

Montana's Largest Grocery Feb. 1

We Want Your Trade

And we offer big inducements to get it. We save you money on good groceries every day you deal with us. Try us a month and see how much we can save you.

Fresh Fruits

- Apples—Fancy Ben Davis Greenings, Spitzenbergs or Baldwins; box \$2.00 and \$1.75; pound.....15c
- Fancy lemons, each.....10c
- Naval oranges. The 40c size today 25c a dozen; small size today each.....15c
- Grape fruit, two for.....15c
- Fine bananas, dozen.....25c
- Ple plant, small bunch.....10c
- Cranberries, quart.....10c

Vegetables

- Fancy white cauliflower, pound.....\$ 1-3c
- Crisp white celery, two bunches.....15c
- Fancy hothouse lettuce; pound.....25c
- Horseshoe root; pound.....12½c
- Sweet potatoes; six pounds.....25c

Butter, Eggs, Etc.

- Our delicious B. B. butter; pound.....30c
- Fine table butter; pound.....25c
- Absolutely fresh eggs, every one guaranteed; dozen.....30c
- Finest granulated sugar, 17 pounds.....\$1.00
- Ralston pancake flour, self-rising, 2 pound package, regular 12½c, today.....10c

Quaker Bread

Is just one of the many superior articles that you'll find at our bakery department today.

Candy

Have you ever tried our fine candies at 25c a pound? At first you'll think you got the 50c kind by mistake, because they are just as good as you buy elsewhere for 50c pound. Our price, pound.....25c

LUTEY BROTHERS
GOOD GROCERIES CHEAP
47 W. Park Phone 68

SUTTON'S Broadway Theater

ANNOUNCEMENT EXTRAORDINARY!

One Concert Only TONIGHT

CHICAGO SYMPHONY ORCHESTRA

60—MUSICIANS—60

Four Great Soloists

MME. RAGNA LINNI Soprano
EDWARD C. TOWNE Tenor
FRANZ WAGNER Cellist
JAN VAN OORDT Violinist

NOTE—The Chicago Orchestra appears here under the auspices of the Woman's Club.

400 Seats at 75c—Special Announcement.

Prices—50, 75c; \$1, \$1.50, \$2

AN EVENT IN MUSICAL CIRCLES.

The Great Chicago Symphony Orchestra Here Tonight.

No such complete musical organization has ever visited this city as the Chicago Symphony Orchestra. Each and every member of it is a finished musician. The bright particular star is Adolph Rosenbecker, the celebrated orchestra director, whose work is praised by every musician that has seen him direct and heard the effect he can get from a body of men. The orchestra engagement opens at Sutton's Broadway theater tonight.

The soprano, Mme. Regna Line, one of the country's greatest sopranos, is a Scandinavian by birth.

Mme. Line has a brilliant soprano voice, rich and full in quality and exceptional range. It is said that her charming voice combined with her most charming manner immediately wins the hearts of her audience.

Jan van Oordt, the concert violinist, Franz Wagner, cellist, and Edward C. Towne Tenor as the four soloists of the organization makes a combination capable of producing the greatest musical works. The tour of this orchestra, embracing 10,000 miles and it will appear in the leading cities of Northwest and Pacific coast states.

ROADS MAY REFUSE TO OBEY ORDER

POSSIBLE THAT GREAT NORTHERN WILL FIGHT FLAGMEN ORDINANCE.

NOTICE SERVED THIS MORNING

Verbal Notification Placed in Hands of Various General Agents—Railroads Have Sixty Days of Grace.

It was given out today that the railroad companies would decide to fight the order of the city council establishing flagmen at the different street crossings where the trains pass.

Street Commissioner McLaughlin this morning served written notices on the representatives of the Northern Pacific and Great Northern. Major Dawson, as representative of the Great Northern, was served and General Agent Merriam of the Northern Pacific was also notified in writing of the council order.

The council voted to order the railroads to put flagmen at the crossings some time ago, but no attention was paid, owing to the fact that a verbal notice was given.

One Road Will Not Comply.

Today when the street commissioner acting under special instructions from the council served notice that the flagmen must be placed within 60 days, the information was given that at least one road would oppose the order and refuse to obey the instructions given. The Northern Pacific agent has stated that he thought his road would comply with the order, but it is likely that if one stands out to fight, the other roads will join in opposing the order.

