

The evidence went to show that on the evening of Sept. 10, 1000, a man entered a Second South street store and pur-chazed from William Meyers three handkerchiefs and a satchel, the latter being wrapped up in ordinary wrapping paper. The sotchel was found at the foot of the stairs leading to the gam-bling house after the tragedy and later a piece of wrapping paper answering the description of that which was wrapped around the

admit of, and not to invest capital out-right in construction. As to the action of the Pennsylvania railroad in demolishing the lines of the Western Union company on its right of way, Mr. Horton said that the railroad people merely anticipated what the Telegraph people had proposed to do, and thereby saved the latter the trouble and expense of cutting down the poles. The telegraph management anticipating, the decisions of the courts had duplicated the wires along the Pennsylvania right of way, along the public highways, so that when the axe was brought into use, the telegraph Whitney After Woodburn Farm. Lexington, Ky., Oct. 23 .- It is announced that William C. Whitney, the millionaire turf man of New York, is negotiating for the lease of the Wood-burn farm in Woodford county, as a breeding farm.

TROOPS TASTE PLEASURES OF ACTUAL CAMPAIGNING.

At Fort Riley They Blvonacked in the

Lynch, the saloakceper who pleaded guilty to a charge of perjury in connec-tion with the Samuel J. Parks case, was suspended today by Judge Foster. An af-idavit was filed by defendant's counset to the effect that Lynch committed per-jury on the advice of former City Magis-trate Henry A. Brann, now in private practise; Samuel Parks, Henry Farley. Timothy McCarthy and Assemblyman Richard J. Butler, Lynch's perjury con-sisted in testifying in the Parks trial for extortion, that on a check for \$200, drawn by Josephus Pleny, a contractor, to Sam-uel Parks or order, he had paid the money to Plenty, not to Farley, as was really the case.

President Scallon of the Anaconda opper company, is expected to make a fatement to the Associated Press this afternoon. So far there has been no

The actual number directly thrown cut of employment in Butte are 6,500. These include the men in the Boston & Montana mines, the Anaconda mines, the Syndicate group, the Butte & Hos-ton mines, the Parrott group, the Col-orado mines, the Colorado Smelter, the

tich was wrapped around the tchel was found in King's room in rooming house here, where he was registered under an assumed name, King was arrested as being implicated It also developed during the trial that King had purchased shirt at a store in this city which was in paper similar to that in which Meyers wrapped the satchel. MESSENGER BOY'S TESTIMONY.

William Wittenberg, a messenger boy, testified that, on the night of the wime, he saw two men with handker-chiefs over their faces run down the alley leading from the club rooms and enter the back door of the Casino sa-less. He said that one of the men pulled the handkerchief off of his face passed but that the man whom he afterwards identified as King kept the handkerchief on his face while passing. Wittenberg said that he ran around and entered the front of the saloon and saw the two men there with several others. In his affidavit in sup-port of the motion for a new trial, Wit-tenburg states that at the time he testified that King was one of the men who ran by him on the night of the crime, he felt an uncertainty in his con-science as to King being the man, but that he had been assured by others that King was the man and such in-flaence as that prompted him to testify as he did on the trial of the ease. He further stated in his affidavit that he believed that John Strange, whose pic ture was attached to his affidavit, and who is now serving a term in the Colorado penitentiary, was the man who passed him on that night and entered

MEYERS' AFFIDAVIT.

King.

Casino saloon, and not Robert L.

William Meyers, who testified at the trial that King was the man who pur-chased the satchel and handkerchiefs him on the evening of Sept. 10, n affidavit in support of the moir a new trial in which he stated he is convinced that he was mistaken when he identified King and that he believed Strange was the identified King and who purchased the goods and not

LYNCH FAVORS KING.

James Lynch also made an affidavit which favored King. He stated that King had nothing to do with the crime but that the taller man who was him strongly resembled King. affidavits were submitted in supthe motion for a new which motion was overruled by Judge

WHAT OPINION HOLDS.

opinion of the supreme court which was written by Justice McCarty and concurred in by Chier Justice Bas-kin and Justice Bartch, holds that a new trial should have been granted King upon the showing made. The rourt expresses doubt as to whether or not King would ever have been convict-ed without the testimony of Meyers and Wittenberg, as his identity could never have been established. Hence since these witnesses have voluntarily made affidavit to the effect that they were mistaken as to the identity and that the man they saw might possibly have been Strange, the court'is of the opinion that King's guilt is surrounded with too much uncertainty to margin o much uncertainty to warrant ourt in refusing him a new trial Judgment is therefore reversed as ing with instructions to grant a trial, but affirmed as to Lynch tions to proceed in accordance with the law,

