

Butte Department.

THEY'LL SOON KNOW

The Closing Arguments in the Britannia Case Are On.

TOLD BY THE WITNESSES

Mr. Mantle Says That Mr. Largey Is Confused With Some Other Matters - Mr. Owsley Testifies Also.

The trial of the Britannia suit of P. A. Largey and William Owsley against Lee Mantle, was resumed in Judge McHilton's court yesterday morning with Mr. Owsley on the witness stand. He said that at the time the Britannia was located he and John Allport were the owners of the Charter Oak. "On the 1st of January the claim reverend to the public domain and he should have paid for the Britannia, but whether he paid or not I do not know, as I have not the books. The partnership was settled in 1881. Before that time Mantle said to me that he had a patent on both the Western World and the Britannia. I was away from the patents were procured. I knew of the time Largey and Mantle were working the Britannia. I also knew the time that a bond was given on the property and they were taking out ore. I did not ask for a deed, as I did not think it was necessary. I considered Mantle as an agent in fact for me. There was the full amount of work done on the Western World. I did not go on the Britannia between the time of the location and the issuance of the patent and do not know the amount of work there was done. I do not know, but I think Largey told me that he was putting up the money to do the prospecting or to buy properties. I understand that Largey is suing for \$15,000, the half of the sale price of the Britannia received by Mr. Mantle, and I also understand that I was a half owner in the mine and Largey and Mantle can fight it out. I claim that Mantle owes me \$15,000."

George Gemmill, deputy clerk and recorder, testified as to the records relating to the location of the Western World and Britannia claims. T. T. Baker, the civil engineer, testified that he became familiar with the Britannia in 1881, when he was requested by Mr. Mantle to make a survey of the claim for a patent. He was asked to make a survey of the Western World and the same time. The two claims adjoin each other and Mr. Mantle paid for the surveys. Mr. Baker said he had never heard of the Charter Oak until it was mentioned in court on Tuesday. He examined the location notices of the two claims and said he could not say that the two covered the same ground. On cross-examination Mr. Baker said he had no dealings with either Largey or Owsley in making the surveys and did not know they had any interest in the Britannia. The Western World patent was made out in the names of Owsley and Mantle and the Britannia in the name of Mr. Mantle alone.

Mr. Largey was called as a witness in behalf of Mr. Owsley, the intervenor, and started to relate some conversations he had with Mr. Mantle relative to Owsley's claim to the property, but as he had told the story the day previous, the court ruled the testimony out. Mr. Kennedy testified that in 1888 or 1889 he asked Mr. Mantle for a lease on the Britannia and Mr. Mantle told him to see Owsley, but he never saw him about it. Mr. Largey was recalled once more to correct his testimony of Tuesday in regard to certain matters, and Mr. Wellcome objected on the ground that Largey had testified positively to certain alleged facts and he had learned since that the records did not bear him out and now wanted to correct himself. The court overruled the objection and Largey testified about the location of the Pike's Peak, Carte Blanche and other claims, and his interest in them. He started to tell about some trouble he had with somebody and the court stopped him, because it was not material. Mr. Largey was anxious to tell more than he was asked to tell and had to be interrupted frequently.

John Allport was the first witness for the defense. He had been brought from a sick room for the purpose of testifying. Mr. Allport was one of the original locators of the Charter Oak, the ground alleged to be covered by the Britannia. He owned a half interest and sold it for \$100. He located the Western World and Charter Oak about the same time. Mr. Allport informed Mr. Mantle that the Charter Oak was open to relocation and he went and located the ground as the Britannia. Allport lived at Basin and came in from there and informed Mr. Mantle that representation work on the Charter Oak had not been done and Mr. Mantle immediately drove out to the ground and relocated it. Allport's testimony on this point was directly opposed to that of Largey and Owsley, who each claimed to have given the information to Mantle and that he located the ground for them jointly.

Lee Mantle, the defendant, testified that he had absolutely no conversation with Mr. Largey about locating the Britannia. "He knew no more about it than you did."

