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For Today and Tomorrow Only.

OUR HAMS ARE FRESH, HOME SMOKED, AND SURE TO PLEASE YOU. THINK OF THE PRICE! AND EVERY SINGLE ONE GUARANTEED OR MONEY REFUNDED.

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Consisting of .....
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44 Pieces

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Milled by the Novelty Mill Co., Seattle, from Wheat grown in this state,

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Stands without an equal. For these rasons we ask you to buy it, as we push its sale at 80c per sack, $3.10 per barrel.

Wholesale Agents. LOUCH, AUGUSTINE & Co., 815 and 817 Front St.

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A Watch Or a Thimble.

You'll get what you ask for here. Get it as we sell it to you, whether it is gold, silver or plated. You save the extra expense when you buy here. C our line of Rings.

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ASK FOR F. B. Co. ....BRAND

Made in Seattle.

THIS IS THE FIRST OF THE MONTH, and we want your trade. Our ambition is to conduct our business so that every purchaser will be pleased. We are not doing business for this year oply, nor for the next. We want your trade continuously. Our goods are bought and sold with this thought in mind.

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$1.50 Stiff and Soft Hats...

REDUCED FROM $3.00, $4.00 AND $5.00.

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"DON'T BORROW TROUBLE." BUY

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'TIS CHEAPER IN THE END.

BUY FLANNELS for Underwear from us. They are shrunk and will not go out of sight when you put them in warm water.

SEATTLE WOOLEN MILL, 1119 Front St.

Do you smoke? Try "La Florde" Cigars equal any domestic 10c for a quarter

THE LASH ON DURRANT

A Day of Denunciation by the District Attorney.

HE WILL BE THROUGH TODAY.

Then the Judge Will Make a Long Charge to the Jury.

Mrs. Durrant Bursts Into Tears While Her Son Is Being Assailed—Merciless Analysis of the Improbable Stories Told by the Defense.

San Francisco, Oct. 31.—District Attorney Barnes did not finish his argument in the trial of Theodore Durrant today, as he announced last night that he would do. The jurors asked the court not to send them out tonight, as they would prefer to be charged tomorrow morning and have all day to consider the case. The request was granted, and as the district attorney desired to have his words still ringing in the ears of the jurors when they should retire to agree upon a verdict, he spoke until time for court to adjourn and then announced that he would not finish until tomorrow morning. As Judge Murphy's charge is understood to be very long, it is believed that the jury will not retire before tomorrow afternoon.

That Durrant is not only a monster, but a criminal whose actions both before and since April 3 have been in keeping with the actions of other great criminals, was the statement the district attorney endeavored to keep before the jury today. The impulse that prompted the prisoner to steal Blanche Lamont's rings from her body, he said, was the same impulse that had caused other criminals to steal that for which they had no use after committing a similar crime. If it were not for the fact that criminals always do things that should be left undone and fail to perform important acts, he said, lawbreakers would never be detected. As the district attorney dwelt upon the ghoulish nature of a man who could steal the rings from the body of an innocent girl whom he had murdered, his denunciation of the defendant became so bitter that Mrs. Durrant was unable to retain her composure. She burst into tears and flung her arms around the neck of her son as if to shield him from the torrent of invectives of which he was being made the object. Durrant remained measurably calm, but his mother, although she made several efforts, could not control her emotion. In the meantime the district attorney, who did not notice her state, his face being turned away, continued his scathing argument, until Juror Smythe finally brought the incident to an end by asking for a five minute recess. The request was granted, and when proceedings were resumed Mrs. Durrant had recovered herself.

Barnes referred feelingly to the incident of Mrs. Durrant's collapse as a very natural and proper one. It was one of the saddest phases of crime that with the guilty suffer the innocent. He sympathized from the bottom of his heart with those who are connected with those charged with crime. But the jury and he had a duty to perform, with which sentiment had nothing to do. He sympathized with this unhappy mother, but he called attention to the other mother, to whom the mangled remains of the victim had been sent. He pictured her waiting for the little footsteps that would never be heard again, and for the sight of a form she was never to see in life. He then resumed his argument.

