

HAMBURG FIGS are a discovery o you, one and all, to come and look at

the greatest interest to the medica them. Prices never lower. STERRETT & SONS Ph. Schwartz & Bro, ABILENE, TEXAS

R. Phillips.

eign affairs, has been appointed Uni-ted States Minister to Spain. He has accepted, and will immediately resign seat in the Fiftieth Congress. He lined a renomination, at the recent

SITILOGII'S CATARRI REMEDY, ele lion, to the Fifty-first Congress a positive cure for catarrh. Di ptherin and caukér-mouth. Sold by rhillips.

Go to Powell's for your sice kats.

Killer," and it will cure you. For sale, at factory prices, by Mrs. Louisa Norvoll, Agt., Baird, Texas.

# Che Baird Weekly Star. THE STARS AND BARS W. E. GILLILAND, Publisher

SUBSCRIPTION \$1 50 A YEAR nd at the postoffice at Baird, Texas, THURSDAY, NOVEMBER 29, 1888

eratic leaders say that we failed because the people were not ready for the tariff question. Well, yes, it looks as though something vas lacking, but it strikes us that it was votes principally.

Every democrat has his own theory following from the Pittsburg Times: "A about the cause of disaster which- number of gentleman who are known overtook the party Nov. 6th. Some in this city as business and professionsay it was the tariff and then in the al men, some of whom served in the next breath swear it was Hill's treach- union army during the civil war, met ery in New York.

We believe in a Civil Service re- el flags, which has of late become so expect to.

as. S. Hogg is being groomed by henceforward buy nothing from the

of each others faults, so we the Exchange and Mercury from this time on, constimutual admiration society .-indealer and Crescent.

There are two applicants for the ost-office already. What's the Baird D with Frank Rettig? He's all at, but that does not disqualify him for the office. You know Harrison is a civil service reformer, and he surely will not turn out a man simply because he is a democrat. We will see what we shall see.

This is an unlucky year for the bursed from the pockets of southern family. Brown county men. Let every southern democrat Cleveland a Cleveland for district give his custom hereafter to those nan county knocked one northern merchants who are friends rial race. Texas refus- of the southern people. Northren mer-

They Floated in Honor and Clory Once but Now THEIR MEMORY MUST DOWN.

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itteburg Man Has a Bill Drawn Up Making It a Misdemeanor to Show Them in Public, but It Is Not Yet a Law.

[Dallas News.] RICHMOND, Va., Nov. 28 .- [Special.] -A spirit of retaliation has been

aroused here by the publication of the to protest against the flaunting of reb-

form that will put our political common, and a bill was prepared to friends in office and turn the opposi- be presented at the next session of tion out. We have never cast a ballot congress making it a misdemeanor, with any other intention and never punishable by fine and imprisonment of three years, to display a confederate flag in parades or on other public occa-

There is some talk of organizing a sions." In last evening's Richmond and loan association in Baird. State a call is isued by country merild certainly be a good move chant addressed to patriotic merchants be our town, and THE STAR hopes and consumers of the south, requestthe organization of such an enterprize. ing them to "ponder well this action of will take definite shape at an early leading business men of Pittsburg, and to make a solemn vow that they will

dmiring friends as a candidate city of Pittsburg, or, indeed, from the Governor, two years from now. state of Pennsylvania, where such a a is a good sized man, in more spirit of persecution prevails. Let is than one, but we are thinking them buy from some democratic state fill be a good while before he will or town, or better, still, at home. Let ot his way into the gubernatorial them buy their iron in Birmingham, cotton or woolen goods from Georgia,

The Mercury of the 13th says, that etc., as did our forefathers in 1776. We and ge Exchange have married and club man and wife. Which is min' Herbergh Husbands and wives never interest in our dire necessities by tapmies in our suffering, and awaken any ping their pockets. Touch them there, and they will listen to reason. The States says this editorially: One

of our most intelligent and progressive men remarked yesterday : "I have withdrawn my custom from a wholesale dealer in Philadelphia with whom I have dealt for years. He The only trouble is, he is a gave \$1000 to the fund used for putting in power the enemies of the south. That's business. Supporters of the bloody shirt party give thousands of dollars to aid in the election of those who have lent their countenance to the worst and most dangerous element of

the south and then expect to be reim-

on the Court of Appeals chants who supported men like Cleve- rapidly, and the city is talking of votlastly, the United States re- land and Thurman deserve southern ing a tax of a million dollars, to be we one for President. The patronage, not those who delight in used in procuring a water supply. art of the whole thing is that seeing the hopes of the best element If this is done, water will be brought of them are men above in the south disappointed and who twenty-two miles, and the line will reproach. The Clevelaud star is not give their money to the party of pass through my land. This enterin the ascendent this year, that is all. Blaine, Sherman, Foraker and other prise will be a great help to the counfoes of our people." ty, as it will put a vast amount of

elected to the legistature after all the PITTSBURG, Pa., Nov. 23.-[Special.] money in circulation. There has been fuss and fury kicked up over in the -A number of prominent citizens of a great influx of immigration into 42nd. district. The Cisco Round-up, this city were interviewed to-day this country during the past summer, sed Connellee so bitterly, says with reference to the editorial com- but, notwithstanding, wages have continued gr laborers demand

variety **Goods in endless** first choice mas get and

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Such as Dry Goods, Notions, Boots, Shoes, Hats, Trunks, Valises, Jewelry and Groceries, We pay no rent, no clerk-hire, and we ask a careful consideration of the public to this fac.t CWe will not be undersold by any house in Baird, or surrounding towns. Give us a trial and we will prove the above assertion. Here We Are!

MOON & CROWDER,

Dealers In

GENERAL MERCHANDISE,

And to convince you that we are here and mean business you have but to call and see that we are Headquarters for

Baird Wagon Yard. Good camp And examine our large stock of house, good well of wa-COOK AND HEATING

the war is over.

nominee in that district unless Ed. subject of "the rebel flag must go," as ing as much as from \$2.00 @ \$2.75 Davenport, editor of the Breckenridge telegraphed by the united press, and per day. Crops were extra good, Texian, is the nominee. The Round- the effect the threatened boycott would and, in consequence, potatoes and up, Eastland Chronicle, and Texian, have on business generally. Mr. J. other vegatables are very cheap-poought to bury the hatchet, now that II. Stevenson, real estate agent and tatoes selling for \$10 @ \$12 per ton. The hop crops are good, and farprominent G. A. R. man. said: The whole matter is in a state of mers are getting good prices for them :

Dr. Macune seems to have downed "mixed-up." In the first place there in fact, the farmers in this country are all opposition and he is in no immedi- was no such meeting of business and the most independent people I have ate danger of having that \$300 per professional men, "some of whom ser- ever met-as the old saying goes. month salray cut off. Some people ved in the union army," ever held in "they live at home and board with who did not have much faith in Dr. this city in regard to the confederate Betsy," when they have a Betsy to facune as a financier, will have to flag business. Of course, a bill to be board with.