Awarded Highest Honors - World's Fair, DR. PRICE'S CREAM BAKING POWDER MOST PERFECT MADE. A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.

Simply Astonishing

The news of big bargains in our Cloak and Underwear Department has been carried by the wintry winds all over the town and state. We will place on sale Monday morning wonderful values. Let a few Specials stand for all. Come and be convinced.

- Box front Coats, half lined, full ripple back, \$10 kind, for \$6 00
Chinchilla and Boucle Coats, coat back, \$12.50 kind, for 8 50
Cheviot and Chinchilla Coats, 3 but. front, melon sleeves, \$15 kind, for 11 50
Imported Loucile Coats, velvet collar, ripple back, \$18.50 kind, for 12 75
Beaver Cloth Cape, velvet collar, a very chic garment, \$5 kind, for 3 00

INFANTS' CLOAKS.

Let one special stand for all. All wool Eiderdown, trimmed with black fur, in cardinal and tan, made to sell at \$3.50, sale price \$2 00

WRAPPERS.

- Flannelette Wrappers, nicely trimmed, \$2 kind, for \$1 50
Cashmere Wrappers, cardinal only, \$4.50 kind, for 2 50
Cashmere Wrappers, trimmed with lace, \$7.50 kind, for 5 00

UNDERWEAR

- Ladies' heavy Cotton ribbed Vest and Pants, fleeced, 50c kind, for \$ 35
Ladies' all Wool Vest and Pants, Camel Hair and Red, \$1.25 kind for... 75
Children's heavy Merino Underwear in Natural and Camel Hair for 25

DRESS GOODS DEPARTMENT.

We will show this week a new lot of figured (Jacquard) all colors and black at... \$ 25
Another lot all black Brocade, all wool, at... 50
All Wool and Mohair, worth \$1, for this week's sale at... 65c, 75c
A few Novelties, the correct style, at from... \$10 to \$30

Courtenay, Case & Gravelle Company, Butte

for I knew nothing about it myself until I went out to make the location." Mr. Mantle also denied that he had any talk or agreement with Mr. Owsley. Between the day on which he made the location and the occasion of his second visit to the ground, a man named Watkins attempted to locate the same ground. Watkins was a teamster in the employ of Mr. Owsley. Mr. Mantle said he kept up the representation work and paid for it with his own money and secured a patent. He never had any conversation with Mr. Largey in which any reference was made to his ownership in the property prior to securing the patent. A man who was doing the representation work uncovered a nice body of ore on the Britannia and several parties wanted to get a lease on the ground. Mr. Mantle mentioned it to Mr. Largey and the latter suggested that they work it, and they did so, but Mr. Mantle never got a statement from Mr. Largey about the mining he did and never saw his books. "I have asked Mr. Largey repeatedly for a statement of our affairs, but I never yet have had one to this moment. I never had an agreement with him that the profits should stand to the credit of the mine. I never had any conversation with Mr. Largey as to Mr. Owsley owning an interest and I couldn't have had such a conversation because I never regarded Mr. Owsley as owning any interest in it. Two years ago last August, after I had sold the Britannia, Mr. Largey came to my office and said, 'I see you have sold the Britannia,' and asked, 'Don't you consider that I own an interest in it?' I said, 'No, sir, I do not.' The next day I left for Washington and while I was there Mr. Largey filed a suit against me and attached \$2,000 of my money in the bank. I never had any conversation with Mr. Owsley about the Charter Oak, but my impression is that Watkins told me he had tried to locate the ground for Mr. Owsley. I am positive that I never told Mr. Owsley that Mr. Largey furnished me with money to buy mining properties. I had money of my own at that time, and more than I have now. Neither Largey nor Owsley ever offered to pay any of the expenses of locating or representing the Britannia. I did not use the funds of Owsley & Mantle. The firm had no money, and when the partnership was settled up Mr. Owsley was indebted to me. I never sent Mr. Kennedy to Mr. Owsley to see him about getting a lease on the Britannia. I remember Kennedy asking for a lease, but the ground he described was the Western World. I purchased a half interest in the Western World from Mr. Allport and asked Mr. Largey if he would like to go in on it. He said he would and I have always considered him a half owner in that mine and he can have it when he shows that he paid his share of the money. I cannot remember that he ever paid it, though he claims he did. There is no record of it on our books. His claim that I gave him an interest in the Britannia because he had given me an interest in several other mines is not true, as the records show he did not at that time own the claims in which he says he had given me an interest. There was very little business relation between us at that time. Our social relations were very friendly and would be so, but for some unfortunate disagreements over some mining transactions." Mr. Mantle said that he bought several pieces of mining property for himself and Mr. Largey at an administrator's sale, in which Mr. Largey was the administrator of the estate. The purchase was made through an agreement with Mr. Largey. On examination by Mr. Cotter, in the interest of Mr. Owsley, the witness said he had never known Owsley in connection with the Charter Oak. The only conversation he had with Allport about the claim was when the latter informed him that the ground was open to relocation. Mr. Mantle said he had no business interests with Owsley aside from the livery business. He never told Largey that he had given Owsley a quarter interest in the Britannia because he had treated him unfairly in jumping the ground. "Mr. Largey is a little bit confused with some other matters and I can explain it if he wants it brought out," said Mr. Mantle, but knowledge on that subject was not desired and the witness was excused.

