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Montana's Largest Piano Dealers

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Of the best quality And honest weight Lasts longer and absolutely guaranteed WOOD Of the same grade and Of honest measure. Dry as a bone.

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Was Made so Everyone Could Use the Piano

Is it not strange that ANY ONE should delay investigating an instrument which makes the piano so useful and is capable of giving so much genuine enjoyment?

All visitors are welcome whether curiosity or an intention to purchase prompts the visit.

The Pianola can be purchased on monthly payments. Sold only by

MONTANA MUSIC CO.

119 North Main Street

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All Kinds of Rough and Dressed

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Estimates from plans cheerfully given. Special attention to mill work of all kinds. We solicit your trade.

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IF YOU BOUGHT IT AT SHERMAN'S IT'S GOOD.

All Kinds of Coal and Wood. CITIZENS' COAL CO. No. 4 East Broadway, at Calkins.

SHOULD SUSTAIN PROTESTS

County Attorney Breen Returns His Opinion in the Petitions for Re-count and Protests Against Same--Reasons for Believing Labor Party Candidates Have the Right of the Question.

County Attorney Breen, in an opinion to S. M. Roberts, clerk of the district court, takes the position that the manner in which the petitions for a recount of the vote for seats in the legislature are verified does not comply with the law and the clerk should therefore pay no attention to them.

"I consider it your duty in all such cases to ignore all such documents filed in your office that are not properly verified," said Mr. Breen in his letter to Mr. Roberts.

After a careful perusal of the petitions and a comparison of the affidavit attached thereto, with the provisions of the code referred to, it appears upon its face that the contestants have purposely avoided complying with the plain requirements of the same. It would therefore appear that the contests have been filed merely for the purpose of annoyance or delay, instead of for the protection of any right, and are not on their face entitled to any consideration whatever.

I Should Sustain Protests.

"For the reasons above set forth, and many others that I do not feel it necessary at this time to refer to, I respectfully advise that the protests be sustained and the petitions be disregarded."

The county attorney bases his opinion on Section 2014, code of civil procedure, asserting that a petition or statement must be verified by the affidavit of the contestant party that the matters and things therein contained are true. Such is not the case in the verification of the election contests, says Mr. Breen.

As a precedent the county attorney refers to the position taken by Judge Napton in the cases in Deer Lodge county. In

these the contests were thrown out of court on the ground that there was not sufficient verification to make them worthy of attention. Mr. Breen asserts that the present cases in Silver Bow county are just the same.

Mr. Roberts will act on the advice of the county attorney and pay no attention to the petitions filed by the democrats who were declared defeated as candidates for the legislature. The recourse left to these is a mandamus proceeding in the district court asking that the clerk show cause why he does not consider the cases.

Law in Case Is Correct.

In the opinion rendered at the request of the clerk of the district court, the county attorney holds that the law in the case is correctly stated in the protests filed by each of the labor party candidates, asking that the petitions for a recount be ignored. Mr. Breen says that the protests should be sustained by the court.

By the opinion of the county attorney all of the questions raised regarding the expiration of the time provided by law for the taking of testimony by a commission composed of two justices of the peace, are not considered. As Mr. Roberts understands the situation it would be impossible to name the justices and hold the hearing in time to submit the case to the legislature on the second day of the session.

The legislature always has the power to decide upon its own membership, and it will be possible to take the contests for seats before that body itself when the session begins in January.

Contests for county offices are not affected by the opinion.

NO DECISION ON THE ARBITRATION

(Continued from Page One.)

United States that the Anglo-German ultimatum had been accepted by Venezuela. The president became furious with rage and said there was no truth in the report. He added: "The acceptance of an ultimatum cannot be coupled with arbitration. Besides, the Anglo-German ultimatum is not, properly speaking, an ultimatum."

When asked if it was true that Venezuela was taking diplomatic steps to arrange for arbitration, and that arrangements in this direction were well advanced, President Castro said: "The government of Venezuela does not propose to determine on any steps while the proposition for arbitration that the legation of the United States was charged to present to Great Britain and Germany shall remain unanswered."