change their opinion on one point at presented to congress has been drawn When I went to Renton, last Saturleast. A man that can get, and hold up making it a penal offense to dis- day, I got two STARS, and the first a position worth \$12.50 per day, when play a confederate flag in any parade words I read were to the effect that the he formely, could not earn a dollar a and in other public affairs, but it was "old Roman "was en route to undoubt day, is certainly a good financier. Dr. not gotten up by a committee or at a ed victory, when, in fact, I had just Macune, individualy is a decided suc- meeting of soldiers. The bill was con- heard the g. o. p. men speaking of cess, as manager of the Exchange we ceived and drawn up by myself. It their glorious victory. Although are unable to say, as the Alliance can was suggested to my mind at the time some of your political news is stale not determine whether the Exchange is of the unveiling of the monument to when I get it, yet the local news each success or a failure, an outsider of the southern Gen. Pickett, who fell at week is as good as a letter, and I like ourse, is not capable of forming a Gettysburg. Then it became known to meet all my old friends in the ad that southerners would carry confed- columns. orrect opinion.

and was elected on the campaign cry procession and feel very sore over it. pleasure of seeing the genial phiz of of "turn the rascals out." He diso- After that a number of soldiers who beyed the commands of the people have talked with me about the matter Ogle. May his shadow never grow and kept the rascals in, and the peo- favored the preparation of the bill, less. ple repudiated the Cleveland adminis- but there was no meeting whatever. ration at the the very first opportu- I shall not present the bill at the comnity. The democratic party has never ing session of congress because it will prise developing in Baird, and to gained anything by concessions to the be too short to get the bill through. ublicans, and never will. President Cleveland kept thousands As far as boycotting Pittsburg is con-cerned there is nothing in the story.

republicans in office who were bit- Southern people are going to patronwere continually giving information their interests best.

to their political friends on the out- Major A. Burchfield, past senior ide. This is all very fine in theory, vice commander G. A. R., said: "There but is very poor in practice. Demo- has been no such meeting and I have crats who are hunting for the cause heard of no such bill as you speak of. f the late disaster to the party might As for old Virginia and some other to well to examine this question also, southern states Pittsburg don't care a

PATENTS GRANTED

& reported for this paper by C. alone. We can attend to that part of now & Co. Patent lawyers, Opp. the matter for ourselves." U. S. Patent Office, Washington

Biken, San Antonio, Bann Anderson, Parris, Hame. G. an, Granger, Sweep fo tter. W. R. Smith

We have had but little cold weather net, we have had,

erate flags and union men refused to In your Nov. 1st. issue, when you Four years ago, President Cleve-carry the stars and stripes in the same dropped the patent outside, I had the my old and esteemed friend, S. L.

I am proud to see a spirit of enterknow that, through the energy and enterprise of its editor, THE STAR is fast stepping to the front as a journal of merit and profit. I see our old ter against his administration and ize anybody or any state that suits patrons, J. L. Lea & Co., T. E. Powell, S. L. Ogle, Ph. Schwartz & Bro.,

H. Mever, Moon & Crowder, and, in fact, all of our friends and patrons, are still letting the people know through the proper channel (THE STAR) what they have to sell, and I almost invariably read their ads.

In dropping the patent, you speak snap. There are only a few people of being disgusted with the bald head now talking about the bloody shirt of W. L. Douglas, but in this country citizens of Texas during the past and I think they had better leave it where there is no bald prairie or bald hills, we venerate even a bald head.

and Douglas seems to have a good Contraction in the WASHINGTON TERRITORY.

# RENTON, W. T., Nov. 11th., 1888.

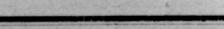
patent medicine ads. if you will let BAIRD WEEKLY STAR: Perhaps a w lines from this distant part of the myself some day, you know. If any of my old friends want to be would be of interest to some of

know more of this country, and will we have had but little cold weather are as yet-but one light frost. We to it, I will answer with pleasure. M. H. ALLEN.

rs, more rain this



ter.



BUSINESS LOCALS.

on Market Street, Baird, Tex

WANTED. Ten (10) cords of green wood at

looking one, Now a "Wet Hen" is THE STAR office at \$3.00 per cord. an ungainly fowl, but I am willing to Will pay one-half cash and the balsubscription accept what you say about the other and

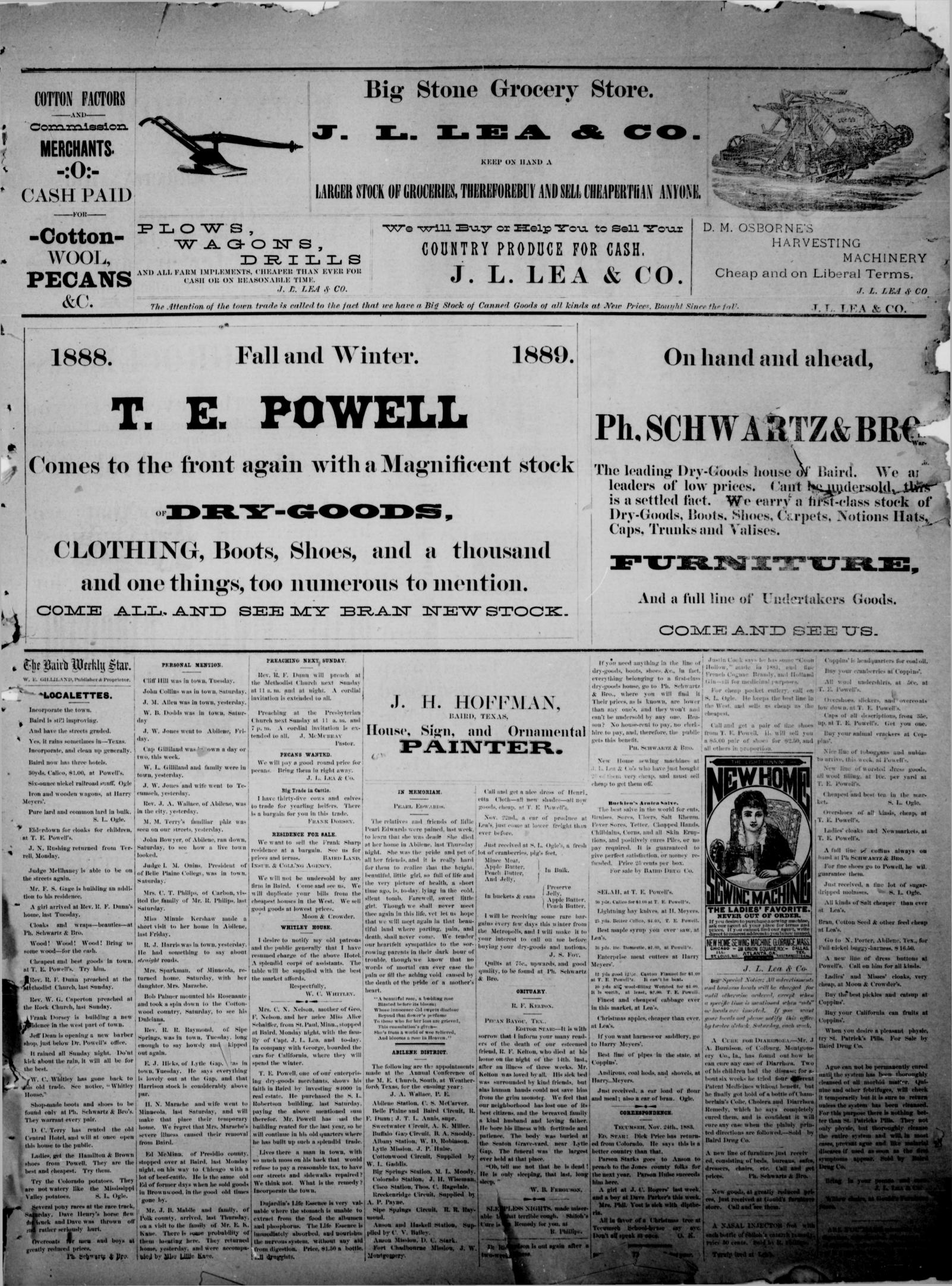
We want to buy cotton seed. the bald head pass. I may have one Bring them in. J. L. LEA & Co. Call and see how cheap Tom Pow-