"Theodore Durrant," said Mr. Barnes, "stands forth in American jurisprudence today as the most brutal criminal of the age. He is a creature beside whom Holmes, the multi-murderer, who is now on trial in Philadelphia, is a perfect gentleman and a scholar; beside whom Prof. Webster, the Harvard instructor, who killed Dr. Parkman many years ago, was a kind and gental citizen, and as compared with whom Cain was a George Washington. He took this child into the church alone. There she was with him alone in that great building, this weak and sickly child, unable physically to cope with this monster, and, as the Russian proverb says: 'Heaven was high, and the czar afar off.' No one was there to come to her aid; no one could hear her call for mercy as it fell upon his callous ear. She stood alone in the library the prospective victim of a lustful murder—a murder that shall be spoken of by our children, your children and your children's children until the end of the history of jurisprudence. But the library did not suit the murderer's purposes. Why? Because the library had a window opening out on Bartlett street. The girl's shrieks might be heard, and he was liable, yes, he was almost certain to be discovered. No; on second thoughts the belfry.

"Gentlemen, can't you imagine this creature—I can't call him a man; I have struggled to overcome the feeling of abhorrence against this person and to be absolutely fair to the prisoner, but to any man when such conclusive proof of crime is presented must come some such feeling—can't you imagine, can't you see as I can. Perhaps I have thought over this case so much that when I close my eyes I can see the two together. I can hear him telling her of the view from the belfry. I can see them walk out of the library and climb the stairs leading to the belfry door. But after the 3d of April it was locked. Who had keys to the church? George King, the pastor, Janitor Sademan and Theodore Durrant. Who was the mechanic of the church? Theodore Durrant. Who was it who changed the lock on the library door? Theodore Durrant. He had in his possession. I assert from the facts and inferences in this case, he had the key or keys that would lock or unlock that belfry door. He had a common key that would unlock the south door of the church and the janitor's door. He had a key to the library door, and he had a key that would unlock that belfry door through which this defendant and that girl, now dead, passed in life. And I assert that it is as certain and as sure as are the stars in their courses, that on the 3d of April, behind that door, somewhere in that belfry, was that murder committed. That this girl was drugged outside; that she wa murdered in somebody's back yard and carried up there, as Mr. Deuprey argued to you the other day, seems to me the sheerest nonsense. There, inside that belfry door, on the platform, was that horrible murder probably committed. The crime, the sob, the groan that would have been heard from the library room would have melted into thin air in the belfry. The shriek, the wildest cry that ever echoed from a human throat would have been stifled in the somber gloom of those dusty rafters.

"Alas, for this young girl, for whom outrage and bloody murder were to take the place of love! Alas, for her whose life was to be choked out at its portals within the gleam of the altar where she had daily prayed! There she lay, and there he stood. What could he do? What should he do? Self-preservation is the strongest impulse of a human being. He must save himself. It was late in the afternoon. The belfry came to his mind. So he got the hatchet. The defendant knew of that hatchet. It was kept in the sexton's room, and he had a key to it. He got it and knocked off the knobs. Now, gentlemen, we know that considerable force was used to break off the knobs, as the plate was bent. Remember, the terrible necessities of this case compelled the murderer when he destroyed ingress to also destroy egress. That being manifest, in what position did he find himself? He could not remain there. He had to get away, as he could not stay and like a ghoul devour the body of his victim. There are two ways of departure, one by the way of the midceiling, the other the opening that leads over the joists below the roof. He took the latter route. I submit that this route would take him just where George King first saw him—to the folding doors of the Sunday school room.

"This brings me to George R. King. Of him I must speak as I deem it my duty. He impressed me as a man who knew too little for a man who knew so much. He was a reluctant witness, and what I got out of him I had to drag out. He was a visitor to the defendant at the jail and to his parents, and unable here to remember the conversation with Durrant at the church. What kind of a witness is it who, while subpenaed as a witness by the state, hobnobs and connubiates with this defendant? I say nothing against Messrs. Dickinson and Deuprey. They are honorable gentlemen, and conducted their case as best they could, but I believe that George King will one day regret his actions in this case, for I do not believe he performed his whole duty here."