Rome, Dec. 18.—Instructions have been

sent to Signor De Riva, the Italian minister to Venezuela, who is on board the Italian cruiser Giovanni Bausan at La Guayra, to be guided by circumstances and the best measures to take, always, however, bearing in mind the agreement with Germany and Great Britain and the necessity for uniformity of action.

The Italian government considers that the Bausan, Elba and Elgodard are sufficient to co-operate in the tripartite blockade of the Venezuelan coast.

From Plaza to Castro.

Guayaquil, Ecuador, Dec. 18.—President Plaza has sent the following message to President Castro at Caracas: "The government and people of Ecuador express sympathy with the government and people of Venezuela in the international conflict and hope the difficulties will be pacifically and honorably settled."

HE WROTE VERSES TO ACTRESS

(Continued from Page One.)

tells of the love of an American woman for a Siamese prince, and in which her love is finally requited by his breaking away from his own country to live in hers.

Wrote Poems for Her.

He wrote for her several poems, telling of the hard fate which separates them. The following is entitled "The Prince's Reverie," written at Oxford in February, 1901:

Ah, love, could you and I with Fate conspire, To grasp the sorry scheme of things entire; We would not shatter it to bits—and then, Remold it nearer to the heart's desire?" —Rubayat of Omar Khayyam.

I wish (as Omar did) we're friends with Fate, We'd beg of him to let us have his slate. Would we not wipe it clean, then write That each shall be allowed to choose his mate?

And love thee, sweet, I will; ay, forever, Although duty compels us to sever; Yet in my honest heart I shall love thee, Could I forget that thou lov'st me? Never. Ah, love, if thou wert born prince, Or else myself were only something less Than that which I am now—or rank so high, Oh, then, we two might know such happiness.

Another is written from the Arlington, Washington, D. C., October 13, 1902; one verse reads:

Though duty stern doth strangers make Our souls kindred as we; Forget thou not—for past days' sake, That I once lived for thee.

In a letter dated from Christ's church, Oxford, February 8, 1901, and signed "Bijou," by which name he liked her to call him, he addresses Miss Gillman as "My Tchernoo Okaya," which he explains is Russian, and means "Sparkling Eyes." He adds, "Who deserves the name better than you?" The letter continues in part: "My photos taken in Petersburg have just come, and as I am sending these to you, of course it is only right that a little note should accompany the photos. In the pictures I am dressed in the eighteenth century costume, which looks very fine. Don't you think I look nice in that costume and wig? Those of me as Sir Anthony Absolute are not good, so that I have not sent them."

ABOUT BUTTE.

Orton Bros. Pianos and organs. If you bought it at Sherman's it's good. Lippencott & Darrow, 266 Pennsylvania block.

J. C. Bates, tuner, Montana Music Co., 119 N. Main street. Tel. 504.

G. H. Kane of De Borgia is a guest at the Finlen.

A demurrer was filed in the district court today on behalf of Hubertus Corkish, who was sued by the state and county for case be dismissed the attorney for the case be dismissed the attorney for the defendant asserts that the state and county cannot sue together, as this really combines two cases in one. Improper drawing of the complaint is also alleged.

The Smart Set.

Argosy, Wide World, Pearson's, Christmas Judge and Pu-k, Horseman, Life and lots of new reading matter at P. O. News Stand, Phone 1002-K.

SWEET IS BEING TRIED FOR ARSON

BEFORE JUSTICE TAYLOR ON CHARGE OF WHICH LANNIN WAS ACQUITTED.

At 3 o'clock this afternoon the case against S. G. Sweet, charged with arson, was called in Justice Taylor's court in South Butte. Sweet was the chief witness for the defense in the recent case against Charles Lannin, in which the latter was found not guilty of arson.

Lannin is the proprietor of the Atlantic Tea store, which was burned on the night of December 4, and Sweet was his clerk. The men were suspected of setting fire to the store in order to get the insurance that covered the goods.

