



THE PEOPLE MUST KNOW.

DO NOT FEAR THE FUTURE,

While There is at Least One City in Montana with Plenty of Good Water, Free from Alkali.

FURTHER INVESTIGATIONS.

A FEW SPRING FACTS.

MISSOULA, April 17.

Recent estimations have shown the fact that the water supply for fire and domestic purposes in the city of Missoula is unlimited.

Rattlesnake creek is the original source of water to the city of Missoula. The source of which is about forty miles north of Missoula in the main range of the Rockies, and from there it winds its way through a narrow canyon, gaining strength and size until at the Garden City it plunges into the Missoula river and thence on to the Pacific ocean. In its mad career from its source to mouth it dashes over huge pebbles, miniature waterfalls, and as it sparkles in the sun light, and rushes through the cool shadows, it nowhere loses its purity. From this stream and by the power of gravity the people of Missoula derive their great supply of water. Two miles north of the city a portion of this stream is drawn off in a covered flume which winds around the side of the mountain until it reaches a point about 150 feet above the city where it is reservoired and distributed through the city in large mains. The water is free from alkali and in such abundance (enough to supply a city of 100,000), and what is of greater value, supplied by gravity these facts give the city of Missoula an advantage over many of the Montana cities, and as a Helena paper stated in a recent issue, "The water supply and water system of a city is a matter which presents itself to the would-be investor or non-resident, and it is always a matter of much importance to a city's future growth and hopes of building a great city."

Spring has come and the trees are budding, wild flowers are in bloom and the green grass is springing up everywhere (except in the streets). Plenty of snow in sight, but it is many miles off the tall peaks of the Rockies, and serves only as a cool reminder of the last winter. Building operations are in full blast, hundreds of men and teams are busy and earning good wages. A visit to Missoula at the present time, if you have no very special ties elsewhere, will cause you to settle down in this beautiful, enterprising and growing city. Here you can make money and enjoy good healthy living at the same time. The great natural resources of Missoula county are being developed rapidly, and hundreds of people from all parts of the United States are emigrating to this wonderful rich country. The city of Missoula is peculiarly healthy, having the advantages of a high altitude, being 2000 feet above sea level, and yet being sheltered from the cold east winds and open to the chinook winds of the Pacific coast, caused by the Japan ocean current. Vegetation luxuriates in such a climate, and we have that grand combination—the bracing air of the Rockies and the comforts of an eastern locality. Here is the man, woman or child who does not long for the orchards, gardens and lawns, so numerous in the east; Missoula is noted for its many advantages, but especially for its many comfortable homes.

By investing in Missoula real estate at the present time you will be sure to net profit of at least 100 per cent in the next twelve months. McCornell, Cook & Co. are sole agents for much of the best property in Missoula, and offer many bargains in all parts of the city; if we wish to especially call your attention to the new plat, McCornell's addition No. 2, lying half a mile west of a business center of the city, which is commonly known as the "Garden and orchard addition" to Missoula. It is a beautiful and well adapted to gardening, and there are hundreds of fruit and bearing fruit trees growing on the lots. There is a great deal of satisfaction in having a home, and instead of a barren lot a well-cultivated garden with plenty of water for irrigation purposes. Fruits, flowers and vegetables of all kinds grow rapidly and successfully on the lots in the McCornell addition No. 2, Missoula.

For further particulars and printed descriptive matter of Missoula and the surrounding country, address

McCORNELL, COOK & CO.

Real Estate and Financial Agents, Missoula, Montana

A DEAD MAN'S MILLIONS.

John A. Davis is Appointed Administrator of His Brother's Vast Estate.

The Contest Will be Taken to the Supreme Court of the State.

Heinous Offense of a Brute Against a Little Girl—Accident at the Mountain Consolidated.