ell selts.

Burial robes for ladies and men now kept on hand at Ph. Schwartz & Bro

Go to Schwartz' and call for th standard Shoe Co's shoes for ladie life. Dr. Acker's They are not only the best but th ed at \$2.00. Ph. Schwarts & Br





By FERGUS W. HUME.

Began in No. XLVII of THE STAR.

CHAPTER XVI.

### CHAPTER XVL MISSING.

The next day Kilsip called at Calton's office ate in the afternoon and found the lawyer watine him The detective's for

and Calton "Wel!" he said, impatiently, when Kilsip and closed the door and taken his seat.

"That's just what I want to know," an-swered the detective, coolly: "I went to the Salvation Army headquartere and made in quiries about her It appears that she had been in the army as a hallelujah lass, but got tired of it in a week, and went off with a friend to Sydney. She carried on her old life of dissipation, but, ultimately, her friend got sick of her, and the last thing they heard about her was that she had taken up with a Ch'anama in one of the Sydney slows. I name in one of the Sydney sums. I graphed at once to Sydney, and got a re-that there was no person of the name of

Sal Rawlins known to the Sydney police, but hey said they would make inquries, and let ne know the result." "Ah! she has, no doubt, changed her name,"

said Calton, thoughtfully, stroking his chin. "I wonder what for?" ted to get rid of the army, I expect," vered Kilsip, dryly. "Thestraying lamb not care about being hunted back to the

"And when did she join the army?" "The very day after the murder." "Rather sudden conversion?" "Yes, but she said the death of the woman

"Tes, but she said the death of the woman on Thursday night had so startled her that she went straight off to the army to get her religion properly fixed up." "The effects of fright, no doubt," said Cal-ton, dryly "Pro met a good many exam-ples of these sudden conversions, but they mean had been as a rube if a cone of the

ill pro! The police can't find her, we will put an ad vertisement in the paper offering a reward and send out handbills to the same effect she must be found. Brian Fitzgeruld's life angs on a thread, and that thread is Sai

Ves?" assented Kilsip, rubbing his hands dges that he was at Mother Guttersnip, whe hight in queston, she will have to prove he was there, as no one else saw him " Are you sure of that!

"As sure as any one can be in such a case was committed in the hansom. "And Mother Guttersnipe?" "Was drunk, as she acknowledged last

night. She thought that if a gentleman did call it must have been the other one." "The other one?" repeated Calton, in a puzzled voice. "What other one?" "Oliver Whyte,"

Calton arose from his sent with a blank air of astonishment. "Oliver Whyte" he said. as soon as he could find his voice. "Was he

The Mystery of a Hansom Gab. "Very well," replied the other, alm "Very well," replied the other, alm over his face. "I will leave her in yo

"I'm not coming," answered Frettlby, put-ting on his hat. "I don't care about seeing a man whom I have had at my dinner table in he-prisoner's dock, much as I sympathize with him. Good day:" and with a curt nod he took his leave.

When the door closed on her father, Madge placed her hand on Calton's arm. "Any hope?" she whispered, looking at him through the black vell. "The merest chance," answered Calton. through the black vell. "The menest chance," answered Calton, builting his brief into his bag. "We have lone everything in our power to discover this girl, but without effect. If she does not come at the eleventh hour f'm afraid Brian Fitzgerald is a doomed man." Made foll on her tower with a still d. cr.

"That's just what I want to know," an-ightly on the shoulder "Come!" he said, kindly "Be the brave girl you were, and we may save him yet The hour is darkest before the dawn, you

know." Madge dried her tears and followed the lawyer to the cab, which was waiting for them at the door They drove quickly up to the court, and Calton put her in a quiet place, where she could see the dock and ye be unobserved by the people in the body of the court. Just as he was leaving her she touched his arm. "Tell him," she whispered, in a trembling

"Tell him," she wanspress, in a voice, "tell my darling I am here." Calton nodded and hurried away to put on his wig and gown, while Madge looked hur riedly round the court from her point of interview of the second with fashionable vantage. It was crowded with fashionab Melbourne of both sexes, and they were all talking together in subdued whispers. The popular character of the prisoner, his good looks and engagement to Madge Frettlby, together with the extraordinary circum stances of the case, had raised public curios ity to the highest pitch, and, consequently erybody who could possibly manage to gain admission was there. When the prisoner was brought in there

was a great flutter among the ladies, and some of them even had the bad taste to produce opera glasses. Brian noticed this, an be fushed up to the roots of its fair out, to never has long as a ruld-it's a case of the devil was sick, the devil a monk would be more than anything else. Good looking?" "So so, I believe," replied Klish, skrug ging his shoulders. "Very ignorant-ceuld neither real nor write." "The accounts for her not asking for a "ind" wild animal, was scaling in the extreme to find" wind when she called at the club-she r of identification, I expect. However, if the police can't find her, we will put an d there. he flushed up to the roots of his fair bair, for