SOME ONE BLUNDERS

Governor Rickards Has No Thought of Calling an Extra Session.

YET IT MAY BE NECESSARY

The Incongruities in the Codes Will Not Reconvene the Legislature, But the Election Laws Might.

Governor Rickards and some of the Silver Bow members of the legislature don't agree on the question of a special session. In Butte it has been given out, with alleged authority, that the governor had decided on an extra session and that the decision was final and positive. The governor came over from Helena last evening on private business and immediately upon his arrival was interviewed by a Standard reporter. The governor was in a hurry to keep an engagement, but he had time to deny most emphatically and unhesitatingly that he had any present intention of reconvening the legislature. In regard to the article in the Standard yesterday morning concerning the extra session talk in Butte, the governor said it was wrong only in two respects, the first being that an extra session has not been decided upon and the second being that he is not collecting a list of matters or subjects to embody a call.

"I notice that practically the same statement is made in another paper of even date," said the governor, "in fact, there is such a striking similarity in both articles as to create the suspicion that some one is trying to manufacture a sentiment in favor of an extra session. As a matter of fact, I have had only two gentlemen to advocate an extra session, while I have had several go to the trouble of coming to my office to protest against it. It is only fair to say that I believe one of the gentlemen who advised me to issue the call has some knowledge of the codes, while those who protested against an extra session did so on general principle. Nevertheless, I believe my people are opposed to an extra session by a very large majority."

"I will be frank to say I have a fear that it may be necessary to reconvene the legislative assembly in extraordinary session, but I certainly shall not take such steps until I am thoroughly convinced that the necessity exists and in reaching a conclusion I shall consult with several of our leading attorneys, seeking those who I know will give me an unbiased opinion. I have read quite a good deal that has been written by our newspapers about the 'omissions,' 'incongruities' and 'duplications' in the codes, but I fail to see why these in themselves would justify me in issuing a call for an extra session. 'Duplications' and 'omissions' will be found, I apprehend, even after the codes have run the gamut of several legislative assemblies. However, there are some contradictions in the registry and election laws which may be found to be serious enough to warrant the call. Although when I recall how readily our people adapted themselves to the trying conditions growing out of the memorable deadlock of the first session, when we had only such laws as were bequeathed to us by the territory, I am more than half inclined to believe that the taxpayers would prefer to bear the ills we know of than to shoulder the expense incidental to an extra session."