Barnes then went over the evidence as to what happened after Durrant met King, and said Durrant's explanation of what happened before this incident was unworthy of belief. In summing up the testimony he said: "The defendant says he was not at Clay and Powell streets on that afternoon. We say he was, and produce Mrs. Vogel and three schoolgirls who saw him. He says he was not on a Valencia street car. We say he was, and Mrs. Crossett says she saw him. He says he was not on Bartlett street with a young lady. We say he was, and produce Mr. Quinlan, who testified to having seen him there. He says he did not enter Emanuel church. We say he did, and Mrs. Leak swears she saw him go into the south side gate. Gentlemen, he was there or he was not. If he was not there, the most remarkable thing in history, outside of all testimony, perjured or otherwise, the most wonderful thing in the world has happened. Mrs. Leak, Mrs. Crossett, Mrs. Dorgan, Minnie Bell Edwards, May Lannigan, Mrs. Vogel and Martin Quinlan have then all perjured themselves and been mistaken if he was not there. Do you believe that all of these witnesses are mistaken, and that Durrant alone, who has every motive for testifying falsely, is right?"

Mr. Barnes then spoke of the value of circumstantial evidence, and read part of an opinion handed down by the late Chief Justice Shaw, of Massachusetts, on the Webster murder case, in which it was held that circumstantial evidence might be as strong and conclusive as direct testimony.

STALE JOKES, STALE EGGS.

Bill Nye Receives a Striking Testimonial at Paterson, N. J.

New York, Oct. 31.—Bill Nye lectured in Paterson, N. J., on Tuesday night. When he arrived he was faultlessly attired in a dress suit, with a new shirt of unspotted, unpolluted linen. His hair was nicely combed, and his head, fresh from the barber, gave a semblance of continuity to his shirt front. When he left Paterson he looked as if he had mixed up with the colors of a Kansas sunset. For several weeks Bill Nye had been extensively advertised to appear at the First Baptist church. His entertainment was the first of a course arranged by the Young Men's Lecture class, and they had worked hard to make the inaugural a success to insure the undertaking. Nye was to lecture on "Farming Exposed," and was to be assisted by Bert Poole, the Boston cartoonist, and Joe Newman, an elocutionist. When the time for the lecture, 8 o'clock, arrived, there not a vacant seat in the church, and many persons were standing. The audience embraced the elite of Paterson's fashionable society. Mr. Nye did not say much about farming, and what he did say was received with silent disapproval, instead of the expected laughs.

After the lecture, as Nye was about to enter his carriage, he was greeted with a product of the farm—eggs. They struck him in the back and exploded. Then another caught him where his hair is not, and a few spattered up against the carriage. Nye hurriedly closed the door, and the driver whipped up his horses. When the train arrived there was a rush at William. Mr. Poole got on the cars safely, but Mr. Nye was not so fortunate. The eggs came like a cloudburst. They spattered all over his face and made golden rivulets down his clothes. His hat, pulled tightly down, was a study in yellow. As he tried to get on the platform the enemy was ready. It literally dumped antiquated eggs upon the unfortunate William. He was covered from head to heels, and failed to find the joke. There were parting shots after he got in the car, and the downpour did not cease until the door was closed, the whistle blew and Mr. Nye, with enough chrome to start in the scene painting business, went his dripping homeward way.

THE FRANK BROS.' FAILURE.

Receiver Appointed on the Suit of Dexter Horton & Co.

Portland, Oct. 31.—The complaint against the Frank Bros.' Implement Company, alleging it to be insolvent and asking for the appointment of a receiver, was made in the United States circuit court on Wednesday by N. H. Latimer, of Seattle, connected with Dexter Horton & Co., bankers. He seeks to collect a note for $8,000 due from the company. He alleges that defendant is indebted to a large number of other firms and corporations in sums exceeding $120,000. The firm has branches at Pendleton and La Grande, Or., and also at Spokane and at Genesee, Idaho. The value of the assets the complainant is unable to state with any degree of certainty, but he alleges that the actual value of the assets is far less than the liabilities. Judge Bellinger appointed W. B. Ayer receiver.

A Financier Ill at Spokane.