BUTTE, April 28.—[Special].—The first great battle of the estate of A. J. Davis closed in the district court to-day by the appointment of J. A. Davis, brother of the deceased, as administrator of his estate, his bond being fixed at \$5,000,000. Interest in the decision ran so high that the court room was crowded to its utmost capacity. Davis and H. A. Root were the chief contestants, while Public Administrator Murphy was not without a following. The three contestants were early on the ground and gave plain evidence in their hearing of the magnitude of the stake for which they were playing. With the first words spoken by Judge McElhatton the drift of his decision was made apparent and whispers of "that means J. A. Davis" could be heard in all parts of the room. This proved to be the true inference. In making this order Judge McElhatton spoke without notes and briefly of the circumstances, as follows: "In the matter of the estate of A. J. Davis, deceased, in which the court was at this time to issue an order appointing an administrator, I might say that I have given the case as presented most thorough investigation. By reference to the statute it appears that the court has the right to appoint the person best entitled to be administrator of this estate. But the court gives greater latitude than that laid down by those same statutes. I take it that it is beyond all question that under the law J. A. Davis is the person best entitled to the letters of administration, unless it shall have been proven here that he is incompetent through one or more of the causes laid down by the same statute. If he should have proven incompetent and Root competent then the letters would go to Root, and if both should be shown to be incompetent then the letters would go to the public administrator. The court having decided that the order of the statute must be observed and that the appointment must be given to the one first mentioned unless his incompetency has been proven, it will then become apparent that objections must be exceedingly serious to cause the making of a change in the order of the statute. The court might look for the party best fitted to perform this great trust, but the law has said there are certain persons from whom the choice must first be made. Taking the evidence in the light of the law, I fail to find anything which would justify me in varying the rule of the statute. In that part submitted the evidence fails very materially in furnishing justification to such change. The order of the court, therefore, will be granting letters of administration to John A. Davis, fixing his bond at \$5,000,000."

Judge Toole, on behalf of H. A. Root, at once took exception to this finding and asked for five days in which to prepare a motion for a new trial, the first step in an appeal to the supreme court, which was granted. Judge Smith asked to be included in the exception, but was denied, to the denial he took exception. It was the understanding with all the attorneys for all concerned that the case should be brought before the supreme court as quickly as possible, and it was thought it could be arranged for hearing during the present term. Under that understanding Mr. Davis was given the case came up to arrange for his bond and to qualify.

When it became apparent early last February that Judge Davis, over whose estate all this litigation has been held, could not possibly live much longer, the knowing ones predicted that the greatest lawsuit in the history of the state would follow his demise. That prediction now bids fair to be verified to an extent that could hardly be foretold then. In order to be first on foot the most possible out of what was left of the estate, John A. Davis filed his application for letters of administration immediately after his brother's death and before leaving with the remains for the east. The testimony in the present case was given by the holding of a meeting of the heirs at the Massasoit house in Springfield, Mass., on the evening after the funeral, showing again how the sentiment, that delays were dangerous, had taken hold upon all of them. It was also shown that at this time the most possible out of what was left of the estate, John A. Davis, another brother of the deceased, proposed to represent the remainder of the heirs in the settlement of the estate, representing that it would be necessary for some one to be on the ground to get the most possible out of what was left. To this end he asked that all present sign a power giving him the power to act for them in whatever emergency might come up. This proposition was strenuously opposed by Henry A. Root, of New York, a nephew of the deceased, and by his sister, Mrs. Corne, both preferring to have an eye on the property they fondly hoped would be some day, and apparently not having the confidence in their elderly uncle that is generally supposed to characterize the intercourse of such near and dear relatives. Upon this issue the heirs divided, the three brothers hanging together, rather feebly supported by two of the sisters, while the others joined forces with Henry A. Root. That gentleman at once came to Helena and took up his residence, and having established the fact of his being a citizen of Montana, applied for letters of administration upon the much-desired estate. Meanwhile a second Richmond had appeared in the field in the shape of a young man from Salem, Iowa, who gave the name of Thomas Jefferson Davis and claimed to be the son of the deceased. He admitted that no formal ceremony had been performed, but that A. J. Davis, deceased, and Miss Lucretia Brown had lived together as man and wife from 1861 to 1865, and that he was the fruit of that union. Further, that the law of Iowa, where they lived and he was born, legitimates such offspring, and upon that ground he claimed the entire estate. At the time of his death Judge Davis still owned \$300,000 worth of property in Iowa and upon this the young man obtained letters of administration through his lawyers and appeared here with an application for the appointment of W. C. Young as auxiliary administrator to the one appointed in Iowa. This, with Public Administrator Murphy, made up the list of the really important factors in the fight which has just been closed temporarily.