Sweet's defense will be that he started the fire accidentally. He says that he went into the store about midnight to get a cigar and that after lighting the cigar he threw the match on the floor. According to his story there was an explosion and, being frightened, he ran home and went to bed.

The case is being prosecuted by Assistant County Attorney Yancey.

Meet me at the Pister.

MICHAEL THILL AGAINST W. A. CLARK AND OTHERS

Sues for \$20,000 as Administrator of the Estate of His Brother, Who Was Killed in the Works.

Arguments occupied the day in the case of Michael Thill against W. A. Clark and others in Judge Clancy's court. Thill is suing as administrator of the estate of his brother, John E. Thill, who was killed in the Butte Reduction works in 1897. The claim is for \$20,000 on account of the death.

When the case came to trial yesterday the plaintiff endeavored to introduce testimony to show that the fatality was due to the negligence of the defendant. This was objected to and the argument continued through the day.

This morning, after the previous contention had been settled, the attorney for the defense objected to other testimony. Arguments on this question took up the time of the court.

SAY HE IS TO BLAME HIMSELF

Butte Electric and Power Company Files Answer to Burke.

In an answer to the suit of Martin Burke for \$50,000 damages on the grounds that the Butte Electric and Power company was negligent in the stringing of a wire with which he came in contact, the company alleges that Burke himself was to blame for the injuries he received.

He was hurt at the East Colusa mine and claims damages on the ground that the wires were not properly arranged to avoid accidents.

Go to Orton Bros. for everything in the music line. If you are not disposed to buy a beautiful piano as a Christmas present on the easy installment plan, why not consider a nice guitar, violin, mandolin, banjo or a nice music folio or music roll. A splendid Christmas assortment at Orton Bros., 219 North Main street.

HOTEL ARRIVALS

At the Finlen. T. D. Moffat, Bi-Metallie; Thomas E. Morton, John R. Lucas, Phillipsburg; G. H. Kane, DeBorgia; Mr. Rehfeldt, Phillipsburg; Mrs. J. Jay Kelley, Bozeman; W. E. Roland, E. E. Vetter, A. J. Vetter, Logan; W. M. Enright, T. F. Fitzgerald, Helena; W. A. Selridge, L. E. Spitz, St. Joseph; H. G. Jacobson, New York; Stella M. West, Whitehall; L. W. Willis, St. Joe; J. M. Wincott, Dr. C. A. Perrin, Helena; F. A. Timby, Salt Lake; W. R. Nelson, St. Paul; Al. Goodkind, Helena; D. A. Barlow, Missoula; Al. Bean, city; S. L. Jameson, Bozeman.

At the Thornton. F. H. Morton, Garrison; G. H. Datlac, Denver; Miss W. C. McKasker, Miss S. E. Miller, Sheridan; G. H. Haviland, Helena; J. F. Robson, Whitehall; C. T. Ferry, Helena; Fred Baldwin, San Francisco; G. B. Harman, Denver; J. Black, San Francisco; E. W. Potter, Philadelphia; A. C. Ware, Chicago; Mrs. V. C. Vogler, Red Rock; J. L. Fletcher, San Francisco; F. J. H. Fleming, Spokane; C. Walker, Chicago; F. J. Erfert, Helena; M. S. Kones, Garrison; T. A. Wolf, M. W. Leiby, Seattle; J. M. McDonald, San Francisco; H. C. Davidson, Alfred Kohner, New York.

At the Butte. J. S. Hopkins, Forsyth; W. D. Terrett, Forsyth; D. Lipman, Philadelphia; C. V. Fountain, Denver; C. W. Wilson, Spokane; Charles Ardery, Missoula; W. S. Walker, St. Louis; C. C. Hill, Virginia City; T. J. Leshar, Lansing; Carl H. Weil, Chicago; Jesse W. Hall, Seattle; A. O. Taylor, St. Paul; Mrs. H. J. Post, Lima; Phil P. Carr, St. Paul; Bert Ford, Halcyon, Ida.; Mrs. H. P. Wilson, Lima; Mrs. Brandenburg, Lima; J. Edinger, George Edinger and wife, Dillon; F. S. Metzler, C. Metzler, Puller Springs.