Ke gave a rapid sketch of the crime, which

was merely a repetition of what had bee published in the newspapers, rad then pro ded to enumerate the withe es who c ceeded to enumerate the witnesses who could prove the prisoner guilty. He would call the landlady of the decensed to show that ill blood existed between the prisoner and the nurdered man, and that the accused had called on the deceased a week prior to the mittal of the crin and threatened his and several ladies led, on the spure The was a lab observed in the in such a case out seems to have been asleep except the dying woman and Sal, and as one is dead, the other is the only person that can prove this he was there at the time when the murder is was there at the time when the murder spectators still refused to believe in the f such a good looking young He would call a witness who could the nurder, and went along Russell street, in the direction of Collins street, the cabman Royston could sweep to the street, the cabman Royston could swear to the fact that the prisoner had hailed the cab, and after going the cab with the deceased. He would also deceased, was next called. He stated that he

as soon as he could find his voice. "Was is in the babit of going there?" Kilsh curled himself up in his sent like a rleefreat, and, pushing forward his head till his nose looked like the beak of a bird of prey, looked keeniy at Calton. "Look here, sir," he said, in a low, purring voice, "there's a good deal in this case which don't seem plain—in fact, the further we into it the more mixed up it seems to get. 4 went to see Mother Guttersnipe this more ine, and she told me tint White had yikite the deceived have been got out, and he would call the prisoner's isadiady to more that the prisoner's isadiady to norow that the prisoner resided in Powlett what ho to reached home till shortly after 2 welt to he de carge of the case, to prove the find

ing, and she told me that Whyte had visited the Queen's event times while she lay ill, and seemed to be pretty well acquainted with the pocket of the cost which the prisoner wore on the night of the murder; and the

-Dal he wear any rings on the right ss-Yes, a large diamond one on the orefinger. Calton-Are you sure! Witness-Yes, because I thought it a curi

ton-Had he gloves on

and over again.

The next witness was Mrs. Sampson, who

crackled into the witness box, dissolved in tears, and gave her answers in a piercingly

shrill tone of anguish. She stated that th prisoner was in the habit of coming home early, but on the night of the murder had

Crown Prosecutor referring to his brief)

ome in shortly before 2 o'clock.

mean after 2.

Yes, one on

ous place for a gentleman to wear a ring, and when he was paying me my fare I saw the diamond glitter on his finger in the sympathetic manner, as she took a drink from the broken cup. "I tooked up with a Chinerman," went on

"I tooled up with a Chinerman," went on uer granddaughter, wearily, "an' lived with im for a bit-div orful, sin't it? she said, with a dreary laugh, as she saw the disgust on the lawyer's face. "But Chinermen ain't bad they treat a pore girl a dashed sight tetter nor a white cove does. They don't beat the life out of 'em with their list, nor irag em about the floor by the 'hir." "Cuse em?" croaked Mother Guttersnipe, drowsily, "I'll tear their 'ents out." "I think I must have gone mad, I must," said Sai, pushing her tangled hair off her forshead "for after I left the Chiner cove, I went on walkin and walkin' right into the

The diamond gatter on his unger in the moonlight. Calton—That will do. The counsel for the defense was pleased with this bit of evidence, as Fitzgerald de-tested rings and növer wore any; so he made a note of the matter on his brief. Mrs. Hableton, the landlady of the de-censed was then celled, and denosed that

Mrs. Hableton, the landlady of the de-ceased, was then called, and deposed that Oliver Whyte had lived with her for nearly two months. He seemed a quiet enough young man, but often came home drunk. The only friend she knew he had was a Mr Moreland, who was often with him. On the 4th of July, the prisoner called to see Mr. Whyte, and they had a quarrel. She heard Whyte say, "She is mine, and you can't do anything with her," and the prisoner an-swered, "I can kill you, and if you marry her I will do so in the open street." She had no idea at the time of the name of the lady they were talking about. went on walkin and walkin right into the bush, a tryin to cool my ead, for it felt on fire like. I went into a river an got wet, an There was a great sensation in the court at these words, and half the people present looked upon such evidence as being sufficient in itself to prove the guilt of the prisoner. In cross-examination Calton was unable to chake the avidence of the witness of the didn't badger me 'bout my soul, but gave me good food to eat. Fgave 'em a wrong name. I was' so 'traid of that Army a-findin' me. Then i got ill, an' know'd nothin' for weeks. They said I was off my chump. An' then i came back 'ere to see gran." "Cuss ye," said the old woman, but in such a tender tone that it sounded like a blessing : then, rather ashamed of the momentary emo tion, she hastily wound up, "Go to 'ell." "And did the people who took you in never tell you anything about the murder?" asked Calton. shake the evidence of the witness, as she ely reiterated the same statements ove

Calto Sal shook her head.

Witness-'Avin' made a mistake once by man as called himself a insurance agent, which 'e put the words into my mouth, I ain't a-goin' to do so again, is bein' five minates afore 2, as I can swear to. Crown Prosecutor-You are sure your clock was right? Witness-It 'ada't been, but my nevvy bein' a watchmaker called unbeknown to me and made it right on Thursday night, which it was Friday mornin' when Mr Fitzgerald

Witness-Because I heard the postoflice clock strike. Crown Prosecutor-Could you hear it at

East Melbourne! Witness-It was a very still aight, and I heard the chimes and then the hour strike quite plainly This conflicting evidence as to time was a

strong point in Brian's favor 1f, as the landlady stated on the authority of the kitchen clock, which had been put right on the day previous to the murder Fitzgerald into the house at five minutes to 2. he could not possibly be the man who had alighted from Rankin's cab at 2 o'clock at Powlett street.

The next witness was Dr. Chinston, who swore to the death of the deceased by means ing to the deceased in the pocket of the pris

Roger Moreland, an intimate friend of the had known the deceased in London, and had met him in Melbourne. He was with him a great deal. On the night of the murder he was in the Oriental hotel in Bourke street. Whyte came in, and was greatly excited. He was in evening dress, and wore a light coat. They had several drinks together, and then went up to a hotel in Russell street, and had some more drinks there. Both witness and used were intoxicated. Whyte took off his light coat, saying be felt warm, and went out shortly afterwards, leaving witness asleep in the bar He was awoke by the bar

noarse voice, fixing her wild eyes on Calton. "If I'd only known as you was a wantin" me I'd lave come afore." "Where were you?" asked Calton, in a pity-ing tona. "Noo South Wales," answered the girl, "Noo South Wales," and "Noo South Wa

"Noo South Wales," answered the girl, with a shiver. "The core as 1 went with P Sydney left me-yes, left me to die like a dog in the gutter." "Blarst 'im!" croaked the old woman in a sympathetic menor, as do do do a to be

THE VERDECT OF THE JURY It is needless to say that the court next marked to say that the court next is a second of the prisoner, had been found, and would appear in court that morning, had apread like wildlife, and the acquittal of the prisoner was couldiently expected by a large number of sympathizing friends, who seemed to have sprung up on all sides, like mush coms, in a single night. When the prisoner was brought in a mur-mur of sympathy ran through the crewded on was puzzled to account for the expression of the fact them saved, or rather was

CHAPTER XIX.

THE VERDICT OF THE JURY.

