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We are getting our new goods in shape for a handsome display at an opening in a few days, and we are marking down the price of many articles carried over from last season.

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3 Days

Wednesday
Thursday
Friday

Starting at 2 p. m.

WEDNESDAY

Rare China,
Superb Cut Glass,
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Imported Brie-a-Brac,
French Dolls,
Finest Toys.

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Bad Colds
And
Pneumonia

Cured By

FAIR'S
Pneumonia Cure

50 Cents a Bottle.

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THE BUTTE UNDERTAKER
Practical Undertakers and Embalmers.
140 W. Park St., Butte. Phone 307.

BILL OF EXCEPTIONS

FILED IN THE BORDEAUX DIVORCE CASE.

ERRORS IN RULINGS ALLEGED

Grounds Upon Which Judge Clancy's Allowance of \$1300 to Mrs. Bordeaux to Meet Expenses of Appeal Is Contested.

The plaintiff's bill of exceptions in the divorce case of John R. Bordeaux against Mrs. Ella F. Bordeaux has been filed in the district court.

The bill of exceptions is to the court's order allowing Mrs. Bordeaux attorney's fees and expense money.

The bill relates all the proceedings that have taken place in the case since a verdict divorcing the plaintiff from the defendant and a decree confirming the same were rendered in Judge Clancy's court.

These proceedings were directed to the matter of the defendant's obtaining a new trial of the case.

Allowance to Wife.

The bill shows that Judge Clancy granted Mrs. Bordeaux an allowance of \$1000 for attorneys' fees and \$325 to meet other expenses involved in an appeal, since the decree of divorce was entered in the case.

The bill of exceptions says that the plaintiff took an exception to the order granting this allowance, and to each item and ruling of the court. The bill says that the court erred for the following reasons:

First—That judgment and decree had been made, rendered and entered in said cause prior to the making of said order and for that reason the court could not grant to the defendant counsel fees in said cause for services already rendered.

Has No Jurisdiction.

Second—That judgment and decree having been made, rendered and entered in said cause, the court had no jurisdiction to order plaintiff to pay the defendant, or into court for her, any money to pay or defray expenses or costs already incurred.

Third—Judgment and decree having been made, rendered and entered in said cause in favor of the plaintiff and against the defendant, the court had no jurisdiction or authority to make said order or any part thereof.

Fourth—It was error for the court to require the plaintiff to pay to the defendant, or into court for her, any sum of money whatever, for services of counsel upon motion of new trial, for the reason that there was no showing of merits in the defendant's contention in her motion for a new trial, either in the district court or the supreme court of the state.

Order Is Erroneous.

Fifth—Said order is erroneous, in that it allowed defendant counsel fees for the supreme court, when no appeal or other proceeding had been taken in said cause by the defendant to said supreme court.

Sixth—Said order is erroneous, in that it directed the plaintiff to pay to the clerk of the court the sum of \$325, out of which to pay the costs and expenses of transcribing testimony to be paid the defendant's attorney.

CHANCE FOR WEATHER SHARPS.

Position With an \$1800 Salary Awaits Some Bright Young Man.

The United States civil service commission announces that at the request of the board of visitors to the United States naval observatory, an examination will be held December 11, 12, 13, 1901, at various places throughout the United States, for the position of assistant astronomer in the United States naval observatory, at a salary of \$1800 per annum.

The examination will consist of the subjects mentioned below, which will be weighted as follows:

Subjects—Weights.

1—Pure mathematics, practical and spherical astronomy, celestial mechanics, general mechanics, optics and French and German..... 20

2—Experience (a) in making astronomical observations, (b) in making and repairing, mounting and dismounting and in caring for astronomical instruments, including auxiliary apparatus..... 40

3—Ability to carry on original astronomical investigations as evidenced by printed memoirs or otherwise.... 40

Total..... 100

The examination on the technical subjects under "1" will be entirely of a scholastic character, and will occupy three days. Under the second and third subjects applicants will be expected to submit evidence of their experience and ability. This evidence should be full and complete. The statements of the applicants on application form 375 will also be considered in connection with the rating of the second and third subjects.

Age limit 20 to 45 years.