Spokane, Oct. 31.—John L. Lamson, second vice president of the New York Security and Trust Company, is at a hospital here, suffering from nervous prostration and temporary aberration of the mind. His friends here believe he will soon recover. His illness is attributed to overwork and mental strain. Mr. Lamson started from New York about October 1, having in charge numerous important matters in connection with railroad reorganization. He went to St. Paul, had a conference with President Hill, of the Great Northern, then to Salt Lake on business connected with the Oregon Railway & Navigation Company and the Union Pacific, his company being trustees for the Oregon Railway & Navigation bondholders.

A Portland Bank to Liquidate.

Portland, Oct. 31.—At a meeting of the stockholders of the East Portland First National bank this afternoon it was decided by unanimous vote to proceed to liquidate and wind up the affairs of the concern. Its affairs are reported by the stockholders and the officers to be in good condition. The cashier, R. H. Bowman, reports money on hand to pay all depositors. This bank is one of the old institutions of the east side. The capital stock is $100,000. In July, 1893, it closed its doors temporarily, but fully recovered from that. The institution closes because its stockholders desire to retire from business.

Bixby Blacking Co. Insolvent.

New York, Oct. 31.—Samuel W. Millbank was today appointed temporary receiver of the S. M. Bixby Company, blacking, ink and harness oil manufacturers. The nominal assets are $253,000; actual assets $91,743.

An Oregon Pioneer Dead.

Albany, Or., Oct. 31.—Rev. S. G. Irvine, who has been pastor of the United Presbyterian church of this city for forty-one years, died this morning, aged 69 years.

The California readers of the Post-Intelligencer will find it on sale daily at Cooper & Co.'s stationery store, 746 Market street, just one block up Market street from the Chronicle office. Price 5c.

HOLMES SOBS IN COURT

When Miss Yoke Goes on the Stand Against Him.

HE GIVES WAY TO HIS SORROW.

Evidently He Had Hoped She Would Not Help the Prosecution.

Her Testimony Is Very Damaging to the Prisoner—Holmes' Conflicting Stories About Pitzel and the Children Told in Evidence—The Defense Has No Witnesses.

Philadelphia, Oct. 31.—For about thirty minutes today the nerve which all men have marveled at forsook Holmes, and he sunk his head into his hands and sobbed like a child. Meanwhile the woman he persists in calling his wife, and upon whom he had pinned his highest hopes, sat two yards away, relating the story that slowly but surely tightened the noose around his neck. Throughout her testimony, Miss Yoke, for such she called herself, never once bestowed a passing glance upon the man she once lived with. The case progressed so swiftly today that few witnesses remain to be heard before the closing of the commonwealths' case. Then the defense will open, and in spite of Holmes' statement that he would himself testify and also call Miss Yoke, his counsel privately stated tonight that the defense would offer no defense, but submit the case on argument alone. The attorney expressed confidence in his acquittal.

Holmes, as calm and unmoved as ever, was placed in the dock at 10 o'clock, and had a long, earnest colloquy with his counsel. Holmes was apparently offering suggestions. He appeared brighter and more cheerful than at any time since the trial began, and after counsel resumed their seats he chatted and laughed with two court officers.

The first witness was Sydney I. Samuels, a member of the bar of Fort Worth, Tex. He invariably referred to Holmes as "the individual." Holmes smiled broadly whenever the term was used. District Attorney Graham produced a note identified by Mrs. Pitzel yesterday as one Holmes pretended to pay at the St. Louis bank, for which he took $5,000 from her. Samuels said the body of the note was in his handwriting. In the latter part of April or early in May, 1894, there was in Fort Worth a man who was known as H. M. Pratt, overseeing the erection of a three-story structure as agent of Benton T. Lyman, the supposed owner. Pratt saw witness and tried to get a loan of $16,000 by mortgaging the property. A note was drawn up and signed Benton T. Lyman. Subsequently Pratt claimed to have lost it, and told witness he had drawn up a second note. The note was never indorsed, nor the loan made. Graham sought to prove that the note was never a legal document.