WILL BE RESENTENCED.

n know the man who was killed. "What will I do when I am acquit-ted? Well, that I can not say. I don't know what I shall do or where I shall go. I don't know whether I shall go

back to the old country or not. "As I said before," continued the smiling man, "I expected the supreme smiling man, "I expected the supreme court to grant me a new trial. I felt all along that the court would do right in the matter. I tell you that I was railroaded through just as a drunk is in the police court. I do not blame the court or the jury. They could say if J had my witnesses to prove my in-memore why did I not out them on the nocence, why did I not put them on the stand? I wanted to have a separate trial; I wanted to put witnesses on the stand; witnesses who were well known and highly respected, who would have testified that I was with them on the night of the crime. But my attorney

hight of the crime. But my attorney said no. 'We won't need them, you can not be convicted,' he said. The first thing I knew it was 'guilty.' "Then it was that I took the matter up with the Italian ambassador at Washington. I wrote to him and told him where my home was in the old country: of my people and of my good record there. I asked him to invest-igate my case, and if then there was reason to believe that I was guilty. reason to believe that I was guilty, to let me pay the penalty and I would not complain. The Italian consul at Denver, Mr. Cuenio, was then instructed to make an investigation, and I want to say that he deserves great credit for the good work he has done. He worked for me night and day. De-tectives have been working on my case hunting up evidence for months. I also want to say that my attorneys here, Frick & Edwards, have done good work for me. Now I am to get a new trial will show the people that I am in-

"Just think," continued the happy man, "I have been locked up for three years under sentence of death for a crime that I knew nothing about. I did not even know the persons con-cerned. I did not know Lynch and he did not know me. At the preliminary hearing he said to me, What have they got you for? I tell you I was jobbed and it will all come out at my new trial. The newspapers had all kinds of things to say about me. They said I was wanted in Iowa are

nocent.

to say about me. They said I was wanted in lowa and that I was wanted in lowa and that I was wanted in New York for murdering a woman and her children. Why - Oh well, I don't blame the papers because they have to publish what they can get hold of. Your paper has treated me right. One of your men was out to see me about a year and a half ago and he is the only one who has quoted me correctly and given me a square deal. That is all I want-a square deal. I am not

asking for favors but merely a chance to prove my innocence." 53RD ANNIVERSARY.

Hon. John T. Caine and Wife Celebrate

Hon. John T. Caine and Mrs. Caine celebrated the anniversary of their married life last night as guests of their children. The scene of the gathering was the residence of their son, Charles A. Caine, on Fifth East street, where 30 of the adult descen-dants of the couple were gathered to do honor. The evening was spent in a honor. The evening was spent in a delightful manner. Elegant refresh-ments were served and music and entertaining conversation were among the

features. Mr. and Mrs. Caine were married in Mr. and Mrs. Cathe were married in St. Louis in 1850, and the fact that they are hale and hearty after fifty-three years of peaceful married life, is one that has few duplications in the coun-try. Their many Mends wish them joy in the distinction and hope that their future together may be one of As soon as the remittitur in the case | continued good health and happiness.

was brought into use, the telegraph company merely switched its business over onto the newly constructed lines, and did not really lose a day's traffic. day.

CANADA AND THE EMPIRE. Money She Contributes for De-

fense Should be Expended by Her Montreal, Oct. 23.-At a banquet ten-dered in his honor by the military men of Montreal, Sir Frederick Borden, minster of militia, has made the following statement regarding Canada's contri-buting to the defense of the empire: "We owe a duty to Great Britain and

we have discharged that duty in the past by being prepared to take care of our own territory. I insist upon this, and I have no hesitancy in saying it. that if the people of this country should see fit to expend money for military purposes or for purposes of defense, they shall have control of that money themselves and shall not hand tho money over to anybody, whether it be

the London war office or the first lord of the admiralty, to spend for them. That is the priciple which I iny down as a Canadian, and I believe it a sound principle. If we are able to defend our own country we will contribute bet-ter than in any other way to the safety, maintenance and integrity of the em-

Under the present system Canada's military forces are under command of a British officer. The statement is rearded as most significant in view of the Alaskan boundary decision. Sir Frederick also announced that the government would establish a training depot for 200 men in Montreal next year.