The hearing of the claims of each of these applicants for the position of administrator opened before Judge McElhatton in the district court Saturday, April 18. The first move was on the part of the Iowa boy, his lawyer claiming that if he was the legitimate son and heir of deceased the others could have no standing, and that the first duty of the court was to determine his

rights. Motion was accordingly made that the hearing upon the appointment of an administrator be postponed until proof could be brought here of the legitimacy of T. J. Davis. This motion was denied, and from that time the young man only appeared in the case by implication or by way of illustration. The real contest was between John A. Davis and Henry A. Root and that was drawn out over nearly an entire week. The nephew charged that there had been a conspiracy between his uncles John A. and Erwin Davis to secure possession of the estate to the virtual exclusion of all others. This was the chief point of objection to John A. Davis, and in supporting it some testimony was given that made it look exceedingly probable. In addition, however, Root claimed that his uncle was incompetent for the management of such an amount of property and that his habit of drinking would make it exceedingly dangerous to entrust him with it. On the other hand Davis claimed that Root was not a resident of the estate, and accordingly could not be eligible to the place. The public administrator's claim was based simply upon the argument that if all these other two men had said of each other was true, neither was it fit person to be put in charge and it had better be given to some thoroughly capable outsider. The magnitude of the property in question and the fact that the administrator would have a better position regarding it than an heir, caused the fight to be a bitter one. It also drew together some of the best legal talent the country could afford, among them being the celebrated Judge Meyer, of New York city; Judge Woolworth, of Omaha, and Judges Toole, Kirkpatrick and DeWolf, of this state, who are recognized as being among the best. The fight to date has been a very pretty one, but to realize that it is only the opening skirmish and that the battle of the giants is yet to come.

A BRUTE AT BUTTE.

A Scoundrel Attempts to Outrage a Little Girl.

BUTTE, April 28.—[Special].—A dastardly attempt at outrage on the 8-year-old daughter of a well-known citizen here came to light to-day. The perpetrator was a job printer named B. F. Willis, who had only been in Butte six weeks. Yesterday evening he enticed the little girl into his room on Granite street, and attempted by bribery, and afterwards by force, to do her violence. She screamed and the wretch, taking alarm, fled the scene without accomplishing his purpose. The father of the little girl would have instantly killed the fiend, but was persuaded by friends to give him an hour to leave town. This was more than he wanted. As he was preparing for his departure J. W. Burke, a contractor, who has a room in the house where the fellow was staying, learning the facts, resolved not to let him escape without some punishment, and asked him to step into a room. Willis did so and then received a thrashing from the effects of which he will not recover for many a day. Willis then lost no time in getting out of town. Feeling is running very high and he can count himself lucky in escaping so easily.

A MINER KILLED.

F. Murphy Meets Death Instantly in the Mountain Consolidated.

BUTTE, April 28.—[Special].—At 8 o'clock this afternoon word came to this city that F. Murphy, a miner working in the Mountain Consolidated, had been instantly killed and two others seriously injured. Murphy, in company with fellow miners, named Little and Bray, and one other whose name could not be learned, were riding down the shaft on a load of timbers. During the descent one of the timbers, which had not been securely fastened, slipped and one end caught on the timbers in the shaft. The other end swung around with irresistible force, catching Murphy across the abdomen and mutilating him terribly, killing him instantly. The same timber struck Little, knocking him off the cage, but fortunately he was able to catch and hold with strength enough to prevent his falling. Bray also received a severe scalp wound, but neither he nor Little was thought to be seriously injured. Murphy leaves a wife and seven children almost entirely destitute by his death.

