



TO-DAY there will be a total solar eclipse of the sun. It will not be visible either on the American or the Eastern Continent, but only on the Indian and Antarctic Ocean, and will continue a little less than two minutes. There are no good points from which the eclipse can be observed by our leading scientists and astronomers.

Might as well buy that Fall Suit now—and get the benefit of fullest assortment of styles, materials and sizes. We'll sell it to you if you look over our stock—we've surely got the suit you want at the price you want to pay.

A little delay in the donning of heavier underwear may mean a bad cold—or something worse. We have many good kinds—but best of all is the Jaeger's Sanitary Wool. We've never had any customer who had bought it find any fault with it whatever.

Full line of Boys' Underwear, too, by the way.

Shirts that fit well wear well—and a comfortable shirt is a blessing to a busy man. We fit you—we sell you only shirts made of best material—honestly made—made to wear.

No need to tell you of the quality of Knox Hats—maybe need to tell you we have them in fullest assortment.



In these times people want a great deal for their money. They require good things at little expense. That's just how The Stanley Combination came to be created. It is an outfit consisting of a double-breasted Coat, two pairs of Pants and the latest style Stanley Cap of same material to match. Also extra Buttons with each outfit. The goods are of stylish fabric, of a most excellent quality especially adapted for service, and we can sell you the whole combination as cheaply as you can buy the bare suit from other dealers. Take a look at this Stanley combination and you will be surprised. Prices are \$5.50 and upward.



THE MANDAMUS CASE.

Question of How the Capital Ballot Should Be Prepared Is Argued.

The Supreme Court Has Not Yet Handed Down Its Decision.

If the Law of 1891 Is Unconstitutional, the Capital Vote of 1892 Is Void.

The mandamus proceedings relating to the manner of the submission of the capital question at the coming election, issued on the application of C. F. Lloyd against Secretary of State Kottwitz, was argued before the supreme court yesterday. As has been previously stated in THE INDEPENDENT, the relator holds that the act of 1891, commonly known as the "Australian law," should govern the secretary of state in submitting the capital question, instead of the law of March 6, 1891, which was followed at the election of 1892.

Attorney General Haskell held that the Australian ballot law, which was in force at the time of the adoption of the constitution, was not sufficient in itself that through and by it the question of the location of the permanent capital of the state could be submitted to the people. He related numerous points showing that the Australian law could not have been well followed in the election of 1892, one of the points taken being that there is no provision made in the law of 1891 by which the capital question could be resubmitted to the people in case there was no choice in the election of 1892. If the act of March 6, 1891, was unconstitutional, then the election had in 1892 relating to the election of a capital site was absolutely void. The Australian law of 1891 laid down the rule that the candidate receiving the highest number of votes should be elected. According to this vote, which he said necessarily would apply to propositions submitted to the people, the attorney general held that the town receiving the highest number of votes in 1892 should have been declared the permanent capital. But this was in direct violation of the constitution. Mr. Haskell held that the Australian law could not control the manner of submitting the capital question over a special law, as this was not a question of change of the capital site, but of the selection of a permanent seat of government. He quoted authorities relating to the permanent location of county seats that was applicable to the case in point.

Attorney General Haskell, continuing, said: "The provisions of section 14, of the Australian law, are only directory, while the act of 1891 is not only mandatory but prohibitory." He also held that the rule was, that if two unconstitutional acts be passed at different times, that it is to be observed and the first must give way. In conclusion he said: "The attention of the court is called to the pleadings of the relator wherein he declares that the question of the location of the permanent seat of government was daily submitted to the qualified electors in 1892. Accepting that as true, then the secretary of state must necessarily have certified the nomination of these two towns, as well as others placed in nomination, to the county clerk, and the same must be taken as true that this question has been published as provided by law, before the positive conclusion must be arrived at that there is nothing more for the secretary of state to do, either under the act of 1891 or under the act of 1891."

The attorneys for the relator in their argument held that the constitution provides that the legislature shall not pass local or special laws upon a number of enumerated subjects, and inter alia "for the opening or conducting of an election or preparing the places of voting;" and further, that "in other cases when a general law can be made applicable, no special law shall be enacted." At the time of adopting the constitution there was a general territorial law in force governing the conduct of elections. This act by the terms of the constitution became a law of the state until altered or repealed so far as not inconsistent with the constitution. The act referred to made it the duty of the secretary of state to certify such question concerning the location of the capital to the clerk of each of the counties, who should include it in the publication, as required under the act. The same act required the county clerk to place the question upon the general official ballots which they are required to prepare and print. The state legislature at its second regular session passed an act to govern such elections which provided a somewhat different plan for submission. By this act the secretary of state was to prepare and distribute separate ballots relating to the election of a capital site.

The question presented, it was held, was whether the territorial act regulating the manner of conducting elections was in violation of that section of the constitution which prohibits the passage of special laws "for the opening or conducting of any election, or of designating the places of voting." At this point the attorney for the relator cited authorities to show that the constitutional provisions are generally held to be mandatory, except where the special act relates to a subject not specifically enumerated in the constitution.

