The Helena Independent.

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Free Library

GANS & KLEIN

To-Day, at the Madison Square Garden, New York City, the National Exhibition of Food Products will be opened by President Harrison.

The display will include every variety of manufactured articles and also all products directly from the soil, sea and dairy. Here one may see what Americans eat and the variety of our national fare.

NEW STYLES

Always appeal to the refined taste of the modern purchaser.

The Distinctive Beauty

which marks their appearance denotes the onward march of time and the necessity of preparation for a change.

A NEW SEASON

Always causes a demand for appropriate raiment, and it is our duty to supply the demand.

Our Display

Of novelties this season is unparalleled and worthy of patronage.

OUR SPECIAL EFFORTS

Have been devoted to

Tailor-Made Clothing

—AND—

High Class Furnishings

Elevator to Five Floors.

GANS & KLEIN

HERETIC OR ORTHODOX?

The Celebrated Case of Dr. Briggs to Come Up for Trial Soon.

Red Tape in the History of the Trial Up to the Present Time.

Complicated Methods of Legal Procedure in the Church Courts—That Famous Prosecuting Committee.

NEW YORK, Sept. 30.—After having been fought back and forth in every ecclesiastical tribunal with which the Presbyterian church has provided itself the famous heresy case of Prof. Charles A. Briggs, D. D., bids fair to once again assume a prominent position in the public eye. Its reappearance after its retirement of some months will be made the first Monday of the coming month, when the New York presbytery meets, which it is expected, will take some important action in accordance with the decision handed down last May by the general assembly, sustaining the appeal of the prosecuting committee against the presbytery's ruling.

The precise status of this famous case has never been so obscure or complicated since its commencement. Friends of the doctor will remember the rejoicing which hailed, last fall, the decision of the New York presbytery, when after hearing the accused's demurrer to the charges made against him, in which he asserted that they insufficient in form and legal effect, the case against him was dismissed. Dr. Briggs was at that time not required to go on in his defense, although fully prepared to do so.

The case at that time was considered to have ended in a victory for the accused, and so it would have been had not the prosecuting committee, which is a sort of ecclesiastical district attorney, taken appeal from the ruling. In their appeal comes the first complication, since they took the case directly to the general assembly, ignoring entirely the intermediate jurisdiction of the New York synod.

The defendant, in his turn, entered an appeal, but regularly, in order of progression, to the synod, protesting against the ruling of the New York presbytery to the effect that the committee of prosecution was an original party in the case. The three vital points against which appeal is taken are as follows:

"First, that the committee which preferred charges against Dr. Briggs was a committee of prosecution, under section eleven of the revised book of discipline; second, that this committee was in the house on the day in which this citation was returnable as an original party; third, that the committee as an original party was virtually and practically independent of the presbytery."

Should this appeal be sustained the ground will be cut out from under the prosecution's feet and the case resume the status of a victory for Dr. Briggs, since, if it were not an original party, the prosecuting committee could not have appealed to the general assembly, and so the case would have remained in statu quo. But the synod does not meet until the third week in October, and this causes the second complication.

Last May the general assembly, the highest tribunal in the church, decided to sustain the prosecuting committee's appeal, and directed the New York presbytery to pass upon the sufficiency of the charges against Dr. Briggs in form and legal effect. This virtually puts the case where it was after Dr. Briggs' demurrer was entered, and forces the presbytery to put him on his defense on this document.

The general assembly also authorized the prosecuting committee to amend the charges, without altering their nature, should the presbytery deem it necessary to the "furtherance of justice."

Should any such amendment be made Dr. Briggs would probably amend his demurer, otherwise matters will be returned to the status of last fall. Just when the trial would take place, however, no one seemed able yesterday to tell, as in view of a possible conflict of decisions between the synod and the general assembly, the presbytery would be entirely free to take the synod's ruling in Dr. Briggs favor, or at the least rest on its oars while the two higher tribunals settled their differences.

The committee of prosecution consists of the Rev. Drs. George W. F. Birch, Joseph J. Lampe and, Robert F. Sample and Ruling Elders John J. Stevenson and John J. McCook.

Col. John J. McCook, the leading member of the prosecuting committee, who prepared all the papers in the case, is expected from Europe Wednesday, and until he arrives the plans of the committee wil hardly be definitely formulated.