Inspector Gerry, of the insurance company, was recalled. Graham saying he proposed to prove by him that Holmes was much married; that Miss Yoke was not his lawful wife, and is therefore competent to testify. Gerry said he had seen at the prisoner's house in Willamette, Ill., a woman representing herself as Mrs. H. H. Holmes. He identified a photograph of her. She was not Miss Yoke. Last December witness told Holmes in prison of his visit to Willamette. Holmes said he wanted to write a letter to his wife, and did so, asking witness to mail it. Holmes told witness he had deposited $1,000 of the insurance company's money with Mr. Blackman, of Chicago, his real estate agent, so that Mrs. Holmes could draw upon it. Defense entered a formal objection to all the evidence of Gerry concerning Miss Yoke, but it was overruled.

Miss Yoke, or Mrs. Howard, the alleged wife of the prisoner, was called. She gave her testimony in a whisper. Holmes gazed steadily at her a few seconds. Then he bent forward over a little desk, drew a handkerchief, and for a moment or two sobbed. Quickly recovering himself, he dried his eyes, bowed his head and busily engaged himself with notes, still occasionally giving way to a sob.

Georgiana Yoke, as she gave her name, is a tall, slender woman of about 25 years, with flaxen hair and blue eyes. She was dressed stylishly.

"Were you in St. Louis in June, 1894?" was the first question asked Miss Yoke.

"I was."

"Did you know the prisoner?"

"I did."

"By what name?"

"H. H. Holmes and H. M. Howard"

"What was his business then?"

"The drug business."

In answer to further questions Miss Yoke said: "I came to Philadelphia the first week in August, 1894. The prisoner met me at the Broad street station, and we went to 1905 North Eleventh street, the boarding house kept by Mrs. Dr. Alcorn. I remained there as long as I was in Philadelphia, four weeks. The prisoner was in the copying business, looking after leases, deeds, etc."

Mr. Graham then put a series of questions as to Holmes' whereabouts on the day the murder is supposed to have been committed, Sunday, September 2, 1894. She said: "I was in my room on the evening of Saturday, September 1. I had been ill, part of the time in bed. The prisoner was home. Some one called during the evening to see him, and he went downstairs. When he came up he said it was a messenger from the Pennsylvania railroad, and he was to see the officials of the company at the messenger's house next morning to close out contracts for copying. Afterward he said his caller was Pitzel. This was the day before we left Philadelphia."

"Was he at home the next day?"

"Part of the day. He went out at about 10:30 in the morning. He said he had been to Nicetown, a suburb of Philadelphia. He had before mentioned going away, and said he would go home to Indianapolis. We were known here by the name of Howard. We left on the 10:15 train. The prisoner remained with me in Indianapolis for a day or two. Then he went away, saying he was going to St. Louis. Then he went with me to my mother's home in Franklin, Ind. From there we returned to Indianapolis, and a few days afterward he went to Philadelphia, saying the copying deal had been closed."

After detailing their travels in Canada and Vermont and the arrest in Boston, she said that during these travels she had never seen Mrs. Pitzel or her children. She identified Pitzel's picture as that of a man she had known in Fort Worth as Lyman. Holmes' name there was Pratt, and he explained it by saying that business arrangements about the property were complicated, and he thought it best to use that name. "Cross-examine," said the district attorney.

Mr. Rolan, of the defense, announced that the prisoner insisted on conducting the cross-examination in person. The court consented, and Holmes addressed his questions tremulously to the woman he called his wife. She never raised her eyes, and gave her replies in a whisper. The crier repeated them aloud. She said Holmes came into the house Sunday afternoon, September 2, 1894, looking worried and disturbed. He explained that he had walked fast. At this point Holmes told the court that he would reserve whatever questions he had until he called the witness directly for the defense.

Mrs. Pitzel was recalled and identified clothing which belonged to her husband. The daughter Dessa also identified them, and pictures of Howard, Nellie and Alice Pitzel.