A Monument to Chief Sabbona. Bloomington, Ills., Oct. 23 .- A simple monument of grey granite to the memory of Shabbona, the famous chief memory of Shabbona, the famous chief of the Pottawatomies, was dedicated with notable ceremonies at Morris to-day. There were addresses by P. A. Armstrong of Morris, president of the Shabbona Memorial association; Con-gressman Thomas J. Henderson of Princeton, and Charles Gunther of Chicago.

Chicago, Shabbona aided the whites in their contests with the other Indians and was the orator of the red men in the last great council held east of the Mis-sissippi and which took place with the agents of the government in 1836. He died in Morris in 1859, deeply respected.

Big Fire in Macon, Miss. Macon, Miss., Oct. 23.-The Macon Compress & Warehouse burned today.

Loss, \$200,000.

The Wealth of Ind. Plymouth, England, Oct. 23.-The sum of \$5,000,000 in gold was landed here to-day from Bombay. This is the largest

Their Wedding Day.

shipment ever brought to England on one steamer.

the slightest foundation for the Hono- even that a hitch had occurred in the of the situation in the far east. Since lulu and other alarming reports of the negotiations. imminence of a Russo-Japanese war.

Official communications received from that its information is opposed to the war is declared within three months, the

Charles T. Saxon Dead.

Rochester, N. Y., Oct. 23 .- Former Lieut.-Gov. Charles T. Saxon of Clyde, died in the Rochester city hospital to-

Burglars Make a Big Haul.

Cleveland, O., Oct. 23 .- Burglars gained an entrance last night to the storeroom of the Deutsch Jewelry company and secured diamonds to the value of value of \$6,000. The police thus far have not been able to secure any trace of the burglars.

Investigating Patient's Death.

Peoria, Ill., Oct. 23 .- J. Mack Tanner, secretary of the state board of chur-ities, and Frank G. Whipp, assistant secretary, are here today from Spring-field making an investigation into the held making an investigation into the killing of Frank Hartley, a putient, for whose murder Guards Sorrells and Flynn are now in Jail. The testimony of the physicians making the autopsy showed that the patient was subjected to the most horrible brutality, six ribs being broken, and his internal organs literally form to pleces by the punish. literally torn to pleces by the punishment he received.

May be Herbert's Successor.

London, Oct. Oct. 23 .- The Exchange Telegraph company says Sir Henry Mortimer Durand, the British ambassador at Madrid will probably succeed the late Sir Michael Herbert as ambas-sador of Great Britain to the United States.

Distinguished Americans Coming

London, Oct. 23,-The American line teamer Philadelphia, which is to sail London, Oct. 25. The Onlyten steamer Philadelphia, which is to sail from Southainpton and Cherbourg tomor-row for New York, will have among her passengers Mr. and Mrs. John W. Fos-ter, Mr. and Mrs. Jacob Dickinson and Mr. and Mrs. Hannis Taylor,

Italy at St. Louis Fair.

Italy at St. Louis Fair. Rome, Oct. 22.—The royal commission appointed to provide for Italy's participa-tion in the St Louis exposition is meet-ing here daily. It has been decided that Signor Branchi, the Italian consul general at New York, who is now here as a mem-ber of the commission, shall go to St. Louis and arrange the Italian section. Meanwhile the Italian ambassador to the United States, Signor Mayor des Planches, who is also here, will visit the principal Italian towns and will explain to all the chambers of commerce the importance of the exhibition and the advantages which Italy producers will gain by being well represented. The ambassador is very en-thusiastic over the exposition and trusts he will be able to arrange for a display which will be a credit to Italy.

Plot to Kill Russian Consul.

Constantinople. Oct. 23.-In consequence f the discovery of a military plot to kill d, Belaleff, the Russian consul at Uskub, the government has rushed six battalions of troops thither for Keprulu and Per-



London, Oct. 23 .- The Japanese lega- ; tained nothing to indicate the prob- | Heretofore the underwriters at tion reiterates stoday that there is not ability of an outbreak of hostilities nor Lloyd's have taken an optimistic view

The foreign office here also reiterates to the far east, covering all risks if port quarter.

Tokio during the last few days con- alarmist storier

Open and Slept Out in The Night.