Dr. Briggs was seen at his residence, 120 West Ninety-third street, last night, but refused to discuss the matter further than to say that as defendant he had to hold himself continually in readiness to answer any summons.

To Accelerate Movements.

GUTHRIE, O. T., Sept. 30.—Many bush fires could be seen in the Cherokee strip last night. Boomers are enraged at the slowness with which cattle are being removed and fired the grass. There is no chance to check the fire and it is thought many cattle will perish.

Fire in the Sixth Ward.

Fire started in the basement of William L. Kelly's merchandise and grocery store at Bozeman avenue and Roberts street at 2:30 this morning. The Sixth ward hose company soon had the fire under control. The damage is mostly by water and not estimated.

SPARKS FROM THE WIRES.

W. Windle went two miles on a bicycle at Springfield, Mass., in 4:28 3-5.

The new return postal card will be placed on sale in all postoffices Oct. 15.

The famous signal station on top of Pike's Peak burned Thursday night.

J. W. Smith, of Vastilla, Cal., shot his wife and cut his child's throat Friday.

Fire in the Nickel Plate freight yard at Chicago destroyed forty cars and their contents Friday.

Rev. R. H. Allen, secretary of the Presbyterian board of missions, died at Pittsburg, Pa., aged 71.

It is reported that Sheriff Nippall, of Cowley county, Kas., was killed by robbers who looted a bank at Dexter.

Mrs. James Pike, of Gallipolis, O., became incensed at Charles Pippins, a neighbor, and killed his two children with a shotgun.

Henry Plattenburg and James McDowell renewed an old feud at Lexington, Mo. The latter and Policeman Gray were killed.

John W. Breidenthal, state chairman of the Kansas people's party, has been arrested for doing business in violation of the state law.

TOOK BUTTE INTO CAMP.

Helena Wins the First of the Series by a Good Margin.

BUTTE, Sept. 30.—[Special.]—Helena wiped up the earth with Butte to-day in the first game of the concluding series. About 100 people were present. Lucid pitched wildly for Butte. In the third inning he gave five men bases on balls and hit another, seven runs being scored. In the fourth the first two men at bat, Huston and Hatfield, smashed out home runs. Caplinger then took Lucid's place in the box and stopped Helena's heavy work.

Butte	1 2 0 0 0 1 0 0 0—4
Helena	0 0 7 3 0 0 1 1 *—12

Hits—Butte 6, Helena 12; Errors—Butte 1, Helena 2; Batteries—Lucid and Caplinger, Brennan; Munday and Lobeck.

How They Stand.

	Played.	Won.	Lost.	Per Cent.
Helena	28	17	11	607
Missoula	27	14	13	518
Philipsburg	26	12	14	462
Butte	27	11	16	448

OTHER GAMES.

Results of Yesterday's Contests Between the Clubs of the League.

CINCINNATI, Sept. 30.—The colts batted terrifically and won easily. Cincinnati 1, hits 3, errors 1, Chamberlain and Murphy; Chicago 5, hits 14, errors 1, Hutchinson and Kittridge.

PITTSBURG, Sept. 30.—Louisville couldn't hit Ehret. Pittsburg 5, hits 8, errors 4, Ehret and Miller; Louisville 1, hits 2, errors 4, Clauson and Merritt.

NEW YORK, Sept. 30.—The quakers won by luck. New York 4, hits 11, errors 1, Rusie and Ewing; Philadelphia 5, hits 5, errors 1, Keefe and Clements.

ST. LOUIS, Sept. 30.—Caruthers was effective, Davies weak and supported poorly. St. Louis 7, hits 11, errors 4, Caruthers and Buckley; Cleveland 5, hits 9, errors 4, Davies and Zimmer.

BROOKLYN, Sept. 30.—Baltimore's effective battery work won. Brooklyn 4, hits 5, errors 4, Kennedy and Darby; Baltimore 5, hits 12, errors 4, Schmidt and Robinson.

BOSTON, Sept. 30.—The senators were outplayed at all points. Boston 13, hits 11, errors 3, Nichols, Kelly and Bennett; Washington 3, hits 9, errors 5, Killen and Dowse.

MORE FAST TIME.

Six Remarkable Heats at Terre Haute—Belle Vera Goes Fast.