RICH STRIKE AT BARKER.

Great Excitement at the Camp in Consequence.

GREAT FALLS, April 28.—[Special].—A dispatch from Barker to the Tribune says one of the richest strikes ever known in that camp has been made in the May and Edna mine. The night shift broke into a shute of solid carbonates and galena, and up to this writing have gone 20 feet into it without any signs of getting out of ore. The railway surveyors are now camped at Joyce, and will be in Barker with the survey by the 29th. Everybody is elated and excitement higher than ever seen before.

Kid Merritt returned to Barker to-day for supplies from the carbonate district, and reports that it is one of the greatest unprospected districts in the Belt mountains. He brought with him some fine hard carbonate ore to verify the statement. The ore resembles some of that found in the Maiden district. He reports that they made two locations on one vein, which is over six feet wide, and appropriately calls them the Columbus and the America. They made some other locations which show fine galena and carbonates. Some of it has plenty of red lead. They say that they are not more than five miles from the railway, and that an easy road can be made to it. Many men are rushing in, and many of the railway men who have finished their work are packing in. The May and Edna mine referred to was discovered in 1882 by F. Aldridge, Pete May, Dick Oatey and Martin Gallagher. It was sold about two years ago to Peter Siemens and J. F. Armstrong for \$30,000.

GUILTY AS INDICTED.

BILLINGS, April 28.—[Special].—Case 222, State vs. Chas. A. Smith, indicted in Park county for assault with intent to kill, transferred to Yellowstone county on motion of defendants, occupied the whole day. The jury brought in a verdict at 12 p. m., of guilty. Judge Milburn will sentence the prisoner Thursday next.

The Theosophists Adjourn.

CHICAGO, April 28.—The final session of the Theosophists was held to-day, several papers being read. A resolution abolishing initiation grips and pass words was laid on the table. The general secretary was re-elected. Mr. Thomas, of San Diego, California, was chosen delegate to the December convention at Adyar, India.

Rossa Convicted of Libel.

NEW YORK, April 28.—O'Donovan Rossa was convicted of criminal libel by a jury to-night in Judge Anderson's court, with a recommendation to mercy. Rossa was indicted for calling R. C. Cassidy a "British spy" and publishing similar libels in United

GOLD AND SILVER OUTPUT

Report of the Director of the Mint for the Fiscal Year 1889.

Montana Produces Over Twenty-Two Million Dollars in Precious Metals.

Pacific Coast Republicans Approve the McKinley Tariff Bill—The Day in Congress—A Decision.

WASHINGTON, April 28.—Director of the Mint Leach has submitted to congress his report on the production of precious metals for the year 1889. Gold product of the United States, 1,587,000 fine ounces; value, \$32,000,000; against \$38,000,000 for the preceding year. Of the gold product \$31,469,047 was deposited at mints for coinage and manufacture into bars. The silver product was approximately 50,000,000 fine ounces; commercial value, \$46,750,000, and a coinage value of \$64,646,484, against an estimated product for 1888 of 45,783,632 fine ounces, of a commercial value of \$43,020,000 and a coinage value of \$59,130,000; increase over 1888, 4,216,368 fine ounces; increase of commercial value, \$3,730,000. In addition to the silver product of our mines about 7,000,000 ounces of silver extracted from lead ores were imported into the United States and smelted into bars, and about 5,000,000 ounces from base silver bars imported principally from Mexico, making the total product of our mines, smelters and refineries about 62,000,000 fine ounces of silver.