Fort Riley, Kan., Oct. 23 .-- Gen. Barry's ommand, comprising the Second, Tweifth disease last night. He was born in Ire-land in 1838. He had been alling for some and Twenty-first regular infantry, the First and Second Kansas infantry, and

First and Second Kansas infantry, and the Tenth and Eighth cavalry, had a sharp taste of the pleasures of actual campaigning last night. They marched out and bivouaced in the open for the maneuvers of today, and sleeping hast night in the open was a very chilly prop-osition. This morning it took the men-fully an hour to get the numbness out of their bodies after rolling out of their blankets. Cholera at Bethlehem Stamped Out Jerusalem, Oct. 23.-The outbreak of cholera at Bethlehem, which was report-ed Oct. 17, has been stamped out and the cordon of troops which had been drawn around the city has been removed. AMERICAN BANKERS.

tion commenced with prayer by the

fully an hour to get the numbness out of their bodies after rolling out of their blankets. The exercise today was the most ambi-tious of the entire series, and in respect to the distance involved, it was fully up to any usual day's work in time of actual warfare. General Barry's force was sup-posed to be advancing from the south and Gen. Bell's army' much smaller in num-bers, was out to muke a reconnalisance in force. Gen. Barry, learning of this, promptly advanced to attack Gen. Bell, and the result was what was the military critics' term a "contract of all opposing forms of all arms." Gen. Bell in the action labored under the disadvantage of having all his plans known to the opposing commander. Two days Gen. Bell and Gen. Barry supposed that they would be on the same side of the problem, and Gen. Barry with him and discussed his plans, fully explaining what he intended to do. When the two generals returned to their quarters they found a surprise in the shape of an order directing Gen. Barry to command against Gen. Bell. Col. Hutchins of the Texas regiment has akked for an inquiry into the trouble be-

Gen. Bell. Col. Hutchins of the Texas regiment has asked for an inquiry into the trouble be-tween his men and the colored troops, claiming that three of his men were "beaten." There has been no more trou-ble and none is likely as the officers of both regiments are doing everything possible to avoid friction.

Hugh C. Denny Indicted.

St. Louis, Oct. 23.—The October grand bury which made its partial report today, returned three indictments against Hugh ?. Denny, president of the Rialto Grain & Securities company, charging him with 'setting up a blucket shop' and dealing in ratio

Schwabs, in an interview today, personal-ly answered a report of the Associated Press that the report seni out from New York and Altoons last night of her suffer-ing from apoplexy, was unfounded. Mrs. Schwab said she was enjoying excellent health. She laughed heartily while dis-cussing the subject and seemed to be in the solution.

ine spirits

wauke

Berlin, Oct. 23 — An electric car today n the high speed experiments on the Mariennetide-Zonsen line, altaind the speed of 130 2-5 mils per hour.

FIREWORKS EXPLOSION. It Kills One Woman and Four

Valletta, Island of Malta, Oct. 23 .- A fireworks explosion at a workmen's club in the village of Halzan has resulted in a woman and four men being killed and the injury of 14 persons.



Leckey, the Historian, Dead. London, Oct. 23.-The Hon, William E. Leckey, the historian, died here of heart disease last night. He was born in Ire-

Begin Last Day of Convention

And Select Their Officers.

San Francisco, Oct. 22.-The closing

day of the American Bankers' associa-

Rev. Bradford Leavitt, after which the call of states was resumed and state-ments of natural advantages and finan-

cial and agricultural prosperity recited by the delegates from their respective

sections. J. B. Finley, president of the Fifth National bank of Pittsburg, read a pa-per on the "Education of Bank Clerks," and he was followed by Hon. Ellis H. Roberts, treasurer of the United States, who delivered an address on the "Ef-

fects of the Inflow of Gold." The committee on nominations made the following report:

For president, F. G. Bigelow, of Mil-

Vice president, E. F. Swinney of Kan.

Vice president, E. F. Swinney of Kan-sas City, Mo. Executive committee, J. D. Powers, Kentucky; J. R. Mitchell, Minnesota; J. K. Wilson, California; J. R. Finley, Pennsylvania; Stephen M. Griswold, New York; H. R. Dennis, South Dako-ta; W. K. Coffin, Wisconsin; Mills, B. Lane, Georgia; William Livingston, Michigan; Charles W. Sawyer Kunas;

Michigan; Charles W. Sawyer, Kausas

Mrs. Chas, Schwab All Right.

Loretto, Pa., Oct. 23.-Mrs. Charles

130 2-5 Miles an Hour,

Men.

Nelson's Flagship Damaged.

Portsmouth, England, Oct. 23 .--- Nel-

was docked. No one was lost.

