

JIM AND FITZ MEET.

All Their Warlike Talk Merely the Usual Bluff.

CORBETT SAYS "BOO!"

And the Lengthy Australian Returned the Salutation With a Grin.

AN OMNIBUS INJUNCTION JOKE.

Now the Pugilists and Backers Would Gladly Leave Arkansas if They Could.

LITTLE ROCK, ARK., Nov. 1.—Corbett and Fitzsimmons will not fight in Arkansas. This proposition is settled as nearly as anything can be settled that is not an accomplished fact, and when it is added that the pugilists themselves admit that the game is up it may be conceded that the courts and the Governor have won.

It is altogether safe to say that Corbett and his rival would be glad to be anywhere out of this State with a promise to never revisit it. This conclusion was not reached without a great deal of noisy talk on the side of the pugilists and a display of renewed vigor upon the part of the authorities. Much old straw was threshed over verbally by the pugilists and their backers in their rooms at the hotel to-day. Propositions and counter propositions flew fast and thick. Offers of fabulous purses were heard from various points of the compass and discussed with unabated heat by the prize-ring followers who had drifted up from Hot Springs in the wake of Corbett and his party.

There was a conference of one kind and another going on every minute of the day, except while the prize-fighters and their attorneys were in court wrangling over the peace warrants.

Not only the sporting contingent but the natives of the town had caught the fever, and one would have thought instead of being engaged in a grapple with the courts and the Governor of Arkansas for their liberty the two pugilists had only to agree on terms and pull off the long-advertised match in the suburbs to-morrow morning. The result of all this parley was in striking contrast to the various stories that flew through the air all day. Fitzsimmons, Corbett, Brady and Julian are to-night asleep in their respective hotels guarded by a Deputy Sheriff. The judiciary has not only maintained its hold upon the pugilistic contingent but has added fresh meshes to the web in which they are entangled, and Governor Clarke, looking more like Henry Clay than ever, sat in his office and in a smiling way declared that he has only begun his campaign and that his strongest cards are still in reserve.

The chief events of the day were the arrival of Corbett and his party from Hot Springs, the peace-warrant proceedings in the Circuit and Chancery courts, and last, and most important of all, the issuance by Chancellor Martin of a sweeping omnibus injunction restraining nearly everybody in Arkansas from having any part in a prize-fight at Hot Springs or elsewhere in the State of Arkansas. It is this legal document which has destroyed the last hope of the fight-agitators and caused the principals and their backers to throw up their hands and admit themselves bested.

The postponement of the hearings in the peace-warrant case by Judge Martin and his namesake, the Chancellor, was expected and discounted. The attorneys for the fighters expected nothing else, and so informed their clients. It was anticipated that the Attorney-General would play for delay, and no one was surprised when the cases went over until to-morrow; but the injunction was another matter.

It was not alone unexpected, but it was stunning in its force, and when the news of its issuance became current it was admitted on every side that Arkansas was no longer a debatable ground, and that if Corbett and Fitzsimmons were to fight at all it must be in other territory than that so jealously guarded by Governor Clarke.

The recognition of this fact at once set the matchmakers at work afloat, and late to-night there is a prospect that if the pugilists can make their peace with the Arkansas authorities on the condition of getting out of the State they may yet meet in the ring before a select company for a side bet of \$10,000 each. This proposition will be treated of later on.

The story of the day is a simple one, divested of the wild talk and senseless rumors that seemed to engross the attention of most people around the hotels. Corbett and his party, consisting of Manager Brady, Billy Delaney, Jim McVeay and John Donaldson, arrived at 10 o'clock this morning from Hot Springs.