With Street Commissioner McLaughlin, by order of the council, is vested the authority to see to it that the order is obeyed. Truth, to say the general commissioner is really up against it when it comes to enforcing the order, for the reason that he has no one within reach on which to vent his legal anger in case the flagmen are not placed as directed.

Commission Perplexed.

"I don't know what I can do if they don't want to obey the order," said the street commissioner a little ruefully this afternoon as he made his report to the mayor. There's no one here that I can go against that I know of, but the council says I've got to do my duty.

"Maybe they expect me to go to St. Paul and have a talk with Jim Hill and if he gets 'sassy' put him under arrest. That's about the only man I know to hold personally responsible. Say, that would make a good tripe, eh. If I did get thrown out of the state of Minnesota for trying it, wouldn't it? Guess I'll have the council give me new orders so's I can go."

The railroads have 60 days in which to comply with the order.

Only a few lots left in Roosevelt townsite, Thunder mountain. Cobban & Casey, 106 West Granite.

BUTTE IN BRIEF.

Miss Turnley's private school, 431 West Mercury.

For funeral notices, fraternal notices, entertainment notices, see Want Ads, page 2.

The weather forecast for today and tomorrow is: Fair tonight and Sunday; rising temperature Sunday.

The usual services will be held at the Swedish Mission church, corner of Dakota and Porphyry, tomorrow.

Patrick Toohy, who formerly resided in this city, died a few days ago in Canandaigua, N. Y. Toohy was a young man and had many friends in Butte. He went to Mexico about two years ago.

Gen. Charles S. Warren states that operations at Oil City have been temporarily abandoned because of the intensely cold weather. The well was down 300 feet when operations were suspended.

The law firm of Former Chief Justice Pemberton and H. Lowndes Maury has been dissolved. Judge Pemberton says the relations of the concern have been most pleasant and that he regrets the severance of the association.

COPPER MINING QUOTATIONS

(Special to Inter Mountain.)

Boston, Mass., Feb. 1.—The copper mining shares closed today as follows:

Amalgamated	\$ 78.37
Anaconda	36.00
Parrot	34.50
Calumet & Hecla	650.00
Tamarack	280.00
Osceola	87.50
Utah Con	26.37

LABOR MAN BACK.

Daniel McDonald Did Great Work in Colorado.

Daniel McDonald, president of the Western Labor union, returned yesterday from Denver, where he went a few months ago to attend a convention of the organization of which he is the head. He will remain here a few days and then go to Spokane and other Western cities for the purpose of performing a little work in his line of occupation.

The Western Labor Union is practically a young organization, but is making rapid strides in the work in which it is engaged.

Prior to its advent in the Colorado capital the American Federation of Labor, of which Samuel Gompers is president, conducted all matters pertaining to organized labor in that section, but now each organization holds almost equal sway.

If anything the Western Labor union has a shade the best of the situation.

Mr. McDonald says he is well pleased with the progress his organization has made during the last eight months and the outlook for its advancement. "The union has more than doubled in membership within the last year," says he, "the growth being general throughout the inter-mountain country."

STILL "AFIGHTIN'"

HEALTH COMMISSIONER LEGGAT IS NOT THROUGH YET.

ASKS STATE BOARD TO STEP IN

Writes Secretary to Come Over and Mix Up in Discussion of Who's Who and What's What.

Health Commissioner Leggat is after more sculps. The scrappy guardian of the public health isn't content with quarantining the county physician and exiling him to the flats, but insists upon his own way in the matter of recompense, so far as the city is concerned. In other words, the health officer is standing as a watch-dog to the city treasury when it comes to spending money in health matters.

The commissioner's latest move is the writing of a letter to the secretary of the state board of health asking that official to come over and take a hand in the discussion between the city and county.

Dr. Leggat is moved to this by the announcement that the county commissioners will seek to make the city pay 50 per cent of the cost of maintaining the county detention hospital.

Asks for State Interference.

The commissioner of health insists that under the law the county is obliged to pay the expense of maintenance, and quotes from Section 13 of House Bill No. 104, which annuls all conflicting laws and states specifically that the county shall bear the expense.