TERRE HAUTE, Ind., Sept. 30.—At to-day's meeting the record of Maud S. was tied by S. A. Brown & Co.'s Belle Vera, by Vatican, and the fastest six heats on record were trotted in the free for all.

2:20 pace—Flowing Tide won, Booker second, Jenny Hawthorne third. Best time, 2:16¼.

2:18 trot—Reina won, Clara D. second, Erminie third. Best time, 2:13½.

Free for all trot—Ryland T. won, Jack second, Little Albert third. Charleston also started. Time, 2:11¼, 2:12¼, 2:12, 2:12¾, 2:11¼, 2:14¼. All these heats were sharply contested.

The 2:14 trot, in which Belle Vera, Walter E., So Long, St. Vincent and Mattie H. participated, furnished the sensation of the day, Belle Vera, driven by Doble, going to the head in the first heat and holding it throughout, making the half in 1:05¾, and the mile in 2:08¾. Walter E. won the succeeding three heats.

2:17 pace—Nellie B. won, Uthurst second. Best time, 2:12½.

Gravesend Races.

GRAVESEND, Sept. 30.—Conditions perfect. Mile—Crotchet won, Major Daly second, Silver Prince third. Time, 1:14.

Mile and one-sixteenth—Dolly McCone won, Dagonet second, Temple third. Time, 1:49¾.

Six furlongs—White Rose won, Strathmeath second, Tormentor third. Time, 1:14½.

Mile and one-quarter—Candelabra won, Leonwell second, The Pepper third. Time, 2:09½.

Five furlongs—Uncle Sim won, Maid Marian second, Chattanooga third. Time, 1:02.

Six furlongs—Walcott won, Lallah second, Holy third. Time, 1:15½.

Established a Century Record.

TORONTO, Sept. 30.—David Nesmith, champion long distance rider of the Toronto Bicycle club, to-day established a track record for 100 miles. He covered the distance in 5:32:9 1-5, resting for fourteen minutes at the eighty-third mile, owing to stiffness.

On the Cinder Path.

SPRINGFIELD, Mass., Sept. 30.—Windle made a mile, flying start, to-day in 2:04 4-5, beating Zimmerman's record and the world's record, 2:06 4-5. Windle passed the three-quarter post in 1:32 3-5, lowering the record, 1:33 3-5, by Tyler.

BANK CLEARINGS.

Business Done During the Past Week in the Money Centers.

NEW YORK, Sept. 30.—The following table, compiled by Bradstreet's, shows the banks' clearings for the week ending Sept. 29, with percentage of increase or decrease compared with the corresponding week of last year:

New York	$ 594,556,000	Dec. 27.8
Boston	84,375,000	Dec. 15.7
Chicago	95,485,000	Dec. 25.6
Philadelphia	67,231,000	No comp
St. Louis	21,703,000	Inc. 7.5
San Francisco	1,601,000	Dec. 6.0
Baltimore	14,023,000	Inc. 14.5
Cincinnati	13,546,000	Inc. 3.6
Pittsburg	14,067,000	Inc. 12.0
Minneapolis	9,865,000	Inc. 6.5
Omaha	5,713,000	Inc. 50.1
Denver	5,069,000	Inc. 35.5
St. Paul	7,859,000	Inc. 12.5
Portland, Ore	2,[illegible]02,000	Dec. 10.3
Salt Lake	1,023,000	Inc. 23.6
Seattle	1,136,000	Inc. 37.4
Tacoma	947,000	Dec. 10.3
Los Angeles	612,324	Dec. 9.3
Galveston	6,710,000	Dec. 24.9
Helena	723,408	No comp
Great Falls	220,136	"
Spokane	1,029,000	"

Total for the leading cities of the United States, Sept. 29, was $1,057,541,070; dec. 16.9 per cent, compared with same week last year.

Closing the Conference.

NEWARK, N. J., Sept. 30.—The final day's proceedings of the German Catholic congress began this morning with a solemn mass of thanksgiving. Rev. Dr. Pople, of Washington, preached the sermon, speaking mainly on the social question, which, he said, should be viewed from the standpoint of religion. At a meeting of the priests' society, Rev. H. Messner was elected president for the ensuing year.

Murder the Motive for Arson.

DENVER, Sept. 30.—The Buena Vista hotel was destroyed by fire at an early hour this morning. Gustave Kearse, a lodger, perished and Anna Gunderson, A. McDugal, and Tom Arnold, severely, perhaps fatally burned. The police believe the fire incendiary and the design murder and robbery. Kearse is known to have had a large sum of money last night and no trace of it was found on the remains.