You know who stole those papers," he

lefense he intended to take. He would first call Albert Dendy, a watch

whose life had been saved, or rather was going to be saved, for in truth it was a for then i took my at and boots orf an lay down on the grass, an then the rain comed on, an I walked to a 'ouse as was near, where they tooked me 'n. Oh, sich kind people," she sobted, stretching out her hands, "that didn't badger me 'bout my soil, but gave me more food to est. "arya how a wrong name gone conclusion. thought, as he looked at Fitzgerald keenly and the man who did so is the murderer of Whyte." Fhe judge having entered and the court being opened, Calton arose to make his-speech, and stated in a few words the line of defense he intended to take Whyte.

maker, to prove that on Thursday night, at s o'clock in the evening, he called at the pris-oner's lodgings while the inndlady was out and while there had put the kitchen clock right and had regulated the same. He would also call Felix Rolleston, a friend of the pris oper's, to prove that the prisoner was not in

the habit of wearing rings, and frequently expressed his detestation of such a custom Sebastian Brown, a waiter at the Melbourne "No, it were a long way in the country, and they never know'd anythin', they didn't."

club, would be called to prove that on Thurs day night a letter was delivered to the pris-ouer at the club by one Sarah Rawlins, and that the prisoner left the club shortly before I o'clock on Friday morning. He would also call Sarah Rawlins to prove that she had can sarah travina to prove that she had delivered a note to Sebastian Brown for the prisoner, at the Melbourne club, at a quarter to 12 on Thursday night, and that at a few minutes past 1 o'clock on Friday morning she had conducted the prisoner to a slum off Little Rourke street, and that be was there between 1 and 2 on Friday morning, the hour at which the murder was alleged to have taken place. This being his defense to the charge brought against the prisoner, he would call Albert Dendy

would call Albert Dendy Albert Dendy, duly sworn, stated: I am a watchmaker, and carry on business in Fitzroy I remember Thursday, the 20th of July last. On the evening of that day i called at Powlett street, E est Melbourne, to see my and who is the lendick of the see my aunt, who is the landlady of the She was out at the time I called and I waited in the kitchen till her return. looked at the kitchen clock to see if it was too late to wait, and then at my watch

found that the clock was ten minutes fast, upon which I put it right, and regulated it roperly Calton - At what time did you put it right Witness- About 8 o'clock. Calton-Between that time and 2 in the

norning was it possible for the clock to ain ten minutest Witness-No, it was not possible. Calton Would it gain at all?

Witness Not between S and 2 o'clock-the ime was not long enough. Calton-Did you see your aunt that night-Witness-Yes, I waited till she came in Calton-And did you tell her you had put

the clock right? Witness No. 1 did not. 1 forgot all about it Calton - Then she was still under the im-pression that it was ten minutes fast?

Witness-Yes, I suppose so After Dendy had been cross-examined Felix Rolleston was called, and deposed as ollows I am an intimate friend of the prisoner

nave known him for five or six years, and I never saw him wearing a ring during that ame He has frequently told me he did not are for rings, and would never wear them In cross-examination. Crown Prosecutor-You have never seen

wearing a diamond ring? he prisoner wearing a diamond ring? Witness-No, never Crown Prosecutor-- flave you ever seen any

witness-No, I have seen him buying rings for ladies, but I never saw him with any ring uch as a gentleman would wear Crown Prosecutor-Not even a

Crown Prosecutor-Not even a seal ring<sup>1</sup> Witness-No, not even a seal ring Sarah Rawlins was then placed in the wit s box, and, after being sworn, deposed know the prisoner 1 delivered a letter I know the prisoner

uddressed to him at the Melbourne club, at a

white glove, would be picked up under the acht of the lamp near the Scotch church, there it was easily noticeable, than in the iarkness of a cab, where there was very little som, and where it would be quite dark, as com, and where it would be quite dark, as the blinds were drawn down The cabman. Roysten, swore positively that the man who got out of his cab on the St. Kilda road wore a diamond ring on the forfingor of his right hand, and the cabman. Rankin, swore to the same thing about the man who got out at Powlett street. Against this could be placed the evidence of one of the prisoner's most minumate friends—one who had seen him almost daily for the last five years, and he had sworn positively that the prisoner users was in the habit of warring rings. The cab man. Kankin, had also sworn that the man, who entered his cab on the St. Kilda road was in the habit of wearing rings The cas man. Kankin, had also sworn that the man, who entered his cab on the St Kilda road alighted at Powlett street, Bast Melbourne, at 2 o'clock on Friday morning, as the beard that hour strike from the postofice clock whereas the evidence of the prisoner's land ady showed plainly that be entered the nouse five minutes previously, and her evi-tence was further supported by that of the watchmaker. Dendy Mrs Sampson saw the and of her kitchen clock point to five min tes to 2, and, thinking if was ton minutes sow told the detective the prisoner did not atter the house till five minutes past 2, which would just give the man who alighted from the cab, presuming him to have been the prisoner sufficient time to waik up to his toggings. The evidence of the watchmaker, bedy however, showed clearly that he had not the clock right at the hour of s beingings. The evidence of the watchmaker, bendy however, showed clearly that he had put the clock right at the hour of S in Fhursday night that it was impossible for it to gain ten minutes before 2 on Fri isy morning and therefore, the time five minutes to 2, seen by the landlady was the correct one, and the prisoner was in the nouse five minutes before the other mail nighted from the cat in Powlett street These points in themselves were sufficient to show that the prisoner was innoceal, but the evidence of the woman Rawlins must prov-sonelusively to the jury that the prisoner was not the man who committed the crime fbe witness Brown had proved that the wo man Rawlins had delivered a letter to him.

e likely that the glove, and es

man hawing and deterred a letter to him, which he gave to the prisoner, and that the prisoner left the club, personally, to keep the appointment spoken of in the letter which letter, or rather the remains of it, had been put in evidence. The woman Rawins-wore that the prisoner met her at the corner of Russell and Bourke streets, and had gone tith her to end of the back down, there to say with her to one of the back slums, there to se the writer of the letter She also proved that at the time of the committal of the crime th

at the time of the committal of the crime the personer was still in the back slum, by the bod of the dying woman and there being only one door to the room, could not possibly nave left without the witnesseeing him. The woman Rawins further proved that she left the prisoner at the corner of Russell and Bourke streets at twenty five minutes to 2 relock, which was five minutes before Roy ston drove his cab up to the St. Kilda police station, with the dead body inside. Finally the woman Rawins proved her words by antion, with the dead body inside. Finally the woman Rawlins proved her words by stating that she saw both the postofflee and town hall clocks, and supposing t e prisoner arted from the corner of Bourke and Rus-ell streets, as she says he did, he would reach East Melbourne in twenty minutes, which made it five minutes to 2 on Friday morn-ing, the time at which, according to the land the vidence given by the different witnesses avereed completely, and formed a chain which acreed completely, and formed a chain which showed the whole of the prisoner's move ments at the time of the committal of the urder Therefore, it was absolutely impos sible that the murder could have been com mitted by the man in the dock The strong est piece of evidence brought forward by the the prosecution was that of the witness Ha oleton, who swore that the prisoner used threats against the life of the deceased But the language was merely the outcome of a passionate Irish nature, and was not sufficient to prove the crime to have been committed by the prisoner. The defense which the prisoner set up was that of an alibi, and the evidence of the witnesses for the defense proved conclusively that the prisoner could not, and did not, commit the nurder Finally, Calton wound up his elab orate and exhaustive speech, which lasted for over two hours, by a brilliant peroration calling upon the jury to base their verdict apon the plain facts of the case, and if they

iid so they could hardly fail in bringing in a verdict of "not guilty." When Calton sat down a subdued murnin of applause was heard, which was instantly suppressed, and the judge began to sum up which he did strongly in favor of Fitzgerald The jury then retired, and immediately there was a dead silence, in the crowded court—an annatural silence, such as must have fallen on the blood loving Roman populace when they saw the Caritian martyrs kneeling of the bot yellow sands of the arena, and watched the long lithe forms of hon and canther creening stealthilly toward their panther creeping stealthily toward their

