

UNITED STATES COURT

Case Against Hershfield Goes Over for the Term.

AN IMPORTANT WITNESS

The Marshal Could Not Find Bacon Judge Knowles Said the Employment of Wallace Smekered of Barbarism.

Special Dispatch to the Standard.

Helena, Nov. 22.—As forecasted in today's Standard the Hershfield case will not be tried at this term of court. The case was continued for the term to-day upon the application of District Attorney Rodgers. Mr. Rodgers presented to the court a formal motion for a continuance in the shape of an affidavit setting forth his reasons for requesting that the case be postponed. He based his motion upon the absence from attendance upon the case of F. L. Bacon, an important witness, whose presence he represented to the court is indispensable to substantiate the claim of the government that the president of the suspended Merchants' National bank sent false reports to the comptroller of the currency, as charged in the 18 counts in the indictment. This witness lives at Bowen, Beaverhead county, but Mr. Rodgers claims he is not at home and the marshal has been unable to find him.

The district attorney said that if the court did not see fit to grant the continuance he hoped the trial of the case would be postponed several days that he might prepare for it. He said that on account of the expectation that William Wallace would be in the case as counsel for the government he had not given the case the attention it demanded, leaving that matter to Mr. Wallace and devoting his time to other business. Since the court had decided that Wallace could not appear as a special prosecutor he would desire, since he must conduct the prosecution, an opportunity to study the case more thoroughly.

In the light of the absence of the material witness named and because of his own unfamiliarity with the case, he trusted the court would grant either a continuance or a postponement. Colonel Sanders, one of Hershfield's attorneys, objected to a continuance. He said the accused, who now resided in New York and had returned to Montana to stand trial, was ready to meet the charges of the prosecution and have the case tried. If the case was to be postponed he desired it would be for the term. The court referred sarcastically to the effort that had been made to have Wallace appear as a special prosecutor and said he guessed the government was not so hard up that it could not hire attorneys without relying upon private citizens to come to the rescue.

G. N. Nelson, the St. Paul attorney who is also for the defense, intimated what the court had said and added that if necessary counter affidavits could be filed to show that the witness Bacon, about whose presence the district attorney was solicitous, was not in the state and it was a question whether he ever would be.

Judge Knowles said that he did not desire any counter affidavits, as the affidavit filed by the district attorney was deemed sufficient and a true statement of the situation. He said that in regard to the employment of Mr. Wallace by parties who desired him to act as a special prosecutor he considered that was a matter of which the court should speak. While there was no question of the right of the district attorney to have all the evidence he desired, there were doubts of the propriety of private parties engaging such counsel in a case in which the government was prosecutor.

The government courts were to administer the laws for the benefit of society in general and not for the benefit of private parties. The court considered it would have been unfair to the accused to have permitted the attorney to have remained in the case, in view of his own statement that he received a private fee. This manner of trying cases he characterized as smacking of barbarism and being a relic of the dark ages. He concluded by granting the motion for a continuance of the case for the term.

The case of the United States against T. P. Bowman, in some respects a companion action, was also continued for the term. The cases will probably be set for trial some time next spring, April or May.

James Jagers, who was recently tried for counterfeiting and the jury disagreed, will be tried again at this term of court, as the case was today set for Dec. 5.

The case of the United States against George H. Miller, indicted on the charge of introducing whiskey upon the Bolknap Indian reservation, was set for Dec. 7.

WEEKS PROTESTED.

A Story Published That Molleux's Defense Would Be Insanity.

New York, Nov. 22.—The dramatic feature in connection with the trial of Roland B. Molleux on the charge of causing the death by poison of Mrs. Katherine B. Adams occurred immediately after the Sunday recess to-day, when Harlow S. Weeks, counsel for the prisoner, emphatically protested against the publication of a story to the effect that the plea of the defense would be insanity.

Recorder Goff commented upon the complaint of the attorney for the defense at considerable length and in conclusion stated that Mr. Weeks might present to the court at his convenience any information concerning this matter that the defense might see fit to produce. He asserted that the court would consider the subject and make a disposition of it in accordance with the merits of the case. District Attorney Osborne concurred with Mr. Weeks and pleaded his hearty cooperation.

The newspapers who offended by outlining the plan which it was claimed the defense would make contained statements tending to show that the defendant Roland B. Molleux had suffered from various forms of insanity. Not a juror was selected to-day, though more than 50 talesmen were interrogated. Five seats in the jury box will be held, though more than 250 candidates in all have been examined. Of the talesmen examined to-day 12 escaped because they were opposed to circumstantial evidence, 21 believing in capital punishment, four lacked general intelligence, seven had formed opinions of the case and six were challenged without stated reasons.