Of this amount the government purchased for coinage 27,125,357 ounces; were used in the arts about 6,000,000 ounces; exported to Hong Kong and the East Indies, 3,000,000 ounces; shipped to London for coinage, 2,000,000 ounces. Colorado still maintains first rank among producing states, with an aggregate product of gold and silver of over \$24,000,000. Montana stands next with a product of \$23,894,000, of which \$12,000,000 were produced by the United States. Utah shows a largely increased product, notably in silver and New Mexico reports an increased product and Arizona reports a reduced product for 1889. The gold product of Dakota (south) increased from 2,500,000 in 1888 to \$2,800,000 in 1889. Oregon and Washington both report increased products, the former having produced \$1,200,000 in gold. The states of the Appalachian range show a slightly increased product of gold over 1888. The total value of gold deposited at mints during the calendar year was \$45,902,072, of which \$42,559,336 was new deposits, and \$3,342,736 redeposited.

The total deposit and purchases of silver aggregated 52,577,664 standard ounces, coinage value, \$42,557,165, of which 36,174,212 standard ounces, coinage value \$15,777,265, were deposited. The quantity of silver purchased for silver dollar coinage was 27,125,357 fine ounces, costing \$23,375,010, an average cost of \$8,615 per ounce fine. The amount of silver offered the treasury department for sale aggregated 47,965,700 fine ounces. The net loss of gold and silver to the United States by export of export over imports of precious metals was as follows: Gold, \$38,586,733; silver, \$14,788,636; total, \$53,375,369. The amount of gold and silver used in the industrial arts during the calendar year 1889 in the United States was: Gold, \$16,507,000; silver, coinage value, \$7,765,000; total, \$24,272,000. The amount of domestic bullion used in the arts was: Gold, \$9,686,827; silver, coinage value, \$7,397,933; total, \$17,084,760. The total metal stock of the United States is estimated to have been, Jan. 1, 1889, as follows: Gold coin and bullion, \$30,275,007; silver coin and bullion, \$438,348,624; total, \$1,127,623,631.

SUPPORT THE BILL.

Senators Allen and Squire Approve the McKinley Bill.

WASHINGTON, April 28.—[Special].—The men from the Pacific northwest favor the McKinley tariff bill in the following Philadelphia Press interviews: Senator Squire—I am in favor of a bill to establish the tariff. I am not prepared to speak definitely about McKinley's bill. I certainly think that the republicans are in earnest in their purpose to revise the tariff and that it will be done upon a sound protection basis. Everybody may not be satisfied with the new duties, but that is inevitable. Senator Allen—I am in favor of the bill I favor the McKinley bill. I am not satisfied, however, but that the products of the farms, such as general production, may not be more effectively protected than they are by the McKinley bill. I think the republican party are most earnestly in favor of prompt legislation upon the tariff, and are desirous of bringing it on for speedy and decisive action by congress. I do not think the republicans will allow the present session of congress to adjourn without passing a tariff act.

Representative Wilson—The McKinley bill in its present form will receive my support and vote. I seriously object to any amendment which would change the lead schedule now proposed in the bill. J. W. Strevell, of Miles city, is in Washington to argue the case between Custer and Yellowstone counties growing out of the debt when Yellowstone was cut off from Custer. Strevell appears for Custer and Col. W. E. Sanders for Yellowstone. The case will be called up to-morrow or Wednesday.

Miss Lillie Rosecrans, the fiancée of Governor Toole, of Montana, stood as godmother at a most notable christening to-day, the child being the son of Mr. and Mrs. John Dalgrem. Cardinal Gibbons stood as godfather.

ANENT THE FLOODS.

The Senate Discusses the Levee and Outlet Systems for Protection.

WASHINGTON, April 28.—There was an extended discussion on the question whether the levee or the outlet system or a combination of the two was best fitted to protect the people of the lower Mississippi valley from floods. Various opinions were expressed.