This examination is open to all citizens of the United States who comply with the requirements and desire to enter the service. It should be stated, however, that it will be useless for anyone to apply who has not had considerable training and experience along the lines referred to in the subjects of the examination.

All persons who consider themselves qualified are invited to apply, and such persons will be examined and graded with entire impartiality and wholly without regard to any consideration save their ability as demonstrated by their examination.

Persons who desire to compete should at once apply to the United States civil service commission, Washington, for application blanks.

RESPONSIBILITY NOT FIXED.

Coroner's Jury Fails to Place Blame for the Killing of Clyde Rule.

At the coroner's inquest over the body of Clyde Rule, held at Richards' undertaking rooms, the jury brought in a verdict of death by being crushed between the elevator cage and the grating of the shaft in the Montana apartment house.

Much to the disappointment of the coroner the responsibility for the accident was not fixed by the jury, and the question remains to be settled whether the boy was killed through his own carelessness or by reason of dangerous defects in the elevator or its appliances.

There were a large number of witnesses called and the taking of testimony lasted until dark.

Both the owner of the building and the parents of the dead lad were represented by attorneys, in view of the possible filing of a damage suit.

BUTTE NO. 2 LEADS.

Home Team Ahead in the State Bowling Contest.

With four games to be played this afternoon and this evening the bowling teams started in at 1 o'clock today to finish the tournament begun yesterday.

Owing to the fact that the full team did not come from Helena, that city is not represented in the state contest, which is to determine the championship of the state.

Butte team No. 2 carried off the honors at the Thornton alleys in the contest yesterday by winning five straight games.

Crowds were present at both the afternoon and evening games yesterday, and a large gathering was on hand when the games opened this afternoon.

WANTED—By the Symons Dry Goods Co. a ticket bearing the number 914,764.

"TEXAS STEER" DRAWS WELL.

Hoyt's Play Pleases Large Audience at Sutton's New Theater.

One "Texas Steer," belonging to Charles H. Hoyt, broke loose at Sutton's new theater last evening, and from the raising of the curtain until the going down of the same kept the audience in continued laughter.

The play has lost none of its old time brightness; in fact, it is better than ever, and crowded houses will no doubt greet it tonight and tomorrow, and at the Saturday matinee. Many local hits were worked into the performance last night, and that they took well was demonstrated by the applause from the audience.

The various characters were well portrayed, and the costuming was excellent.

BUTTE CURRENT NOTES

Card party, Nov. 27, Fidelity hall.

Louise Lodge, No. 3, O. D. H. S., will give a charity ball Sunday evening.

Remember Leys' souvenir opening, Thursday, Friday, Saturday.

"Iolanthe" will be presented by local talent at Sutton's new theater, Tuesday evening.

Orton Bros.—Pianos and organs.

The ladies of the Mountain View church gave an enjoyable supper last evening.

Tablets, envelopes and writing paper of all kinds at the P. O. News Stand.

Rev. Leslie W. Sprague of Helena will speak on "Unitarianism" at the Auditorium this evening.

E. B. Howell, attorney-at-law, Rooms 64 and 55, Silver Bow block.

According to many residents of Butte the smuggled goods game is being worked in the city.

Ella Knowles Haskell, attorney at law, offices, Silver Bow blk., room No. 32.

A decrease from \$100,000 to \$50,000 has been made in the capital stock of the Newbro Drug company.

Stand at any cigar stand and see how many more call for the Harvard than any other brand of cigars.

J. G. Bates, tuner, Montana Music Co., 119 North Main St. Telephone 504.

Silver Bow Camp, No. 5805, Modern Woodmen of America, gave its third annual ball at Pythian Castle hall last evening.

Dan Perry just arrived with a carload fresh milk cows. Inquire at the Arlington, South Butte.

The Fraternal Order of Eagles will give a social and ball at Miners' union hall, Sunday evening.

The funeral of Clyde Rule, killed in the Montana apartment house, took place this afternoon from the family residence, 529 Franklin street.

Those are significant figures—a million a week, referring to the sale of Harvard cigars. Union label. All best Havana filler. The sale is not so surprising.

Ladies, be sure to attend Leys' souvenir opening, Thursday, Friday, Saturday, this week.