The Boss Gambler Indicted.

CHICAGO, Sept 30.—An indictment against Michael C. McDonald for attempted bribery in the Garfield park cases was turned into court to-day. The extreme penalty is a fine of $5,000. McDonald was released on $1,000 bail.

A STRONG MIND PASSING

Three Decades of Office-Holding Seem to Have Dimmed Sherman's Intellect.

Makes a Speech Filled With Foolish References to the Confederate Constitution.

Grover Cleveland in Consultation With the Leaders in New York City—Other Political News.

CLEVELAND, Sept. 30.—Senator Sherman spoke at North Fairfield, Huron county, today. It was his opening speech in the campaign, and he went into the Fourteenth congressional district, where there is a bitter fight, with Congressman Harter, democrat, on one side, and E. G. Johnson, republican, on the other. About five thousand persons were at the meeting. Senator Sherman reviewed the material progress of the United States under protective tariff since 1861, claiming that all prosperity is due the republican policy. He said: "We stand by this policy. We maintain and defend it as constitutional and right, as beneficial to all classes of our people, and as one of the best results of the republican policy. To say that this policy of protection, the principal design of which is to promote the interests of the laboring man, is a fraud upon him, is a falsehood which every reasoning being can detect. Modern democracy has thrown off all disguises and declared openly for the doctrine proclaimed in the confederate constitution, and first announced by Calhoun."

Sherman said he noticed that Senator Hill insisted in a recent speech that the democratic party still stands on the old doctrine of tariff for revenue with incidental protection. Senator Hill's position, he said, is not tenable, for the reason that the democratic convention not only rejected the incidental protection idea, but substituted for it the provisions of the confederate constitution.

"It is for you, fellow citizens," continued the senator, "to say whether the republican policy, which has maintained so long and successfully, which has produced such wonderful results upon history and and the prosperity of our country, which already has advanced us to the richest farming country and greatest manufacturing country in the world, shall be abandoned to carry out the ideas of the confederate states, and the free trade notions of commercial cities and professional dudes, whose only idea is that 'tis English, you know.'"

He quoted from the report of Labor Commissioner Peck, of New York, and dwelt upon the decreased price of sugar, the enlargement of foreign trade, etc. The senator said that while the democratic and republican parties occupied about the same position in their platforms on the silver question it must not be forgotten that a majority of democrats in both senate and house frequently voted last winter for the free coinage of silver. He said the result of free coinage would be disastrous to all industries and especially severe upon the laborer and the poor. The senator devoted some time to democratic declarations in favor of the repeal of the tax on state bank circulation, and went over the history of wildcat banking in the west.

THE VETS ARE ALL RIGHT.

Only Pension Freebooters and Pirates Unfriendly to Cleveland.

NEW YORK, Sept. 30.—Congressman Amos J. Cummings got back from Washington to-day, where he had been a participant in the Grand Army parade as a member of Horace Greeley post. Mr. Cummings talked interestingly of his visit and of what he heard of the political outlook from friends in Washington. "The statement," said he, "that the bulk of the members of the Grand Army favor the republican ticket is untrue. Thousands of the veterans wore Cleveland buttons, and there were many veteran democrats in the parade, wearing the G. A. R. uniform. Among them were Gen. Martin T. McMahon, adjutant general of the old Sixth corps; Gen. Daniel E. Sickles, Gen. Henry W. Slocum, Gen. John M. Palmer, Gen. Wm. S. Rosecrans, Gen. Joseph J. Bartlett, Gen. Wm. W. Averill, Gen. Walter C. Newberry of Illinois, Gen. Samuel S. Yoder of Ohio, Col. Hosea M. Rockwell of Elmira, Col. Albert S. Greenleaf of Rochester, and many others. There were enough democrats among the veterans to make an army corps. The feeling among the veterans was aptly shown at the theater on Thursday night. An allusion to Cleveland brought the house down. The veterans arose and gave three cheers, and they were tremendous cheers. As far as I could learn Mr. Cleveland's vetoes of the private pension bills were upheld by the veterans. The president as a rule vetoed pensions that were granted to deserters and others who were unworthy of them. It is a fact that he signed more pension bills than President Harrison has signed in his term of office. The Grand Army is all right. Its members will poll a strong vote for Cleveland and Stevenson. Under the constitution of the Grand Army there should be no politics in the organization. The veterans understood this, and the democrats who fought in the war will vote the straight democratic ticket."