Reagan said his investigations had convinced him that the levee system was a failure, as it had proved in the Yellow river of China, where the bed of the river raised and devastating overflows, causing the loss of millions of lives, resulted. The outlet system was the true relief for overflows of the Mississippi. Berry held that the levee was the only true system, and said that nearly every engineer who had anything to do with the river held the same view. Harris had believed in the levee system, but

events of the last two months had greatly shaken his confidence in it, and he suggested the appointment of a commission of scientists to be charged with the duty of a thorough investigation of the subject. Ensis said steamboat captains were unanimously in favor of the levee system as against the outlet system. The land forfeiture bill was taken up and after some discussion went over without action. The senate bill incorporating the society of the Sons of the American Revolution was read. Plumb made some satirical remarks about efforts to encourage patriotism "by giving around loose in the country," and moved to amend the bill by providing that its privileges be extended to the grand army.

The House. The speaker laid before the house the message of the president returning without his approval the bill to allow Ogden, Utah, to increase her indebtedness. It was referred to the committee on territories. The legislative, executive and judicial appropriation bill passed without division. The house then went into committee of the whole on the bills relating to the District of Columbia.

The pending bill was for the establishment of Rock Park. In the course of the debate, Hooker, of Mississippi, alluded to the confederate graves in Arlington cemetery, on the head-boards of which was marked the word "Rebel." He did not object to this "Rebel" was not worth such reproach. It only showed that they were the men who were led by the second great rebel of America—Robert E. Lee—George Washington having been the first.

The committee having raised the Rock Creek Park bill was defeated. Hemphill, of South Carolina, moved a reconsideration and the house adjourned.

Carrying Liquor Into Prohibition States. The United States supreme court, through Chief Justice Fuller, rendered an opinion adverse to the constitutionality of state laws providing for the seizure of liquor brought into a state in original packages. Such law, the court holds, is an interference with United States commerce. Justices Gray, Harlan and Brewer dissented from the opinion delivered by the chief justice.

Capital Notes. The house committee on public lands has directed favorable report on the senate bill to provide for the acquisition of land for town sites and commercial purposes in Alaska. Representatives of ten of the seventeen nations participating in the international American conference have signed the agreement drawn up by the conference for the settlement by arbitration of differences between them.

Ingallo to-day introduced a bill granting a pension of \$1 a month to all persons who served in the late war not less than three months nor more than one year, and \$8 a month to those who served more than one year and not over eight hundred days, and those who served over eight hundred days one cent per day for each day's service. No person who is worth \$5,000 or over at the time of the application will be entitled to this pension.

The senate committee on territories ordered a substitute report for the bill referred to the committee to legalize the acts of the Arizona territorial legislature.

The expenses of Dolph's senatorial investigating committee will be about \$2,000. Several correspondents who were kept under subpoenae fifty-one days, although only testifying twice, have been paid \$153, are in hopes another investigation will be instituted. Senator Plumb reported from the committee on public lands with amendments a bill authorizing the president to cause certain lands to be withdrawn from the market for reclamation purposes to be restored to the public domain under the homestead law.

GOOSE EGGS SCARCE. But Two Basketsful Hung Up Yesterday—Everybody Hitting the Ball.

CHICAGO, April 28.—Following are the scores of today's ball games: The Players' League.

At Boston..... 0 0 0 0 1 1 0 0 — 6 10
New York..... 0 0 0 0 0 0 0 0 — 1 3
Raidenbarr, Kelly, Keefe, Ewing.
At Pittsburgh..... 4 0 0 4 3 0 0 2 — 15 11
Cleveland..... 5 0 1 0 2 1 0 0 — 10 12
Mull, Carroll, Gruber, Brennan.
At Brooklyn..... 0 0 0 0 0 0 0 0 — 3 9
Philadelphia..... 0 0 0 0 0 0 0 0 — 1 7
Weyhing, Kinlaw, Knell, Milligan.
At Buffalo..... 9 0 2 1 0 0 0 1 — 13 1
Chicago..... 1 2 1 0 4 0 1 3 — 12 15
Haddock, Mack, King, Boyle.

