

DEFEATED DEMOCRATIC CANDIDATE FOR COUNTY CLERK AND RECORDER DEMANDS RECOUNT OF VOTE

WAR WITH VENEZUELA NOW APPEARS TO BE IMMINENT

Castro Has Arrested All German and British Subjects Within the Republic.

AND BRITISH HAVE TAKEN ONE OF CASTRO'S SHIPS

Situation Becomes More Grave Every Hour and Although the House of Commons Declares That It Has Received No Official News of Seizures, Paris, Berlin and London Seem to Be Convinced That Something Is Due to Drop

London, Dec. 10.—The admiralty has received information of the seizure of the Venezuelan gunboat Bolivar at Port of Spain, island of Trinidad.

Berlin Has Heard Nothing. Berlin, Dec. 10.—The foreign office here up to noon had not received anything from Lagayra since Monday evening.

Paris, Dec. 10.—Owing to the gravity of the situation in Venezuela the foreign office has directed M. Wiener, the newly appointed French minister to Venezuela to start immediately for Caracas without waiting for the arrival here of the Venezuelan minister, General Velutini, as at first intended.

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HOUSE OF COMMONS HAS NOT OFFICIALLY HEARD IT

London, Dec. 10.—In the house of commons, Under Foreign Secretary Cranborne said the government had no official information of the seizure by the Venezuelans of 200 British and German subjects or of the seizure of the Venezuelan warships by the fleets of Great Britain and Germany.

Lord Cranborne added that the British claims which necessitated coercion would be disclosed by papers to be laid before the house. They included a demand for compensation for interference with trading vessels, the imprisonment and ill-treatment of British subjects and the destruction of property.

Replies to Mr. Bryce (liberal), Lord Cranborne said the British minister at Caracas had been instructed to wait 24 hours after the presentation of the ultimatum, and failing a reply, to proceed to Lagayra, where he was to wait another 24 hours on board a British ship.

The attitude of the foreign office here is one of relief, the arrest of the British subjects, it is held, indicating provision against ill-treatment and consequent further complications.

CASTRO HAS ARRESTED GERMANS AND BRITISH

Caracas, Dec. 9.—All German and British subjects in Caracas were arrested yesterday.

President Castro received the correspondent of the Associated Press at Mira Flores palace yesterday. In reply to questions, the president of Venezuela said:

"The Venezuelan government has received no ultimatum, properly speaking, but merely requests from Great Britain and Germany. The claims Great Britain asks this government to settle are small, and up to the present time we have not been aware of them. Never having been presented Venezuela has consequently never refused to settle them. Great Britain's action, therefore, is without justification.

Must Crush Rebellion First. "The Venezuelan government cannot decide on foreign claims before the revolution has been entirely crushed. At present the only aim of the government is the re-establishment of public order and other questions must necessarily be subservient to this object. Nevertheless, to prevent Venezuela's desire to settle all pending claims in a confirmable manner the government issued a decree during the last session of congress, dated November 28, creating a committee, to which all pending claims should be referred. No claims have been presented to this committee and no claims have been rejected. There has been no denial of justice; why, then, should foreign chancelleries intervene, thereby ignoring our laws and en-

(Continued on Page Three.)

THEY WILL BUILD THE NEW HIGHWAY

COMMISSIONERS ARE TO PURCHASE A PRIVATE ROAD AND EXTEND IT INTO JEFFERSON COUNTY.

A new wagon road will be built in the near future by the county from Columbia Gardens to the Jefferson county line on top of the range east from Butte. The county commissioners yesterday decided to purchase from Henry McCloskey, the owner of a private road covering part of the distance, whereby he is paid \$2,000 for his interest.

The county attorney had decided that the board had the right to pay this money. A large area of thickly timbered country will be opened by the new road and a connection with the highway system of Jefferson county will mean a great shortening in the distance to several important points.

The new road is considered necessary because it will afford facilities for reaching a large mining section.

New Orleans Men in Bad. New Orleans, Dec. 10.—The federal grand jury today returned indictments against Ben Commons, president of the Street Car Men's union, and 16 members of that organization for interference with the operation of mail cars during the recent street car strike here.

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However, Butte is not likely to suffer severely except from the inconveniences of the snow. There is no reason to believe that the approaching snowstorm means very severe weather.

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The suit was to quiet title to property at 520 West Granite street, in which Barsalon claimed an interest.