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"POLK LORE" Bourbon, Ind., says: "Both myself From the Aborignal Indians of this and wife owe our lives to Shiloh's Con- country-the early trappers and piosumption Cure. R. Phillips. neers learned that the RATTLE SNAKE

brought Mr. Fitzgerald to see the 'Queen." "Who's 'ef' asked Sal, puzzled. "Mr Fitzgerald, the gentleman you brought the letter for to the Melbourne club." "Oh, 'im?" said Sal, a sudden light break ing over her wan face. "I never know'd his name afore." Calton nodded complacently "I knew you didn't," he said. "that's why ou didn't ask for him at the club." "She never told me 'is name," said Sal, jerking her head in the direction of the bed. 'Then who did she ask you to bring to

her " asked Calton, eagerly. "No one," replied the girl. "This was the way of it On that night she was orfli ill an

 at beside 'er while gran' was asleep."
'I was drunk, blast ye," broke in gran flercely. "none of yer d— lies, I was blaz ing drunk, glory rallelujah."
'An' ses she to me, she ses," went on the girl, indifferent to her grandmother's inter-mention. "Get me sume nerget and a nergil ruption, "'Get me some paper an' a pencil an I'll write a note to 'im, f will.' So I goes an gits 'er what she arsks fur out o' gran's

"Stole it, blast ye," shrieked the old bag: shaking her fist. "Hold your tongue," said Kilsip in a per

emptory tone. Nother Guttersnipe burst into a volley of oaths, and having run rapidly through all she knew, sutsided into a sulky silence.

took off "She wrote on it," wont on Sal. "and then and went arshed me to take it to the Melbourne clut witness an give it to 'im. Sos I, 'Who's 'im? Ses the bar she, 'It's on the letter, don't you arsk no the bar she, 'it's on the letter, don't you arsk no the bar she it to 'im. Ses I, 'Who's 'im? Ses man, who wanted him to leave the hotel. He now that Whyte had left his coat behind him, questions an' you won't 'ear no lies, but give

it to 'im at the club, an wait for 'im at the and took it up with the intention of giving it to him. As be stood in the street some one snatched the coat from him, and made off with it. He tried to follow the thief, but Take me to 'er, 'and I tooked 'im."

Calton questions Sal Rowlins, "Ah! that explains it," muttered Calton to himself. "Come now," he said cheerfully, "tell me all that happened on the night you

"But who the devil is this woman they develop the had examined the body of the call the 'Queenf'" said Calton, irritably developed would give evidence that the death "She seems to be at the bottom of the whole while any seamed by inhalation of chloroform. As -every path we take leads to her." know hardly anything about her," re-

plied Kilsip, "except that she was a good looking woman of about 40. She came out from England to Sydney a few months ago, then on to here. If she got to Mother more about this dead woman than sile chooses to tell. "But what could she have told Fitzgerald

to make him act in this silly manner! A stranger who comes from England and dies in a Melbourne slum can't possibly know in a Melbourne slum can't possibly know anything about Miss Frettiby." Kilsip looked puzzled.

"I must confess that it is a riddle," he said at length. "but if Mr Fitzgerald would only speak, it would clear everything up."

"What, about who murdered Whyter" "Well, it might not go so far as that, but it might supply the motive for the crime.

"I dare say you are right," answered Cal ton, thoughtfully, as the detective rose and put on his hat "But it's no use. Fitzger aid, for some reason or another, has evidently made up his mind not to speak, so our only hope in saving him lies in finding this girl." "If she's any shear in A articular can max "If she's anywhere in Australia you may be sure she'll be found," answered Kilsip confidently, as he took his departure. "Aus tralia isn't so overcrowded as all that."

> CHAPTER XVIL THE TRIAL.

In spite of the utmost vigilance on the

part of the police, and the offer of a large reward both by Calton, on behalf of the accused, and by Mr. Frettiby, the much desired Sal Rawlins still remained hidden. The millionaire had maintained a most friendly attitude towards Brian throughout the whole affair. He refused to believe him guilty, and when Calton told him of the defense of proving an alibi by means of Sal Rawlins, he immediately offered a large reward, which was enough in Itself to set every person with any time on their hands hunting for the missing witness. All Aus tralia and New Zealand rarg with the ex-tremely plebeian name of Sal Rawlins, the papers being full of notices offering rewards, and handbills of staring red letters were posted up in all railway stations. Notwith sired Sal Rawlins still remained hidden. The but and this of staring red actors were posted up in all railway stations. Notwith-standing all this, Sai Rawlins was still un-discovered, and Calton, in despair, began to think that she must be dead. But Madge, though at times her courage gave way, was will become

Il hopeful. "God will not permit such a judicial crime be committed as the murder of an inno-at man," she declared. Mr. Calton, to whom she said this, shook head doubtfully. "God has permitted it

I doubtfully. "God has permitted it place before," he answered softly, e can only judge the future by the

ast." At last, the day of the long expected trial same, and as Calton ast in his office looking over his brief, a clerk entered and told him Mr. Frettlby and his daughter wished to see in the

he could not do so, being too intoxicated He then went home and to bed, as he had to leave early for the country in the morning. had now fully shown the chain of ev dence which he proposed to prove, he would In cross-examination Calton-When you went into the street, after leaving the hotel, did you see the decall the first witness, Malcolm Royston.

cipally

Calton-Are you sure?

ember

like wildline. "Re ness Sal Rawlins!"

CHAPTER XVIII

Royston, on being sworn, gave the same evidence as he had given at the inquest, from then on to here. If she got to Mother Guttersnipe's I can ad out though Pve roman, but she's count, but she's a close as waz, and it's my belief she knows pared to swear that the man who hailed the cab, and the man who got in with the deceased, were one and the same person.