National League.
At Boston..... 0 0 0 0 0 0 1 5 — 2 14
New York..... 1 0 0 0 0 0 1 0 — 2 7
Arton, Hendie, Sharrett, O'Rourke.
At Pittsburgh..... 1 2 0 1 0 0 0 0 — 2 6
Cincinnati..... 0 1 0 0 0 0 0 0 — 1 2
Boulders, Miller, Duryea, Keenan.
At Brooklyn..... 2 2 2 0 0 0 0 0 — 10 2
Philadelphia..... 0 0 0 0 0 0 0 0 — 0 3
Vickery, Clemente, Caruthers, Clark.
At Cleveland..... 0 1 0 0 2 0 1 0 — 4 6
Chicago..... 0 1 0 0 0 0 1 0 — 5 9
Bestin, Zimmer, Sullivan, Lauer.

American Association.
At Rochester—Rochester, 5; Brooklyn, 1.
At Syracuse—Syracuse, 1; Athletics, 2.
At Louisville—Louisville, 2; Toledo, 0.
At St. Louis—St. Louis, 3; Columbus, 8.

SPRING RACES.
Several Good Events at Linden and Nashville.

LINDEN PARK, N. J., April 28.—Five and one-half furlongs—Best Boy won, Tipstaff second, Bradford third. Time, 1:22 1/4.
Mile—Golden Reel won, Lisimony second, Sam Morse third. Time, 1:49 1/4.
Five-eighths of a mile—Gray Rock won, Ely second, Chatham third. Time, 1:06 1/4.
Mile—Salvini won, Eric second, Sorrento third. Time, 1:48.
Mile and one-sixteenth—Tristan won, Taragon second, Silleck third. Time, 1:56 1/4.
Seven-eighths of a mile—Puzzle won, Shotover second, Zulu third. Time, 1:34 1/4.

At Nashville.
NASHVILLE, April 28.—Seven and one-half furlongs—Billy Pinkerton won, Bliss second, Carlton third. Time, 1:43 1/4.
Four and a-half furlongs—Black Knight won, National second, Consolation third. Time, 1:15 1/4.
Mile—Glockner won, Buckler second, Friendless third. Time, 1:46 1/4.
Half-mile—Ida Pickwick won, Draft second, Laura Dorcy third. Time, 52 1/4.
Five-eighths of a mile—Billy Parker won, Leo Brugel second, Jalgo third. Time, 1:06.
Mile and one eighth—Mamie Fonso won, Event second, Skobloff third. Time, 2:06.

Innocent in the First Degree.
NEW YORK, April 28.—Judge Benedict in the United States court to-day denied the demand of Peter Cleason to forty of the forty-four indictments charging him with the perversion of the funds of the Sixth National bank. Cleason entered a plea of not guilty.

TO TRY IT ON KEMMLER.

The New York Murderer Will Be Taken Off by Electricity at Auburn.

Warden Durston Keeps the Exact Time of the Execution a Secret.

Probability that it Will Be Within Forty-Eight Hours—The Appearances of Death—No Reporters.

AUBURN, N. Y., April 28.—The latest news about the murderer William Kemmler is that he is still alive, and no one but Warden Durston knows definitely at what hour or on what day the electrical shock will be sent through his body. It has been almost settled that the execution was to take place Tuesday, but the machinery of the death room was not in final order when working hours were over this evening, and it is believed arrangements were not to be completed until late to-morrow. Warden Durston said this afternoon the execution would certainly not occur during the next twenty-four hours.

Several scientists and law officers who have been invited to witness the execution have arrived here. Absolutely no newspaper men will be permitted to see it except representatives of the two press associations. This afternoon Warden Durston showed to a number of reporters the different electrical devices and the chair in which Kemmler will be executed. It is the same as has been described recently at length in the press. There is a movable piece at the top supporting the electrode cup which will sit on the victim's head and a wire passing down the back connecting with another electrode, which will be placed at the back of the spine. Saturated sponges will be placed between the electrodes and the body to prevent burning. The victim will be firmly strapped in the chair and a broad leather strap will cover the face, except the nose, thus concealing his death agony. It is understood the current used will cause death in between 2,500 and 2,700 volts in force, enough to supply about 1,000 lights.