"This is the letter which the health officer has forwarded to the state board:

"Dr. A. F. Longway, Secretary State Board of Health, Great Falls, Montana:

"Dear Sir—Some misunderstanding between the city board of health and the county board of health having arisen over the cases of smallpox patients, it would be conferring a favor on both boards if the state board of health would take up the matter.

"If possible, it would afford me great satisfaction to have you come to Butte and confer with the county health officer and myself and define the duties of each. It is my desire to act fairly in the matter and not try to shift the work of responsibility. Yours, respectfully,

"A. C. LEGGAT."

Health Board to Meet.

There will be a meeting of the city board of health at 9 o'clock tomorrow afternoon, when the matter will be discussed. Dr. Leggat is willing, he says, to meet the county half way, but is opposed to the city paying an arbitrary proportion fixed by the county commissioners. So there's likely to be another chapter to the O'Leary story.

The board will also take up the question of a new detention hospital for the city and will then go into a discussion of the new incinerator, which is looked upon as a vital necessity.

Members of the city council will be asked to meet the members of the board and to pay a visit to the city dump, where the defects and needs can be pointed out and discussed intelligently.

Roosevelt townsite, Thunder mountain. Lots for sale by Cobban & Casey, 106 West Granite.

LIKELY A RED DOVE

Attorneys for the four suspended policemen who were concerned in the suit for a writ of mandamus compelling the mayor to reinstate the men and pay salaries for January, made an unexpected move this morning when they withdrew the petition filed in Judge Clancy's court in the name of Emanuel Parini.

No cause was assigned and the withdrawal was taken without prejudice.

City Attorney Lamb had already filed his answer to the petition and had pointed out the city's contentions of the case. The motion to quash was to have been argued this afternoon at 2 o'clock, but the withdrawal of the petition shut off the proposed debate.

Just what is intended by the new move is not yet made public. There is a belief that the petition is withdrawn to draw the fire of the mayor and chief of police and ascertain whether or not all of the men suspended would be reinstated.

Tomorrow is the day when three of the men's time of suspension expires. These are Condon, McGlynn and Parini. Officer McNally's time of suspension expires Monday and he will go back to work unless a new order of suspension is issued, which is not likely in his case.

Talk of Continued Suspension.

There has been talk of the continued suspension of Parini, Condon and McGlynn, not only on account of the suit in Judge Clancy's court, but because in the eyes of the executive and head of the police force the three men continued to be disobedient in that they refused to turn in their stars, caps, clubs and other city property as directed by Chief Reynolds.

This has been construed into a defiance of the orders of the chief of police and was so looked upon by the mayor. Yesterday, however, evidently appreciating the position taken by the mayor, which would likely result in further suspension, the three men turned in the property to the city attorney.

The fact that the property was not turned in to the chief of police and thus make a virtual recognition of his orders, is likely to be overlooked in view of the withdrawal of the suit.

It is still a question with some what action is to be taken by the mayor in connection with the suspensions. There are all kinds of rumors to the effect that the men will be again suspended, but this was talked of as a certainty only before the application for a mandate was withdrawn.

A Chance of a Life Time.

Buy a lot in Thunder mountain, in the new town of Roosevelt, Cobban & Casey, 106 West Granite.

Jones' dairy farm. Pure pork sausage at Brophy's.

QUARANTINE ORDER

EXCITES REPLY

COUNTY HEALTH BOARD WRITES POINTED LETTER TO CITY HEALTH AUTHORITIES.

DEPLORES EXILE OF O'LEARY

Evil Effects of Dr. Leggat's Action Pointed Out, and the City Board Reminded of Its Previous Agreement.

The following interesting and pungent letter ament the recent trouble about Dr. O'Leary coming to town from the pest house was sent to the city board of health by the county board of health: "To The Honorable Members of the City Board of Health:

Gentlemen—If at any time there is any difference existing between the city and county boards of health, or if there is anything that your honorable body wants adjusted in any way, we would be much obliged if you would communicate with the county board of health on the subject. You will always find the county board ready and willing to do all that is in their power to maintain the best health regulations.

We believe this to be a more appropriate and dignified way of adjusting the health laws of the city and county, and not by continual sensational newspaper notoriety.

It Raised O'Leary's Salary.