Harry O'Gorman and Miss Clara Neumann were married yesterday at St. Patrick's church. They will make their home at 605 West Quartz street.

We are the agents of the Hall Safe Co.; large safes made to order, smaller sizes carried in stock. Montana Liquor company.

WANTED—By the Symons Dry Goods Co. a ticket bearing the number 914,764.

PERSONAL.

G. Watters, a resident of Victor, is numbered with the guests of Butte today.

J. B. Hereford, whose home is in Billings, is greeting his Butte friends here today.

W. J. Beager, who lives in Libby, is here today greeting his old acquaintances.

James O'Grady, a Great Falls citizen, is looking after commercial interests here today.

A. A. Merfin, resident of Pony, is here shaking hands with his old acquaintances today.

Mr. and Mrs. Thomas C. Black, whose home is in Helena, are calling on friends here today.

E. A. Gray is one of the visitors from the Capital City who is spending the day in the city.

J. F. Frankland, whose home is at Gregson, is here today attending to some personal interests.

C. E. Conran, a well-known Kallispell resident, is greeting his friends on the streets of Butte today.

O. S. Warden, who comes from Great Falls, is renewing his acquaintance with old friends here today.

J. R. Conway, who hails from Billings, is finding business matters to take up his attention here today.

T. R. Mark, a citizen of Twin Bridges, is spending the day in Butte looking after some business interests.

George Metcalf, a citizen of Phillipsburg, is among the outsiders to be seen on the streets here today.

The Press club intends that the house warming tendered to John Maguire shall be a success every way. The program will be an attractive one. Mr. Maguire is now arranging the same. Details will be published in a few days.

WANTED—By the Symons Dry Goods Co. a ticket bearing the number 914,764.

OVER A LOST COAT

A LAWYER TELLS HOW A FRIEND CAUSED HIM TROUBLE.

WALKED AWAY WITH AN ULSTER

Left the Garment in a Restaurant and Then Said He Had Misaid His Own Surtout.

"I suppose you have heard the old saying about the necessity of a man being protected from his friends," said a local attorney to a party of men in the lobby of the Butte this morning. "Well, I had a little experience about a week ago, that makes me begin to think there is some truth in the old expression.

"This is a story that centers about an overcoat. After I had been talking with a friend in my office and after he had departed, I began to get ready to go to dinner.

"I discovered that my overcoat was missing. No one except my old friend had been in the office since I had seen the coat, and so I immediately began to suspect that he had walked off with my surtout.

Friend Professed Ignorance.

"I was unable to locate him for a day or two, and when I did find him I asked him if he had my coat; and he declared he knew nothing about it. I was surprised at his denial, and questioned him more closely.

"He informed me that he had lost a coat himself in a restaurant on the same evening on which mine disappeared. I thought that was strange, and went around to the restaurant named by my friend to see about the overcoat mix-up.

"Somewhat to my surprise, I found my own coat at the eating house. I asked the proprietors of the place how they came by the coat, and they said they knew nothing about how it drifted into their possession except that it was found on the rack where customers hung their coats.

"I had found my coat all right, but how it came to be where it was appeared as much a mystery as ever. Finally I looked up my old friend again and inquired of him how he came to lose his coat.

"He explained that he knew nothing about it except that when he was through eating his garment was not in sight in the restaurant.

Sees a Great Light.

"About that time the explanation of the whole thing dawned upon me. My friend had worn my coat into the restaurant, thinking that he had on his own. When he was through eating he did not see his own coat and thought someone had walked off with it.

"In that way my coat was left in the cafe without anyone to claim it until I went after it myself.

"My friend was guiltless of any evil intention in the matter, you understand, but just the same it was he who came near making me rush to a tailor for a new winter overcoat.

"He carried my garment away and left it and strangers protected the property for me. That is why I say there may be something in the saying that a man needs protection from his friends at times."

WANTED—By the Symons Dry Goods Co. a ticket bearing the number 914,764.

HOTEL ARRIVALS.