Attorney Kirkpatrick in closing his argument said: "Our contention is that within the principles established by the adjudged cases, the statute of March 6, 1891, is an act of special legislation and therefore that the secretary of state should be directed in the submission of the capital question to the voters of Montana to proceed in accordance with the provisions of the act of March 13, 1890."

The Modern Beauty

Thrives on good food and sunshine, with plenty of exercise in the open air. Her form glows with health and her face blooms with its beauty. If her system needs the cleansing action of a laxative remedy, she uses the gentle and pleasant liquid laxative Syrup of Figs.

"Exemption Tickets to California."

Take the short and by twenty-four hours the quickest route to California. Elegant Pullman palace and tourist sleepers. The dining car route. The Union Pacific has placed on sale daily tickets from Helena to California points, limited to sixty days going, with privilege of returning any time within six months, good for stop over, at following rates:

To San Francisco, going via Ogden, and returning same route, \$75.
To San Francisco, going via Ogden, and returning via Portland, and vice versa, \$90.
To San Francisco, going via Portland and returning same route, \$75.
To Los Angeles, going via Ogden and Sacramento, and returning via San Francisco and Ogden, or vice versa, \$89.
To Los Angeles, going via Ogden and San Francisco, returning via San Francisco and Ogden, \$95.
To Los Angeles, going via Portland and returning via Sacramento, or vice versa, \$90.50.

Through sleeping car rates and for further information can be had by calling on or addressing 36 North Main street, Helena, H. O. WILSON, Freight and Passenger Agent.

There are no sand deserts along the line of the Great Northern. It is capable of continuous settlement from the great lakes to Puget sound.

County Central Committee.

There will be a meeting of the democratic county central committee at rooms 26 and 27, Bailey block, Thursday at 10 a. m.

DONALD BRADFORD, Chairman.

Underwear for fall and winter can be bought at bottom prices at The Bee Hive.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

COMING ATTRACTIONS.

Exra Kendall and his famous funny play, "A Pair of Kids," comes to Ming's opera house next Saturday night. This will be Mr. Kendall's first visit here, but the fame of his eccentric "Jiles Bottom" in his funny play has preceded him, and he will doubtless enable a large audience to laugh away dull care and brooding melancholy. He has a capable company, and a prominent figure in it is little Jennie Dunn, the vest pocket soubrette. A curious individual once counted the number of distinct laughs in "A Pair of Kids," and declared it to be upwards of six hundred.

The Fast Mail.

The Fast Mail, which appears at Ming's opera house next Tuesday and Wednesday evenings, Oct. 2 and 3, is said to be the most successful railroad and scenic melodrama on the road this season. The climax of each act is strong enough to sustain a whole play, yet so well graded are the features of the piece that one views with increasing interest through the five acts, the murder and the clever trick with the grandfather's clock in the first act; the Mississippi river steamer, its engine room showing a practical furnace, and the explosion with "complete change of scene" following at the close of the third act; "The Fast Mail," the dago dive of the fourth act, and the thrilling incidents and hair-breadth escapes which take place there; and then the "fall front view of Niagara falls, as seen from the center of suspension bridge," upon which the final curtain descends. The dialogue is said to be bright and clean, and the company well trained, making the piece go with a vim.

Nobinet hats in town at Mrs. Kempsey's, opposite First National bank.

Baby carriages at actual cost this week at The Bee Hive.

GREAT NORTHERN RAILWAY.

The Most Attractive Route for Travelers for the Summer Season.

The magnificent, exclusively passenger steel steamship, North West, running in connection with the Great Northern railway, will start from Duluth every Friday at four p. m., for Salt Ste. Marie, Detroit, Cleveland and Buffalo, affording tourists and travelers a charming trip over the Great Lakes, in a floating palace, which is acknowledged to be a marvel of marine architecture. Her length is 386 feet, and width forty-four feet, the stateroom, dining room, saloons and smoking room are superbly appointed. There are also 135 strait-cabin seats fitted up with every known convenience for comfort. Her motor power consists of two quadruple expansion engines, 7,000 horse power. There are distributed throughout the ship 1,500 incandescent lamps, 160 more than are used on the Atlantic liner "Campania," and she carries a search light of 95,000 candle power.

Passengers leaving Helena Wednesday on the Atlantic express, at 12:35 p. m., reach Duluth in ample time to make the transfer to the steamship.

For dates, diagrams, berths, and all information, apply at the Great Northern ticket office, No. 6 North Main street.

C. E. DUTTON, C. W. PITTS, Gen'l. Agent, City Ticket Agent.

Cleanliness in traveling is the one thing desired. Travel by the Great Northern, and you will be clean. No dust on this line rock ballasted roadbed.

Montana University, Fall Term.

Helena, Montana, Rev. F. P. Tower, A. M., D. D., president, will open Sept. 13, 1894. Has full literary courses, also art, music, business and normal. It is the best equipped boarding school in Montana, and it rates the lowest, ranging from \$24 to \$242 for board and tuition for the school year of nine months.

To aid young men of limited means, arrangements have been made for a boarding club that will reduce board and unfurnished room to a sum not exceeding \$3.00 per week, perhaps less. A student can make a further reduction by boarding himself.