TRUSTS ARE DENOUNCED

National Grange Demands Protection for the People.

A MISUSE OF POWER

Control of the Source of Supply Inimical to the Public Good—Fair Play Demanded—Good is an Element of Danger.

Springfield, Ohio, Nov. 22.—The National Grange, which had been in session in this city during the past week, will adjourn sine die to-morrow.

Important in to-day's proceedings was the report of the committee on trusts, which was adopted. The trust committee's report was as follows: "The National Grange express their approval of the address of our worthy master, Aaron Jones, regarding the trusts, and demand the enactment by congress of such laws as will protect the people against all combinations of men and capital inimical to public policy.

AN ALL AMERICAN ROUTE TO DAWSON

Result of the Explorations of Captain Abercrombie—Game Plentiful Along the Trail.

New York, Nov. 22.—Captain William Abercrombie, who has spent six years in Alaskan exploration and who has discovered an all-American route to the Klondike, passed through New York to-day on his way to Washington to make his report to Secretary Root. He said that the main feature of the expedition from which he is just returning is the completion of plans for the opening of the Klondike region for the American miner, so he can land at Valdez with his pack pony and prospect any part of the public domain without interference from the officials of a foreign country.

"The trail I have surveyed is 280 miles from the boundary and through the heart of Alaska. I surveyed about 60 miles and I built an all-American trail over the mountains, which is the ultimate widening, and 75 miles long, through the Rocky mountain divisions from Valdez to the Tomsen river, which flows into the Copper river.

"The trail is, of course, a merely a trail and very crude, but its course is well watered and game is plentiful, especially bear, goats and wild sheep.

"The Klondike expedition started from Washington on March 22 and I had with me two topographers, two civil engineers and Lieutenant Babcock, in charge of construction. We went by train to Fort Yellowstone, in Yellowstone park, where we picked up Henry and George, which we shipped to Seattle. We left Seattle on April 15, on the steamship Excelsior, the expedition then numbering about 35 souls, including a trail boss, a dynamiter, two surveyors, geologists and hanty men. When we arrived at Valdez we found many miners from the interior stranded and suffering. The war department directed that they be given employment on government work, and as a result of this no desperate miners had to be taken out of the country on the revenue cutters. During the coming year there will be numerous enterprises embarked in Alaska, especially in the Yukon country. The country that is to be opened to settlement is fully twice as large as the New England states and will support thousands of people.

"The water is good, the soil fertile, game abundant except in the Copper river valley, and all the hardy grains such as are raised in Siberia are raised along the line of this all-American trail. One hundred and fifty miles above the mouth of the Copper river is dense vegetation and luxuriant grasses, and three or four kinds of edible berries. The mouth of the Copper river is a wide delta containing sandbars and shallows, while 60 miles up the mouth are the Miles glacier and the Childs glacier. Finding it impossible to navigate the Copper river, we went around by Prince William's sound. In my experimental garden at Valdez I raised peas, carrots, radishes, lettuce, radishes and other garden stuff. Port Valdez was our base of supplies from Seattle, the supplies being packed in by pack trains."

HOLLAND IS A GREAT SUCCESS

The Type Will Be Recommended to the British Government—The Boat Has Come to Stay.

New York, Nov. 22.—Captain Charles T. Oitley, naval attache to her majesty's embassy to the United States, came from Washington to-day for the purpose of inspecting the Holland boat in behalf of his government. He was taken to the boat, which is moored in the Atlantic Yacht club basin, in Brooklyn, by John B. Holt, who explained the workings of the vessel to the captain. For more than two hours Captain Oitley looked over the boat. He seemed very much impressed with what he saw, and when asked his opinion, said:

"It is my intention to recommend to the board of admiralty of the British government that they immediately consider the merits of the Holland with a view to adopting vessels of this type in the British navy. She is to my mind the most formidable type of submarine boat and has demonstrated that she is the only successful one. The vessel could not only be used in keeping harbors and the coasts free from invading fleets, but with vessels of the Holland type there would need be no fear of submarine mines or other obstructions to navigation, as she could descend them rapidly. It is my opinion that there is no question that the submarine boat has come to stay and that such boats must be reckoned on in future naval warfare."

The departure of the Holland for Washington will leave her present moorings on Saturday and go to Elizabethport, where she will be in the charge of commanding through the canal as to be fitted. It is expected the boat will arrive at Washington shortly after congress convenes.

A Red Lodge Newspaper. Special Dispatch to the Standard.