The county was paying a doctor \$250 per month for the care of all contagious diseases in the county and also for the medical care of smallpox patients at the pest house. On account of the recent action of the city health officer in asserting that he would not allow Dr. O'Leary to enter the city limits while he was attending the pest house. The county board (while not admitting the legal right or authority of the city health officer to quarantine the doctor employed by the county), thought it best to have Dr. O'Leary retire to his pest house and attend the cases there. This entails an additional expense on the city and county of \$250 per month, besides leaving the city without a special doctor to attend to smallpox, scarlet fever and other contagious diseases.

City Must Care for Its Own.

The county board wishes to notify your honorable body, that they cannot nor will be responsible for the medical care of any person sick with contagious diseases within the city limits of Butte, for the very good and sufficient reason that your city health officer will not allow the county doctor employed for such cases to look after the same. We also respectfully call your attention to an agreement entered into by your honorable body with the county board of health on the 31st day of July, 1901.

There were present, representing the city board of health: Messrs. Evans, Mayo and Alexander; representing the county board of health: Messrs. Clark, Ferrel and Matthews. It was mutually agreed that the city should pay 30 per cent of all indebtedness incurred at the pest house, and that in the future care for their own expense all persons (excepting paupers) afflicted with smallpox or other contagious diseases confined within the city limits of Butte, will confer a blessing and a favor on a long suffering county board of health if you will live up to this agreement.

Respectfully,
W. D. Clark,
Chairman County Board of Health.

PERSONAL.

Martin Buckley of Helena is in Butte today.

L. Bernardin is a recent arrival from Helena.

Gas Raime of Livingston is a visitor in Butte today.

Mrs. A. A. Mirfin of Pony is visiting in the city.

Attorney William Wallace of Helena is in the city.

George A. Haywood of Phillipsburg is in Butte today.

O. L. Finkelburg came in from Missoula last evening.

E. L. Kern has returned from a trip to Eastern Montana.

George Cartier is one of the recent arrivals from the capital.

Attorney McConnell of Helena is a recent arrival in Butte.

H. T. Crobe, a traveling man from Salt Lake, is in Butte today.

John F. Jackson of Anaka, Minn., is among the late arrivals in the city.

Mr. and Mrs. George Dier of Bozeman are spending a few days in the city.

Dr. H. E. Almas, who registers from Harlowtown, is at the Thornton today.

Frank Conway of the Dillon Examiner is in Butte today, meeting old friends.

S. Howard Brady of Marysville came in on last evening's train from the north.

Charles C. Overmire and wife are over from Helena, and are staying at the Thornton.

Mrs. Kate Suprenant is back from Big Timber, where she has been visiting Mrs. W. P. Gilmore.

Mrs. E. C. Harrington has returned from Phillipsburg, where she has been visiting for a few weeks.

H. B. Segur, agent of the Burlington, with headquarters at Billings, is one of the recent arrivals in the city.

Ed Kelly, one of Northern Montana's prominent young stockmen, left yesterday for his home, after a visit of several days in Butte.

Clarence and Arthur Crowley, who have been visiting their mother in the hospital here, have returned to their home at Phillipsburg.

C. A. Whipple, deputy state land agent, is in the city on his way back from Missoula, where he has been in connection with the business of his office.

R. R. Selway, one of the largest sheep owners in Northern Wyoming, accompanied by Mrs. Selway, is in the city, on his way to the woolgrowers' meeting in Helena.

Mrs. Henry J. Robinson, who recently underwent an operation at St. James' hospital, is very much improved, and will be well enough to leave that institution soon.

TO-NIGHT

6 to 10 O'clock

More Little Things And More Little Prices

The lower the thermometer gets the lower we make the prices for little things that we cannot give daytime attention. Last Saturday night the prices were so low that buyers came from Walkerville, Centerville and Meaderville while the thermometer registered 10 to 15 degrees below zero, in order to get their share of our good things for little money.

Read Tonight's List of Handy Things to Have.