They were nominally in the custody of Sheriff Hought of Garland county, who had served the warrants issued by Chancellor Martin of Little Rock. The party registered at the Capitol Hotel and Corbett at once repaired to the opera-house, where he went to work in an improvised gymnasium. His antagonist, the elongated Australian, had arisen early, and in company with the two deputy sheriffs visited the gymnasium of the Little Rock Boat Club, where he punched the bag and had a bout with the gloves with one of his custodians. Thus it happened that, although the rival sloggers were registered at the same hotel, they did not encounter each other until dinner time. The meeting was rather in the nature of a disappointment to those who imagined that the men would fly at each other's throats like bulldogs. Nothing, on the contrary, could have been more amiable, not to say frost-free, than their actions. Corbett, who had entered the dining-room some time before Fitzsimmons made his appearance, finished his dinner, and in leaving the room passed close to the table at which the Australian was seated.

for, instead of provoking Fitzsimmons to wrath, it merely caused him to smile at the more amiable, and, after blowing another kiss to his rival, the champion passed out of the room without any blood having been spilled. This ended the forenoon's entertainment, which had been somewhat in the nature of a comedy.

The afternoon performance was of a more serious nature. It was nearly half-past 2 when Judge Martin called the case of the State vs. Fitzsimmons and Julian in the Circuit Court. The room was crowded with visiting newspaper men and members of the bar, and the corridors of the courthouse were filled to overflowing with yeamy of Arkansas, who were eager to get a glimpse of the pugilistic celebrities. The defendants with their counsel, Colonel Murphy of Little Rock and City Attorney Martin of Hot Springs, appeared at the bar, and Assistant Attorney-General Hemenway only asked for a postponement in order to procure witnesses from Hot Springs.

Colonel Murphy vigorously opposed the motion. He declared that it was merely a subterfuge on the part of the State and insisted that the hearing should go on. "We are prepared," he said, "to give bonds in any sum your Honor may name without calling any witnesses at all. We don't propose to controvert the State's testimony. We merely ask for a speedy hearing, as the law requires."

"Do you admit," asked Judge Martin, "that your clients came into the State with the intention of breaking the law relative to prize-fighting?" "Not at all," replied Colonel Murphy quickly. "We admit nothing. We simply want to expedite matters, and in order to do so we are willing to give whatever bond you may require, so that we may be released from custody. That is a right, not a privilege."

The court, however, could see no harm in postponing the hearing, and after a little further sparring between the attorneys the case went over until 9:30 o'clock this morning. Then everybody went across to Chancellor Martin's courtroom, where the Corbett-Brady case was to be heard. The crowd here was even greater than in the Circuit Court and, as the room was smaller, hearing the proceedings was accompanied with much discomfort.

There was a wait of ten minutes to begin with while Corbett was hunted up, and when the proceedings at last got under way Colonel Murphy caused a further delay of twenty minutes while he retired to the Judge's chamber to frame the written plea made necessary by the laws of Arkansas. When everything was ready the Attorney-General renewed the request he had made before the other Judge. He wanted time, he said, to bring witnesses from Hot Springs. The usual objection from the defense followed, and then Colonel Murphy introduced the bond given by Corbett and Brady before a Hot Springs Justice of the Peace as a bar to the pending proceedings. There was a forensic struggle, Murphy pulling one way and Attorney-General Kinsworthy the other. Finally the court intervened with a little speech, which showed pretty plainly the attitude of the Little Rock judiciary toward prize-fighting.

Chancellor Martin is a little man, with curly gray hair and a chin beard. He wears a ruffled shirt and a low-cut vest, and might sit for a portrait of Opie Read's "Kentucky Colonel." He spoke slowly, with evident earnestness. "It is idle to pretend," he said, "that this case is an ordinary application for a peace bond. It is a matter of common notoriety all over the State that these men, together with certain unworthy citizens of Arkansas, have been trying to bring off a prize-fight in Garland County. They have been warned repeatedly to desist. The Supreme Court has passed upon the unlawfulness of the enterprise. They have been cautioned by the Governor, and they have received warnings from other officers of authority. In spite of all this they have persisted in their attempt to break the laws of this State. I propose to investigate the matter thoroughly. I don't blame these prize-fighters as much as I do the recreant citizens and officers of this State who have aided and abetted them in their unlawful enterprise."