The special features of the university are healthful location, thorough instruction, and wholesome moral influences.

For further information address the president, Rev. F. P. Tower, Prof. J. C. Thompson, or Mrs. M. S. Cummins, Helena, Montana.

A good heavy wool blanket for \$2 at The Bee Hive that would be a bargain elsewhere at \$4.

Legal blanks at this office.

Union Pacific System.

Overland train leaves Helena at 8:30 a. m. daily for Salt Lake, Denver, Portland, San Francisco, Omaha, Kansas City, St. Louis, Chicago and all eastern points. Overland train arrives at Helena at 6:10 p. m. daily; through Pullman and colonist sleeping cars; elegant chair and dining cars.

For further information, maps, folders, rates, etc., call on or address H. O. WILSON, F. & P. A., Helena, Mont.

Special sale on fast black hosiery at The Bee Hive this week.

New dress goods just opened at The Bee Hive.

Feathering.

Having finished haying we have thrown the whole ranch into one, making over one thousand acres of the best pasture. Will pasture horses at \$2 per month. Helms seven and one-half miles north of Helena. Inquire of J. E. Allen or Howard Little livery stable, North Main street.

New pattern hats at Mrs. Kempsey's, opposite First National bank.

Big bargains in blankets this week at The Bee Hive.

Awarded Highest Honors—World's Fair.

DR. PRICE'S

CREAM BAKING POWDER

MOST PERFECT MADE.

A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant.

40 YEARS THE STANDARD.

The Jury Couldn't Agree.

CARSON, Nev., Sept. 27.—The jury in the case of the Carlin strikers, held for obstructing mail, disagreed and were discharged. They stood nine for acquittal and three for conviction.

BABCOCK'S FURCAPES

Garments and Fancy Furs. LATEST NEW YORK STYLES.



Largest stock in the West. Eastern Prices Guaranteed. We invite your inspection.

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This school is in session five days of each week during the entire year. Evening lessons. Now is the time to enter school. For further particulars call on or address Mary E. Jackson, principal, Bailey Block, Helena.

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107 N. MAIN STREET.

Some especially enticing bargains in our Toilet Department:

- Fine Toilet Soap 2c
- Glycerine Soap 5c
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- Colgate's Cashmere Bouquet Soap 20c
- Cuticura Soap 20c
- 411 Glycerine Soap 20c
- Packer's Tar Soap 20c
- Fabekin Soap 12c
- Rubifox 20c
- Eozodont 50c
- Sheffield's Dentifrice 20c
- Wright's Myrrh Tooth Soap 20c
- Catlin's Catmeal Tooth Soap 10c
- Espey's Cream 20c
- Hind's Honey and Almond Cream 40c
- Holmes' Frostilla 20c
- Chesebrough's Vaseline 5c
- Poronni's Face Powder 35c
- Leroy's La Blanch Powder 20c
- Tetlow's Gas amar Powder 20c
- Tetlow's Swanadown Powder 15c
- Hoyt's German Cologne 20c
- Colgate's Bay Rum 50c
- West India Bay Rum 35c
- Florida Water 25 and 50c

We also carry the Finest Line of Perfumes in the city, all at Cut Prices.

WE SAVE YOU MONEY.

A little discussion as to the merits of our goods and the low prices we ask usually reveals the fact that you can get more Dry Goods for a smaller outlay of money than it is possible to obtain anywhere else in this city. Ours is the store for the thoughtful, prudent buyers—for the people who study economy. Let us demonstrate. We offer this week:

- 25 Ladies' Elder Down Bath Robes, in cardinal, green, pink, blue, etc., all sizes, at \$3.00 each.
- 20 Ladies' All Wool Wrappers, plain colors trimmed in black braids, at \$3.50 each.
- 20 Misses' Jackets, in navy blue, nicely trimmed in braids, we give you your choice for \$2.50.
- 20 Ladies' Jackets, ranging in price from \$3.00 to \$7.50, your choice for this week \$3.50.
- 50 dozen Ladies' Wool Ribbed Jersey Vests and Pants at 75c, actual worth \$1.25.
- 100 dozen Children's Waists and Natural Vests and Drawers; these we start at 15c, raising 5c a size. If you want underwear this is your opportunity.
- 50 dozen Ladies' All Wool Fast Black Hosiery at 25c.
- 300 pairs White and Colored Blankets at \$1.00.
- 40 pieces 36-inch Dress Gowns in plain and fancy effects, at 25c.
- 75 pieces 36 to 42-inch Fanoor Wool Dress Goods, in fancy mixtures, chevrons, sondans, covers, plain colors, etc., all at one price, 50c a yard.
- \$4.50 buys a Handsome Dress Pattern, with all the linings and findings thrown in. This is one of our extraordinary offerings and holds good for this week only.

The newest in Kid Gloves, for street and evening wear, bear in mind that we have the genuine Foster Hook Kid Gloves, under the brands Dante, Bruce and Argyle—every pair sold under a guarantee. New goods coming in every day, which we take delight in showing. Save money by buying your Dry Goods and Cloaks of us.

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WANTED. Combination, Phillipsburg, Southern Cross at a low figure.

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