At the Butte—James S. Forrest, New York; J. H. Thompson Chicago; F. W. Whalen, M. Ryan and F. P. Fagnen, Anaconda; J. F. Frankland, Gregson; J. C. McLeod, Philadelphia; John G. Hendel, St. Paul; A. A. Merfin, Pony; George Metcalf, Phillipsburg; S. R. Watters, Ogden; J. H. Conway, Billings; C. E. Emerson, San Francisco; G. Watters, Victor; R. A. McAllister, Milwaukee; A. G. Mackenzie, Salt Lake.

At the Thornton—E. A. Gray, Helena; L. F. Thiel, Milwaukee; G. W. Whitson, Chicago; A. L. Dowber, Peoria; Thomas F. Milligan, New York; O. S. Warden, Great Falls; John Kielzick, Milwaukee; Mr. and Mrs. Thomas C. Black, Helena; James O'Grady, Great Falls; C. H. Henry, San Francisco; Mrs. B. Schoolfield, Danville, Va.; T. Thorne, Wabash, Ind.; F. H. Marsh, Helena; C. E. Conrad, Kallispell.

At the Fenlen—Martin Buckley, Helena; C. W. Phelps, North Abany, Ind.; W. J. Beager, Libby, Mont.; J. Bawden, Missoula; H. T. Vanellis and O. F. Johnson, Anaconda; John Bannan, West Superior, Wis.; W. D. Randall, Great Falls; Charles C. Buyham, Denver; T. R. Mark, Twin Bridges; C. B. Fletcher, Des Moines; E. J. Gariand, Seattle; H. C. Price, Helena; J. B. Hereford, Billings; O. A. Baker, Chicago; E. Barrett, Duluth; L. H. Mickel, Helena.

Be sure you get the beautiful souvenir at Leys' opening Thursday, Friday, Saturday.

GAINS HIS LIBERTY.

Man Charged With Diamond Brooch Theft Gives Bond.

J. H. Moore, a former waiter at the Thornton hotel, charged with stealing a society lady's diamond brooch, who had been in the county jail for a couple of weeks, furnished a bond of \$1000 last night and secured his liberty.

His bond was signed by Ed Rose, Morris Perelson, A. L. Green and Herman Blank.

Moore was held for trial in the district court by Judge McClernan, November 13, on a charge of grand larceny. His trial has not been set yet. He is accused of stealing a diamond brooch worth \$1000, at the Thornton hotel a month or more ago.

There was a festivity at the hotel, and Moore helped a lady on with a wrap. A diamond brooch worn by the lady disappeared at the dinner, and Moore was later arrested on the charge of stealing it.

TRIALS GO OVER.

Burglary and Obtaining Goods Falsely Cases Continued.

In Judge McClernan's court this morning the case of H. A. McClellan, set for trial today, was continued to Tuesday at 11 o'clock. McClellan is charged with obtaining goods by means of false pretenses.

The information accuses him of representing himself to an Idaho commission house, Harris & Co., as being in the commission business here, and by such alleged false pretension obtaining a carload of potatoes worth \$400. The information says that he pretended to own warehouses in Butte.

The case of Thomas Howard, charged with burglary, had been set for trial yesterday, but the setting was vacated by Judge McClernan. The postponement of these trials was due to the fact that the court was occupied with the trial of Jesse Hefflin for robbery.

WOMAN ALLEGES ASSAULT.

Gus Nehof Arrested at the Instance of Minnie Pascoe.

Officer Parrini yesterday evening arrested Gus Nehof on a charge of assault and battery in the third degree.

Nehof is a hod carrier, and is charged with assaulting and beating one Minnie Pascoe.

According to the woman's story, there were circumstances connected with the assault and battery peculiarly revolting and which may result in a severe sentence being imposed.

"Sappho" at Maguire's.

The Olga Nethersole version of Daudet's romantic play of "Sappho" will be produced at Maguire's Grand, Sunday matinee and night. This play drew at Wallack's theater New York for nearly two years. The play will be elegantly staged, and no doubt of its having big audiences. The advance sale of seats begins tomorrow morning.

Account to Be Settled.

Morning McClernan made an order this morning setting December 9 for the settlement of the final account of the executor of the estate of William Newbury, deceased. The only property in the estate is a farm in Cascade county. The costs of the administration were \$17.50, and they were advanced by Mrs. Sadie Murphy.

Bonds Are Furnished.