At the Southern. William Stokes, Kendall, Mont.; W. A. Lowney, Isle of Man; L. Strandley, Sweden; T. J. Booth, Isle of Man; William Rhodes, Deer Lodge; John Ward, Missoula; D. R. Sirem, George Howe, W. A. Stevenson, Livingston; J. E. Pritchett, Boulder; Angus D. McKrimmon, White Horse, Y. T.; J. G. Horsman, Billings; F. H. Miles, Feely; Dr. J. H. Owens, Charles Mason, Deer Lodge; Mrs. D. Ryan, Teasdale, Wyo.; D. Palter, Seattle; Morris Lavind, Portland; William Phillips, Dillon; Ed Kramer, St. Louis.

CHRISTMAS MAIL FROM OLD EUROPE ENORMOUS

If There is Anyone Over There Who Ought to Send You a Present, It is Likely in This Bunch.

BY ASSOCIATED PRESS. New York, Dec. 18.—Mail money order records have been broken in the central postoffices. Wednesday's transactions amounting to \$1,176,187. This included money orders issued, both domestic and foreign, the certificates of deposit issued to out-of-town postmasters, money orders paid and money order drafts. European advices brought the information that the incoming Christmas mail would be much larger this year than ever

Duffy's Pure Malt Whiskey

Medicine for All Mankind.



LOOK FOR THIS TRADE MARK ON THE BOTTLE.

CURES CONSUMPTION!

Dear Sirs:—After reading your advertisement I bought a bottle of your whiskey, which helped me right away. I am now on my third bottle, using it for consumption, and I feel like a new man. I think that if I had known of your whiskey when I was at home in Chicago, I would have never come out here for my health. ED. SCHUBARTH, 1608 Market St., Denver, Colo., Aug. 18, 1902.

Stopped Hemorrhages.

Nashua City, N. H., Sept. 11, 1902.

Gentlemen:—It is with great pleasure that I write to inform you that I have used eight bottles of your Pure Malt Whiskey. I would not have been here to-day only for your wonderful medicine. I have used all kinds of medicine and been under the care of doctors. I have had three severe attacks of grip and pneumonia, which have left me with a bad cough and weak heart. I am 67 years old. It has toned up my system and stopped the hemorrhages and I cough but very little. I only regret that I did not know of your whiskey before. I cannot express what it has done for me. I beg to remain, Yours respectfully, MRS. H. C. ALLINGTON.

Thousands of such letters are received from patients who have been cured by Duffy's Pure Malt Whiskey.

CAUTION.—When you ask for Duffy's Pure Malt Whiskey be sure you get the genuine. Unscrupulous dealers, mindful of the excellence of this preparation, will try to sell you cheap imitations, and so-called Malt Whiskey substitutes, which are put on the market for profit only, and which, far from relieving the sick, are positively harmful. Demand "Duffy's" and be sure you get it. It is the only absolutely pure malt whiskey which contains medicinal, health-giving qualities. Look for the trade mark, "The Old Chimney," on the label.

The genuine is sold by druggists and grocers, or direct, \$1.00 a bottle. It is the only whiskey recognized by the government as a medicine. This is a guarantee. Valuable medical booklet containing symptoms and treatment of diseases and convincing testimonials sent free to any reader of this paper who will write. Duffy Malt Whiskey Company of Rochester, N. Y.

before. The Cymric, bound for New York, is said to have on board 2,600 bags of mail. The Etruria is also coming with 1,805, the Kaiser Wilhelm der Grosse with 680 and the Louis with 300, a total of 5,415.

In Croker's Case.

BY ASSOCIATED PRESS. New York, Dec. 18.—Justice Leavelle, in the supreme court today, handed down a decision vacating the stay granted by Justice Fitzgerald restraining Fire Commissioner Sturgis from dismissing Fire Chief Croker until after the appellate division of the supreme court shall have passed on the legality of the trial.