Detective Frank P. Geyer, who traced Holmes' movements throughout the country, identified letters written by the children to their mother and never mailed by Holmes. He said he had an interview with Holmes in the cell room of the city hall on November 20, 1894, about the body found in the Callowhill street house. Holmes said to him it was not Pitzel's body, but a substitute. "He told me he left the Eleventh street house on Sunday, September 2, in the morning, and went to New York, where he went to a medical student and procured a corpse. He put it in a trunk and had it taken by a furniture cart driver to Jersey City, where it was shipped on the same train to Philadelphia that Holmes came over on. He reached this city about 4 o'clock in the afternoon, he said, and met Pitzel at the main office of the Western Union Telegraph Company and gave him the check for the trunk. Then he went up to the Eleventh street house, and that night went West. The next place he saw Pitzel was in Detroit, where he met him at the postoffice. I asked him where Pitzel and the children were, and he said in South America. He refused to give me the name of the student from whom he got the corpse, saying the student was supposed to be dead, as years before he and Holmes had swindled an insurance company out of $20,000. Beside, the student was a prosperous man of family. He would only give his name in the event of being brought up for murder. He said he had told Pitzel how to prepare the substituted body; to place it on the floor with the arm on the breast, put the liquid in the mouth and set fire to it. The liquid had been used for cleansing clothes. A few days before his arraignment for conspiracy, to which he pleaded guilty, I saw him in the cell room, and he said the story he had told me about the substitution of a body was not true, and that the corpse found was that of Pitzel. I said: 'Well, Holmes, if that is the case, then you have murdered Pitzel and the children.' He said: 'No, I did not.'"

The detective then related how Holmes found Pitzel's body, as already published in a statement by Holmes. "I asked him where the children were," continued the detective, "and he said Minnie Williams had them in London. 'The last time I saw Howard,' he said to me, 'was in Detroit, on the Wednesday preceding my departure for Toronto. Minnie Williams took dinner with me at Giese's hotel, and I gave Howard to her. Then I took the girls to Toronto. I put them on a train there and left them at the first station outside the city. Before leaving Alice I pinned $600 on her breast. Alice was to go to Niagara Falls and wait for Minnie Williams and Howard, when they would all go to London. If you go to New York the shipping department there will show you that two boys, a girl and a woman went to London. I told Minnie to cut off Nellie's hair and dress her as a boy so as to avoid suspicion.' I asked him what he had done with the children's trunks, and he said that when he left Indianapolis to take the children to Chicago he left the trunks in a hotel on West Madison street and never took them away. In June, in company with Mr. Perry, I saw him in prison, and then he told us he had given Howard to a man named Hatch in Indianapolis, and that was the last he had ever seen of him. The last he saw of the girl was in Toronto."

Detective Geyer was here temporarily withdrawn, and Mr. Graham offered to prove the finding of the bones of Howard at Irvington, a suburb of Indianapolis, and the bodies of the girls in a cellar of a house in Toronto. The defense objected and the jury were taken to their room while a lengthy argument of the admissibility of the testimony on both sides took place. Judge Arnold caused a mild sensation by declaring that the killing of the children had no connection with the trial of Holmes for the murder of the father, and that no such evidence could be introduced. This was the first turn in favor of Holmes since the beginning of the trial, and a decided setback for the commonwealth. The prisoner, however, made no sign when he heard the decision.

Geyer was then put under cross-examination. He was asked but a few questions and corroborated his former statements.

Superintendent of Police Linden, of this city, testified that Holmes made a statement to him in his office about January 6 last. He had requested the privilege of making the statement without the knowledge of his counsel. In this he said that, having failed to get a body in New York, he came back to Philadelphia and on Saturday night, September 1, he met Pitzel. The latter was despondent, spoke of his sick children, and said there was nothing for him to live for, or words to that effect.

Mr. Graham said that with the exception of two or three witnesses the commonwealth was ready to close.

THE LUCERO BREAKS DOWN.

Charles L. Fair's Gasoline Yacht Towed Into Astoria.