Helena, Nov. 22.—The Carbon County Democrat Publishing company was incorporated with the secretary of state today for the purpose of publishing a paper in Red Lodge. The capital stock of the new company is \$3,000, two-thirds of which, according to the articles of incorporation, is held by Dr. J. M. Fox, a member of the state capital building commission and superintendent of the Rocky Fork Coal company; and B. E. Vail, cashier of a Red Lodge bank. The balance of the stock is held by J. E. Mischbach, O. O. Anderson, J. B. Anderson, W. W. Williams and W. A. Talmadge, all of Red Lodge.

TRUSTS ARE DENOUNCED

National Grange Demands Protection for the People.

A MISUSE OF POWER

Control of the Source of Supply Inimical to the Public Good—Fair Play Demanded—Good is an Element of Danger.

Springfield, Ohio, Nov. 22.—The National Grange, which had been in session in this city during the past week, will adjourn sine die to-morrow.

Important in to-day's proceedings was the report of the committee on trusts, which was adopted. The trust committee's report was as follows: "The National Grange express their approval of the address of our worthy master, Aaron Jones, regarding the trusts, and demand the enactment by congress of such laws as will protect the people against all combinations of men and capital inimical to public policy.

"We are not opposed to associations of interests which merely lessen the cost of production, but we are decidedly opposed to the misuse of the power which large combinations of capital give for the purpose of destroying competition, controlling production and arbitrarily dictating prices of commodities. We are opposed to all corporations or trusts which control the source of supply, and like the Standard Oil company, reach out their arms and embrace all competition. Special favors are granted them by railroads, thus enabling them to undersell and force to the wall the smaller dealers who might otherwise compete with them. We encourage the investment of capital in every branch of legitimate industry and demand fair play. The expansion of our territory and commerce tends to increase the number of capitalized associations. The greed and selfishness which too often actuate men has become an element of danger and must be controlled. It must be made impossible for so-called trusts to accumulate millions by selling watered stock without adding to the wealth of the country.

"Therefore, we recommend: "First—Official inspection of all corporations, as in the case of national banks. No corporation should be tolerated whose books cannot bear inspection.

"Second—Prohibition of all rebates or discrimination by public carriers.

"Third—Taxation of all capital stock.

"Fourth—All capital stock should be paid up in full.

"Fifth—Severe penalties for violation of law (a) by forfeiture of assets, fine and imprisonment; (b) by impeachment, fine and imprisonment of all public officials whose duty it may be to enforce the law and who fail to perform that duty.

"Sixth—We would advise many petitions to congress to pass remedial legislation along the lines above suggested.

"We ask the members of our body to secure state legislation not in conflict with national laws, but suited to the peculiar requirements of their respective states. One of the greatest evidences of trusts is their power to control elections and corrupt officials. This can be remedied by educating the people. Meanwhile, we must control by the strong arm of authority.

"Whenever monopolies are based upon the acquisition of nearly the entire supply of natural treasures of any sort and upon exclusive ownership of raw material of any kind, government ownership of the source of supply is called for. The National Grange and Patrons Husbandry place its best efforts for the suppression of such dangerous associations and we invite the earnest co-operation of every liberty-loving, self-respecting citizen of the republic."

The Grange also adopted the following resolution: "That we most heartily desire the upholding of our merchant marine, but we are emphatically opposed to the principle of subsidy and believe the desired results can and will be accomplished without resorting thereto."

Riddled With Bullets. Pensacola, Fla., Nov. 22.—The body of West Lawrence, a negro, who recently brutally assaulted Mrs. W. Bowman of this city, was found swinging from a tree near the scene of his crime riddled with bullets. He was captured by an armed posse and taken to the home of Mr. Bowman last night, where he was positively identified and about midnight he was lynched.

"Better the Feet Slip Than the Tongue."

There is one slip Nature never forgives. It is the carelessness of ignoring the signal that the body is in danger of wreck. It may be that the kidneys or the stomach or the head gives the warning sign. But remember, the blood feeds every organ of the body. Make no slip, but first tone up the system through the blood, and health will surely follow. Hood's Sarsaparilla is the best preparation man has devised to make pure, life-giving blood.

General Debility

"I have taken Hood's Sarsaparilla for general debility with marvelous effect. My blood is pure and I feel better and stronger." Frederick Reeb, 98 Herkimer St., Albany, N. Y.

Disordered Stomach

"Now-a-days I can eat anything I wish because Hood's Sarsaparilla keeps my stomach in order. It is the best tonic medicine." H. Stone, Sherborn, Mass.