Ex-Congressman Drops Dead. Doylestown, Pa., Dec. 10.—Hon. Robert M. Yardley, a prominent member of the Bucks county bar, dropped dead in his office here today. He represented the Seventh district in the Fifty-fifth congress.

Police Find Hobo Whom His Companions Had Cast Out to Breathe His Last in the Cold and Filth—Remarkable Case of Depravity and Hard-Heartedness.

Hoboes do not like to have one of their number die in their midst. This accounts for the finding of Tom Hughes, almost dead and unable to move, in the alley at the rear of the old gospel mission on South Main street.

Policeman Jack Gray had his attention called to the emaciated form in the alley by people living in the neighborhood. He made an investigation. Within a few feet of the dying man was a small shack, in which were two of his companions.

The policeman entered the shack. Almost immediately he hurried back into the open air. Then he discussed with those inside the reasons for their action in forcing their companion out upon a bed of snow, when his cough of death should have been at least the best they could afford.

They Will Not Speak. Both men were sullen. They did not volunteer much information. They admitted that they had forced Hughes from the place. Each declared that he did not want his former companion to die while in the shack. For this reason he had been cast out early this morning, to live or die—his companions did not care even to the extent of watching the flight of the spirit.

While questioning the men the officer was given the benefit of some of the odors coming from the shack. These were such that he questioned whether or not the man was better off in the open air than in the filthy place, even though lying upon snow and clad only in the shabbiest of garments.

After an inspection of the premises the policeman decided that the man must be cared for. The patrol wagon was called and the miserable specimen of humanity was taken to the county jail. From that place he may be taken to the poorfarm, though it is not likely that anything can save his life.

Will Clean Them Out. The police will probably remove all of the men from the place. Policeman Gray says that it is certainly a breeding place for every kind of filth. The men inside live in the most disgusting squalor. They devote themselves to the indulgence in liquors and the use of drugs, of which they are all undoubtedly fiends.

Hughes looks as though he cannot live long. His face is the color of sulphur, so yellow that it is almost nauseating to look at it. He was just able to give his name, though the officers remarked that a "pill" might fix him so he could talk and walk very well for a time at least.

SLOWLY DYING IN DIRTY ALLEY

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MCDOWELL THOUGHT TO BE MAN KILLED

PERSON OF THAT NAME MURDERED OKLAHOMA SAID TO BE FORMER DEPUTY STATE AUDITOR.

SPECIAL TO THE INTER MOUNTAIN. Helena, Dec. 10.—News has been received here that S. K. McDowell, formerly of Helena, has been murdered in Oklahoma. It is believed that this is the S. K. McDowell who formerly held state and federal offices in the state and was prominent in Montana politics.

The meagerest of details have come from Oklahoma regarding the crime. It is said that an announcement was made last week that Mr. McDowell had died of pneumonia, but later developments showed that he had been struck in the jaw in a saloon and the blow caused his death.

S. K. McDowell was deputy state auditor under A. B. Cook in Governor Rickard's administration. Later he was deputy United States marshal under F. J. Lynde, the marshal who on his death was succeeded by Marshal Woolman.

Two years ago, when Rosebud county was organized, Mr. McDowell secured the contract to transcribe the records of the new county. Completing that work, he went to Butte and later to Seattle. From there, it is believed, he must have gone to Oklahoma. Mr. McDowell's wife and daughter are now living in Chicago.

Other contests may be filed before the close of the office of the clerk. It is understood that each of the defeated democratic candidates will claim that the fusion nominees were improperly declared to be elected. In the case of those contesting seats in the legislature the hearing will be before that body itself.

Direct Charges of Fraud Are Made in Statements. Direct charges of fraud are made in the petition and statement filed this morning. It is asserted that the county commissioners, acting as a canvassing board, went over the vote in such a manner that the fusion candidates were given the advantage. The claim is also made that the alleged frauds started with the judges and clerks of election, where the count was made in such a manner that the democrats had no chance to win.

In behalf of Mr. Ryan it is asserted that Mr. Weston was given charge of the returns during the canvass and that there was nothing to prevent him from making such alterations as might suit his fancy. The charge is made that the canvassers changed the returns as they came from the various precincts.

Each precinct is included in the charge of fraud in counting the ballots and each is given a separate paragraph in the allegations made on behalf of the claimant of the office of county clerk and recorder.