Washoe group, the Butte and Boston nines, and the Switching crews, and other employes of the Butte, Anaconde & Pacific railway, who have to do with shipping ore from the Hill mines to Anaconda and Great Falls

At Anaconda the Amalgamted em-ployes at the New Washoe smelters, at the lime kilns, at the silica quarries, at the brickyard and the foundry are thrown out.

The closing of the Boston & Montana melter at Great Falls will leave many smelter at Great Falls will leave many hundreds of men there out of employ-ment. Then, too, there are the em-ployes of the Blackfoot Milling com-pany in the woods, and in the sawmill at Bonner, the same class of men work-ing for the Anaconda Copper Mining company's lumber department, which centers in its big mill at Hamilton, probably the coal miners at Storris, the coal miners at Belt-all these go out. The company operates extensive coal mines at Diamondville, Wyoming, While these will not be entirely shut While these will not be entirely shut down, because they supply coal to the trade as well as to the company, the output will be limited materially, The Butte, Annconda & Pacific rail-

the Futte, Anacona & Fache rate way will be able to dispense with prac-tically all its freight crews because there will be no ore to transport to the Anaconda smelters. Ore shipments from Butte to Anaconda have aggre-gated about 5,000 tons a day.

EFFECT AT GREAT FALLS.

Great Falls, Mont., Oct. 23.-More than 2,500 men will be affected in this vicinity by the order of the Amalgamated Copper company to shut down is plants in Montana and Wyoming. Of this number 1,500 are employed in the smelters of the Boston & Montana company here, a constituent company; 500 at Belt, where the coal mines of the Anaconda Copper Mining company are; between 200 and 300 railroad men, including conductors, engineers, train-men, switchmen, etc., who handle the ore traffic between here and Butte and ore traine between here and suite and elsewhere; and about 200 others em-ployed in stone quarries, lumber camps and in miscellaneous capacities. The people of Great Falls regard the out-look as extremely gloomy. The Boston & Montana smelter here is the largest industrial plant in this vicinity and had a large payroll.

A "Real" African Princo,

Winfield, Kans., Oct. 23.-A real Afri-can prince is to attend school in this day for the next two years. B. R. O'Connor, of this city, has a son living in Lialui, Easutoland, Rhodesia, King Lewanica of that province has two sons attending school in England, and one a Australia, and desires one to come o America to learn the ways of this ountry. Negotiations have been concountry. fucted through Mr. O'Connor.

Two Croatians Again Remanded.

London, Oct. 23 .- The two Croatlans who were arrested on the steamer Philadelphia on her arrival at South-ampton Oct. 21 from New York, on the charge of murdering a contractor at West Middletawn, Pa., were brought up in How street police court today. They denied having committed the harge of murder and were remanded for further hearing.

POSTOFFICE ROBBERS.

Men Suspected of Robbing the Superior, Wis., Postoffice Caught. Duluth, Minn., Oct. 25.-A special to the Heraid from ishpening, Mich., suys: Two men are in iail here charged with the robbery of the Superior, Wis., pos-dilec. Thes were captured on the ca-bound mail this morning. One gives hi-name as John Olsen; the other refused talk. A third man got away. The copture was made after a disperate encounter, during which shots were ex-changed and hold suspers were wounded.

a suspects were wounded The officers were unharmed.

Neptune, a non-effective vessel of 9,310 tons displacement, built in 1874, which was being towed into Ports-mouth, preparatory to being taken to the Thames to be broken up, broke adrift and ran amuck. After desperate efforts the Neptune was secured by the the Thames to be broken Hero, but not before the former had knocked a six-toot hole in the Victory's The speedy arrival of tugs enabled he old flagsbin to keep affoal until she

yesterday, however, the insurance rates

have been doubled.

That and no purper balk troubles are looked for. The official announcement made yester-day by the Clearing House association that \$2,500,000 had been raised, that the fund would be increased to \$3,000,000 to meet whatever emergencies may arise, and that so far as the association could

to the effect that a disaster had occurred attended by large loss of life, are errone 11156 Pittsburg Financial Air Clear. Pittsburg, Pa., Oct. 23.-The financial at-tosphere of Pittsburg seems to have been hared and no further bank troubles are

English Railroad Wreek. London, Oct. 23.-One person was killed and a dozen were slightly injured last hight in a railroad wreck at Sowerby Reides. Bridge Reports circulated in the United State

grain. These indictments were returned as substitute for those handed down by th June grand jury, which did not specify a to the commodity in which he dealt.