Fire Shovels good size, steel, worth 10c, 5c	Bread Boxes Japanese, large; worth \$1.50, 75c	Bread Pans large and heavy, worth \$1, 55c
Wash Tubs wood, No. 2, worth \$1.50, 75c	Brooms medium weight, three rows fancy attaching, 25c	Dish Pans large size, good, worth 50c, 30c
Mops hardwood handles, cotton heads, 30c	Washboards reversible, worth 50c, 25c	Curtain Rods white enameled, with trimmings, 12½c
Coal Hods Japanese iron, worth 50c, 30c	Scrub Brushes good ones, worth 25c, 15c	Cuspidores ornamented china, worth 75c, 45c
Cake Turners steel, worth 10c anywhere, 5c	Syrup Pitchers nickle, with tray, worth 50c, 25c	4-Quart Kettles granite iron, worth 50c, 30c
Coffee Strainers Nickle finish, worth 20c, 10c	Knives and Forks wood handles, set worth \$1, 50c	Coffee Mill good, large ones, worth 75c, 50c

Brownfield-Canty Carpet Co.
48 to 54 W. Park and 43 to 45 West Galena St., Butte.

DIES OUT IN COLD WYMAN ADMITS IT

MAN'S FROZEN BODY FOUND IN GREAT FALLS.

SEEN IN CONVIVIAL COMPANY

Hans Tofte and Ole Dahl Start for Red Coulee and the Morning Finds the Former Cold in Death.

(Special to Inter Mountain.)
Great Falls, Feb. 1.—The body of a man frozen stiff from long exposure to the cold was found yesterday in a gully at the corner of Fourteenth street and Third avenue, but not until late last evening was it identified as that of Hans Tofte, who came here from Minneapolis about two years ago.

Going to Red Coulee.
Gust Anderson and Andrew Erickson identified the body, and said that the last seen of Tofte the night before was when he left a saloon in company with Ole Dahl for a drive to Red Coulee to visit the latter's brother.

Dahl showed up here yesterday morning and said he had lost his rig in the country and had to walk home.

He Manifests Surprise.
He seemed utterly surprised to learn of Tofte's fate and declared that he could offer no explanation.

Nothing about the body indicating foul play, it is supposed that Tofte, who was under the influence of liquor, fell from the buggy and his companion being equally inebriated, failed to notice his absence.

TWO MONTHS IN JAIL

NELLIE GRAHAM IS FINALLY SET AT LIBERTY.

REHEARING IN GREAT FALLS

Complaint Failed to Make a Plain Statement of the Offense Charged.—Supreme Court Took the Matter in Hand.

(Special to Inter Mountain.)
Great Falls, Feb. 1.—Judge Leslie yesterday afternoon granted the writ of habeas corpus asked for by Nellie Graham, who has been confined in a jail in Chouteau county for two months.

Judge Tattan refused to grant the writ asked for, and an appeal was taken to the supreme court, whereupon an order was made for a rehearing of the case here.

Orders Her Freed.

CLAIMS HE SHOT OAKLEY IN SELF DEFENSE.

ARRESTED ON BLUE CREEK

He Declares He Was Threatened With a Whipping—Injured Man Is on a Fair Way to Recovery Now.

(Special to Inter Mountain.)
Billings, Feb. 1.—Charles Wyman, accused of shooting William M. Oakley yesterday, was arrested on a ranch in the Blue Creek country and brought to the city, where he was arraigned and the date of his examination set for February 11.

Claims Self Defense.
Wyman does not deny that he shot Oakley, but says it was in simple self defense. He claims that Oakley was chasing him and threatening to give him a whipping.

Oakley was shot through the shoulder and is receiving treatment at the hospital, where the doctors says he is no danger.

Mackness Passes Away.
(Special to Inter Mountain.)
Helena, Feb. 1.—Tom Mackness, one of the old timers of Helena, and a man well-known all over the state, died of dropsy last evening at the Grand Central hotel. He had had charge of the cigar stand of the Grand Central for a number of years, or ever since he was obliged by ill health to leave the road. He had hosts of friends all over Montana. He was a member of the Masonic lodge.

Jones' dairy farm. Pure pork sausage at Brophy's.

Butte Sewer Pipe & Tile Co. Manufacturers of
Crucibles, Scorifiers, Muffles, Bone Ash, Borax Glass, Etc.



Fire Brick and Tile for Metalurgical Use.
102 W Granite Street
Butte, Mont.

DR. HUIE POCK

12 Years in Butte
Generation doctor of China from grandfather down. Born and schooled in the profession. Treats all diseases making a specialty of chronic troubles. Consult me before you waste your life away.
22 1/2 South Main St.