Catarh

"Hood's Sarsaparilla has cured my husband's catarh troubles, and given me relief from sick headache." Mrs. J. W. Morris, Binghamton, N. Y.

Hood's Sarsaparilla

Never Disappoints

Hood's Pills cure liver (the most debilitating and only cathartic) to take with Hood's Sarsaparilla.

SETTLEMENT IS A GOOD THING

How Germany Views the Samoan Agreement—Divided Opinion Upon Transvaal Matters.

Washington, Nov. 22.—The German ambassador, Dr. von Holleben, in the course of an informal talk to-day with a representative of the associated press, spoke of his recent visit to Europe and his observations there on the trend of sentiment concerning international questions.

"The Samoan settlement meets with very general approval," said the ambassador. "Also it is to be regarded as a good thing for all the parties interested. It is certainly a good thing for the three governments who have hitherto exercised a joint protectorate over the islands, as this arrangement was cumbersome and unsatisfactory and the events of last spring showed that it might give occasion for serious differences. It is equally good for Samoa, as the citizens no longer share in the uncertainty of the tripartite agreement, but will have a uniform and stable government. Naturally the settlement is most gratifying to Germany, as she secures the two large islands of Upolu and Savai, where her interests have long been established and where the commerce is considerable. The Germans have been in that locality so long that considerable sentiment attached to the retention of these islands. Moreover this accession, following so closely the accession of the Carolines, is regarded as another marked tribute to the strong and successful policy which Count von Buelow is carrying out.

"Concerning the war in South Africa, the sentiment in Europe, so far as I was able to observe, is one of profound public interest and complete official neutrality. Naturally, in a conflict of this character, the public takes sides. It is the same there as in the United States, for I have noticed since my return that opinion is divided here. This

public sentiment in Germany and elsewhere simply shows the free play which is given to individual opinion. But this is quite different from the attitude of the government, which is scrupulously correct, neither showing favor nor disfavor to either side. And so far as I observed this is the attitude throughout Europe, for while there has been much conjecture in the press concerning intervention, such a step does not appear to have received the slightest consideration in responsible quarters."

In referring to China and the recent negotiations, in which the United States had been engaged, Dr. Holleben said:

"I notice the question has attracted much attention in this country, but so far as I am concerned, I come back entirely without instructions. I may say, however, that Germany's policy in China has always been favorable to the 'open door.' The German port of Kaito-chow has its doors open to the commerce of the world, without favor or discrimination, and I have no reason to believe that any change in this well established policy is contemplated."

Thompson Found Guilty.

Helena, Nov. 22.—Chester Thompson, a young man who was arrested in Butte recently on the charge of grand larceny and brought back here for trial, was found guilty in the district court to-day, the jury reaching a verdict in 15 minutes. The jury fixed the punishment at one year in the penitentiary. Thompson, who was employed as bell boy in a local hotel, had been given an order upon a jeweler for a gold watch that was being resold. On obtaining the property he fled to Butte, where he pawned it and was apprehended.

Charged With Gambling.

Special Dispatch to the Standard.

Helena, Nov. 22.—A deputy sheriff to-day arrested J. G. Paid, proprietor of the Casino, Joe Albert, Ed McNeill and William Hoffman on the charge of violating the gambling laws. The defendants were witnesses in the accidental

WE HAVE RECEIVED DURING THE PAST WEEK ABOUT 500 SUITS The tail end of our fall stock. These goods were purchased during the months of May and June, but owing to the extreme lateness of all deliveries this year they have just arrived. Owing also to the advanced price of merchandise, they would cost any merchant fully 20 per cent more than we ask for them were he to purchase them at the present time. The prices quoted below are exclusively new goods. Look over the other fellow's stock and then come down to us and buy your clothing. Men's Suits Men's Worsteds Suits Seven styles, all dark shades, round and square cut sack, plain and fancy patterns; not a suit in the entire line was bought to sell for less than \$10.00. Retiring Price \$4.95 Men's Cassimere and Worsteds Suits Six styles, all wool, made up in fine, elegant shape, perfect in fit, bought to sell at \$12.00. Retiring Price \$6.65 Men's Cheviot and Worsteds Heavy Weight Suits Eleven styles, all made with French facing and satin piping, plain and fancy patterns. Are placed on sale for the first time to-day; should bring \$15.00. Retiring Price \$7.85 Men's Imported Weaves in All Patterns Five styles, plain, stripes, checks and broken plaids, splendidly tailored, silk sewed, perfect fitting. These goods should sell for \$20.00 and \$22.00. Retiring Price \$11.25 Men's Overcoats We still have a limited number of those Raritan chinchilla overcoats. They are not the best goods in the house, but you cannot buy one for double the money in any other store. Retiring Price \$3.45 Men's Overcoats We have still on hand about 75 of those Germania Beavers in black and blue; they are wool lined and farmer satin lined; all good, warm coats; guaranteed all wool; coats made to sell at \$12.00; would be cheap at \$10.00; they go for Retiring Price \$5.60 Men's Overcoats In black and Oxford Imported Irish Frieze, these are particularly good for road use; are very long; storm collars and pockets; wool or plain lining; just the thing for driving; made to sell for \$18.00; would be cheap at \$15.00. Retiring Price \$9.45 Men's Overcoats A line of W. B. and Campbell Kerseys; plain or silk yokes; the noblest line of goods put on the market; bought last February; delivered on the 16th of November; every coat is worth \$30.00; no Butte dealer sells them for less; they are in black, blue, brown and light tans; \$25.00 would be cheap for them. Retiring Price \$14.85 GOOD LUCK SHOE & CLOTHING CO. BUTTE