Kemmler has passed the day about the same way he has the last week. He has read the Bible as well as he could and listened to his religious keepers, Daniel McNaughton, Dr. Houghton and Chaplain Yates. He made his will to-night, giving a pictorial Bible to Keeper McNaughton, a Pige in Clover puzzle to Rev. Dr. Houghton, a Testament to Keeper Wemple and a case covered with autographs to Chaplain Yates.

A Troupe in a Wreck. STAUNTON, Va., April 28.—At 3 a. m. to-day as the express train on the Chesapeake & Ohio for Washington was descending a heavy grade a mile west of Staunton, the air brake was rendered useless and the train rushed into Staunton at the rate of eighty miles an hour. The Pullman sleeper was thrown on its side. In it were fifteen members of the "Pearl of Pekin" troupe, en route to Baltimore. Of the company Myrtle Knox was injured and died while being taken from the car. Edith Miller had a leg broken. Edward Webb, Edward Stevens, Bertie Fischer, Louis Harrison and C. Dunham all escaped with slight cuts and bruises. The car took fire, but the blaze was put out.

The Killing of Clayton. LITTLE ROCK, April 28.—The Clayton-Brockenridge investigation committee examined 135 witnesses to-day. At least three were colored voters, who were at Plummerville on election day, and voted for Clayton. Sheriff Shelby testified that when the ballot box at Plummerville was stolen he made diligent search to discover the thieves. He had a pistol in his possession which was found near the house where Clayton was killed. He was ordered to deliver it to the committee Friday, when he will be examined regarding the Clayton murder.

The Situation at Dallas. DALLAS, Texas, April 28.—The sun rose beautiful and clear this morning, but the outlook was the reverse in about 400 homes in Dallas and suburbs, from which the inhabitants had been driven by the overflow of the Trinity at this place. The rise was a few inches higher than that of 1890, which was the highest recorded within the memory of the oldest settlers. Large forces of men are now repairing the washouts on various roads. Water last night ran through the windows of the first floor of the Dallas elevator, and damaged a large amount of wheat as well as machinery. The St. Louis Pressed Brick company, Allenworth & Russey, the Dallas Brewing company and others are heavy losers by the flood.

Asking for Relief Bonds. ST. MARTINSVILLE, La., April 28.—Water in this parish is rising at the rate of eight inches a day. Those residing in the lowlands have been compelled to leave their homes and move to bayou banks. Crops, which were magnificent, are lost. Twenty-five hundred people will suffer in this parish from floods. Bayou Chene people are asking for relief bonds to save live stock. Every inch of ground in that section is under water.

Not Open to Engagements at Present. SAN FRANCISCO, April 28.—President Fulda, of the California Athletic club, tonight received a dispatch from M. C. Clark, friend and adviser of J. L. Sullivan, and with whom President Fulda has been conducting correspondence looking to a fight between Sullivan and Jackson, saying that Sullivan would accept the California club's proposition after the Mississippi affairs are settled June 25 next. He still maintains that the winner should take the whole purse.

Nothing in It. NEW YORK, April 28.—Wm. H. Allen, Benjamin Knower, Arthur L. Shipman and Lyman Ingraham, trustees of the Yaqui River Mining company, have petitioned the supreme court for the dissolution of the corporation. The company's only property is certain mining privileges and mines in Sonora, Mexico, and it is stated that its title is liable to attack and that the possibility of working the mines to pecuniary advantage is questioned.

Spotted Fever Epidemic. FOUNTAIN HEAD, Tenn., April 28.—Spotted fever has again broken out in Pleasant Hill neighborhood. During the past week there have been eleven cases and ten of the number proved fatal. The disease seems to baffle the skill of the best physicians.

Steamship arrivals: At New York, Australia, from Liverpool; at Havana, Lagunas, from New York; at Glasgow, State of Nebraska, from New York; at Southampton, Werra, from New York.