Astoria, Or., Oct. 31.—This morning just before daylight Charles L. Fair's new gasoline launch Lucero, which was built on Puget sound, broke down about four miles off the mouth of the Columbia river while on her maiden trip from Seattle to San Francisco, and despite all the efforts of its three engineers the machinery remained at a standstill. Nobody could tell what was wrong. The sea was rough at the time, and Capt. Hughes hoisted sail on both masts and lay off for awhile to decide what to do. At daylight the steamer Elder was sighted on her way from San Francisco for the mouth of the river, and the Lucero's captain, hoisting signals of distress, was towed into this port. Mr. Englebrecht, the builder of the Lucero, who is aboard, was very much discouraged over the breakdown, and said the mishap was the culminating trouble of a series of minor accidents that have happened to the machinery since the first run she made down the Sound. Capt. Hughes came ashore, as soon as the boat dropped anchor, and wired an account of the accident to Mr. Fair, asking for instructions. Up to a late hour tonight he had received no reply, but there is no doubt that the Lucero will have to be repaired here. It is doubtful if she will be able to make the run to San Francisco in safety, for the weather is getting rougher every day, and the little craft is not built to stand heavy treatment on the open ocean. She started from Puget sound with 2,500 gallons of gasoline, and has used about 1,000 gallons of this up to the present time. She has made her run from Seattle at an average speed of about eight and one-half knots, not including stops, which, as stated, have been numerous.

Erastus Winan's Appeal.

Albany, N. Y., Oct. 31.—The court of appeals heard arguments today in the case of Erastus Wiman, charged by his late partners in the mercantile agency of R. G. Dun & Co. with forgery. The conviction of Mr. Wiman under Judge Ingraham a year ago last summer, when he was sentenced to Sing Sing for five and a half years, was reversed by the supreme court of general term, and it was against this decision that the district attorney appealed. As the points involved relate mainly to what constitutes a partnership by participation of profits, and as there are thousands of business establishments who have employes thus compensated, the case is likely to excite wide attention, aside from the prominence and public service of Mr. Wiman. The contention before the court is divided into two sections, first as to the guilt or innocence of Mr. Wiman, resting upon his right to sign and indorse the check in dispute; second, as to the errors of the trial judge. The first point may be determined upon the decision of the question whether Mr. Wiman was or was not a partner in the firm of R. G. Dun & Co.

The only permanent cure for chronic catarrh is to thoroughly expel the poison from the system by the faithful and persistent use of Ayer's Sarsaparilla. This wonderful remedy proves successful when all other treatment has failed to relieve the sufferer.

Patrick Coughlin, who killed Officer Dawes near Echo, Utah, last August, has been sentenced to be shot on December 19.

FITZ IS DISGRACED.

Seems to Be Anxious to Keep Away From Hot Springs.

HE IS STILL AT LITTLE ROCK.

Jim Corbett Is at the Springs Ready to Do Battle.

The New Zealander Loses All His Friends by His Eagerness to Remain the Governor's Prisoner—Probably No Fight Until Monday.

Hot Springs, Oct. 31.—The big fight is put over until next week, and there is no chance of Corbett and Fitzsimons meeting in the ring before Tuesday, at the very earliest. The chances are that anybody arriving here early next Wednesday morning will see the fight if it comes off. It is asserted that there will, however, be a fight on Monday afternoon at 3 o'clock, when Maher and O'Donnell will meet with five-ounce gloves in Whittington park. This match is definitely settled, and unless the state interferes in a very forcible manner it will be fought out according to the programme. Smith and Ryan will probably be given a chance on Monday afternoon or Tuesday. Parson Davies, Joe Vendig and the Smith party held a conference today, but nothing came of it beyond an agreement that both men should weigh in at 8 o'clock tomorrow morning, to enable them to claim the forfeit money from the club. While the Ryan-Smith conference was on, Brady, the backer of O'Donnell, and John J. Quinn, the backer of Maher, met at the hotel, and after some talk Brady said: "I will have O'Donnell here to fight Maher tonight. Now bring on your man." Quinn was game, and promptly accepted the defi. The men informed the fight committee that they were willing to have their men come together without delay. It was planned to have the heavyweights meet in the opera house at the conclusion of a theatrical performance tonight. However, W. L. Babcock, Mayor Waters, Dan Stuart and Joe Vendig held a conference on the hotel veranda, and after quite a discussion it was decided to put the fight off until Monday afternoon at 3 o'clock. This was agreeable to Quinn and Brady, and the matter was settled in that way. The committee then announced that no attempt would be made to hold either of the other fights before the Maher and O'Donnell mill. O'Donnell had been brought in from Corbett's quarters at Spring Lake to be ready for the fight, if it came off. Maher has been training at Hughes' wine garden, about half a mile north of Whittington park, and within fifteen minutes' ride of town. He remained quietly in his quarters all day, except during the morning, when he went down to the park to wait for Corbett's defiance from the ring.