acting German consul, Dr. J. A. Leitenbauer, at the consulate. The flag is made of heavy white silk bordered with a silver cord. On both sides are painted in colors the German eagle and below it the flag of the United States with the words of the dedication to the organization by the emperor. It is fastened to a black pole headed with a golden shield with the figures "1899" in open scroll work. The flag will be presented next Sunday at South Side Turner hall to the central organization by the German ambassador, Dr. von Holleben, who is expected to arrive on Saturday.

WANTS AN OPENING.

Great Northern Express Company Trying to Get Into San Francisco. San Francisco, Nov. 22.—W. J. Footner of St. Paul, vice president and general manager of the Great Northern Express company, is here with the intention of opening an office for his company. If he succeeds in making the necessary arrangements his company will become a competitor in San Francisco against Wells, Fargo & Co. Mr. Footner's company can only reach this city by the water route and it will probably do so by means of the Pacific Coast Steamship company's vessels.

Will Make an Appeal.

Special Dispatch to the Standard. Helena, Nov. 22.—The state board of land commissioners, acting under the advice of Attorney General Nolan, has decided to appeal from the ruling of Commissioner Hermann of the general land office, which was made public a few days ago, to the effect that the state could not secure 17 townships of land in Missouri county, for which it had made application, because of a prior application of the Northern Pacific company.

Buying Repair Shops.

Chicago, Nov. 22.—The Tribune says: In order to avert the necessity of bringing cars that are on far western lines to Chicago or St. Louis for repairs, Pullman's Palace company intends to secure shops in Denver in which to do the work. Vice President Wickes, General Superintendent Carson and other officials are in Denver negotiating for the purchase of suitable repair shops. John S. Rundles, attorney for the company, said that the company has no intention of building cars in Denver.

PITCHERS' RECORDS.

The Percentage of Base Hits Made Off of the Leaders. Washington, Nov. 22.—The season's records of the pitchers of the National Baseball League were given out by President Young to-day. The 12 leaders, as shown by the percentage of base hits made off each pitcher, together with the other percentages of those players, follows:

Table with 3 columns: Name, Club, Games Per Ct. of Played, Victories. Includes players like Willis-Boston, Hughes-Brooklyn, Young-St. Louis, etc.

WANTS AN OPENING.

San Francisco, Nov. 22.—W. J. Footner of St. Paul, vice president and general manager of the Great Northern Express company, is here with the intention of opening an office for his company. If he succeeds in making the necessary arrangements his company will become a competitor in San Francisco against Wells, Fargo & Co. Mr. Footner's company can only reach this city by the water route and it will probably do so by means of the Pacific Coast Steamship company's vessels.

Will Make an Appeal.

Special Dispatch to the Standard. Helena, Nov. 22.—The state board of land commissioners, acting under the advice of Attorney General Nolan, has decided to appeal from the ruling of Commissioner Hermann of the general land office, which was made public a few days ago, to the effect that the state could not secure 17 townships of land in Missouri county, for which it had made application, because of a prior application of the Northern Pacific company.

Buying Repair Shops.

Chicago, Nov. 22.—The Tribune says: In order to avert the necessity of bringing cars that are on far western lines to Chicago or St. Louis for repairs, Pullman's Palace company intends to secure shops in Denver in which to do the work. Vice President Wickes, General Superintendent Carson and other officials are in Denver negotiating for the purchase of suitable repair shops. John S. Rundles, attorney for the company, said that the company has no intention of building cars in Denver.

M.M.&Co. Japan Tea. Most people have a taste for choice things. To such is recommended that choice of tea imported in packages—the old favorite.