"I shall give the Attorney-General ample time to produce witnesses in this matter. He shall have all the time he requires, consistent with the rights of these defendants to a speedy hearing. The case will be adjourned until 3 o'clock this afternoon."

There was a hum of surprise in the courtroom when the Chancellor delivered this stab at the Hot Springs people, and it began to be impressed on the pugilists and their friends that the proceedings before the court were likely to prove more serious than they had bargained for. But this feeling was mild compared with the sensation that was caused when it became known that Chancellor Martin had granted an injunction restraining James J. Corbett, Robert Fitzsimmons, the Hot Springs Athletic Association, W. A. Brady, Martin Athlete, Joe Vendin, N. K. Welock, W. L. Babcock, Reb. Hought, W. W. Ward, Peter Mahner, Steve O'Donnell, William Delaney and others named from engaging in or fostering prize-fights in the city of Hot Springs or elsewhere in the State of Arkansas. The injunction was issued at the instance of the State of Arkansas, ex rel E. B. Kinsworthy.

The petition recites at great length the history of projected prize-fights, and declares that "as the officers of Hot Springs are engaged in the conspiracy the threatened crimes cannot be stopped by ordinary methods, and the fights will be held unless stopped by the court."

This injunction was admitted on all hands to be the knockout blow to the hopes of the Hot Springs club. The writ is not returnable until twenty days from date, and although a motion to dissolve could be made in the meantime there is little hope that Chancellor Martin would entertain it, much less grant it. A delay of twenty days in pulling off the fight would be as fatal as twenty weeks or twenty years, and any attempt to violate the injunction would be surely followed by imprisonment for contempt of court.

It is true that the lawyers for the Hot Springs people maintain that the injunction is illegal and will not hold water if tested by the Supreme Court, but they are disposed to admit that by the time the Supreme Court could be induced to pass upon the matter the prize-fight might as well be held in Kamchatka as in Hot Springs, so far as drawing a crowd is concerned.

The injunction, however, had the effect of redoubling the efforts of those who have all along maintained that the fight must take place outside of Arkansas. It took place at all, and as a result propositions innumerable were submitted. The one that seemed to promise most favorably was the production of Brady.

named by Julian as referee, and also offered Julian the privilege of naming the battle-ground. In case the latter cannot select a suitable spot Brady agreed to do so, and if his choice should prove unsatisfactory to the Fitzsimmons party he proposed that himself and Julian should each choose one newspaper man, they to choose a third and locate the ground. This proposition was submitted to Julian, who, after some demur, accepted it.

He at first insisted that the proposition of Dan Stuart to give a \$20,000 purse for a fight at El Paso on November 22 was preferable, but Brady declared that the date was too far distant and that a trip to El Paso would be a repetition of the wild-goose chase to Hot Springs. Then Julian agreed to the plan suggested by Brady and he would put up his \$10,000 to-morrow. There the matter rests to-night.

It is the outcome of an indefinite amount of talk, which ranged all over the country from Maine to Texas, in the matter of a fighting ground and from 10 cents to \$50,000 as the amount of the stake. It is understood that the location of the fight might be Tennessee, Louisiana or Mississippi, if there is to be a fight at all. Meanwhile Governor Clarke, upon whose dictum the whole matter hinges, declares that the affair is out of his hands and he cannot interfere with the process of the court.

As has been said, however, there are intimations from those close to his Excellency, that he will not be disposed to detain the boxers in Arkansas if he can be assured that if released, they will promptly cross the line and stay there.

To-morrow will probably witness a termination of the entire prize-fighting campaign in Arkansas. It turns out that Corbett would have been in considerable danger had he assumed a hostile attitude toward Fitzsimmons in the hotel dining-room to-day. Deputy Sheriff Heard, who was in charge of Fitzsimmons, said to-night that he had positive orders from Governor Clarke to shoot Corbett at the first indication of the latter's intention to assault the Cornishman while in his charge. He declares that he would have obeyed orders to the letter had the champion made a move to attack Fitzsimmons. Corbett laughed when he heard the story and said he had no intention of fighting any one for fun, and reiterated the statement he made several times to-day that there would be no fight between Fitzsimmons and himself unless Julian put up the necessary \$10,000 bet.