Mr. Cummings talked with representative democrats from most of the southern states in Washington and from them gleaned an interesting budget of news. "West Virginia," he says, "is alive with enthusiasm for the democratic ticket. The republicans intended to strain every nerve to beat Wm. L. Wilson for congress. They have not given up the fight, but there seems to be no doubt of his re-election. Democrats from there declare that the state is safe. We shall probably elect every democratic congressman and carry the state for Cleveland by a larger majority than in 1884. From old Virginia the news is equally encouraging. The force bill has been made the issue, and the effect is such that leading democrats claim the state for Cleveland by at least 5,000 majority. The republicans still say that they will gain one or two congressmen. As things look now this seems improbable. Mahone is taking no active part in the campaign and Langston is inert. Favorable reports have also been received in Washington from North Carolina. The fight here is a very bitter one, but Mr. Simmons, the chairman of the democratic state committe, is confident of victory. The republicans had first claimed five of the congressional districts, but they will do well if they secure one. They had one in the last congress. South Carolina is safe. No republican has the hardihood to claim anything in this state. In Tennessee the prospects are very bright. Roger Q. Mills has written a letter urging the re-election of congressmen in Tennessee and Kentucky who voted against him in his canvass for speaker, and this is having a beneficial effect. There is no chance of a republican victory in Tennessee, and under no circumstances can they make congressional gains. Taylor's and Hank's district will probably remain republican as heretofore. In Georgia the outlook is also bright. Democrats here claim that in the state election in October they will give a larger democratic majority than usual. The situation in Alabama is much mixed. In some of the congressional districts the republicans and democrats have fused and it is said that republican money is being spent lavishly in the state. Gov. Jones and others, however, believe that the state will, as usual, cast its vote for the democratic electoral ticket.

"I hear that Louis McComas, the secretary of the republican national committee, has been raising the devil in Maryland. He went into his old district, which is very close, and made a force bill speech. The republican candidate for congress is wild over it. He thought he had some chance of beating McKaig, the democratic candidate, but it is said that he regards McComas' speech as knocking him entirely out of the race. What makes it worse is the fact that McComas was the candidate's leading opponent for the nomination."

CLEVELAND IN NEW YORK.

Visited by all the Leading Party Men in the City.

NEW YORK, Sept. 30.—Grover Cleveland arrived from Buzzard's Bay this morning. He was driven at once to the Victoria hotel, where he will remain during his stay, the duration of which is not known. He was received by 200 people at the pier. Among the early callers was W. R. Grace, who held a brief conference with the ex-president. It is understood that the conference between Cleveland and Grace related to the anti-snapper's position on local politics. Cleveland subsequently said he could not discuss the local political situation. Senator Hill is here. It is understood the political managers will try to get them together. All members of the democratic national committee in town called on Cleveland this afternoon and remained with him over an hour. They included Don M. Dickinson, Secretary Sheerin, A. P. Gorman, Calvin S. Brice, Josiah Quincy and B. B. Smalley. This evening there were many callers at Mr. Cleveland's apartments. Ex-Secretary Whitney remained with Mr. Cleveland most of the evening. Representatives of both the regular state organization and the anti-snappers called and had conferences. After the state committee adjourned without nominating a candidate for chief justice of the court of appeals, presumably waiting the action of the anti-snappers, Messrs. Croker and Daly hurried over to the hotel and had a long talk. On leaving the hotel Croker said he had important matter but couldn't say anything about it until Cleveland gave permission.

If Mr. Whitney, who is generally recognized as Cleveland's representative, speaks his sentiments, the ex-president will not oppose a third ticket in the city. Whitney is of the opinion that the more democratic local candidates there are, the fuller the vote will be for the national ticket. Croker said there is danger from the third ticket movement, not that he fears opposition to tammany, but a third ticket would be used for trading, and the trading of legislative candidates might cause the loss of a United States senatorship. When Mr. Grace emerged from his conference he said he had a long talk with Cleveland on the situation; that the ex-president considered his prospects of election splendid, judging from reports received. Grace said he did not mention any independent local ticket to Cleveland, not thinking the latter ought to be asked to interfere in these local affairs. The anti-snappers had a meeting to-night at which Grace was present. The general sentiment of the speakers favored putting forth a local ticket, and the sentiment was loudly applauded by the gathering. Nothing definite, however, was determined, and the conference committee was instructed to see the other district organizations.