"Let me not be misunderstood. If there are dangers growing out of the contradictions in our election laws which cannot be averted, then the cost or expense of an extra session may be of secondary consideration. I deem it my duty, though, to take into account the condition of state finances in the consideration of this question. I have most studiously avoided discussing the extra session question, and I say unhesitatingly and unqualifiedly that no man has heard me express myself as likely to convene the legislature. Last Sunday was the first time I had been talked to about an extra session, and since then six or eight prominent citizens of the state have called on me to protest against a session. I repeat that the only fear I have of the necessity of an extra session is on account of the errors in the registry law, but I have been informed by a prominent attorney that even that could be gotten around."

"As to the revenue law, I have not given it much consideration, but I have made some inquiries and find that hardly anyone has refused to pay his license or tax, and that even if the law is declared unconstitutional, it will not affect, to any great extent. However, as I said, I have not yet given that much consideration. Aside from some members of the legislature, the sentiment is almost unanimous against reconvening that body. I say again, I have not reached a conclusion, nor shall I until I hear from the people whose servant I am, and, as the people seem to have become interested in this talk of an extra session, I feel called upon to express myself thus emphatically."

Now is your time to get a machine at your own price. We have a number of new sewing machines, which were slightly damaged by fire. Call and see them. Sherman Music company, 125 East Park street, Butte.

Groceries.....

People must have them. To know where they can be bought without injustice to the pocketbook and with full justice to the dining table; where all wants in the line can be supplied to the utmost satisfaction; where every article sold is guaranteed, and if not found as recommended, money is refunded; where the very best possible attention is given to the filling and delivery of orders; where the business is so conducted as to afford patrons the best possible goods and service for their money, COURTNEY'S, 308-310 North Main street, is the place.

If you buy your Groceries at Courtney's they are good.

THOMAS F. COURTNEY 308-310 N. MAIN STREET. TELEPHONE 185

Are You in the Grocery Business?

If you are, it will pay you to call at our wholesale house. We will furnish you with prices that will astonish you. We carry the largest stock of Groceries of any house in Montana. Mail orders will receive prompt attention.

Our Motto: Large Sales and small profits. A. F. BRAY The only exclusive Wholesale Grocer in Western Mont. Telephone 146, Cor. Arizona and E. Park Sts., Butte.

AT ACTUAL COST

In the way we are selling everything in our mammoth establishment during our great unloading sale. That's a truthful statement of actual facts, and we stand ready to back it up at our store. Why not come in and investigate for yourself? In suits and overcoats we even go below cost, for we are now giving the choice of any \$15, \$18, \$20, \$25, \$28 and \$30 for only

\$12.50 MACKINTOSHES. Men's fine quality, all wool, double texture mackintosh, with cape, never sold for less than \$12; now \$8.

SUSPENDERS. Men's overshot silk embroidered suspenders, regular 50c kind; this sale 25c. Men's suspenders, a little finer and better than the above; regular 75c kind, 35c.

SOCKS. Men's heavy cotton socks, double heel and toe; no seams; the regular 15c kind, 5c. Men's fine cotton socks, fast colors, black and brown, regular 25c kind; this sale, 10c.

Gans & Klein 120 and 122 North Main Street, Butte. Largest Clothiers in Montana.

DENSMORE TYPEWRITER

"Beats Them All" Montana Electric Co., P. O. Box 923, Butte, Montana



McDERMOTT HOTEL, Under new management. Strictly first class. Renovated and refitted throughout. Steam heat and electric light in all rooms. Large sample room for commercial men. Rates \$2.50 and upward. McDERMOTT HOTEL CO. R. F. LOCKE, Manager.

T. G. HEINE, M. D., - SPECIALIST - Diseases of the Eye, Ear, Nose and Throat. Office Hours - 9 a. m. to 12 m. & from 1 to 4 p. m. Office Rooms - 15, 17 and 13, Lizette Block, Butte, Mont.

No One Can Fail

To appreciate the extra value we give in all lines of Shoes. They are the best made, fully warranted as represented, and sold at prices unequalled by any other firm.