He wished this to be understood thoroughly and characterized as absurd the rumors that he and Fitzsimmons would eventually meet in the brush and fight out their grudge for the love of the thing.

Chancellor Martin was interviewed to-night regarding the report that the Governor would withdraw the case now pending against the prize-fighters in case the latter agreed to leave the State.

"Governor Clarke is not the Chancellor of Pulaski county," said Judge Martin. "I am occupying that position and I take orders from no one. The matter is not within the province of the Governor, and I don't believe he has made any such promise as you mention."

Brady to-night visited the Governor, and upon his return from the capital acknowledged he could obtain no promise of immunity from the State executive.

HOT SPRINGS, ARK., Nov. 1.—Within twenty-four hours the atmosphere of the Valley of Vapors will have been cleared of pugilists and pugilism. In fact, only the limited railroad schedule prevents that an condition from prevailing to-night. Many of the visiting members of the sporting fraternity who are at Little Rock with Corbett this morning. Scores more, depressed and disgusted, departed for home this afternoon, and those that remain have packed their grips and paid the bills, preparatory to shaking the dust of Hot Springs from their feet after an early breakfast.

So sure were the local people up to a late hour this afternoon that at least the minor mills could be brought off that a contract was let for the erection of a 30-foot fence around the ring, to be equally divided between boards and canvas, the interior to have accommodation for 30,000 spectators, and a force of men were present to work.

When, however, later in the day, word was received from Little Rock that the prospect of Corbett and Fitzsimmons getting out of the courts in any shape that would permit of the meeting taking place in this State was worse than hopeless, everybody directly and indirectly concerned threw up the sponge.

For Maher and O'Donnell, Stewart and Vendig, who had agreed to find the \$10,000 purse for Monday's meeting, declared it off on the ground that the local people could not guarantee protection. Davies and Westcott did the same as to Ryan and Smith. The "Parson" was anxious to make a new match for Ryan and Smith, but Westcott wanted time. Davies announced that he had offers from half a dozen places in Michigan, and added that he was willing to go to New Orleans or to the Westside club on Long Island. As to the latter, Westcott had objections to the referee that could not be overcome.

Not a member of the citizens' committee put in an appearance at the Arlington during the day or evening. The visiting sports are inclined to place a portion of the blame for the fiasco on this body on the ground that it lacked judgment and decision. With a man like Brady or Davies in entire charge of the affair it is argued that the programme could have been carried out, the Governors and courts to the contrary notwithstanding.

Brady and Corbett bear the cost of the ring, which is something like \$400. The wives of Fitzsimmons and Julian left for Little Rock this afternoon in response to a telegram. This was the first indication to the sports that the jig was up.

MEMPHIS, TENN., Nov. 1.—There is every indication to-night that the Corbett-Fitzsimmons fight will be pulled off from this city, though it is impossible to get hold of tangible evidence to establish the fact. The city is full of rumors to that effect, and these have been traced to sports who would certainly be on the ground floor of inside information. One of the convincing circumstances is that the local passenger agent of the Kansas City, Memphis and Birmingham Railroad has closed an arrangement to carry Corbett and party East on Sunday night.

competition was the 2:10 trot. Hardly a length separated Altamont and Robbie P. in any of the five heats. There was a long wrangle over the fifth heat, Pyle, the owner and driver of Robbie P., claiming a foul, which was not allowed. The special events for record-breaking trials did not fill. Flying Jib was brought out, but he was in one of his ugly moods, the presence of a running mate seeming to tantalize him. After going the quart in a spanking clip he went into the air, breaking repeatedly whenever the runner approached, and was simply jugged the rest of the distance. After going the quart in a spanking clip he went into the air, breaking repeatedly whenever the runner approached, and was simply jugged the rest of the distance. After going the quart in a spanking clip he went into the air, breaking repeatedly whenever the runner approached, and was simply jugged the rest of the distance.

