it give my statement the same editorial publicity as it did the absolutely false statement that I had been a patron of Chinese laundries: 'To Editor Butte Miner—I see from today's Helena Independent that the Miner has printed the statement that I have been a patron of Chinese laundries. Such a statement is an absolute falsehood. Never in my life, whether single or married, has Chinese laundry ever so much as handled one piece of clothing for myself or family. The person who made the statement must have done so deliberately and knowing the untruth of the story at the time. As a matter of fairness, will you give this the same editorial publicity as the statement published in the Miner. Yours very truly, Joseph M. Dixon.'

London, Oct. 17.—The Duke of Connaught narrowly escaped an accident, while on a motor car from Killarney to Mallo, Wednesday.