- We sell the best Boys' Shoes made, the celebrated Sussex, solid and easy, in lace, congress or button, sizes 2 1/2 to 5..... \$1.50
Youths' Fine Calf in Button or Lace 11 to 2..... \$1.25
Boys' heavy oil grained, best wet weather shoe warranted not to rip 3 to 5..... \$1.50
Youths' same as above, sizes 11 to 2..... \$1.25
Misses' spring heel School Shoes, in fine, soft grained, strong leather, all sizes up to 2, with worked button holes..... .90
Misses' Fine Vici Kid Patent leather: tip, spring heel, all sizes..... \$1.50
Childs' Fine Vici Kid Patent Leather Tip 8 to 10 1/4..... \$1.25
Childs' same as above, sizes 5 to 8..... \$1.00
Children's soft Vici Kid, spring heel 5 to 8..... .75
Same as above, in sizes 2 1/2 to 6..... .65
Baby Shoes..... .50

JOHN CAPLICE CO., 210-212 N. Main St., Butte.

GATES IRON WORKS

MANUFACTURERS OF GENERAL MINING MACHINERY, GATES ROCK AND ORE BREAKERS, STAMP MILLS. Smelting and Roasting Furnaces, Engines and Boilers, Leaching and Chlorinating Plants, Concentrating Machinery, Hoisting and Pumping Engines, Connorsville Blowers, Etc. Catalogues on Application. Orders and Correspondence Solicited. Western Office Room 19, Silver Bow Block. P. O. Box 531. WM. F. KETT, AGT. BUTTE, MONT.

PARISIAN HOUSE.

French Cleaning & Dyeing Scouring by French process. Satisfaction guaranteed. No soliters or branch offices. No. 40 W. Galena street, corner of Dakota, Butte, Mont.



McDERMOTT HOTEL, Under new management. Strictly first class. Renovated and refitted throughout. Steam heat and electric light in all rooms. Large sample room for commercial men. Rates \$2.50 and upward. McDERMOTT HOTEL CO. R. F. LOCKE, Manager.

T. G. HEINE, M. D., - SPECIALIST - Diseases of the Eye, Ear, Nose and Throat. Office Hours - 9 a. m. to 12 m. & from 1 to 4 p. m. Office Rooms - 15, 17 and 13, Lizette Block, Butte, Mont.

No One Can Fail

To appreciate the extra value we give in all lines of Shoes. They are the best made, fully warranted as represented, and sold at prices unequalled by any other firm.

- We sell the best Boys' Shoes made, the celebrated Sussex, solid and easy, in lace, congress or button, sizes 2 1/2 to 5..... \$1.50
Youths' Fine Calf in Button or Lace 11 to 2..... \$1.25
Boys' heavy oil grained, best wet weather shoe warranted not to rip 3 to 5..... \$1.50
Youths' same as above, sizes 11 to 2..... \$1.25
Misses' spring heel School Shoes, in fine, soft grained, strong leather, all sizes up to 2, with worked button holes..... .90
Misses' Fine Vici Kid Patent leather: tip, spring heel, all sizes..... \$1.50
Childs' Fine Vici Kid Patent Leather Tip 8 to 10 1/4..... \$1.25
Childs' same as above, sizes 5 to 8..... \$1.00
Children's soft Vici Kid, spring heel 5 to 8..... .75
Same as above, in sizes 2 1/2 to 6..... .65
Baby Shoes..... .50

JOHN CAPLICE CO., 210-212 N. Main St., Butte.

GATES IRON WORKS

MANUFACTURERS OF GENERAL MINING MACHINERY, GATES ROCK AND ORE BREAKERS, STAMP MILLS. Smelting and Roasting Furnaces, Engines and Boilers, Leaching and Chlorinating Plants, Concentrating Machinery, Hoisting and Pumping Engines, Connorsville Blowers, Etc. Catalogues on Application. Orders and Correspondence Solicited. Western Office Room 19, Silver Bow Block. P. O. Box 531. WM. F. KETT, AGT. BUTTE, MONT.