2:12 pace, Ella T. won, Thomas Edison second, 2:13. Best time, 2:11 1/2. 2:20 trot, Miss Kate won, Jim Dunn second, Agatha third, Best time, 2:20 1/2. 2:30 trot, Ella T. won, Robbie P. second, Best time, 2:33 1/2. 2:45 pace, Wilberforce won, Trishmont second, 2:47. Best time, 2:47. 2:50 trot, St. Louis, Mo., Nov. 1.—The mile track record was lowered three-quarters of a second in the fourth race by the following:

Six furlongs, Leaseman won, Little Grove second, Fra Diavolo third, Time, 1:15. Five furlongs, Dewdney won, Mame G second, Tereza third, Time, 1:02 1/2. One mile and seventy yards, Sulross won, Amelia May second, Young Arion third, Time, 1:46. One mile, Forget won, Don Carrillo second, Toots third, Time, 1:40 1/2. Six furlongs, Loida won, Logan second, Ta Ta third, Time, 1:14 1/2.

CHICAGO, ILL., Nov. 1.—To-day at Forsyth closed Chicago's racing season. Eagle Bird was the only favorite to win, but there were no surprises. Sobriquet was disqualified for second place for fouling. Garner threw away a race on The Deuce.

Four and a half furlongs, Bob Lee won, The Deuce second, Garner third, Time, 59 1/2. Six and a half furlongs, Legion won, Loretta third, Time, 1:07 1/2. Four and a half furlongs, Legion won, Loretta third, Time, 1:07 1/2. Six and a half furlongs, Legion won, Loretta third, Time, 1:07 1/2.

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DONE IN DESPERATION

Holmes Threw Himself Upon the Mercy of the Jury.

NO DEFENSE TO MAKE.

An Attempt to Dodge the Charge of Murdering Pietzel Met With Failure.

IT WAS A VERY DARING MOVE.

But the Man Who Is Accused of Many Crimes Must Answer for Them All.

PHILADELPHIA, Pa., Nov. 1.—Holmes to-day threw himself upon the mercy of the jury. When the Commonwealth closed its case this afternoon his attorneys announced that they considered the prosecution had not made out its charge of murder, and they would rest their case upon the evidence offered by the Commonwealth and submit no testimony in defense of the prisoner. This decision was made by Holmes upon the advice of a well-known lawyer who was at one time retained by the prisoner.

The move seemed like a bold one, but was unquestionably done more in desperation in the hope of influencing the jury and creating the impression in their minds that, being conscious of his innocence and not having had time to prepare a proper defense, Holmes trusted himself to his sense of justice. In reality Holmes has no defense.

The Commonwealth has presented no direct proof that Holmes murdered Pietzel; their chain of circumstantial evidence even was not as strong as was expected, and but for the admissions at various times of Holmes himself the District Attorney would have had a most difficult task in proving the charge.

It was expected that the case would be sensational in the extreme, but after Judge Arnold ruled out all the evidence bearing upon the murder of the children the most ghastly features of Holmes' series of crimes were eliminated. Instead of furnishing any sensation the trial itself has been as dull and uninteresting to the spectators in the courtroom as the majority of ordinary murder cases are.

But two incidents out of the ordinary have broken the monotony of the proceedings. These were the appearance of Mrs. Pietzel upon the witness-stand and her pathetic tale of her journey with Holmes, and the testimony against the prisoner of the girl that he deceived into believing that she was his legal wife. The closing arguments and the charge will consume the better part of to-morrow, but the case will, in all likelihood, be given to the jury to-morrow afternoon.

Mrs. Pietzel was the first witness placed on the stand. As upon the previous occasions she has been upon the stand Mrs. Pietzel replied to the questions asked her by the jury by a shrug of the shoulders, but she looked stronger and more composed to-day than at any previous time.