THE RED BOOT SHOE COMPANY'S BIG SALE OF SHOES CONTINUES TO ATTRACT.

Two pages of The Inter Mountain are occupied today by "Red Boot" news, and it pays to advertise in such an aggressive manner. This is proven by the crowds that daily visit this popular shoe store. Sales to be successful must have a definite object in view, and this firm reincorporates on January 1st. Tomorrow's business, linked with Saturday's, will be the two largest days in the store's history, and in the language of the advertiser, "Now is the time to buy."

Pretty picture books for the children at Calkins.

MINING APPLICATION NO. 4632.

United States Land Office, Helena, Montana, Dec. 17, 1902.

Notice is hereby given that John Hopkins, whose postoffice address is Butte, Montana, has this date filed his application for a patent for 1,300 linear feet, being 92 feet westerly and 1,497 feet easterly from point of discovery in out of the Atlantic Slope Lode Mining Claim, upon which a notice of intention to apply for a patent was posted on the 3d day of December, 1902, situated in unorganized Mining District, Jefferson county, state of Montana, designated as Survey No. 6294, in Township 3 north, Range 7 west, being more particularly described as follows, to-wit: Beginning at the northeast corner of a granite stone set in the ground with a mound of earth alongside, and marked 1-6794 for Corner No. 1, from which the quarter section corner on the south boundary of Section 34, Township 4 north, Range 7 west, bears north 10 degrees 27 minutes east 1078.5 feet, and running thence north 87 degrees 43 minutes west 1505.3 feet, thence south 7 degrees 05 minutes west 462 feet, thence south 82 degrees 28 minutes east 1500.1 feet, thence north 7 degrees 05 minutes east 600 feet to the place of beginning, containing an area of 18.29 acres claimed by the above named applicant.

The location of this claim is of record in the recorder's office of Jefferson county, Montana, in Book "21" of lodes, on page 138. There are no known adjoining claims. FRANK D. MIRACLE, Register. SAMUEL BARKER, JR., Attorney for Applicant. (First Publication, December 18, 1902.)

Pianos, Organs

Bargains

HOLIDAY PRICES

Brand New Pianos

- Knabe \$150
Weber 400
Haddonff 350
Decker & Son 375
Hallett & Davis 325
Kimball 288
Brinkerhoff 275
Whitney 275
Hinze 245
A beautiful Baby Grand 500
Slightly used instruments.
One second-hand, very fine Bechstein Grand Piano, good as new, original price, \$1,100 250
One slightly used \$400 Kimball piano 250
One slightly used Hinze piano 185
One slightly used Smith & Barnes piano 185
One second-hand Packard organ 15
One second-hand Crown organ 25
One second-hand Mason & Hamlin organ 35
One second-hand Chicago Cottage organ 40
One second-hand Sterling (six octaves) 45
One nearly new Kimball organ 55
Brand new Organs, very best grade, \$65 and upward.

Easy Payments ORTON BROS. 219 N. Main Street

AMUSEMENTS

GRAND Butte's Finest Theater

Howe & Marks, managers. Phone 356.

One Week, Starting SUNDAY, DECEMBER 21st, Arthur F. Wardle Presents the Distinguished Actor

CHARLES D. HERMAN and THE WARDE COMPANY In Scenic productions, Sunday, Monday and Tuesday matinees. Tuesday, Wednesday, Thursday and Saturday matinees. FRIDAY AND SATURDAY

"The Lion's Mouth," "Othello," "Romeo and Juliet," "Gaston Cadol," "Macbeth" Prices, 25c, 50c, 75c. Boxes \$1.00. Seats now on sale.

For Money in Philippines. BY ASSOCIATED PRESS. Washington, Dec. 18.—The senate committee on the Philippines today agreed on a bill to establish a currency for the Philippines which is the joint production of Senators Lodge and Allison. The bill makes the gold peso of 12 9/10 grains the unit of value in the islands and makes the gold coins of the United States legal tender for all debts.

A. ITKIN

Loan and Diamond Broker 3 N. Main, 2d Door North of Park