Witness-I am. Calton-You are quite certain? Witness-Yes: quite certain. Calton-Do you then recognize the prisoner

as the man who hailed the cab? Witness thesitatingly;-l cannot swear to

that. The centleman who hailed the cab had his hat pulled down over his eyes, so that I could not see his face; but the height and general appearance of the prisoner are the same Calton-Then it is only because the man who got into the cab was dressed like the prisoner on that night that you thought they

were both the same? Witness-It never struck me for a minute that they were not the same; besides, he spoke as if he had been there before. I said—"Oh, you've come back," and he said—"Yes, fm going to take him home," and got into my

Calton-Did you notice any difference in

Witness-No: except that the first time

I saw him he spoke in a loud voice and the second time he came back, very low Calton - You werd sober, I suppose! Witness (indigmantly) - Yes; quite sober. Calton-Ahi You did not have a drink. say at the Oriental hotel, which, I believe, is near the rank where your cab stands? Witness (hesitating)-Well, I might have had a glass. Calton-So you might; you might have

had several. Witness (sulkily)-Well, there's no law

against a cove feeling thirsty. Calton-Certainly not: and I suppose you took advantage of the absence of such a law Witness (definitly)- Yes, I did. Calton-- And you were elevated?

Witness-Yes, on my cab. [Laughte Calton (severely)-Yon are here to give evidence, sir, not to make jokes, however elever they may be. Were you or were you

not slightly the worse for drink? Witness-I might have been. Calton-So you were in such a condition that you did not observe very closely the man sho halled you?

who hailed you? itness-No, I didn't; there was no rea son why I should; I didn't know a murder was going to be committed. Calton-And it never struck you it might

Calton-And it never struck you it might be a different man? Witness-No, 1 thought it was the same man the whole time. This cloved Rowston's evidence, and Calton sat down very dissatisfied at not being able to elicit anything more definite from him. One thing appeared clear, that some one must have dressed himself to resemble Brian, and spoke in a low voice because he was afraid of betraying himself. Clement Rankin, the next witness, deposed to having picked up the prisoner on the St. Kilds road, between 1 and 2 on Friday morn-ing, and driven him to Powlett street. East Melbourne. In the cross-examination Calton elicited one point in the prisoner's favor. Calton-Is the prisoner the same gentleman

the prisoner the Powlett street

T Did you see

No, his has was pulled down over a I could only see the ends of his ad his data, has he carried him or as the prisoner, and his mus-man light color.

"And what like was the gentleman!" "Oh, werry good lookin'," said Sai "Werry tall, with yeller 'air an' mustache. He 'ad party clothes on, an a masher coat, an a soft

"That's Fitzgerald right enough," mut tered Calton "And what did he do when he Witness-No, I did not, but I was very

drunk, and unless deceased had spoken to me, would not have noticed him, 'He goes right up to 'er, an' she ses. Are you ef an 'e ses, 'I am. Then ses she, Do you know what I'm a-goin' to tell you' an 'e says, No. Then she ses, 'It's about 'er;' an Calton-What was the deceased excited about when you net him? Witness-I don't know He did not say ses 'e, looking very white, 'Ow dare you 'ave er name on your vile lips f an she gits up an screeches. 'Turn that gai out, an I'll tell yon an 'e takes me by the arm an ses e Calton-What were you talking about? Witness-All sorts of things, London prin Calton-Did the deceased mention anything

"Ere, git out, an' I gits out, an' that's all I knows." "And how long was he with her!" asked witness (surprised)-No, he did not. Calton, who had been listening attentively "Bout arf a hour," answered Sal "I takes in back te Russell street about twenty five minutes to 2, 'cause I looked at the clock Witness-Quite sure. Calton-What time did you get home!

Witness-I don't know I was too drunk on the postoffice, an' 'e gives me a sov . as This closed the case for the crown and as ien 'e goes a tearin' up the street like any it was now late, the court was adjourned till thing. "Take him about twenty minutes to walk the next day The court was soon emptied of the busy, chattering crowd, and Calton, on looking over his notes, found that the

to East Melbourne," said Calton to himsell "So he must just have got in at the time Mrs. Sampson said. He was in with the result of the first day's trial was two points in favor of Fitzgerald. First, the discrep ancy of time in the evidence of Rankin and the landlady, Mrs. Sampson. Second, the Queen the whole time, I suppose?" he asked, looking keenly at Sal. "I was at that door," said Sal, pointing to

evidence of the cabman, Royston, as to the it, "an' 'e couldn't 'ave got out unless l' seen 'im."

evidence of the cabman, Royston, as to the wearing of a ring on the foreinger of the right hand by the man who murdered Whyte, whereas the prisoner never wore rings. These were slender proofs of innocence to put against the overwhelming mass of evi-"Oh, it's all right," said Calton, nodding "On, it's an right, "and canon, "article of the second sec ce in favor of the prisoner's guilt The "I dunno," answered Sal. "I was at the door, an they talks that quiet I couldn't ear deneration ravie of the product signific Table opinions of all were pretty well divided, some being in favor and others against, when suddenly an ovent happened which surprised every one All over Melbourne extras were posted and the news passed from lip to lip like wildline. "Return of the missing wit-mer Soi Bardine". 'em. Ther he sings out, 'My G-, it's to horrible' an I ear a larfin like to bust, an then 's comes to me, and ses, quite wild like. "Take me out of this 'ell' an' I tooked 'im." "And when you came back! "She was dead."

## "Dead "

"As a blessed door nail," said Sal, cheerfully

SAL RAWLINS TELLS ALL SHE KNOWS. "An I never know'd I was in the root Apd, indeed, such was the case. Sai llaw-lins had made her appearance at the eleventh bour, to the heartfelt thankfulness of Caiton, with a blarsted corpse," wailed Mother Gut tersnipe, waking up "Cuss er, she was sillays a doin contrary things." "How do you know?" said Calton, sharply,

hour, to the heartrest thankfulness of Calton, who saw in her an angel from heaven, sont to save the life of an innocent man. Lawyer Calton and Kilsip went to the humble abode of Mrs Rawlins, familiarly us be rose to go. 'I know'd er longer nor you, cuss ye,"

croaked the old woman, fixing one evil eye on the lawyer "an I know what you'd like to know but ye shan't, 'e shan't." Calton turned from her with a shrug of his own as Mother Guttersnipe When they entered the squalid, dingy passage that led to Mother Guttersnipe's abode, they saw a faint light streaming down the stair. As they climbed up the shaky stair, they could hear

Calton turned from her with a surug of his shoulders You will come to the court to-morrow with Mr Kitsip," he said to Sal, "and tell what you have just now told me." "It's all true, s'elp me," said Sal, eagerly. "It's all true, s'elp me," said Sal, eagerly. " a was erre all the time." Calton stepped towards the door, followed by the detective, when Mother Guttersnipe chimben up the shary star, they could hear the rancerous voice of the old hag pouring forth alternate blessings and curses on her prodigal offspring, and the low tones of a girl's voice in reply On entering the room Calton saw that the sick woman who had teen lying in the corner on the accasion of ms hat visit was gone. Mother Guttersnipe