Will Try to Have the Petition Heard Soon. An effort will be made to obtain a hearing on the petition as soon as possible. The case is expected to go before Judge Harney. If it is not set in the usual manner the lawyers will ask the judge to make the setting as soon as possible.

Other petitions concerning the count of ballots will be much the same as that filed this morning in behalf of Mr. Ryan. There may be some slight changes in each case. The claim will be made in each, as it is in that filed this morning, that under each of the alleged frauds enough votes were lost to the petitioner to elect him easily.

In the petition filed by Attorneys J. Bruce Kremer and C. P. Connelly, on behalf of Patrick V. Ryan, the democratic candidate who was declared defeated, the fact that the uncanvassed returns remained in possession of John Weston, who was declared elected, without any seal to protect them, is the principal allegation.

Fraud and Malconduct Charged Against Judges. Fraud and malconduct is also charged against the judges in each of the 53 precincts of the county. The petition alleges that these counted votes regularly cast for Weston, and that this enabled the latter to secure the office. The petition makes the same allegations in the case of every precinct, the number of votes counted in this manner being asserted to be very large.

It is asserted that the county commissioners, after practicing dallying tactics for a long period, finally counted the votes. At the conclusion of the count, it is asserted, the board of canvassers announced that Weston had received 4,852 votes and Ryan 4,821 votes. A certificate of election was immediately issued to Weston and he continued his duties as county clerk and recorder.

The district court is asked to declare the election of Weston null and void and to set a date for hearing the contest of the petitioner, the latter to be declared elected to the office. It is probable that Judge Harney, before whom the case will likely go, will name a date for the hearing some time this afternoon.

Wording of Petition in Reference to Judges. The wording of the petition in referring to the conduct of the judges of election is as follows: "That in Precinct 1 of said county, at the said election, the board of judges of said precinct were guilty of malconduct and fraud, in that in counting the ballots that had been voted by the electors of said precinct at said election, the said board of judges counted for the said John Weston ballots that had been regularly voted for the contestant herein, and fraudulently counted for the said John Weston a large number of votes, to wit, more than 10 votes, which were in fact voted and cast for the contestant here for the said office of county clerk."

Figures are given in another section of the petition which asserts that the total number of ballots counted for Weston but should have been given to his opponent, was 500, more than enough to have elected him to the office for which he contests. (Continued on Page Three.)

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JUSTICE NELSON BINDS ALSOP OVER

BOND FIXED AT \$1,000, WHICH THE ALLEGED BRIBER HAS FURNISHED.

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SPECIAL TO THE INTER MOUNTAIN. Helena, Dec. 10.—Members of the Montana Society of Engineers believe that the W. R. Wanzer, reported drowned in the Wenatchee river, in the state of Washington, while conducting a survey, is W. R. Wanzer of this state.

Mr. Wanzer was both a stenographer and civil engineer. Formerly he was in the employ of the Anaconda Copper Mining company in Anaconda. Last summer he had a contract on the Great Falls & Canada widening the track to broad gauge. His contract was in Teton county. From there it is understood he went to Washington. His many friends fear that he is the man who lost his life December 6, at Wenatchee.

Professor Lorenz was asked if the hospital was to be endowed by Mr. Armour of Chicago, who brought the eminent surgeon here to treat his daughter. In reply, Professor Lorenz said: "If we make the little ones walk their parents will see our hospital does not suffer for support."

Charles C. Clarke Dead. By Associated Press. Chicago, Dec. 10.—Charles C. Clarke, president of the Mobile & Ohio, and one of the most widely known railroad men of the West, died last night at the home of his daughter, Mrs. E. T. Jeffrey, 1842 Michigan avenue, of Bright's disease with which he was attacked nine months ago.

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INGERSOLL SUIT IS UP ONCE MORE

HEIRS OF NOTED LECTURER SUE FOR FEE OF \$100,000 SAID TO BE DUE FOR LEGAL SERVICES.

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In Judge Harney's court this morning the suit of John S. Harris, administrator of the estate of the late Robert G. Ingersoll, the noted free thinker, against Henry A. Root, Joseph A. Coram and many other heirs of the estate of the late Andrew J. Davis was begun. Most of the morning was spent in the endeavor to obtain a jury.