Energetic Campaign in Iowa.

NEW YORK, Sept. 30.—A number of prominent Iowa democrats had a lengthy conference with the democratic campaign committee this afternoon, urging that with proper effort Iowa can be carried for Cleveland and Stevenson. The committee decided to aid by the general distribution of documents and the assignment of speakers. An energetic campaign is already being conducted in Iowa by leading democrats.

CHARGED WITH TREASON.

The Homestead Advisory Committee Arrested on That Ground.

HOMESTEAD, Pa., Sept. 30.—There was a sensation here to-night when a number of members of advisory committee of strikers, Chairman Crawford and Members Baird, Ryland, Dierken and Brown, were arrested. They are charged with treason. The warrants are based on information filed with Chief Justice Paxson. The arrests were very unexpected. They were taken to Pittsburg and landed in jail. The strikers are very much excited. Information against the men charge O'Donnell, McLuckie and thirty others, all members of the advisory committee, with ordaining, preparing and levying war against the commonwealth of Pennsylvania, defying and resisting her constitution, laws and authority. The petitions on which Chief Justice Paxson issued the warrants were made by county officers. This is the first time in the history of the state that any resident has been charged treason, and the outcome of the cases will be watched with interest. The penalty is twelve years imprisonment.

FIRE AT RUMSEY.

Supposed to Be of Incendiary Origin—The Buildings Destroyed.

GRANITE, Sept. 30.—[Special.]—The fruit store of H. L. Dunmore, the postoffice and the Athletic club hall at Rumsey were burned between 10 and 12 o'clock last night. The fire originated in the club hall and it is supposed to have been incendiary. Dunmore, who rooms in the building adjoining the hall, was awakened about 10 o'clock by the sound of foot falls from the empty hall and imagined hearing some one striking a match. He thought strangely of it, but was not thoroughly aroused until the unmistakable sound of burning timbers warned him of the danger he was in. By the time the first alarm was given the fire had gained much headway that the three buildings were doomed before any effectual efforts could be made to check its fury. The exact loss is not known.

News of Billings.

BILLINGS, Sept. 30.—[Special.]—Judge Milburn has appointed Ben Toole, of Billings, to fill the vacancy created by the resignation of County Commissioner Boots, who, for nearly two years after his removal from Yellowstone to Meagher, has continued to discharge the office.

The directors of the county fair have decided to hold open an extra day. To-morrow is the third day. The attendance was large to-day and the interest greater, and to-morrow's attraction promise a great day.

Rickards, Hamilton, Weed and Col. Malone addressed a crowded audience at the court house to-night.

The Strike May Spread

CEDAR RAPIDS, Ia., Sept. 30.—The operators' strike situation is becoming more serious. A number of trainmen's meetings have been called to consider the matter and Chief Operator Ramsay said to-day an investigation is being made concerning the connection of the Rock Island with the Burlington, Cedar Rapids & Northern. If it is found that the Rock Island owns a controlling interest a strike will be declared on that road.

A HIGHWAYMAN CAUGHT.

But the Man He Meant to Have Robbed Made Good His Escape.

Policemen Were in Hiding and Appeared at the Proper Time.

The Intended Victim May Turn Up When He Finds It Wasn't a Footpad Chasing Him.

The police of Helena last night stopped short the career of a very promising highwayman by capturing one would-be knight of the road. His capture was easily affected, but his intended victim got away at the time, though hotly pursued by one of the policemen. The chances are he thought the officer who was behind him was the man who ordered him to hold up his hands, and when he learns different will be readily accessible as a witness for the prosecution.

The man who failed in his first effort at highway robbery in Helena goes by the name of Bryan Fitzgerald. On Aug. 15 he was arrested for vagrancy, and while on the chain gang allowed himself to be interviewed by one of the local papers, complaining bitterly of the treatment the prisoners received and of the workings of the police laws in general. When his time was out he was advised to leave town, and did so. Recently he returned.