George A. McDonald and W. G. Moffat, charged with grand larceny in stealing a red cow worth \$75, advanced bonds of \$500 each last night and were liberated from jail. The cow was the property of Mrs. Ledger Michaud of Centerville. Henry Symons and J. E. Oppenheimer are bondsmen for the defendants.

No Session of Police Court.

There was no session of Judge Boyle's court this morning. May Edwards, Anna Lacey and Sadie Lewis were arrested by Captain of Police Everts and Patrolmen Lawson and Loughrin on charges of frequenting the streets, and all pleaded guilty without trial.

Dissolution Notice.

This is to notify the public that the co-partnership heretofore existing between W. F. Scheffel and J. C. Sullivan is hereby dissolved by mutual consent. Both parties retiring.

J. C. SULLIVAN,
W. F. SCHEFFEL.

CULLEN WAS ARMED

HE HAD A REVOLVER, RIFLE AND PLENTY OF CARTRIDGES.

WHAT DID HE INTEND TO DO?

His Movements Were Suspicious and an Officer Arrested Him—The Weapons Found in His Possession—Sent to Jail.

What did John Cullen intend to do with so many guns?

A few days ago Cullen was released from the penitentiary at Deer Lodge, where he had served seven years for a burglary committed in Lewis and Clark county.

On the morning of the day of his release he came to Butte, but in the evening he returned to Deer Lodge with all kinds of guns in his possession. He was a veritable walking battery. Shortly after he drew up there Thomas Stuart, the city marshal, received a warning that Cullen's quick return had some meaning to it; so he rounded up Cullen and placed him under arrest on a charge of being a suspicious character.

Down in Deer Lodge the officers do things a little different to what is sometimes done in other places.

Tom Stuart did not care to take chances on Cullen while en route to the municipal iron-barred wicket-up. He did not know what Cullen might have "up his sleeve," but determined to find out before starting.

He realized the fact that many officers have been shot for failing to search their prisoners as soon as the arrests were made, and so decided to take an inventory of Cullen's pockets.

So before starting for the prison he "went through" Cullen's clothes in the most approved style and was rewarded by finding in one of his pockets a large double-action revolver and two boxes of cartridges.

When Cullen alighted from the train on his return from Butte it was noticed that he had in his possession a roll of three new blankets that seemed to have more weight than blankets usually have.

He went to the McBurney house and the blankets went with him. After his arrest the roll was opened and found to contain a Winchester rifle and another box of cartridges for the rifle.

On the following day he faced Judge Powell on a charge of carrying concealed weapons and was fined \$100 and costs, aggregating \$104.

Not having that amount of cash with him he went to jail to serve it out at the rate of \$2 per day.

Cullen would not tell what the object of his visit to the place was, but the supposition is that he either intended to kill someone or aid some of his prison friends to escape.

After his release from jail he is to be notified that his presence in Deer Lodge is not desirable and that the quicker he gets out of town and stays out the greater will be the admiration of the populace for him.

Our Rubber List

We Show Them in Every Window.

Men's Arctics..... \$1.00
Boys' Arctics..... .90
Misses' Arctics, 11 to 2..... .75
Children's Arctics, 5 to 10 1/2..... .60

Men's 4-buckle Overshoes..... \$2.50
Ladies' 4-buckle Overshoes..... 1.75
Misses' 4-buckle Overshoes, 11 to 2..... 1.50
Children's 4-buckle Overshoes, 5 to 10 1/2..... 1.25

Special Line School Gaiters, Heavy Soles, Two Buckles.

Women's heel or spring heel..... \$1.25
Children's, sizes 6 to 2..... 1.00

Men's Storm Alaskas..... \$1.25
Women's Storm Alaskas..... 1.00
Misses' Storm Alaskas..... .75
Children's Storm Alaskas..... .60

Men's Storm Rubbers..... .75
Women's Storm Rubbers..... .50
Misses' Storm Rubbers, 11 to 2..... .40
Children's Storm Rubbers..... .35

Men's heavy overs, for felt boots and German socks, Men's shoe packs, high or low cut.

Lumber and wood camps supplied at special prices. We invite correspondence.

\$3.50 SOROSIS SHOES \$2.95

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The Shoe Man
27 N. Main St.