The suit is for the collecting of a fee of \$100,000, alleged to be due the estate for legal services rendered by the noted lecturer in 1891, when an effort was made to break the will of Davis and to obtain a portion of the estate of about \$5,000,000 for those who are now sued.

It is asserted by the plaintiff that the noted speaker came to Montana and appeared in the case on the promise of a large fee in case the will was broken, his expenses to be guaranteed. After a long trial of the case those contesting for the wealth agreed on a compromise and the fee was not paid. The trial will occupy much time.

Victor Kesckemethy is the name he bears. And There is a Nice Reward of \$2,000 Out for This Fellow, So Holler Out if You See Him.

The government of Austria wants Victor Kesckemethy, and wants him badly. If the government of the power across the pond keeps up the relentless search now being made for the individual with the above jaw-breaking name the latter will surely be caught sooner or later.

Chief of Police Reynolds has received a communication from the Austro-Hungarian consul-general, now in New York, saying that Kesckemethy is expected to be journeying in this direction and warning the chief to be on the lookout for him. Incidentally a reward of \$2,000 is offered for the apprehension of the fugitive.

From the consul-general's letter to the chief it is learned that Kesckemethy was a trusted employe of the Austrian government, with a responsible position. Among other duties, he was expected to receive and audit many thousands of dollars, money belonging to the government.

Not long ago the papers of Budapest were full of the startling news that the government had absconded with funds amounting to \$17,500,000. The absconder had fled, and from the day of his escape from the Austrian capital has not been seen or heard from.

There is one thing certain—if Kesckemethy is as peculiar looking as his name is complicated, he will be spotted by the Butte police and returned to the old country to stand trial.

HARNEY'S JURORS DISTRIBUTE GIFTS

HIS HONOR AND SEVERAL COURT OFFICIALS HANDSOMELY REMEMBERED BY TWELVE MEN.

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Jurors who have been on duty in Judge Harney's division of the district court for almost three months, today presented the judge and other officials of the court with gifts to betoken their appreciation of kind treatment during the sessions.

For Judge Harney the jurors had a very fine cut-glass vase. Harry Heimerdinger the deputy clerk assigned to the court, was given a set of billion silver spoons. Bailiff Kennedy received a meerschaum pipe and John G. Noble, court stenographer, was given a fine amber and gold cigar-holder.

Ernest A. Harncastle acted as spokesman for the jurors. He presented the gifts to the officials of the court, accompanying the action with remarks that were brief but witty. The jurors referred to the long period of service in the court of the donors and of their appreciation of the treatment given them by the judge and the other officials.

Judge Harney responded briefly to Mr. Harncastle, thanking the jurors for the gift and stating that it was appreciated all the more because given with a feeling of good-fellowship, such as was expressed in the words of Mr. Harncastle.

Writ of Review in the Harper Case is Asked. Litigation of Origin in Court of Justice. Olson of Butte Is Before Helena Supreme Court.

SPECIAL TO THE INTER MOUNTAIN. Helena, Dec. 10.—Attorney C. M. Parr of Butte today made application to the supreme court for a writ of review in the case of Harper & McDonald against Neihoff & Beckman, originally tried before Justice of the Peace Olson in Butte. The suit was for \$55.

Olson, it is alleged, entered an judgment in this amount against each of the defendants instead of against them jointly and Judge McClernan refused to issue a writ to review the findings. The attorney now applies to the supreme court for that relief.

No New Petition Filed for Incarcerated Girl. Grace Husted Is Still in Jail on the Charge Upon Which She Was Brought Back Here.

The attorney for Grace Husted failed to file a new petition for a writ of habeas corpus in behalf of his client today, and the case will probably go over until tomorrow. Judge McClernan expected that the petition would be filed at the opening of court this morning.

For some reason it did not come in and the girl is still held in the county jail on the charge of vagrancy, on which she was brought back from Ogden.

Wording of Petition in Reference to Judges. The wording of the petition in referring to the conduct of the judges of election is as follows: "That in Precinct 1 of said county, at the said election, the board of judges of said precinct were guilty of malconduct and fraud, in that in counting the ballots that had been voted by the electors of said precinct at said election, the said board of judges counted for the said John Weston ballots that had been regularly voted for the contestant herein, and fraudulently counted for the said John Weston a large number of votes, to wit, more than 10 votes, which were in fact voted and cast for the contestant here for the said office of county clerk."

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