"Where's the money for finite 'er?" she exted to front of the deal table with a

was sected in front of the deal table. With a hards a cap and set favorite bothe of spirits before her. She was evidently going to have a night of it, in order to ecclearite Sai's re-nary, and had commenced early so us to have as time to acressif was sented on a toblen thair and could certain against the walk Substant in a Callon and the deterive enwhere's the money for thin' of she errected, pointing one skinny linger at Sai "Well, considering the girl found uerself, and will remain thre" "An This to be done out of my and earned tin step mer yelled the old fury "Cass ye. I'll ave the inwr of ye, and get you put to mod."

nestionst up as t alton and the deterive effective real, and they saw saw was a fail "dende common of about 25 not bad should be then pailed and margard faces. Size was ressed in a kind of tawdry blue frees, one also and towa, and and an old tartan size were her shoulders, which she drew tight pross her brenst as the strangers entered I'll ave the law of ye, and get you part not." You'll go there yourself if you don't take "You'll go there you don't further an Pentrig", an it ain't 'urt me, it ain't I'm se lively us a gal, blart ye, and cus yo." And the old fray, to prove the truth of her words, danced a kind of war dance in front of Me. Ching a series and yell

and streamed out during bor grat what with her grosseque looks and light of the carelle, she looked a

aid gently, making the girl at again, for indexet she booked too "Just tell him what you told

and air and Bat, in a low,

rter to 12 o'clock on Thursday, 26th July did not know what his name was He met me shortly after I, at the corner of Russeli and Bourke streets, where I had been told to wait for him. I took him to my grand mother's place, in a lane off Little Bourke street There was a dying woman there who had sent for him. He went in and saw her for about twenty minutes, and then i took him back to the corner of Bosrke and tusseli streets I heard the three-quarters

trike shortly after I left him. Crown Prosecutor- You are quite certain that the prisoner was the man you met ou at night? Witness-Quite certin', s'elp me G-Crown Prosecutor-And he met you a few

utes past ! o'clock/ 'itness-Yes, 'bout five minutes. I 'card the clock a strikin 1 just afore he came down the street, and when I leaves 'im agin, it were about twenty five to 2, 'cause it took me nutes to git 'ome, and I 'eard the clock go three quarters just as I gets to the door Crown Proscutor-How do you know it was exactly twenty five to 2 when you left Witness-'Cause I sawr the clocks I left

m at the corner of Russell street, and comes icwn Bourke street, so I could see the post orflice clock as plain as day, an when I gets nto Swanton street, I looks at the town all premiscus like, and see the same time there Crown Prosecutor - And you never lust aght of the prisoner the whole time? Witness-No, there was only one door by

the room, an' I was a sittin' outside it, an' then he comes out be falls over me. Crown Prosecutor- Were you asleep? Witness-Not a blessed wink.

Calton then directed Sebastian Brown to e called, who deposed: I know the prisouer He is a member of a Male the Melbourne club, at which I am a waiter I remember Thursday, 26th July On that night the last witness came with a letter to the prisoner It was about a quarter to 12

She just gave it to mo, and went away 1 delivered it to Mr Fuzgerald. He left the club at about ten minutes to 1. This closed the evidence for the defense. This closed the evidence for the defense and after the crown prosecutor had made his speech, in which he pointed out the strong evidence against the prisoner, Calton arose to address the jury. He was a fine speaker and made a splendid defense. Not a single point escaped him, and that brilliant piece of oratory is still remembered and spoken of demonster in the constant of Tomple court

ngly in the purlieus of Temple court Chancerv lane I chancerv lane le began by giving a vivid description of

and that they and other is failed to identify me man who entered the cut with the pris-mer in the lock. The supposition that the prisoner and the man is the light cont term, me and the same person rested solely upo-the exchange of the manner. It your who heagh not information are judging from identify statements, not in a fit state to dis tinguish between the main who tailed the end and the same best and in. The crime was

tring drunt near the Sectch church tainly there was no evidence to show the present that picture it before to seared entered the call but, on the nand, there was no evidence to show to and there are no evidence to show to and the show the show the show the show the show the and the show the s and Parks at the Re-

lighted, and there was a sickly glare through the wide hall, which added to the singularity of the scene Fitzgerald had been taken on of court on the retiring of the jury, but the spectators stared steadily at the empty dock which seemed to enchain them by some indescribble fascination. They conversed among themselves only in whispers, until even the whispering ceased, and nothing coald be heard but the steady ticking of the clock, and now and then the quick drawn breath of some timid onlooker Suddenly a woman, whose nerves were overstrung, shricked, and the cry rang weirdly through the crowded hall. She was taken out, and again there was silence, every eve being nov fixed on the door through which the jury would reissue with their verdict of life or death. The hands of the clock moved slowly round a quarter a half three quarters and then the hour segued with a silvery ring which startled every one. Madge, sit ting with her hands tightly clasped together

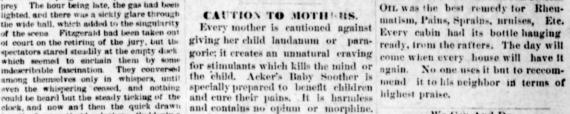
would give way "My God," she muttered softly to berself, "will this suspense never Just then the door opened, and the jury re-entered. The prisoner was again placed in the dock, and the judge again resumed his

seat, this time with the black cap in his pocket, as every one guessed.

The usual formalities were gone through, and when the forman of the jury stood up-very neck was craned forward, and every ar was on the alert to catch the words that ell from his lips The prisoner flushed i ent from his tips the prisoner utsion and nittle, and then green pale as death, giving a quick, nervous glance at the quiet figure in black, of which he could just catch a glimpse. Then came in the verdict, sharp and decrive. Not guilty "

On hearing this a cheer went up from every me in the court, so strong was the sympathy with Brian. In vain the crier of the court yelled.

Order!" until he was red in the face. In vain the judge threatened to commit all pres-ent for contempt of court-bis voice being in audible, it did not matter much-the enthusiasm could not be restrained, and it was five minutes before order was obtained. The guarantee by Baird Drug Co. udge, baving recovered his composilivered his judgment and discharge prisoner in accordance with the verdict. Cal ton had won many cases, but it is question able if he had ever heard a verd gave him so much satisfaction as that which



giving her child laudanum or para- ready, from the rafters. The day will come when every house will have it for stimulants which kills the mind or again. No one uses it but to reccomspecially prepared to benefit children highest praise. mend it to his neighbor in terms of Sold by Baird Drug Co. Guarcatee Acker's Blood elixir for it

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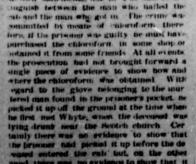
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t our paper and DEMOREST's MONTPLE at a



the circumstances of the murder-of the neeting of the murderer and bis victim in Collins street. Fast- the cab driving down to St. Kilda- the getting out of the cab of the

he way in which he had secured nime-it igninst pursuit. Having thus enchanned the ittention of the jury by the graphic manner which he learnized the crime, he pointed in that the syntemes brought forward by a presention was purely circumstantial and that they had atterty failed to identify