Brady had announced that Corbett would appear in the ring at Whittington park at high noon, throw off his cap and sweater and announce to such people as were present that he was the champion of the world, and that as Fitzsimmons was not there he was ready, willing and anxious to defend the title against all comers. Corbett, however, failed to appear, and Maher had no opportunity to accept the challenge. A big crowd had gathered at the park. When asked about his willingness to fight Maher against Corbett, Quinn, Maher's backer, said: "Of course I am; that's what Peter was doing at the park this morning, just waiting for Corbett to make his little speech there. He was going to say that he would fight Corbett on Wednesday of next week for $5,000 a side and $10,000 if Corbett would wait two weeks for him. I would have backed him on either proposition, and made a good side bet besides. That's what I think about Pete and Corbett." "Look here," chinned in O'Connell, who will probably be one of Maher's seconds on Monday, as he pulled a check from his pocket. "This is a certified check for $1,000, and I had it right with me this morning to plank down as an evidence of good faith. The whole reason why Corbett did not come out to the park this morning was that he and Brady knew we were laying for them out there." Maher is down to 178 pounds, and will fight very close to that weight with O'Donnell, who will enter the ring at about the same weight as Maher. He is taller than the Irish champion, but not so compactly built.

Tonight John L. Sullivan approached Mr. Quinn and asked for the privilege of being one of Maher's seconds. "He is going to win the fight," said Sullivan, "and I want to begin going in the ring as second to some of the boys, and I want to commence by getting behind a winner. Now you fix it for me, so I get behind Pete," and the ex-champion walked away. The fight on Monday will be for a purse of $5,000, of which $4,000 goes to the winner and $1,000 to the loser. There is no side bet. However, despite all the talk, there is little room to believe that the Maher-O'Donnell fight will come off without resistance on the part of Gov. Clarke. Attorney General Kinsworthy said tonight that he would report the matter to the governor personally tomorrow, and learn what his wishes are. "I believe that it should be stopped," he said. "Further than that I am not in a position to speak."

As to the big fight, the Corbett-Fitzsimmons mill, all is still uncertainty. The prospects are not bright. Corbett left the Arlington hotel, where he had been kept under cover since yesterday afternoon, at 1 o'clock today, and went back to his training quarters at Spring lake. Brady will be in Little Rock tomorrow to appear in court there. Sheriff Houpt, of Garland county, reached his home here today, after an unsuccessful attempt to get Fitzsimmons to Hot Springs, and was given an ovation by the townspeople, with whom he is exceedingly popular. The sheriff was bitter in his denunciation of Fitzsimmons, declaring that the man is afraid to fight Corbett.

Harry White, the trainer for Fitzsimmons, who has been here all day, said tonight that he did not believe there would be any fight at all between his man and Corbett. "The fact," said White, "Fitzsimmons is afraid, and a span of oxen will not drag him into the ring. I know this is so, and I have told Fitzsimmons that I will train with him no longer. I am disgusted with the way he acts. He is afraid of Corbett, and you will see that he will never fight him. I have nothing against Fitzsimmons except that I know that he does not mean business in this thing."

Little Rock, Ark., Oct. 31.—"I am perfectly willing that this case be continued until tomorrow," said Martin Julian in Judge Joseph W. Martin's court this afternoon. Had a bomb been exploded in the temple of justice it would have created scarcely less sensation among the throng of interested spectators than did Julian's words. "Oh, what a fluke." "He don't want to go to Hot Springs." "Well, what do you think of that?" These are fair samples of the expressions of utter disgust which flew from mouth to mouth as the disappointed crowd filed out of the court room close upon the heels of Martin Julian and Bob Fitzsimmons, as they made their way back to their suite of rooms in the Capitol hotel, in the custody of two deputies of Pulaski.

For an hour before the time set for the hearing of the case a dense crowd of people had swarmed in and about the court room, within which Fitzsimmons and Julian were to answer warrants charging them with contemplating an assault on Corbett and requiring them to keep the peace. Julian had told every newspaper man who came within hailing distance that he was just aching to reach Hot Springs. All morning he had been s