Sergeant Callahan received information last night to the effect that Fitzgerald was back in town and bent on mischief. He was well known to the police and when Officers Barrett and Martin, in citizen's dress, and Detective Finnegan started after him they had no difficulty in tracing him. They found him hanging around the intersection of Main street and Helena avenue, in company with another suspicious character. Finnegan concealed himself near the Steamboat block, Barrett got among the old tailings on the south side of Helena avenue and Martin got behind the big sign board right where the two roads meet. About half past eleven some one was heard coming down Main street. Presently a man turned into Helena avenue. He passed the bill board and was at the open space between there and the German hotel when Fitzgerald stepped up to him with a drawn revolver and the order, "Throw up your hands." Before the man had a chance to recover from his surprise and obey the order, the officers jumped out from their places of concealment. Fitzgerald dropped his revolver and started to run toward Main street with the intention of making for the old placer diggings in that direction. He didn't get there, as he ran plump into Barrett's arms. Martin picked up the revolver from the sidewalk, and the highwayman and his outfit were in the hands of the law, which only a few seconds before he had attempted to violate. His companion, having seen the officers first, escaped across the tailings.

Now as to the man who had been ordered to hold up his hands. No sooner did he see the officers jump out into sight than he took to his heels and was on his way down Helena avenue toward the Northern Pacific depot. Finnegan called to him to stop. Either thinking the officers were more of the same or that it was the highwayman chasing and calling to him, he only hastened his pace, and last heard from was getting considerably the better of the foot race. Finnegan lost trace of him at the depot.

Fitzgerald was taken to the city hall and locked up. The weapon he had used is an ordinary bulldog revolver. He also had on him a razor and a penknife. In one of his pockets was a small drug store envelope, such as are used for powders. It was labelled poison and in it was enough sugar of lead to have killed a dozen men. The poison was neatly wrapped up in a paper inside the envelope. On the way to the lockup, Fitzgerald was seen to take something from his pocket and bite it. As the cover of the envelope showed signs of having been freshly chewed it is thought Fitzgerald tried to bite through the sugar of lead package and poison himself. His teeth missed the package, however, and if he got any of the poison it was too little to have any effect.

AT ATHLETIC PARK.

One of the Greatest Foot Races in Montana To-morrow.

Sunday afternoon at three o'clock there will be an eight mile foot race between Hide Johnson, of Butte, Joe Day, of San Francisco, S. A. Donnell, of Denver, and Wm. Rideout, of Helena. The lovers of sport will no doubt witness one of the greatest races that was ever run in Montana, as all of the fleet-footed men are pronounced to be in good condition. The Athletic association is preparing an excellent track. Hide Johnson and Joe Day will arrive this evening. Donnell arrived a few days ago. Rideout, who won the ten mile race at Butte recently, arrived from Townsend last night, where he has been in training for two weeks. The ladies and gentlemen of Helena are promised a great race in this event.

Only One Rescued.

IRONWOOD, Mich., Sept. 30.—Two thousand miners worked all night, taking turn, in the Norris iron mide, seeking to rescue the eleven men buried in the shaft by a fall of ground yesterday. Late at night signals were given and answered on the iron pillar, which extends down into the drift where the men are entombed, showing at least that some of them are still alive. The scenes about the mouth of the pit are most harrowing. Abraham Thompson, one of the men buried in the Norris mine, was rescued this morning. It is believed the other ten will perish before they can be rescued.

McKinley Law Cost $200,000.

SAN FRANCISCO, Sept 30.—Judge Ross, United States district court, decided that the McKinley act did not repeal the act of 1883, granting the right of drawback of 75 cents per ton on imported bituminous coal, afterward used for fuel on American steam vessels engaged in the coasting trade. The decision will result in the payment of $200,000 to coal dealers in this city, who, since the passage of the act, have been deprived of the drawback on all coal sold to American steamers.

Not Commissioned Murderers.

WASHINGTON, Sept. 30.—The department of state is informed by the Chinese minister that there is nothing in the certificates found upon Chinamen recently arrested in Detroit, for being unlawfully in the United States, to show that the society issuing them had such object in view as the murder of the emperor of China.

A Heroic Lieutenant

NEW YORK, Sept. 30.—The United States steamer Philadelphia arrived to-day and it has been learned that the recent accident during the sham battle at Baltimore came near blowing up the ship. When the cartridge exploded before the breech of the gun closed, the chute leading to the magazine