After a single question Mrs. Pietzel was turned over to Mr. Shoemaker for cross-examination. Mrs. Pietzel in reply to a question said that she had been arrested in Boston on a charge which she believed they called conspiracy. These questions revived bitter memories and Mrs. Pietzel had much to do to restrain her tears.

The next witness called was Edward H. Cass, the Chicago special agent of the Fidelity Insurance Company. The defense suspected some kind of a trap and objected to Mr. Cass. The objection was overruled and he testified that he called upon Holmes' Willamette wife to learn if possible anything about her husband's whereabouts, so that he could get him to identify Pietzel's body. Mr. Cass was shown the letters which Holmes wrote him and identified them. These letters have already been published.

The strain upon Mrs. Pietzel upon the stand broke her down, and when she was taken into the corridor she became hysterical, and her screams penetrated the courtroom. She was carried into the District Attorney's office and restoratives were applied, and she became quiet.

After Mr. Cass identified the letters he was turned over to the defense for cross-examination. Only a few questions were asked him and nothing of importance was developed.

Dr. Henry Leffman, an expert chemist, took the stand and described the different effects upon the human body of chloroform taken internally and inhaled. Mr. Rotan put the witness through a close line of examination tending toward sustaining the theory of the defense that Pietzel committed suicide. He brought out some points favorable to this theory, but in the meantime the testimony of Dr. Leffman was adverse. The defense developed what will be its specific denial during Dr. Leffman's examination.

Dr. Mattern gave some unimportant testimony and Mr. Graham gave notice that the case for the Commonwealth was closed. At 1 o'clock the court took a recess until 2 p. m. When court reconvened at 2 o'clock Mr. Rotan said there was a reasonable doubt from the evidence that Pietzel was killed in the house at 1316 Callowhill street. Mr. Pietzel asked the court to either discharge the prisoner or charge the jury to acquit him. He said that he could get him to identify Pietzel's body. Mr. Cass was shown the letters which Holmes wrote him and identified them. These letters have already been published.

At the earnest request of counsel for the defense a half-hour recess was granted to arrange the line of defense. Mr. Rotan and Mr. Shoemaker returned to court at 3:15 o'clock and held a five minutes' consultation with Judge Arnold and Mr. Graham, at the conclusion of which the Judge directed that Holmes be brought back to court. After the prisoner was brought in it was announced that the defense would rest its case on the Commonwealth's testimony.

Holmes was brought in directly, and, although it must have been a trying moment for him, he showed no evidence of discomposure. Mr. Rotan stated that he had arrived at this conclusion because the lack of time prevented them bringing important witnesses from a distance, and also because they felt that the Commonwealth had not made out its case. The defense was willing to rest with the promise, however, that the court did not hasten them with their speeches and would allow the case to go over until to-morrow. This was agreeable to Mr. Graham, and

it was agreed that the closing arguments of both sides should be made to-morrow and the case given to the jury, and the case adjourned.

TWO MARRIED MEN ELOPED.

They Induced Daughters of Wealthy Nebraska Farmers to Flee With Them for Safety.

LINCOLN, NEBR., Nov. 1.—The little town of Waverly, a few miles from here, is much excited over the elopement of Dr. G. A. McCandless, the leading physician of the place, and E. R. Vining, a druggist, with Alice Miller and Nancy Ward, daughters of well-to-do and respectable farmers living near there. Both McCandless and Vining are married and have children, a daughter of the doctor being about the same age as the young girl with whom he has fled. Both men, though they moved in the best society, are said to have been leading double lives. An effort will be made to effect their arrest.

ACTOR FOOT CALLED DOWN.

An Alleged Little Blackmailing Scheme Nipped in the Bud. DENVER, Colo., Nov. 1.—Richard Foot, a San Francisco actor, was brought into police headquarters to-night and roundly reprimanded by Chief Detective Farrington, who had nipped in the bud a scheme to extort blackmail of prominent Republican politicians. Last Tuesday evening at a mass-meeting in the Broadway Theater Mrs. Foot, wife of the actor